

Republic of Somalia, Law No. 10 of 18 February 1960 on Foreign Investments in Somalia

*English translation prepared by the Legal Archives
Centre (unofficial translation)*



Article 1 Definition of Foreign Investments

Foreign natural and legal persons, as well as Somali citizens residing abroad who intend to carry out in Somalia transfers in foreign currency, after the entry into force of the present law and on the basis of its provisions, must first inform the Presidency of the Council Bureau of Planning, by registered letter with acknowledgment of receipt, containing all elements necessary to determine whether such investments are intended for the creation of new enterprises, or for the expansion, renewal, reactivation, or transformation of existing enterprises.

Such investments may also be made through contributions of machinery, tools, spare parts, installations, construction materials, and all other supplies to be used for the establishment or development of an enterprise, provided that they are not products manufactured in Somalia. These imports shall be subject to the provisions of Article 13 below. The value of the investments shall be determined according to the value established by customs for the imported equipment.

Transfers of exploitation rights relating to patents, trademarks, and licenses connected to the investment project shall likewise be considered foreign investments within the meaning of the present article. The value of such transfers shall be determined by the Committee for Foreign Investments.

Article 2 Establishment and Composition of the Foreign Investments Committee

Once the information referred to in the preceding article has been received, the Presidency of the Council – Bureau of Planning shall submit the request to the Committee for Foreign Investments (C.I.E.).

This Committee shall be composed of:

- a) The Prime Minister, who shall serve as its Chair;
- b) The Ministers of Finance; Industry and Commerce; Public Works and Communications; and Agriculture and Livestock;
- c) The Head of the Planning Bureau of the Presidency of the Council;
- d) The President and the Director General of the Monetary Circulation Fund of Somalia;
- e) Six experts, appointed by the Council of Ministers;

- f) Three representatives of the Chamber of Commerce, Industry, and Agriculture of Somalia, appointed by that Chamber.

The members of the Committee shall be appointed by decree of the Head of State, upon proposal of the Prime Minister, and for the members referred to in points (e) and (f), after the required nominations have been made. The term of their mandate shall be two years. The same rules shall apply to the replacement of members in the event that their mandate ends before its expiration.

Experts or technicians with special competence may be invited to attend the meetings of the Committee, without the right to vote.

The Head of the Planning Bureau of the Presidency of the Council of Ministers shall perform the functions of Secretary of the Committee.

The Committee shall meet at least once a month. In the absence or incapacity of the Prime Minister, the Committee shall be chaired by a Minister according to the order of precedence of Ministers established by the regulations of the Government of Somalia.

Article 3 Functions of the Committee for Foreign Investments

The Committee for Foreign Investments shall have the following functions:

1. To determine whether an investment request satisfies the productivity conditions referred to in Article 4 below;
2. To request from the competent authority whether the investment application falls within the economic development plans of Somalia;
3. To authorize the Monetary Circulation Fund of Somalia to accept the surrender of foreign currencies when such currencies do not form part of the freely negotiable currencies under the provisions in force;
4. To register foreign capital in the currency of origin, where it is imported in cash, or in the currency of the country where the submitted documents were issued, in other cases;

5. To authorize and evaluate, for purposes of registration, on the basis of the documents submitted, at international prices and upon expert opinion, patents and other rights transferred from abroad;
6. To register foreign capital already existing in Somalia, in accordance with the provisions of Article 6 below, determining its amount and the currency of origin for the purposes of applying the present law;
7. To register, as an increase of the base capital, reinvested profits declared in accordance with Article 8, and to deliberate on the authorizations required under that article;
8. To register enterprises which, as a result of the contributions provided for in numbers 4, 5, 6, and 7 of the present article, have at least 51% of registered foreign capital;
9. To deliberate on disputes that may arise, where applicable, between the investor and the Minister of Industry and Commerce concerning the transfers of capital and profits referred to in Articles 7 and 12 below;
10. To facilitate the issuance of residence permits to businessmen, experts, technicians, and foreign workers in accordance with the provisions of Article 17 below;
11. To authorize the transfer abroad of portions of salaries, wages, and bonuses beyond the minimum provided for in Article 17 below;
12. To supervise compliance with the conditions laid down for long-term and medium-term borrowing operations and the issuance of bonds in accordance with Article 10 below;
13. To authorize the issuance of foreign loans within the meaning and for the purposes of Article 11 below;
14. To monitor the progress of foreign investments and to report periodically to the Inter-Ministerial Committee for Economic Development, formulating, where appropriate, observations and proposals;
15. To organize a technical advisory service for those intending to transfer capital to Somalia, by providing the necessary information on Somali legislation and administrative measures, as well as the required economic and statistical data;
16. To carry out any additional tasks that may be entrusted to it concerning foreign investments in Somalia, and to formulate proposals for their increase and development.

Article 4 Definition of a Production Enterprise

For the purposes and effects of the present law, production enterprises shall be considered to be those whose objective is the production of goods or services, as well as enterprises which, in the course of carrying out their activities, require land improvement works, irrigation, and land development; the establishment of facilities, construction sites, generators, and energy transmission lines; the drilling of wells; the construction of aqueducts, reservoirs, and tunnels; the construction of roads, bridges, and buildings including those for hotel use; and the construction and operation of ships and aircraft.

Production enterprises shall also include service enterprises engaged in activities of prospecting, inspection, analysis, and petroleum or mining exploration carried out by foreign firms acting on behalf of companies that have concluded with Somalia one of the agreements referred to in Article 20 below.

Article 5 Procedure and Time Limits for Registration

Within sixty days of receiving an application for foreign capital investment, the Planning Bureau of the Presidency of the Council shall communicate to the applicant the decision adopted by the Committee on Foreign Investments.

Once this sixty-day period has expired, the applicant may request the response by registered letter with acknowledgment of receipt. If no reply is received within thirty days from the receipt of that registered letter, the investment shall be deemed productive and considered as forming part of Somalia's economic development plans, and the investor shall automatically be entitled to the benefits provided under the present law.

The Planning Bureau of the Presidency of the Council, after verifying at the request of the interested party whether the investment has resulted in the creation, expansion, renewal, transformation, or reactivation of the enterprise concerned, shall issue to the investor a declaration within ninety days of the said request for verification. This declaration shall constitute registration of the investment, and from its date the rights and obligations arising under the present law shall take effect.

Article 6 Modalities of Application to Existing Foreign Investments

Within 180 days from the publication of the present law, foreign nationals or Somali nationals residing abroad who have already made capital investments in Somalia may apply to the Committee on Foreign Investments for the registration of those investments.

The Committee shall authorize registration by determining the amount of foreign capital invested in the enterprise, through an assessment of the total assets of the enterprise, based on the information provided by the interested party and on the declaration submitted for the purpose of determining income tax for the current year, in accordance with ***Law No. 15 of 16 November 1957***. The value of the foreign capital invested shall be considered equal to the amount of the assets thus assessed. The currency of origin shall be determined by the Committee, taking into account the nationality of the enterprise or of the owner, or the documents submitted by the interested party.

In this case, the Committee is required to render its decision within 180 days from the date of submission of the application, and the date of communication of the decision shall constitute, for all legal purposes, the date of registration.

Once this 180-day period has expired, the applicant may request the response by registered letter with acknowledgment of receipt. If no reply is received within thirty days from the receipt of that registered letter, the investment shall be deemed registered as productive, and the investor shall automatically be entitled to the benefits provided under the present law.

The communication to the applicant, referred to in the third paragraph of the present article, shall also specify whether the investment has been considered productive within the meaning of Article 4 above, and whether it has been admitted to the corresponding benefits, or considered non-productive and governed as investments to which Article 12 below applies.

From the date of registration, the foreign investment shall enjoy the advantages provided under the present law, with the exception of the customs and fiscal exemptions referred to in Article 13 below.

Article 7 Transfer of Profits and Capital

Profits, income, interest and returns derived from investments in real estate or loans, as well as dividends and interest effectively generated from investments in shares and bonds acquired or subscribed in Somalia for investments registered as productive and forming part of Somalia's economic development plans including investments registered as productive within the meaning of Article 6 above may be freely transferred abroad up to a maximum of 15% of the capital invested.

If the profits obtained during a given year are less than 15%, the unused portion of the transferable amount may be accumulated, but only during the following three years. Once those three years have elapsed, the investor shall no longer be entitled to transfer the unused portion.

Capital relating to such investments, arising from possible subsequent realizations, may be freely transferred abroad five years after the date of registration, unless a reasoned decision of the Committee on Foreign Investments reduces this period, but not to less than three years. Such transfer shall be made in the currency of origin.

The use of sums not authorized for transfer under this article may take place in accordance with the modalities provided by any more favorable monetary provisions in force at the time of transfer.

Article 8 Reinvestment of Profits

The reinvestment in the enterprise, or in another registered enterprise, of all or part of the profits derived from a registered enterprise and transferable abroad within the meaning of Article 7 must be notified to the Committee on Foreign Investments. After verifying the validity of the submitted documents, the Committee shall register the amount to be added to the capital originally invested and registered.

From that date, the advantages provided by the present law shall be calculated on the basis of the original capital plus the portions of profits reinvested and registered.

No prior authorization is required for the reinvestments referred to in the preceding paragraph, unless their total amount exceeds the registered base capital of the enterprise.

Article 9 Transfers and Alienations of Foreign Investments

The provisions of the present law shall also apply in cases where the original investor transfers all or part of the assets acquired in Somalia to another foreign natural or legal person, or to a Somali national residing abroad.

The transferee must, within fifteen days of the transfer, notify the Presidency of the Council Bureau of Planning as well as the Ministry of Finance and the Ministry of Industry and Commerce. After this period has elapsed, the transferee shall lose the benefits provided under the present law.

In the event of a partial or total transfer to Somali nationals residing in Somalia, both the transferor and the transferee must notify, within fifteen days, the Presidency of the Council – Bureau of Planning the Ministry of Finance, and the Ministry of Industry and Commerce. From that date, with respect to the transferred portion, entitlement to the benefits provided under the present law shall cease.

The notification referred to above must be accompanied by documents establishing the validity of the transfer.

Article 10 Limitation and Procedure for Domestic Loans

Enterprises registered under the present law may take the form of companies or foreign firms, or Somali companies or firms. These enterprises may contract medium-term and long-term loans in Somalia and issue bonds under the following conditions:

- a)** If the enterprises are established in the form of subsidiaries of foreign companies or firms, or as Somali companies without participation of Somali nationals residing in Somalia, the total amount of loans and bonds may not exceed 50% of the total capital introduced into Somalia.
- b)** If the enterprises are established in the form of Somali companies with the participation of Somali nationals residing in Somalia who have contributed at least 30% of the capital, and where foreign capital exceeds 30%, the total amount of loans and bonds may exceed 50% of the capital and may reach up to 100%.

If the participation of foreign capital occurs through the subscription of a capital increase in a Somali joint-stock company, the provisions of the preceding paragraph shall apply to loans and bonds contracted or issued after such capital increase.

Shareholdings in other Somali or foreign enterprises operating in Somalia by enterprises referred to in the preceding paragraphs may only take place upon special authorization granted by decree of the Minister of Finance after a binding opinion of the Committee on Foreign Investments.

Loans contracted on the Somali market by enterprises or shareholdings, including the issuance of bonds, shall be considered as having been directly contracted by the enterprises in which foreign capital has participated for the purposes of the second and third paragraphs of this article.

Medium-term and long-term borrowing operations and the issuance of bonds provided for under this article must be notified to the Ministry of Finance at the time they are carried out.

To ensure compliance with the conditions laid down for such operations, when investments referred to in the second paragraph of this article are made in enterprises established in the form of Somali companies with the participation of Somali nationals residing in Somalia, the investor must provide the Ministry of Finance with the necessary information to determine the ratio between foreign capital and the total capital of the company.

Any violation of the provisions of this article shall result, with respect to foreign participants, in the forfeiture of the benefits provided for in Article 7, which may, where appropriate, be replaced by the lesser advantages provided for in Article 12 below.

Art. 11 Limitations and Procedure for External Loans

Any natural or legal person, whether Somali or foreign, including public law entities, carrying out activities in Somalia and wishing to contract loans abroad in any form and for any duration, must submit an application for authorization to the Committee on Foreign Investments through the Planning Bureau of the Presidency of the Council. The application must be accompanied by documents specifying the purpose of the loan, the agreed terms and conditions, and all other relevant supporting information.

Such authorization is not required for ordinary commercial transactions, the opening of bank credit facilities, or the granting of payment terms for the purchase of goods, provided that these transactions are completed without renewal or extension within a period of less than twelve months.

The Committee on Foreign Investments shall make the final decision on applications for authorization to contract loans abroad.

Only loans intended for productive purposes of general interest may be authorized, that is, those aimed at improving employment, increasing exports, or developing the production in Somalia of goods that would otherwise need to be imported.

For the purpose of granting authorizations, the Committee may take all appropriate measures to ensure that the inflow of foreign capital resulting from such loans does not disrupt the monetary market. It may, in agreement with the competent authorities, carry out the necessary controls to verify that such capital is effectively and exclusively used for the purposes for which the loans were authorized.

Art. 12 Registration of Non-Productive Investments or Investments Not Forming Part of Somalia's Economic Development Plans

Where the Committee on Foreign Investments, while registering the transfer, considers that foreign capital investments introduced into Somalia, or the investments referred to in Article 6, are not productive within the meaning of Article 4 above, or do not form part of Somalia's economic development plans, the profits, income, interest, and proceeds derived from investments in immovable property or loans, as well as dividends and interest effectively generated by investments in shares or bonds acquired or subscribed to in Somalia, may be transferred abroad up to a limit of 10% of the invested capital.

The transfer abroad of capital resulting from any subsequent realizations may not take place until seven years have elapsed from the date of registration, and such transfer shall occur, upon decision of the Committee on Foreign Investments, within a maximum period of the following three years, and in the currency of origin.

The use of sums not authorized for transfer under this article may take place in accordance with any more favorable monetary provisions in force at the time of transfer.

- a) Articles of incorporation of companies, including cooperative societies, whose purpose is the carrying out of industrial, agricultural, construction, or transport activities;
- b) Acts relating to mergers, consolidations, or increases of capital, however effected, by companies engaged in one of the activities provided for in paragraph (a);
- c) Acts relating to the issuance and extinction of bonds issued by companies carrying out one of the activities referred to in paragraph (a), as well as acts relating to the registration, reduction, and cancellation of mortgages intended to secure such bonds or any other financial operation;
- d) Acts for the regularization of irregular or de facto companies having as their object any economic activity whatsoever.

The governmental concession tax for registration in the commercial register provided for in Article 51 of the ***Decree of the Governor General No. 1454 of 22 December 1938***, and the notarial fees provided for in the ***tariff annexed to Decree No. 65 of 29 June 1951***, as increased ***by Decree No. 159 of 4 August 1955***, are reduced to one quarter for the acts referred to in the preceding paragraph.

These advantages are granted even in the case of new contributions in cash, goods, or receivables, or for new companies established for the purpose of taking over existing industrial, agricultural, construction, or transport activities in order to develop, renew, transform, or restore them.

If the increase in the company's capital occurs through the use of positive revaluation balances, the tax applicable thereto shall be 3% of the balances used and converted into capital.

The bonds and shares issued by the enterprises covered by the present law, as well as by companies that have benefited from the advantages provided under this article excluding those that have regularized their situation and engage in economic activities other than industrial, agricultural, construction, or transport activities are exempt from transfer tax, stamp duty, and registration fees from the date of their subscription, provided that such shares and bonds are issued for investments consisting of new capital contributions, including Somali capital.

Art. 15 Guarantees of Foreign Investments

Foreign nationals and Somali nationals residing abroad who carry out an economic activity in Somalia shall benefit from the same treatment accorded to Somali nationals residing in Somalia who carry out the same activity.

Enterprises established, expanded, renewed, reactivated, or transformed with foreign capital may not receive treatment less favorable than that accorded to national enterprises existing in Somalia.

The assets of enterprises registered under the present law shall be exempt from any measure of expropriation, except in cases of public utility, nationalization, or any other administrative form of compulsory transfer of ownership.

The assets of such enterprises may not be subjected to administrative measures of seizure or requisition, except in time of war and for the duration thereof, in accordance with the international rules in force on the matter.

Art. 16 Arbitration Procedure

Any dispute between the owner of an enterprise or an investment registered under the present law and the Government of Somalia, concerning the interpretation or application of the present law, shall, as far as possible, be settled through discussions and agreement between the interested party and the Committee for Foreign Investments.

If no agreement is reached within ninety days from the date on which one of the two parties notified the other of the subject of the dispute, the matter shall be submitted to arbitration.

The arbitral tribunal, unless otherwise agreed between the parties, shall consist of one arbitrator appointed by the Government of Somalia, one arbitrator appointed by the interested party, and a third arbitrator appointed by the first two arbitrators or, failing that, by the President of the Court of Justice of Somalia.

The arbitral tribunal shall also have full authority to decide all procedural questions on which the parties fail to agree.

Art. 17 Facilities for Salaried Personnel

The Committee for Foreign Investments shall ensure that the immigration authorities facilitate the granting of the necessary permits and visas for the entry into and residence in Somalia of foreign personnel employed by enterprises registered under the present law, as well as their families, except where they are considered undesirable.

Unskilled foreign personnel may in no case exceed 5% of the Somali personnel employed by the enterprise.

The Committee shall ensure that access, for work-related purposes, to the various regions of Somalia—except for areas prohibited by law is permitted to such personnel and their families.

The personnel concerned are authorized to transfer freely to their country of origin or habitual residence up to 50% of the salaries, wages, bonuses, and other remuneration paid to them in Somalia by the enterprise on which they depend. The Committee for Foreign Investments may, by reasoned decision, authorize the transfer of a higher portion; however, such transfer may never exceed 75% of the salaries, wages, bonuses, or other remuneration paid in Somalia to the persons concerned.

Enterprises registered under the present law are likewise authorized to transfer freely abroad, upon presentation of documents proving payment or entry in the appropriate accounts, the contributions or social charges generally payable abroad for personnel employed in Somalia by the enterprise.

Enterprises registered under the present law must, as far as possible, employ Somali personnel and ensure the specialization and qualification of such personnel within the enterprise. At the request of the Committee, these enterprises must submit a report on the results achieved in this regard.

Article 18 Obligations to Notify Operations Related to Foreign Investments

Banks, notaries, and in general all public officials who are involved in operations that, in any way, concern foreign capital investments in Somalia are required to notify the Monetary Circulation Authority of Somalia of the details of such operations within thirty days of their completion, specifying the currency transferred and the amount.

Companies and enterprises operating in Somalia are required to notify the said Authority of transfers of shares or participations to foreigners or to Somali nationals residing abroad, within thirty days of such transfers.

The Minister of Finance, after obtaining the opinion of the Foreign Investments Committee and without prejudice to penalties established by other legislative provisions, has the authority to impose on offenders, by order having the force of an enforceable instrument, financial penalties of not less than 1,500 Somali shillings and up to three times the amount of the sums invested.

The sanction provided in the preceding paragraph is administrative in nature, and its recovery shall be carried out in accordance with the provisions governing the collection of State revenues.

An appeal against the Minister's decision, both on its legality and on the merits, may be brought before the Court of Justice.

Article 19 Modalities for the Transfer of Capital and Profits

The transfer abroad of capital and profits within the meaning of the present law shall be carried out by the Monetary Circulation Authority of Somalia and by banks authorized by it to act as its agents within the meaning of *Article 10 of Law No. 15 of 8 December 1956*.

At the request of the interested party, and upon a favorable opinion of the Minister of Industry and Commerce, the Foreign Investments Committee may authorize the Authority to carry out the transfer in a currency other than the one originally imported.

The transfer is subject to the prior payment of income tax and the additional municipal tax.

However, the interested party is authorized to transfer capital and income even before the payment of such taxes if sufficient guarantees are presented to the competent financial authorities.

Article 20 Exclusion from the Application of the Law

The provisions of the present law shall not apply to enterprises carrying out investments in Somalia for mining, petroleum, or nuclear exploration. Such investments are governed by the specific provisions of agreements concluded to date in Somalia or to be concluded between the Government of Somalia and each company undertaking such investments.

The provisions of the present law shall likewise not apply to enterprises engaged in air transport within Somalia, unless international agreements authorize it, nor to enterprises operating in sectors where, at the time of the approval of this law, the Government of Somalia exercises a monopoly, whether directly or through the granting of a concession, unless such monopoly is subsequently abolished.

Article 21 Limitations on the Revocation of Registration

The registration of foreign capital under this law is irrevocable and constitutes a guarantee by the Government of Somalia to the foreign investor that the investment is governed by the provisions of this law.

The registration provided for in Articles 5, 6, and 12 above may not be revoked, and the foreign investor may not consequently lose the rights, benefits, and guarantees granted under this law, except in the following cases:

- a) If the enterprise has not commenced its activity, in the case of creation or resumption of activity, or has not carried out the expansion or transformation within one year of authorization, unless the investor proves to the Foreign Investments Committee that the delay results from force majeure;
- b) If the enterprise ceases its activity for more than one year, except in cases of war or national calamity;
- c) If the enterprise, except those where work is periodic in nature, ceases its activity, even intermittently, for a total duration equal to or exceeding one year, except in cases of war or national calamity;

d) If the enterprise, within 90 days of notification by the competent authority, does not comply with the obligation to employ unqualified Somali personnel in the proportion provided in the first paragraph of Article 17;

e) If the investor renounces the registration.

Article 22 Admission to the Benefit of Subsequent More Favorable Provisions

No provision of the present law shall prejudice the right to benefit from more favorable provisions of a general nature that may be enacted subsequently.

Article 23 Entry into Force of the Law

The present law shall enter into force on the day of its publication in the Official Bulletin.

The present law shall be included in the official compilation of laws and published in the Official Bulletin. All persons concerned are required to observe it and ensure its observance as a law of Somalia.

Done at Mogadishu, 18 February 1960.

The Administrator

Mario Di Stefano

Abdullahi Issa Mohamud

Note

The documentation available concerning this country is not complete.

In 1965, the following issues of the “Official Bulletins” are missing: No. 1 and its supplements, No. 2 and its supplements, and No. 4 and its supplements. Furthermore, the last issue received is dated 30 October 1965.

Moreover, it should be noted that pursuant *to Law No. 26 of 10 November 1961* and its implementing decree, new enterprises engaged in industrial, agricultural, mining, and petroleum activities, as well as extensions of existing enterprises of the same nature, are exempt from the payment of import customs duties with respect to equipment materials.

International Organizations and the State Administration are likewise exempt under the same conditions.

IIB MA GALO

FAAFINTA

RASMIGA

الرسمية



الجريدة

JAMHUURIYADDA DIMOQRAADIGA SOOMALIYA

الجمهورية الصومال الديمقراطية

Sannadka 11aad Muqdisho 29 Abr. 1983 1 r 4

FAAHFAAHIN BIL SOO BAXA

جريدة شهرية

Laanta Faafinta Rasmiga ah ee Madaxtooyada J.D.S. QIIMADU waa 5 Shila lambar waliba—RUKUNKA: Sannadii waa Shs. 100 Somaliya gudaheeda—dibaddeedana waa Shs. 300. Rukunka la weydiiisto waqtiga loo gooyey wuxuu ka bilaa-bmaa 1 Janayo Qiimaha qoritaanku F.R. halkii sadar iyo waxo ka yar waa 2 laba Sh. — Rukunka iyo qoritaanka waxaa a weydiiistaa laanta Maamulka Faafinta Rasmiga ah—lacagta waxaa lagu bixinayaa Xafiiska Canshuuraha ee Wasaaradda Lacagta.

K O O B N I I N

QAYBTA

KOWAAD

SHARCI

SHARCI L. 4 ee 13 Abr. 1983, U rogid Sharci, Xeer Sharci Lamb. 2 ee 18 Maarso 1983.

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SHARCI L. 5 ee 2 Abr. 1983, Sharci ku saabsan dib u soo celinta Wakiilada Ganacsiga Dibadda.

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XEER MADAXWEYNAHA J. D. S. L. 9 ee 6 Abr. 1983, Meel marin Heshiis dhe xmaray Dawladda Qadar iyo Dawlada J. D. S. Kuna saabsan Shaqaalaha Soomaaliyeed ee ka shaqayndoona Balka Qadar.

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Sharci Lambar 5 taariikh 2 Abriile 1983 Sharci ku saabsan dib u soo celinta Wakiilada Ganacsiga Dib/da.

MADAXWEYNAHA J. D. S.

ISAGOO TIXGELINAAYA: Oggolaanshaha Guddiga Joogtada ah ee Golaha Shacbiga.

WUXUU SOO SAARAYAA

Sharciga soo socda:

Qod. 1aad

Haddii aan si ka duwan loo micneyn, erayada soo socda mid kasta waxaa loola Jeedaa micnaha ku kor qoran:

1. Wakiilnimo waxaa loola jeedaa hawl kasta oo la xiriirta ganacsi, adeeg, mihnad iyo wixii u dhigma oo ganacsade ama shirkad degan Dalka dibaddiisa qoraal ahaan ugu wakiilatay fulinta hawlaheeda, Dalka J. D. S. Gudahiisa, shakhsi kale oo dabiici ama qaanuuni ah.

2. Wakiil ganacsi waxaa loola jeedaa shakhsi kasta oo dabiici ama qaanuuni ah, xaqna u leh in uu Dalka J. D. S. ka qabto hawl ganacsi ama dhaqaale oo shakhsi kale ee dabiici ama qaanuuni ah u wakiishay fulinta hawlo la xiriira ganacsi, adeeg, mihnad, IWM.

3. Wakiishe waxaa loola jeedaa ganacsade ama sharikad degan Dalka dibaddiisa oo u wakiishay fulinta hawlo la xiriira ganacsi, adeeg, mihnad, iwm, shakhsi kale oo dabiici ama qaanuuni ah oo degan Dalka gudihiisa.

4. Khidmad waxaa loola jeedaa wixii lacag ah oo wakiilku ku muteysto hawsha wakiilnimada.

Qod. 2aad

1. Waxaa la fasaxay hawshii wakiilnimada ganacsiga.

2. Shaqada wakiilnimada ganacsiga dibadda waxaa loo qaadanayaa shati uu bixiyo Wasiirka Wasaarada Ganacsiga, isagoo la kaashanaya Wasaaradaha ka

3. Wakiil Ganacsi waxaa noqon kara qof kasta oo dabiici ama qaanuuni ah oo jinsiyaddisu Soomaali tahay, buxiyana shuruudaha kutilmaaman Sharcigan iyo Xeer hoosaadkan.

4. Qof Ajnabi ah waa la sii karaa shati wakiil nimo, haddii muwaadiniinta Soomaaliyeed looga og gol yahay Dalka uu jinsiyadiisa haysto in ay ka qabtaan hawl taa u dhiganta.

Qod. 3aad

a) Waxaa reeban in ruqsad wakiilnimo la siiyo:

Qof da'diisu aanay gaarin 18 sano oo buuxda ama maxkamadi caddaysay in uu garaad laawe yahay.

b) Qof xukun ciqaab ah looga joojiyay dhaqdha qaaq ganacsi, xaaladaha iyo muddada sharcigu tilmaa may gudahooda.

t) Qof lagu caddeeyo bisaylnimo, ilaa muddo shan sano ah, laga billaabo taariikhda xukunka kama dambaysta ah oo musalifnimada.

Qod. 4aad

1. Ruqsadda ku sheegan qodobka 2aad faqradda 2aad ee sharcigan, Wasiirka Wasaaradda ganacsigu wuxuu ku bixinayaa codsiga daneeyaha.

2. Codsigu waa in ay la socdaan shuruudaha lagu bixinayo shatiga Wakiilnimada.

Qod. 5aad

1. Wasaaradda Ganacsiga, marka ay hubiso waa faqsanaanta codsiga shuruudaha ku tilmaaman sharci gan iyo Xeer hoosaadnimadiisa, waxay doonayaan in codsiga oo kooban lagu dhejiyo muddo 30 maalmood ah, looga ogoysiika ee Wasaaradda Ganacsiga iyo rugta Ganacsiga.

2. Qof kasta oo dan ka leh wuxuu ka keeni karaa is hor taag, 39 maalmood gudahood, laga bilaabo taariikhda baadhigga ogeysiiska.

Qod. 6aad

Oggolaanshaha ama diidmada shatiga wakiilnimada waa in la sababeeyaa, iyadoo wakiilku go'aanka Wasaaradda Ganacsiga ka qaadan karo cabasho Maxkamadeed.

Qod. 7aad

1. Wakiilku ma dhaqan gali karo hawlaha wakiilnimada inta ka horeysa qaadashada shatiga wak/mada

2. Qofka shati wakiilnimo leh wuxuu Wasaaradda Ganacsiga u soo gudbinayaa magacyada ciddii kale oo hadba soo wakiilata, waxaana soo raacinayaa qoraalka lagu soo wakiisho iyo hashiiska ku cad qodobka 10aad faqradda laad ee sharcigan

Qod. 8aad

Wakiilka Ganacsiga Dibaddu kama qayb gali karo Qandaraas ay hay'ad Dawladeed soo bandhigtay had duusan codsiga ka qayb galka qandaraaska ku soq li faaqan caddeyn inaan Canshuur lagu lahayn, taasoo uu ka keenayo Xafiiska Canshuuraha tooska ah ee Wasaaradda Maaliyadda.

Qod. 9aad

1. Wasiirka Wasaaradda Ganacsiga marka uu bi xiyo shati wakiilnimada waa in Wasaaradda Ganacsiga diiwaan geliso sharikadaha iyo ganacsatada ajnabi ga ah ee Soomaaliya ku leh Wakiilka.

2. Wasaaradda Ganacsiga waxay rugta Ganacsiga Warshadaha iyo Beeraha iyo Hay'adaha hadba ku shaqada leh u gudbin doontaa magacyada Wakiillada Ganacsiga Dibadda ee Dalka jooga, cidda ay wakiilka ka yihiin xadka awoodooda.

Qod. 10aad

1. Heshiiska dhexmaray wakiishaha iyo wakiilka oo la xiriira dhidmadda waa in wakiilku ka keeno laba nuqul oo midna ku hari doona Wasaaradda Ganacsiga midna loo gudbin doono Bankiga dhexe ee Soomaaliya, marka la bixiyo shatiga wakiilnimada.

2. Bankiga dhexe ee Soomaaliya waa in uu hubiyo lacagta Adag ee khidmad ahaan uu u muteystay wa/iku.

Qod. 11aad

Wakiilka Ganacsiga Dibadda waxaa ka reeban in uu khidmadda ku keydsado Dalka dibaddiisa, ama ba deeco Dalka ku soo geliyo aan loo oggolaan, ama ku qaa to shiin Soomaaniga, ama dib u dingo soo xareenteeda, ama uu qaar kula hadho dibadda.

Qod. 12aad

1. Qofkii si ulakac ah u gala falka ku tilmaaman qodobka hore, haddii falku uusan keeneynin dembi ka weyn, waxaa lagu ciqaabayaa ilaa hal sano oo xarig ah, ama ganaax gaaraya 10 jibaar qiimaha khidmadda, marka falku yahay mid si gaar ah u culus, waxaa la isu raa cinayaa xarig iyo ganaax.

2. Falku haddii uu yahay mid kama loo galay ciqaa bta waxay noqoneysaa ilaa Saaddex bilood oo xarig ah ama ganaax ilaa shan jibaar qiimaha khidmadda.

3. Ciqaabta ku tilmaaman faqradda 1aad ee qod. Dambiilaha waxaa loo raacin karaa ruqsadda wakiilnimada oo lagala noqodo.

Qod. 13aad

1. Wasiirka Wasaaradda Ganacsiga, muddo Lix bilood ah gudahood, laga bilaabo taariikhda dhaqan ga lka sharcigan, wuxuu soo saarayaa Xeer dhammeystira ya, laguna fulinayo sharcigan.

2. Xaddidaadda canshuurta ku waajibta cidda sha tiga wakiilnimo qaadaneysa, waxaa lagala tashanayaa Wasiirka Wasaaradda Maaliyadda.

Qod. 14aad

1. waxaa la burriyay sharciga tirsigiisu yahay 45 ee 10.7.75 oo lagula wareegay wakiilnimada Ganacsiga Dibadda.

2. Sidoo kale waxaa la burriyay sharci kasta oo ka soo horjeeda ama aan la socon karin sharcigan.

Qod. 15aad

Sharcigan wuxuu dhagan gelayaa maalinta uu sa
xiixo Madaxweynaha J. D. S. Waxaana lagu soo saara
yaa Faafinta Rasmiga ah ee Jamhuuriyadda.

Muqdisho, 2 Abr. 1983

MADAXWEYNAHA J. D. S.

(Maxamed Siyaad Barre)

Q A Y B T A K O W A A D S H A R C I

Sharci lambar 19, taariikh 9 Maajo 1987
Sharciga Maalgelinta Shisheeye.

MADAXWEYNAHA J.D.S.

ISAGOO TIXGELINAYA

Oggolaashaha Guddiga Joogtada ah ee
Golaha Shacbiga;

WUXUU SOO SAARAYAA

Sharciga soo socda:

Qod. 1aad
(*Maalgelinta Shisheeye*)

Marka Sharcigan laga hadlayo, "Maalgeliye Shisheeye" waxaa loola jeedaa: qof kasta ama hay'ad kasta oo shisheeye oo leh aqoonsi sharciyeed.

Qod. 2aad
(*Maalgelin Shisheeye*)

Maalgelin shisheeye waxaa ah:

1. Lacag adag oo lagu warejiyo dalka kana mid ah lacagaha sarriifma ee qalaad ee uu cayimay Bankiga Dhexe ee Soomaaliyeed;
2. Makiinado, qalab, dayactir, dhismooyin iyo alaab kasta ee kale oo sida Sharciga Keenidda waafaqsan lagu keenay;
3. Mulkiyadda summadaha ganacsiga iyo rukhsooyinka lagu soo warejiyo dalka ee loogu baahdo hawlaha lagu fulinayo maalgelinta la soo jeediyey;
4. Kharajka daraasado iyo qoraallo farsamo ee loo diyaariyey ama la xiriira maalgelinta la oggolaaday;
5. Macaashka ka dhasha maalgelinta shisheeye ee loo oggolaaday, waafaqsanna sharcigan ee dib loo geliyey. Maalgelinta kor ku xusan waa mid lagu sameeyey mashruuc ama lagu ballaarinayo mashruuc si sharciga waafaqsan uga diiwaangashan dalka.

Qod. 3aad
(Guddiga Maalgelinta Shisheeye)

1. Guddiga Maalgelinta Shisheeye oo hadda wixii ka dambeeya la oran doono "Guddiga" wuxuu leeyahay awoodda ugu sarreysa ee go'aan ka gaaridda dhammaan arrimaha la xiriira maalgelinta shisheeye ee lagu samaynayo dalka. Guddiga fadhigiisu wuxuu noqonayaa xarunta Wasaaradda Qorsheynta Qaranka oo uu ku kulmi doono ugu yaraan laba jeer bashiiba.
2. Guddigu wuxuu ka koobnaanayaa:
 1. Xoghayaha Joogtada ee Wasaaradda Qorsheynta Qaranka;
 2. Xoghayaha Joogtada ee Wasaaradda Arrimaha Dibedda;
 3. Xoghayaha Joogtada ee Wasaaradda Maaliyadda;
 4. Xoghayaha Joogtada ee Wasaaradda Warshadaha;
 5. Xoghayaha Joogtada ee Wasaaradda Ganacsiga;
 6. Xoghayaha Joogtada ee Wasaaradda Lacagta;
 7. Xoghayaha Joogtada ee Wasaaradda Shaqada iyo Isboortiga;
 8. Xoghayaha Joogtada ee Wasaaradda ay hoos imaaneyso mas'uuliyadda maalgelinta shisheeye ee markaas laga hadlayo, marka laga reebo Wasaaradaha kor ku xusan;
 9. Agaasiamaha Guud ee Bankiga Dhexe ee Soomaaliyeed;
 10. Guddoomiyaha Rugta Ganacsiga, Warshadaha iyo Beeraha, waxaana Shir-guddoomiye u noqonaya Guddiga Xoghayaha Joogtada ah ee Wasaaradda Qorsheynta Qaranka.

Qod. 4aad
(Hawlaha Guddiga)

Hawlaha guddigu waxay noqonayaan sida soo socota:

1. Oggolaashaha maalgelinta shisheeye ee la soo jeediyey asagoo raacaya tilmaamaha siyaasadeed ee ku xusan qod. 7aad ee sharcigan.
2. Oggolaashaha diiwaangelinta maalgelinta shisheeye.
3. Dib-u-eegidda diiwaangelinta maalgelinta shisheeye ee horey loogu sameeyey sharciyadii maalgelinta dibadeed ee jirey, si maalgelintaas uga faa'iideysato axkaanta u daneyneysa ee sharcigan sida ku cad qodobkisa 21aad.

4. Goynta qiimaha maalgelinta shisheeye ee waafaqsan qod. 2aad, xubnaha 2, 3, iyo 4 ee sharcigan.
5. Xaqiijinta waafaqsanaanta axkaanta qod. 16aad ee ku saabsan amaah ka qaadashada ilaha gudaha.
6. U fududeynta siinta rukhsooyinka dal-ku-joogga shaqaalaha shisheeye ee ay qoranayaan shirkadaha shisheeye ee ku diiwaangashan sharcigan.
7. Gudashada hawl kasta oo kale oo la xiriirta maalgelinta shisheeye ee waafaqsan sharcigan.

Qod. 5aad

(Fadhiyada iyo go'aannada Guddiga)

Fadhiga Guddigu wuxuu ku ansaxayaa marka ay ka soo qayb galaan ugu yaraan 7 xubnood oo uu ku jirò Guddoomiyuhu. Go'aannada Guddigu waxay ku ansaxayaan cod hal dheeri ah.

Qod. 6aad

(Xafiiska Dhiirrigelinta Maalgelinta Shisheeye)

Xafiiska Dhiirrigelinta Maalgelinta Shisheeye oo hadda iyo wixii ka dambeeya la orn doono "Xafiiska" wuxuu yahay xafiiska maamulka iyo horumarinta ee guddiga gacan ku siinaya gudashada hawlihiisa. Hawlaha xafiiskuna waxay yihiin:

1. meelmarinta go'aannada guddigu gaaro;
2. soo jeedinta nidaamka iyo hab maamuleedka looga baahan yahay dhaqan gelinta sharcigan;
3. siinta maalgelinta shisheeye macluumaadka iyo talooyinka la xiriira arrimaha ay ka midka yihiin codsiga iyo diiwaangelinta ee uu sharcigan dhigayo, nidaamka ganacsiga dibedda, fursadaha maalgelineed, qaab dhismeedka hay'adaha, ilaha gudaha ee laga heli karo amaah lacageed, wadaag maalgelineed;

4. ka kaalmeynta maalgeliyaha shisheeye buuxinta shuruudaha la xiriira qaddimadda codsiga maalgelineed;
5. gacan ku siinta maalgelinta shisheeye ee la oggolaaday ee ku jira heer abaabul iyo dhismo asagoo u fidinaya talo iyo tusaale ku saabsan hay'adaha Dastuuriga ee ku shaqada leh, wad-dooyinka loo marayo iyo habraaca maamuleed ee la xiriira;
6. soo jeedinta talooyinka la xiriira siyaasadda iyo hagaajinta jawiga maalgelinta shisheeye;
7. horumarinta iyo soo dhaweynta maalgelin shisheeye oo hor leh asagoo la kaashanaya hay'adaha kale ee ku shaqada leh maalgelinta;
8. gudashada hawl kasta oo la xiriirta maalgelinta shisheeye oo uu guddigu u xilsaaro.

Qod. 7aad

(Mudnaanta maalgelinta iyo qaybaha)

- b) lagaga faa'iideysanayo cududda dadka iyo kheyraadka dalka;
- t) keeneyisa farsamo cusub oo ku habboon duruufaha dalka;
- j) abuurid dakhli cusub ama baajineysa lacag adag oo ku tim id dhoofin badeeco cusub ama beddesha kuwo dibedda laga keeno ama adeeg hawleed;
- x) ka qayb qaadaneyisa isu-dheellitirka horumarinta dhaqan-dhaqaale ee gobollada, gaar ahaanna dhinacyada:
 - i) beeraha;
 - ii) xoolaha;
 - iii) kalluunka;
 - iv) macdanta;
 - v) warshadaha;
 - vi) horumarinta dalxiiska;
 - vii) wax soo saar ama adeeg taageeraya ama dhiirrigelinaya horumarinta qaybaha kor ku xusan.

Qod. 8aad

(Habka qaddimaadda codsiga diiwaangelinta maalgelinta shisheeye)

1. Maalgeliyaha shisheeye wuxuu codsiga ku soo qaddimayaa foomka loo yaqaan "**Codsiga Diiwaangelinta Maalgelinta Shisheeye**" oo laga helo Xafiiska Maalgelinta Shisheeye ee ku yaal Wasaaradda Qorsheynta Qaranka asagoo lagu soo ridayo warqad sajalan oo ku socota "Guddiga Maalgelinta Shisheeye" ee laga helo Wasaaradda Qorsheynta Qaranka, Muqdisho, Soomaaliya.
2. Maalgeliyaha shisheeye wuxuu arjiga si toos ah u keeni karaa xafiiska oo siin doona caddeyn ka qabasho.
3. Xafiisku wuxuu hubinayaa dhammeystirnaanta arjiga, haddii uu weydiisto codsaduho. Wuxuuna siinayaa caddeyn muujineysa in uu buuxiyey shuruudaha maalgelinta.

Qod. 9aad

(Shuruudaha iyo habka oggolaanshaha)

1. Muddo lixdan casho gudaheed, laga bilaabo maalintala qabtay arjiga maalgelinta ee dhammeystiran, guddigu wuxuu go'aanka ku ogeysiinayaa codsadaha warqad sajalan. Haddii uu codsaduho doorto, waxaa xafiiska toos uga qaadi kara qof wakiil ka ah oo caddeyn laga reebo inuu qaaday go'aanka.
2. Haddii ay dhacdo in wax laga beddelo arjiga codsiga, guddigu wuxuu isbeddelkaas ku ogeysiinayaa codsadaha warqad sajalan ama waxaa toos xafiiska uga qaadi kara qof ka wakiil ah.
3. Guddigu asagoo u marinaya xafiiska ayuu ku wargelinayaa maalgeliyaha oggolaashaha maalgelinta shisheeye, sagoo isla mar ahaantaana siinaya shahaaho loo yaqaan "**Shahaaddada Maalgelinta Shisheeye ee Mashruuca la oggolaaday**". Oggolaanshahaas wuxuu maalgeliyuhu u suuragelinayaa diiwaangelinta maalgelinta.
4. "Shahaaddada maalgelinta Mashruuca la oggolaaday" waxay ku eg tahay muddo 18 bilood ah laga bilaabo maalinta la soo saaray. Muddadas gudaheeda, codsaduho waa in uu dalka ku soo wareejiyaa hantida ku tilmaaman qod. 2aad, xubnaha 1, 2, 3 iyo 4. Haddii muddadaas la dhaafo, guddigu wuxuu siin karaa, haddii uu weydiisto codsaduho, muddo dheeraad ah, ama uu weydiinayaa arji cusub.

5. Maalgelinta shisheeye ee ku xusan qod. 2aad, xubnihiisa 1, 2, 3 iyo 4 ee lagu kordhiyo mashruuc horey loogu sameeyey maalgelin diiwaan-gashan waxa uu u baahn ayahay qaddimaad codsi iyo oggolaansho, sida ku cad qod. 8aad, xubnihiisa 1, 2, 3 iyo 4 ee qodobkan.

Qod. 10aad

(Shuruudaha iyo habka diiwaangelinta)

1. Guddigu wuxuu diiwaangelinayaa maalgelinta isla marka uu maalgeliyuhu Soomaaliya soo geliyo hantida ku xusan qod. 2aad, xubnaha 1, 2, 3 iyo 4 ee waafaqsan qodobbada iyo shuruudaha ku qoran "Shahaaddada Maalgelinta Shisheeye" ee mashruuca la oggolaaday. Si taasi u saaragasho, guddigu wuxuu maalgeliyaha shisheeye siinayaa shahaaddo loo yaqaan **"Shahaaddada Maalgelinta Shisheeye ee Diiwaangashan"**.
2. Haddii dalka lagu soo wareejiyo hantida ku xusan qod. 2aad, xubnihiisa 2, 3 iyo 4, guddigu wuxuu ku tallaabsanayaa diiwaangelinta isla marka uu xaqiijiyo qiimaha uu maalgeliyaha shisheeye ku sheegay hantida uu dalka ku soo wareejiyey ay tahay qiimaha dhabta ah ee suuqa. Guddigu wuxuu maalgeliyaha shisheeye weydiisan karaa inuu keeno caddeymo qoraal ah oo muujinaya qiimaha hantida uu dalka ku soo wareejiyey. Haddii hantida lagu soo wareejiyo sida ku xusan xubinta 2aad ee qod. 2aad, qiimahaas waxaa loo goynayaa si waafaqsan shuruudca keenista badeecadaha dibedda.
3. Maalgelinta shisheeye waxa lagu diiwaangelinayaa lacah ka mid ah lacagaha qalaad ee sarriifmi kara ee uu caymiyey Bankiga Dhexe ee Soomaaliyeed.

Qod. 11aad

(Dib-u-gelinta macaashka)

1. Macaash waxaa loola jeedaa dakhliga saafiga ah ee laga jaray cashuurta ku waajibtay ee waafaqsan shuruudca canshuuraha dalka.
2. Macaashka ka dhashay maalgelin si sharci ah u diiwaangashan waxaa dib loo gelin karaa isla mashruucaas ama mashruuc kale ayadoo loo raacayo qodobbada iyo shuruudaha sharcigan dhigayo.

3. Marka macaashka noocaas ah dib loogu gelinayo mashruuca, waa in lagu wargeliyaa guddiga warqad sajiilan ama si toos ah loogu geeyaa asagoo laga qaadanayo caddeyn hubal helid.
4. Guddigu wuxuu ku diiwaangelinayaa macaashka dib loo geliyey lacagta sarrifmeysa ee ku cayiman "Shahaaddada Maalgelinta Shisheeye ee Diiwaangashan". Cadadka lacagta waxaa lagu goynayaa si waafaqsan shuruudaha iyo nidaamka u degsan sarrifka lacagaha qalaad.
5. Si taasi u suurtoowdo, guddigu wuxuu bixinayaa **"Shahaaddada Dib-u-maalgelinta Macaashka Diiwaangashan"**.
6. Wixii wareejimo dambe iyo dibad u saarid raasumal ama macaashka kale ah ee uu oggol yahay sharcigani waxaa lagu saleynayaa maalgelinta asalka ahayd ee diiwaangashaneyd oo lagu daray macaashka dib loo geliyey mashruuca.
7. Haddii ay dhacdo in macaashka dib loo geliyo mashruuc ka duwan mashruuc lagu sameeyey maalgelin shisheeye oo si sharci ah u diiwaangashan, waxaa lagu dhaqayaa arkaanta qodobbada 8 iyo 9 ee sharcigan.

Qod. 12aad
(Wareejinta Macaashka)

1. Macaashka ka dhasha maalgelin si sharciga ah u diiwaangashan, sida ku cad xubinta 1aad ee qod. 11aad, si xor ah ayaa dibedda loogu wareejin karaa.
2. Haddii macaashkaasi in ka mid ah loo wareejiyo dibedda, maalgeliyaha shisheeye wuxuu haraaga macaashkas wareejiisan karaa sanooyinka xiga.

Qod. 13aad
(Dib-u-la-noqoshada Maalgelinta Shisheeye)

1. Maalgelinta shisheeye ee sida sharciga ah u diiwaangashan ee isugu jirta maalgelintii asalka ahayd iyo macaashkii dib loo geliyey, waxaa dibedda looga saari karaa shan sano kaddib marka laga bilaabo maalinta la diiwaangashay maalgelinta asalka ah ee ku cayiman "Shahaaddada Maalgelinta Shisheeye ee Diiwaangashan".

2. Guddigu wuxuu soo gaabin karaa ama dheereyn karaa mudada ku xusan xubinta 1aad ee qodobkan, asagoo tixgelinaya mudnaanshaha ku cad tilmaamaha siyaasadeed ee uu qorayo qod. 7aad, xubinta 1aad ee sharcigan.
3. Waxaa maalgelinta dib loogu qaadanaya lacagtii qalaad ee asalka ahayd ee ku cayiman "Shahaaddada Maalgelinta Shisheeye ee Diiwaangashan"; lacagta loo wareejinayo dibedda waa in ay tahay mid ka dhalatay iibinta hay'ad aqoonsi sharci leh ama dad. Maalgeliyaha shisheeye wuxuu awood u leeyahay in uu dibedda u wareejsito hantida maguurtada ah ee maalgelinta mashruuca, haddii uu doorto.
4. Haddii lacagta ka soo baxday iibka hantida maguurtada ah ay ka badato maalgelintii asalka ahayd ee lagu daray macaashka dib loo geliyey ee diiwaangashan, maalgeliyaha shisheeye wuxuu xor u yahay dibad u wareejinta farqiga, asagoo raacaya shuruucda canshuuraha ee jira iyo qawaaniinta sarrifka lacagaha qalaad.

Qod. 14aad

(Wareejinta mulkiyadda maalgelinta Shisheeye iyo shuruucda ogeysiinta

1. Wareejinta mulkiyadda maalgelinta shisheeye waxay ku imaanaysaa iibin ta hantida maguurtada ah ama u wareejinta saamiyaasha mashruuca la maalgeliyey qof ama hay'ad aqoonsi sharciyeed leh.
2. Haddii maalgelin lagu wareejiyo deggane aqoonsi sharci leh, ama qof Soomaaliyeed, wareejiyaha waxa ka joogsanaya wixii xuquuq ahaa ee uu ku heli jirey maalgeliye shisheeye.
3. Wareejiyaha iyo lagu-wareejiyaha waxaa qasab ku ah inta aaney la kala wareegin maaliyadda in ay soo wargeliyaan guddiga ayagoo soo raacinaya qoraallada iyo dukumenti taageraya kala wareejinta.
4. Ku wareejinta maalgelinta shisheeye maalgeliye shisheeye oo kale uma baahna oggolaansho cusub sida ku xusan qod. 9aad ee sharcigan, balse waxa ay tahay in guddiga la wargeliyo sida xubinta 4aad ee qodobkan dhigeysa.

Qod. 15aad
(Dhiirrigelinta Maalgelinta)

1. Maalgelinta shisheeye waxaa la siinayaa dhiirrigelin iyo tas-hiilaad waafaqsan shuruucda jirta ee la xiriiira tas-hiilaadka.

Qod. 16aad
(Xadka amaah ka qaadashada ilaha gudaha)

1. Mashruuc kasta oo la geliyey maalgelin shisheeye si sharci ahna loo diiwaangeliyey wuxuu amaah ka qaadan karaa hay'adaha lacagta ee gudaha ilaa xadka uu gooyey Bankiga Dhexe ee Soomaaliyeed, asagoo guddiga kala tashaday.
2. Lacagaha laga helo amaahdii laga qaatay hay'adaha lacagta ee gudaha waxaa loo isticmaali karaa oo keli ah fulinta hawsha ku cayiman "Shahaaddada Maalgelinta Shisheeye ee Diiwaan-gashan". Guddigu wuxuu awood u leeyahay inuu hubiyo in sidaas loogu dhaqmay.

Qod. 17aad
(Tas-hiiladka Shaqaalaha Shisheeye)

1. Guddigu wuxuu hubinayaa in Hay'adaha Socdaalku u fudu-deeyaan helitaanka rukhsadaha Dal-ku-joogga iyo deggan-aanshe shaqaale shisheeye ee uu qorto mashruuc ku diiwaangashan sharcigan iyo xaasaskooda.
2. Guddigu waxa kale ee uu hubinayaa in shaqaalahaas iyo xaasaskooda loo oggolaado marka ay uga baahdaan sabab shaqo in ay tagaan goob kasta oo Soomaaliya ka mid ah ee uusan sharcigu mamnuucayn.
3. Shaqaalahaas waxay awood u leeyihiin in ay dibedda u xawis-haan 50% mushaarkooda iyo gunnooyinkooda.
4. Mashruuc kasta oo lagu diiwaangeliyey sharcigan, wuxuu qoranayaa Shaqaalaha Soomaaliyeed ee leh aqoonta iyo xirfadaha looga baahan yahay shaqada. Maalgelinta shisheeye waxay tahay mid ka qayb qaadanaysa u soo wareejinta dalka aqoonta farsamo iyo maamul ee kor loogu qaadayo aqoonta xirfadeed ee ka jirta dalka.

Qod. 18aad
(*Damaanadda Maalgelinta Shisheeye*)

1. Mashruuc lagu sameeyey maalgelin shisheeye waxaa la siin doonaa tas-hiilaad la mid ah kuwa la siiyo mashaariicda waddaniga.
2. Mulkiyadda maalgelinta shisheeye ee sida qaanuunka loogu diiwaangeliyey Sharcigan lalama wareegi karo haddii aysan khasbin dan guud oo aan si kale loo xallin karin.
3. Haddii ay dhacdo in lala wareego hantida maalgelinta shisheeye, waxaa dhakhso loo bixinayaa magdhow u dhigma. Magdhowgaas wuxuu noqonayaa mid la mid ah hantida maguurtada ee lala wareegay ama u dhiganta qiimaheeda suuqa. Magdhowgaas la bixiyey si xor ah ayaa loo wareejiisan karaa.

Qod. 19aad
(*Xallin khilaafaadka*)

1. Khilaafaadka maalgelineed ee ka dhasha meelmarinta Sharcigan waxaa lagu xallinayaa:
 - b) hab saaxiibtinnimo oo lagula heshiiyey Maalgeliyeyaasha;
 - t) ama, haddii la waayo heeshiiska ku xusan xarafka (b), habka ay qorayaan Heshiisyada ka dhexeeya Jamhuuriyadda Dimoqaraadiga Soomaaliyeed iyo Dalka uu Maalgeliyuhu u dhashay;
 - j) ama, haddii la waayo Heshiisyada ku xusan xarfaha (b) iyo (t), habka uu qorayo Axdiga Xallinta Khilaafaadka Maalgelineed ee ka dhexeeya Dawladda iyo Muwaaddiiniin Dalal kale, kaasoo ay Soomaaliya dhinac ka tahay, sida uu qorayo Sharciga lambar 11 ee 1967.
2. Haddii la waayo Heshiisyada iyo Axdiga ku xusan xubinta koowaad ee Qodobkan, khilaafaadkaas waxaa lagu xallin karaa in la adeegsado dhexdhexaadinta. Markaas waxaa la dhisayaa Guddi dhexdhexaadin ah oo ka kooban laba xubnood oo ka kala wakiil ah dhinacyada iyo xubin saddexaad oo Guddoomiye u noqota oo ay wadajir u magacaabaan labada xubnood oo la soo sheegay. Haddii lagu heshiin waayo magacaabidda Xubinta saddexaad soddon casho gudahood, laga billaabo maalinta la magacaabay xubinta labaad, Shir—guddoomiye waxaa dooranayo Guddoomiyaha Maxkamadda

Sare ee Jamhuuriyadda Dimoqraadiga Soomaaliya ka dib markuu weydiisto dhinacyada midkood. Guddiga dhexdhexaadintu wuxuu degsnayaa nidaamka uu ku shaqaynayo iyadoo aysan ciriirineyn nidaamka ay qorayaan Xeerarka Habka Maddaniga iyo Ganacsiga marka laga reebo qodobbada la xiriiira damaanadda sasaasiga ah iyo mabaadii'da Qaranka. Guddigu wuxuu xaqiijinayaa in qilaafaadka deg deg loo dhammeeyo. Go'aannada Guddiga waxaa lagu gaarayaa cod hal dheeri ah, wuxuuna noqonayaa mid kama dambeys ah loona fulin karo sida xukun kasta oo kale ee kama dambeys ah. Guddiga dhexdhexaadinta ayaa go'aan ka gaaraya cidda qaadeysa kharashka dhexdhexaadinta.

Qod. 20aad

(Faa'iidooyinka Maalgelinta Shisheeye ee jirta)

1. Maalgelinta shisheeye ee hadda ka jirta Dalka ee lagu diiwaan-geliyey Shuruucda ku saabsan Maalgelinta Shisheeye waxaa u soconayaa xuquuqda iyo waajibaadka lagu siiyey Shuruucda la xusay.
2. Maalgelinta shisheeye kor ku xusan waxay ka faa'iideysaney-saa, haddii uu Maalgeliyaha shisheeye door biddo, axkaanta Sharciga cusub, haddii shuruudihii diiwaangelinta iyo axkaanta Sharciyadii hore la dhowray, Maalgeliyuhuna keeno caddeymo qoraal ah oo sidaas muujinaya laguna kalsoonaan karo. Haddii ay sidaas u dhacdo, Maalgeliyaha shisheeye wuxuu Guddiga weydiisan karaa diiwaangelin hoos imaaneysa Sharciga cusub 180 maalmood gudahooda laga billaabo taariikhda Sharciga cusub la soo saaray.

Qod. 21aad

(Maalgelinta shisheeye ee aan Sharciga khuseyn)

Axkaanta Sharcigan laaguma dhaqayo Maalgelinta shisheeye ee la xiriirta baarista macdanta iyo hawlaha soo saaridda macdanta oo ay ku jiraan kuwa la xiriiira warshadaha batroolka iyo quwadda nukliyeerka. Maalgelintaas waxaa lagu dhaqayaa Sharciga baarista iyo soo saaridda macdanta iyo Xeer-nidaamiyaha Macdanta iyo Heshiisyada ay isla galeen Dawladda Soomaaliyeed iyo cidda ka dan leh.

Qod. 22aad

(Waaajibaadka ka warbixineed dhaqdhaqaaqa Maalgelinta shisheeye)

Bankiyada, Notaayaasha Guud, Hay'adaha Dawladda ee shaqada ku leh Maalgelinta shisheeye waa in ay Guddiga ku wargeeliyaan wixii dhaqdhaqaaq macaamileed ee ay la yeeshaan, 30 maalmood gudahooda, laga billaabo maalinta dhaqdhaqaaqaas macaamileed la sameeyey. Arrintan waxa ay la xiriirtaa arrimaha ay ka mid yihiin dhismaha shirkadaha iyo mashaariicda, amaah ka qaadashada Hay'adaha Lacagta ee Gudaha ama Dibedda, xawilaadda macaashka iyo dibad u wareejinta maalgelinta.

Qod. 23aad

(U hoggaansanaan la'aanta axkaanta Sharcigan)

U hoggaansanaan la'aanta Axkaanta Sharciga waxa ay Maalgeliyaha shisheeye badeysaa waayatiin xuquuqda uu ku heli lahaa Sharcigan.

Qod. 24aad

(Ka faa'iideysiga shuruuc cusub ee daneyneysa)

Qodobbada Sharcigan marnaba kama reebeyso in Maalgeliyaha Shisheeye ka faa'iideysto qodobbada u daneynaya ee shuruucda la soo saari doono.

Qod. 25aad

(Xeernidaamiye)

Madaxweynaha Jamhuuriyadda Dimoqraadiga Soomaaliya marka uu arko talada Guddiga Maalgelinta Shisheeye, dhegeystana Wasiirka Qorsheynta Qaranka, arkana go'aanka Golaha Wasirrada, wuxuu soo saarayaa Xeer-hoosaad si habsami ah loogu meelma-riyo Sharcigan.

Qod. 26aad

(Tirtirid)

Waxaa la tirtiray sharci kasta oo aan la socon karin Sharcigan.

Qod. 27aad

(Dhaqangelin)

Sharcigan wuxuu dhaqan gelayaa 15 cisho ka dib marka lagu soo saaro Faafinta Rasmiga ah ee Jamhuuriyadda Dimuqraadiga Soomaaliya.

Muqdisho, 9 Maajo 1987

MADAXWEYNAHA J.D.S.
(Maxamed Siyaad Barre)



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United Nations Industrial Development Organization

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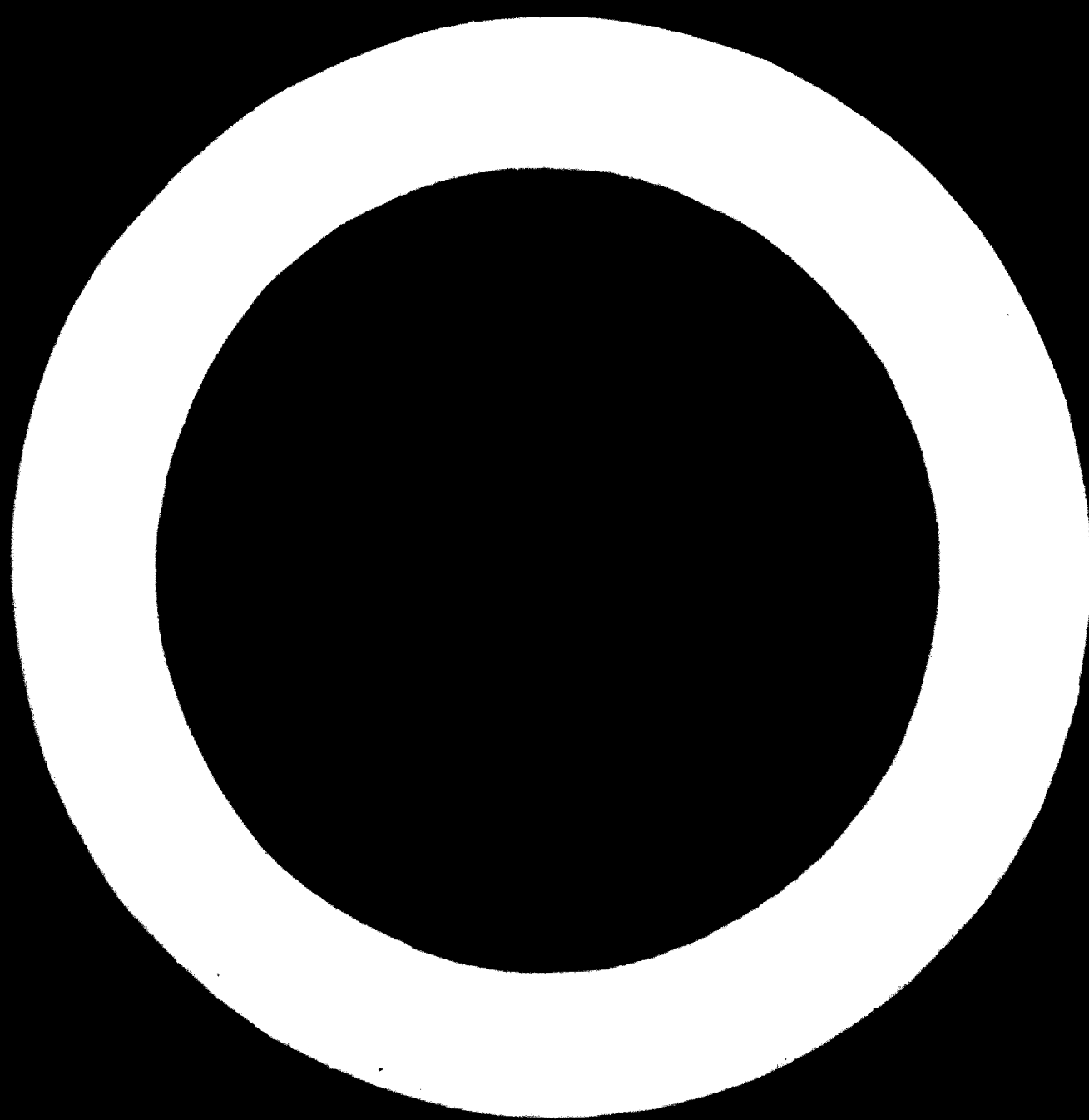
Meeting to promote specific Industrial
Projects in African Countries

Nairobi, Kenya, 30 November - 4 December 1970

INVESTMENT INCENTIVE 1/

SONALIA

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INVESTMENT INCENTIVE IN THE SOMALI DEMOCRATIC REPUBLIC

I. A. Incentive Measures:

(i) Import Duty Concessions:

Exemption from import duty for raw materials, equipment and machinery for new industrial, agricultural and mining enterprises or for expansions of such enterprises, if the expansion amounts to at least 20 per cent of the capital already invested.

(ii) Protection against foreign competition:

Measures to protect local industries are usually taken if it is proved that a certain industry cannot, because of the economics of scale or other factors, compete with foreign industries.

B. Fiscal Benefits:

(i) Income Tax:

All new industries are exempt from income tax on profits for the first ten years of operation.

(ii) Municipal Tax:

Exemption for ten years for all new industries of the Municipal Tax which is normally collected as a percentage (1/6th) of the Income Tax.

(iii) Registration Fees:

The Government concession fee for the registration in the Company's Register is reduced to one-quarter. Such benefits are also granted in the case of new contributions in cash, property or credits, or of new companies planning to take over existing industrial, agricultural, building or transportation enterprises in order to enlarge, renew, transform or reactivate them.

(iv) Assistance with Labour and Management:

The Committee on Foreign Investments facilitates the granting of permits and visas necessary for the entry into and residence in the Somali Democratic Republic of foreign personnel employed by the enterprises. Enterprises shall, however, employ to the maximum extent possible Somali personnel and provide for their training within the enterprise. Unskilled foreign personnel must in no case be imported.

(v) Assistance with Financing:

The Somali Development Bank assists projects in the following fields: Agriculture, Industry, Mining, Tourism, Fisheries and Livestock. The Bank was especially set up to provide financial and administrative assistance to private investments of a productive nature.

II. Industries Qualifying for Incentive Benefits:

The Investment Law does not establish any system of priority enterprises, but defines "productive" enterprises and "producing services". Productive enterprises are defined as those enterprises "which produces goods and services for the carrying on its activities" such as land reclamation, irrigation and land improvement, factories, workyards, power plants, water works, road construction acts, buildings and hotels, construction of boats, etc.

III. Procedure to be Followed by the Foreign Investor:

The Ministry of Planning and Co-ordination determines whether the formalities specified by the Law have been fulfilled or not. If the formalities have been fulfilled, the Ministry then forwards the request to the Committee on Foreign Investments. The Committee then decides whether the request for investment meets the productivity requirements specified under the Law. It also authorizes and evaluates for registration the patents and other rights transferred from abroad, taking into account the documents submitted.

The composition of the Committee on Foreign Investments are as follows:

- (a) The Secretary of State for Planning and Co-ordination, Chairman;
- (b) The Director-General, Ministry of Finance, Member;
- (c) The Director-General, Ministry of Industry and Commerce, Member;
- (d) The Director-General, Somali National Bank, Member;
- (e) The Director-General, Somali Development Bank, Member;
- (f) The Director-General, Ministry of Planning and Co-ordination, Member and Secretary

Experts and technicians specializing in certain fields may also be invited at the request of the Committee.

IV. Special Measures Concerning Foreign Investments:

Foreigners and Somali nationals residing abroad who are carrying on economic activities in the Somali Democratic Republic are entitled to the same privileges accorded Somali citizens.

The property of the enterprises is free from expropriation measures or any other administrative forms of compulsory transfer of property except in cases of public interest.

Free transfer abroad of profits, income, interest and revenue accruing from fixed assets or loan investments and the dividends and interest received on shares and bonds acquired or subscribed on investments which fall within the plans for the economic development of the country. The amount must, however, not be more than 15 per cent of the capital invested. If the profits exceed 15 per cent, it can be reinvested as capital on the approval of the Committee on Foreign Investments.

Foreign personnel are authorized to transfer to their country up to 50 per cent of their salaries, wages, gratuities and allowances.

V. Sources of Information for Investors:

The Ministry of Planning and Co-ordination,
Government of the Somali Democratic Republic,
MOGADISCIO, Somali Democratic Republic.

The Somali Development Bank,
P.O. Box 1079,
MOGADISCIO, Somali Democratic Republic.

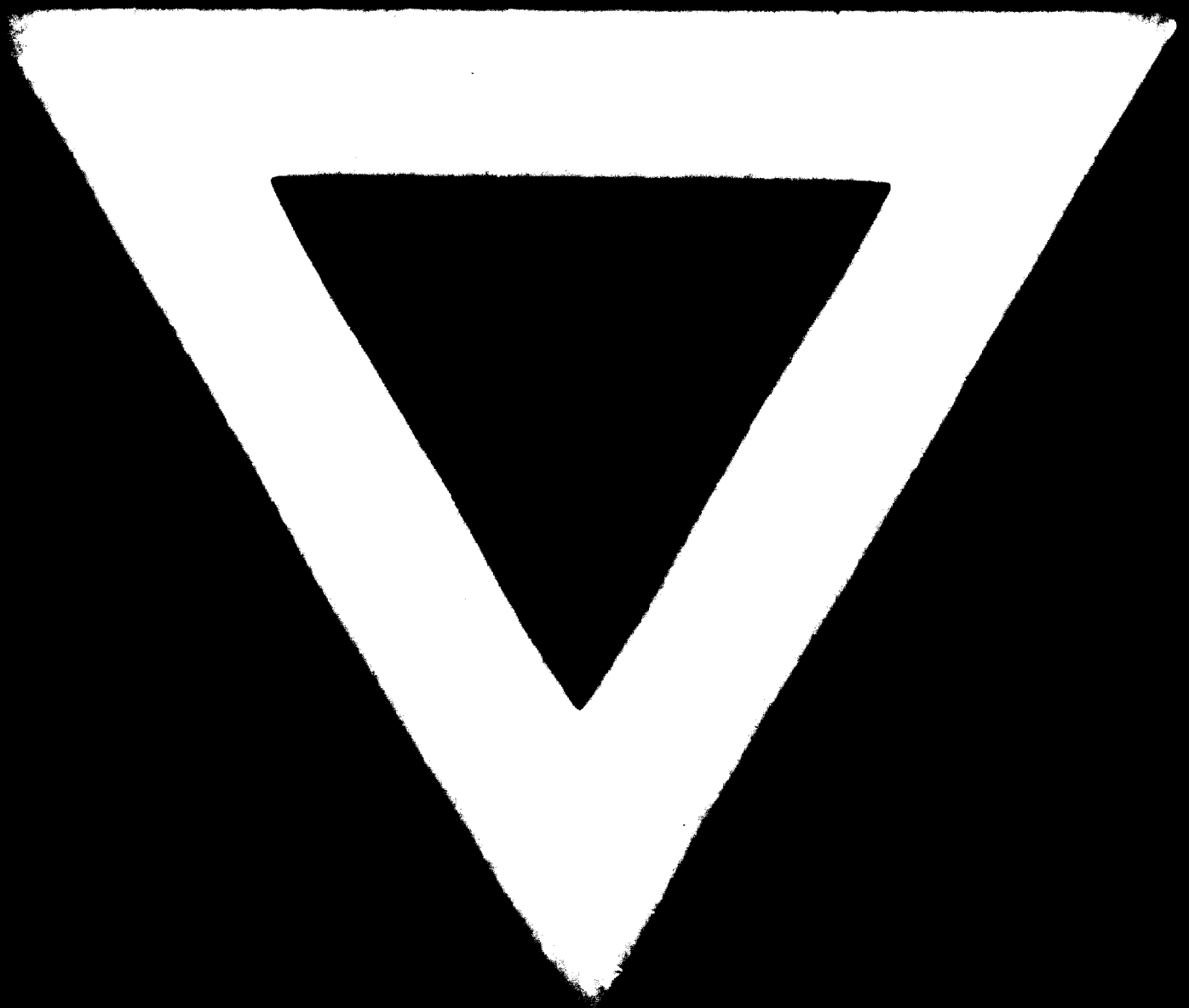
References

Law No. 10 of 18 February 1960 - Foreign Investments in Somalia.

Law No. 26 of 10 November 1961 - Customs Facilities.

Decree-Law No. 12 of 26 September 1964 - Foreign Economic Transactions
Ordinance.





74. 10. 10

Ku dhaqan Xafiis D.

FAAFINTA

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RASMIGA AH

الجريدة

BULLETIN

EE JAMHUURIYADDA SOOMAALIYA

Sanadka 3aad

Muqdisho,

2015

Laanta Maamulka Faafinta Rasmiga ah
Ee Xafiiska Garyaqaanka Guud ee Dawladda

FAAFIN SANADLE

Qiiimaha waa \$XXX Dollar, lambar waliba – **RUKUNKA**: Sanaddii waa \$XXX Dollar, Soomaaliya gudaheeda – Dibaddeedana waa \$XXX Dollar. Rukunka la weydiisto waqtiga loo gooyay wuxuu ka bilaabmaa 1 Janaayo. Qiiimaha Qoritaanku F.R halkii sadar iyo wixii ka yar waa \$XXX Dollar – Rukunka iyo Qoritaanku waxaa la weydiistaa Laanta Maamulka Faafinta Rasmiga ah – Lacagta waxaa lagu bixiniyaa Xafiiska Canshuuraha ee Wasaaradda Maaliyadda.

KOBNIIN

BOGGA KOOWAAD

SHARCI

W.M

BOGGA LABAAD

XEER

BOGGA SEDDEXAAD

TALOOPYIN, ISGAARSIIN, OGAYSIIS, IWM

SANADKA

2015



Oggolaanshaha Ansixinta Sharciga Shaqo-Qorista Shaqaalaha Shisheeye

MADAXWAYNAHA J. F. S

Markuu arkay: Qodobka 87aad, Xarafka 'C' ee Dastuurka KMG.

Markuu arkay: Qodobka 90aad, Xarafka 'F' ee Dastuurka KMG.

Markuu arkay: Warqadda Guddoomiyaha Golaha Shacabka Ref: 865/3/1/9/15 ee 31/08/2015 kuna saabsan Ansaxinta Golaha Shacabka ee Sharciga Shaqo qorista Shaqaalaha Shisheeye.

Markuu Tixgeliyay: Baahida loo qabo in uu dalka ka jiro Sharciga Shaqo qorista Shaqaalaha Shisheeyaha.

Wuxuu soo saaray Xeerkaan.

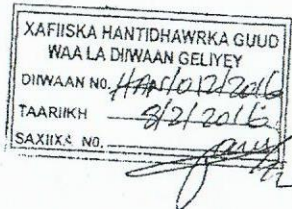
Qodobka 1aad

Laga bilaabo Maalinta uu Madaxweynaha Jamhuuriyadda Soomaaliyeed Saxiixo Xeerkaan, Madaxweynuhu waxa uu oggolaaday Sharciga Shaqo qorista Shaqaalaha Shisheeyaha.

Qodobka 2aad

Xeerkan waxa uu dhaqangelayaa maalinta uu Madaxweynuhu Saxiixo waxaana lagu soo saarayaa Faafinta Rasmiga ee Jamhuuriyadda Federaalka Soomaaliyeed.

Muqdisho: 09/12/2015



Madaxweynaha J.F.S
Xasan Sheekh Maxamuud



Jamhuuriyadda Federaalka Soomaaliya

SHARCIGA SHAQO-QORISTA SHAQAALAHA SHISHEEYE



Qodobka 1aad

Eray - Bixin

Shisheeye: waxaa loola jeedaa qof aan ahayn muwaadin Soomaaliyeed.

Ruqsad: waxaa loola jeedaa “Ruqsadda Shaqo ee la siiyo shaqaalaha shisheeyaha ah”.

Haysta Ruqsadda Shaqada: waxaa loola jeedaa qofka shisheeyaha ah ee la siiyey ruqsadda shaqada.

Guddi: waxaa loola jeedaa Guddiga Qiimaynta Codsiga Ruqsadda Shaqo.

Agaasimaha Guud: waxaa loola jeedaa Agaasimaha Guud Wasaaradda Shaqada iyo Arrimaha Bulshadda.

Wasiirka: “Wasiirka Wasaaradda Shaqada iyo Arrimaha Bulshada”

Wasaarada: Waxaa loola jeedaa “Wasaaradda Shaqada iyo Arrimaha Bulshadda”.

Qodobka 1aad

Saameynta Sharcigan

Sharcigani ma saameeyo:

1. Xubnaha Ergooyinka Diblomaasi ahaan ku jooga dalka JFS.
2. Xubnaha Ergooyinka Qunsuliyadaha.
3. Qaxootiga iyo dadka magangelya-doonka ama magangelyada ku jooga Dalka ee lagu dhaqo heshiisyada caalamiga ah.

Qodobka 3aad

Shuruudaha iyo Shaqooyinka ka Reeban

B. Shaqooyinka ka reeban shisheeyaha waxaa lagu qeexi doonaa Xeer gaar ah oo wasiirku soo saaro.

T. Iyada oo la raacayo Sharciga Socdaalka, qofka Ajnabiga ah wuxuu Dalka JFS, ka hawlgeli karaa, Marka uu helo Ruqsad Shaqo oo ay bixisey Wasaaradda, si sharci ah ku soo galo dalka, haystana “Ruqsad

joogitaan ama deganaasho, marka laga reebo Dadka ku soo galay “Qaxootinnimo”.

J. Wasaaraddu ma siin karto qof Ajnabi ah ruqsad shaqo ee uu qaban karo Qof muwaadin soomaali ah;

X. Iyada oo loo hoggaansamayo Sharciga Socdaalka, qof kasata oo doonaya inuu qorto Shaqaale Shisheeye ah wuxuu codsi qoraal ah u soo gudbinayaa Wasaaradda, Isaga oo u hadlaya Qofka Ajnabiga ah ee shaqaalaha ah.

Kh. Wasaaradda waxay Shaqaalaha Shisheeye ee shaqo doonka ah siin kartaa Ruqsad shaqo, kadib marka uu Dalka si sharci ah ku soo galaan, buuxiyaana dhammaan shuruudaha sharcigu farayo.

D. Shaqaalaha Ajnabiga ee gudaha laga qoro iyo kan muwaadinka soomaaliga ah ee ay isku aqoonta iyo waayo aragnimada leeyihiin waa in ay sinaadaan xagga mushaarka iyo wixii xuquuqa ah oo kale.

Qodobka 4aad

Shuruudo dheeraad ah

Wasaaraddu marka ay bixinayso Ruqsadda shaqada, waxay raacin kartaa in uu qofkaas buuxiyo shuruudo cayiman oo lagama maarmaan ah.

Qodobka 5aad

Dalabka Ruqsadda Xagga Maal-gashiga

B. Shaqaalaha Ajnabiga ee soo gelitaanka Dalka loogu oggolaaday sida uu dhigayo sharciga dhiirrigelinta Maalgelinta shisheeye, wuxuu “ Ruqsadda Shaqada” weydiisanayaa Wasaaradda 30 maalmood gudahood laga bilaabo maalinta uu soo galay Dalka.

T. Inta lagu guda jiro habraaca bixinta “Ruqsadda Shaqada”, qofkaas ajnabiga ah, ee soo gelitaankiisu la xiriiro maal-gelinta shisheeye waxaa loo oggol yahay inuu sii hawl-galo.

Qodobka 6aad

Deggenaanshaha iyo Dal-ku-galka

Shaqaalaha Ajnabiga ee si rasmi ah u weydiisanaya ama loo-shaqeeyuhu u weydiinayo “Ruqsadda shaqada” waa inuu:

B. Haystaa degaanaansho, dal-ku-gal shaqo ama si ku-meel-gaar ah loo siiyey dal-ku-galka, si waafaqasan Sharciga Socdaalka JF ee Soomaaliya ee aanu dalka ku soo gelin qaabab kale, sida dalxiis ama dal-ku-gal maritaan (transit visa).

T. Aanu noqon qof hore loogu diiday soo-gelitaanka Dalka JF ee Soomaaliya

Qodobka 7aad

Shaqooyin si Gaar ahaaneed loo Fasaxay

Ajaanibta soo socota waxay Dalka ka qaban karaan shaqooyin uu Wasiirku si gaar ah ugu fasaxay:

B. Dadka la masaafurinayo, inta ay ku suganyihiin goobaha ku meel gaarka ee lagu sii-haynayo.

T. Ajaanibta dalka sharci-darro ku soo galay ee sugaya masaafurin.

J. Kuwa Dalka ku dhashay laakiin aan qaadan jinsiyadda soomaalinimada marka la eego Sharciga Jinsiyadda ee Soomaaliya.

X. Ajaanibta/Shisheeyaha ee lagala noqday Jinsiyadda.

Qodobka 8aad

Muddada Ansaxnimada Ruqsooyinka Shaqada

Ruqsooyinka shaqada ee lagu bixiyo sharcigan waxay ansax ahaanayaan muddo hal sano ah oo ka bilaabata taariikhda la soo saaray ruqsadda shaqo. Waxaa taas ka baxsan “Ruqsadda shaqo” ee la siiyey qofka ajnabiga ah, ee si ku-meel-gaar ah loogu oggolaaday soo-gelitaanka Dalka, si waafaqsan Sharciga Socdaalka, waxay ansax

tahay muddada oggolaanshihii ku-meel-gaarka ahaa, laga bilaabo taariikhda la soo saaray.

Qodobka 9aad

Dheeraynta Muddada Shaqada

B. Haddii qof haysta Ruqsad shaqo lagu bixiyey si waafaqsan sharcigan, loo dheereeyo muddada shaqada iyada oo la raacayo Shuruudaha, Ruqsad-haystuhu wuxuu wargelinayaa Xafiiska Diiwaan-hayaha Wasaaradda oo muddo dheerayntaas ku dul qoraya Ruqsadda, Shaabada rasmiga ahna dulsaaraya.

T. Mudda dheerayntu waa ineysan ka badnaan markiiba sedex (3) Bilood taas oo naqoneysa mid ku xiran baahida Shaqada ee jirta.

J. Haddii qofka Ajnabiga ahi Dal ku-Galka ka dhaco, looma cusboonaysiin karo ilaa wasaaradda la ogaysiiyo.

Qodobka 10aad

Cusboonaysiinta Ruqsadda Shaqo

Inta aysan dhicin Ruqsadda Shaqada, haddii Ruqsadluhu doonayo inuu shaqada sii-wato, waa inuu weydiisto Wasaaradda in loo cusboonaysiiyo. Marka ay jirto xaaladdan, weydiistaha/codsadaha cusboonaysiinta ruqsadda wuu sii-wadan karaa shaqadiisa ilaa Wasaaraddu ka soo saarto diidmo ama ogolaansho cusboonaysiin Ruqso, iyadoo cusboonaysiin kasta muddada ay ansaxa tahay ay noqonayso hal Sano.

Qodobka 11aad

Diidmada Bixinta ama Cusboonaysiinta Ruqsadda

B. Haddii la diido bixinta ama cusboonaysiinta Ruqsadda Shaqada, weydiistuhu/codsaduhu wuxuu xaq u leeyahay cabasho Racfaan in uu u qorto Wasiirka, muddo 30 maalmood ah gudahood oo ka bilaabata Taariikhda uu ogaado amarka diidmada.

T. Cabashadaas, marka ay gaarto Xafiiska Wasiirka, waxaa loo

gudbinayaa Guddiga Qiimaynta shaqaalaha Ajnabiga ah, oo arrinta talo ka siinaya Wasiirka, muddo 15 maalmood gudahood, Wasiirkuna wuxuu go'aan kaga gaarayaa mudo 30 Maalmood gudahood. J. Go'aanka ama Amarka diidmada Wasiirka waxaa cabasho looga qaadan karaa Maxkamadda Sare ee JF ee Soomaaliya oo leh Awoodda dhegaysiga dacwadaha maamulka ah.

Qodobka 12aad

Habka Haysashada Ruqsadda

Sitaha "Ruqsadda SHaqada" waa inuu Ruqsadda isagu haystaa ama ay u taallo goobta Shaqada si uu u tuso Saraakiisha ku Shaqada leh, marka loo baahdo.

Qodobka 13aad

Googo'ida ama lumidda Ruqsadda

B. Haddii "Ruqsaddu googo'do ama lunto, Ruqsadluhu waa inuu Wasaaradda weydiisto si loogu beddelo, 15 (Shan iyo Toban) maalmood gudahooda, oo ka bilaabata Taariikhda uu ogaaday in ay Ruqsaddu Googo'ddey Ama luntay.

T. Haddii Ruqsadda shaqadu ay lunto, waa inuu Ruqsadluhu ku qoraa Jaraa'idka Dalka midkood lumidda Ruqsadiisa shaqada kuna wargeliyaa Saldhiga Booliska ee degmadiisa, ka dibna u soo gudbiyaa Qoraalada Talaabooyinkaas Wasaaradda muddada ku xusan faqrada (B) ee qodobkaan.

Qodobka 14aad

Ka-tegidda Shaqada ku Cayiman Ruqsadda

Haddii qofka Ajnabiga ahi ka tago shaqadii ruqsadda ku cayinnayd, waa inuu ruqsadda u celiyo Xafiiska Wasaaradda u qaabilsan, 7 (todoba) maalmood gudahood, ee ka bilaabata taariikhda shaqa-ka-tegista

(istiqaalada), arrintaas meelmarinteeda waxaa u xilsaaran loo shaqeeyaha (Hay'ad / Shirkad).

Qodobka 15aad

Gelitaanka Shaqo ka duwan tan ku cayiman "Ruqsadda"

Sitaha Ruqsaddu ma qaban karo shaqo ka duwan tan ku cayiman "Ruqsadda", mana beddeli karo goobta shaqada ee ku cayiman Ruqsadda, haddii aan fasax laga haysan Xafiiska Wasaaradda ee ku shaqada leh.

Qodobka 16aad

Qoridda Ajnabi aan haysan "Ruqsad Shaqo"

Looma dhiibi karo shaqo qof ajnabi ah oo aan haysan Ruqsad shaqo, sidoo kale looma dhiibi karo shaqo ka duwan tan ku cayiman ruqsadda shaqada uu haysto.

Qodobka 17aad

Qorista, Beddelka iyo/ama is-casilidda Shaqaale Ajnabiga ah

Cid kasta, ee shaqo u qorata Qof Ajnabi ah, ama Shaqaale Ajnabi ah u beddesha ama ka hawlgelisa meel ka duwan meesha ku cayiman "Ruqsadda" uu haysto, ama haya Ajnabi shaqada iska casilay, waa inuu wargeliyo Xafiiska agaasinka Guud ee Wasaaradda, 15(shan iyo toban) maalmood gudahood oo ka bilaabata Taariikhda qorista, beddelka ama iscasilaadda.

Qodobka 18aad

Guddiga Qiimaynta Shaqaalaha Ajnabiga ah

B. Waxaa la dhisayaa Guddi qiimeeya shaqaalaha Ajaanibta ee uu xubnihiisa magacaabo Wasiirka Wasaaradda, Guddigaas waxaa loogu magac daray "Guddiga Qiimaynta Shaqaalaha Ajaanibta";

T. Guddigu wuxuu ka koobnaanayaa xubnaha soo socda:

1. Xubin uu soo magacaabo Wasiirka Wasaaradda Shaqada iyo Arrimaha Bulshadda.

T. In wixii Lacaga oo sharcigaan la xariira lagu shubo khasnadda Dhexe Dawlada.

Qodobka 24aad
Xad-gudubka loo-shaqeeyaha

Cid kasta, ee qorata shaqaale Ajnabi ah ee aan haysan “Ruqsad Shaqo”, waxay mutaysanaysaa cigaab ganaax ah ee u dhexeeya \$5,000 (Shan kun) ilaa \$10,000 (Toban kun) oo Doollarka Maraykanka ama lacag Shilin Soomaali u dhiganta.

Qodobka 25aad
Shaqaalaha Ajnabiga ah ee la qoray Sharcigan ka hor

B. Loo-shaqeeye kasta, ee dhaqan-galka Sharcigan ka hor qortay, una shaqeeyaan shaqaale ajaanib ah, waa inuu Wasaaradda u gudbiyaa macluumaad tifaf-tiran ee la xiriira shaqaalahaas, kana diiwaan-geliyaa.

T. Waxaa kale oo Loo-shaqeeyayaasha la farayaa inay shaqaalahaas Ajnabiga ay u dalbaan “Ruqsad shaqo” si waafaqsan Habraaca Sharcigan.

Qodobka 26aad
Xeer-nidaamiyaha Sharcigan

Wasiirka Wasaaradda wuxuu awood u leeyahay inuu soo saaro xeer nidaamiye lagu fulinayo Sharcigan.

Qodobka 27aad
Shuruucdii hore

Wixii sharcigaan laga waayo waxaa loogu noqonayaa shuruucdi hore ee Shaqaalaha Ajnabiga ah.

Qodobka 28aad

Dhaqan-gal

Sharcigani wuxuu dhaqan-gelayaa marka uu Barlamaanka Federalka Soomaaliya ansixiyo, saxiixana Madaxweynaha Jamhuuriyadda Federaalka Soomaaliya, isla markaana lagu soo saaro Faafinta Rasmiga ah ee Dawladda Federaalka Soomaaliya.



Federal Republic of Somalia
Office of the President

SHARCI LR. 13

TAARIKH: 21 /01/2016

OGGOLAANSHAHA ANSAXINTA SHARCIGA MAAGASHIGA SHISHEEYE

MADAXWEYNAHA J.F.S

Markuu Arkay: Qodobka 87aad, Faqradda 1aad, Xarfaha ' A ' , ' ' B ' iyo " c " ee
Dastuurka KMG

Markuu Arkay: Qodobka 90aad, Xarfaka " f " ee Dastuurka KMG

Markuu Arkay: Qodobk 69aad, Farqadda 1aad, Xarfaka . A ' ee Dastuurka KMG

Markuu Arkay: Warqadda Guddoomiyaha Golaha Shacabka Lr. 3/1/9/15 ee
23/11/2013 kuna saabsan Ansaxinta Hindise Sharciyeedka
Maalgashiga Shisheeye

Markuu tixgeliyay: In laga maarmaan tahay inu la oggolaado Sharciga Maalgashiga
Shisheeye si loo kobciyo Dhaqaalaha Dalka isla markaana ay
Bulshada Soomaaliyeed u helaan fursad shaqo

Wuxuu soo saaray Xeerkaan:

Qodobka 1aad

Laga bilaabo maalinta uu Madaxwaynaha saxiixo waxaa la oggolaaday Sharciga Maalgashiga
Shisheeye

Qodobka 2aad

Waxaa la farayaa Wasaaradaha iyo Hay'adaha saamaynta ku leh Maalgelinta Shisheeye inay si
habsami leh ee waafaqsan Sharciga u dhaqngeliyaan.



Federal Republic of Somalia
Office of the President

Qodobka 3aad

Waxaa la farayaa isla sidaan inay muwaadiniinta iyo shisheeyayaasha uu khuseeyo Sharcigaa inay si buuxdo u ilaaliya.an isla markaasina ay dhoowraan.

Qodobka 4aad

Waxuu Sharcigaan dhaqangeliya isla markii uu Madaxwaynaha saxiixo waxaana lagu soo daabici doonaa Faafinta Rasmiga ah ee Jamhuuriyadda Federaalka Soomaaliya.

MUQDISHO 21/01/2016

Madaxwaynaha J.F.S

Mudane Xasan Sheikh Maxamuud



Ref: 1005/3/1/9/15: الرقم

Mogadishu, 23rd November 2015 التاريخ

Ku: Madaxweynaha Jamhuuriyadda Federaalka Soomaaliya
Muqdisho.

Ku: R/Wasaaraha Xukuumadda Federaalka Soomaaliya
Muqdisho.

Og: Wasaaradda Ganacsiga iyo Warshadaha.
Muqdisho.

Og: Garyaqaanka Guud ee Dawladda.
Muqdisho.

Og: Hanti-Dhowrka Guud ee Dawladda.
Muqdisho.

Og: Guddiga Ganacsiga, Warshadaha iyo Dhaqaalaha
L/H. Golaha Shacabka

Og: Xoghayaha Guud ee Golaha Shacabka
L/. Golaha Shacabka.

Og: Agaasimaha Waaxda Shuruucda
L/H. Golaha Shacabka

Ujeeddo: Ansixinta Sharciga Maalgashiga Shisheeye

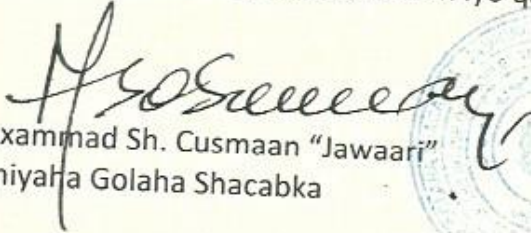
M.ne Madaxweyne;

Waxaan kuugu wargelinayaa inuu Golaha Shacabka Jamhuuriyadda Federaalka Soomaaliya go'aan ka gaaray ansixinta Sharciga Maalgashiga Shisheeye oo halkan ku lifaaqan, wuxuuna Golaha Shacabka Kalfadhiga 7aad ee fadhigiisii 12aad 23^{kii} Nofeembar 2015 oo ka dhacay Xaruntiisa Caasimadda Jamhuuriyadda ee Muqdisho ku ansixiyey cod furan oo u dhacay sidatan hoos ku xusan:

- Xildhibaan Oggolaadeen: 143 (Boqol Afartan iyo Saddex Xildhibaan).
- Xildhibaan diidey: 1 (Hal Xildhibaan).
- Xildhibaan ka aamustay: 3 (Saddex Xildhibaan).

Haddaba, M.ne Madaxweyne waxaan si waafaqsan Qodobka 90-aad xarafka (f) ee Dastuurka JFS kaaga codsanaynaa in aad go'aanka Golaha ku oggolaato Xeer-Madaxweyne, si uu Sharci u noqdo looguna soo saaro Faafinta Rasmiga ah ee Dawladda si waafaqsan Qodobbada 84-aad iyo 85-aad ee Dastuurka JFS.

Anigoo huba in waajibkaaga Dastuuriga aad ka gudan doonto, waxaad magaca Golaha Shacabka nooga guddoontaa salaam diiran iyo qaddarin gaar ah.


M.ne Muxammad Sh. Cusmaan "Jawaari"
Guddoomiyaha Golaha Shacabka

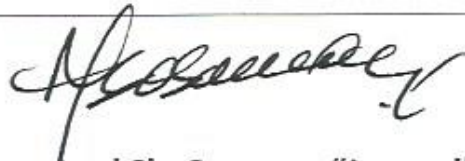


MJ/AM

ANSIXINTA SHARCIGA MAALGASHIGA SHISHEEYE.

Guddoomiyaha Baarlamaanka JFS

Tirada Xubnaha Codeysay 147: Oggol (143) Diidmo (1) ka aamustay (3)



Saxiix: M. ne Muxammad Sh. Cusmaan "Jawaari"

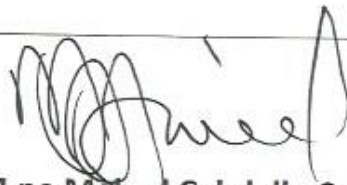
Taariikh: 23rd November 2015

Guddoomiye ku-xigeenka 1aad- Baarlamaanka JFS

Saxiix: M. ne Jeylaani Nuur likar *Shaqo ku maqan*

Taariikh: 23rd November 2015

Guddoomiye ku-xigeenka 2aad- Baarlamaanka JFS



Saxiix: M. ne Mahad Cabdalla Cawad

Taariikh: 23rd November 2015

~~FADHAN SIIRUUCDA~~

Waa la
ousi xiyeey

Jamhuuriyadda Federaalka Soomaaliya
Golaha Shacabka
Guddiga Dhaqaalaha, Ganacsiga iyo
Warshadaha



جمهورية الصومال الفدرالية
مجلس الشعب
لجنة الاقتصاد والتجارة والصناعة

Federal Republic Of Somalia
House Of The People

Parliamentary Committee on Economy, Commerce and Industry

XGS. Guddiga
ovag bossa
Daad.

Ref: GDHG& W/11/2015

Ku: Guddoonka Golaha Shacabka

23/11/2015

Tr: 18/11/2015

=Muqdishow=

Ujeeddo: Soo Gudbin Wax ka beddelka Sharciga Maal-gashiga Shisheeye (law no 19 1987)

MudaneGuddoomiye,

Hindise Sharciyeed Maalgashiga Shisheeye ayaa Guddiga Dhaqaalaha ,Ganacsiga iyo Warshadaha loo soo gudbiyey taariikhdu markii ay ahayd 12kii Juun 2013,wuxuuna akhrista koowaad maray 19kii Juun 2013kii. Kaddib markii Guddigu daraasad dheer ku sameeyey waxaa u soo baxday Draftiga hindise sharciyeedka uu wax badan ka fiicanaa Sharciga lam 19 ee 1987kii,kasoo la sameeyey sannadihii ugu dambeeyey ee Dawladdii Kacaanka hase yeeshee aan lagu dhaqmin. Guddigu wuxuu kutaliyey in ey habboontahay in Sharcigaas lagu sameeyo wax kabadde (Amendment) , hal kii meel cidla ah wax laga billaabi lahaa.

Sidaa sawgeed baa Xukuumaddu dib ula noqotay hindise sharciyeed kaas 15kii December 2014kii, ayagoo laysla qaatay qodobbada wax ka beddelka lagu sameeynayo ee Sharciga lam. 19 ee soo baxay 1987kii,Golaha Wasiirrada isku raacay go'aanka summaddiisu tahay SHGW.00.26.07.15 ee 23kii Juun 2015 kaasoo sirasmi ah sharciga wax kabadde dila dib ugu soo celiyey Golaha Shacabka.

Guddigu wuxuu wadashaqayn la yeeshay Wasaaradda Ganacsiga & Warshadaha, W.Qorsheynta & Iskaashiga Caalamiga ah , Warr .Dibedda & Dhiirrigelinta Maalgashiga iyo W.Shaqada iyo Shaqaalaha, Bangiga Dhexe iyo Rugta Ganacsiga & Warshadaha sidii Sharcigaas looga dhigi lahaa mid waqtigan la socon kara waxna ka tari kara soo jiidashada Maal-galinta Shisheeye ee J F Soomliya.

Waxaa Guddigu is garab dhigay Sharciyada Maal-gashiga ee ka jira 22 dal oo kuwa sookoraya ah oo ay ku jiraan dalalka aan deriska nahay,waxaana aakhirikii ay ku dhammaatay inaan wax kabadde kusamaynay 17qodob ayadoo 10 qodobna sidii ay ahaayeen loo daayey. Uruurinta xogta iyo katalo bixinta Sharcigan waxaa nagala qayb qaadatay Hay'adda Chimoniks SSG.

Sidoo kale, waxaa Guddigu qabtay wadatashiyo iyo dhagaysi Dad-weyne (public hearing) afar jeer sannadkan gudihiisa ayadoo ay kasoo qayb galeen qaybaha kala duwan ee bulshada , aqoon yahannada Jaamacadaha ,ganacsatada ,Wasaaradda dhaqaalaha iyo khubaro ajnabi ah taariikhdu markay ahayd 10kii Juun,13kii July, 15kii September iyo 10kii November 2015, waxayna ku kordhiyeen ra'yigooda.

Waxaa kaloo guddigu halkan kusoo daray talooyinkii wax ku oolka ahaa ee xildhibaanadu ku kordhiyeen sharcigan akhriiskii 2aad.

Guddiga Dhaqaalaha, Ganacsiga iyo Warshadaha
E-mail benadam43@hotmail.com /+252-618850679

AG. SIIRUUCDA

fadlan eeg Boga labaad.

1086
10/11/2015

Sidaas awgeed Ayaan mudane Guddoomiye halkan kuugu soo gudbinaynaa nuqulkii kama dambeysta ahaa ee Sharciga Maal-gelinta Shisheeye si uu u maro akhriska 3aad, Baarlamaankuna ugu codeeyo annagoo rajeynayna in Sharcigan dalkeena u soo jiido boqollaal malyuun oo maal-gelin shisheeye ah uuna wax weyn kataro shaqo abuurista dhallinyarada Soomaaliyced ooda'doodu u dhaxayso (14-29) oo 67% shaqo la'aanhayso ,sababtaas awgeedna ku dhammaaday tahriibka badaha iyo ku biiridda xag jirnimada.

Salaandiirranigaguddooma,

XildhAbdullahi Jama Hussein

Gud/miyahaGuddiga Dh/W/Ganacsiga

ogge 143

Friday 1

annus. 3

[Signature]

23/11/2015-



Ku: Guddoomiyaha Baarlamaanka J. F. Soomaaliya

Ujeeddo:- Soo Gudbin Hindise-sharciyeedka Maal-gashiga Shisheeye ee
Soomaaliya

Mudane Guddoomiye;

Waxaan halkaan si xushmad leh kuugu soo gudbinayaa hindise sharciyeedka maal-gashiga shisheeye ee Soomaliya, oo nagu dhiiri-galinaya hollinta tallaabo horumar leh oo ku salaysan himilada Dawladda ee soo celinta nidaamka iyo ku dhaqanka shuruucda oo ah aasaaska nolosha Dawladnimo waana mid si cad oo qaabaysan isu fashiraya, waafaqsanna Dastuurka, ujeeddadiisuna ay caddahay.

Haddaba, Mudane Guddoomiye waxaan si xushmad leh kaaga codsanayaa dedejinta iyo meel marinta hindise sharciyeedkan kor ku xusan, maadaama baahi weyn loo qabo ku dhaqankiisa marxaladda haatan uu Dalku ku sugan yahay awgeed.

Mahadsanid



Mudane Cabdi Faarax Shirdoon (Saacid)
Ra'iisul-Wasaaraha xukuumadda FS



SUMMAD/00 145 WGW/013

Date : 26/05/2013

Ku: Ra'iisal Wasaaraha Xukuumadda Federaalka Soomaliya

Ujeedo: Soo gudbin xeerka maalgashiga shisheeye

I). Sharciga wuxuu ka mid yahay shuruucda dalka Jamhuuriyada Federaalka Soomaaliyeed, wuxuuna waafaqsan yahay Dastjurka KMG ee Jamhuuriyadda Federaalka Soomaaliyeed, waa sharci loogu talagalay in lagu maareeyo arrimaha maalgelinta shisheeye oo afka qalaad lagu yiraahdo (Foreign Investment Law), sharcigan wuxuu si qoto dheer u qeexayaa arrimaha hoos ku taxan:

- Qaabka dadka shisheeyahay ah u maalgashan karaan dalka Jamhuuriyadda Federaalka Soomaaliya;
- Qaabka ay isu diiwaangelin karaan shirkadaha shisheeyaha ah ee doonaaya in ay maalgashi ku sameeystaan Dalka Soomaaliyaa;
- Fududeynta dhammaan shuruudaha laga doonayo ganacsadaha ama shirkadda maalgashiga doonaysa;
- Guddiga awoodda u leh maamulka iyo maareeynta sharciga maalgashiga shisheeye;
- Xuquuqaha uu leeyahay ama leedahay cidda maalgashanaysa dalka Soomaaliya, gaar ahaan ganacsatada ajinabiga ah;
- Hay'addaha ku shaqada leh ee sida tooska ah ay ula xiriiri karaan gnacsatada maalgashiga rabta.

II). Sharciga waa sharci aad iyo aad u muhim ah, wuxuuna tirtirayaa sharcigii ka horreeyey ee lambarkiisu ahaa 19/09/1987 kuna saabsanaa maalgashiga shisheeye, muhiimadiisana waxaa ka mid ah:

- Mar haddii laga gudbay xilligii ku meel gaar, loona gudbay Dowlad taam ah oo Federaal ah waxaa lagama maamrmaan noqotay in la helo sharci lagu maareeyo ganacsatada Ajinabiga ah ama shisheeye oo doonayaa in ay dalka maalgashadaan;
- Diyaarinta sharcigan oo ka mid ahaa qorshihii Lixda bilood ee ay Xukumada Cusub ku talagashay;
- Sharcigan oo haddii aan la soo saarin aqabad ku noqon lahaa habsami u socodka maamlgashiga Dalka, gaar ahaan ganacsatada shisheeye;
- Dhaqan galka sharciga oo wax weyn ka tari doona siyaasadda dhaqaalaha dibedda iyo gudahba;
- Shrciga oo abuuri doona in ay ganacsatada Ajinabiga ah ku kalsoonadaan iala markaasna aaminaan in ay xoolahooda gashadaan dalka, kadib markay akhristaa;
- Sharciga wuxuu wax weyn ka tari doonaa horumarka dhaqaalaha Dalka Sooaamliyeed.

III). Sharcigan habeyntiisa ama diyaari tiisa waxaa ka shaqeeyey guddiyo ka koobanaa sharci yaqaano, iyo xceldheeryaal dhanka ganacsiga iyo maalgashiga ah, waxayna sameeyntiisa ku qaadatay dhowr bilodd.

Miisaaniyadda sharcigan lagu sameeyeyna waxaan iyadoo qeexan u gudbinayanaa Wasaaradda Maaliyadda, waxaana lagu soo dari doonaa miisaaniyadda dib u eegidda bisha June 2013.

Mudane

Mudane: Maxamuud Axmed Xasan
Wasiirka Wasaaradda Ganacsiga iyo Warshadaha





Jamhuuriyadda Federaalka Soomaaliya

SHARCIGA MAALGASHIGA SHISHEEYE

Sharci Lr: _____
ee _____

QODOBKA- 1^{aad}:
Qeexis

Erayada Sharcigan ee hoos ku qoran, waxaa loola jeedaa sida soo socota:

- 1. “Maalgeliye Shisheeye”** Waxaa loola jeedaa Qof kasta oo shisheeye oo leh shakhsiyad qaanuuni ah ama u jira Qof ahaan oo maalgashi ku sameeya dhulka Jamhuuriyadda Federaalka Soomaaliyeed si waafaqsan sharciga Soomaaliya.
- 2. “Guddiga Maalgashiga shisheeye”** Waxaa loola jeedaa “Guddi” leh awooda ugu sareysa ee go’aan ka gaarista dhammaan arrimaha la xiriira maalgelinta shisheeye.
- 3. “Xafiiska Dhiirrigelinta Maalgashiga”** oo loogu yeeri doono “Xafiiska”, waxaa loola jeedaa Xafiiska Maamulka iyo Dhiirrigelinta, xilkiisuna yahay ku gacan siinta Guddiga gudashada xikooda.
- 4. “Maalgelin la Ansxiyay”** Waxaa loola jeedaa, maalgelin shisheeye uu ansixiyey Guddiga Maalgashiga Shishisheeye si waafaqsan sharcigan.
- 5. “Faa’ido”** Waxaa loola jeedaa “dakhli saafi ah”, oo laga bixiyey canshuurihii ku waajibay si waafaqsan sharciga jira.
- 6. “Maalgashi Shisheeye oo Diiwaangashan”** Waxaa loola jeedaa maalgashigii asalka ahaa ee la ansaxiyay laguna daray faa’iido dib loo maalgashay si waafaqsan sharcigan.

QODOBKA- 2^{aad}:
Qaababka Maalgelinta Shisheeye.

1. Maalgelinta shisheeye waxaa loo sameyn karaa hababka soo socda:
 - a. Lacagta Sarrifmi karta ee uu gooyey Bankiga Dhexe ee Soomaaliya loona xawilay Soomaaliya:
 - b. “Makiindo, Qalab, qalab dayactir ah, Rakibaadda iyo wax soo saarka, oo soo dejintooda lagu oggolaaday si waafaqsan sharciga soo dejinta;
 - c. Milkiyadda curinta fikradda ee ka diiwaan gashan Soomaaliya, oo aan looga maarmeyn fulinta hawlaha Maalgashiga lagu Ansixiyey;
 - d. Wadarta lacagta qalaad ee la geliyey draasadadaha iyo qoraallada farsamo, ee loo diyaariyay, xiriirna la leh Maalgashi shisheeye ee la Ansixiyay.
 - e. Faa’iidada dib loo maalgeliyay, oo markeedii hore ka timid maalgashiga shisheeye ee la ansaxiyay si waafaqsa sharcigan.
2. Maalgashiga la xusay waa iney ujeedada loo sameeyey tahay dhismaha ama ballaarinta shirkad lagu dhisay kana diwaaangashan Soomaaliya.

QODOBKA- 3^{aad}:
Guddiga Maalgashiga Shisheeye

1. Guddiga, waxaa dhisaya Wasaaradda Qorsheynta iyo Iskaashiga Caalamiga, wuxuuna kulmaya ugu yaraan bishii laba jeer.
2. Guddigan wuxuu ka koobanaan doonaa:
 - a. Xoghayaha Joogtada ah ee Wasaaradda Qorsheynta iyo Iskaashiga Caalamiga.
 - b. Xoghayaha Joogtada ah ee Wasaaradda Arrimaha Dibadda.
 - c. Agaasimaha Guud ee Wasaaradda Maaliyada
 - d. Agaasimaha Guud ee Wasaaradda Ganacsiga iyo Warshadaha.
 - e. Agaasimaha Guud ee Wasaaradda Shaqada iyo Arrimaha Bulshada;
 - f. Agaasimaha Guud ee Bankiga Dhexe
 - g. Guddoomiyaha Rugta Ganacsiga & Warshadaha
 - h. Agaasimaha Guud ee Wasaaradda ay hoos imaaneyso masuuliyadda hawsha ay maalgelinta shisheeye ku saabsan tahay, marka laga reebo Wasaaradaha kor ku xusan.
3. Agaasimaha Guud ee Wasaaradda Ganacsiga iyo Warshadaha ayaa noqonaya Guddoomiyaha Guddiga.

QODOBKA- 4^{aad}:
Xilalka Guddiga

1. Guddiga xilalkiisu waxay noqonayaan sida soo socota:
 - a. Iney u ansaxiyaaan maalgashiga shisheeye si waafaqsan tilmaamaha siyaasadeed ee lagu jideeyey Qodobka- 7^{aad} ee sharcigan;
 - b. Iney ansaxiyaaan diwaan gelinta maalgashiga shisheeye
 - c. Iney dib u eegaan diwaan gelinta maalgashiga shisheeye ee lagu sameeyay sharci horey u jiray, si maalgashigaasi uu uga faa'iideysto sharciga u roon, sida ku cad Qodobka- 20^{aad} ee sharcigan;
 - d. Iney go'aamiyaan qiimaha maalgelinta shisheeye ee la sameeyey sida ku cad Qodobka- 2^{aad}, xarfaha (b), (c) iyo (d) ee sharcigan;
 - e. Iney hubiyaan u higgaansanaanta Qodobka- 16^{aad} ee ku saabsan heshiisyada amaahda laga qaato ilaha gudaha;
 - f. Iney u fududeeyaan dal ku galka shaqaalaha shisheeye ay shaqaaleeyaan shirkadaha u diiwaangashan si waafaqsan sharcigaan; Wuxuu sharcigaan, wuxuuna ku waajibinayaa in dhammaan shirkadaha maalgashanaya Soomaaliya shaqaaleeyaan, tabababaraan Shaqaalaha Soomaalida, ayna shaqaalaynta muwaadiniinta Soomaaliyeed noqoto ugu yaraan boqolkiiba konton 50% ee dhammaan shaqaalaha shirkadda, qandaraaslayaasha iyo la-taliyaashuna waa iney deggan yihiin Soomaaliya.

- g. Iney qabtaan hawl kasta oo kale oo ku saabsan maalgelinta shisheeye ee waafaqsan sharcigan.
2. Ansixinta Guddiga iyadoo la raacayo faqradda 1^{aad} ee Qodobka-n, waxaa loo marayaa habraaca ku tilmaaman Qodobka- 9^{aad}.

QODOBKA- 5^{aad}:

Guddiga: Kooramka iyo Codka

Todoba xubnood oo ka tirsan Guddiga, ee uu ku jiro Guddoomiyaha, ayuu ku ansaxmayaa fadhiga. Go'aamada Guddiga waxaa lagu gaarayaa cod aqlabiyad fudud.

QODOBKA- 6^{aad}:

Xafiiska Horumarinta Maalgashiga Shisheeye

Waajibaadka Xafiiskan waa sida soo socota:-

1. Dhaqan-gelinta go'aanada ay gaaraan Guddiga;
2. Soo jeedinta maamulka iyo habraaca habeeya lagama maarmaanka u ah dhaqan-gelinta sharcigan;
3. Iney warbixin iyo talo ka siiyaan maalgaliyaha shisheeye arrimaha la xiriira maalgashiga shisheeye sida, codsiga, nidaamka diwaangelinta ee lagu sheegay sharcigaan, canshuurta, heerka sarrifka lacagaha qalaad, shuruudaha dhaqaalaha, nidaamka nidaamka ganacsiga shisheeye, fursadaha maalgashiga ee jira, qaab-dhismeedka hay'adda maaalgashiga; ilaha maalgelinta gudaha ee deymaha iyo raadinta shurakada;
4. Iney maalgeliyayaasha ka kaalmeeyaan shuruudaha dhaqangelinta ee la xiriirta maalgelinta shisheeye; oo ay ku jiraan shuruudaha shaqada guryaha.
5. Iney Maalgashiga shisheeye ee la ansixiyey gacan ka siiyaan marxaladaha iskaashiga iyo horumarinta, una fidlyaan hagid iyo talo la xiriirta Hay'adaha rasmiga ah ee ku shaqada leh maalgashiga iyo habraaca maamuleed ee loo maro;
6. Iney qaabeeyaan talooyin ku saabsan siyaasadda maalgashiga shisheeye iyo horumarinta shuruudaha maalgashiga;
7. Iney dhiirrigeliyaan soona jiitaan maalgashi cusub ee shisheeye iyagoo kaashanaaya hay'adaha kale ee ku lug leh arrimahan;
8. Iney sameeyaan wax kasta oo kale oo la xiriira maalgashi shisheeye ee uu Guddiga u xilsaaro.

QODOBKA- 7^{aad}:
Mudnaanta Maalgelinta iyo Qeybaheeda

1. Waa in mudnaanta la siiyaa maalgashiga shisheeye ee ku aadan hab:
 - a. U jiheeya wax soo saar cududda aadanaha iyo khayraadka dabiiciga ah ee Soomaaliya;
 - b. Soo kordhiya tiknoolajiyadda cusub oo ku habboon daruufaha dalka;
 - c. Abuura dakhli cusub ama baajiya lacag adag oo ku timid dhoofin, ku beddelasho adeegyada ku saleysan keenista ama hawl adeeg;
 - d. Qayb ka qaadata si xilkasnimo ah, horumar waara iyo horumarinta dhaqan-dhaqaale ee gobol ahaan isku dheelli-tiran.
2. Tan waxaa si gaar ah loola jeedaa maalgashiga shisheeye ama si dhow ula xiriirtaa:
 - a. Beeraha;
 - b. Xoolaha;
 - c. Kalluumeysiga;
 - d. Kheyraadka dabiiciga ah;
 - e. Hawlaha warshadaha oo si wax ku ool ah u isticmaala kheyraadka kor ku xusan;
 - f. Dalxiiiska, wxaana shardi u ah in maalgashigaa uu la jaanqaadi karo xaaladaha dhaqan, dhaqaale iyo kaabayaasha jira
 - g. Maalgashi wax soo-saar kasta oo kale. Hawlaha Tiknoolajiyada, wax soo saarka iyo adeegga aan looga maarmeyn iney xoojiyaan dardarna geliyaan, ilaa heer la taaban karo, horumarinta qaybaha kor lagu soo sheegay.
 - h. In laga talo bixiyo hantida dhul ee iibka loo rabo taas oo si wada jir ah laysaga kaashanayo u adeegsiga nidaamka (PPP) wadaaga gaarka loo leeyahay iyo midda guud.
3. Arrimaha uu xeerinayo Qodobka-ni kama horimaanyaan Qodobka- 21^{aad}.

QODOBKA- 8^{aad}:
Habraaca Codsiga

1. Codsiga Maalgeliyaha Shisheeye wuxuu ka billaabanaayaa buuxinta “Arjiga Codsiga Ansixinta iyo Diiwaangelinta”, waxaana laga heli karaa Xafiiska ku yaalla Wasaaradda Qorshaynta iyo Iskaashiga Caalamiga ah ee loogu diraaqo boostada hab diwaangashan, ama adeeg leh helitaanka gaarsiinta ee “Guddiga Maalgashiga arrimaha dibadda L/H Wasaaradda Qorshaynta iyo Iskaashiga Caalamiga ah, Muqdisho, Soomaaliya”.
2. Waxaa kale oo u bannaan Maalgeliyaha Shisheeye inuu codsi si toos ah u geysto Xafiiska, oo siinaya caddeyn gaarsiin. Codsiyada waxaa kale oo email loogu diri

karaa Wasaaradda Qorshaynta iyo Iskaashiga Caalamiga ah, iyadoo la weydiisanayo helitaanka gaarsiinta.

3. Xafiisku wuxuu darsayaa codsiga si uu u hubiyo una caddeeyo iney dhameystiran yihiin shuruudaha laguna qancay.

QODOBKA- 9^{aad}:

Shuruudaha iyo habaaca oggolaanshaha

1. Muddo lixdan casho gudahood, laga bilaabo maalinta la qabtay arjiga maalgashiga oo dhammeystiran, Guddiga go'aankiisa waa in uu ku ogeysiiyaa codsadaha warqad diiwaangasashan. Haddii uu codsaduhu doorto, waxaa xafiiska toos uga qaadi kara qof wakiil ka ah oo caddeyn laga reebo inuu qaaday go'aanka.
2. Haddii loo baahdo wax ka beddel arjiga codsiga ah, Guddiga waa inuu isbeddelkaas ku ogeysiiyaa codsadaha warqad Diwaangashan ama waxaa toos xafiiska uga qaadi Kara qof ka wakiil ah.
3. Guddigu wuxuu ogeysilneyaa iyagoo u marinaaya xafiiska, oggolaanshaha maalgeliyaha shisheeye, wuxuuna soo saaraayaa "Shahaado Maalgelin Shisheeye ee Mashruuca la oggolaaday". Oggolaanshahaas wuxuu maalgeliyaha shisheeye xaq u siinaayaa diwaangelinta maalgelinta si waafaqsan sharcigaan.
4. "Shahaaddada Maalgashiga Mashruuca la oggolaaday" waxey jireysaa muddo 24 bilood ah laga bilaabo maalinta la bixiyay. Muddadas gudaheeda, codsaduhu waa in uu dalka ku soo wareejiyaa hantida ku tilmaaman Qodobka- 2^{aad}, faqradihiisa 1^{aad}, 2^{aad}, 3^{aad} iyo 4^{aad}. Haddli muddadaas la dhafo, Guddigu wuxuu siin karaa, haddii uu weydiisto codsaduhu, muddo dheeraad ah, ama keensan codsi cusub.
5. Si loogu kordhiyo Maalgelin dheeraad ah sida ku xusan Qodobka- 2(1) xarfaha (a) (b) (c) iyo (d) mashruuc horey loogu sameeyey maalgelin diwaan-gashan waxaa loo baahan yahay codsi iyo oggolaansho, sida ku cad Qodobka- 8^{aad}, faqrada (1), (2), (3) iyo (4) ee Qodobka-n.

QODOBKA- 10^{aad}:

Shuruudaha iyo habaaca diiwaangelinta

1. Guddigu waa inuu ku dhaqaaqaa diiwaangelinta maalgelinta la ansixiyay isla marka uu maalgeliyaha shisheeye soo geliyo Soomaaliya hantida ku xusan Qodobka- 2 (1), xarfaha (a), (b), (3) iyo (4) si waafaqsan qodobbada iyo shuruudaha ku qoran "Shahaaddada Maalgelinta Shisheeye" ee mashruuca la oggolaaday. Waxaana ka dhalanaya rad ah in guddigu siiyo maalgeliyaha shisheeye "Shahaaddada Maalgelinta Shisheeye ee Diwaangashan".
2. Haddii dalka loo soo wareejiyo hantida ku xusan Qodobka- 2,1 farqooyinkiisa b,c iyo d .Guddigu waa in uu ku dhaqaaqaa diiwaangelinta isla marka uu xaqiijiyo in

qiimaha uu maalgeliyaha shisheeye ku sheegay hantida uu dalka ku soo wareejiyey in yahay qiimaha dhabta ah ee suuqa. Guddigu wuxuu maalgeliyaha shisheeye weydiisan karaa caddeymo qoraal ah oo muujineya qiimaha hantida uu dalka ku soo wareejiyey. Haddii hantida lagu soo wareejiyo sida ku xusan Qodobka- 2, 1b, qiimahaas waa in lagu saleeyaa si waafaqsan sharciga keenista badeecada.

3. Maalgelinta shisheeye waxa lagu diiwaangellneyaa lacaag la sarrifi karo ee uu soo cadeeyay Bankiga Dhexe ee Soomaaliya.

QODOBKA- 11^{aad}:

Dib u maalgelinta faa'idada

1. Faa'iidada asal ahaan ka timid maalgelin shisheeye ee diwaangashan dib ayaaa loogu maal gelin karaa isla mashruucii maaglinta hore loogu sameeyey ama mashruuc kale, si waafaqsan sharciga.
2. Marka faa'idada noocaas oo kale dib loogu maal geliyo, waa in lagu soo wargeliyaa Guddiga si toos ah ama fariin qoraal oo diiwaangashan. Laguna Caddeyn karo warqadda gaarsiinta.
3. Guddiga waxuu ku dhaqaaqayaa inuu diwaan geliyo faa'idada maalgelin dib loo sameeyay iyadoo la isticmaalayo lacag la sarrifi karo taasoo ku cad shahaadada maalgelinta shisheeye lagu diiwaan geliyay. Qiimaha waxaa lagu saleynaayaa si waafaqsan sharciga iyo xeerarka lagu maamulo lacagaha qalaad.
4. Markaas kadib Guddiga wuxuu soo saaraayaa "Shahaadada Dib-u- maalgelinta".
5. Xuquuqda raaceysa wareejinta faa'idada iyo dib u celinta maalgelinta iyo sidoo kale faa'iidada uu sharcigan tilmaamayo, waxaa lagu saleynayaa maalgelintii asalka ah oo lagu daray faa'idada dib loo maalgeliyey
6. Haddii faa'ido dib loogu maalgeliyo mashruuc, aan ahayn mashruuc ku diiwaangashan maalgashiga shisheeye, waxaa lagu dhaqayaa Qodobada 8^{aad} iyo 9^{aad} ee sharcigan.

QODOBKA- 12^{aad}:

Wareejinta Macaashka

1. Faa'iidada asal ahaan ka timada Maalgashi Shisheeye oo si sharci ah u Diiwaangashan, si xor ah ayaa dibadda loogu wareejin karaa, ahna lacag sarifmi karta.
2. Haddii faa'iidadaasi qayb ka mid ah loo wareejiyo dibadda sannad gudihiis, Maalgeliyaha Shisheeye wuxuu haraaga wareejiisan karaa sanooyinka xiga.

QODOBKA- 13^{aad}:
Dib-u-la-noqoshada Maalgashiga Shisheeye

1. Maalgashiga Shisheeye Sharci ahaan u Diiwaangashan, waxaa dibadda looga saari karaa shan sano kaddib marka laga bilaabo maalinta la Diiwaangalshey Maalgashiga asalka ah ee ku cayiman “Shahaadada Maalgelinta Shisheeye ee Diiwaangashan”.
2. Guddiga wuxuu karaa inuu yareeyo muddadaa la sheegay, iyada oo la tixgellineyo arrimaha mudnaanta ee soo hoos galaaya tilmaamaha siyaasadda sida ku cad Qodobka- 7^{aad} ee sharcigan.
3. Dibad u wareejinta maalgelinta waxaa lagu sameyn karaa lacagtii qalaad ee asalka ahayd ee ku cad “Shahaadada Maalgelinta Shisheeye ee Diiwaangashan”. Maaliyadda loo wareejineyo dibadda waa in ay tahay mid ka dhalatey iibinta wareejinta hantida iyo saamiyaasha shirkadda kana mid ah maalgelinta shisheeye ee leh shakhsiyad qanuuneed ama shakhsi ahaanba u jira. Maalgeliyaha Shisheeye wuxuu awood u leeyahay in uu dibadda u wareejiyo hantida maguurtada ah ee maalgelinta mashruuca, haddii uu doorto.
4. Haddii lacagta ka soo baxdey iibinta hantida maguurtada ah ay ka badato maalgelintii asalka ahayd ee lagu darey faa’iidada dib loo geliyey ee diiwaangashan, Maalgeliyaha Shisheeye wuxuu xor u yahay dibad u wareejinta farqiga, asagoo raacaya shuruucda canshuuraha ee jira iyo qawaaniinta sarrifka ee lacagaha qalaad.

QODOBKA- 14^{aad}:
Wareejinta Milkiyadda Maalgashiga Shisheeye iyo Shuruucda Ogeysiinta

1. Wareejinta milkiyadda maalgelinta shisheeye waxay ku imaanaysaa iibinta hantida ama u wareejinta saamiyaasha mashruuca la maalgeliyey qof ama hey’ad shakhsiyad qanuuneed leh.
2. Xaaladda u wareejinta maalgelin shisheeya qof ama shakhsiyad qanuuneed oo Soomaali degaan ah, wareejiyaha wuxuu luminayaa inuu ka faa’ideysto wixii xuquuq ahaa ee uu ku heli lahaa maalgeliye shisheeye ahaan.
3. Wareejin kasta waxaa waajib ku ah wareejiyaha iyo la wareegaha iney ka hor Guddiga ku wareejiyaan. Wargelintaa waxay raacsiinayaan qoraallada iyo dokumenti taageeraya kala wareejinta.
4. Ku wareejinta maalgelinta shisheeye maalgeliye kale oo shisheeye uma baahna oggolaansho cusub sida ku cad Qodobka- 9^{aad} ee sharcigan, waa iney wargeliyaan Guddiga oo kaliya sida ku xusan faqradda 3aad ee isla Qodobka-an.

QODOBKA- 15^{aad}:
Dhiirrigelinta Maalgelinta

Maalgelinta shisheeye waxay mudnaan u yeelaneysaa dhiirrigelin iyo tas-hiilaad, dhiirrigelinta waxaa mid ah fursad lagu heli karo heshiis kiro muddo dheer ilaa 99 sano oo lagu beddelanayo maalgelin wax ku ool ah si waafaqsan sharciga jira oo xeeriya mudaantaa iyo tas-hiilaadkaas.

QODOBKA- 16^{aad}:
Xadka amaah ka qaadashada ilaha dakhliga gudaha

1. Shirkad kasta oo ujeeddadeedu tahay maalgelin shisheeye si sharci ah u diiwaangashan, waxay amaah ka qaadan karaan hay'adaha ilaha dakhliga ee gudaha ilaa xadka uu gooyey Bankiga Dhexe ee Soomaaliyeed, oo kala tashanaya guddiga;
2. Dakhliga ka soo baxa amaahdii laga qaatay ilaha gudaha, waxaa loo isticmaali karaa oo keliya fulinta hawsha ku tilmaaman "Shahaaddada Maalgelinta Shisheeye ee Diiwaangashan". Guddigu wuxuu awood u leeyahay inuu hubiyo in sidaa loo fuliyey.

QODOBKA- 17^{aad}:
U fududeyn Shaqaalaha Shisheeye

1. Guddigu waa inuu hubiyaa in Hay'adaha Socdaalku u fududeeyaan helitaanka rukhsadaha dal ku gal iyo degganaanshaha shaqaalaha shisheeye ee u shaqeeya shirkad ku diiwaangashan sharcigan iyo Qoysaskooda.
2. Guddigu waxay kale oo hubinayaan in shaqaalahaa iyo qoysaskooda loo oggolaado, marka ay u baahdaan sabab shaqo darted, iney tagi karaan goob kasta oo ka mid ah Soomaaliya.
3. Shirkad kasta oo ku diiwaangashan sharcigan, mar kasta oo la heli karo, waxay shaqaaleysaneysaa muwaadiniinta Soomaaliyeed oo aqoon leh. Maalgelinta shisheeye waa iney qeyb weyn ka qaadato u gudbinta teknolojiyada iyo kor u qaadista iyo kobcinta aqoonta maamuleed iyo tan xirfadeed ee ka jirta Soomaaliya. Maalgeliyaha shisheeye waa inuu shaqaaleyo ugu yaraan boqolkiiba konton (50%) muwaadiniinta deggan Soomaaliya.

QODOBKA- 18^{aad}:
Damaanadda Maalgelinta Shisheeye

1. Dhammaan Mashaariicda loo sameeyey maalgelin shisheeye waxay loola dhaqmayaa si la mid ah mashaariicda waddaniga ah.
2. Hantida maalgelinta shisheeye ee lagu diiwaangeliyey Sharcigan lalama wareegi karo marka laga reebo xaalad dan guud oo aan si kale loo xallin Karin.
3. Haddii ay dhacdo in lala wareego, waa in si dhakhso ah loo bixiyaa magdhow u dhigma. Magdhowgaas waa inuu u dhigma qiimaha suuqa oo caadil ah si xor ahna loo xawili karo.

QODOBKA- 19^{aad}:
Xallinta khilaafaadka

1. Khilaafaadka ku saabsan meelmarinta Sharcigan waa in lagu xaliyaa:
 - a. Hab lagula heshiiyey Maalgeliyaha shisheeye, ama haddii usan jirin heshiis lagu xaliyo;
 - b. Habraaca uu qorayo Heshiisyada u dhexeeya Jamhuuriyadda federaalka Soomaaliyeed iyo Dalka uu Maalgeliyuhu u dhashay, haddii la waayo sida ku xusan xarfaha (a) iyo (b),
 - c. Khilaafka waxaa loo gudbiNEYAA dhexdhexaadinta xarunta caalamiga ee xallinta khilaafadka la xiriira maalgashiga (XCXKHM), laguna dhisay si waafaqsan habraaca Axdiga Xallinta Khilaafaadka Maalgelineed ee ka dhexeeya Dawladdaha iyo Muwaadiniin Dalal kale u dhashay ee lagu saxiixay Washington 19kii Maajo, 1965 (axdiga ICSID). Soomaliaya waxay ogooshahay in loo gudbiyo khilaafka ICSID, sida ku cad Qodobada axdiga ICSID ah
2. Haddii uusan jirin Heshiis ama Axdiga ku xusan farqada koowaad ee Qodobka-n, khilaafka waxaa lagu xallinayaa habraaca dhexdhexaadinta soo socda:. Waxaa la dhisayaa Guddi dhexdhexaadin ah oo ka kooban min hal xubin oo ka kala wakiil ah dhinacyada iyo xubin saddexaad oo Guddoomiye u noqota oo ay wadar ahaan u magacaabaaan labada xubnood ee khilaafka ka dhaxeeya. Haddii ay labada xubnood mudo 30 cisho gudahood ku gaari waayaan heshiin ay ku doortaan guddoomiye, laga bilaabo maalinta la magacaabay xubinka labaad, Shir – guddoomiye, waxaa noqonaaya Guddoomiyaha Maxkamadda Sare ee Jamhuuriyada Federaalka Soomaaliya. Guddigu dhexdhexaadintu wuxuu degsanayaa nidaamka uu ku shaqaynayo iyadoo uusan xaddideyn nidaamka uu qorayo Xeerarka Habka Madaniga iyo Ganacsiga marka laga reebo qodobbada la xiriira damaanadaha asaasiga iyo xeerka curfiga caalamiga iyo mabaadii’da dacwo dhageysiga. Guddigu wuxuu xaqiijineyaa in khilaafaadka deg deg loo xalliyo. Go’aanada Guddiga waxaa lagu gaarayaa cod hal dheeri ah, wuxuuna noqonayaa mid kama-dambeys ah kuna waajabinaya dhinacyada iney u hoggaansamaan

waxaana loo fulinayaa sida xukun kasta oo kama dambeys ah. Guddiga dhexdhexaadinta ayaa go'aan ka gaaraya cidda bixineysa kharashka dhexdhexaadinta.

QODOBKA- 20^{aad}:

Faa'iidooyinka Maalgelinta Shisheeye ee jirta

1. Maagalinta shisheeye ee hadda ka jirta Soomaaliya ee lagu diiwaangeliyay Shuruucdii hore ee ku saabsan Maalgelinta Shisheeye waxey lahaanaayaan wax alla wixii xuquuq iyo waajibaad lagu siiyay Shuruucda la xusay.
2. Maalgelinta Shisheeye ee noocaan ah waxey xaq u leeyihiin iney ka faa'iideystaan, inuu Maageliyaha Shisheeye dooran karo, nidaamka Sharciga cusub, haddii shuruudihii diiwaangelinta iyo nidaamka Sharciyadii hore la dhowray, Maageliyuhuna keeno caddeymo qoraal ah oo sidaas muujineya laguna kalsoonaan karo. Haddii ay sidaas u dhacdo, Maageliyaha Shisheeye wuxuu Guddiga weydiisan karaa diiwaangelin waafaqsan Sharciga cusub muddo bool iyo siddeetan (180) maalmood gudahood oo ka billaabaneysa taariikhda Sharciga cusub la soo saaray.

QODOBKA- 21^{aad}:

Maalgelinta Shisheeye ee aan Sharcigan Hoos imaaneyn

Nidaamka Sharcigan laguma dhaqayo Maalgelinta shisheeye ee la xiriirta baarista macdanta iyo hawlaha soo saaridda macdanta oo ay ku jiraan kuwa la xiriira warshadaha batroolka iyo quwadda nukliyeerka.

Maagelintaas waxaa lagu dhaqayaa Sharciga baarista iyo soo saarida macdanta iyo Xeer-nidaamiyaha Macdanta iyo Heshiisyada ay isla galeen Dawladda Soomaaliyeed iyo ciddii dan ka leh.

QODOBKA- 22^{aad}:

Waajibaadka Wargelinta la Xiriirta Mucaamalaadka

Maalgelinta shisheeye

Bangiyada, Nootaayaada Guud, Hay'adaha Dawladda ee ku lug leh Maalgelinta shisheeye waa in ay Guddiga ku wargaliyaan wixii dhaqdhaqaaq macaamileed ee ay la yeeshaan, 30 maalmood guddahood, laga billaabo maalinta dhaqdhaqaaqa macaamilaadka la sameeyay. Arrintan waxa ay la xiriirtaa Arrimaha ay ka mid yihiin Dhismaha Shirkadaha iyo mashaariicda, amaah ka qaadashada Hay'adaha dakhliga dhaqaalaha ee Gudaha ama Dibedda, xawilaadda faa'iidadada iyo dibad u wareejinta maalgelinta.

QODOBKA- 23^{aad}:
U hoggaansanaan la'aanta Sharciga Soomaaliyeed

U hoggaansanaan la'aanta Sharciga Soomaaliyeed ee Maageliyaha shisheeye, waxay dhaxalsiineysaa inuu waayo wixii faa'iido ama xuquuq uu ku heli lahaa Sharcigan.

QODOBKA- 24^{aad}:
Ka faa'iideysiga shuruuc cusub ee dan u ah

Nidaamka Sharcigaan marnaba kama reebaayo in Maageliyaha Shisheeye ka faa'iideysto qodobbada dan u ah ee shuruucda la soo saari doono.

QODOBKA- 25^{aad}:
Xeer-nidaamiye

Madaxweynaha Jamhuuriyada Federaalka Soomaaliya marka uu arko tallo soo jeedinta Guddiga Maagelinta Shisheeye, dhegeystana Wasiirka Qorshaynta Qaranka iyo Golaha Wasiirada, wuxuu soo saarayaa Xeer-hoosaad si habsami ah loogu meelmariyo Sharcigan.

QODOBKA- 26^{aad}:
Baabi'in

Sharci kasta oo aan la socon karin Sharcigaan waa la baabi'iyay.

QODOBKA- 27^{aad}:
Dhaqangal

Sharcigan wuxuu dhaqan galayaa markii lagu soo saaro Faafinta Rasmiga ah ee Jamhuuriyadda Federaalka ee Soomaaliya.

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Ku dhaqan Xafiis D.

Faafinta
الرسمية
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Rasmiga ah
الجريدة
Bulletin

EE JAMHUURIYADDA SOOMAALIYA

Sanadka 10aad

Muqdisho, 31 Maarso 2023

Lr. 1

Waaxda Maamulka Faafinta Rasmiga ah
Ee Xafiiska Garyaqaanka Guud ee Dawladda

FAAFIN BILAHAA SOO BAXAY

Qiimaha waa \$XXX Dollar, lambar waliba – **RUKUNKA**: Sanaddii waa \$XXX Dollar, Soomaaliya gudaheeda – Dibaddeedana waa \$XXX Dollar. Rukunka la weydiisto waqtiga loo gooyay wuxuu ka bilaabmaa 1 Janaayo. Qiimaha Qoritaanku F.R halkii sadar iyo wixii ka yar waa \$XXX Dollar – Rukunka iyo Qoritaanku waxaa la weydiistaa Laanta Maamulka Faafinta Rasmiga ah – Lacagta waxaa lagu bixiniyaa Xafiiska Canshuuraha ee Wasaaradda Maaliyadda.

KOBNIIN

BOGGA KOOWAAD

SHARCI

W.M

BOGGA LABAAD

XEER

BOGGA SEDDEXAAD

TALOOYIN, ISGAARSIIN, OGAYSIIS, IWM

BILAHAA

JANUARY, FEBRUARY, MAARSO

2023



FEDERAL REPUBLIC OF SOMALIA
OFFICE OF THE PRESIDENT

SHARCI LR.011
OGOLAANSHO ANSIXINTA HINDISE SHARCIYEEDKA DHOWRISTA
MAALGASHIGA IYO MAALGASHATADA

Taariikh: 20 Maarso 2023

MADAXWEYNAHA J.F.S.,

- MARKUU ARKAY:** Qodobka 87^{aad}, Faqradda 1^{aad} iyo Faqradda 2^{aad} iyo 85^{aad} ee Dastuurka KMG.
- MARKUU ARKAY:** Qodobka 90^{aad}, Xarafka "F" ee Dastuurka KMG.
- MARKUU ARKAY:** Warqadda Gudoomiyaha Golaha Shacabka XGGSH/0239/B11/23, ku taariikheysan 14/03/2023, kuna saabsan **Soo Gudbin Hindise Sharciyeedka Dhowrista Maalgashiga iyo Maalgashatada.**
- MARKUU TIXGELIYAY:** Baahida loo qabo in la ansixiyo lana meel-mariyo Sharcigan.

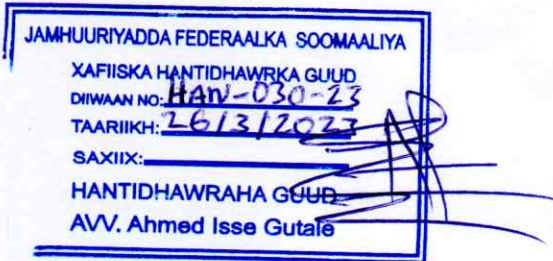
Waxa uu Madaxweynuhu soo saaray sharcigan:

Qodobka 1^{aad}

Laga billaabo marka uu Madaxweynuhu saxiixo Sharcigan, waxa si rasmi ah loo oggolaaday Sharciga Dhowista Maalgashiga iyo Maalgashatada.

Qodobka 2^{aad}

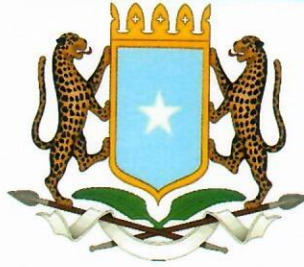
Marka uu Madaxweynaha J.F.S. saxiixo Sharcigan, waxa lagu soo daabici doonaa Faafinta Rasmiga ah ee Jamhuuriyadda Federaalka Soomaaliya.



Madaxweynaha J. F.S

Mudane Dr. Xasan Sheekh Maxamuud





**JUMHUURIYADDA FEDERAALKA
SOOMAALIYA**

GOLAHA SHACABKA

**HINDISE SHARCIYEEDKA DHOWRISTA
MAALGASHIGA IYO MAALGASHATADA**



CUTUBKA 1AAD
QODOBBO HORUDHAC AH

Qodobka 1aad
Magaca Sharciga

Sharcigan waxaa loogu yeerayaa Sharciga Dhawrista Xuquuqda Maalgashiga iyo Maalgashatada.

Qodobka 2aad
Mabda'a Guud

Mabda'a Guud ee Sharcigan waa Ilaalinta maalgashiga iyo maalgashatada si waafaqsan Dastuurka iyo shuruucda dalka

Qodobka 3aad
Erey bixin

Inta lagu guda jiro Sharcigan, haddii aan si kale loo dhigin:

1. **"Dastuur"** waxaa loola jeedaa Dastuurka Jamhuuriyadda Federaalka Soomaaliya;
2. **"Khilaaf"** Waxaa loola jeedaa isfaham u-dhaxeeya dowladda iyo maalgashade ama maalgashatada dhaxdooda kaa soo lagu xalin doono shuruucda dalka si waafaqsan qodobka 16aad ee Sharcigan;
3. **"Maalgashi toos ah"** waxaa loola jeedaa maalgashi, ha ahaado mid keli ah ama kuwo la isu geeyay, mid cusub, mid hore u jiray, kaa oo u saamaxaya maalgashade ama koox maalgashata ah inay sameeyaan, helaan ama ku yeeshaan saami ganacsi faaiido doon ah;
4. **"Shirkad"** waxaa loola jeeda unug kasto oo ku hawlan dano ganacsi oo rasmi ah kana diiwan gashan Jamhuuriyadda Federaalka Soomaaliya;
5. **"Jamhuuriyadda Federaalka"** Waxaa loola jeedaa Jamhuuriyadda Federaalka Soomaaliya;
6. **"Maalgashade shisheeye"** waxaa loola jeedaa shirkad ama qof shisheeye ah taasoo Hanti-maalgashi ku sameeyay Jamhuuriyadda Federaalka Soomaaliya, waxaa sidoo kale soo galaya qof Soomaali ah oo Maalgashigisa ku diiwan gashaday/gashatay dhalasho shishiye;
7. **"Tabasho"** waxaa loola jeeda dhibaato uu ka cabanayo maalgashade/maalgashato;
8. **"Xarunta Caalamiga ah ee Xallinta Khilaafaadka Maalgashi"**- waa Hay'ad caalami ah oo madax bannaan taas oo ku hawlan xalinta khilaafaadka caalamiga ee maalgashi;
9. **"Maalgashade"** waxaa loola jeedaa maalgashade dalka u dhashay ama shisheeye ah;
10. **"Faa'iido joogta ah oo lagu leeyahay"** waxaa loola jeeda lahaanshiyaha ugu yaraan boqolkiiba 10 awoodda codaynta shirkad ganacsi ama wax la mid ah oo lagu yeesho ganacsi aan shirkad ahaan u abaabulnayn.
11. **"Maalgashade dalka u dhashay"** waxaa loola jeeda Muwaadin soomaaliyeed oo maalgashaday Dalka;
12. **"Talaabo/Go'aan Dowladeed"** waxaa loola jeeda talaabooyin ama Go'aano Dowladda soo saartay oo saameynaya maalgashade ama maalgashagiisa;
13. **"Wasiir"** waxaa loola jeedaa Wasiirka Wasaaradda Qorshaynta, Maalgashiga iyo Horumarinta Dhaqaalaha ee Xukuumadda Federaalka Soomaaliya;



14. **“Wasaarad”** waxaa loola jeedaa Wasaaradda Qorshaynta, Maalgashiga iyo Horumarinta Dhaqaalaha ee Xukuumadda Federaalka Soomaaliya;
 15. **“Damaanadda Maalgashi ee Dhinacyada-badan”** damaanadda caymis ee ay bixiso Hay’adda Damaanadda Maalgashi ee Dhinacyada-Badan. (Multilateral Guarantee Agency-MIGA);
 16. **“Tilmaan”** waxaa loola jeedaa talo lagu bixiyay hanaan xeer-nidaamineed;
 17. **“Dib u la noqosho”** waxaa loola jeedaa maalgashade hantidiisa kala baxaya Jamhuuriyadda Federaalka Soomaaliya;
 18. **“Xeer-nidaamiye”** waxaa loola jeedaa xeerar ka dhasha sharcigan;
“Xukuumadda” – waxaa loola jeedaa Dowladda Federaalka Soomaaliya;
 19. **“Sharcigan”** waxaa loola jeedaa Sharciga Dhawrista Maalgashiga iyo Maalgashatada, 2023.
 20. **“Sharcigan”** waxaa loola jeedaa Sharciga Dhawrista Maalgashiga iyo Maalgashatada, 2023. Sharcigan waxaa loo fasirayaa, loona dhaqan-galinayaa si waafaqsan:
 - (b) Dastuurka iyo shuruucda maalgashiga ee dalka;
 - (t) Axdiyada iyo heshiisyada maalgashiga ee caalamiga ah ee xubinta ay ka tahay Jamhuuriyadda Federaalka Soomaaliya.
- “Qarameyn dadban”** waxaa loola jeeda talaabo kasto oo ay qaado dowladdu taasoo si aan toos aheyn ugu yeelato saameyn hantida maalgashade;

Qodobka 4aad Ujeedada Sharciga

- 1) Sharcigaan wuxuu Ilaalinaya xuquuqda maalgashatada iyo maalgashigooda si waafaqsan **qodobka 26aad ee Dastuurka** iyo shuruucda dalka isla markaana wuxuu dhiirigalinaya in dalkeena la maalgashado, iyadoo loo marayo qaab isu dheelli tiraya danaha guud ee xuquuqda iyo waajibaadka maalgashatada.
- 2) wuxuu Sugaya xaqqa madaxbanaanida Jamhuuriyadda Federaalka Soomaaliya u leedahay inay u nidaamiso maalgashatada si waafaqsan danta guud.
- 3) Hubinta xuquuqda dastuuriga ah ee ku cad Dastuurka iyo shuruucda khuseeya maalgashatada iyo maalgashiyada Jamhuuriyadda Federaalka; iyo
- 4) Xoojinta shuruucda iyo xeerarka dhaqangalka ah ee khuseeya maalgashiyada iyo arrimaha xiriirka la leh.

Qodobka 5aad Baaxadda Sharciga

Sharcigan waxaa lagu dhaqayaa:-



- (b) Dhammaan maalgashiga ka jira iyo kuwa laga abuuri doono dalka Jamhuuriyadda Federaalka Soomaaliya ee loo sameeyay si waafaqsan Shuruucda dalka.
- (t) Dhammaan maalgashiga ka dhasha heshiisyada caalamiga ah ee dhinacyada badan iyo kuwa laba-geesoodka ah ee ay qayb ka tahay Jamhuuriyadda Federaalka Soomaaliya.
- (j) sido kale sharcigaan wuxuu nidaaminayaa dhamaan heshiisyadda maalgashi ee gudaha JFS
- (x) Xukuumada Federaalka Soomaliya waxa ay soo sareysa siyaasado lagu jaan gooynta xadiga, baaxadda iyo qeybaha hortabinta u leh maaalgashiga shisheeye.

CUTUBKA 2AAD

HABKA LAGU DHAQAYO MAALGASHIGA IYO MAALGASHATADA

Qodobka 6aad

Nidaam maamul oo ku dhisan Cadaalad iyo Sinnaan

- 1) Jamhuuriyadda Federaalka Soomaaliya waxa ay dejineysa nidaam maamul oo ku dhisan cadaalad iyo sinnaan oo ay u siman yihiin maalgashatada dalka udhashay iyo kuwa shisheeyaha ah sida ay tilmaamayn shuruucda iyo xeerarka dalka.
- 2) Dawladda Soomaaliya waxay u samaynaysaa garsoor cadaalad ah oo ay u simanyihiin maalgashiga/maalgashatada dalka, si waafaqsan shuruucda dalka dhaqan galka ka ah.
- 3) Dawladda waxay dejineysaa habraacyo ay ku hubinayso go'aan qaadasho sababeysan ee maamul iyo garsoor kuna salaysan cadaalad iyo sinnaan, iyadoo ay qayb ka yihiin maalgashadayaasha dalka u dhashay iyo kuwa shisheeyaha ah.
- 4) Maalgashatada shisheeye iyo kuwa wadaniga ah waxey xaq u leeyihiin in ay si siman u helan xogaha maalgashi iyo fursadaha ganacsi ay dowladdu hayso.
- 5) Hadii khilaaf yimaado, maalgashatada iyo wixii la-xiriira maalgashiyadooda, waxay xaq u yeelanayaan in loo maro go'aan-ka-gaaristooda hab-dhaqan ku dhisan shuruucda dalka, dhagaysi daahfuran, cadaalad ku salaysan, oo maxkamad ka dhaca, ama, xaaladaha ay ku haboonaato, maxkamad gaar ah ama wadiiqo kale oo madax bannaan oo aan dhinacna u jan-jeerin.
- 6) Sababaynta iyo go'aannada maamul ee ku xusan faqradda (3) ee kore waxaa lagu bixinayaa qaab qoraal ah.
- 7) Dawladda waxay u sugaysaa amniga maalgashatada shisheeye iyo hantidooda si waafaqsan shuruucda maalgashiga ee wadanka iyo xeerarka caalamiga ah, iyadoo la tix-galinayo awoodda dhaqaale iyo mida tayo ee suurtagalka ah.

CUTUBKA 3AAD

YAGLEELIDDA IYO ILAALINTA MAALGASHIYADA

Qodobka 7aad

Yagleelka Maalgashiga (Establishment of Investments)

- 1) Dhammaan maalgashiga waxaa loo yagleelayaa si waafaqsan shuruucda iyo xeerarka dhaqan-galka ah ee Jamhuuriyadda Federaalka Soomaaliya.
- 2) Maalgashiga aan waafaqsanayn faqradda laad ee qodobkan, dalka kuma yeelanayo xuquuqda maalgashiga shisheeye.
- 3) Jamhuuriyadda Federaalka Soomaaliya lagama yagleeli karo maalgashi kasta oo kahor imaanaya Diinta, dhaqanka/hiddaha ama saameyn taban ku yeelanaya deeganka iyo cimillada.
- 4) Maalgashatada shisheeye waa inay u hogaansamaan xeerarka shaqaaleysiinta muwaadiniinta Soomaaliyeed, mana shaqaaleysiin karaan shaqaale ajnabi ah oo aan ku imaan baahi aqooneed ama



mid xirfadeed.

Qodobka 8aad

Kala-sooc la'aanta Maalgashatada (Most Favoured Nation (MFN) Treatment).

- 1) Iyadoo loo hogaansamayo Dastuurka iyo shuruucda maalgashiga dalka iyo xeerarka caalamiga ah, Jamhuuriyadda Federaalka Soomaaliya sinnaba looma takoori karo maalgashatada shisheeye.
- 2) Faqrada laad ee Qodobkan ma khusayso heshiisyada ay Xukuumadda Federaalka Soomaaliya ay la gasho, dawlado iyo ururro calami ah, sida midow canshuur, heshiis canshuur dhaaf dhaqaale, ama mid lacageed, suuq furan, ama aagagga-dhaqaale ee xorta ah.

Qodobka 9aad

Hab-dhaqan Siman (National Treatment)

- 1) Maalgashatada shisheeye iyo maalgashigooda waxaa loola dhaqmayaa si la mid ah maalgashatada Soomaaliyeed.
- 2) Mar kasta waxaa la tix galinayaa:
 - (b) xajmiga uu leeyahay maalgashiga.
 - (t) qaybta dhaqaale ee uu maalgashigu ku wajahan yahay.
 - (j) saameynta togan ama taban ee uu maalgashiga ku leeyahay bulshada, deegaanka, shaqooyinka si toos ah iyo si dadban.
- 3) Qiimayntuna waa inaysan ku koobnaan keliya xaaladaha ku xusan Faqradda (2) ee qodobkan.

Qodobka 10aad

Dammaanad qaadka maalgashi

Xukuumadda Federaalka Soomaaliya waxay dammaanad qaadaysa bad-qabka iyo amniga maalgashatada shisheeye iyo maalgashigooda si waafaqsan Dastuurka iyo shuruucda kale ee dalka.

Qodobka 11aad

Dhowrista Sharci ee xuquuqda Maalgashiga. (Legal Protection of Investment)

Maalgashatada shisheeye waxa ay xaq u leedahay in ay ku yeelato hanti (guurto ama ma guurto ah) gudaha dalka si waafaqsan qodobka 43aad ee Dastuurka iyo shuruucda dhaqangalka ah ee Jamhuuriyadda Federaalka Soomaaliya.

Qodobka 12aad

Soo gelinta iyo La Bixidda Lacagaha iyo Maalgashiga (Funds Transfer and Repatriation of Investments)

- 1) Jamhuuriyadda Federaalka Soomaaliya waa suuq furan oo xor ah, Maalgashatada shisheeyana waxa ay dalka soo galin karaan, Lana bixi karaan hanti maalgashi si waafaqsan shuruucda iyo xeerarka dalka.
- 2) Hantida la soo galinayo ama laga saarayo dalka waxay noqon kartaa:
 - (b) Midda dalka la so galinayo:
 - i. Mid lagu yagleelayo maalgashi cusub.
 - ii. Mid Lagu horumarinayo ama lagu ballaarinayo maalgashi jiray.
 - (t) Midda dalka laga saarayo:
 - i. Faa'iidada maalgashiga,



- ii. Dakhli hanti la iibiyay, lil tirka (**liquidation**) dhammaan ama qayb maalgashi,
 - iii. Bixin kharashyada ama daymaha heshiisyada dibadda,
 - iv. Mushaaraadka iyo xuquuqaha kale ee ajaanibtu ku yeeshaan maalgashiga,
 - v. Lacagaha lagu mutaysto magdhaw la xiriira qaramaynta maalgashiga, si waafaqsan Qodobka 13 ee Sharcigan
 - vi. Lacagaha loo qaato magdhaw lagu bixiyay khasaaro uu la kulmay maalgashade.
 - vii. Lacagaha lagu kala qaato xallinta khilaafaadka, si waafaqsan Qodobka 16 ee Sharcigan
 - viii. Lacagaha lagu bixiyo daymo heshiis ku salaysan taas oo lagu leeyahay Jamhuuriyadda Federaalka Soomaaliya lacagahaas, loona shubayo maalgashade shisheeye
 - ix. Lacagaha kale ee ku tilmaaman sharciyo gaar ah ama xeer-nidaamiyeyaal dhaqangal ka ah Jamhuuriyadda Federaalka Soomaaliya.
- 3) Jamhuuriyadda Federaalka Soomaaliya waxay qaadan kartaa talaabooyin ay ku xadidayso ama hakineyso dirista ama la bixista lacagaha sida:
- (b) Hadii ay jirto Xaalad dhaqaale iyo midda maaliyadeed oo khasbeysa xaddidaad noocaas ah;
- 4) Jamhuuriyadda Federaalka Soomaaliya, iyada oo tix-raaceyso arrimaha ku xusan faqrada 3 (b), waxay u maraysaa qaab aan kala-sooc lahayn, oo saamaxaya in laga baaqsado dhibaato aan loo baahnayn oo ku iman karta danaha maaliyadeed iyo kuwa dhaqaale ee maalgashatada iyo maalgashigooda.

CUTUBKA 4AAD

QARAMAYNTA

Qodobka 13aad

Qaramayn (Expropriation)

- 1) Jamhuuriyadda Federaalka Soomaaliya lama wareegayso mana qaramaynayso hanti maalgashade shisheeye, kumana qasbayso maalgashadaha inuu hantidiisa maalgashi uga tanaasulo, si toos ah ama si dadban. Hadii looga maarmi waayo hantida maalgashadaha isticmaalka dan guud (Public Purpose, oo ay cadeeyen ha'adaha ku shaqada leh si aan kala sooc-laheyn (Non-discriminatory Manner) waala qarameyn karaa iyada oo la bixinayo magdhaw sugan oo ah qiimaha hantida lagala wareegay.
- 2) Magdhawgaas waa inuu u qalma qiimaha suuqa waqtiga la qameeyay (taariikhda qaramaynta), ama isla waqtiga wargalinta, haddii ay qiimaha hantida saamayn silloon ku yeelatay wargalinta qaramaynta la dul-dhigay. Tilmaamaha lagu qiimaynayo waxaa ka mid ah, qiimaha hantida haddii ay sii shaqaynayso, qiimaynta guud ee hantida oo ay ku jirto qiimaynta rasmiga ah ee canshuurta hantida la taaban karo, iyo tilmaamihii kale ee haboon, si loo xaqiijiyo sicirka suuqa ee macquulka ah, kadib qiimeynta qiimo-dhaca ku yimaada qalabka maalgashi ee la qiimeynayo. Magdhawgu waa in lagu bixiya muddo aan ka badneyn 120 maalmood.
- 3) Maalgashatada hantidooda la qameeyay waxa ay xaq u leeyihiin in ay ka-doodan habraaca qiimeynta qarameynta, si waafaqsan Shuruucda Jamhuuriyadda Federaalka Soomaaliya, taas oo dib loogu eegayo kiiskiisa iyo qiimaynta maalgashiga si waafaqsan Mabaadi'da ku xusan cutubkan.
- 4) Hadii ay dhacdo cabasho ku aaddan qarameyn dadban, maalgashaduhu waxa uu xaq uleeyahay in uu cabashadaas u gudbiyo xafiisyadda qaran ee xalinta Khilafaadka ee la xiriira maalgashiga ama hay'adaha garsoorka dalka.
- 5) Hadii ay dhacdo cabasho ku aaddan qarameyn dadban, maalgashaduhu waxa uu xaq uleeyahay in uu cabashadaas u gudbiyo xafiisyadda qaran ee xalinta Khilafaadka ee la xiriira maalgashiga



ama hay'adaha garsoorka dalka.

Qodobka 14aad

Awoodda soo-saarista xeer-nidaamiye (Sovereign Right to Regulate).

Wasiirka Wasaaradda, isaga oo latashanaya hay'adaha ay kala dhaxeeyso hawlaha maalgashiga ee dowladda, waxuu soo saarayaa xeer-nidaamiyeyaal lagu dhaqan gelinayo qodobbada sharcigan.

CUTUBKA 5AAD

MAARAYNTA CABASHADA IYO XALLINTA KHILAFAADKA

Qodobka 15aad

Maaraynta Cabashooyinka (Grievances Management)

- 1) Wasiirka waxa uu magacaabi karaa Guddiyo farsamo oo maareeya cabashooyinka la xiriira dhinacyada maalgashiga kahor inta aysan gaarin heer garsoor.
- 2) Hadii ay cabasho timaado, Maalgashaduhu wuxuu cabashada u soo gudbinaya Guddiyada ku xusan qodobkan farqadiisa 1aad.
- 3) Guddiyada ku xusan qodobkan farqadiisa 1aad wuxu qiimaynayaa arrintan, waxuuna ku dhaqaaqayaa talaabo kasta oo ay u arkaan inay macquul tahay si loo gaaro xal sharciga waafaqsan oo ay ku qancaan dhammaan dhinacyada.
- 4) Guddiyadu waa in ay cabashada si rasmi ah loogu soo gudbiyay go'aan uga gaaraan muddo 30 maalmo shaqo gudahood. Hadii dhinacyada midkood ku qanci waayo wuxuu cabashadiisa u gudbisan karaa hay'addaha garsoorka sida ku cad Qodobka 16aad ee sharcigan.
- 5) Guddigu waa inuu xafidaa xogta, macluumaadka iyo qoraallada ay maalgashatada u soo gudbiyaan.
- 6) Xeer-nidaamiye gaar ah ayuu Wasiirku ku soo saaraya habraacyadda loo marayo maareynta cabashooyinka la xiriira maalgashiga.

Qodobka 16aad

Xallinta Khilaafaadka

- 1) khilaafaadka maalgashi ama khilaafaadka la xiriira fasiraadda sharcigan ee ka dhax-dhasha dhinacyada maalgashiga waxaa si deg deg ah oo hufan loogu xalinayaa wadatashi iyo wadahadal dhax-mara dhinacyada si waafaqsan qodobka 15^{aad}.
- 2) Haddii xal togan laga gaari waayo, dhinacyada maalgashiga waxay xaq u yeelanayaan inay cabashadooda u gudbiyaan hay'adaha garsoorka Jamhuuriyadda Federaalka Soomaaliya.
- 3) Dhinacyadu hadii ay ku qanci waayaan go'aannada garsoorka dalka, waxa ay u gudbin karaan khilaafkooda xarumaha caalamiga ah ee xalinta khilaafaadka Maalgashiga oo ay Jamuuriyadda Federaalka Soomaaliya xubin ka tahay sida;
 - I. The International Center for Settlement of Investment Disputes (ICSID) (Convention Arbitration);
 - II. The Additional Facility of ICSID (if Convention Arbitration is not available)
 - III. The Arbitration Rules of the United Nations Commissions for International Trade Law (UNCITRAL Rules);
- 4) Go'aannada ka soo baxo xarumaha ee qodobkan faqradiisa 3^{aad} ku xusan Jamhuuriyadda Federaalka Soomaaliya waa in ay dhaqangelisaa.



CUTUBKA 6AAD
QODOBO ISKU DHAFAN

Qodobka 17aad
Xeer-Nidaamiyeyasha
(Regulations)

Wasiirku waxa uu soo saaraya xeer nidaamiye lagu hirgelinayo sharcigan si loo gaaro u-jeedooyinkiisa.

Qodobka 18aad
Iska-Hor-imaadka Sharciyada

Haddii ay dhacdo in ay iska hor yimaadan qodobada sharcigan iyo qodobo sharci kale oo la xidhiidha maalgashiga, qodobada sharcigan ayaa mudnaanta yeelanaya.

Qodobka 19aad
Qodobbada Kala-guurka

- 1) Maalgashiyada jira ee ku salaysan Heshiisyo Maalgashi oo Laba-geesood ah ama ka badan ka hor dhaqangalka Sharcigan waa la dhawrayaa ilaa iyo muddada ay ku egyihiin, si waafaqsan shuruudaha heshiisyadaas.
- 2) Maalgashi kasta oo la sameeyo dhaqan galka sharcigan kadib waxaa lagu dhaqayaa sharcigan.
- 3) Si waafaqsan shuruucda dalka iyo xeerarka caalamiga ah, Dowladaha xubnaha ka ah DFS ma gali karaan heshiis maalgashi oo aysan qeyb ka aheyn DFS.

Qodobka 20aad
Dhaqangalka Sharciga

Sharcigan wuxuu dhaqan-gelayaa marka uu ansixiyo Baarlamaanka BJFS, saxiixana Madaxweynaha JFS, isla markaana lagu soo saaro Faafinta Rasmiga ah ee Jamhuuriyadda Federaalka Soomaaliya.



Ku dhaqan Xafiis D.

FAAFINTA

الرسمية

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RASMIGA AH

الجريدة

BULLETIN

EE JAMHUURIYADDA SOOMAALIYA

Sanadka 12aad

Muqdisho, 31 December 2025

Lr.4

Waaxda Maamulka Faafinta Rasmiga ah
Ee Xafiiska Garyaqaanka Guud ee Dawladda

FAAFIN BIL SOO BAXA

Qiimaha waa \$XXX Dollar, lambar waliba – **RUKUNKA:** Sanaddii waa \$XXX Dollar, Soomaaliya gudaheeda – Dibaddeedana waa \$XXX Dollar.

Rukunka la weydiisto waqtiga loo gooyay wuxuu ka bilaabmaa 1 Janaayo. Qiimaha Qoritaanku F.R halkii sadar iyo wixii ka yar waa \$XXX Dollar – Rukunka iyo Qoritaanku waxaa la weydiistaa Laanta Maamulka Faafinta Rasmiga ah – Lacagta waxaa lagu bixiniyaa Xafiiska Canshuuraha ee Wasaaradda Maaliyadda.

KOBNIIN

BOGGA KOOWAAD

SHARCI

W.M

BOGGA LABAAD

XEER

BOGGA SEDDEXAAD

TALOOYIN, ISGAARSIIN, OGAYSIIIS, IWM

BILAHA

DECEMBER

2025



FEDERAL REPUBLIC OF SOMALIA
OFFICE OF THE PRESIDENT

SHARCI LR.43

TAARIIKH: 15-TA DISEEMBAR 2025

SHARCIGA DHISIDDA HAY'ADDA MAALGASHIGA JFS

MARKUU ARKAY: MADAXWEYNAHA J.F.S,
Qodobka 87^{aad}, Faqradda 1^{aad} iyo Faqradda 2^{aad} ee Dastuurka KMG.

MARKUU ARKAY: Qodobka 82^{aad}, Faqradda 3^{aad} ee Dastuurka KMG.

MARKUU ARKAY: Qodobka 90^{aad}, Xarafka "F" ee Dastuurka KMG.

MARKUU ARKAY: Warqadda Guddoomiyaha Golaha Shacabka ee summaddeedu tahay XGGSH/0800/B11/25, ku taariikheysan 08/12/2025, ujeeddaduna tahay Soo Gudbin Sharciga Dhisidda Hay'adda Maalgashiga JFS.

MARKUU TIXGELIYAY: Baahida loo qabo in la meel mariyo sharcigan.

Waxa uu Madaxweynuhu soo saaray sharcigan:

Qodobka 1^{aad}

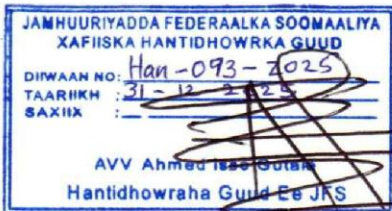
Laga billaabo marka uu Madaxweynuhu saxiixo Sharcigan, waxaa si rasmi ah loo oggolaaday Sharciga Dhisidda Hay'adda Maalgashiga.

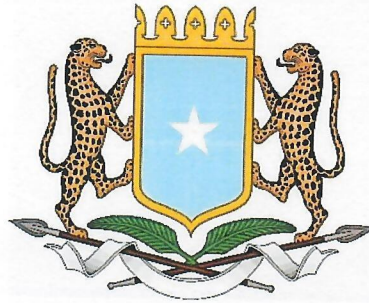
Qodobka 2^{aad}

Waxa uu sharcigan dhaqan gelayaa isla marka uu Madaxwaynaha J.F.S saxiixo, waxaana lagu soo daabici doonaa Faafinta Rasmiga ee J.F.S.



Mudane Dr. Xasan Sheekh Maxamuud
Madaxweynaha J. F.S.





JAMHUURIYADA FEDERAALKA SOOMAALIYA

Hindise Sharciyeedka Dhisidda Hay'adda Maalgashiga Jamhuuriyada Federaalka Soomaaliya

**Wasaaradda Qorsheynta, Maalgashiga iyo Horumarinta Dhaqaalaha XFS
2025**

CUTUBKA 1AAD – HORDHAC

Qodobka 1^{aad}

Magaca Xeerka

Sharcigan waxaa lagu magacaabaa Sharciga Dhisidda Hay'adda Maalgashiga Jamhuuriyada Federaalka Soomaaliya.

Qodobka 2^{aad}

Erey Bixin

Xeerkan marka la joogo

“Hay’ad” waxaa loola jeedaa Hay’adda Maalgashiga Soomaaliya.

“Guddi” waxaa loola jeedaa Guddiga Sare ee Hay’adda Maalgashiga Soomaaliya.

“Sumcadda Soomaaliya” waxaa loola jeedaa magaca iyo fahamka caalamiga ah ee laga haysto JFS.

“Golaha Wasiirrada” waxaa loola jeedaa Golaha Wasiirrada Xukuumadda Federaalka Soomaaliya si waafaqsan Qodobka 97^{aad} ee Dastuurka JFS.

“Dowladaha Xubnaha ka ah Dowladda Federaalka” waxaa loola jeedaa micnaha ku qeexan Qodobka 17^{aad} ee Sharcigan.

“Maalgashade Ajnebi ah” waxaa loola jeeda shirkad ama qof ajnebi kaas oo hanti maalgashi ku sameeyay, kana diiwaangashan JFS, waxaa sidoo kale soo gelaya qof Soomaali ah oo maalgashiga ku diiwaangashaday/gashatay dhalasho dal kale.

“Maalgashi” waxaa loola jeedaa adeegsiga hanti ama ra’sumaal lagu aas-aasayo ama lagu ballaarinayo hawl ganacsi, taasi oo laga filayo faa’iido.

“Maalgashade dalka u dhashay” waxaa loola jeeda shirkad ama muwaadin u dhashay JFS kaas oo hanti maalgashi ku sameeyay, kana diiwaangashan JFS.

“Wasiir” waxaa loola jeedaa Wasiirka Wasaaradda Qorsheynta, Maalgashiga iyo Horumarinta Dhaqaalaha ee Xukuumadda Federaalka Soomaaliya.

“Wasaarad” waxaa loola jeedaa Wasaaradda Qorsheynta, Maalgashiga iyo Horumarinta Dhaqaalaha ee Xukuumadda Federaalka Soomaaliya.



“Maamulka Hay’adda” Agaasimaha Guud iyo Agaasime Ku-xigeenka ee hay’adda oo lagu magacaabay si waafaqsan Sharcigan.

“Golaha Qaran ee Maalgashiga” waxaa loola jeedaha Golaha lagu dhisay si waafaqsan Qodobka 12^{aad} ee Sharcigan.

Qodobka 3^{aad} **Ujeeddada Sharciga**

1. Ujeeddada Sharcigan waa;
 - a) Dejinta sharci lagu maamulo maalgashiga dalka.
 - b) Dhisidda Golaha Qaran ee Maalgashiga.
 - c) Yagleelidda hay’ad u xilsaaran dhiirigelinta, soo jiidashada, isku duwidda iyo maareynta maalgashiga iyo sare u qaadidda sumcadda dalka.

CUTUBKA 2AAD – DIIWAANGELINTA SHAHAADDADA MAALGASHIGA

Qodobka 4^{aad} **Codsiga Diiwaangelinta Maalgashiga**

1. Maalgashade dalka u dhashay iyo mid ajnebi ahba waa in ay usoo gudbistaan hay’adda maalgashiga codsi diiwaangelin maalgashi, ka hor inta aan laga hawlgalin maalgashiga gudaha JFS.
2. Codsiga diiwaangelinta maalgashiga waxaa diyaarinaya isla markaana dib-u-eegis ku sameyn kara hay’adda maalgashiga waxaana laga heli karaa xafiiska hay’adda.
3. Maamulka Hay’adda Maalgashiga waxaa ay ka dalban kartaa maalgashatada macluumaad iyo xog dheeri ah ka hor inta aana go’aan laga gaarin codsigooda.

Qodobka 5^{aad} **Shuruudaha Diiwaangelinta Maalgashiga**

1. Shuruudaha Diiwaangelinta Maalgashiga waa:
 - a) in shirkadda maalgashiga laga diiwaangeliyay hay’adaha dowladda ee ku shaqada leh.
 - b) in uu soo gudbiyaa codsaduho codsiga diiwaangelinta maalgashiga oo si rasmi ah, dhameystiran loo buuxiyay.
 - c) in xaddiga ra’sumaalka maalgashi ee codsadaha ajnebi ah aanu ka yaraan \$200,000 ama



lacag qalaad oo u dhiganta.

- d) in maalgashigu aanu ka hor imaaneyn ama liddi ku aheyn shareecada Islaamka, dhaqanka Soomaaliyeed, deegaanka iyo amniga qaranka.
- e) in codsaduhu soo bandhigo qorshe deegaanka iyo bulshada haddii mashruucu leeyahay saameyn weyn.

Qodobka 6^{aad}

Mudnaanta Maalgashiga

1. Ka hor ansixinta codsiga diiwaangelinta maalgashiga, Hay'adda maalgashiga waxa ay mudnaanta siineysa maalgashiga;
 - a) U abuuraya Ummadda Soomaaliyeed fursado shaqo isla markaana keenayo aqoon iyo xirfado dalka ku yar.
 - b) Keenayo tiknoolojiyad, farsamo, xirfad casri ah, ama aqoon aan dalka ku badneyn.
 - c) Bixinaya canshuur mug leh, si loo kordhiyo dakhliga gudaha ee JFS.
 - d) Farsameynaya, warshadeynaya, isla markaana qiimo u yeelayo wax-soo-saarka dalka.
 - e) Kor u qaadaya dhoofinta wax soo saarka dalka.
 - f) Maalgashiga koronto dhalinta la cusbooneysiin karo (Renewable Energy).
 - g) Caafimaadka iyo daawooyinka.

Qodobka 7^{aad}

Hab-raaca Go'aanka Codsiga Diiwaangelinta

1. Guddiga Sare ee Hay'adda ayaa go'aan ka gaaraya oggolaanshiyaha iyo diidmada codsiyada diiwaangelinta maalgashiga ee qiimihiisu ka yar yahay \$ 100 milyan oo doolar.
2. Haddii codsiga diiwaangelinta maalgashiga uu qiimihiisu gaarayo \$ 100 milyan oo doolar Guddiga Sare ee Hay'addu wuxuu u gudbinayaa Wasiirka si uu ugu gudbiyo Golaha Qaran ee Maalgashiga.
3. Haddii codsiga diiwaangelinta maalgashiga uusan dhameystirney, ama ka hor-imaanayo shuruudaha ku xusan Qodobka 5^{aad} ee Sharcigan, Guddiga Sare ee Hay'adda ayaa go'aan diidmo qoraal ah dib-ugu-celinayo codsiga maalgashadaha soo gudbistay, kuna wargelinayo sababaha soo celinta codsiga muddo 3 maalmood gudaheed oo ah maalmo shaqo.



Qodobka 8^{aad}

Muddada iyo Cusboneysiinta Shahaaddada Maalgashiga

1. Shahaaddada maalgashiga ee lagu qaatay si waafaqsan Sharcigan Qodobbadiisa 5^{aad} & 7^{aad} waxa ay dhaqangal tahay muddo shan (5) sano ah, laga billaabo taariikhda la bixiyay.
2. Haddii ay dhammaato muddada dhaqangalka shahaaddada maalgashiga isla markaana uu maalgashaduhu la kulmo shuruudaha diiwaangelinta maalgashiga, si waafaqsan Sharcigan Qodobbadiisa 5^{aad} & 7^{aad}, waxaa u furan in uu dib-u-cusbooneysiisto shahaaddada maalgashiga muddo shan (5) sano ah.

Qodobka 9^{aad}

Wareejinta Shahaaddada Maalgashiga

Shahaaddada maalgashiga waxa la wareejin karaa marka laga helo Hay'adda Maalgashiga oggolaansho qoraal ah Guddiga Sare ee Hay'adda Maalgashiga.

Qodobka 10^{aad}

Laalidda Shahaadda Maalgashiga

1. Guddiga Sare ee Hay'addu aya laali kara shahaaddada maalgashiga haddii;
 - a) ay caddaato in shahaaddada lagu bixiyay maclumaad aan run aheyn ee uu bixiyay maalgashadaha amaba lagu bixiyay nidaam aan waafaqsaneyn hab-raaca shahaado maalgashi bixinta.
 - b) uu maalgashaduhu buriyay shuruudaha maalgashiga.
 - c) hay'addu waa in ay qoraalka go'aanka laalidda shahaaddada maalgashi u dirtaa maalgashadaha ay khuseyso muddo 30 cisho ah kadib marka la laalo shahaaddada, kuna xusta sababa laalidda.

Qodobka 11^{aad}

Ka Cabashada Go'aamada

1. Qofkii codsado shahaaddada maalgashiga ee loo diido ama kan shahaaddada laga laalayba waxa ay Wasiirka u gudbin kaaan racfaan ku aaddan go'aamada Guddiga ee la xiriira diidmada bixinta ama laalidda shahaddada maalgashiga, muddo ku siman 30 cisho gudahood.
2. Xeernidaamiye ayaa lagu soo saari doona hab-raaca racfaan qaadashada iyo dib-u-eejista



go'aamada Guddiga Sare ee Hay'adda ee la xiriira diidmada bixinta ama laalidda shahaddada maalgashiga.

CUTUBKA 3AAD – GOLAHA QARAN EE MAALGASHIGA

Qodobka 12^{aad}

Dhisidda Golaha Qaran ee Maalgashiga

Iyada oo siyaasiyan muhiimad mug leh la siinayo maalgashiga dalka, sharcigan waxa lagu aas-aasay Golaha Qaran ee Maalgashiga oo ka kooban xubnaha hoos ku xusan.

1. Ra'iisul Wasaaraha Xuukuumadda Federaalka Soomaaliya oo noqonaya Guddoomiyaha Golaha Qaran ee Maalgashiga.
2. Wasiirka Qorsheynta, Maalgashiga iyo Horumarinta Dhaqaalaha oo noqonaya Guddoomiyaha ku xigeenka Golaha.
3. Wasiirka Ganacsiga iyo Warshadaha.
4. Wasiirka Arrimaha Dibadda.
5. Wasiirka Maaliyadda.
6. Wasiirka Shaqada iyo Arrimaha Bulshada.
7. Wasiirka Deegaanka iyo Isbeddelka Cimilada.
8. Guddoomiyaha Bangiga Dhexe ee JFS.
9. Guddoomiyaha Guddiga Sare ee Hay'adda Maalgashiga.
10. Agaasimaha Guud ee Hay'adda Maalgashiga Somaliya, ahna Xoghayaha Golaha Qaran ee Maalgashiga.

Qodobka 13^{aad}

Xilka iyo Awoodaha Golaha Qaran ee Maalgashiga

Xilka iyo Awoodaha Golaha Qaran ee Maalgashigu waa:

1. Soojeedinta Hindisaha siyaasadaha, shuruucda iyo qorsheyaasha maalgashi ee jaangoyneya mashariicda maalgashi iyo qeybaha dhaqaale ee hor-tebinta u leh maalgashiga iyaga oo tix-raacaya warbixinta iyo soo jeedinta hay'adda una gudbiyaan Golaha Wasiirrada Federaalka Soomaliya.
2. Kor-joogtaynta wasaaradaha iyo hay'adaha dowladda ee uu khuseeyo maalgashiga iyo xaqiijinta wadashaqeyntooda.



3. Dhiirigelinta iskaashi dhex mara dowladda iyo maalgashatada si loo horumariyo, isla markaana loo fuliyo siyaasadaha la xiriira maalgashiga dalka.
4. Xallinta khilafaadka iyo is-qabsiga ka dhex dhasha hay'adaha dowladda ee la xiriira maalgashiga, ee lagu xallin kari waayay hay'adaha dhexdooda.
5. U olo-oleynta caalamiga ah ee maalgashiga dalka.

Qodobka 14^{aad} **Kulamada Golaha**

1. Goluhu waxa uu yeelanaya kulamo caadi ah iyo kuwo aan caadi aheyn, oo uu iskugu yeerayo isla markaana guddoominayo Guddoomiyaha Goluhu, kuna qabsoomaya xarunta hay'adda ama meshii kale ee uu Guddoomiyaha Goluhu go'aamiyo.
2. Kulamada Golaha waxa ay ku ansaxayan aqlabiyad fudud 50+1.
3. Kulamada Golaha waa in uu qabsooma sannadkiiba labo (2) jeer ugu yaraan, xaaladaha caadiga ah.
4. Golaha ayaa dejin doona xeer-hoosaadkiisa kaas oo qeexaya dhammaan arrimaha lagama maarmaanka u ah kulamadooda iyo go'aamadooda.
5. Go'aamada Golaha waxaa lagu gaarayaa cod aqlabiyad fudud 50+1, haddii ay sinmaan waxaa kala rajaxaya Guddoomiyaha Golaha.

Qodobka 15^{aad} **Dhisidda Hay'adda**

1. Sharcigan waxaa lagu dhisay Hay'adda Maalgashiga Somaliyeed oo xarunteeda dhexe noqonayso magaalada Muqdisho ee caasimada Dalka waxeyna xarumo/xafiisyo ku yeelanaysaa Dhammaan Caasimadaha Dowlad Goboleedyadda xubnaha ka ah Dowlada Federaalka ee JFS isla markaana noqonaysa hay'ad shaqadeeda u madax bannaan.
2. Hay'addu waxa ay yeelanaysa:
 - a) Shaqsiyad qaanuuneed, shaabbad iyo astaan u gaar ah.
 - b) Awood ay wax ku dacweyso laguna dacweyo.
 - c) Awood ay ku tasarufto isla markaana ku geli karto heshiis ama ka qayb-qaadato macaamil



kale oo kasta, si waafaqsan Xeerka.

Qodobka 16^{aad}

Xilka iyo Awoodaha Hay'adda

Xilka iyo Awoodaha hay'addu waa:

1. In ay ka shaqeyso iskuwidda iyo qaabeynta maalgashiga gudaha, dhiirigelinta, soo jiidashada maalgashiga caalamiga ah iyo sare u qaadidda sumcadda dalka.
2. Hagaajinta jawiga maalgashig dalka si loo ogaado caqabadaha ku gedaaman maalgashiga iyo guud ahaan kobaca dhaqaalaha si loo dhiirigeliyo maalgashiga dalka iyo horumar dhaqaale waara.
3. Sameynta wadatashi ballaaran oo u dhaxeeya dowladda, ganacsatada, ururada rayidka ah iyo hay'adaha caalamiga ah si loo helo talooyin ku aaddan maalgashiga iyo guud ahaan horumarinta dhaqaalaha dalka.
4. Go'aaminta maalgashiga iyo qeybaha (sectors) dhaqaale ee furan (positive list) iyo kuwa xiran (negative list).
5. Ansixinta codsiga diiwaangelinta maalgashiga.
6. In ay ka gacan siiyaan maalgashatada helitaanka adeegyada ay bixiyaan Wasaaradaha iyo Hay'adaha Dowladda Federaalka Soomaaliya iyada oo wakiil uga noqoneysa dowladda iyo maalgashatada fududeynta bixinta adeegyada sida.
 - a) Dal-ku-galka/Dal-ku joogga (Visa/Permit)
 - b) Ruqsada Shaqaalaha (Work permit)
 - c) Shatiyada/ruqsadaha Wasaaradaha kala duwan
 - d) Diiwaangelinta & wax ka beddelka shirkadaha maalgashatada
 - e) Talo so jeedinta Bixinta canshuur dhaafka maalgashiga

Adeegyada sare ku xusan waxa ay hay'addu ka gacan siineysa maalgashatada kadib marka ay soo buuxiyaan dhammaan shuruudaha Wasaaradaha, Waaxyaha iyo Hay'adaha Dowladda Federaalka Soomaaliya ee bixinaya adeegyada si loogu helo oggolaanshiyo iyo adeegyada ay u baahanyihiin maalgashatadu.

7. ay qabato, haysana diiwaanka codsiyada diiwaangelinta maalgashiga.
8. ay bixiso Shahaaddada maalgashiga.
9. ay taageero joogto ah siiso maalgashatada ka dib marka ay yagleelaan maalgashigooda, gudaha dalka, si waafaqsan xeerarka dalka.
10. ay joogtayso uruurinta xog tayaysan oo la xiriirta maalgashiga dalka, iyada oo kaashanaysa



hay'adaha dawladda.

11. ay u ololeyso xeerar, siyaasado iyo xeer-nidaamiyeyaal lagu hagaajinayo, sarana loogu qaadayo maalgashiga dalka.
12. ay ku lahaan karto wakiilo iyo xafiisyo dalka iyo dibadda.
13. ay sare u qaaddo sumcadda iyo muuqaalka dalka JFS.
14. ay dhiirigeliso maalgashiga Aaggaga Dhaqaale ee gaarka/xorta ah.
15. ay dhiirigeliso maalgashiga kheyraadka dabiiciga ah sida shidaalka, gaaska, iyo macdanta noocyadeeda kala duwan.
16. ay diyaarisaa mashariicda qaran ee maalgashiga.

Qodobka 17^{aad}

Xiriirka Hay'adaha Dowladaha Xubnaha ka ah DFS

Hay'addu waxa ay wadashaqeyn joogto ah la yeelaneysa Wasaaradaha iyo hay'adaha dowlahada xubnaha dowladda Federaalka ee uu khuseyo maalgashiga.

Qodobka 18^{aad}

Qaab-dhismeedka Hay'addas

1. Qaab-dhismeedka hay'adda waxa uu koobanyahay;
 - a) Guddiga Sare ee Hay'adda iyo
 - b) Maamulka Hay'adda.

Qodobka 19^{aad}

Xilka iyo Awoodaha Guddiga sare ee Hay'adda

Xilka iyo Awoodaha Guddiga waa in uu:

1. Kor-joogteynta hab-sami u socodka howlaha iyo wax-qabadka Maamulka Hay'adda
2. Jaangooyaa hiigsiga, aragtida, ujeeddada iyo qiyamka asaasiga ah ee Hay'adda.
3. In ay ansixiyaan isla markaana korjoogteeyaan istaraatiijiyadda iyo qorsheyaasha guud ee Hay'adda una gudbiyaan Wasiirka.
4. Ansixiyo qaab-dhismeedka maamulka iyo hay'adda.
5. Ansixiyo miisaaniyadda iyo xisaab-xir sannadeedka Hay'adda una gudbiyo Wasiirka.
6. Ansixiyo ama diida diiwaangelinta/cusbooneysiinta codsiga maalgashiga, si waafaqsan Sharcigan iyo tilmaamaha siyaasadda ee Xukuumadda Federaalka ah iyo shuruucda dalka.
7. Hubiyo u hoggaansanaanta maalgashatada ee shuruucda maalgashiga JFS.



8. Go'aamiya wax ka beddelka shaabbadda iyo Astaanta Hay'adda.
9. Soo saaraan xeer-hoosaadka shaqada Guddiga.
10. Magacaabo Agaasime Waxeedyada Hay'adda, ka dib marka uu helo soo jeedinta Agaasimaha Guud ee Hay'adda oo la tashaday Wasiirka.

Qodobka 20^{aad}

Xubnaha Guddiga Sare ee Hay'adda

1. Guddiga Sare ee Hay'adda waxa uu ka kooban yahay sagaal (9) xubnood, oo lagu soo xulayo si waafaqsan Qodobka 21^{aad} farqaddiisa (b).
2. Agaasimaha Guud ee hay'adda ee lagu magacaabay si waafaqsan Qodobka 30^{aad}, waxa uu xilka uu hayo awgiis ku noqonayaa xog-haynta Guddiga Sare.

Qodobka 21^{aad}

Shuruudaha Xubnaha Guddiga Sare ee Hay'adda

1. Shuruudaha xubnaha Guddiga Sare ee Hay'addu waa in:
 - a) uu yahay muwaaddin Soomaaliyeed oo deegaankiisa rasmiga ahi yahay JFS. Haddii ay lagama maarmaan noqoto, waxaa furan in xubin uu ka noqon karo qof ajnabi ah, haddii sumcad iyo xiriir maalgashi oo calami ah looga maarmi waayo.
 - b) uu aqoon gaar ah u leeyahay mid ka mid ah: dhaqaalaha, sharciga, suuq-geynta, warbaahinta/xiriirka dadweynaha, siyaasadda dowladda, maamulka, horumarinta ganacsiga, maaliyadda iyo qorsheynta dhaqaalaha.
 - c) uu waayo-aragnimo shaqo oo aan ka yareyn shan (5) sano u leeyahay mid ka mid ah aqoonta ku xusan xarafka (b) ee Qodobkan.
 - d) aysan maxkamad ku helin dambi taabanayo sharafta ammaanada.
 - e) uu dhimir ahaan badqabo.

Qodobka 22^{aad}

Hannaanka Magacaabista Guddoomiyaha/Ku-xigeenka iyo Guddiga Sare ee Hay'adda

1. Wasiirku, isaga oo sameynaya wadatashi ballaaran, ayuu usoo jeedinaya Golaha Wasiirada murrashaxiinta Guddiga iyo Guddoomiyaha Guddiga Sare/Ku-xigeenka ee Hay'adda, si



waafaqsan Qodobka 21^{aad} si loo tixgeliyo, loona ansixiyo.

2. Ka dib ansixinta Golaha Wasiirada, Ra'iisul Wasaaraha XFS ayaa u gudbinaya go'aanka ansixinta, Xubnaha Guddiga, Madaxweynaha JFS, si uu ugu soo saaro Xeer Madaxweyne magcaabista isla markaana lagu daabaco Faafinta Rasmiga ah.

Qodobka 23^{aad}

Xilka iyo Awoodaha Guddoomiyaha Guddiga

1. Xilka iyo Awoodaha Guddoomiyaha Guddiga waa;
 - a) Ku dhawaaqidda, iskugu yeeridda, iyo guddoominta shirarka Guddiga
 - b) Isku xirka hay'adda iyo Golaha Qaranka ee Maalgashiga
 - c) Mas'uuliyadda hoggaaminta, kormeerka iyo kor-joogteynta howlaha Guddiga iyo Guddi
 - d) Hoosaadyada Guddiga si loo xaqiijiyo yoolalka hay'adda.
 - e) Ilaalinta maamul wanaagga iyo ku dhaqanka xeer-hosaadka guddiga.
 - f) Xaqiijinta wadashaqeyn iyo xiriir hufan in uu ka dhaxeeyo Guddiga iyo Maamulka Hay'adda.
 - g) Kala rajax aadda haddii uu codadku sinnado.
 - h) U Gudbinta go'aannada Guddiga jihooyinka ay khuseyan.

Qodobka 24^{aad}

Muddo-xileedka iyo Waayidda Xilka Guddoomiyaha

1. Si waafaqsan Qodobka 25^{aad} ee Sharcigan, muddo xileedka Guddoomiyaha Guddigu waa Shan (5) sano ah oo halmar loo cusbooneysiin karo.
2. Guddoomiyaha Guddiga waxa uu ku waayi karaa xilka marka uu;
 - a) si rasmi ah qoraal is-casilaad ah u gudbiyo Wasiirka, lagana aqbalo.
 - b) geeriyoodo.
 - c) uu gaaro/gaarto da'da howl-gabka.
 - d) waayo mid-ka-mid ah shuruudihii lagu soo magacaabay.

Qodobka 25^{aad}

Muddo-xileedka iyo Waayidda Xubinnimada Guddiga Sare ee Hay'adda

1. Xubnaha Guddiga Sare ee Hay'addu waxa ay xilka haynayaan muddo shan (5) sano ah oo halmar loo cusbooneysiin karo.



2. Xubinnimada Guddiga Sare ee Hay'adda waxa lagu waayi karaa marka uu;
 - a) Si rasmi ah qoraal is-casilaad ah u gudbiyo Guddoomiyaha Guddiga, lagana aqbalo.
 - b) Geeriyoodo.
 - c) Waayo mid-ka-mid ah shuruudihii lagu soo magacaabay, si waafaqsan Qodobka 22^{aad}.

Qodobka 26^{aad}

Kulamada, Guntanka iyo Codaynta Guddiga Sare ee Hay'adda.

1. Guddiga waxa uu yeelanaya kulamo caadi ah iyo kuwo aan caadi aheyn oo ku qabsoomaya xarunta hay'adda ama meshii kale ee uu Guddoomiyaha Guddigu go'aamiyo.
2. Kulamada Guddiga waxa ay ku ansaxayan marka ay xaadiraan Seddex meelood oo Labo (2/3). Haddii la waayo 2/3, kulanka xiga waxa uu ku qabsoomaya aqlabiyad fudud 50+1.
3. Kulamada Guddiga waa in uu qabsooma sannadkiiba afar jeer ugu yaraan, xaaladaha caadiga ah.
4. Guddiga ayaa dejin doona xeer-hoosaadkiisa kaas oo qeexaya dhammaan arrimaha lagama maarmaanka u ah kulamadooda iyo go'aamadooda.
5. Go'aamada Guddiga waxaa lagu gaarayaa cod aqlabiyad fudud 50+1.

Qodobka 27^{aad}

Xuquuqda Xubnaha Guddiga Sare ee Hay'adda

Xubnaha Guddiga waxa ay yeelanayaan gunno lagu jaan-goohnayo fadhiyada Guddiga oo uu go'aamiyo Wasiirku.

Qodobka 28^{aad}

Mabaadi'da Maamul Wanaagga

1. Guddiga waa in uu mabaadii'da maamul wanaagga hay'adeed ku dabbaqaan Hay'adda, waana inay xaqiijiyaan in marka ay qabanayaan hawlaha la xiriira Hay'adda ay;
 - a) u dhaqmaan si xilkasnimo leh iyaga oo tixgelinaya waajibaadkooda masuulnimo;
 - b) aanay u dhaqmin qaab keenaya cabashooyin la xiriira iska horimaad dhanka danta ah; iyo
 - c) inay si degdeg ah ugu dhawaaqaan arrin kasta oo ay og yihiin taasi oo wax u dhimi karta awoodooda inay si daacadnimo ah u gutaan xilkooda si waafaqsan Xeerka.



Qodobka 29^{aad}
Maamulka Hay'adda Maalgashiga

Maamulka Hay'adda waxa uu ka koobanyahay Agaasimaha Guud, Ku-xigeen, Agaasime Waaxyo, Madax Qaybeedyo iyo Shaqaale hoosaad, si waafaqsan Sharcigan iyo Xeerka Shaqaalaha Rayidka ah ee Dawladda Federaalka Soomaaliya.

Qodobka 30^{aad}
Hannaanka Magacaabista Agaasimaha Guud iyo Agaasime Ku-xigeenka Hay'adda.

Agaasimaha Guud iyo Agaasime Ku-xigeenka waxaa lagu soo magacaabayaa iyadoo la raacayo Qodobbada 21^{aad} iyo 22^{aad} ee Sharcigan, iyo si waafaqsan Xeerka Shaqaalaha Rayidka ah.

Qodobka 31^{aad}
Xuquuqda Agaasimaha Guud iyo Agaasime ku Xigeenka ee Hay'adda

Mushaarka iyo gunnooyinka Agaasimaha Guud, iyo Agaasime Ku-xigeenka waxaa lagu jaangoynayaa xuquuqda saraakiisha dowladda ee shaqaalaha rayidka.

Qodobka 32^{aad}
Xilka Agaasimaha Guud ee Hay'adda

1. Agaasimaha Guud waa in;
 - a) uu masuul ka noqdaa maamulka Hay'adda ee maalinlaha ah.
 - b) uu hoggaamiyo, kor-joogteeyo waaxyaha iyo shaqaalaha kala duwan ee Hay'adda;
 - c) diyaarinta iyo fulinta miisaaniyadda, istaraatiijiyadda iyo hab-raacyada maamul ee hay'adda.
 - d) xaqiijiyo in Hay'addu yeelato qaab-dhismeed maamul oo wax-ku-ool ah iyo qorshe kala-guur;
 - e) isku xiro Maamulka Hay'adda, Guddiga Sare iyo Wasaaradda.
 - f) uu u yahay xog-hayaaha Golaha Qaran ee Maalgashiga
 - g) xaqiijinta, kor-joogteynta iyo habsami u socodka howlaha maamulka iyo maaliyadda hay'adda
 - h) fulinta dhammaan go'aamada Golaha Qaran ee Maalgashiga iyo Guddiga Sare ee Hay'adda, iyo waajibaadkii kale ee ay u xilsaaran, sida bixinta shahaaddada maalgashiga iyo laalideedaba.
 - i) Matalaadda hay'adda marka ay la galeyso hay'ado kale oo dhiggeeda ah, halka Wasiirka Wasaaraddu gelayo heshiisyada labo-geesoodka (bilateral) ah iyo kuwa dhinacyada badan



(multilateral).

- j) U gudbiyaa Wasiirka warbixin sanadkiiba laba mar iyo mar kasta oo uu ka dalbado Wasiirka.

Qodobka 33^{aad}

Waayidda iyo Muddo Xilka Agaasimaha Guud iyo Agaasime Ku-xigeenka Hay'adda.

1. Agaasimaha Guud iyo Agaasime Ku-xigeenka hay'adda waxa ay xilka hayn karaan mddo shan (5) sano ah waxaana loo cusbooneysiin karaa mar kale.
2. Agaasimaha Guud iyo Ku-xigeenkiisa, inta aysan dhammaan mudada xil-hayntooda waxa ay ku waayi karaan xilka xafiiska haddii;
 - a) Si rasmi ah qoraal is-casilaad ah ugu gudbiyo Guddiga Sare ee Hay'adda, lagana aqbalo.
 - b) Geeriyoodo.
 - c) Uu gaaro/gaarto da'da hawl-gabka.
 - d) Guddiga Sare ee Hay'adda soo jeediyo xil ka-qaadis, Wasiirka iyo Golaha Wasiiraduna ay ku qancaan soo-jeedinta Guddiga Sare.
 - e) Waayo mid-ka-mid ah shuruudihii lagu soo magacaabay.

Qodobka 34^{aad}

Shaqaalaha Hay'adda

Hay'addu waxay shaqaalaysiin kartaa shaqaale cusub iyada oo lagu saleynayo qaab-dhismeedka hay'adda iyo baahiyaha taagan, waxaana loo raacaya Xeerka Shaqaalaha Rayidka ee Dawladda.

CUTUBKA 4AAD – ARRIMAHA MAALIYADEED

Qodobka 35^{aad}

Misaaniyadda iyo Ilaha Dhaqaale ee Hay'adda

1. Hay'adda waxa ay qoondo miisaaniyadeed sannadle ah ku yeelanaysaa miisaaniyadda qaranka.
2. Hay'addu waxa ay boqolkiiba hal (1%) ku yeelanaysa faa'iidada maalgashiga ajaanibta, taas oo uu hirgelin doonaan hay'adaha ay khuseyso.
3. Hay'addu waxa ay ku yeelanaysaa xisaab rasmi ah Banigaga Dhexe ee JFS, waxa ayna koonto bangi oo dheeraad ah ku yeelan kartaa bangiyada gaarka loo leeyahay.



Qodobka 36^{aad}

Xisaabaadka

1. Hay'addu waa inay leedahay buug xisaabeed iyo diiwaan sax ah oo la xiriira dakhliga maaliyadeed iyo kharashka, kaasi oo la jaanqaadaya hannaanka xisaabaadka maaliyadda dowladeed ee Jamhuuriyadda Federaalka Soomaaliya.
2. Waa in xisaabaadka hay'adda oo sax ah isla markaana dhammaystiran sannad walba hay'addu u gudbisa hantidhawrka dowladda ee Jamhuuriyadda Federaalka Soomaaliya.
3. Ka dib xisaabaadka hantidhawrka maray ee sannadka oo uu soo ansixiyay hantidhawruhu, Guddigu waa inay xaqiijiyaan in xisaabaadkaas la daabaco oo ay dadweynuhu ku heli karaan saddex bilood gudahood ka dib ansixinta.
4. Sannad xisaabeedka Hay'adda waxa uu lamid yahay sannad maaliyadeedka Dowladda Jamhuuriyadda Federaalka Soomaaliya.

Qodobka 37^{aad}

Ku takri falka Hantida Hay'adda

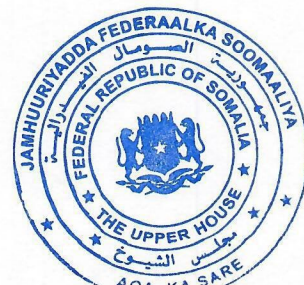
1. Dhaqaalaha iyo hantida Hay'addu waa hanti dadweyne, waana in loo adeegsado si taxaddar leh iyada oo la tixgelinayo mabaadi'da maaliyadda dowladeed ee ku dabbaqmayaa xafiisyada dowladeed ee Jamhuuriyadda Federaalka Soomaaliya.
2. Marka lagu ogaado hannaan cadaaladeed in Guddiga, xubin kamid ah, ama sarkaal ka tirsan Hay'adda uu si aan habboonayn u isticmaalay dhaqaalaha, hantida ama khayraadka Hay'adda, tallaabo anshax-marin iyo ciqaab ayaa laga qaadanayaa si waafaqsan shuruudda Xeerka ee ku aaddan ciqaabta falkan isdabamarin ee noocan oo kale ah.

CUTUBKA 5AAD – QODOBBO KALA DUWAN

Qodobka 38^{aad}

Baabi'in

Waxaa halkan lagu baabi'iyay Sharciga Maalgashiga Shisheeye ee 2015.



Qodobka 40^{aad}
Dambiyada iyo Ciqaabaha

Qofka kasta oo si ulakac ah u gudbiya maclumaad uu ku marin-habaabiya hay'adda si uu u diiwaangeliyo maalgashi ama u helo adeegyada hay'adda waa dambiile waxaana lagu ganaaxaya, ganaax aan ka badneyn lacag u dhiganto seddex kun iyo shan boqol doolar (\$3,500) ama xarig aan ka badneyn seddex sano iyo badh ama labadaba.

Qodobka 41^{aad}
Xeer-nidaamiyeyaasha

Wasiirku waxa uu soo saarayaa xeer-nidaamiye lagu dhaqan-galiyo Sharcigan.

Qodobka 42^{aad}
Dhaqan-gal

Sharcigan wuxuu dhaqan-gelayaa marka uu ansixiyo Baarlamaanka Jamhuuriyadda Federaalka Soomaaliya uuna saxiixo Madaxweynaha JFS, isla markaana lagu soo saaro Faafinta Rasmiga ah ee Jamhuuriyadda Federaalka Soomaaliya.

