EAST AFRICAN COMMUNITY

AMATEGEKO SHINGIRO AGENGA IHURIRO RYA ZA GASUTAMO Z'UMURYANGO W'AFURIKA Y'IBURASIRAZUBA, 2015

KINYARWANDA VERSION

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KUMENYESHA

Iyi nyandiko yateguwe ku nkunga itangwa n'abaturage ba Amerika binyuze mu kigo cy'Amerika Gishinzwe Iterambere Mpuzamahanga (USAID). Ibiri muri iyi nyandiko byateguwe na Ikigo cy'ubushakashatsi mu karere kigamije iterambere Ryuzuye (RCID Ltd) kandi ntibikubiyemo ibitekerezo bwite bya USAID cyangwa Guverinoma y'Amerika.

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AMATEGEKO SHINGIRO AGENGA IHURIRO RYA ZA GASUTAMO Z'UMURYANGO W'AFURIKA Y'IBURASIRAZUBA YO MURI 2015

INYITO Y'ITEGEKO

ITEGEKO RYA 1	Inyito
ITEGEKO RYA 2	Intego y'amategeko agenga inkomoko z.ibicuruzwa
ITEGEKO RYA 3	Ubusobanuro
ITEGEKO RYA 4	Inkomoko y'iri tegeko
ITEGEKO RYA 5	Ibicuruzwa byakorewe mu gihugu kinyamuryango mu buryo bwuzuye
ITEGEKORYA 6	Ibicuruzwa byakozwe hakoreshejwe ibikoresho bitaboneka mu buryo bwuzuye muri gihugu kiri mu ihuriro
ITEGEKO RYA 7	Ibidasaba kuba byaratunganirijwe mu bihugu biri mu Ihuriro
ITEGEKO RYA 8	Gukusanya ibijyanye n'inkomoko
ITEGEKO RYA 9	Abashinzwe gutanga ibyangombwa
ITEGEKO RYA 10	Ibikoresho
ITEGEKO RYA 11	Gutandukanya ibikoresho
ITEGEKO RYA 12	Ibijyanye n'imvange
ITEGEKO RYA 13	Ibjyangye no gupfunyika
ITEGEKO RYA 14	Ibitagira aho bibogamiye
ITEGEKO RYA 15	Akarere
ITEGEKO RYA 16	Ubwikorezi butaziguye
ITEGEKO RYA 17	Gutanga icyemezo cy'inkomoko
ITEGEKO RYA 18	Gutanga icyemezo cya kabiri cy'inkomoko cy'agateganyo cy'inkomoko
ITEGEKORYA 19	Gutanga icyemezo cy'inkomoko hashingiwe ku bimenyetso byerekana inkomoko byatanzwe cyangwa byakozwe mbere
ITEGEKO RYA 20	Uwemerewe kohereza ibicuruzwa hanze
ITEGEKO RYA 21	Agaciro k'ikimenyetso cy'inkomoko
ITEGEKO RYA 22	Gusonerwa icyemezo cy'inkomoko
ITEGEKO RYA 23	Kumenyesha amakuru ku nzego zibishinzwe
ITEGEKO RYA 24	Kugenzura ibyemeza inkomoko
ITEGEKO RYA 25	Gufata neza inyandiko
ITEGEKO RYA 26	Kurenga ku mategeko n'ibihano
ITEGEKO RYA 27	Imfashanyigisho
ITEGEKO RYA 28	Amabwiriza agenga inama njyanama
ITEGEKO RYA 29	Guhagarika amategeko y'inkomoko
ITEGEKORYA 30	Gukuraho amategeko y'umuryango w'Afurika y'Iburasirazuba (Amategeko y'inkomoko) Amategeko

IBIZAKORWA: **UMUTWE**

Gahunda ya mbere	Urutonde rw'ibicuruzwa n'akazi cyangwa ibikorwa bijyanye n'itunganya rishingiye ku miterere y'inkomoko
Gahunda ya kabiri	Ibyemezo by'inkomoko by''umuryango w'Afurika y'Iburasirazuba
Gahunda ya gatatu	Imenyekanisha ry'abacuruzi/abakora ibicuruzwa
Gahunda ya Kane:	Imenyekanisha ry'inkomoko
Gahunda ya Gatanu	Ifishi y'umuryango w'ibihugu by'Afurika y'Iburasirazuba y'igenzura ry'inkomoko
Gahunda ya gatandatu	Amakuru ajyanye n'icyemezo cy'umuryango w'Afurika y'iburasirazuba

IHURIRO RYA ZA GASUTAMO Z'UMURYANGO W'AFURIKA Y'IBURASIRAZUBA (AMATEGEKO Y'INKOMOKO) AMATEGEKO, 2015

ITEGEKO RYA 1

Uko iritegeko ryitwa

Aya Mategeko ashobora kwitwa Amategeko Shingiro agenga Ihuriro rya za Gasutamo z'Umuryango wa Afurika y'Iburasirazuba yo muri 2015.

ITEGEKO RYA 2
Intego y'amategeko

Intego y'aya Mategeko ni ugushyira mu bikorwa ibivugwa mu ngingo ya 14 y'amabwiriza ngenderwaho no kwemeza ko hari uburinganire hagati y'ibihugu bigize umuryango mu ishyirwa mu bikorwa ry'amategeko y'inkomoko n'uburyo yakozwe mu mucyo, mu buryo buboneye, mu bwisanzure kandi mu buryo buhuye n'ibiteganijwe mu mabwiriza ngenderwaho.

ITEGEKO RYA 3
Ibisobanuro by'amagambo

Muri aya mategeko, uretse aho ibivugwamo bisaba:

"Guteranya" bivuga uburyo bwo gukora amamashini cg ibindi bikoresho hakoreshejwe imashini z'amenyo, izifunga, ibikoresho byihariye n'ibindi bijyanye nabyo.

"Ibyiciro" bisobanura gutondekanya ibicuruzwa hakurikijwe inyito runaka yihariye cyangwa inyito ishingiye ku nyito nkuru hagendewe ku biranga igicuruzwa n'uburyo gihabwa nimero ikiranga (code);

"**Komite** " bivuga Komite y'Umuryango w'Afurika y'Iburasirazuba ishinzwe gukemura ibibazo by'ubucuruzi yashyizweho hakurikijwe ingingo ya 24 y'amasezerano yerekeye ishyirwaho ry'ubumwe bwa za gasutamo y'Afurika y'iburasirazuba;

"**Ababifitiye ububasha"** bivuga urwego cyangwa ikigo byagenwe n'Igihugu kiri mu Muryango mu gutanga icyemezo cy'inkomoko;

"Icyakozwe mu buryo bwuzuye" bisobanura urwunge rw'ibikoresho n'ibindi byifashishijwe mu ruganda kugira ngo haboneke ibicuruzwa birangiye neza;

"Inama Njyanama" bivuga Inama y'Abaminisitiri b'Umuryango yashyizweho n'ingingo ya 9 y'amasezerano;

"Agaciro kuri gasutamo" bivuga indangagaciro zagenwe hakurikijwe ingingo ya 122 y'itegeko ryo gucunga za gasutamo z'umuryango w'Afurika y'iburasirazuba ryo muri 2004;

"Igiciro giheruka" bivuga igiciro cyagenwe hakurikijwe ibivugwa muri gahunda ya mbere cyishyuwe ku bicuruzwa biheruka byakozwe n'umunyenganda uturuka mu gihugu kinyamuryango uheruka gutunganya igicuruzwa;

"Igihugu cy'amahanga" bivuga ikindi gihugu kitari ikinyamuryango;

"**Amahame Rusange Yemewe mu Gucunga Umutungo**" bisobanuye ibyumvikanyweho cyangwa ubufasha bugaragara butanzwe ku gihugu kinyamuryango bwerekeranye iyandikwa ry'ibyinjira, ibisohoka, ibiguzi, imitungo n'imyenda, gutanga amakuru no gutegura raporo y'imari. Amahame rusange yemewe mu gucunga umutungo ashobora kuba akubiyemo imirongo migari ngenderwaho

ikoreshwa muri rusange, nk'ibisobanuro ku bipimo bizwi muri rusange, ibisanzwe bikorwa n'uburyo bikorwa;

"Ibicuruzwa" bivuze ibikoresho n'ibicuruzwa;

"Umutwe" bivuga imibare ine ikoreshwa mu gusobanura ibicuruzwa bihujwe n'ibirango ndetse na nimero ibiranga (Harmonized Commodity Description and Coding System);

"Inyanja ngari" riifite igisobanuro kimwe nk'ikiri mu Amasezerano y'Umuryango w'abibumbye yerekeye Amategeko agenga Inyanja;

"Uruganda" bivuga uburyo ubwo ari bwo bwose busaba ikoranabuhanga, ibikorwa remezo n'abakozi kugira ngo haboneke ibicuruzwa birangiye neza;

"Ibikoresho" bivuga ibikoresho by'ibanze bitaragira icyo bihindurwaho, ibicuruzwa bitarangiye neza, ibicuruzwa, ibigize igicuruzwa, ibice n'ibintu bikoreshwa mu gukora ibicuruzwa;

"Ibigomba kuba bigize ibikoresho bitari iby'inkomoko" bisobanura ibyinshi bishoboka bigomba kuba bigize ibikoresho bitari iby'inkomoko byemewe kugira ngo hafatwe icyakozwe nk'igikorwa cyangwa inzira ihagije kugira ngo gihuzwe n'ibiranga iby'inkomoko y'igicuruzwa. Bishobora kugaragazwa hakoreshejwe ijanisha ry'ibiciro biheruka by'igicuruzwa cyangwa nk'ijanisha ry'uburemere bw'ibyo bikoresho byakoreshejwe bishobora gusangwa munsi y'itsinda ryihariye ry'ibice, umutwe, imibare iranga igicuruzwa cyangwa indi iyungirije ishingiye ku mibare iranga igicuruzwa;

"Ibikoresho bitari iby'inkomoko" bisobanura ibikoresho biva hanze y'ibihugu biri mu muryango.

"Igice" bivuga ikintu cyihariye, cyakozwe cyangwa mu bundi buryo cyabonetse hifashishijwe igice kimwe cy'icyuma cyangwa ikindi gikoresho cyonyine kandi kikaba kidafatanyije cyangwa ntaho gihuriye mu buryo ubwo aribwo bwose n'ikindi kintu cyangwa igikoresho;

"Ibihugu Binyamuryango" bivuga Repubulika y'Uburundi, Repubulika ya Kenya, Repubulikay'u Rwanda, Repubulika yunze ubumwe ya Tanzaniya, Repubulika ya Uganda, n'ikindi gihugu cyose cyahawe ubunyamuryango hashingiwe ku ngingo ya 3 y'amasezerano;

"Ibyakozwe " n' **" inzira bikorwamo** "harimo gushyira mu bikorwa igikorwa icyo ari cyo cyose cyangwa inzira bikorwamo usibye ibikorwa cyangwa inzirazindi nk'uko biri mu itegeko rya 7 ry'aya mategeko;

"Ukora" hakubiyemo, n'ibindi, ubucukuzi bw'amabuye y'agaciro, inganda cyangwa uwikorera mu rwego wr'ubuhinzi cyangwa umuhinzi ku giti cye cyangwa umunyabukorikori ukora ibicuruzwa byoherezwa mu mahanga;

"Igicuruzwa" bivuga ibicuruzwa byakozwe n'inganda, harimo n'ibicuruzwa bigenewe gukoreshwa nyuma mu kindi gikorwa cyo mu ruganda;

"Amabwiriza ngenderwaho" bisobanura amabwiriza ngenderwaho ku ishyirwaho ry'ihuriro rya za gasutamo z'umuryango w'Afurika y'Iburasirazuba;

"**Ubunyamabanga"** bivuga Ubunyamabanga bw'Umuryango bwashyizweho n'ingingo ya 9 y'amasezerano;

"Imibare yungirije/igice cy'umutwe" bivuga imibare itandatu ikoreshwa mu gusobanura ibicuruzwa bihujwe n'urwunge ry'imibare ibiranga (sub-heading);

"Inama" bivuga Inama yashyizweho n'ingingo ya 9 y'amasezerano; ibicuruzwa kugira ngo

"Ugemura" bivuga umuntu usanzwe cyangwa wemewe n'amategeko utanga bikorwe mo ibindi mu gihugu kinyamuryango cyangwa akabyohereza mu kindi gihugu kiri mu muryango;

“Akarere” harimo “inyanja zibarizwa mo” n’ “ibyanya byihariye byagenewe ubukungu” mu bihugu biri mu ihuriro nk’uko byasobanuwe mu masezerano y’umuryango w’abibumbye yerekeye amategeko agenga inyanja;
“Amasezerano” bisobanura amasezerano yo gushyiraho Umuryango w’Afurika y'Iburasirazuba;
"Agaciro k'ibikoresho bitari iby’inkomoko" ku rutonde mu gice cya 1 cya gahunda ya mbere bisobanura agaciro ko kuri gasutamo mu gihe cyo gutumiza mu mahanga ibikoresho byakoreshejwe bitari iby’inkomoko, cyangwa, niba ibi bitazwi kandi ntibishobore kumenyekana, igiciro cya mbere cyishyuwe cyamenyekanye ku bikoresho byo mu gihugu kiri mu muryango;
"Inyongeragaciro” bivuga igiciro giheruka cyakoreshwaga ku bicuruzwa birangiye neza ukuyemo agaciro ko kuri gasutamo k'ibikoresho byatumijwe hanze y’ibihugu biri mu ihuriro n’ibyakoreshejwe mu nzira zo kugira ngo biboneke;
“Ubwato bw'igihugu Kinyamuryango” bivuga ubwato bw'igihugu kiri mu muryango bwanditswe cyangwa bufite ibendera ry’igihugu kinyamuryango kandi bwujuje kimwe muri ibi bintu bikurikira:
(a) Byibuze 20 ku ijana by'abayobozi b'ubwato ni abenegihugu b’ibihugu binyamuryango;
(b) Byibuze 20 ku ijana by'abakozi b'ubwato ni abenegihugu b’ibihugu biri mu ihuriro; cyangwa
(c) Byibuze 20 ku ijana by'imigabane ifitanye isano n'ubwato ni ifitwe n’abenegihugu b’ibihugu binyamuryango cyangwa ibigo bitegamiye kuri Leta, cyangwa ikigo cyegamiye kuri guverinoma y’ibihugu binyamuryango.

ITEGEKO RYA 4
Ibiranga inkomoko y’ibicuruzwa

1. Ibicuruzwa bigomba kwemerwa nk’ibikomoka mu Gihugu Kinyamuryango igihe ibicuruzwa-
(a) Byakorewe mu buryo bwuzuye mu gihugu kinyamuryango nk’uko biteganijwe mu itegeko rya 5; cyangwa
(b) Byakorewe mu gihugu kinyamuryango hongewemo ibikoresho bitahabonetse mu buryo bwuzuye, hashingiwe ko ibikoresho nk’ibi byafashwe nk’ibihagije mu mikorere cyangwa mu nzira bikorwamo muri Igihugu kinyamuryango nk’uko biteganijwe mu itegeko rya 6.
2. Mu rwego rwo gushyira mu bikorwa aya mategeko**,** ibihugu bigize umuryango bizaba bifatwa nk'akarere kamwe.

ITEGEKO RYA 5
Ibicuruzwa byakorewe mu buryo bwuzuye mu gihugu kinyamuryango

1. Ku mpamvu z’itegeko rya 4 (a), ibicuruzwa bikurikira bizafatwa nk’ibyakorewe mu buryo bwuzuye mu gihugu kinyamuryango:
(a) Ibicuruzwa bikomoka ku mabuye y’agaciro yacukuwe mu butaka cyangwa ku ndiba y’inyanja y’igihugu kinyamuryango;
(b) Ibikomoka ku bimera birimo ibihingwa n’ibikomoka ku bihingwa byasaruwe, byakusanyijwe cyangwa byakuwe mu gihugu kinyamuryango;
(c) Inyamaswa nzima zavutse kandi zororerwa mu gihugu kinyamuryango;
(d) Ibicuruzwa bikomoka ku matungo cyangwa inyamaswa bizima biri mu gihugu kinyamuryango;
(e) Ibicuruzwa biva ku nyamaswa zabazwe zaravukiye kandi zikororerwa mu gihugu kinyamuryango;
(f) Ibicuruzwa byavuye mu guhiga cyangwa mu burobyi bikorewe mu gihugu kinyamuryango;

(g)Ibicuruzwa biva mu buhinzi cyangwa ubworozi bukorerwa mu mazi, harimo n'ubuhinzi bw'amafi n'ibindi binyabuzima byo mu mazi bitanga ibiribwa, byabonetse mu guhugu kinyamuryangoaho amafi yavukiye kandi akahororerwa;
(h)Ibicuruzwa biva mu burobyi bwo mu nyanja n'ibindi bicuruzwa byakuwe mu byanya byihariye byagenewe ubukungu byo mu gihugu kinyamuryango;
(i) Ibicuruzwa biva mu kuroba mu nyanja n'ibindi bicuruzwa byakuwe mu mazi y'inyanja ngari bikozwe n'ubwato bw'igihugu kinyamuryango;
(j) Ibicuruzwa byakorewe mu bwato-ruganda rw'igihugu kinyamuryango bikareba gusa
Ibicuruzwa bivugwa mu gace k'igika cya (i);
(k) Ibicuruzwa byakuwe mu butaka bwo mu nyanja cyangwa munsi y'ubutaka hanze y'amazi y'akarere k'igihugu kinyamuryango igihe icyo gihugu kinyamuryango gifite uburenganzira busesuye bwo gukorera kuri ubwo butaka cyangwa munsi yabwo;
(l) Gukoresha ingingo zikwiranye gusa mu kugarura ibikoresho, hashingiwe ko nk'izo ngingo zakusanyije zivuye mu bazikoresha bo mu gihugu kinyamuryango;
(m) Kwita ku bisigazwa n'imyanda biva mu bikorwa byo mu nganda zo mu gihugu kinyamuryango;
(n) Ibicuruzwa byihariye byakorewe mu gihugu kinyamuryango cyangwa ahanini biva kuri
Ibi bikurikira -

(1) Ibicuruzwa bivugwa muri iki gika; na

(2) Ibikoresho bitarimo ibintu byatumijwe hanze y'igihugu kinyamuryango cyangwa bifite inkomoko itazwi.

2. Mu kugena:
(a) Ahakorerwa ibicuruzwa byo mu mazi bifitanye isano n'igihugu kinyamuryango, ubwato bw'igihugu kinyamuryango buzafatwa nk'igice cy'ubutaka bw'icyo Gihugu kinyamuryango muryango; na
(b) Ahantu ibicuruzwa byaturutse, ibicuruzwa byo mu mazi byakuwe mu nyanja ngari cyangwa ibicuruzwa biva mu nyanja bizafatwa nkaho bifite inkomoko k'ubutaka ku butaka bw'igihugu kinyamuryango aho byashyiriwe mu bwato cyangwa byakorewe mu bwato bw'icyo gihugu kinyamuryango kandi bikazanwa mu buryo butaziguye mu karere ibihugu biri mu ihuriro biherereyemo.

ITEGEKO RYA 6
Ibicuruzwa byakozwe hakoreshejwe ibikoresho bitakuwe uko byakabaye mu gihugu kinyamuryango

1. Mu kubahiriza itegeko rya 4 (b), igicuruzwa gifatwa nk'icyakozwe mu buryo kihagije cyangwa cyatunganyijwe mu gihe igicuruzwa kigaragara ku rutonde ruri ku ruhande (column) rwa kabiri rw'igice cya mbere muri gahunda ya mbere cyujuje ibipimo ngenderwaho bijyanye nacyo biboneka mu ruhande rwa gatatu.
Kugena niba ibisabwa mu gice cya 1 cya gahunda ya mbere byujujwe bizakorwa kuri buri gicuruzwa.
3. Igihe igicuruzwacyabonewe inkomoko biturutse mu kuzuza ibisabwa ku nkomoko bigaragara mu gice cya 1 cya gahunda ya mbere gikoreshejwe mu gukora ikindi gicuruzwa, ibipimo by'inkomoko bikurikizwa ku gicuruzwa byakoreshejwemo ntibikoreshwa kuri cyo kandi nta kindi kizagenderwaho ku bikoresho bitari iby'inkomoko bishobora kuba byarakoreshejwe mu mikorerwe yacyo.

4. Aho ibipimo by’inkomoko mu gice cya 1 cya gahunda ya mbere bikoreshwa ku gicuruzwa bishingira ku iyubahirizwa ry’ibyinshi bigize ibikoresho bitari iby’inkomoko, mu rwego rwo kuzirikana ihindagurika ry’ibiciro n’ibipimo by’ifaranga, agaciro k’ibikoresho bitari iby’inkomoko hamwe n’ibiciro biheruka gukoreshwa bishobora kubarwa bishingiye ku mpuzandengo nk'uko bigaragara mu gika cya 5.
5. Impuzandengo y’ibiciro biheruka gukoreshwa ku gicuruzwa n’impuzandengo y’agaciro k’ibikoresho byakoreshejwe bizabarwa bityo hakurikijwe:
(a) Igiteranyo cy’ibiciro biheruka gukoreshwa byaciwe ku bicuruzwa byagurishijwe byose byakozwe mu mwaka w’ingengo y’imari ubanziriza undi; na
(b) Igiteranyo cy’agaciro k’ibikoresho byose bitari iby’inkomoko byakoreshejwe mu nganda z'ibicuruzwa mu mwaka w'ingengo y'imari ubanziriza undi nk’uko byasobanuwe mu gihugu kinyamuryango.
6. Aho ibiteranyo by’amafaranga y’umwaka w’ingengo y’imari bitaboneka byose nk’uko bisabwa mu gika cya 6, igihe kigufi gikoreshwa ntikigomba kuba munsi y'amezi atatu.
7. Umunyenganda cyangwa uwohereza ibicuruzwa hanze uhitamo kubara agaciro k’ibikoresho bitari iby’inkomoko n’ibiciro biheruka gukoreshwa hakoreshejwe impuzandengo y’agaciro agomba gukoresha ubu buryo buri gihe mu gihe cy’umwaka ukurikira umwaka w’ingengo y’imari washingiweho, cyangwa, aho bikwiye, mu gihe cy’umwaka ukurikira igihe gito cyakoreshejwe nk’ifatizo.
8. Umunyaruganda cyangwa uwohereza ibicuruzwa hanze ashobora guhagarika gukoresha uburyo mu gika cya 5 aho mu gihe cy’umwaka w’ingengo y’imari runaka, cyangwa mu gihe gito kitari munsi y’amezi atatu, iyo umunyaruganda cyangwa uwohereza ibicuruzwa hanze abonye ko ihindagurika ry’ibiciro cyangwa ifaranga byari byaratumye akoresha uburyo nk’ubu byahagaze.
9. Mu ntego zo gushyiraho iyubahirizwa ry’igice cya 1 cya gahunda ya mbere, impuzandengo y’ibiciro biheruka gukoreshwa n’impuzandengo y’agaciro k’ibikoresho bitari iby’inkomoko muri uru rukurikirane bigomba gukoreshwa.
10. Hatirengagijwe igika cya 1, ibikoresho bitari iby’inkomoko, ukurikije ibipimo ngenderwaho by’inkomoko bigaragara mu gice cya 1 cya gahunda ya mbere ntibigomba gukoreshwa mu gukora igicuruzwa runaka, bishobora gukoreshwa, aho agaciro kose cyangwa uburemere bw’igicuruzwa cyonyine bitarenze - gahunda ya mbere ntigomba gukoreshwa muri gukora igicuruzwa runaka 15% by’uburemere bw’igicuruzwa aho igicuruzwa kiri k’umutwe wa 2 n’uwa 4 kugeza kuwa 24 y’imibare ibihuza; cyangwa
(b) 15% by’ibiciro biheruka gukoreshwa by’igicuruzwa ku bindi bicuruzwa, usibye aho igicuruzwa kigaragara ku mutwe wa 50 kugeza kuwa 63 by’imibare ibihuza, ibyo kwihanganira bigaragara mu gice cya 2 cya gahunda ya mbere, bigomba gukoreshwa.
11. Gushyira mu bikorwa ibiri mu gika cya 10 ntibishobora kwemerera ijanisha na rito ku byinshi bigize ibikoresho bitari iby’inkomoko byemejwe mu gice cya mbere muri gahunda ya mbere kuba byarenga.
12. Umunyenganda cyangwa uwohereza ibintu mu mahanga agomba kurinda no kubika inyandiko z'ibiguzi bigenderwaho mu kubara ibiciro biheruka gukoreshwa bijyanye n’amahame rusange yemewe mu ibaruramari yashyizweho na Leta y’igihugu kinyamuryango aho igicuruzwa cyakorewe.

ITEGEKO RYA 7
Ibidasaba imenyekanishwa ry'inkomoko, Itunganya ridashingiye ku nkomoko

1. Hatirengagijwe itegeko rya 6, imirimo n'ibikorwa bikurikira ntibishobora gushyigikira ikirego kivuga ko ibicuruzwa bikomoka mu gihugu kinyamuryango -
(a) Gupfunyika, gushyira ibintu mu macupa, gushyira ibintu mu mabinika, imifuka, amakaziye n'amakarito gutunganya amakarita cyangwa ibindi birango n'ibindi bikorwa byoroshye byo gupfunyika;
(b) Kuvanga byoroshye imvange y'ibyatumijwe hanze y'igihugu kinyamuryango;
(c) Guteranya byoroshye ibintu bitandukanye n'ibice byatumijwe hanze y'igihugu kinyamuryango kugira ngo haboneke igicuruzwa cyuzuye;
(d) Ibikorwa kugira ngo habeho ugufata neza ubuziranenge bw'ibicuruzwa mu gihe cyo gutwarwa no kubikwa nko kubiha umuyaga, kwanika, kumisha, gukonjesha, gushyira mu munyu, gukoresha dioksidi ya sulfuri cyangwa ibindi binyabutabire bisukika no gukuraho ibice byangiritse n'ibindi bikorwa bisa n'ibyo;
(e) Guhindura uburyo bwo gupfunyika n'agafunga ipaki cyangwa guhuza uburyo bwo kohereza ibicuruzwa;
(f) Gushyiraho akamenyetso, kuranga cyangwa gushyiraho ikimenyetso gitandukanya ibicuruzwa cyangwa uburyo bw'abandi mu gupfunyika;
(g) Ibikorwa byoroshye byo gukuraho ivumbi, gushungura cyangwa gushyira mu nzego, kujonjora, gutondekanya cyangwa guhuza, harimo gusiga amarangi itsinda ry'ibicuruzwa, kubyoza, gutera cyangwa gukata;
Gutera ipasi cyangwa kwegeranya imyenda;
(i) Ibikorwa byoroshye byo gusiga irangi cyangwa guhanagura;
(j) Gutonora, kugira umweru igice cyangwa cyose kugira neza no gutuma ibinyampeke n'umuceri bibengerana;
(k) Ibikorwa byo guha amabara isukari cyangwa gukora isukari ivuye ku bibumbe cyangwa gusya neza amabuye y'isukari;
(l) Gutonora, guhonda cyangwa guhura imbuto, ibibuto cyangwa imboga;
(m) Gutanga impande, gusya byoroshye cyangwa ibikorwa byoroshye byo gukata; cyangwa
(n) Kubaga amatungo.
2. Kubw'intego y'iri tegeko "byoroshye," mu bijyanye no gutunganya ibicuruzwa bisobanura inzira yo gutunganya ikintu aho ubuhanga budasanzwe, imashini, ibikoresho byunganirana cyangwa ibikoresho byakozwe cyane cyane cyangwa byashyizwe ahantu runaka ngo bikore iyo mirimo bidakenewe muri iyo nzira.
3. Ibikorwa byose bikorerwa kinyamuryango ku bicuruzwa runaka bizitabwaho mu gihe cyo kumenya niba gukora cyangwa gutunganya ikintu bigomba gufatwa nk'ibitihagije mu gisobanuro cy'igika cya 1.

ITEGEKO RYA 8
Ibijyanye n’uruhurirane rw’inkomoko
Gukusanya ku bijyanye n’inkomoko

1. Ibikoresho bikomoka mu gihugu kinyamuryango kandi bisaba gukorwaho cyangwa guhindurwa bikozwe n’ikindi gihugu kinyamuryango, bizafatwa nk’ibyaturutse mu gihugu kinyamuryango biheruka gutunganirizwamo cyangwa gukorerwamo imirimo ya nyuma hagamijwe kumenya inkomoko y'ibicuruzwa birangiye neza. Igihugu kinyamuryango
2. Ibikoresho bikomoka mu gihugu cyangwa umuryango w’ubukungu w’akarere aho umuryango wasinyanye amasezerano y’ubucuruzi bwisanzuye n’abandi, bizafatwa nk’ibikoresho bikomoka mu gihugu kinyamuryango nibyinjizwa mu bicuruzwa byakorewe muri icyo gihugu kinyamuryango, igihe gukora cyangwa gutunganya ibicuruzwa byabereye muri icyo gihugu kinyamuryango birenze ibikorwa bivugwa mu itegeko rya 7.
3. Ibikoresho bikomoka mu gihugu cyangwa akarere byungukira mu kutakwa umusoro, nta n’ikindi bisabwa ku isoko ry’igihugu cyangwa mu muryango w’ubukungu w’akarere ko umuryango wasinye amasezerano y’ubucuruzi budasoresha n’abandi, bizafatwa nk’ibikoresho bikomoka mu gihugu kinyamuryango niba ibikoresho byinjijwe mu bicuruzwa byakorewe muri kiriya gihugu kinyamuryango, aho gukora cyangwa gutunganya ibicuruzwa byabereye muri icyo gihugu kinyamuryango birenze ibikorwa bivugwa mu itegeko rya 7.
4. Icyegeranyo giteganijwe mu gika cya 3 ntigikoreshwa ku bikoresho biri kuri gahunda y’ibiciro rusange byo hanze y 'umuryango w'Afurika y'Iburasirazuba.
5. Hatabangamiwe itegeko rya 4, ibikoresho bitari iby’inkomoko bitumizwa kinyamuryango muryango ntibisabwa umusoro wa gasutamo hashingiwe ku biciro rusange byo hanze y’umuryango w’Afurika y’iburasirazuba, bifatwa nk’ibikoresho bikomoka mu gihugu kinyamuryango iyo byinjijwe mu bicuruzwa byakorewe muri icyo gihugu kIri mu muryango, aho ibikoresho byakorewe imirimo ihagije cyangwa itunganywa ibirenze ibivugwa mu itegeko rya 7.
6. Iri tegeko ntirishobora gukurikizwa ku bikoresho, iyo bitumijwe n’igihugu kinyamuryango, icyo gihe byubahiriza iby’ ubumwe bwa za gasutamo y’umuryango w’ibihugu by’Afurika y'Iburasirazuba (Ingamba zo kurwanya imanuka ry’ibiciro ku isoko)
Amabwiriza cyangwa ubumwe bwa za gasutamo z’umuryango w’ibihugu by’Afurika y'Iburasirazuba (ingamba z’inkunga n’ingurane) Amabwiriza.

ITEGEKO RYA 9
Abashinzwe gutanga ibyangombwa

1. Mu gutondekanya ibicuruzwa hakurikijwe iri tegeko, buri kintu gipfunyitse gifatwa ukwacyo bitandukanye n’ibindi.
2. Hatirengagijwe igika cya 1:
(a) Aho ibiranga igicuruzwa bihujwe n’imibare iranga igicuruzwa bigaragaza ko itsinda, ibiri hamwe cyangwa igiteranyo cy’ ingingo bigomba gushyirwa mu cyiciro cyangwa umutwe umwe nk’itsinda, ibiri hamwe cyangwa ibihujwe bizafatwa nk’igicuruzwa kimwe; na
(b) Ibikoresho, ibice n’ibindi byifashishwa byinjijwe ku ngingo, n’ibiciro byabyo bikubiye mu giciro cyabyo cyangwa nta mafaranga byaciwe yishyurwa ku ruhande, bizafatwa nk’igicuruzwa kimwe aho

ibikoresho, ibice n'ibyifashishwa bigize ikintu kimwe gihuriweho mu buryo busanzwe cyashyizwe mu igurishwa ry'ibicuruzwa byo muri ubwo bwoko.
3. Mu bitari mu gika cya 2, ibicuruzwa bifatwa nk'igicuruzwa kimwe mu ntego zo gusuzuma amahoro ya gasutamo nk'ibintu byatumijwe n'igihugu kinyamuryango.
4. Ku gicuruzwa kidateranijwe cyangwa cyashenywe, gitumijwe kikaza mu byiciro birenze kimwe kuko bidashoboka kugikorera ku bwikorezi cyangwa impamvu z'imikorerwe yacyo mu kugitumiza mu mahanga icyarimwe, bizafatwa nk'igicuruzwa kimwe.

ITEGEKO RYA 10
Ibikoresho

1. Ibikoresho byasobanuwe mu gice cy'ibisobanuro rusange mu itegeko rya 3 mu biranga igicuruzwa n'imibare ikiranga bizafatwa nk'ibikomoka mu gihugu kinyamuryango, aho ibigize igicuruzwa byose bikomoka mu gihugu kinyamuryango.
2. Iyo ibikoresho bigizwe n'ibicuruzwa by'inkomoko n'ibitari iby'inkomoko muri rusange bizafatwa nk'ibikomoka mu gihugu kinyamuryango niba agaciro k'ibicuruzwa bitari iby'inkomoko bitarengeje 15 ku ijana by'igiciro giheruka gukoreshwa kuri ibyo bikoresho.

ITEGEKO RYA 11
Gutandukanya ibikoresho

Aho bidashoboka ko uwakoze ikintu runaka atandukanya mu buryo bufatika ibikoresho bifite imisusire imwe kandi inkomoko zitandukanye mu ikorwa ry'ibicuruzwa, uwabikoze agomba gukoresha amahame rusange yemewe mu ibaruramari yashyizweho n'igihugu kinyamuryango aho ibicuruzwa byakorewe kugira ngo harebwe ko nta bicuruzwa bindi bifatwa nk'iby'inkomoko y'igihugu kinyamuryango kuruta uko byari kugenda iyo ibikoresho biba bitandukanyijwe mu buryo bufatika.

ITEGEKO RYA 12
Uruvange rw'ibikoresho

1. Igihe habayeho kuvanga ibikoresho bitagize itsinda rimwe, bitajyanirana cyangwa bidateranirizwa hamwe nk'uko itegeko rya 9 riri, igihugu kinyamuryango gishobora kwanga kwemera ko bifite inkomoko yo mu kindi gihugu kinyamuryango, ibicuruzwa byose bikomoka ku ruvange rw'ibicuruzwa bishobora kwemerwa nk'iby'inkomoko yo mu gihugu kinyamuryango n'ibicuruzwa bidashobora kwemerwa nk'ibifite inkomoko kinyamuryango, aho ibiranga ibicuruzwa muri rusange ntaho bitandukaniye n'ibiranga ibicuruzwa byavanzwe.
2. Ku bijyanye n'ibicuruzwa byihariye aho byemejwe n'Inama ko byakwizerwa bikemererwa kuvanga ibicuruzwa byasobanuwe mu gika cya 1, nk'ibyo bicuruzwa bizemerwa nk'iby'inkomoko yo mu bihugu binyamuryango ku bijyanye n'icyo gicuruzwa nk'uko bishobora kwerekanwa mu guhuza ubwinshi bw'ibicuruzwa bikomoka mu gihugu kinyamuryango bikoreshwa mu kuvanga, hubahirijwe ibintu bishobora kumvikanwaho n'inama nyobozi.

ITEGEKO RYA 13
Ibijyanye no gupfunyika

1. Mu rwego rwo kugenzura ibikorwa bya za gasutamo, Igihugu kinyamuryango gshobora gufata ibicuruzwa ku buryo butandukanye n'uko ibyo bicuruzwa byari bipfunyitseo, kandi gishobora kumenya inkomoko y'ibipfunyitse ibicuruzwa mu buryo butandukanye mu rwego rwo kubahiriza itumizwa ryabyo mu mahanga bikoherezwa biturutse mu kindi gihugu kinyamuryango.

2. Aho igika cya 1 bidashoboka ko gikurikizwa, gupfunyika bizafatwa nk'uburyo bwo gushyira ibicuruzwa byose hamwe kandi nta gice cy'ibipfunyitse ibyo ari byo byose gikenewe mu bwikorezi cyangwa mu bubiko kizafatwa nk'aho cyatumijwe hanze ya Leta iri mu muryango mu kwemeza inkomoko y'ibicuruzwa muri rusange.
3. Ku mpamvu z'igika cya 2, gupfunyikisha, mu gihe ibicuruzwa bisanzwe bicuruzwa kimwe kimwe ntibizafatwa nk'ibikenewe gupfunyikwa kugira ngo ibicuruzwa bitwarwe cyangwa bibikwe.
4. Iyo ibikoresho byo gupfunyika na za kontineri byifashishwa mu gupfunyika ibicuruzwa bigenewe gucuruzwa kimwe kimwe bishyirwa mu byiciro by'ibicuruzwa hakurikijwe ibisobanuro rusange bigaragara mu itegeko rya 5 ry'ibiranga ibicuruzwa n'imibare ibiranga, ibikoresho byo gupfunyika na za kontineri ntibizarebwa mu kwemeza niba ibikoresho byose bitari iby'inkomoko byakoreshejwe mu gukora ibicuruzwa aho ibicuruzwa bigirwaho ingaruka n'impinduka zishyirwaho mu buryo bwo kugena ibiciro biri mu gica cya 1 cya gahunda ya mbere.

5. Iyo ibicuruzwa bigaragara mu gika cya 4, bigengwa n'ibijyanye inyongeragaciro, agaciro k'ibikoresho byo gupfunyika hamwe na za kontineri bigomba kwitabwaho nk'ibikoresho by'inkomoko cyangwa cyangwa bitari iby'inkomoko, nk'uko byagenda bishobotse, mu kubara inyongeragaciro yongerewe ku bicuruzwa.
6. Za kontineri zikoreshwa gusa mu bwikorezi cyangwa kubika ibicuruzwa by'agateganyo ibicuruzwa kandi zigomba gusubizwa ntizisabwa imisoro ya gasutamo n'andi mafaranga acibwa ameze nk'aya.
7. Za kontineri zikoreshejwe gusa mu bwikorezi cyangwa kubika ibicuruzwa by'agateganyo, ariko ntizisubizwe, zizafatwa bitandukanye n'ibicuruzwa bizirimo kandi zigomba gutangirwa imisoroy'itumizwa mu mahanga n'andi mafaranga acibwa ameze nk'aya.

ITEGEKO RYA 14
Ibintu bitagira aho bibogamiye

Kugira ngo hamenyekane niba ibicuruzwa bikomoka mu gihugu kinyamuryango, si ngombwa kumenya inkomoko y'ibi bikurikira iyo ibyo ari cyo kibikora:
(a) ingufu n'ibikomoka kuri petelori;
(b) uruganda n'ibikoresho byarwo;
(c) imashini n'ibikoresho; na
(d) ibicuruzwa bidashyirwa cyangwa bidateganywa gushyirwa mu bigize igicuruzwa kirangiye neza.

ITEGEKO RYA 15
Akarere

1. Usibye ibiteganijwe mu itegeko rya 8, igicuruzwa kizemerwa nk'igikomoka mu gihugu kiri mu muryango iyo ibicuruzwa byujuje ibisabwa mu itegeko rya 4 kugeza kuri 14.
2. Iyo ibicuruzwa bifite inkomoko byoherejwe mu mahanga biva kinyamuryango bijya mu gihugu cy'amahanga bigarurwa mu gihugu kinyamuryango, ibicuruzwa bifatwa nk'ibidafite inkomoko, usibye aho gasutamo igaragaje kunyurwa ko:
(a) ibicuruzwa ari bimwe n'ibicuruzwa byoherejwe mu mahanga; na
(b) ibicuruzwa bitigeze bikorwaho igikorwa icyo ari cyo cyose kirenze ibyari bikenewe mu kubungabunga ubwiza bwabyo mu gihe biri mu gihugu cy'amahanga cyangwa mu gihe byoherezwa mu mahanga.
3. Kubona icyemezo cy'inkomoko kigaragara mu itegeko rya 4 kugeza ku rya 14 ntibigomba kugirwaho ingaruka n'ikorwa cyangwa itunganywa bikorewe hanze y'igihugu kinyamuryango ku bikoresho byoherejwe mu mahanga bivuye mu gihugu kinyamuryango bityo nyuma bikongera gutumizwa yo, aho:
(a) ibikoresho biboneka mu buryo bwuzuye mu gihugu kinyamuryango cyangwa byakozweho cyangwa byatunganijweho birenze ibikorwa bivugwa mu itegeko rya 7 mbere yo koherezwa mu mahanga; na
(b) bishobora kugaragaza ukunyurwa kwa gasutamo y'igihugu kinyamuryango kibyohereza hanze ko:
(i) ibicuruzwa byongeye gutumizwa mu mahanga byakozwe cyangwa byatunganyijwe mu bikoresho byoherejwe hanze; na
(ii) agaciro bifite hanze y'igihugu kinyamuryango ukoresheje iri tegeko ntigomba kurenza 10 ku ijana by'agaciro ka gasutamo y'ibicuruzwa birangiye neza cy'aho icyemezo cy'inkomoko cyasabiwe kandi aho agaciro ka gasutamo kagenwa hakurikijwe ibivugwa mu mategeko agenga ibikorwa byo gucunga za gasutamo y'umuryango w'Afurika y'Iburasirazuba, 2004.

ITEGEKO RYA 16
Ubwikorezi butaziguye

1. Mu gushyiraho ibiciro by'umuryango biri mu ngingo ya 14 y'amabwiriza ngenderwaho akurikizwa gusa ku bicuruzwa, byujuje ibisabwa n'aya mategeko, bitwarwa mu buryo butaziguye biva kinyamuryango bijya mu kindi gihugu kinyamuryango.
2. Ibicuruzwa bitwarwa mu mahanga hagamijwe koroshya iyoherezwa ryabyo, gupfunyika cyangwa ibindi bidahuye n'ibijyanye n'inkomoko ntibizateshwa agaciro n'iri tegeko.

ITEGEKO 17
Gutanga icyemezo cy'inkomoko

1. Uwohereza ibicuruzwa mu mahanga werekanye ko ibicuruzwa biva kinyamuryango cyangwa umuhagarariye byemewe yuzuza ifishi y'ibyangombwa iteganijwe muri gahunda ya kabiri.
2. Gusaba bikozwe hagendewe ku gika cya 1 bigomba guherekezwa na:-

(a) ibimenyetso bitaziguye byerekana inzira yakozwe n'uwohereza ibicuruzwa mu mahanga kugirango abone ibyo bicuruzwa bikagaragazwa na za konti cyangwa ububiko bw'ibitabo by'uwohereza ibicuruzwa mu mahanga;
(b) inyandiko zigaragaza inkomoko y'ibikoresho byakoreshejwe, byatanzwe na Igihugu kinyamuryango aho izo nyandiko zikoreshwa, hakurikijwe amategeko y'igihugu kiri mu ihuriro;
(c) inyandiko zerekana imikorere cyangwa imitunganyirize y'ibikoresho kinyamuryango aho izo nyandiko zikoreshwa hakurikijwe amategeko y'igihugu kiri mu ihuriro;
(d) icyemezo cy'inkomoko cyerekana inkomoko y'ibikoresho byakoreshejwe, gitangwa n'igihugu kiri mu ihuriro hakurikijwe aya mategeko; na
(e) izindi nyandiko izo ari zo zose nk'uko zishobora gusabwa n'ubuyobozi bubifitiye ububasha.
3. Iyo uwohereza ibicuruzwa mu mahanga atari we ubikora, uwohereza ibicuruzwa mu mahanga, hubahirizwa ibicuruzwa bigenewe koherezwa mu mahanga, atanga k'ubuyobozi bubifitiye ububasha imenyekanisha ryanditse ry'uwabikoze yerekana ko ibicuruzwa bikomoka muri Igihugu kinyamuryango hakurikijwe itegeko rya 4.
4. Imenyekanisha ry'uwakoze ibicuruzwa rirerekanwa n'ifishi iri muri gahunda ya gatatu
Ubifitiye ububasha w'igihugu kiri mu ihuriro agomba kugenzura inyandiko isaba n'ibyerekana inkomoko y'igicuruzwa, kandi afite uburenganzira bwo gusaba ikindi kimenyetso cyerekana inkomoko no gukora igenzura iryo ari ryo ryose rya konti z'uwohereza ibicuruzwa mu mahanga cyangwa irindi genzura iryo ari ryose ryakenerwa.
6. Ubifitiye ububasha w'igihugu kiri mu ihuriro, iyo anyuzwe n'inyandiko isaba n'ibyerekana inkomoko, atanga icyemezo cy'inkomoko k'uwohereza mu mahnga ibicuruzwa mbere y'igihe nyacyo cy'igikorwa cy'iyoherezwa mu mahanga ry'ibicuruzwa.
7. Hatirengagijwe igika cya 6, ubifitiye ububasha w'igihugu kinyamuryango ashobora, mu bihe bidasanzwe, gutanga icyemezo cy'inkomoko nyuma y'iyoherezwa mu mahanga ry'ibicuruzwa byatangiwe icyemezo hagaragazwa impamvu zifitanye isano n'itangwa ryacyo.
8. Icyemezo cy'inkomoko cyatanzwe nyuma yo kohereza ibicuruzwa mu mahanga kiri mu gakare ka 4 giherekejwe n'interuro igira iti:

"C**YATANZWE NYUMA YO KOHEREZA IBICURUZWA MU MAHANGA**".

ITEGEKO RYA 18
Gutanga icyemezo cya kabiri cy'inkomoko

1. Mugihe habaye ukwibwa, ugutakaza cyangwa ukwangirika kw'icyemezo cy'inkomoko, uwohereza ibicuruzwa mu mahanga ashobora gusaba ubuyobozi bubifitiye ububasha bwatanze icyemezo cy'inkomokokumuha ikindi cyemezo gisimbura icyatanzwe mbere.
2. Ubifitiye ububasha, ashingiye k'ubusabe bw'icyemezo cy'inkomoko bwa mbere, ashobora gutanga icyemezo gisimbura icyemezo cy'inkomoko.
3. Icyemezo cya kabiri cy'inkomoko gitangwa hagendewe ku gika cya 2 gishyirwa mu gakare ka 4 hamwe ninteruro:

"ICYEMEZO CYA KABIRI CY'ICYEMEZO No [….] cya [itariki] "

4. Icyemezo cya kabiri cy'icyemezo cy'inkomoko kigomba kuba gifite itariki yatangiweho icyemezo cy'inkomoko cy'umwimerere kandi gitangira kugira agaciro guhera kuri iyo tariki.

ITEGEKO RYA 19
Gutanga ibyemezo by'inkomoko hashingiwe ku bimenyetso by'inkomoko byatanzwe cyangwa byakozwe mbere

1. Iyo uwohereza ibicuruzwa mu mahanga yifuza gukwirakwiza ibicuruzwa biva mu ihuriro, urwego rubifitiye ububasha rushinzwe kugenzura inkomoko y'ibicuruzwa, rushobora gusimbuza icyemezo cy'inkomoko cyangwa imenyekanisha ry'inkomoko, icyemezo gisimbura icy'inkomoko bibaye bisabwe.
Igika cya 1 kizakurikizwa mu gihe ibicuruzwa by'inkomoko biri kugenzurwa na za gasutamo z'igihugu kiri mu ihuriro.
2. Icyemezo gisimbura icy'inkomoko cyatanzwe hakurikijwe iri tegeko, gishyirwa mu gakare ka 4 hamwe n'interuro:

"IGISIMBURA ICYEMEZO No […] cya [Igihugu kinyamuryango] cyo ku [itariki] "

ITEGEKO RYA 20
Abemerewe kohereza ibicuruzwa mu mahanga

1. Uwohereza ibicuruzwa mu mahanga akabikora kenshi akoresheje aya mategeko ashobora gusaba ubuyobozi bubifitiye ububasha bwo mu gihugu cyoherezwamo ibicuruzwa kiri mu ihuriro kuba uwemewe wohereza ibicuruzwa mu mahanga no gukora imenyekanisha ry'inkomoko.
2. Uwohereza ibicuruzwa mu mahanga usaba yifashishije igika cya 1, agomba -
(a) Gutanga inyandiko zivugwa mu itegeko rya 17 (2); no
(b) Gutanga ingwate za ngombwa zakwifuzwa n'ubuyobozi bubifitiye ububasha mu kugenzura inkomoko y'ibicuruzwa nko kuzuza ibindi bisabwa muri aya mategeko.
3. Ubifitiye ububasha ashobora kwemeza ubusabe bw'uwohereza ibicuruzwa mu mahanga agendeye ku gika cya 1 hubahirijwe ibyasabwa ibyo ari byo byose ubuyobozi bubifitiye ububasha bushobora kubona ko bikwiye.
4. Ubifitiye ububasha agena imibare y'uruhushya k'uwohereza ibicuruzwa mu mahanga wemewe igaragara ku imenyekanisha ry'inkomoko.
5. Uwohereza ibicuruzwa mu mahanga wemewe akora imenyekanisha ry'inkomoko akoresheje ibyanditse muri gahunda ya kane.
6. Imenyekanisha ry'inkomoko riba rifite umukono w'umwimerere w'uwohereza ibicuruzwa mu mahanga wemewe.
7. Imenyekanisha ry'inkomoko rishobora gukorwa n'uwohereza ibicuruzwa mu mahanga mu gihe ibyo bicuruzwa byoherejwe mu mahanga, cyangwa nyuma yo kubyohereza mu mahanga ariko bigomba kuba bihagarariwe mu gihugu cyabitumije mu gihe kitarenze amezi atatu nyuma y'itumizwa mu mahanga ry'ibyo bicuruzwa.
8. Ubifitiye ububasha ashobora gutesha agaciro cyangwa gukuraho ibyemerewe uwohereza ibicuruzwa mu mahanga wemewe iyo uwohereza ibicuruzwa mu mahanga wemewe -
(a) atigeze atanga ingwate zivugwa mu gika cya 1 n'icya 2;
(b) atujuje ibisabwa bivugwa mu gika cya 3; cyangwa
(c) Akoresha uruhushya mu buryo butari bwo.

9. Ubifitiye ububasha abinyujije mu bunyamabanga, agomba kumenyesha abayobozi babifitiye ububasha b'ibindi bihugu biri mu ihuriro aho abohereza ibicuruzwa mu mahanga bakomoka bikemezwa n'ubifitiye ububasha.
10. Ubunyamabanga bugomba kubika amakuru yose y'abohereza ibicuruzwa mu mahanga hashingiwe ku makuru yatanzwe n'inzego zibishinzwe z'ibihugu bigize ihuriro.
11. Ubifitiye ububasha agomba kwemeza ko amakuru yatanzwe mu bunyamabanga arinzwe kandi ko ari aheruka, ko yuzuye kandi ari ukuri.
12. Amakuru abitswe, muri iri tegeko, usibye amakuru y'ibanga ku abohereza ibicuruzwa mu mahanga bemewe, agomba kugaragarizwa rubanda.

ITEGEKO RYA 21
Iyongezwagaciro ry'icyemezo cy'inkomoko

1. Icyemezo cy'inkomoko kigira agaciro mu gihe cy'amezi atandatu uhereye igihe cyatangarijwe n'ubuyobozi bubifitiye ububasha bw'igihugu, Cyohereza ibicuruzwa mu mahanga, kandi kigashyikirizwa mu gihe cyavuzwe kuri gasutamo y'ibihugu by'abafatanyabikorwa batumiza ibintu mu mahanga.
2. Imenyekanisha ry'inkomoko rifite agaciro mu gihe cy'amezi atandatu uhereye igihe yatangarijwe kandi rigashyikirizwa mu gihe cyagenwe kuri gasutamo y'igihugu cy'abafatanyabikorwa batumiza ibintu mu mahanga.
3. Gasutamo y'ibihugu by'abafatanyabikorwa batumiza mu mahanga ishobora kwemerera icyemezo cy'inkomoko cyangwa imenyekanisha ry'inkomoko gutangwa nyuma y'amezi atandatu mu gihe aho gasutamo yishimiye ko gutinda gutanga icyemezo cy'inkomoko cyangwa imenyekanisha ry'inkomoko byatewe n'ibihe bidasanzwe.
4. Icyemezo cy'inkomoko n'imenyekanisha ry'inkomoko bigomba gushyikirizwa gasutamo y'igihugu cy'abafatanyabikorwa gitumiza mu mahanga hakurikijwe amategeko agenga imicungire ya gasutamo y'Afurika y'Iburasirazuba, 2004.

ITEGEKO RYA 22
Ibidasaba icyemezo cy'inkomoko

Igicuruzwa cyoherejwe mu gipfunyika gito kiva ku muntu ku giti cye kijya ku muntu ku giti cye bose bari mu bihugu by'abafatanyabikorwa bitandukanye kandi agaciro kabyo katarengeje amadorari y'amanyamerika 500 (USD 500) cyangwa kikaba kigizwe n'imitwaro bwite y'abagenzi agaciro kayo katarenga amadorari y'amanyamerika 1200 (USD 1200).

Gishobora kwakirwa nk'igicuruzwa kidasabwa icyemezo cy'aho cyaturutse, hashingiwe ko ikintu kitatumizwa mu mahanga mu nzira y'ubucuruzi kandi cyatangajwe ko cyujuje ibisabwa n'aya mategeko ndetse ntagushidikanya ku bijyanye n'ukuri kw'imenyekanisha.

ITEGEKO RYA 23
Kumenyesha amakuru ku nzego zibishinzwe

1. Igihugu cy'abafatanyabikorwa kinyuze mu Bunyamabanga, kimenyesha ibindi bihugu by'abafatanyabikorwa-

(a) Aderesi y'ubuyobozi bubifitiye ububasha bw'icyo gihugu cy'abafatanyabikorwa; na

(b) Kwerekana ibyerekana kashe hamwe n'umukono w'icyitegererezo by'abayobozi bemerewe gusinya ibyemezo.

2. Ibihugu by'abafatanyabikorwa bimenyesha bidatinze igihe cyose habaye impinduka ku makuru avugwa mu gika cya 1.

ITEGEKO RYA 24

Kugenzura ibyemeza inkomoko

1. Umuyobozi ubifitiye ububasha ashobora, mu bihe bidasanzwe kandi hatitawe ku cyemezo cy'inkomoko cyatanzwe, cyangwa imenyekanisha ry'inkomoko ryakozwe hakurikijwe aya Mategeko, gusaba no kugenzura neza amakuru akubiye muri kiriya cyemezo cy'inkomoko cyangwa imenyekanisha ry'inkomoko.
2. Iyo icyifuzo gisaba kugenzurwa n'ubuyobozi bubifitiye ububasha hakurikijwe iri tegeko, igenzura rikorwa mu mezi atatu uhereye igihe wasabye, ukoresheje ifishi iteganijwe muri Gahunda ya gatanu.
3. Igihugu cy'abafatanyabikorwa batumiza mu mahanga ntigishobora kubuza uwatumije mu mahanga gufata ibicuruzwa gusa bitewe n'uko bisaba ibindi bimenyetso, ariko bishobora gusaba amahoro ku misoro iyo ari yo yose cyangwa andi mafaranga ashobora kwishyurwa.
4. Gasutamo y'igihugu cy'abafatanyabikorwa yashyikirijwe imenyekanisha ryanditse ry'ukora ikintu ishobora gusaba gasutamo y'igihugu cy'abafatanyabikorwa aho imenyekanisha ryatangiwe, gutanga icyemezo cy'amakuru, hakoreshejwe imiterere iteganijwe kuri Gahunda ya Gatandatu.

ITEGEKO RYA 25

Gufata neza inyandiko

Inyandiko zisabwa cyangwa zatanzwe muri aya mategeko zigomba kubikwa byibuze imyaka itanu.

ITEGEKO RYA 26

Kurenga ku mategeko n'ibihano

1. Igihugu cy'abafatanyabikorwa cyarezwe ibinyoma ku bijyanye n'inkomoko y'ibicuruzwa gihita kibimenyesha ukuri ku gihugu cy'abafatanyabikorwa bohereza ibicuruzwa mu mahanga cyaturutsemo ikirego cy'ibinyoma, mu rwego rw'imikoranire myiza.
2. Hatirengagijwe igika cya 1, Leta y'abafatanyabikorwa ikirego cy'ibinyoma ku bijyanye n'inkomoko y'ibicuruzwa, ishobora gukurikiza ingingo zijyanye n'amategeko agenga imicungire ya gasutamo muri Afurika y'Iburasirazuba, 2004.

3. Igihugu cy’abafatanyabikorwa cyakurikije igika cya 1, cyagejejweho n’igihugu cy’abafatanyabikorwa cyohereza ibicuruzwa mu mu mahanga, ikirego cy’ibinyoma , aho Leta y’abafatanyabikorwa itekereza ko nta gikorwa gishimishije cyakozwe mu gihe cy’amezi atatu n’igihugu cy’abafatanyabikorwa bohereza ibicuruzwa mu mahanga,cyohereza ikibazo muri Komite ishinzwe gukemura ibibazo by'ubucuruzi.
4. Iyo ikibazo cyoherejwe muri komite ishinzwe gukemura ibibazo by'ubucuruzi, Komisiyo ifata ingamba zikwiye hakurikijwe ibiteganywa n'amasezerano.
5. Ihohoterwa iryo ari ryo ryose rikomeje gukorwa n’igihugu cy’abafatanyabikorwa ku biteganywa n’aya Mategeko rishobora koherezwa mu Nama Njyanama ifata ingamba zikurikije ibiteganywa n’amasezerano.

ITEGEKO RYA 27

Ibitabo biyobora

Ubunyamabanga bugomba gutegura no gusuzuma imfashanyigisho zerekeye aya mategeko.

ITEGEKO RYA 28

Amabwiriza agenga Inama Njyanama

Inama njyanama ishobora gutanga amabwiriza agenga ishyirwa mu bikorwa ry’ingingo z’aya mategeko hakurikijwe itegeko rya 14 ry’amasezerano.

ITEGEKO RYA 29

Gusubiramo amategeko y’inkomoko

Hagomba kuba inama, bisabwe n'Inama njyanama igenzura ko intego z’ubumwe bwa gasutamo zimaze kugerwaho, zigatangaza ko aya mategeko asubiwemo.

ITEGEKO RYA 30

Gukuraho amategeko y’ubumwe bw’ibihugu by’Afurika y’iburasirazuba (Amategeko y’inkomoko)

Amategeko y’ubumwe bw’ibihugu by’Afurika y’iburasirazuba (Amategeko y’inkomoko) Amategeko yatangiye gukurikizwa guhera ku ya 1 Mutarama 2005, yavanyweho.

GAHUNDA YA MBERE

URUTONDE RW'IBICURUZWA N'IBIKORWA BIJYANYE N'IMITERE Y'INKOMOKO

IGICE CYA 1

Umutwe wa HS No	**Ibisobanuro by'ibicuruzwa**	**Ibipimo by'inkomoko (Gukora cyangwa gutunganya bikorwa kubikoresho bidafite umwimerere hagendewe ku miterere y'inkomoko)**
Igice cya 10 n'Igice cya 11	Ibinyampeke. Ibicuruzwa byo mu ruganda; "malt; starches; inulin; wheat gluten"; usibye kuri:	Inganda aho ibikoresho byose byo mu gice cya 10 byakoreshejwe bigomba kuba byakozwe byose, Inganda aho ibikoresho byose byo mu gice cya 10 nicya 11, imitwe 07.01 na 23.03, hamwe n'ingingo y'umutwe wa 0710.10 bigomba kuba byakozwe.

Umutwe wa HS No	**Ibisobanuro by'ibicuruzwa**	**Ibipimo by'inkomoko (Gukora cyangwa gutunganya bikorwa kubikoresho bidafite umwimerere hagendewe ku miterere y'inkomoko)**
Igice cya 23	Ibisigazwa n'imyanda iva mu nganda z'ibiribwa; ibiryo by'amatungo byateguwe, usibye kuri:	ibikorwa biva mu bikoresho by'umutwe uwo ariwo wose usibye iby'icyo gicuruzwa
23.02 na ex 23.03	Amashami, ibishishwa n'ibindi bisigazwa biva mu kugosora, gusya cyangwa indi mirimo y'ibinyampeke cyangwa ibihingwa by' ibinyamusogwe. Ibisigazwa biva mu binyamisogwe byatunganijwe.	Ibyakozwe biva mu bikoresho by'umutwe uwo ariwo wose usibye iby'icyo gicuruzwa, aho uburemere bw'ibikoresho byo mu gice cya 10 bwakoreshejwe butarenga 30% by'uburemere bw'ibicuruzwa byanyuma
23.09	Gutegura ubwoko bukoreshwa mu kugaburira amatungo	Ibyakozwe biva mu bikoresho by'umutwe uwo ariwo wose, usibye iby'icyo gicuruzwa, muri ibyo: -ibikoresho byose by'igice cya 2 n'icya 3 byakoreshejwe bikozwe neza, kandi -uburemere bw'ibikoresho byo mu gice cya 10 n'icya 11 hamwe n'umutwe 23.02 na 23.03 byakoreshejwe ntibirenza 30% by'uburemere bw'ibicuruzwa cya nyuma

IGICE CYA 2

Ubusobanuro bw'ibyitonderwa ku rutonde rw'igice cya 1

Icyitonderwa 1: Iriburiro

1.1 Urutonde rugaragaza ibipimo ngenderwaho bisabwa kugirango ibicuruzwa byose bifatwe nk'aho byakozwe bihagije cyangwa bitunganijwe mu bisobanuro by'itegeko rya 6 ry'aya mategeko. Ibipimo bikurikira bizakurikizwa, nk'uko bikwiye ndetse nk'uko bigaragara mu gice cya 1 kubijyanye na buri gice, umutwe cyangwa igice cy'umutwe watanzwe mu nkingi ya 1:

(i) gukora cyangwa gutunganya ibikoresho bimwe na bimwe byakozwe;

(ii) gukora cyangwa gutunganya aho agaciro k'ibikoresho byose bidakomoka mu nganda bitarenze igipimo ntarengwa;

(iii) gukora cyangwa gutunganya gahunda y'imibare 4 yahujwe n'umutwe cyangwa gahunda imibare 6 yahujwe n'igice cy'umutwe wibicuruzwa byakozwe ihinduka itandukanye nimibare 4 yahujwe na gahunda y'umutwe cyangwa imibare 6 mu gice cy'umutwe hubahirijwe ibikoresho byakoreshejwe.

(iv) Ibikorwa byihariye byo gukora cyangwa gutunganya birakorwa.

1.2 Ibipimo by'inkomoko byavuzwe haruguru bishobora gukoreshwa byigenga cyangwa nkibindi bisobanuro nkuko bigaragara mu gice cya 1.

1.3 Ingero: Gushyira mu bikorwa Icyitonderwa 1.1 (ii)

(a) Iyo umubare ntarengwa w'ibikoresho bidakomoka mu nganda bitarenze 70% by'igiciro cyakorewe ibicuruzwa byarangiye, bivuze ko agaciro ntarengwa kongerewe n'uwabikoze muri Leta y'abafatanyabikorwa ni 30% by'ibiciro byahoze bikora ku bicuruzwa byatanzwe.

(b) Aho ku bicuruzwa by'imitwe 87.11 kugeza 87.12, umubare ntarengwa w'ibikoresho bidafite umwimerere w'inkomoko byakoreshejwe mugukora ntibirenza 70% igiciro cy'imirimo yarangiye ku gicuruzwa cyarangije bivuze ko agaciro ntarengwa wongeyeho n'uwabikoze mu gihugu cy'abafatanyabikorwa ni 30% y'ikiguzi cyakorewe imirimo y'igicuruzwa cyatanzwe.

Icyitonderwa 2: Imiterere y'igice cya 1

2.1 Inkingi ebyiri zibanza ku rutonde zisobanura ibicuruzwa byabonetse. Inkingi ya mbere itanga nimero y'umutwe, iy'igice cy'umutwe cyangwa nimero y'igice gikoreshwa muri gahunda yo guhuza, naho inkingi ya kabiri itanga ibisobanuro byibicuruzwa byakoreshejwe muri gahunda kuri uwo mutwe, igice cy'umutwe cyangwa umutwe. Kuri buri ikinjijwe mu nkingi ebyiri zibanza amategeko agaragara mu nkingi ya 3. Aho, mu bihe bimwe na bimwe, ibyinjira mu nkingi ya mbere bibanzirizwa na "ex", ibi bisobanura ko amategeko yo mu nkingi ya 3 akoreshwa gusa ku gice cy' uwo mutwe cyangwa igice cy'uwo mutwe nk'uko byasobanuwe mu nkingi ya 2.

2.2 Iyo umubare wimitwe myinshi cyangwa imitwe y'ibumbiye hamwe mu murongo wa 1 cyangwa numero y'umutwe watanzwe hamwe n' ibisobanuro byibicuruzwa mu nkingi ya 2 rero bitangwa mu magambo rusange, amategeko aherekejwe n'inkingi ya 3 akurikizwa ku bicuruzwa byose, munsi ya gahunda ihujwe, bishyirwa mu bice by'umutwe cyangwa mu mutwe uwo ariwo wose washyizwe hamwe mu nkingi ya 1.

2.3 Iyo hari amategeko atandukanye ku rutonde akoreshwa ku bicuruzwa bitandukanye mu mutwe, buri urupapuro rwabugenewe ikubiyemo ibisobanuro by'icyo gice cy'umutwe gikubiyemo amategeko yegeranye mu nkingi ya 3.

2.4 Aha, kugirango winjire mu nkingi ebyiri zibanza, amategeko arenze rimwe agaragara mu nkingi ya 3, uwatumije ibicuruzwa hanze ashobora guhitamo, nk'ubundi buryo, kugirango akoreshe rimwe mumategeko ateganijwe mu nkingi ya 3.

Icyitonderwa 3: Ingero z'uburyo amategeko akurikizwa

3.1. Ibiteganijwe mu ngingo ya 6 y'aya Mategeko yerekeye ibicuruzwa bimaze kubona imiterere-karemano bikoreshwa mu gukora ibindi bicuruzwa bikurikizwa hatitawe ku kuba iyi miterere yaratangiwe imbere mu ruganda aho ibyo bicuruzwa bikorerwa cyangwa mu rundi ruganda rwo mu bihugu by'abafatanyabikorwa.

3.2. Dukurikije itegeko rya 7, gukora cyangwa gutunganya byakozwe bigomba gushyirwa ku rutonde rw'ibikorwa bivugwa muri iri tegeko. Niba atari byo, ibicuruzwa byarangiye ntibishobora kwemererwa nk'ibyujuje ibisabwa n'ibiciro by'abaturage, kabone n'iyo ibisabwa bivugwa ku rutonde mu gice cya 1 byujujwe.

3.3. Amategeko ari mu rutonde yerekana umubare ntarengwa w'akazi cyangwa gutunganya bikenewe kandi gukora imirimo myinshi cyangwa gutunganya nabyo bitanga inkomoko; Ibinyuranye, gukora imirimo mike cyangwa gutunganya ntibishobora gutanga inkomoko. Kubw'ibyo, niba itegeko riteganya ko ibikoresho bidaturuka ku rwego runaka rw'ibikorwa bishobora gukoreshwa, gukoresha ibikoresho nk'ibi mu gihe cya mbere cyo gukora biremewe kandi gukoresha ibikoresho nk'ibi mu byiciro bya nyuma ntabwo byemewe.

3.4. Hatirengagijwe Icyitonderwa 3.3 aho itegeko rikoresha imvugo "Gukora mu bikoresho by'umutwe uwo ariwo wose", noneho ibikoresho by'umutwe uwo ariwo wose (ndetse n'ibikoresho bisobanurwa kimwe n'umutwe nk'ibicuruzwa) nabyo bishobora gukoreshwa, ingingo, ariko, ku mbogamizi iyo ari yo yose ishobora no kuba ikubiye mu itegeko.

Ariko, imvugo "Gukora mu bikoresho by'umutwe uwo ariwo wose, harimo n'ibindi bikoresho by'umutwe…" cyangwa "Gukora mu bikoresho by'umutwe uwo ariwo wose, harimo n'ibindi bikoresho by'umutwe umwe nk'ibicuruzwa" bivuze ko ibikoresho by'umutwe uwo ariwo wose bishobora kuba byakoreshejwe, usibye ibisobanuro bimwe nk'ibicuruzwa nk'uko byatanzwe mu nkingi ya 2 y'urutonde.

3.5. Iyo amategeko ari mu rutonde yerekana ko ibicuruzwa bigomba gukorwa mu bikoresho runaka, biragaragara ko imiterere itabuza ikoreshwa ry'ibindi bikoresho, kubera imiterere yabyo, bitashoboye kuzuza amategeko.

Icyitonderwa 4: Ingingo rusange zerekeye ibicuruzwa bimwe na bimwe by'ubuhinzi

Ibicuruzwa by'ubuhinzi biri mu gice cya 6, 7, 8, 9, 10, 12 no ku mutwe wa 24.01 bisarurwa mu ifasi y'igihugu cy'abafatanyabikorwa bizafatwa nkaho byaturutse ku butaka bw'igihugu cy'abafatanyabikorwa, kabone niyo byahingwa hagamijwe gusarurwamo imbuto, ibijumba, imizi, kubangurirwa, ibihangano(kubangurira),ingeri,ibishibu,amaso , cyangwa ibindi bice bitanga ubuzima bw'ibimera bitumizwa mu mahanga.

GAHUNDA YA KABIRI

ICYEMEZO CY'INKOMOKO CY'UMURYANGO W'AFURIKA Y'IBURASIRAZUBA

Itegeko rya 17 (1)

<table>
<tr><td>1. Uwohereza ibicuruzwa (Izina& aho ibiro bye biherereye).</td><td colspan="4" rowspan="2">Nimero y'uruhererekane……hagendewe kuri N^{o}……

UMURYANGO W'AFURIKA Y'IBURASIRAZUBA</td></tr>
<tr><td>2. Uwoherererejwe (Izina& aho ibiro bye biherereye).</td></tr>
<tr><td>3. Umwihariko wo gukora ubwikorezi.</td><td colspan="4">4. Bikoreshwa ku mugaragaro</td></tr>
<tr><td>5. Ibimenyetso n'imibare; umubare n'ubwoko bw' igipfunyika, ibisobanuro by'ibicuruzwa;</td><td>6. Igiciro cy'umukiriya Na
Na.</td><td>7. Igipimo cy'inkomoko</td><td>8.uburemere bwo hejuru cyangwa undi ngano</td><td>9.Nimero y'Inyemezabuguzi n'itariki</td></tr>
<tr><td>10 IMENYEKANISHA RY'UBIKORA, UWOHEREZA HANZE, UGEMURA.

Njye ……

Abashyizeho umukono, batangaza ko ibisobanuro byavuzwe haruguru ko ari byo, kandi ko ibicuruzwa byose bikorerwa mu (gihugu) cya ……. ……

Aho bahererey e ……..

Italiki……

Umukono w'umenyekanisha</td><td colspan="4">11. ICYEMEZO CY'INKOMOKO

Byemejwe ko ibicuruzwa byavuzwe haruguru bikomoka ……

Amazina …….

Umukono w'ubuyobozi bubifitiye ububasha ……

Italiki ……

IKIMENYETSO/ KASHE</td></tr>
</table>

AMABWIRIZA YO KUZUZA ICYEMEZO CY'INKOMOKO

1. Uwohereza ibicuruzwa hanze agomba kwinjiza ku mpapuro z'icyemezo cy'inkomoko amakuru yose asabwa mu masanduku 1 kugeza 10 yo ku ifishi, usibye agasanduku 4; ikaba igenewe gukoreshwa ku mugaragaro
2. Uru rupapuro rw'imwirondoro rushobora gutegurwa mu buryo ubwo aribwo bwose ibyanditswemo ntibisibwa kandi bigomba kumvikana. Ntabwo gusiba cyangwa kongeraho byemewe ku rupapuro, kandi impinduka zose zigomba gukorwa mu gusiba ibyanditswe nabi hanyuma nyuma yo gukora cyangwa gushiramo ibyongeweho byose. Ihinduka iryo ariryo ryose rigomba gutangizwa n'umuntu wujuje urupapuro kandi akemezwa n'ubuyobozi cyangwa urwego rwagenewe gutanga icyemezo.
3. Umwanya uwo ariwo wose udakoreshwa ku rupapuro ugomba gukurwaho mu buryo bwo gukumira ibyakurikiyeho.
4. Mu gasanduku ka 7 kayobora "ikirango cy'inkomoko" igipimo cyujuje ibyangombwa bisabwa hakurikijwe itegeko rya 4 igika cya 1 cy'amategeko agenga inkomoko ya Umuryango w'Afurika y'Iburasirazuba agomba kwinjizwa. Kubw'iyi ntego, inyuguti zikurikira zigomba gukoreshwa kuri buri kintu cyinjiye mu buryo, nk'uko bikwiye viz: - "P" kubicuruzwa byakozwe byose; "M" kubicuruzwa bikubiyemo ibipimo ngenderwaho bikoreshwa "C" kubicuruzwa aho gahunda y'ihuzwa ry'imibare 4 imitwe cyangwa gahunda y'ihuzwa ry'imibare 6 yo munsi yibicuruzwa byakozwe itandukana n'imubare wa 4 w'imibare yahujwe cyangwa 6- Imibare-Umutwe ukurikije ibikoresho byakoreshejwe "S" kubicuruzwa aho imirimo yihariye cyangwa itunganyirizwa.
5. Imenyekanisha ryatumijwe mu mahanga rigomba gutangwa ku gasanduku ka 10 k'ifishi rigomba kuba rifite umwanya watanzwe, ako kanya rikurikira amagambo "yakorewe" mu gihugu ibicuruzwa byakorewemo.
6. Mbere yo gushyira umukono ku imenyekanisha ku gice cya 11 (igice cyangwa agasanduku) k'ifishi, umukozi wohereza ibicuruzwa mu mahanga / ibyohereza mu mahanga agomba kwemeza ko ibisobanuro byose byinjiye mu ifishi ari byo. Agomba kuba yiteguye gutanga ibimenyetso by'inyongera, bishobora gusabwa n'ubuyobozi bubishinzwe hagamijwe gutanga icyemezo, gitangwa mu gasanduku ka 11 k'urupapuro.
7. Mu gihe ibicuruzwa byoherezwa mu mahanga bifite uburenganzira bwo guhitamo uzashyira umukono ku imenyekanisha mu izina rye, hifujwe cyane ko umuntu ubyemerewe kuba umukozi w'ikigo cyohereza ibicuruzwa hanze. Itangazo ryashyizweho umukono no kohereza cyangwa kohereza abakozi n'ibindi bisa ntabwo byemewe.
8. Impapuro zerekana inkomoko zigomba kuzuzwa inshuro eshatu kugirango zerekanwe mu buyobozi bubyemeza.
9. Kashe y'inzego zibishinzwe zigomba kugira ibintu bituma umutekano wazo wizewe n'Umuryango w'Afurika y'Iburasirazuba
10. Hatirengagijwe ibivugwa mu ngingo ya 19 kandi hakurikijwe ingingo ya 18, icyemezo cyose kigomba guherekeza ibicuruzwa buri gihe.

ICYITONDERWA: Umuntu wese utanga nkana cyangwa usaba guhabwa inyandiko ibeshya mu bikoresho byose cyane cyane hagamijwe kubona icyemezo cy'inkomoko cyangwa mugihe cyo kugenzura nyuma y'icyemezo, icyaha nikimuhama azahanishwa ibihano.

ICYEMEZO CY'INKOMOKO CY'UMURYANGO W'AFURIKA Y'IBURASIRAZUBA
(Ku bicuruzwa bifite agaciro katarenze US $ 2000)

<table>
<tr><td>1.Uwohereza ibicuruzwa(Izina& aho ibiro bye biherereye)</td><td colspan="2">Nimero y'uruhererekane……..hagendewe kuri n°……

UMURYANGO W'AFURIKA Y'IBURASIRAZUBA</td></tr>
<tr><td>2.Utumiza (Izina& aho ibiro bye biherereye)</td><td colspan="2">5. Igihugu aturukamo</td></tr>
<tr><td>4. Ibisobanuro ku bicuruzwa</td><td>6. Nimero y'umuzigo n'ubwoko bwawo</td><td>7. Agaciro k'umuzigo</td></tr>
<tr><td>8. Imenyekanisha ry'uwohereza

Njyewe
…….
Nshyizeho umukono
Menyekanisha ko ibicuruzwa byasobanuwe haruguru byakorewe mu gihugu cya……. hakurikijwe amategeko n'amabwiriza y'inkomoko y'Umuryango w'Afurika y'Iburasirazuba.

Umukono…….

Aho biherereye…….

KASHE yemewe n'amategeko…….</td><td colspan="2">8) Icyemezo cya Gasutamo

Njyewe, ndemeza, imenyekanisha ryohereza ibicuruzwa hanze kandi nemeza ko ibicuruzwa byujuje ibisabwa n'amategeko y'Afurika y'Iburasirazuba.

Umukono…….

Aho biherereye…….

KASHE yemewe n'amategeko…….</td></tr>
</table>

GAHUNDA YA GATATU

Itegeko 17(4)

Imenyekanisha rikozwe n'ukora cyangwa ugemura ibicuruzwa

A.Ugemura/ukora, imenyekanisha ku miterere y'ibicuruzwa bifite inkomoko

Njyewe, nemeje, menyekanisha ku bicuruzwa biri kuri iyi fagitire .....
([1]) byakozwe muri .....

([2]) Kandi byujuje amategeko y'inkomoko agenga ubucuruzi bwibanze hagati y'ibihugu by'abafatanyabikorwa by'Afurika y'Iburasirazuba.
cyangwa hagati y'ibihugu by'abafatanyabikorwa by'Afurika y'Iburasirazuba n'umuryango w'ubumwe bw'ibihugu by'Uburayi cyangwa ibihugu bitatu bigize FTA cyangwa FTAs hagati y'ubumwe bw'ibihugu by'Uburayi n'ibindi bihugu/ itsinda ry'ibihugu.

Niyemeje kugeza ku bayobozi ba gasutamo, nibiba ngombwa, ibimenyetso bishyigikira iri menyekanisha…….([3])…….([4])…….……..([5])

Icyitonderwa

Inyandiko yavuzwe haruguru, yujujwe neza mu bisobanuro biri hepfo aha, bigize imenyekanisha ryabatanga. Ibisobanuro ahagana hasi ku ipaji ntibigomba gusubirwamo.

([1])- Niba gusa bimwe mu bicuruzwa byanditswe kuri fagitire bigomba kwerekanwa neza cyangwa gushyirwaho ikimenyetso kandi iki kimenyetso cyanditswe ku nyemezabuguzi ku buryo bukurikira:

".....yanditse kuri iyi fagitire kandi yanditseho.....byakozwe..... "- Niba hakoreshejwe inyandiko itari inyemezabuguzi cyangwa umugereka wa fagitire (reba Itegeko rya 23 (4), izina ry'inyandiko bireba rizaba ryavuzwe aho kuvuga ijambo "inyemezabuguzi"

([2]) Igihugu cy'abafatanyabikorwa by'Afurika y'Iburasirazuba, Ibihugu cyangwa Umuryango w'ubukungu bw'Akarere (RECs) by'Afurika y'Iburasirazuba yagiranye n'ubucuruzi bwisanzuye hamwe n'ibihugu byungukiramo mukubona isoko.
([3]) Ahantu n'itariki

([4]) Izina n'icyo ukora muri sosiyete

([5]) Umukono

B.Ugemura/Ukora akora imenyekanisha ku bicuruzwa bidafite imiterere y'umwimerere

Njye, nemeje, menyekanisha ko ibicuruzwa biri kuri iyi fagitire.....([1]) Byakorewe muri .....([2]) Kandi byashizwemo ibice cyangwa ibikoresho bikurikira bidafite inkomoko y'Afurika y'Iburasirazuba ya Leta y'Afurika y'Iburasirazuba ku bucuruzi bw'ibanze bw'umuryango:

.....([3]).....([4]) .....([5]) .....([6])

Niyemeje kugeza ku bayobozi ba gasutamo, nibiba ngombwa, ibimenyetso bishyigikira iri menyekanisha.

.....([7]) .....([8]) .....([9])

Icyitonderwa

Inyandiko yavuzwe haruguru, yujujwe neza hakurikijwe ibisobanuro biri hepfo, bigize imenyekanisha ry'abatanga isoko. Ibisobanuro ahagana hasi ku ipaji ntibigomba gusubirwamo.

([1])- Niba gusa bimwe mu bicuruzwa byashyizwe kuri fagitire yabyo bigomba kwerekanwa neza cyangwa gushyirwaho ikimenyetso kandi iki kimenyetso cyanditswe ku imenyekanisha ku buryo bukurikira……. bitondetswe kur'iyi fagitire kandi byashyizweho ikimenyetso …….. .byakozwe……

- Niba hari inyandiko itari inyemezabuguzi cyangwa umugereka wa fagitire (reba Itegeko rya 28 (4), izina ry'inyandiko bireba rizavugwa aho kuba ijambo "inyemezabuguzi"

([2]) Igihugu mfatanyabikorwa by'Afurika y'Iburasirazuba.

([3]) Ibisobanuro bigomba gutangwa mu bibazo byose. Ibisobanuro bigomba kuba bihagije kandi bigomba gusobanurwa bihagije kugirango yemererwe igenwa ry' ibiciro ku bicuruzwa.

([4]) Agaciro ka za gasutamo kagomba gutangwa igihe gakenewe gusa

([5]) Inkomoko y'igihugu igomba gutangwa igihe ikenewe gusa. Inkomoko igomba gutangwa igomba kuba inkomoko yemewe, izindi nkomoko zose zigomba gutangwa nk "igihugu cya gatatu".

([6]) "kandi byakozwe muburyo bukurikira muri Leta y' by'Afurika y'Iburasirazuba…… hazongerwaho hamwe n'ubusobanuro bwakurikijwe niba aya makuru akenewe.

([7]) Ahantu n'itariki

([8]) Izina n'icyo akora muri sosiyete

([9]) Umukono

GAHUNDA YA KANE

Itegeko 20(5)

Imenyekanisha ry ’inkomoko

Imenyekanisha ry’inkomoko, inyandiko yatanzwe hepfo, igomba kuzuzwa n’uwohereza ibicuruzwa mu mahanga:

“Uwohereza ibicuruzwa mu mahanga bikubiye muri iyi nyandiko (Inomero yo kwiyandikisha…… ....) amenyekanisha ko, uretse aho

Bitabaye ibyo byerekanwe neza, ibyo bicuruzwa ni ……..inkomoko idasanzwe

……
(Ahantu n'itariki)
……..
(Umukono w’uwohereza ibicuruzwa mu mahanga; wongeyeho izina ryuzuye ry’umuntu wasinye imenyekanisha bigomba kwerekanwa mu myandikire igaragara).

GAHUNDA YA GATANU

Itegeko 24(2)

UMURYANGO W'AFURIKA Y'IBURASIRAZUBA

IFISHI YO KUGARAGAZA INKOMOKO

IGICE CYA A

Umwihariko w'ibicuruzwa hakurikijwe ibimenyetso by'inkomoko bikenewe

i.Inomero y'icyemezo (Kopi igomba kuba iriho)

---

ii. Uburyo byakozwe

_____

iii. Ibikoresho byatumijwe hanze y'igihugu cy'abafatanyabikorwa bikoreshwa mu gukora ibicuruzwa byasobanuwe muri iki cyemezo, agaciro ka gasutamo hamwe n'ibirango bya HS.

_____

_____

_____

iv.Inkomoko y'ibikoresho byo muri Afurika y'iburasirazuba yakoreshejwe mu gukora ibicuruzwa byasobanuwe mu cyemezo, ikurikizwa ry'agaciro ka gasutamo hamwe n'ibirango bya HS.

_____

v. Ibikoresho cyangwa ubundi buryo bw'imbere bwo gupfunyika gupakira imbere bisanzwe bigurishwa hamwe nibicuruzwa kurwego rwo kugurisha cyangwa ibikoresho bikoreshwa mu bikorwa byabo, inkomoko yabyo, agaciro za gasutamo hamwe n'ibirango bya HS.

_____

_____

_____

vi. Umusoro ku bicuruzwa, niba bihari, byishyuwe ku bikoresho byatumijwe hanze y'igihugu cy'abafatanyabikorwa

_____

_____

_____

vii. Ibiciro by'imirimo itaziguye n'ibindi bijyanye n'uruganda

_____

_____

_____

viii. Ibiciro bya mbere uruganda rwari rufite ku bicuruzwa rwakoraga

_____

_____

_____

ix. Igiciro cyo gupakira hanze

_____

_____

_____

x. Inyungu yerekana ibicuruzwa byakozwe

_____

xi. Igiciro cyose cy'ibicuruzwa byakorewe mu gihugu

_____

_____

Imenyekanisha

Njyewe……

(Izina n'umwanya)
……

Aho atuye

……..

Aho abarizwa

……

Menyesheje ko ibisobanuro byavuzwe haruguru ari byo kandi ko byatanzwe mu rwego rwo kumenya ibisabwa n'amategeko agenga inkomoko.

IGICE CYA B.

Icyemezo

Hemejwe, kandi hashingiwe ku igenzura ryakozwe ku imenyekanisha ryatumijwe mu mahanga ari ryo

……
……

Ahantu n'itariki

……

Izina n'umukono

KASHE

GAHUNDA YA GATANDATU

Icyemezo cy'amakuru

<table>
<tr><td>1.Ugemura ibicuruzwa(1)</td><td rowspan="2">Icyemezo cy'amakuru
Gufasha ikibazo cya a

Icyemezo cy'inkomoko

Ku bucuruzi bwifuzwa hagati ya

LETA Z'ABAFATANYABIKORWA B’UMURYANGO W’AFURIKA Y'IBURASIRAZUBA</td></tr>
<tr><td>2.Umukiriya (uwohererejwe) (1)</td></tr>
<tr><td>3.Utunganya (1)</td><td>4.Leta yakorerwagamo cyangwa itunganyirizwamo imirimo</td></tr>
<tr><td>6. Ibiro bya gasutamo y’ibyinjira mu gihugu (1)</td><td rowspan="3">5. Ku byubahiriza amategeko</td></tr>
<tr><td>6. Nyandiko itumiza ibintu mu mahanga (2)

Ifishi.....No.....
.....
Urukurikirane …….
……

Itariki</td></tr>
<tr><td colspan="2">IBICURUZWA BYOHEREJWE KURI LETA Z'ABAFATANYABIKORWA BABISHAKA</td></tr>
<tr><td>8. Ibimenyetso, imibare, ingano n’ubwoko bw’umuzigo</td><td>9.Ibisobanuro by’ibicuruzwa byahujwe hamwe n’uburyo bwo kubishyiraho ibirango by’imitwe/ inomero y’igice cy’umutwe (ikirango cya HS)</td><td>10. Ingano(1)

11. Agaciro(4)</td></tr>
</table>

IBICURUZWA BYATUMIJWE KANDI BYAKORESHEJWE

GUSABA UBUGENZUZI	**IBYAVUYE MU ISUZUMA**
Ubusabe bwo kugenzura kuri za gasutamo zemejwe n' amategeko bifasha ukuri kw'aya makuru y'icyemezo.	Igenzura ryakozwe n'uwemeje gasutamo ku buryo bw'amategeko rigaragaza aya makuru y'icyemezo: a) cyatanzwe n'ibiro bya gasutamo cyerekanye ko amakuru arimo ari ukuri (*) b) ntabwo bihuye n 'ukuri kw'ibisabwa (reba inyandiko zongeweho) (*)
----------	----------
(Ahantu n'itariki)	(Ahantu n'itariki)
Kashe izwi n'ubuyobozi	Kashe izwi n'ubuyobozi
----------	----------
(Umukono wa leta)	(Umukono wa leta)
	(*) Siba aho bidashoboka

IBINDI BYAGENDERWAHO

(1) Izina ry'umuntu ku giti cye cyangwa ubucuruzi n'aho abarizwa hose
(2) Andi makuru
(3) Kg, hl, m3 cyangwa ikindi gipimo.
(4) Igipfunyika kizagenderwaho hakurikijwe ibirimo, nyamara aka gateganyo ntikazasaba gupfunyika ikitari ngombwa mu ngingo igenga ipakira, kandi gifite agaciro karambye uhereye ku mikorere y'icyo gipfunyika.
(5) Agaciro kagomba kwerekanwa hakurikijwe ibiteganywa n'amategeko y' inkomoko.

East African Community
EAC Close
Afrika Mashariki Road
P.O. Box 1096
Arusha, Tanzania
Tel: +255 (0)27 216 2100
Fax: +255 (0)27 216 2190
Email: eac@eachq.org
www.eac.int

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KUMENYESHA

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