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03/08/2021

## Xafiiska Madaxweynaha

Sum: JSL/XM/WM/222-704/072021

Taar: 28/07/2021

## Wareegto Madaxweyne

### Dhaqan-galka Xeerka Liisamada Ganacsiga

**Markaan Arkay:** Qodobka 90aad ee Dastuurka Jamhuuriyadda Somaliland;

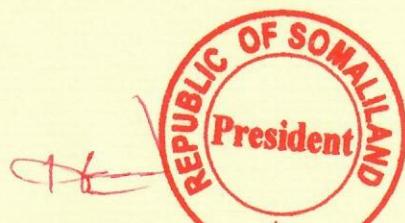
**Markaan Arkay:** Qodobbada 11aad, 75aad, 76aad, 77aad iyo 113aad ee Dastuurka Jamhuuriyadda Somaliland;

**Markaan Arkay:** Go'aanka Golaha Wakiillada Jamhuuriyadda Somaliland, Go'aan Lr. GW/KF-45/891/2021 ee ku taariikheysan 10/07/2021, ee ay ku ansixiyeen Xeerka Liisamada Ganacsiga, Xeer Lr.98/2021;

### Waxaan soo-saaray;

**Dhaqan-galka Xeerka Liisamada Ganacsiga Jamhuuriyadda Somaliland,**  
**Xeer Lr.98/2021.**

Allaa Mahad Leh



Muuse Biixi Cabdi  
Madaxweynaha Jamhuuriyadda Somaliland





**Ujeedo: Go'aanka Ansixinta Xeerka Liisamada Ganacsiga**  
**Somaliland Xeer Lr. 98/2021**

**GOLAHA WAKIILADDU**

**Markuu Arkay:** Qodobka **11<sup>aad</sup>, 12<sup>aad</sup>, 75<sup>aad</sup>, 76<sup>aad</sup> iyo 77<sup>aad</sup> ee**  
Dastuurka Qaranka JSL.

**Markuu Arkay:** Muhiimada ay leedahay in la helo xeer si sharciga waafaqsan u kala xadeeyaa Ganacsiyada kala duwan ee dalka ka jira iyo heerarka kala duwan ee liisamada ganacsigu kala leeyihiin, isla markaana la hirgaliyo hab-raac iyo kala-xadайн ganacsi oo la raaco.

**Markuu Aqoonsaday:** Baahida loo qabo xeer suura galiya mabaadiida Dastuurku u jideeyay xaqijinta xuquuqda cadaalad qaybsiga bulshada ee dhinacyada adeegyada iyo fursadaha dhaqaalah, si loo dhiirigeliyo isla markaana loo soo jiito maalgashiga loona fududeeyo adeegyada ay u baahan yihii shirkadaha.

**Markuu Arkay:** Soo jeedinta Xukuumada ee Qabyo-qoraalka Xeerka Liisamada Ganacsiga oo ay Golaha Wakiilada u soo gudbisay

**Markuu Arkay:**

Go'aanka Ansixinta Xeerka Liisamada Ganacsiga Somaliland **Xeer Lr. 98/2021** ee Golaha Wakiiladu U Gudbiyeen Golaha Guurtida JSL Kuna taariikhsanayd **03/04/2021** kalfadhidhigii **45aad** fadhigiisi **15aad**.

**Markuu Arkay:**

In Golaha Guurtida wax-ka-bedel iyo kaabis ayna ku sameyn kuna ansixiyeen shan iyo afartan **(45)** cod Xeerka Liisamada Ganacsiga Somaliland **Xeer Lr. 98/2021** kuna taariikhaysnaa **28/06/2021**.

## **Wuxuu**

Cod aqlabiyad ah oo laba iyo sodon **(32 cod)** oo gacan taag ah ku Ansixiyay **Xeerka Liisamada Ganacsiga Somaliland Xeer Lr. 98/2021**.

**ALLAA MAHAD LEH**

C/risaaq Siciid Ayaanle

Xoghayaha Guud ee Golaha Wakiilada JS



Baashe Maxamed Faarax  
Guddoomiyahaee Golaha Wakiilada JSL.



**JAMHUURIYADA SOMALILAND**

**GOLAHA WAKILADA**



**XEERKA LIISAMADA GANACSIGA  
SOMALILAND**

**Xeer Lr. 98/2021**



# Jamhuuriyada Somaliland

## GOLAHA WAKIILLADU

- Markuu Arkay:** Qodobka 11<sup>aad</sup>, 12<sup>aad</sup>, 75<sup>aad</sup>, 76<sup>aad</sup> iyo 77<sup>aad</sup> ee Dastuurka Qaranka JSL.
- Markuu Arkay:** Muhiimada ay leedahay in la helo xeer si sharciga waafaqsan u kala xadeeyaa Ganacsiyada kala duwan ee dalka ka jira iyo heerarka kala duwan ee liisamada ganacsigu kala leeyihiin, isla markaana la hirgaliyo habraac iyo kala-xadayn ganacsi oo la raaco.
- Markuu Aqoonsaday:** Baahida loo qabo xeer suura galiya mabaadiida Dastuurku u jideeyay xaqijintaa xuquuqda cadaalad qaybsiga bulshada ee dhinacyada adeegyada iyo fursadaha dhaqaalaha, si loo dhiirigeliyo isla markaana loo soo jiito maalgashiga loona fududeeyo adeegyada ay u baahan yihiin shirkadaha.
- Markuu Arkay:** Soo jeedinta Xukuumada ee Qabyo-qoraalka Xeerka Liisamada Ganacsiga oo ay Golaha Wakiilada u soo gudbisay

## Waxaa uu ansixiyay

**Xeerka Liisamada Ganacsiga Somaliland**  
**Xeer Lr. 98/2021**



## **QAYBTA 1AAD QODOBO GUUD**

**Qodobka 1aad  
Magaca Xeerka**

Xeerkana waxa loogu yeedhayaa **Xeerka Liisamada Ganacsiga Somaliland**,  
**Xeer Lr. 98/2021**

**Qodobka 2aad  
Erey Bixin**

Haddii aan si ka duwan loogu qeelin faqradi, qodob ama cutub ka mid ah xeerkana ama aan si kale nuxurka tuduca ay ku jiraan u tilmaamin, ereyada iyo weedhahan soo socda waxa loo macnaynayaa sidan:

- 1) "Xeerka"** waxa loola jeedaa Xeerka Liisamada Ganacsiga Somaliland;
- 2) "Ganacsade"** waxa loola jeedaa cid kasta oo ku leh meherad ganacsi keli ahaan, shuraako ahaan, iskaashato ahaan, ama shirkad ahaan oo macaash doon ah kana shaqaysta iibinta badeecad ama adeeg ka mid ah hawla shaqo ee ku tilmaaman Xeerkana iyo Xeerka Ganacsiga Guud;
- 3) "Hawl/shaquo ganacsi"** waxa loola jeedaa ka ganacsiga meherad, warshad waxsoosaar, adeeg bixin, badeecad ama maalgalin ganacsi I.W.M;
- 4) "Adeeg"** waxa loola jeeda xeerkana gudihiiisa nooc kasta oo ganacsi adeeg-bixin ah oo looga dan leeyahay in lagu kasbado dakhli aan ahayn mushahar;
- 5) "Wakiil ganacsade** (commercial agent)" waxa loola jeeda shaqsi ama shirkad loo wakiishay inuu u metalo ganacsade mulkiile ah ama shirkad ugana wakiil noqdo meel gaara ama dalka oo dhan ama qayb ka mida awoodihiiisa fulinta hawlo ganacsi iyo/ama gelidda heshiisyada khuseeya ganacsiga loo wakiishay;
- 6) "Shirkad"** waxa loola jeedaa shirkad lagu aasaasey ama loo diiwaangaliyay si waafaqsan Xeerka Shirkadaha Somaliland ee Xeer Lr. 80/2018;
- 7) "Shuraako** (partnership)" waxa loola jeeda ganacsi ay ku bahoobeen laba ganacsade ama in ka badan loona aasaasey si waafaqsan Xeerka Ganacsiga Guud ee Somaliland;



- 8) “**Ganacsi hal-mulkiile ah** (Sole proprietorship)” waxa loola jeedaa ganacsi uu leeyahay hal qof oo dabiici ah (natural person) isla markaana aan ahayn shirkad shakhsiyad jiritaan qaunuuni ah leh;
- 9) “**Mihnad Cayiman**” waxa loola jeedaa xirfadlayda sida bahda caafimaadka, dawo-yaqaanka (pharmacists); dhakhaatiirta, xirfad yaqaanada muraayadaha indhaha, lataliyeyaasha ganacsiga iyo dhaqaalah; garyaqaanada, hantidhawrada, xisaabiyeasha iyo qof kasta oo kale oo ku shaqaysta xirfad aan sharciyaysnayn qofna loo ogoleyn in uu ku shaqaysto ilaa uu ruqsad ka haysto hay’ad awood u leh mooyee;
- 10) “**Ruqsad**” waxa loola jeedaa warqad ogolaansho hawl-qabad oo ay bixisay hay’ad ama wasaarad awood u lehi si waafaqsan xeerkan iyo xeerarka kale ee ay khusayso iyadoo loo siiyay si uu u dalbado liisanka ganacsi ee khuseeya shaqadaas;
- 11) “**Liisan ganacsi**” waxa loola jeedaa liisan ama shati loo bixiyay ama loo cusboonaysiiyay si waafaqsan Xeerkan;
- 12) “**Liisan ganacsi dhaqangal ah**” waxa loola jeeda liisan ganacsi loo bixiyay si waafaqsan xeerkan oo aysan ka dhicin mudada dhaqangalnimada liisanka ganacsi ee ku cad Qodobka 11aad ee Xeerkan ama aan lagala noqon si waafaqsan Xeerkan iyo xeerarka kale;
- 13) “**Soodajiye**” waxa loola jeedaa ganacsade liisan ganacsi u haysta inuu badeecad ama adeeg kasoo dhoofiyo dal dibadeed oo uu keeno Somaliland;
- 14) “**Dhoofiye**” waxa loola jeedaa ganacsade liisan ganacsi u haysta in uu ka dhoofiyo Somaliland badeecado, xoolo ama adeeg una dhoofiyo dalka dibadiisa;
- 15) “**Jumladle**” waxa loola jeedaa ganacsade u haysta liisan ganacsi in badeecadaha uu ka soo iibsado soodajiye ama wax-soosaare warshadeed uuna jumlad ahaan kaga sii iibyo ganacsade tafaariiqle ah, haydaha dawladda, hay’adaha aan dawliga ahayn ama iskaashatooyin;
- 16) “**Tafaariiqle**” waxa loola jeedaa ganacsadaha haysta liisan tafaariiqayn ee wax ka soo iibsada ganacsadaha jumladlaha ah kuna sii iibya xaddiga ugu yar ee laga isticmaalo badeecaddaas;
- 17) “**Kormeere**” waxa loola jeedaa masuulka ay hay’adda liisan bixintu u xilsaartey ama u magacawdey kormeerridda, kor-joogteynta iyo hubinta in hawlaha ganacsigu waafaqsan yihiin Xeerkan iyo xeerarka kale ee dalka JSL;



- 18) “**Hay’adda liisan bixinta**” waxa loola jeedaa wasaaradda u xilsaaran ganacsiga iyo dawladaha hoose oo leh awoodda bixinta liisamada ganacsiga sida ku tilmaaman qodobka 5aad ee xeerkan;
- 19) “**Hay’adda ruqsad bixinta**” waxa loola jeedaa hay’ad dawladeed oo uu sharci gaar ahi awood u siiyay bixinta ruqsad khuseysa nooc ganacsi oo uu sharcigu waajib kaga dhigayo ganacsadeha in uu ruqsad u haysto ka hor inta aanu dalban ama aanu qaadan liisanka ganacsi ee ku waajibay;
- 20) “**Golayaasha Deegaanka**” waxa loola jeedaa goleyaasha heer degmo ee lagu dhisay si waafaqsan Dastuurka iyo Xeerka Goboladda iyo Degmooyinka Somaliland, Xeer Lr. 23/2019;
- 21) “**Wasaaradda**” waxa loola jeedaa wasaaradda u xilsaaran ganacsiga;
- 22) “**Wasiir**” waxa loola jeedaa wasiirka wasaaradda u xilsaaran ganacsiga;
- 23) “**Qof ama cid**” waxa loola jeedda qof bani aadam ah ama qof shakhsiyad qaanuuni ah leh;
- 24) “**Iskaashato**” waxa loola jeedaa iskutag ama isbaahaysi ganacsato wadaagta hawl ganacsi oo isku mid ah ama xidhiidh leh oo ku dhisan xeer loona diiwaangaliyay si waafaqsan Xeerka Shirkadaha Somaliland (Xeer Lr. 80/2018) iyo xeerarka kale ee dalka JSL.
- 25) “**Waxsoosaare Warshadeed**” waxa loola jeedaa ganacsade kasta oo ka ganacsada:
- a) waxsoosaar ay soo saartay warshad ku shaqaysa mashiino ama gacan; ama
  - b) hagaajinta, laxaamadinta, cusboonaysiinta alaabooyinka; ama isugaynta qaybo kala duwan oo waxsoosaar warshadeed ah soona saara wax-soo saar cusub;
- 26) “**Goobta ganacsi/ga**” waxa loola jeedaa tilmaanta meesha ama goobta ay ku taalo xarunta ama meheradda ganacsi sida tilmaanta xaaafadda, waaxda, degmada iyo gobolka;
- 27) “**Waraaqaha Aqoonsiga**” waxa loola jeedaa kaadhka dhalashada ee ay soo saaraan wasaaradda arrimaha gudaha iyo dawladaha hoose;
- 28) “**Wakaalad ansax ah**” waxa loola jeedaa wakaalad sharci ah oo ka soo baxday xafiis nootaayo sharci oo ku taal dalka gudihiisa ama dibadiisa lagana soo ansixiyay sharcinimadeeda maxkamada awooda u leh.



**Qodobka 3aad  
Ujeeddada Xeerka**

Ujeedooyinka Xeerkan waa:-

1. In la dajiyu nidaam cad oo ku dhisan hufnaan iyo daahfurnaan oo loo raaco bixinta liisamada ganacsiga isla markaana ah nidaam si fudud u gaadha ama ay u heli karto cid kasta oo ganacsato ahi ama danaynaysa **in ay ka qayb qaadato ganacsiga Somaliland.**
2. In la xoojiyo korna loo qaado kalsoonida ay ganacsatada iyo maalgashadeyaashu ku qabaan hay'adaha dawliga ah iyo nidaamyada sharci ee khuseeya ganaciga Somaliland;
3. In la qeexo waajibaadyada iyo masuuliyadaha hay'adaha dawladeed ee u xilsaaran bixinta liisamadaga ganacsiga.

**Qodobka 4aad  
Xadka Dabaqidda Xeerkan**

- 1) Xeerkan waxa lagu dabaqayaa dhammaan liisamada ganacsiga ee kala ah:
  - a) Liisamada ganacsiga baayacmushtarka (merchandising business licensing) ee dhoofinta, soodejinta ama dhoofinta iyo soodejinta, ganacsiga jumladlaha ah iyo ganacsiga tafaariiqlaha ah;
  - b) Liisamada ganacsiga waxsoosaarka warshadaha (manufacturing business licensing); iyo
  - c) Liisamada ganacsiga adeegyada (service business licensing).
- d) **Nidaamka Bixinta Liisamada Ganacsiga casriga ah oo ay wasaaradu ka hirgalin doonto Gobolada Dalka oo dhan (Electronic Business Licensing and Registration System” OSS”).**
- 2) Liisamada ku xusan faqradda 1aad ee qodobkan laguma dabaqayo ka ganacsiga:
  - A) Beerafalashada, dhaqidda xoolaha ama dhir beeridda aan ujeedo ganacsi laga lahayn ee loo sameeyo si loogu noolaado.

**QAYBTA 2AAD:  
LIISAMADA GANACSIGA  
Qodobka 5aad  
Awooda Bixinta Liisamada Ganacsiga**



- 1) Liisamada ganacsiga baayacmushtarka (**merchandising business license**) ee soodejinta ama dhoofinta ama labadaba, iyo liisanka ganacsiga jumladlaha ah (wholesaler) waxa bixinaysa Wasaaradda.
- 2) Liisamada ganacsiga wax-soosaarka warshadaha (**manufacturing business license**) iyo liisamada ganacsiga adeegyada (**service business license**) ee shirkadaha ganacsiga (companies), kuwa shuraakada ah (partnerships) iyo iskaashatooyinka ganacsiga (cooperatives) kuwaasi oo leh jiritaan qaunuuni ah (body corporate), isla markaana loo aasasay loona diiwaangaliyay si waafaqsan Xeerka Shirkadaha Somaliland Xeer Lr. 80/2018, waxa bixinaysa Wasaarada iyadoo loo raacayo Foomka Codsiga Liisanka sida ku cad Lifaaqa 1aad ee Xeerkan.
- 3) Liisamada ganacsiga ee ku xusan Faqradda 2aad ee Qodobkan, ee la xidhiidha wax-soosaarka warshadaha iyo adeegyada shirkadaha ganacsiga waxay Wasaaraddu bixinaysaa kadib marka ay shirkadahaasi ka helaan ama ka soo qaataan ruqsaddii ogolaanshaha hawlqabad ee wasaaradaha ama hay'adaha ay khusayso si waafaqsan xeerarka khuseeya ee la xidhiidha ogolaanshaha ruqsadahaas.
- 4) Liisamada ganacsiga baayacmushtarka (**merchandising business license**) ee ganacsatada Tafariiqlaha ah (**Retail Trader**) ee aan ahayn kuwa ku xusan faqradda 1aad ee qodobkan waxa bixinaya Dawladaha Hoose.
- 5) Liisamada ganacsiga hal-mulkiilaha ah (sole proprietership) ee aan ahayn kuwa ku xusan faqradda 2aad ee qodobkan, ee ay leeyihii ganacsatada muwaadiniinta ama ajaanibka ah ee ganacsigoodu la xidhiidho xirfadaha iyo adeegyada ku taxan Lifaaqa 2aad (B) waxa bixinaya Dawladaha Hoose.

### **Qodobka 6aad**

#### **Ogolaanshaha iyo ku Shaqaysiga Liisamada Ganacsiga**

- 1) Ganacsadena dalka Jamhuuriyadda Somaliland kama qaban karo hawlo ganacsi haddii aanu u haysan liisan ganacsi dhaqangal ah oo loo siiyay si waafaqsan Qodobka 5aad ee xeerkana.
- 2) Ganacsadena laba ganacsi ama in ka badan oo kala duwan kuma wada yeelan karo isla hal goob ganacsi, hadii uuna ganacsi kasta gaarkii ugu haysan liisanka ganacsi ee khuseeya.
- 3) Ganacsadaha haysta liisan ganacsi oo dhaqangal ah, ee soo dejinta ama/ iyo dhoofinta ama liisanka ganacsiga wax-soosaarka warshadaha ama liisamada ganacsiga adeegyada ee ay bixiso wasaaraddu, waxa uu



laamo ganacsi oo kale dalka gudihiiisa ku furan karaa liisankaasi uu haysto.

- 4) Ganacsadaha liisan ganacsi u haysta soo-dajiyeye waxa loo ogol yahay in uu goobta ama xarunta ganacsigiisa uu badeecadda uu soo dajiyay **jumlad** ahaan ugaga sii iibyo ganacsadeyaasha haysta liisan jumladle isagoon laga dooneynin in uu qaato ama haysto liisan **jumladle** ah.
- 5) Ganacsadaha liisan ganacsi u haysta soo-dajiyeye waxa loo ogol yahay in uu goobta ama xarunta ganacsigiisa uu badeecadda uu soo dajiyay jumlad ahaan ugaga sii iibyo ganacsadeyaasha haysta liisan jumladle ama tafaariiqle ah isagoon laga dooneynin in uu qaato ama haysto liisan jumladle ah.
- 6) Ganacsatada ku xusan Faqraddaha 4aad iyo 5aad ee Qodobkan, hadii ay tafaariiq ku iibyaan waxsoosaarkooda ama badeecadaha ay soo dejiyaan, waxa ku waajiba inay qaataan liisanka tafaariiqda ee ay dawladaha hoose bixiyaaan.

## **QAYBTA 3AAD HAB-RAACA BIXINTA LIISAMADA GANACSIGA**

### **Qodobka 7aad: Codsiyada Liisamada Ganacsiga**

- 1) Ganacsade kasta oo doonaya in uu qaato liisamada ganacsiga baayacmushtarka ee soo dajinta ama/ayo dhooofinta ama liisanka ganacsiga jumladlaha ama liisanka shirkadaha ganacsiga wax-soosaarka warshadaha (**manufacturing business license**) ama liisamada shirkadaha ganacsiga adeegyada (**service business license**) ee ay Wasaaraddu bixiso waxa uu codisigiisa u soo gudbinayaaa Wasaaradda isagoo ku soo **muujinaya foomka** Codsiga Liisanka ganacsi ee uu dalbanayo.
- 2) Haddii codsadaha liisamada ganacsiga ee ku xusan Faqradda 1aad ee Qodobkani uu yahay ganacsade soodajiyeye ama/ayo dhooofiye, ama jumladle, ama warshadle, ama adeeg bixiye ah shirkad ganacsi, ama shuraako ama iskaashato, waxa uu foomka codsiga liisanka ganacsi ku soo lifaaqayaa faah-faahintan:
  - a) Magaca iyo ciwaanka codsadaha.
  - b) Magacyada iyo aqoonsiga saamilayaasha iyo maamulayaasha shirkadda oo ay la socdaan laba sawir oo kur ah oo uu leeyahay saamiile kasta ama maamule kasta.
  - c) Nuqlu shahaadada diiwaangalinta shirkadda ah.



- d) Nuqul ka mid ah xeer-hoosaadka iyo qoraalka aasaaska shirkadda oo ka soo baxday xafiis nootaayo sharci
- e) Hadii codsiga uu soo gudbiyay wakiil, wakaalad ay soo ansixiyeen mulkiileyaasha shirkadda ama Guddoomiyaha shirkaddu ugu wakiishay iyo waraaqaha aqoonsiga wakiilka oo ay la socdaan labo sawir oo kur ah.
- f) Faah-faahinta nooca ganacsi ee liisanka ay u codsanayaan.
3. Hadii codsadahu yahay shirkad (company) ama shuraako (partnership), ajaanib ah:
- a) Magaca ciwaanka iyo dalka uu codsadaha ka soo jeedo oo dhamaystiran
  - b) Faah-faahinta nooca ganacsi ee liisanka ay shirkadu ama shuraakadu codsanayso
  - c) Nuqulka rasmiga ah ee Shahaadada caddeynaysa jiritaankooda shirkad ahaaneed oo ka soo baxdey xafiiska u qaabilسان wadanka ay sharicigiisa haysato
  - d) **Nuqulo ansax ah oo khuseeya xeer-hoosaadka shirkada ee loo yaqaan [Memorandum iyo Article of Association] oo uu ku saxeexan yahay garyaqaan, xafiis nootaayo sharci ah.**
  - e) Magacyada iyo faahfaahinta xubnaha hoggaanka shirkadda ama shuraakada iyo cida uga wakiilka ah codsadaha Somaliland, iyo laba sawir oo kur ah oo xubnahaasi leeyihiin;
  - f) Qoraal cadaynaya Qorshaha Ganacsi ee uu u dejiyay maalgalinta ganacsiga iyo maaliyada uu ugu talo galay
  - g) Cadayn inuu u hayo fulinayana maalgalinta ganacsi oo ka soo baxday bangi calami ah ama mid maxali ah ama waa in uu haysto qoraal cadayn ah cida ku maalgalinaysa fulinta hawshan ganacsi
  - h) Warqad cadanaysa in aanay shirkada iyo shaqsyaadka ka masuulka ahiba wax dambiya ka soo galin dalkii ama dalalkii ay ka hawlgalaysay ugu yaraan 6dii bilood ee ugu dambaysay.
  - i) Warqad caddeynaysa ogalaanshaha xafiis wakaaladeed Shirkadda ah in laga furo Somaliland.
  - j) Warqad cadaynaysa in qofka ajnabiga ah ogolaansho dal ku gal ama degenaansho loo siiyay si waafaqsan Xeerka Socdaalka ee Jamhuuriyadda Somaliland.
  - k) Go'aan saamiilayda shirkaddu ama mulkiileyaasha shuraakadu ku ogolaanayaan codsashada liisanka ganacsi;



- 1) Shahaadada diwaangalinta ganacsi, si waafaqsan Xeerka Shikadaha Somaliland Xeer Lr. 80-2018 oo caddeynyeysa in shirkadu/codsaduhu ka diiwaan gashan yahay Somaliland;
4. Ka sokow shuruudaha ku xusan faqrada kore, codsadahu waxa uu soo raacinayaan foomka codsiga ganacsi dhokumentiyadan hoos ku xusan, hadba inta ka khuseysa:
  - a) Shahaado maalgashi ansax ah **oo waafaqsan Xeerka Maalgashiga Somaliland** hadii codsaduha yahay Maalgashade;
  - b) Ruqsadda ogolaanshaha hawlqabadka oo ansax ah, hadii ganacsiga liisanka ganacsi loo codsanayaa yahay ganacsi sharchiyan u baahan in loo haysto ruqsad;

### **Qodobka 8aad Bixinta Liisanka Ganacsiga**

- 1) Wasaaraddu marka ay hesho codsiga liisanka ee loo soo gudbiyo, hubisana in codsigaasi waafaqsan yahay shuruudaha ku xusan Qodobka 7aad iyo Qodobka 10aad ee Xeerkani, waxa ay codsadaha siinaysaa liisanka ganacsi ee uu soo codsadey;
- 2) Liisan kasta oo loo bixiyo si waafaqsan Qodobkan waa in uu si cad u qeexayaa nooca ganacsi ee baayacmushtarka ama nooca ganacsi ee waxsoosaarka warshada ama nooca ganacsiga adeegyada ee liisanka loo bixiyay.
- 3) Haddii Wasaaraddu **u cadaato in aanu codsigu** buuxin shuruudihii looga baahnaa, waxay codsadaha ku wargalinaysaa in loo diidey liisanka uu soo codsadey iyadoo siinaysa codsadaha qoraal qeexaya sababta loogu diidey.
- 4) Codsadaha loo diiday liisanka si waafaqsan Faqrada 3aad ee Qodobkan waxa uu xaq u leeyahay inuu cabasho ka gudbiyo sida uu dhigayo qodobka 20aad ee Xeerkani.

### **Qodobka 9aad Cidda aan Xaqa u Lahayn Qaadashada Liisan Ganacsi**

- 1) Wasaaraddu waa in ayna siin liisan ganacsi:
  - a) Hadii codsadaha da'diisu ka yartahay shan iyo tobant (15) jir ama aanu ahayn dhaxlaha hantida ganacsi haba ahaado mid ka yar da'daase.



- b) Hadii codsaduhu aanu haysan ruqsadda ogolaanshaha ganacsiga uu liisanka u dalbanayo marka liisanka la codsanayaa khuseeyo nooc ganacsi ay waajib sharchiya tahay in loo haysto ruqsad.
- c) Haddii codsadaha si waafaqsan xeerkan ama xeerarka dalka ay maxkamad ama hay'ad dawladeed oo cuskanaysa xeer dhaqangal ah uga mamnuucdo ganacsiga nooc ama dhammaan baayacmushtarka, waxsoosaar warshadeed ama bixinta adeega ganacsi, inta ay ka dhammaanayso muddada laga mamnuucay.
- d) Haddii liisan ganacsi oo uu hore u haysatay lala noqday ama dambi lagu helay sida xeerkan ama xeerar kale oo dhaqan gal ihi tilmaameen.
- e) Haddii codsaduhu yahay shirkad kacday (musalaftay) ayna amartay maxkamadda awoodda u leh in shirkadaas albaabada loo xidhay oo ay laalaabatay;
- f) Marka codsaduhu yahay ajaanib, hadii uuna buuxin shuruudaha ku xusan Qodobka 7aad Faqradiisa 3aad ee xeerkan

### **Qodobka 10aad**

#### **Ujuurooyinka Liisamada Ganacsiga**

- 1) Wasiirku isagoo la tashanaysa Wasiirka Wasaaradda u qaabilسان arrimaha maaliyadda ee JSL waxa uu soo saaraya takaaliifta ujuurooyinka kala ah:
  - a) Ujuurada codsiyada liisamada ganacsiga.
  - b) Ujuurada sanadlaha ah ee cusboonaysiinta liisamada ganacsiga.
  - c) Ujuurada wareejinta liisanka
  - d) Ujuurada bedelaada liisamada lumay.
- 2) Takaaliifta ujuurada ganacsi ee ku xusan Faqradda 1aad ee Qodobkan waa in lagu saleeyo darajooyinka kala duwan ee liisamada ganacsiga.
- 3) Takaaliifta ujuurada ganacsi ee loo soosaaro si waafaqsan Faqradda 1aad ee Qodobkan waxa la raacin karaa qorshaha miisaaniyada sannadlaha ah ee Golaha Xukuumadu u soo gudbiso Golaha Wakiilada si loo ansixiyo.



- 4) Takaaliifta ujuurooyinka liisamada ganacsi ee ay bixiyaan degmooyinku waxa awood u leh gudida fulinta ee degmada, waxase shardi ah in laga ansixiyo Golayaasha Degaanka si waafaqsan Xeerka Ismaamulka Gobolada iyo Degmooyinka iyo xeerarka kale ee khuseeya.

### **Qodobka 11aad**

#### **Mudadda Dhaqan-Galnimada Liisanka Ganacsi**

1. Liisan kasta oo ganacsi oo ay u bixisay Wasaaraddu si waafaqsan qdobada xeerkan waxa uu dhaqangal ahaanayaa mudo hal sano ah oo ka bilaabmaysa taariikhda la bixiyey liisanka
2. Faqradda 1aad ee Qodobkan la dabaqi maayo hadii Wasaaradda ay u caddaato in ganacsda liisanka ganacsi loo siiyay si waafaqsan xeerkani uu ku xadgudbay waajibaadyada ay dhigayaan Qodobada 6aad iyo 21aad ee Xeerkan.
3. Noocyada liisamada ganacsi ee ku kala jira Lifaaqa 2aad (A) iyo (B), wasiirku waxa uu wareegto ku soo saari karaa noocyada ganacsi ee aan ku jirin liiska hadii loo arko lagama maarmaan

### **Qodobka 12aad**

#### **Cusboonaysiinta Liisanka**

1. Liisamada ganacsiga ee ay bixiso Wasaaradu waa in la cusboonaysiyo sida ku cad Qodobka 11aad Faqradiisa 1aad ee Xeerkan.
2. Codsadaha cusboonaysiinta liisanka ganacsigu waxa uu Wasaaradda u soo gudbinayaa codsiga cusboonaysiinta liisanka ganacsi iyo nuql ka mid ah liisankii ganacsi ee uu hore u haystay si loogu cusboonaysiyo
3. Ganacsadaha aan ku cusboonaysiisan liisankiisa ganacsi mudadda ku xusan Qodobka 11aad ee xeerkan, waxaa laga qaadayaa tallaaboooyinkan hoos ku xusan:
  - a. Ujuuradda cusboonaysiinta liisanka ganacsi iyo ganaax lacageed oo u **dhigma boqolkiiba toban (10%)** qadarka ujuurada cusboonaysiinta liisanka hadii uu soo codsado **hal bil** ka dib taariikhda uu ka dhacay; ama
  - b. Ujuuradda cusboonaysiinta liisanka ganacsi iyo ganaax lacageed oo u **dhigma boqolkiiba shan iyo labaatan (25%)** qadarka ujuurada cusboonaysiinta liisanka hadii uu soo codsado **laba** bilood kadib taariikhda dhaqanganimada liisankaasi.
4. Haddii ganacsaduhu ku cusboonaysiisan waayo liisankiisa mudada ku xusan Faqradda 3aad ee Qodobkan, Wasaaradu waxay **hakinaysaa mudo sadex bilood**



ah, ka dibna hadii uu ku cusboonaysiisan waayo waa la laalayaa liisankaasi ganacsi iyadoo meheradaas ganacsi laga xidhayo;

5. Haddii uu ganacsadahaasi doono in uu helo liisanka looga laalay si waafaqsan Faqradda 4aad ee Qodokan, waxa uu karaa in **Lix bilood** kadib dhammaadka muddada ku xusan Faqradda 3aad ee Qodobkan uu u dalbado liisankaasi si cusub isaga oo bixinaya ajuurada liisanka cusub iyo ganaax lacageed oo u dhigma kala badh ajuurada codsiga liisanka cusub.

### **Qodobka 13aad**

#### **Xaqa uu yeelanayo Cidda Liisan Ganacsi la Siiyo**

1. Qofka la siiyo liisan ganacsi loo bixiyay si waafqsan Xeerkhan waxa uu xaq u leeyahay:-
- a) In uu ku ganacsado meheradda ama hawsha ganacsi ee loo siiyay kuna cad liisanka, uguna shaqaysto si waafaqsan Xeerkhan;
  - b) In uu laamo kale oo ganacsi uu isla liisankaas uu haysto ugu furto goobo kale isagoon lagu qasbin ama laga dooneynin in uu u qaato liisamo ganacsi oo dheeri ah;
  - c) In xogta uu u baahdo uu ka helo Diiwaanka Ganacsiga, iyo hawl-wadeenada Wasaaradda; iyo
  - d) In uu wax ka bedalo liisankiisa si waafaqsan Xeerkhan.
2. Liisan kasta oo loo bixiyo si waafaqsan xeerkani uma xaqsiiin doono qofna in uu ka ganacsado meherad ama hawl ganacsi uu xeer kale mamnuucay in laga ganacsado; kamana reebi doonto ama kama dhaafi doonto qofka la siiyay fulinta shuruud ama dhawrista xaddidaad ama waajibaad kale oo uu saarayo ama uu ku waajibinayo xeer kale oo khuseeya ganacsiga uu liisanka u haysto.

### **Qodobka 14aad**

#### **Waajibaadyada Cidda Liisan Ganacsi la Siiyo**

1. Ganacsadeha liisan ganacsi la siiyo waxa ku waajib ah in:
- a) Aanu hawlaha meheradaha ganacsi ee uu liisamo kala gaar ah u haysto isugu keenin hal goob ganacsi, marka meel isugu keenidda ganacsiyadaasi khatar galin karayaan caafimaadka ama/ iyo amniga dadweynaha, ama dhalin karto lunsi ama waxyeelo hantiyeed;
  - b) Uu liisanka sudho ama ku dhajiyo meel goobta gancsigiisa ah oo uu si fiican uga muuqan karo loogana arki karo;



- c) Uu tuso ama uu soo celiyo liisanka ganacsi marka ay sidaasi ka dalbadaan koormeereyaasha ama saraakiisha wasaaradu;
- d) Uusan liisanka u dhiibin ama ka kireyn cid kale oo ku faa'iideysata ama ku ganacsata;
- e) Uusan isticmaalin liisanka ganacsi hadii uu jiro amar maxkamdeed oo saaran ganacsiga; iyo
- f) Uu ilaaliyo dhammaan waajibaadyada ka saaran ilaalinta tayada iyo minqiyasyada kale ee khuseeya ganacsiga uu liisanka u haysto;

### **Qodobka 15aad Wareejinta Liisanka Ganacsi**

- 1. Qof kasta oo la siiyo liisan ganacsi wuxuu xaq u leeyahay inuu liisankiisa cid kale ugu wareejiyo qaab iib ah ama siin ah ama dhaxaltooyo ah ama qaab kale oo lamida;
- 2. Wareejinta liisanka ganacsi ee ku xusan Faqradda 1aad ee Qodobkani, waxay suurto galaysaa:
  - a) Marka uu ganacsaduhu ku baahiyio muddo hal bil ah faahfaahinta wareejintaasi warbaahinta dalka, la waayo cid ka hortimaad wareejintaas ama aysan jirin amar hakin (suspension order) ah oo ay Wasaaraddu saartey;
  - b) Marka ganacsadaha wareejinaya liisanku ka keeno Xafiiska Cashuuraha Beriga caddeyn muujinaysa in aan wax cashuur ah liisankaasi lagu lahayn;
  - c) Marka uu caddayn qoraal ah oo ka soo baxday xafiis Nootaayo oo **sharchiya ah** oo uu ganacsaduhu ku cadaynayo wareejinta ganacsiga.
  - d) Marka uu caddayn qoraal ah oo ka soobaxday xafiis Nootaayo oo uu ganacsaduhu ku cadaynayo wareejinta ganacsiga;
- 3. Wasaaraddu kadib markay hesho codsiga wareejinta liisanka ee ay ku qanacdo in la buuxiyay shuruudaha ku xusan Faqradda 2aad e Qodobkan, waxay amreysaa in ganacsadaha wareejinaya liisanku soo celiyo liisankii hore, kadib soo celinta liisankaas waxay liisan ganacsi cusub siineysaa cidda liisanka lagu wareejiyey.

### **Qodobka 16aad Codsiga Liisan Ganacsi Lumay ama Waxyeeloobey**

- 1. Ganacsadaha uu ka lumo ama waxyeelo ka soo gaadho liisan ganacsi ay Wasaaraddu u siiyay si waafaqsan Xeerkani, waxa uu karaa inuu



Wasaaradda u soo gudbisto codsi qoraal ah oo ay ku lifaaqan yihin waxyaabahan hoos ku xusan:

- a) Liisanka ganacsi ee waxyeeladu gaadhey;
  - b) Hadii liisanka ganacsi lumay, qoraal caddeyn ah oo ka soo baxay saldhigga boolis ee ugu dhaw caddeynaya lumitaanka liisankaasi;
  - c) Laba sawir oo kur ah oo **mulkiiladaha ama** maamulaha **soo** codsaday
  - d) Caddeyn cashuur la'aan oo ka soo baxdey xafiiska cashuuraha bariga; iyo
  - e) Hadii codsiga uu soo gudbiyey wakiil, qoraal wakaaladeed ansaxsan oo mulkiilaha/yaasha ganacsigaasi ku wakiisheen wakiilka, iyo waraaqaha aqoonsiga muwaadinka ama baasaaboorka wakiilka.
2. Wasaaaradu kadib marka ay hubiso in codsigu waafaqsan yahay shuruudaha ku xusan Faqradda 1aad ee Qodobkan, waxay siinaysaa codsadaha liisan ganacsi oo badalaya liisanka ka waxyeeloobey ama ka lumey.
3. Codsaduhu waxa uu bixinayaa **5%** ujuurada liisanka ganacsi ee laga qaado nooca ganacsiga liisanka ka lumey ama ka waxyeeloobey.

#### **QAYBTA 4AAD:**

### **KORMEERKA, XAYIRISTA IYO KALA-NOQOSHADA LIISANKA GANACSI**

#### **Qodobka 17aad**

#### **Kormeerka**

1. Wasiirku waxa uu magacaabayaa hawladeeno **wasaaradda ka tirsan** kormeer hawhoodu tahay kormeerridda hawlaha ganacsiga iyo hubinta in liisamada ganacsi loo **fuliyey si** waafaqsan xeerkan, iyo xeer hoosaadyada iyo awaamiirta ka farcama xeerkan.
2. Saraakiisha Koormeerka ee **kuxusan farqada 1<sup>aad</sup>** waxay awood u leeyihiin in ay galaan goobaha ganacsiga, sameeyaanan baadhitaan si ay u hubiyaan in ganacsaduhu liisan ganacsi haysto iyo in hawsha ganacsigu waafaqsan tahay liisanka loo haysto.
3. Marka ay gudanayaan wajibaadkooda, saraakiisha kormeerkoo waa in ay tusaan aqoonsigooda kormeernimo ganacsadeyaasha ay baadhayaan.
4. Kormeerayaashu waxa kaliya oo ay gali karaan goobaha ganacsi ee ay baadhista ku samynayaan saacadaha iyo maalmaha shaqo oo kaliya.



**Qodobka 18aad**  
**Xayiridda Liisanka Ganacsi**

- 1) Wasaaraddu waxay xayiraad saari kartaa dhaqangalnimada liisan ganacsi marka ay jiraan mid ama ka badan xaaladahan soo socda:
  - a) Haddii ganacsaduhu ku xadgudbo waajibka uu saaray xeerkan, Xeerka Shirkadaha iyo xeerarka kale ee dalka;
  - b) Haddii la ogaado in ganacsaduhu khiyaameeyey ama ka been sheegey codsiga qaadasha ama cusboonaysiinta liisanka uu haysto;
  - c) Haddii ganacsaduhu liisanka u dhiibo cid kale si ay uga faa'iideysato; iyo/ama
  - d) Haddii maxkamadi amarto xayiraada liisanka ganacsi.
- 2) Marka amarka xayiraada ay bixiso wasaaraddu, waa in la siiyo ganacsadaha ogeysiin qoraal ah laguna wargaliyo inuu qaado talaabo sixitaan ah oo uu ku saxayo xadgudubyada uu galay muddo 45 casho ah gudahood. Haddii ganacsaduhu muddada la siiyay ku qaado talaaboojin sixitaan uu ku saxayo xaaladaha amarka hakinta ah dhaliyay, waa laga qaadayaa hakinta liisankiisa ganacsi.

**Qodobka 19aad**

**Kala -Noqoshada Liisanka iyo Mamnuucida Galista Hawl Ganaesi**

- 1) Wasaaraddu waxay kala noqon kartaa liisanka ganacsi ee ay u bixisay si xeerkan waafaqsan ganacsade kasta haddii ay ku cadaato mid ama ka badan arrimahani:
  - a) In uu u isticmaalo liisanka ujeedo ama ganacsi ka baxsan ujeedada ama ganacsiga liisanka loo siiyay;
  - b) In uu ganacsaduhu ku qaadi waayo tallaabo sixitaan lagu saxayo xayiraadda la saaray liisanka si waafaqasan Faqradda 2aad ee Qodobka 18aad ee Xeerkan;
  - c) In ganacsadaha lagala noqdo shahaadada diiwaangalinta ganacsi;
  - d) In uu ganacsaduhu liisankiisa u dhiibo ama ka kireeyo cid kale sifo aan sharci ahayn;
  - e) In uu ganacsaduhu u cusboonaysiisan waayo liisanka si waafqsan Xeerkan; iyo/ama
  - a) In ay maxkamadi ku hesho oo ku xukunto ganacsadeha faldamiyeed lid ku ah Qodobada Xeerkan;
- 2) Wasaaradu waxay ku soo rogi kartaa gancsadaha liisan lagala noqdey si waafaqsan Faqradda 1aad ee Qodobkan amar qoraal oo sababaysan oo ay ganacsadahaasi kaga



hakinayso galida hawl ganacsi ama ka ganacsiga nooc ganacsi muddo u **dhaxaysa (6 billood ilaa 1 hal sannadood)**

3) Qofkasta oo

- Liisanka ganacsi loogala noqdey si waafaqsan Qodobkan ee gala ku shaqaysiga ganacsi uu san u haysan liisan dhaqangal ah; ama
- Kahor inta aysan dhamaan muddada amar loo soo saarey si waafaqsan Qodobkan oo ka mamnuucay in uu galo ganacsi, bilaaba ganacsigaasi laga mamnuucay ama u qaata liisan meheradaasi ganacsi ee laga mamnuucay isagoon ku wargelin Wasaaradda ama ka qariyay jiritaanka mamnuucida saran.

Waxa uu galay faldambiyeed uu ku mutaysan doono ciqaab ganaax lacageed ah oo u dhaxeeya 4,000,000 ilaa 6,000,000 oo Shilinka Soomaalilaand ah hadii uu bixin waayana xabsi u dhaxeeya 1 ilaa 3 sannaddood **oo ay maxkamadi xukuntay**.

**Qodobka 20aad  
Ka Cabashada Go'aamada Maamul**

- Qof kasta oo ku qanci waaya go'aanka Wasaaradda ee la xidhiidha diidmada codsiga liisan ganacsi, xayiraadda liisan ganacsi ama kala noqoshada liisan ganacsi, waxa uu xaq u leeyahay in uu muddo 21 casho gudahood ah oo ka bilaabanta taariikhda lagu wargaliyay amarka uu diidan yahay u qorto Wasiirka Wasaaradda cabasho qoraal ah oo tibaaxaysa amarka ama talaabada maamul ee uu ka cabanayo iyo sababta uuna ugu qanacsanayn go'aanka uu ka cabanayo.
- Wasiirku marka uu helo cabashada ku xusan Faqrada 1aad ee Qodobkan, waxa uu magacaabayaa guddi ka kooban 3 xubnood oo soo darista cabashadaasi tala bixin qoraal ahna uga keenta muddo aan ka badnayn 10 cisho.
- Wasiirku, kadib marka uu helo talo bixinta xubnaha guddiga, isaga oo tixraacaya qodobada xeerkan ama xeer-hoosaad ka farcama qodobada Xeerkan, waxa uu ka soo saarayaa go'aan uu ku ayidayo ama uu ku burinayo go'aankii cabashada laga keenay.
- Hadii wasiirku kaga go'aan gaadhi waayo muddo 7 casho oo maalmo shaqo ah gudahood oo ka bilaabanta marka warbixinta loo soo gudbiyay, ama codsaduhu ku qanci waayo go'aanka wasiirka, codsadaha ay khuseysaa waxa uu xaq u leeyahay in uu cabashadiisa u gudbisto muddo 30 cisho gudohood ah oo ka bilaabanta marka uu helo go'aanka uu ka cabanayo Maxkamadda Sare ee JSL oo awood u leh dhagaysiga cabashooyinka laga keeno go'aanada dhamaadka ah ee hay'adaha xukuumadda.



## **QAYBTA 5AAD** **QODOBO ISKU DHAFAN**

### **Qodobka 21aad**

#### **Faldamibiyeedyada Lidka Ku Ah Liisanka Ganacsiga**

1) Qof kasta oo

- a) Oo furta ama ku shaqaysta ganacsi uuna u haysan liisan ganacsi dhaqan gal ah;
- b) Kaga shaqaysta ama ka furta ganacsi aan ahayn kii loo siiyay liisanka ganacsi;
- c) Aan dhigin ama ku dhajin liisankaasi meel laga arki karo oo meheradiisa ah;
- d) Diida in uu tuso liisanka ganacsi ee uu haysto marka cidda awooda u lehi sidaasi ka dalbato;
- e) Kireeya ama u dhiiba liisankiisa cid kale si ay uga faaiideysato;
- f) Diida in uu soo celiyo liisanka la siiyay marka soo celintaasi liisanka loogu amro si waafaqsan Xeerkan iyo/ama xeerarka kale ee khuseeyya;
- g) Ka been abuura arrin muhiim u ah codsi khuseeyya liisan oo uu soo gudbistey; iyo/ama
- h) Si badheedh ah u fala fal ama uga gaabsado inuu fuliyo fal isagoo ujeedkiisu yahay in uu ka baxsado bixinta ujuurada liisanka ganacsi

Waxa uu galay faldamibiyeed uu ku muteysanayo marka lagu xukumo ganaax lacageed oo dhan 3,000,000—7,000,000 oo Shillingka Soomaalilaand ah ama xabsi aan ka yarayn 3 sanno kana badnayn 5 sannadood ama ciqaabta ganaaxaaas iyo xadhigaas oo la isugu darayo.

### **Qodobka 22aad**

#### **Ogolaanshaha Bandhiga Carwo Ganacsiyeedka Shisheeyaha**

Shuruudaha iyo nidaamka loo marayo ogolaansho siinta bandhigga carwo ganacsiyeedka ajaanibka waxa lagu soo saarayaa awaamiir uu soo saari doono Wasiirku **isagoo kala tashanay Gudoomiyaha Rugta Ganacsiga iyo Warshadaha**

### **Qodobka 23aad** **Hakinta Ikhtiyaariga ah**

- 1) Ganacsade kasta oo u haysta ganacisiisa liisan dhaqangal ah wuxuu dalban karaa hakinta ikhtiyaariga ah ka dib marka ay Wasaaradu ka hubiso inuu waafaqay shuruudahan:
  - a) Soo buuxiyo formka dalabka hakinta ikhtiyaariga ah ee ku diyaarsan hayadda liisan bixinta;



- b) Muddada uu soo dalbaday in loo hakiyo waa in aanay ka badnaan hal sano; iyo
  - c) Haddii uu ganacsigu yahay **Shuraako**, waa in ay shuraakada ama wakiiladoodu soo saxeexaan qoraalka dalabka oo ka soo baxay nootaayo sharci ah.
- 2) Haddii ay Wasaaradda u cadaato in ganacsigan ay dacwad ka dhan ahi ka furan tahay maxkamada ama ay ku jirto dalabkan khiyaamo, waxay soo saari kartaa Wasaaraddu qoraal ay ku diidayo dalabkaasi

### **Qodobka 24aad**

#### **Awooda Soo Saarista Xeer-Nidaamiye Iyo Awaamiir**

- 1) Wasiirka ayaa awood u leh soo saarista xeer-nidaamiyeyaaal iyo awaamiir lagu dhaqan galinayo qodobada xeerkana oo ay ka mid yihin habraacyada khuseeya noocyada iyo darajooyinka liisamada ganacsiga ee ay wasaaradu bixiso. Iyadoo ay waajib tahay in la waafajiyo Xeerkana
- 2) Sida uu dhigayo Xeerkana Ismaamulka Gobolada iyo Degmooyinka Xeer lr 23/2002, Golayaasha Deegaanadu waxay awood u leeyihiin in ay dejyaan xeer-hoosaadyo khuseeya awoodahooga uu siiyay xeerkana iyo xeerarka kale ee dalku iyagoo u gudbinaya Wasiirka Wasaarada Arimaha Gudaha si loogu ansixiyo dhaqangalkiisa waana in aanu ka hor iman Xeerkana iyo Xeerarka kale ee dhaqangalka ah.

### **Qodobka 25aad**

#### **Laalis**

Xeerkani waxa uu laalay Xeerkana kala Xadaynta Ganacsiga, Xeer Lr. 26/2004, iyo qodob kasta oo sharci oo ku jira xeerar kale ama nidaam kasta oo kale oo ka hor imanaya ama aan la jaan qaadi karayn Qodobada Xeerkana

### **Qodobka 26aad**

#### **Dhaqangalka Xeerkana**

Xeerkani waxa uu dhaqangalayaa marka ay ansixiyaan Golayaasha Xeer-Dejintu, Madaxweynuhuna saxeexo, ee faafinta rasmiga ahna lagu soo saaro.

C/risaaq Siciid Ayaanle  
Xoghayaha Guud ee Golaha Wakiillada JSL



Md. Baashe Maxamed Faarax  
Gudoomiyaha Golaha Wakiillada JSL



## LIFAAQYO

### Lifaaqa 1aad: Foomka Codsiga Liisanka Ganacsi ee Wasaaradda Ganacsiga

#### FOOMKA CODSIGA LIISANKA GANACSIGA (QABYO-QORAAL)

1. Magaca Ganacsiga/Codsadaha

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1) Nooca Ganacsiga (Sax dhig ta ku haboon ganacsigaaga)

<input type="checkbox"/> Shirkad	<input type="checkbox"/> Shuraako	<input type="checkbox"/> Ganacsi Hal-Mulkile	<input type="checkbox"/> Iskaashato	<input type="checkbox"/> Wershad	<input type="checkbox"/> Nooc kale
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2) Faahfaahinta meherada ganacsi ee loo dalbayo liisanka

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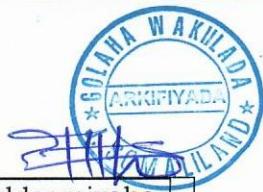
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3) Lambarka Cashuurta (TIN) \_\_\_\_\_

4) Xafiiska diiwaangashan/ama xarunta dhexe ee ganacsiga

Magaca Dhismaha/Lambarka Dhismaha							
Wadada							
Waaxda							
Magaalada							
Gobalka							
Mulkiyada Ganacsiga	Goobta	Leh		Kiraystay		Adeegsi bilaa lacag ah	
		<input type="checkbox"/> Haa	<input type="checkbox"/> Ma y	<input type="checkbox"/> Haa	<input type="checkbox"/> Ma y	<input type="checkbox"/> Haa	<input type="checkbox"/> May
		Haddii ay 'Haa' tahay, ku lifaaq diiwaanka mulkiyadda ee goobta		Haddii ay 'Haa' tahay, ku lifaaq heshiiska kirada oo nootaayadu samaysay		Haddii ay 'Haa' tahay, sheeg faahfaahinta cidda goobta leh/ama ka masuulka ah	
Cinwaanka Boostada							
Email							
Telefoonka 1aad							
Moobilka 1aad							

5) Magacyada iyo Faahfaahinaha Masuuliyiinta Bilaabaya Ganacsiga



Faahfaahin buuxda ka bixi ganacsadaha, mulkiilaha, shariigyada ama guddoomiyaha iskaashatada, masuuliyiinta ganacsiga iyo/ama saamilayda shirkadda

Magaca iyo Xilka	Jinsiyadda	Lambarka Warqadda Aqoonsiga ama Baasaboorka	Da'da	Cinwaa nka	Telefoonka iyo emailka

#### **Marka shirkadi u dhaqmayso si xoghayn ahaaneed**

Magaca shirkadda	
Cinwaanka shirkadda	
Lambarka Cashuurta (TIN) ee shirkadda	
Shaabadda shirkadda	
Magaca iyo saxeexa qofka ka wakiil ah shirkadda	

- 6) Haddii codsaduhu yahay shirkad ama shuraako, caddee raysalmaalka iyo xaddiga saamiga ee saamiile kasta ama shariig kasta

Saamiile/Shariig	Dalka Dhalashada	Xadiga (%)	Saamiyada	Raysalmaalka Guud
1.				
2.				
3.				
4				
5				
6				
7				

- 7) Mid ama ka badan masuuliyiinta ama shariigyadu ma yihiin musalaf? Haddii ay haa tahay jawaabtu, sheeg magaca masuulka/shariiga
- 
- 
- 

- 8) Ma jiraa liisan hore loogu siiyey ganacsigaaga si waafaqsan Xeerka Liisamada Ganacsiga Soomaalilaand? Haddii ay haa tahay jawaabtu, muuji lambarka iyo taariikhda la bixiyey



9) Hore marna ma laguugu diidey liisan ganacsi si waafaqsan Xeerka Liisamada Ganacsiga Soomaalilaand? Haddii ay haa tahay, faahfaahi:

.....  
.....  
.....  
.....

10) Hore marna ma lagaaga laalay liisan ganacsi si waafaqsan Xeerka Liisamada Ganacsiga Soomaalilaand? Haddii ay haa tahay, faahfaahi:

11) Marka la codsanayo liisan cusub, waxa lagu soo lifaaqayaa dokumentiyada hoos ku taxan:

t) nuql sawiran oo warqadda aqoonsiga ah oo ay keenayaan muwaadiniinta Soomaalilaand, ama nuql baasaboor oo ay keenaan ajnebigu, laba sawir oo midabaysan oo kuwa baasaboorada ah oo uu leeyahay ganacsaduhu, shariigyadu, masuuliyiinta shirkadu, guddoomiyuhu, ama xoghayuhu, kolba sida ku haboon; iyo dal-ku-gal ansax ah ama ogolaansho dalgelis oo laga rabo ajnebiga

u) Ama:

a) Shahaadada Shirkadda (Certificate of Incorporation) iyo Xeer-Hoosaadada iyo Qoraalada Aasaaska Shirkadda (Memorandum and/or Articles of Association) ama heshiiska shuraakada, (kolba kii ku haboon) haddii uu codsaduhu yahay shirkad, iskaashato ama shuraako; ama

b) Shahaadada diiwaangelinta magaca ganacsi.

v) Oo saxeexan, nootaayana ansixisay ama nuql sugar oo leh awood xeer ilaaliye (signed and notarized or authenticated copy of letter of power of attorney) oo ay weheliso warqadda aqoonsiga ee qaranka, baasaaboorka iyo laba sawir oo kur ah oo nooca baasaboorada ah oo uu leeyahay wakiilku, marka uu codsiga gudbinayo wakiil; iyo

w) Nuql sawiran oo heshiiska kirada ama warqadda mulkiyadda ee goobta ganacsiga.

12) Haddii codsigu ku saabsan yahay jadiidinta liisan ganacsi, dokumentiyadan soo socda waa in lagu soo lifaaqaa codsiga:

1. Xaashi caddaysa inaan ganacsadaha wax cashuur ah lagu lahayn oo ka timaada Waaxda Cashuuraha Beriga; iyo
2. Nuqulka rasmiga ah ee liisanka uu hadda haysto

Aniga/Anagu waxaan halkan ka caddaynayaa/caddaynaynaa in xogta aan kusoo gudbinay halkan ay tahay mid sax ah oo run ah. Wuxaan ogahay/ognahay in ay dembi tahay sida ku cad Qaybta 5aad, Qodobka 21aad ee Xeerka Liisamada Soomaalilaand in laga been sheego xogta lagu gudbinayo codsi kasta.

### 13) Foomka Cidda Buuxisay/Gudbisay

Magaca		Xilka	
Cinwaan ka		Lambarka Telefoonka iyo and Emailka	



9) Hore marna ma laguugu diidey liisan ganacsi si waafaqsan Xeerka Liisamada Ganacsiga Soomaalilaand? Haddii ay haa tahay, faahfaahi:

.....  
.....  
.....  
.....

10) Hore marna ma lagaaga laalay liisan ganacsi si waafaqsan Xeerka Liisamada Ganacsiga Soomaalilaand? Haddii ay haa tahay, faahfaahi:

11) Marka la codsanayo liisan cusub, waxa lagu soo lifaaqayaa dokumentiyada hoos ku taxan:

t) nuql sawiran oo warqadda aqoonsiga ah oo ay keenayaan muwaadiniinta Soomaalilaand, ama nuql baasaboor oo ay keenaan ajnebigu, laba sawir oo midabaysan oo kuwa baasaboorada ah oo uu leeyahay ganacsaduhu, shariigaydu, masuuliyiinta shirkadu, guddoomiyuhu, ama xoghayuhu, kolba sida ku haboon; iyo dal-ku-gal ansax ah ama ogolaansho dalgelis oo laga rabo ajnebiga

u) Ama:

a) Shahaadada Shirkadda (Certificate of Incorporation) iyo Xeer-Hoosaadada iyo Qoraalada Aasaaska Shirkadda (Memorandum and/or Articles of Association) ama heshiiska shuraakada, (kolba kii ku haboon) haddii uu cadsaduhu yahay shirkad, iskaashato ama shuraako; ama

b) Shahaadada diiwaangelinta magaca ganacsi.

v) Oo saxeexan, nootaayana anxisisay ama nuql sugar oo leh awood xeer ilaaliye (signed and notarized or authenticated copy of letter of power of attorney) oo ay weheliso warqadda aqoonsiga ee qaranka, baasaaboorka iyo laba sawir oo kur ah oo nooca baasaboorada ah oo uu leeyahay wakiilku, marka uu cadsiga gudbinayo wakiil; iyo

w) Nuql sawiran oo heshiiska kirada ama warqadda mulkiyadda ee goobta ganacsiga.

12) Haddii cadsigu ku saabsan yahay jadiidinta liisan ganacsi, dokumentiyadan soo socda waa in lagu soo lifaaqaa cadsiga:

1. Xaashi caddaysa inaan ganacsadaha wax cashuur ah lagu lahayn oo ka timaada Waaxda Cashuuraha Beriga; iyo
2. Nuqulka rasmiga ah ee liisanka uu hadda haysto

Aniga/Anagu waxaan halkan ka caddaynayaa/caddaynaynaa in xogta aan kusoo gudbinay halkan ay tahay mid sax ah oo run ah. Wuxaan ogahay/ognahay in ay dembi tahay sida ku cad Qaybta 5aad, Qodobka 21aad ee Xeerka Liisamada Soomaalilaand in laga been sheego xogta lagu gudbinayo cadsiga kasta.

### 13) Foomka Cidda Buuxisay/Gudbisay

Magaca		Xilka	
Cinwaan ka		Lambarka Telefoonka iyo and Emailka	



Saxeex	Taariikhda	

**Lifaaqa 2aad: Shaxda Noocyada Ganacsi**



**A. Noocyada Ganacsiga ee Liisamadooda ay Bixiso Wasaaraddu**

		<b>Ujuurada Liisanka</b>	
<b>Nooca Ganacsiga</b>	<b>Faahfaahinta Ganacsiga</b>	<b>Principal Business</b>	<b>Secondary Business</b>
1) Ganacsi Wakaaladeed	2) Wakiil Ganacsi (Commission Agent) 3) Wakaalad Socdaal (Travel agency) 1. Wakiil Diyaarad Ingeydh Ah (Air charter agent) 2. Wakaalad Markab (Shipping agency) 3. Wakaalad kasta oo kale		
<b>29)</b> Dilaalid	1. Dilaal Caymis (Insurance Broker) 2. Dilaal Saami (Stock exchange Broker) 3. Dilaal Raris Maraakiib (Shipping Broker) 4. Tide Broker		
<b>30)</b> Hay'adaha Maaliyadda	6) Adeega Bangiyada (Banking Service) b) Suuqyada Maalgelinta iyo Saamiyada (Capital markets & stock exchange) 7) Maamulka Kaadhadhka Deynta		



	(Credit Management) Card		
8)	<b>Agabyada Maalgelinta ee Yaryar Micro financing investments tools</b>		
	c) Xawaaladda (Remittance)		
	d) Caymiska (Insurance)		
31)	Ganacsiga Dekadaha iyo Gegooyina Diyaaradaha	<p><b>1)</b> Maamulka Dekadaha iyo Gegooyinka Diyaaradaha (Harbors/Airport Management)</p> <p><b>2)</b> Qubahana Adeegyada Dekadda (Miscellaneous Port Services)</p> <p><b>3)</b> Ganacsiga Saabaanka Maraakiibta (Ship chandelling)</p> <p><b>4)</b> Gaadiidka Badda (Maritime Transportation)</p> <p><b>5)</b> Ku Kireynta Maraakiibta Ingeydh (Shipping protective or ship charter)</p>	



	<b>6)</b> Rarka iyo Dejinta (Stevedoring Ligther rage)		
	<b>7)</b> Adeega Xidhixidhka ama Bacaynta (Bagging Services)		
<b>8)</b> Khaliska iyo Gudbinta	1. Khaliska iyo Gudbinta Badeecadaha (Clearing & Forwarding)		
	2. Gudbinta Badeecadaha (Freight Forwarding)		
	3. Kaydinta (Warehousin)_		
<b>9)</b> Qiimaynta iyo Agaasinta Xamuulka	1. Kormeerka Rarka Hortii (Pre- shipment inspection)		
	2. Qiimaynta Xamuulka (Cargo Valuation or cargo Survey)		
	3. Cargo Sourcing Local		
	4. Agaasinka Xamuulka (Cargo superintendence)		
	5. Rarka iyo Dejinta Xamuulka (Cargo Handling)		



<b>10)</b> Wakiilada Wershadlayda	t) Franchise holder		<i>S. H. S.</i>
	u) Baahiya/Qaybi yaha/Gaadhsii yaha/Keenaha Keliya (Sole Distribution or supplier)		
<b>11)</b> Hantida	1) Hanti Ma Guuraan ah (Real Estate)		
	2) Maamulka Hantida Ma Guuraanka ah (Property Management)		
	3) Wakiil Hanti (Estate agent)		
<b>12)</b> Iibiye Socoto ah	Iibiye Socoto ah (Commercial traveler)		
<b>13)</b> Adeegyada Boosaha	1. Adeegyada Boosaha Caadiga ah (Postal services)		
	2. Adeegyada Gaarka ah ee Dirista Waraaqaha iyo Alaabada (Courier Services or mailing Services)		

<b>14)</b> Electricity Power, Energy and Supply	1. Biyo-Gelinta Magaalada (Urban Water Supply)		
	2. Soosaarista iyo Baahinta Korontada (Electricity)		



<b>10)</b> Wakiilada Wershadlayda	t) Franchise holder		<i>SOMALILAND</i>
	u) Baahiya/Qaybi yaha/Gaadhsii yaha/Keenaha Keliya (Sole Distribution or supplier)		
<b>11)</b> Hantida	1) Hanti Ma Guuraan ah (Real Estate)		
	2) Maamulka Hantida Ma Guuraanka ah (Property Management)		
	3) Wakiil Hanti (Estate agent)		
<b>12)</b> Iibiye Socoto ah	Iibiye Socoto ah (Commercial traveler)		
<b>13)</b> Adeegyada Boosaha	1. Adeegyada Boosaha Caadiga ah (Postal services)		
	2. Adeegyada Gaarka ah ee Dirista Waraaqaha iyo Alaabada (Courier Services or mailing Services)		

<b>14)</b> Electricity Power, Energy and Supply	1. Biyo-Gelinta Magaalada (Urban Water Supply)		
	2. Soosaarista iyo Baahinta Korontada (Electricity)		



	production and Distribution)		<i>S. H. H.</i>
	3. Sifeynta Saliida Caydhiin (Refining of Crude Oil)		
	4. Bixinta Shidaalka Maraakiibta iyo Diyaaradaha (Supply of Marine and Aviation Fuel)		
	5. Baahinta Alaabada ka Samaysan Gaaska (distribution of gas products)		

<b>15) Ganacsiyad a Isgaadhsiinta</b>	14) Bixiyaha Adeega Internet (Internet service Provider)		
	15) Wakiil Adeeg Bixiye Internet (Internet Service Provider Agent)		
	16) Goob Internet (Internet Surfing/Café)		
	17) Adeegyada Isgaadhsiinta ee ay ku jiraan Fagis, Email iyo Telefoonoo (Telecommunication services including fax, email & phones)		
	18) Iibinta Raacayaasha (Selling accessories)		
	19) Ganacsiyada Kale ee la Xidhiidha Isgaadhsiinta (Others		



	relating to communication business)		<i>SHH</i>
<b>16)</b> Gaadiidka Dadka iyo Badeecadaha	g) Gaadiidka Dhulka (By road) h) Gaadiidka Cirka (By air)		
<b>17)</b> Aaladaha Korontada ku Shaqeyya	1. Raadiyow iyo Telefishan (Radio and/or television) 2. Bixiyaha Adeeg Baahineed oo Telefishan (Broadcasting television provider) 3. Saldhig Gudbineed oo Raadiyow ama Telefishan (Radio/Television Transmission station)		
<b>18)</b> Wershaday nta iyo libinta Badeecadaha	a) Wershad Heer Dhexe ah (Medium scale industry) b) Wershad Waaweyn (Large scale industry) c) Wershad Yar (Small scale industry)		



~~SOMALILAND~~

<b>19)</b> Ganacsiga Dalxiiska, Huteelada iyo Makhaayadah a (Tourism, Hotels and restaurant Business)	<b>1)</b> Huteelo Heer Sare ah (Classic Hotels )		
	<b>2)</b> Makhaayado Waaweyn (Large scale restaurants)		
	<b>3)</b> Huteelo Heer Dhexe ah (Medium scale hotels (hotels with more than 10 bed rooms))		
	<b>4)</b> Guryo Jiif ama apartments (Lodging Houses and apartments)		
	<b>5)</b> Dalxiisiye (Tourist operator)		

<b>20)</b> Dhoofin	x) Xoolaha (Live stock)		
	y) Badeeco Xoolaad (livestock product)		
	z) Alaab Qaydhiin (Raw material)		
	aa) Agab Beereed (Agriculture goods)		
	bb) Badeec <ul style="list-style-type: none"> <li>o Diyaar ah (Finished goods and other commodities)</li> </ul>		
	cc) Ganacsiga Gudbaya		



	(Transit trade local)		
	dd) Kuwo Kale (Others)		
<b>21)</b> Soo Dejin	Badeecoojin (Merchandise)		
<b>22)</b> Ganacsiga Jumladda	Ganacsiga Jumladda ah (General Wholesale)		
<b>23)</b> Dealership /franchise	<p><b>a)</b> Gawaadhida (Motor vehicle)</p> <p><b>b)</b> Yayabidda/Raki bidda Gawaadhiga (Motor vehicle assembling)</p> <p><b>c)</b> Dealers of broadcasting apparatus</p> <p><b>d)</b> Dealers in arms and ammunition</p> <p><b>e)</b> Dealers in explosive for mining purposes</p> <p><b>f)</b> Silver and hold smith/dealer</p>		
3. Agabka, Dawooyinka iyo Adeegyada Caafimaadka	<p>1) Cusbitaal Gaar ah (Private hospitals)</p> <p>2) Xarun Caafimaad (health Centre/clinic)</p> <p>3) Shaybaad (laboratory clinic)</p> <p>4) Jumladaynta Dawooyinka (selling medicines wholesale)</p> <p>5) dealer of medical equipment wholesale</p>		



4. Xirfado Xadidan	a) La Talinta Ganacsiga (Business consultancy)		<i>S. H. S.</i>
	b) Garyaqaan (Lawyer)		
	c) Cashuur Diyaariye (Tax Practitioner)		
	d) Qiimeeyaha Inta Dhismaha Galaysa (Quantity surveyor)		
	e) Injineer (Engineers)		
	1. Hanti-Dhawr/Xisaabiye (Auditor/Accountant)		
	2. Dhakhtar (Medical practitioner)		
	3. La Talin kasta oo kale (Any other consultancy)		
	1. Qandaraasle Derejada Koowaad ah (Contractor class A)		
	2. Qandaraasle Derejada Labaad ah (Contractor class B)		
5. Qandaraasle Dhis	3. Qandaraasle Derejada Saddexaad ah (Contractor class C)		
	1. Kuwo kale (Others)		
6. Ganacsiga Waxbarashada	6) Jaamacad (Universities)		



	7) Kuliyad (Colleges)		
	8) Dugsi Sare (Secondary Schools)		
	9) Dugsiga Farsamada Gacanta (Vocational schools)		
<b>24)</b> Iskaashato	Iskaashato Ganacsi		
<b>25)</b> Ganacsi kasta oo kale oo heer qaran ah ama heer caalami ah (Any other business of national or international nature)			



**B. Noocyada Liisamada Ganacsiga ee ay Bixiyaan Dawladaha Hoose**

		<b>Ujuurada Liisanka</b>	
<b>Nooca Ganacsiga</b>	<b>Faahfaahin</b>	<b>Principal Business</b>	<b>Secondary Business</b>
1. Huteelad a iyo Makhaa yadaha	1. Huteelada 10 Qol oo Hurdo ka yar (Hotels with less than 10 bedrooms)		
	2. Makhaayadaha/S haahlayda (Cafeteria / tea shops)		
	3. Makhaayadaha Yaryar (Small scale Restaurants )		
	4. Catering services (take Away and mobile catering)		
2. Ganacsi ga Guud (General Trading)	1. Farmasiyada, goobaha caafimaadka iyo shaybaadhada (Dispensary , health Centre and laboratory clinic)		
	2. Tafaariiqaynta Dawooyinka (Selling medicines retail)		
	3. Tafaariiqaynta Qalabka Dhismaha (Hardware)		



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	building materials retail)		
4.	Geerashyada (Workshops and garages)		
5.	Minor settlements and villages		
6.	Furinlaha (Bakeries)		
7.	Tafaariiqaynta Looxa iyo Agabka Guryaha/Xafiisya da (Timber and furniture retail)		
8.	Tafaariiqaynta Buugta iyo Istayshinariga (Bookstore and stationary retail)		
9.	Shiidista Daqiiqda iyo Saliida (Flour/oil milling)		
10.	Ganacsiga Xoolaha (Livestock Trading)		
11.	Hiliblayda (Butchers)		
12.	Daabacaada (Printing)		
13.	Badroolka iyo Kaalmaha Shidaalka (Petrol and filling stations)		
14.	Khudradlay (Groceries)		



	15. Timojare/Timodh is (Hair salon/barber shop)		<i>S. H. W.</i>
	16. Makhaayadaha Shaaha (Tea rooms/cafeteria)		
17. Tafaariiq aynta Qalabka Dayactir ka (Selling spare parts retail)	1. Gawaadhida (Motor vehicle)		
	2. Baaskiiladaha iyo Mootooyada (Motor cycles or Bicycle)		
	3. Agabka iyo Qalabka Dayactirkha Wershadaha (Industrial spare parts and tools)		
	4. Qalabka Dayactirkha Agabka Beeraha iyo Ridiqa Daqiiqda (Agricultural implements, flour mills .machines spares)		
	5. Qalabka Dayactirkha Maraakiibta		



	(Marine spare parts)		<i>HIIW</i>
	6. Aaladaha Guryaha Iisticmaalo (Domestic Appliance)	Lagu	
	7. Tafaariiqaynta Qalabka Korontada iyo Agabyada Guriga Lagu Adeegsado (Electrical and house hold items retail)		
18. Ganacsi ga Waxbara shada	A. Dugsiyada Hoose iyo Dhexe (Primary and intermediate schools)		
	B. Dugsiga Waxbarashada Dadka Waaweyn iyo kuwa Dadban (Informal/ adult education schools )		
	C. Kuwo kale (Others)		
D. Ganacsi Badeeca deed (General Merchandizing)	Dukaan (Retail shops)		
E. Ganaci kasta oo kale oo	Maxali (Local)		



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heer qaran ah ama heer caalami ah (Any other Business not of regional or national or internati onal nature)			
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