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Amategeko/Laws/Lois

N° 22/99 ryo ku wa 12/11/1999

Itegeko ryuzuzwa igitabo cya mbere cy'urwunge rw'amategeko mbonezamubano kandi rishyiraho igice cya gatanu cyerekeye imicungire y'umutungo w'abashyingiranywe, impano n' izungura.

1999

**REPUBULIKA Y'U
RWANDA**

**REPUBLIC OF
RWANDA**

**REPUBLIQUE
RWANDAISE**

ITEGEKO N° 22/99 RYO KU WA 12/11/1999 RYUZUZA IGITABO CYA MBERE CY'URWUNGE RW'AMATEGEKO MBONEZAMUBANO KANDI RISHYIRAHU IGICE CYA GATANU CYEREKEYE IMICUNGIRE Y'UMUTUNGO W'ABASHYINGIRANYWE, IMPANO N'IZUNGURA.

Twebwe, Pasiteri BIZIMUNGU,
Perezida wa Repubulika,

INTEKO ISHINGA AMATEGEKO Y'INZIBACYUHO YEMEJE NONE NATWE DUHAMIJE, DUTANGAJE ITEGEKO RITEYE RITYA, KANDI DUTEGETSE KO RYANDIKWA MU IGAZETI YA LETA YA REPUBULIKA Y'U RWANDA.

Inteko Ishinga Amategeko y'Inzibacyuho, mu nama yayo yo ku wa 19 Ukwakira 1999; Ishingiye ku Itegeko Shingiro, cyane cyane Itegeko Nshinga ryo kuwa 10.Kamena 1991 mu ngingo ya 24, iya 69 n'iya 97 n'Amasezerano y'Amahoro y'Arusha mu gice cyerekeye igabana ry'Ubutegetsi mu ngingo ya 6-d, iya 40, iya 72 n' iya 73;

Ishingiye ku itegeko n° 42/1988 ryo ku wa 27 Ukwakira 1988 ryerekeye Intenuro y'Ibanze n'Igitabo cya mbere cy'urwunge rw'Amategeko Mbenezamubano;

YEMEJE:

**INTERURO YA MBERE : IBYEREKEYE IMICUNGIRE Y'UMUTUNGO
W'ABASHYINGIRANYWE**

**UMUTWE WA MBERE: UBURYO BW'IMICUNGIRE Y'UMUTUNGO
W'ABASHYINGIRANYWE**

Ingingo ya mbere:

Imicungire y'umutungo w'abashyiringanywe ni uburyo bugenwa n'iri tegeko abashyiringanywe bumvikanaho mu gucunga umutungo wabo.

Ingingo ya 2

Abagiye gushyiringirwa bahitamo bumwe mu buryo bw'icungamutungo w'abashyiringanywe bukurikira:

1. ivangamutungo rusange;
2. ivangamutungo w'umuhahano;
3. ivanguramutungo risesuye;

Iyo batagize icyo batangaza, imicungire y'umutungo w'abashyingiranywe ikurikizwa ni ivangamutungo rusange.

IGICE CYA MBERE: IBYEREKEYE IVANGAMUTUNGO RUSANGE

Ingingo ya 3:

Ivangemutungo rusange ni amasezerano abashyingiranywe bagirana bumvikana gushyira hamwe umutungo wabo, wose, ibyimukanwa n'ibitimukanwa kimwe n'imyenda yabo yose.

Ingingo ya 4:

Iyo abashyingiranywe bahinduye uburyo bw'ivangamutungo rusange, hakurikijwe ingingo ya 19 y'iri tegeko, umutungo rusange n'imyenda babigabana ku burvo bungana.

Ingingo ya 5:

Imyenda yafashwe mbere y'ihinduka ry'imicungire y'umutungo ishobora gukurikiranwa n'ababerewemo imyenda nyuma y'iryo hindura, hakurikijwe' ingingo ya 23 y'iri tegeko mu gika cyayo cya mbere.

Ingingo ya 6:

Iyo abashyingiranywe bagabanye imyenda n'ufutungo rusange nk'uko biteganywa n'ingingo ya 4 y'iri tegeko, ibikoresho bwite nk'imyambaro n'imitako yambarwa ku mubiri bisigara mu mutungo bwite wa buri wese mu bashyingiranywe.

IGICE CYA II: IBYEREKEYE IVANGAMUTUNGO W'UMUHAHANO

Ingingo ya 7:

Ivangamutungo w'umuhahano ni amasezerano abashyingiranywe bagirana bumvikana gushyira hamwe ibyo buri wese yazanye igihe cy'ishyngirwa kugira ngo bibe iremezo ry'ibihahano, kimwe n'ibyo bungutse mu mibanire yabo, bakorera hamwe cyangwa buri wese ku giti cye, byaba impano cyangwa ibizungurwa.

Ingingo ya 8:

Igihe cy'imihango y'ishyngirwa, abagiye gushyngirwa iyo batoranyije ivangamutungo w'umuhahano, bandika kandi bagaha umwanditsi w'irangamimerere ibaruramutungo rishyizweho umukono wabo ryerekana umutungo n'imyenda buri wese ageneye iremezo ry'ibihahano. Ikintu cyose kitabarurwa ko ari rusange kiba ari icya nyiracyo.

Ingingo ya 9:

Iyo abashyingiranywe bifuje guhindura imicungire y'umutungo wabo hakurikijwe ingingo ya 19 y'iri tegeko, hagamijwe gukurikiza ivangamutungo w'umuhahano, bagomba kwerekana urutonde rw'umutungo n'imyenda bagenera umuhahano.

Kopi y'urwo rutonde yomekwa ku cyemezo cy'urukiko bikoze n'umukarani warwo akabyohereza umwanditsi w'irangamimerere.

Ingingo ya 10:

Imyenda yafashwe n'umwe mu bashyingiranywe mbere na nyuma y'ishyingirwa yerekeye umutungo we uretse iyashyizwe mu iremezo ry'ibihahano yishyurwa n'uwayifashe ku mutungo we bwite.

IGICE CYA III: IBVEREKEYE IVANGURAMUTUNGO RISESUYE**Ingingo ya 11:**

Ivanguramutungo risesuye ni amasezerano abashyingiranywe bagirana bumvikana gufata neza urugo wabo hakurikijwe ubushobozi bwa buri wese, bakagumana ukwikenuza, ugucunga no gukoresha uko bikwiye umutungo wabo bwite.

Ingingo ya 12:

igihe umwe mu bashyingiranywe, abangamira inyungu z'urugo, atuma umutungo we ukendera, cyangwa awutagaguza yamburwa uburenganzira bw'icunga ry'umutungo we n'ubwo kwikenuza yemerewe n'ingingo ya I I y'iri tegeko, bisabwe n'uwo bashyingiranywe cyangwa n'undi wese ubifitemo inyungu.

Ikirego gitangwa mu buryo bw'ibirego byihutirwa kigashyikirizwa Urukiko rwa Mbere rw'Iremezo rw'aho abashyingiranywe baba.

Uretse iyo bibaye ngombwa ko hashyirwaho umucungamutungo ugenwe n'Urukiko, ubundi urubanza ruha umwe mu bashyingiranywe wabisabye, ububasha bwo gucunga iby'uwabwambuwe, kimwe no kubibonaho urwunguko akoresha afata neza urugo rwabo, ibisagutse akabishyingura.

Uwambuwe ubwo bubasha nta kandi akoresha ibye Uretse kumwitirirwa.

Nyuma yaho ashobora gusaba Urukiko kumusubiza uburenganzira bwe iyo impamvu zatumye abwakwa zitakiriho.

Ingingo ya 13:

Iyo mu buzima bw'abashyingiranywe, umwe muri bo ahaye undi ububasha bwo gucunga umutungo we, amategeko y'itanga bubasha niyo akurikizwa.

UMUTWE WA II: INGINGO RUSANGE KU MICUNGIRE Y'UMUTUNGO W'ABASHYINGIRANYWE

Ingingo ya 14:

Abashyiringanywe bagomba kubahiriza inshingano n'uburenganzira byabo bikomoka ku ishyingirwa, amategeko yerekeye ububasha bwa kibyezi, icunga ry'umutungo w'umwana ryemewe n'amategeko n'ayerekeye ubwishingire.

Ingingo ya 15:

Amasezerano yose y'icungamutungo akorerwa inyandiko mpamo; bitaba ibyo, agashyikirizwa cyangwa agatangarizwa umwanditsi w'irangamimerere w'aho ishyingirwa ribera, bikemezwa n'abashyiringirwa baherekejwe n'umuntu uhagarariye buri muryango n'abahamya babiri.

Inyandiko zikorewe imbere y'umwanditsi w'inyandiko mpamo zigomba gushyikirizwa umwanditsi w'irangamimerere igihe cy'iyandikwa mu bitabo by'abashyiringanywe kugira ngo zandikwe mu bitabo by'abashyiringanywe no mu cyemezo cy'ishyingirwa.

Ingingo ya 16:

Mbere yo kuranga, umwanditsi w'irangamimerere asobanurira abashaka gushyingirwa uburyo bw'imicungire y'umutungo kugira ngo batekereze ubwo bahitamo.

Iyo umwe mu bagiye gushyingirwa ari umucuruzi cyangwa abaye we nyuma, amasezerano y'ishyingirwa n'ihinduka ryayo bigomba gutangazwa hakurikijwe amategeko agenga ubucuruzi n'abacuruzi.

Ingingo ya 17:

Ugucunga umutungo bijyana n'ububasha bwo kuwukoresha uko bikwiye no kuwikenusa haseguriwe ibyo amategeko atemera.

Mu buryo bw'ivangamutungo rusange cyangwa ubw'ivangamutungo w'umuhahano, abashyiringanywe bumvikana ku ucunga umutungo bahuriyeho, bafite kandi ububasha bungana bwo kuwukurikirana no kuwuhagararira.

Buri wese mu bashyiringanywe acunga umutungo n'ibikoresho bye bwite.

Ingingo ya 18:

Iyo ushaka gushyingirwa akiri muto, umufiteho ububasha bwa kibyezi niwe umuhitiramo uburyo bw'imicungire y'umutungo w'abashyiringanywe.

Iyo ushaka gushyingirwa ari mukuru ariko agomba kunganirwa, ihitamo ry'imicungire y'umutungo w'abashyiringanywe rikorwa n'ufite ububasha bwo kumucungira umutungo.

Ingingo ya 19:

Bisabwe n'abashyiringanywe cyangwa umwe muri bo igihe bakibana, imicungire y'umutungo wabo ishobora guhindurwa. Ubishaka agomba kugaragaza ko ihinduka rifitiye inyungu urugo cyangwa hari ikintu cyahindutse cyane mu mibereho yabo cyangwa y'umwe muri bo.

Ikirego gitangwa mu buryo bw'ibirego byihutirwa kigashyikirizwa Urukiko rwa Mbere rw'Iremezo rw'aho abashyiringanywe baba.

Iyo iryo saba ritemewe mu cyemezo ntakuka, ikirego gishobora kwongera gutangwa nyuma y'imyaka ibiri gishingiye ku ngingo nshya.

Ingingo ya 20:

Mu gihe cy'ukwezi kumwe kuva icyemezo cyo guhindura imicungire y'umutungo gifashwe kandi kitakijuririwe, bikurikiranywe n'uwatanze ikibazo, umukarani w'Urukiko yoherereza icyo cyemezo umwanditsi w'irangamimerere w'aho amasezerano y'ishyiringirwa yabereye, kugira ngo acyandike ku cyemezo cy'ishyiringirwa. Gitangazwa na none mu gihe kimwe mu binyamakuru bibiri bisomwa cyane mu gihugu bisabwe n'umukarani w'Urukiko bikishyurwa n'uwatanze ikirego:

Iyo umwe mu bashyiringanywe ari umucuruzi icyemezo gihindura imicungire y'umutungo cyandikwa ku ruhusa rwo gucuruza nacyo mu gihe kingana n'icyavuzwe haruguru. Ibigomba kwandikwa bivugwa mu bika bibanziriza iki bishobora gusabwa n'abo bireba, bagaragaje icyemezo cy'Urukiko.

Ingingo ya 21:

Uko imicungire y'umutungo n'uburyo bawucunga byaba biri kose, ubwumvikane bw'abashyiringanywe ni ngombwa mu gutanga ikitimukanwa bwite n'umutungo bahuriyeho no kubitangaho ubundi burenganzira bwose.

Ingingo ya 22:

Umwe mu bashyiringanywe wagize amasezerano ku mutungo agomba ubwumvikane bwabo bombi, agomba mu gihe cyo kuyakora cyangwa mu gihe cy'amezi atandatu akurikira, gusaba uwo bashyiringanywe ko ayemeraa.

Iryo yemera rimenyeshwa mu nyandiko uwo bagiranye amasezerano; iyo nta gisubizo yatanze nyuma y'ukwezi gukurikira umunsi yabimenyesherejweho, ukwemera kwe gufatwa ok'aho kwatanzwe mu buryo budasubirwaha.

Iyo uwagombaga kubyemera atabashije kuboneka cyangwa kugaragaza igitekerezo cye abitewe n'impamvu zikomeye, amasezerano aba ntakuka iyo hashize umwaka umwe ku bintu byimukanwa n'imyaka itanu ku-bintu bitimukanwa.

Ingingo ya 23:

Imyenda yafashwe n'umwe mu bashyiringanywe agamije gufata neza urugo n'iyoyishyuye ku mutungo we bwite kandi bayihuriyeho, yishyurwa ku mutungo

bahuriyeho iyo bafitanye amasezeano y'ivangamutungo rusange cyangwa w'umuhahano.

Iyo umutungo bahuriyeho udashobora kwishyura umwenda wore, usigaye wishyurwa n'abashyidgiranywe ku mutungo bwite wa buri wese ku buryo bungana.

Iyo bafitanye amasezerano, y'ivanguramutungo risesuye uwo mwenda wishyurwa ku buryo bungana hagati y'abashyiringanywe buri wese ku mutungo we bwite.

Ingingo ya 24:

Ivahgamutungo rusange cyangwa w'umuhahano rirangira ari uko habaye:

1. ugutana burundu kw'abashyiringanywe;
2. kutabana by'agateganyo;
3. uguhindura uburyo bw'icungamutungo.

Iyo ivangamutungo rirangiye abashyiringanywe bagabana ku buryo bungana umutungo n'imyenda bahuriyeho.

INTERURO YA KABIRI : IBYEREKEYE IMPANO N'IZUNGURA

UMUTWE WA MBERE : IMPANO

IGICE CYA MBERE: INGINGO RUSANGE KU MPANO

Ingingo ya 25:

Impano ni igikorwa cyo guha umuntu ikintu gifite agaciro nta kiguzi.

Ingingo ya 26:

Itegeko ryemera ko impano ari:

- 1° itanga ry'ibintu hagati y'abazima;
- 2° itanga ry'umunani;
- 3° itanga ry'umurage;
- 4° isezerano ry'impano

Ingingo ya 27:

Impano zikorwa inyangirakose mpamo cyangwa inyangirakose bwite cyangwa igashyikirizwa gusa nyirayo.

Ingingo ya 28:

Impano itangira kugira agaciro ku muni yemewe n'uyihawe.

Kwemera impano bishobora gukorwa mu nyandiko cyangwa mu mvugo.

Kuri nyir'ugutanga, uko kwemera kugira agaciro kuva ku munsi yakumenyesherejweho.

Ingingo ya 29:

Uburenganzira ku kintu cyatanzwe bwegukanwa n'uhawe iyo ihererekanya ryabaye.

Kwakira ikintu gitanzwe bigaragaza ko impano yemewe, bitagombye iyindi mihango.

Ingingo ya 30:

Impano nta gaciro igira:

1. iyo itanzwe ku buryo ishyirwa mu bikorwa ryayo rishingira k'ugushaka k'uwayitanze wenyine;
2. iyo itegeka uhawe kuriha imyenda y'umuhaye cyangwa kuriha iyindi agomba, bitari ibyariho igihe cy'impano cyangwa ibyavuzwe igihe cy'impano;
3. iyo utanga yisigarizamo uburenganzira bwo gukoresha uko ashatse kimwe cyangwa bimwe cyangwa byinshi mu bintu yatanze.

Ingingo ya 31:

Uwa ariwe wese afite uburenganzira bwo gutanga impano mu byo akaba atarenza ibishobora gutangwa.

Uburyo bw'icungamutungo bwatoranywa ubwo aribwo bwo, umugabane w'ibishobora gutangwa ntushobora kurenza $\frac{1}{5}$ cy'umutungo w'utanga **iyi afite umwana**.

Nyamara, iyo utanga nta mwana afite, umugabane w'ibishobora gutangwa nturenza $\frac{1}{3}$ cy'umutungo.

Ibirenga ku byo yernerewe gutanga bibarwa hashingiye ku byo uwatanze yari atunze hakuwemo imyenda, umunsi yatangiyeye iyo mpano.

Ingingo ya 32:

Impano itubahirije amategeko ndemyagihugu n'imigenzo myiza nta gaciro igira. Impano y'iby'undi muntu nta gaciro igira.

IGICE CYA II: IMPANO HAGATI Y'ABAZIMA

Ingingo ya 33:

Impano hagati y'abazima ni amasezerano y'ubugiraneza atuma umuntu aha undi mu mutungo we ku buryo budasubirwaho kandi uhawe akabyemera.

Ingingo ya 34:

Igikorwa cyose cy'igurisha kigaragara nk'itangwa ku muntu ry'ikintu gifatwa nk'aho ari impano ihishiriye. Impano ihishiriye igomba kubahiriza amategeko agenga impano hagati y'abazima.

Impano yose yigaragaza nk'igikorwa cy'igurisha iba ari igurisha.

Ingingo ya 35:

Kwiyemeza inshingano z'undi muntu, guharira undi umwenda, kureka kwishyuzwa no kwishyurira undi bikozwe ku buntu kandi ntacyo bihishiriye, bifatwa ko ari impano iziguye.

Ingingo ya 36:

Impano ikozwe hagati y'abagamije gushyingiranywa, ishobora guseswa iyo iryo shyiringirwa ritabaye.

Ingingo ya 37:

Impano yose ishobora guseswa kubera impamvu zikurikira:

1. igihe uwahawe atubahirije inshingano ziyiturutseho yari yarahawe;
2. kubera ubuhemu bw'uwahawe.

Ingingo ya 38

Impano iseswa kubera ubuhemu mu bihe bikurikira:

1. iyo uwahawe yishe abishaka cyangwa yashatse kwica uwamuhaye;
2. iyo uwahawe agiriye nabi cyangwa atutse bikabije uwamuhaye;
3. iyo uwahawe yanze gufasha uwamuhaye kandi abikeneye.

Ingingo ya 39:

Iyo impano isheshwe, uwahawe ntategetswe gusubiza ibyo yayibyaje cyangwa inyungu izo arizo zose yakuye kuri iyo mpano.

Ingingo ya 40:

Ikirego cyo gusesa impano kubera ubuhemu bw'uwahawe cyangwa kubera kutubahiriza inshingano yahawe, kigomba gutangwa mu gihe cy'umwaka umwe uherye ku muni ikosa ryakoreweho cyangwa ku muni uwatanze yarimenyeyeho.

Haseguriwe ibiteganywa n'igika cya mbere cy'iyi ngingo, iryo seswa ntirishobora gusabwa n'uwatanze aryoza abazungura b'uwahawe, ntirishobora kandi no gusabwa n'abazungura b'uwatanze baryoza uwahawe, keretse iyo Ikirego cyatanze n'uwatanze cyangwa iyo yapfuye mu mwaka ikosa ryakorewemo.

Ingingo ya 41:

Iseswa ry'impano ritewe n'ubuhemu cyangwa kutubahiriza inshingano ntirishobora kubangamira ibyo uwahawe yatanze, ibyo yatanzeho ingwate cyangwa ibindi yaba yarashoyemo impano yahawe.

Iyo habaye iseswa, uwahawe ategukwa gusubiza ibihwanye n'agaciro k'ibyo yatanze mu bigize impano n'inyungu zayiturutseho kuva aho ikirego cy'iseswa gitangiwe.

IGICE CYA III: ITANGA RY'UMUNANI**Ingingo ya 42:**

Itanga ry'umunani ni igikorwa ababyeyi bakora bakiriho kigamije kugabira umutungo abana babo cyangwa ababakomokaho bagahita bawegukana, bikitwa ko bashoje inshingano yo kubarera no kububakira.

Ingingo 43:

Abana bose nta vangura hagati y'abahungu n'abakobwa abariho n'abahagarariye abakomoka ku bana bapfuye mbere y'ababyeyi, uretse abaciwe kubera kwitwara nabi cyangwa guhemuka, bagira uburenganzira ku munani.

IGICE CYA IV: ISEZERANO RY'IMPANO**Ingingo ya 44:**

Isezzerano ry'impano ni ubwumvikane abantu bagirana bagamije guhana ibintu mu gihe kizaza.

Ingingo ya 45:

Isezzerano ry' impano ryemewe ni irikoze:

- hagati y'abantu bagamije gushyingiranwa;
- hagati y'abashyingiranywe;
- hagati y'ababyeyi n'abana babo cyangwa ababakomokaho, baba abariho cyangwa abazavuka.

Isezzerano ry'impano rigira agaciro niyo uwasezeranye gutanga yapfa.

IGICE CYA V: ITANGA RY'UMURAGE

Umurage ni ikintu cyangwa ibintu bitanzwe na nyirabyo akiriho, ubihawe akabyegukana uwabimuhaye atakiriho.

Ingingo ya 47:

Hashobora kubaho umurage kuri byose, umurage ku bintu bimwe n'umurage ku bintu bizwi:

- umurage kuri byose ni umurage ugizwe n'umutungo wose w'uraga;
- umurage kuri bimwe ni umurage ugizwe n'igice kimwe cy'umutungo w'uraga;
- umurage ku bintu bizwi ni umurage ugizwe n'ibintu bizwi mu mutungo w'uraga.

Umurage uwariwo wose ugomba kugaragaza uwawuhawe cyangwa abawuhawe.

Ingingo ya 48:

Iyo umuntu araze umutungo we abakene b'ahantu hazwi, umurage wakirwa n'amakomini yabo igihe abazungura bahabwa imirwi yabo ugashyikirizwa abawugenewe.

Iyo araze umutungo we abakene batazwi, umurage ufatwa nk'uwahawe abakene bose ba Segiteri y'aho nyakwigendera yari atuye cyangwa aho yabaga iyo uwaraze ari umunyamahanga.

UMUTWE WA II: IZUNGURA

IGICE CYA MBERE: INGINGO RUSANGE Z'IZUNGURA

Ingingo ya 49:

Kuzungura ni uguhabwa ububasha n'inshingano ku mutungo n'imyenda bya nyakwigendera.

Izungura ritangira iyo umuntu amaze gupfa, rikabera ahantu yari atuye cyangwa aho yabaga:

Ingingo ya 50:

Abana amategeko mbonezamubano yemera ko ari. aba nyakwigendera bazungura ku buryo, bungana nta vangura hagati y'umwana w'umuhungu n'uw'umukobwa.

Ingingo ya 51:

Igihe cy'igabana ry'umutungo uzungurwa n'abana, inama y'umuryango igena umutungo wo kurera abana bakiri bato n'ugomba guhita ugabanywa abana bose ba nyakwigendera.

Iyo abana bose bamaze gukura, bagabana ku buryo bungana umutungo usigaye k'ubareraga abana bari bato.

Ingingo ya 52:

Uzungura wese, igihe yemeye kuzungura, igomba kwishyura imyenda ya nyakwigendera hakurikijwe umugabane we mu izungura.

Ingingo ya 53:

Ntiyemerewe kuzungura, umuntu wese yaba abyemererwa n'amategeko cyangwa yararazwe:

1. iyo yakatiwe igihano bitewe no kuba yarishe abishaka nyakwigendera cyangwa yarabigambiriye;
2. iyo yakatiwe igihano bitewe no kuba yarareze nyakwigendera amubeshyera cyangwa bitewe n'ikinyoma yavuze yatanzweho umugabo, mu gihe icyo kinyoma cyari gutuma nyakwigendera ahanishwa nibura igifungo cy'amezi atandatu;
3. iyo yaciye umubano abishaka na nyakwigendera igihe yari akiriho;
4. iyo yanze kwita kuri nyakwigendera akiriho mu gihe yagombaga kumufata neza kubera indwara ye ya nyuma, kandi abitegekwa n'amategeko cyangwa umuco;
5. iyo yitwaje intege nke z'umubiri cyangwa zo mu mutwe bya nyakwigendera akigarurira umutungo we uzungurwa cyangwa igice cyawo;
6. iyo yarigishije, akangiza cyangwa akagira ibyo ahimba mu nyandiko abyitirira umurage wa nyuma wa Nyakwigendera cyangwa agakoresha umurage wataye agaciro.

Ingingo ya 54:

Hashingiwe ku bivugwa mu gika cya 3,4,5 na 6 by'ingingo ya 53, Urukiko rwa Mbere rw'Iremezo rw'aho nyakwigendera yari atuye cyangwa aho yabaga, nirwo rwemeza ko uwari kuzungura yambuwe ubwo burenganzira. Ikirego gitangwa mu buryo bw'ibirego byihutirwa.

Ingingo ya 55:

Izungura rikorwa nta rage cyangwa ku buryo bw'irage ry'ibintu byose cyangwa bimwe muri byo. .

IGICE CYA II: IZUNGURA RIKURIKIJE IRAGE**Ingingo ya 56:**

Irage ni igikorwa umuntu akora agena amerekezo y'umutungo we mu gihe azaba atakiriho, akagaragaza n' ibyifuzo bye bya nyuma.

Ibintu nyakwigendera atatanze mu irage bikurikiza amategeko agenga izungura nta rage.

Ingingo ya 57:

Irage rishobora gukorwa mu mvugo, mu nyandiko bwite cyangwa mu nyandiko mpamo.

Ingingo ya 58:

Irage mpamo ni irage rikorewe imbere y'umwanditsi w'inyandiko mpamo cyangwa imbere y'umwanditsi w'irangamimerere w'aho uraga atuye cyangwa aho aba.

Iyo irage rikorewe imbere y'umwanditsi w'irangamimerere cyangwa w'inyandiko mpamo, basigarana inyandiko imwe y'umwimerere bakanandika mu gitabo. cyagenewe irage itariki iryo rage ryakoreweho, amazina y'uraze, aho atuye n'aho aba.

Iyo nyandiko y'umwimerere kimwe n'igitabo cy'irage bicungwa mu ibanga bikaba byarebwamo gusa n'abo bireba uwaraze amaze gupfa.

Ingingo ya 59:

Irage rikozwe mu nyandiko bwite ni irage ryanditswe rigashyirwaho itariki n'umukono by' uraga.

Ingingo ya 60:

Iyo uraga atazi kwandika, cyangwa abizi ariko adashobora ubwe kwandika cyangwa gushyira umukono ku irage rye, ahitamo ubimukorera. Irage ryanditswe muri ubwo buryo rigomba guhabwa agaciro n'umwanditsi w'irangamimerere cyangwa w'inyandiko mpamo w'aho ryandikiwe, uwaraze ahibereye.

Ingingo ya 61:

Irage mvugo ni irage rikorerwa imbere y'abazungura b'ibanze bose cyangwa se bamwe muri bo n'abagabo byibuze babiri.

Igihe abazungura b'ibanze batabonetse, abagabo baba bane byibura:

Ingingo ya 62:

Ibiteganywa n'irage bishobora kuba mu mirage myinshi kandi ikubahirizwa icyarimwe mu buryo bwose bushobotse.

Iyo Ibiteganywa n'imirage ibiri cyangwa myinshi bibangamiranye, hubahirizwa ibikubiye mu irage riheruka gukorwa.

Ingingo ya 63:

Irage rishobora kuvanwaho ryose cyangwa igice cyaryo n'ubaraze, mu buryo bumwe n'ubusabwa kugira ngo irage rigire agaciro.

Ingingo ya 64:

Uruga ashobora gushyiraho umuntu umwe cyangwa benshi bashinzwe kwegeranya no kugabagabanya umutungo uzungurwa.

IGICE CYA III: IZUNGURA NTA RAGE

Ingingo ya 65:

Izungura nta rage ni izungura rikorwa hakurikijwe iri tegeko, Iyo nta rage ryabayeho.

Ingingo ya 66:

Mu masezerano y'Ivanguramutungo, abazungura bakurikiza urutonde rukurikira:

1. abana ba nyakwigendera;
 2. se na nyina ba nyakwigendera;
 3. abavandimwe ba nyakwigendera basangiye se na nyina;
 4. abavandimwe ba nyakwigendera basangiye umubyeyi umwe;
 5. ba se wabo, ba nyirasenge, ba nyirarume na ba nyina wabo ba nyakwigendera.
- Usibye se na nyina ba nyakwigendera, abazungura bapfuye mbere ya nyakwigendera bahagararirwa mu izungura n'ababakomokaho.

Ingingo ya 67:

Buri rwego rw'abazungura ruzitira izindi mu rutonde rw'izungura.

Ingingo ya 68:

Buri wese upfuye mu bashyingiranywe bafitanye amasezerano y'ivanguramutungo risesuye, azungurwa ntabazungura be hakurikijwe urutonde ruvugwa mu ngingo ya 66 y'iri tegeko.

Ingingo ya 69:

Abavandimwe ba nyakwigendera bahuje umubyeyi umwe, ba se wabo, ba nyirasenge, ba nyina wabo, ba nyirarume, ba bamwana n'abaramu ntibazungura isambu ya nyakwigendera yahawe n'umuryango akomokaho iyo badahuriye ku gisekuru cyayimuhaye, keretse iyo bigaragaye ko abahuriye nawe ku gisekuru cyamugabiye iyo sambu batakiraho.

Ingingo ya 70:

Abashyingiranywe bafitanye amasezerano y'ivangamutungo rusange bazungurwa ku buryo bukurikira:

1. iyo umwe apfuye, usigaye asigarana umutungo wose akubahiriza inshingano yokurera abana no gufasha ababyeyi ba nyakwigendera iyo babikeneye;
2. iyo bombi bapfuye bagasiga abana, umutungo wose uzungurwa n'abana bagafasha ba sekuru na ba nyirakuru. Iyo hari abana badahuriyeho, umutungo ugabanywamokabiri buri mwana akazungura umubyeyi we;
3. iyo bombi bapfuye badasize abana, umutungo ugabanywamo kabiri, 1/2 kigahabwa abazungura b'umugabo ikindi kigahabwa abazungura b'umugore;

4. .iyo uwapfakaye nta mwana afitanye na nyakwigendera akongera gushaka, asigarana 1/2 cy'umutungo bafatanyije ikindi 1/2 kigahabwa abazungura ba nyakwigendera;
5. iyo uwapfakaye ataye inshingano yo gufasha ababyeyi ba nyakwigendera, inama y'umuryango igenera abo babyeyi icyo bazungura mu mutungo wa Nyakwigendera;
- 6 iyo uwapfakaye ataye inshingano yo kurera abana yasigiwe na nyakwigendera, yamburwa 3/4 by'umutungo wose bigahabwa abana;
7. iyo nta mwana wa nyakwigendera uwapfakaye akirera, akongera gushaka, atwara 1/2 cy'umutungo wose, ikindi 1/2 gihabwa abazungura ba nyakwigendera;
8. iyo uwapfakaye agiye kongera gushaka akagumana inshingano yo kurera abana yasigiwe na nyakwigendera, ahabwa 1/4 cy'umutungo wose, 3/4 agakomeza kubicungira abana ba nyakwigendera;
9. iyo uwapfakaye atongeye gushaka, akabyara umwana cyangwa abana batari aba nyakwigendera, igihe cy'izungura ry'abana, 1/2 cy'umutungo wose kiba umwihariko w'abana ba nyakwigendera, 1/2 gisigaye abana bose. b'uwapfakaye bakakigiramo uruhare kuburyo bungana hatarebwe aba nyakwigendera n'ab'uwapfakaye yabyaye ahandi.

Ingingo ya 71:

Abashyingiranywe bafitanye amasezerano y'ivangamutungo w'umuhahano bazungurwa hakurikijwe ingingo z'iri tegeko rigenga izungura ry'ivangamutungo rusange ku mutungo w'umuhahano n'ingingo z'iri tegeko rigenga izungura ry'ivanguramutungo risesuye ku mutungo badahuriyeho.

Ingingo ya 72:

Iyo ntawe uzungura cyangwa uragwa uhari, izungura ryitwa ko ridafite, nyiraryo; umutungo uzungurwa ugahita wegurirwa Leta.

Ingingo ya 73:

Umuhango w'izungura ritagira nyiraryo ukorwa ku buryo bukurikira:

1. Urukiko rwa Mbere rw'Iremezo rw'aho izungura rigomba kubera rwerekana ko izungura ridafite nyiraryo rubisabwe na Burugumesitiri

cyangwa ubushinjacyaha bw'aho izungura ribera cyangwa bw'aho umutungo uzungurwa uri.
2. itangazo ritangwa na Perezida w'Urukiko rwa Mbere rw'Iremezo rw'aho izungura rigomba kubera mu binyamakuru bibiri byo mu gihugu ku buryo kimwe muri ibyo binyamakuru kigomba kuba ari icyo mu karere izungura riberamo cyangwa bigatangazwa ku bundi buryo burushijeho kuba bwiza.
3. mu gihe cy'umwaka umwe uhereye ku munsu iryo zungura ryatangarijwe, Burugumesitiri ubishinzwe ageza ikibazo ku Rukiko rwaregewe kugira ngo rutangaze ko umutungo ubuze nyirawo by'agateganyo, iyo atabonetse bikorwa n'ubushinjacyaha.

4. Urukiko rwa Mbere rw'Iremezo, iyo ruregewe rugomba gufata icyemezo mu gihe cy'ukwezi uhereye umunsi rwaregewe.
5. Urukiko rugena umuntu ku giti cye cyangwa umuryango ufite ubuzimagatozi kuba acunga by'agateganyo uwo mutungo mu izina rya Leta. Uwo ubicunga atanga buri mwaka raporo y'imicungire y'umutungo, akayihabwa Minisitiri ifite imibereho y'abaturage mu nshingano zayo, Burugumesitiri wa Komini akagenerwa kopi.
6. nyuma y'imyaka itanu ku mutungo w'imukanwa, n'imyaka cumi n'itanu ku mutungo utimukanwa, bisabwe na Burugumesitiri na/cyangwa Ubushinjacyaha, Urukiko rutangaza ko umutungo ubuze nyirawo burundu ukegurirwa LETA.
7. iyo mbere y'icyo gihe abazungura babonetse, bahabwa umutungo
8. uzungurwa uko umeze havuyemo ibyatanzwe na Leta mu kurinda, gutangaza no gucunga uwo mutungo kimwe n'ibindi Leta yaba yawukoreye kugira ngo utangirika.

IGICE CYA IV: Umutungo uzungurwa

Ingingo ya 74:

Ibarura ry'umutungo rikorwa nyakwigendera akimara gupfa kugirango umutungo uzungurwa umenyekane.

Iryo barura ntirikorwa ku mutungo abashyingiranywe bahuriyeho keretse iyo uwapfakaye agiye kongera gushyingirwa.

Ingingo ya 75:

Uwapfakaye akomeza kuba mu nzu bwite ya nyakwigendera babanagamo hamwe n'ibikoresho byose biyirimo iyo aribyo byonyine bigize umutungo uzungurwa cyangwa ari bimwe mu biwugize. Iyo uwapfakaye agiye kongera gushyingirwa inama ishinzwe iby'izungura ishobora kwernerza ko aguma mu mutungo yasigaranye bishingiye ku nyungu z'abana.

Ingingo ya 76:

Iyo uwapfakaye yifuje kugurisha, kugwatiriza cyangwa kugurana umutungo yasigaranye, inama ishinzwe iby'izungura igasanga bibangamiye inyungu z'urugo, ishobora gusaba urukiko mu kirego cy'ihutirwa ko rumwambura ubwo burenganzira.

Ingingo ya 77:

Umutungo uzungurwa ugabanywa uko uri.

Ariko, iyo bidashobotse ko umutungo uterwamo imirwi uko bimeze mu migabane ingana, inama ishinzwe izungura igena inshumbushyanyo

abazungura babonye umugabane munini batahawe n'itegeko cyangwa irage, baha ababonye umuto.

Ingingo ya 78:

Igice cy'impano kirenze ibishobora gutangwa bivugwa mu ngingo ya 31 y'iri tegeko gishobora kugaruzwa n'uwo ariwe wese mu bazungura bazigamirwa.

Abazungura bazigamirwa ni uwapfakaye n'abana.

Ingingo ya 79:

Ikintu cyatanzwe mbere y' imyaka itatu ibanziriza umunsi izungura ritangiriyeho ntigishobora kugaruzwa.

IGICE CYA V: IYEGERANYA N'IGABAGABANYA RY'IBIZUNGURWA

Ingingo ya 80:

Iyegeranya n'igabagabanya by'umutungo uzungurwa bikorwa n'uwabirazwe na nyakwigendera. Iyo adahari bikorwa n'inama ishinzwe iby'izungura cyangwa uwabishinzwe n'Urukiko.

Ingingo ya 81:

Inama ishinzwe iby'izungura igizwe na:

- uwapfakaye;
- umwana uhagarariye abandi iyo hari abana bakuru yasize;
- uhagarariye umuryango wa nyakwigendera;
- uhagarariye umuryango w'uwapfakaye;
- inshuti nyangamugayo imwe itangwa n'umuryango w'uwapfakaye;
- inshuti nyangamugayo imwe itangwa n'umuryango wa nyakwigendera.

Ingingo ya 82:

Umuyobozi w'inama ishinzwe iby'izungura atangwa n'umuryango wa nyakwigendera, umwanditsi wayo agatangwa n'umuryango w'uwapfakaye. Ibyemezo by'inama ishinzwe iby'izungura bifatwa abayigize bose bahari bakabishyiraho umukono.

Ingingo ya 83:

Perezida w'Urukiko rwa Mbere rw'Iremezo, abisabwe n'Ubushinjacyaha cyangwa Burugurmesitiri b'aho izungura ribera, cyangwa umwe mu bazungura, ashiraho ushinzwe iyegegeranya n'igabagabanya ry'ibizungurwa iyo abazungura bataramenyekana cyangwa baranze bese kuzungura cyangwa haravutse impaka zikabije ku buryo bw'igabagabanya.

Ingingo ya 84:

Ushinzwe iyegeranya n'igabagabanya ry'ibizungurwa afite inshingano zikurikira:

1. gucunga umutungo uzungurwa;
2. kwishyura imyenda yasizwe n'uzungurwa igejeje igihe;
3. kugena burundu abagomba kuzungura;
4. gufata icyemezo iyo habaye impaka no kutumvikana ku migabane;
5. kugaragariza imicungire y'umutungo abagomba kuzungura cyangwa urukiko.

Ingingo ya 85

Mu kwishyura imyenda ikurwa ku mutungo uzungurwa, ushinzwe iyegeranya n'igabagabanya ry'umutungo agomba kubahiriza urutonde rukurikira:

1. ibyatanzwe mu ishyingurwa rya nyakwigendera;
2. imishahara nyakwigendera yagombaga guhamba;
3. ibyatanzwe mu icunga, iyegeranya n'igabagabanya-mutungo;
4. imyenda ya nyakwigendera;
6. umurage ku bintu bizwi watanzwe na nyakwigendera.

Ingingo ya 86:

Ntawe uhatirwa kwemera kuzungura cyangwa gufata umurage. Kwemera kuzungura bigaragazwa n'uko uzungura yemeye ku mugaragaro ko ari umuzungura.

Kwemera kuzungura ntibisubirwaho kandi bigira agaciro guhera umunsi w'urupfu rwa nyakwigendera:

Ingingo ya 87:

Uwanga kuzungura agomba kubikora mu gibe cy'amezi atatu uhereye igihe ushinzwe iyegeranya n'igabagabanya ry'umutungo yamumenyeshereje ukuzungura kwe cyangwa igihe yagaragarije ko afite, uburenganzira bwo kuzungura.

Ingingo ya 88:

Kwanga kuzungura bigomba gukorwa mu nyandiko kandi bikamenyeshwa ushinzwe iyegeranya n'igabagabanya ry'umutungo, mu gibe kitarenze igiteganywa n'ingingo ya 87. Iyo uzungura atazi kwandika ashobora kubimenyasha mu mvugo muri icyo gibe cyavuzwe hari abagabo babiri. Iyo atagaragaje igitekerezo cye kandi yabimenyeshwe bifatwa nk'aho yemeye kuzungura.

Ingingo ya 89:

Kwanga kuzungura bituma ubikoze afatwa nk'aho atigeze aba umuzungura. Kwanga kuzungura ntibisubirwaho nyuma y'igihe giteganywa n'ingingo ya 87 keretse iyo byakozwe hakoreshejwe uburiganya, ingufu cyangwa iterabwoba, kandi

bikaregerwa mu rukiko mu gibe cy'amezi atandatu uhereye igihe birangiriye. icyo gibe gishobora kongerwa habonetse impamvu zigaragara kandi zifatika.

UMUTWE WA III: INGINGO RUSANGE KU MPANO N'IZUNGURA

Ingingo ya 90:

Kugabagabana isambu mu izungura no kuyitangaho impano bikurikiza amategeko agenga ubutaka.

Ingingo ya 91:

Isambu itarengeje hegitari imwe n'icyaricyo cyose kidashobora kugabanyika ntibishobora gucibwamo imirwi, ahubwo ba nyirabyo bumvikana uburyo bwo kubigurisha cyangwa bwo kubibyaza umusaruro ibivuyemo akaba aribyo bagabana.

Ingingo ya 92:

Amategeko yerekeye ububasha, bw'abantu mu gukora amasezerano n'ayerekeye inzitizi zo gukora ibikorwa byemewe, akurikizwa no mu bireba impano n'izungura.

INTERURO YA III: IBYEREKEYE INGINGO Z'INZIBACYUHO N'IZISOZA

Ingingo ya 93:

Haseguriwe ingingo ya 19 y'iri tegeko, abashyingiranywe mbere yuko iri tegeko ritangira kubahirizwa, bagengwa n'amasezerano y'icungamutungo basanganywe, keretse iyo mu gihe cy'imyaka ibiri kuva iri tegeko ritangiye kubahirizwa batangarije imbere y'umwanditsi w'irangamimerere ko bahisemo guhindura ubwo buryo bari basanganywe.

Ingingo ya 94:

Amategeko n'amabwiriza abanziriza iri tegeko kandi anyuranye naryo avanyweho.

Ingingo ya 95:

Iri tegeko ritangira gukurikizwa umunsi ritangarijweho mu Igazeti ya Leta ya Repubulika y'u Rwanda.

Kigali ku wa 12/11/1999

**Perezida wa Repubulika
Pasiteri BIZIMUNGU
(se)**

**Minisitiri w'Intebe
Petero Selesitini RWIGEMA
(se)**

**Minisitiri w'Iterambere ry'Abanyarwandakazi
Angelina MUGANZA
(sé)**

**Bibonywe kandi bishyizweho Ikirango cya Repubulika:
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