AMATEGEKO-SHINGIRO AGENGA KOPERATIVE
«..................................»

IRIBURIRO

Twebwe, Abanyamuryango Shingiro ba Koperative **..** igamije **..** Tumaze kubona ko Koperative ari imwe mu nzira yafasha abanyamuryango kugera ku mibereho myiza, biteza imbere barwanya n'ubukene kandi bihangira imirimo;

Iyo dutekereje ko mu gihugu hari ubushobozi bwatuma abantu bashobora kwiteza imbere mu by'imibereho, ubukungu n'imirire;

Dushingiye ku mategeko akurikizwa mu Rwanda, cyane cyane Itegeko n° n° 50/2007 ryo kuwa 18 Nzeri 2007 rigena ishyirwaho, imiterere, n'imikorere y'Amakoperative mu Rwanda;

Twemeje ibi bikurikira:

INTERURO YA MBERE :

IREMWA, IZINA, INTEBE, IMBIBI, INTEGO N'IGIHE IZAMARA

<u>Ingingo ya 1</u>: Ishingwa rya Koperative

Abashyize umukono kuri aya Mategeko n'abandi bazayemera, dushinze Koperative igamije guteza imbere **...................................** igengwa n'amategeko ariho kandi yubahirizwa mu Rwanda, ariko cyane cyane, itegeko n° 50/2007 ryo kuwa 18 Nzeri 2007 rigena ishyirwaho, imiterere, n'imikorere y'Amakoperative mu Rwanda.

<u>Ingingo ya 2</u> : Izina rya Koperative

Koperative imaze gushingwa yiswe **: ....**

<u>Ingingo ya 3</u> : Icyicaro cya Kopertive

Icyicaro cya Koperative .... gishyizwe mu Kagari ka **.....................,** Umurenge wa **......................,** Akarere ka **KICUKIRO, UMUJYI WA KIGALI** Gishobora kwimurirwa ahandi byemejwe na bibiri bya gatatu (2/3) by'abagize Inama Rusange.

<u>Ingingo ya 4</u> : Imbibi z'aho izakorera

Koperative .... ikorera imirimo yayo mu Murenge wa …………**,** Akarere ka **KICUKIRO,** UMUJYI WA KIGALI

<u>Ingingo ya 5</u> : Intego ya Koperative

Koperative .... igamije guteza imbere abanyamuryango bakora umurimo wo **...**

<u>Ingingo ya 6</u>. Igihe Koperative Izamara

Koperative .... izamara imyaka mirongo itatu (30) uhereye igihe iboneye ubuzimagatozi keretse icyo gihe cyongerewe cyangwa igaseswa icyo gihe kitararangira.

INTERURO YA II:

KUBA, KUREKA KUBA UMUNYAMURYANGO NO KWEGURA.

Ingingo ya 7: Abanyamuryango

Koperative igizwe n'abanyamuryango bayishinze n'abandi binjiyemo nyuma biyemeje gukurikiza aya mategeko.

Ingingo ya 8: Kwemererwa kuba umunyamuryango

Kugira ngo umuntu yemererwe kuba umunyamuryango, agomba kuba yujuje ibi bikurikira :

a) kuba afite imyaka 16 y'amavuko cyangwa yaremerewe ubukure kandi atarangwaho na kimwe mu biteganywa n'amategeko bituma yamburwa uburengnzira;

b) kuba atuye cyangwa akorera mu Karere Koperative ibarizwamo kandi afite ibikorwa bijyanye n'intego zavuzwe mu ngingo ya 5

c) kugaragaza ko afite inyungu mu bikorwa bya Koperative;

d) kudakora ibikorwa bibangamiye ibya Koperative ;

e) kuba yarishyuye umugabane we mu mari shingiro nkuko wemejwe n'Inama Rusange ya Koperative;

f) gusaba no kwemerwa n'Inama Rusange y'abanyamuryango.

Ingingo ya 9: Inshingano z'Umunyamuryango

Umunyamuryango wa Koperative afite inshingano zikurikira:

a) kwitabira Inama Rusange ya Koperative, gutanga ibitekerezo no gufata ibyemezo hamwe n'abandi banyamuryango;
b) gushyigikira Koperative mu bikorwa byayo byose by'ubukungu n'imibereho myiza;
c) kwitangira imirimo ashobora gushingwa ku buryo buzira amakemwa kandi nta nyungu bwite akurikiye;
d) gukurikiza no gushyira mu bikorwa imyanzuro n'ibyemezo by'inzego z'ubuyobozi bwa Koperative
e) kumenyesha inzego za Koperative ibikorwa bibangamiye inyungu yayo igihe yabimenye;
f) kwishyura imyenda Koperative ifite kugeza ku gaciro k'umugabane afite;
g) gukurikiza amategeko n'amabwiriza ya Kopertive.

Ingingo ya 10: Uburenganzira bw'umunyamuryango

Umunyamuryango afite uburenganzira bukurikira:

a) gukorerwa imirimo yose itangwa na Koperative;

b) gufata ijambo no gutora ibyemezo mu Nama Rusange ya Koperative;

c) gutora no gutorwa mu mirimo y'abagize Inama y'ubutegetsi, ubugenzuzi, komisiyo ishobora kwemezwa n'Inama Rusange;

d) kugeza ku Nama y'ubutegesi umushinga wose n'ibitekerezo bigamije gutunganya kurushaho imirimo ya Koperative;

e) kumenyesha Inama y'Ubugenzuzi amakosa yose y'abagize inzego z'ubuyobozi za Koperative;

d) gutanga ibitekerezo byubaka no kugira inama inzego zatowe;

f) gutumiza Inama Rusange idasanzwe mu gihe bibaye ngombwa kandi hakurikijwe amategeko agenga amakoperative mu Rwanda;

g) uburenganzira bwo guhabwa amakuru no guhugurwa;

h) uburenganzira bwo kwinjira cyangwa kuva muri koperative igihe imubangamiye;

i) kumenyeshwa uko umutungo wa Koperative wunguka n'uko ucungwa;

j) kwandikisha umuntu uzamuzungura igihe azaba yapfuye;

k) guhabwa inyungu ku migabane buri mwaka igihe koperative yungutse.

l) guhabwa ku mafaranga y'igicumbi igihe asezeye cyangwa yirukanywe muri Koperative cyangwa iyo iseshwe.

<u>Ingingo ya 11:</u> Gutakaza kuba umunyamuryango

1. Umuntu areka kuba umunyamuryango iyo habaye ibi bikurikira:

    a) gusezera k'umunyamuryango;

    b) urupfu;

    c) kwirukanwa kwemejwe n'Inama Rusange kubera impamvu zikurikira:

        (1) guhamwa n'icyaha cyo kunyereza umutungo; kwiba, ruswa, ubuhemu, kwigana inyandiko cyangwa ibindi byose bijyanye n'uburiganya bihanwa n'amategeko;

        (2) guhamwa n'icyaha gikomeye;

        (3) gukora imirimo ibangamiye inyungu cyangwa binyuranyije n'intego za Koperative;

        (4) kurenga ku nshingano nk'umunyamuryango;

        (5) kutuzuza ibisabwa kugira ngo umuntu abe umunyamuryango**.**

    d) Umunyamuryango urebwa n'ibivugwa mu gika cya c) byavuzwe haruguru ahita ahagarikwa n'Inama y'Ubuyobozi kugeza igihe Inama Rusange ya Koperative ya vuba iteraniye ikabyemeza.

2. Inama y'Ubuyobozi ishobora guhagarika uburenganzira bw'umunyamuryango mu gihe cy'amezi atatu mu bihe bikurikira:

    a) kutubahiriza inshingano ze nk'umunyamuryango
    b) kurenga kuri aya mategeko ya Koperative n'ibyemezo by'Inama Rusange n'iby'Inama y'Ubuyobozi.

3. Umunyamuryango asubirana uburenganzira bwe amaze kuzuza ibyo yiyemeje n'inshingano ze. Iyo ibyo bitabaye, mu gihe kitarenze amezi atatu (3), Inama y'Ubuyobozi ifite uburenganzira bwo kumuhagarika mu gihe itegereje ko Inama Rusange ikurikira imwirukana.

Ingingo ya 12 : Kwegura muri Koperative

Ushaka kwegura muri Koperative yandikira Inama y'Ubuyobozi agaragaza impamvu itumye asezera. Iyo Nama igeza icyifuzo cy'uwo munyamuryango ku Nama Rusange iterana igasubiza mu buryo bwanditse mu gihe kitarenze amezi atandatu. Iyo icyo gihe kirenze uwasabye kuvamo afatwa nk'utakiri umunyamuryango.

Ingingo ya 13 : Kwirukanwa muri Koperative

1. Bisabwe n'Inama y'Ubuyobozi cyangwa buri muntu wese ubifitemo inyungu, umunyamuryango ashobora kwirukanwa n'Inama Rusange iyo atubahiriza amategeko n'amabwiriza agenga Koperative cyangwa atubahiriza inshingano ze muri Koperative..

2. Icyemezo cyo kwirukana umunyamuryango, gifatwa n'Inama Rusange ku bwiganze bwa bitatu bya kane (¾) by'amajwi y'abahari.

3. Umunyamuryango ugiye kwirukanwa afite uburenganzira bwo gutanga ibisobanuro ku birego bamureze mbere y'uko Inama Rusange ifata icyemezo.

Ingingo ya 14 :Uburenganzira bw'umunyamuryango wirukanwe n'usezeye

1. Buri munyamuryango usezeye cyangwa wirukanywe afite uburenganzira bwo gusubizwa mu gihe kitarenze umwaka imigabane ye havuyemo igihombo cyabonetse mu mari shingiro, imyenda afitiye Koperative, kimwe n'uruhare rwe mu myenda n'inguzanyo byafashwe na Koperative atarayivamo.

2. Uwo munyamuryango ahabwa kandi n'inyungu ku migabane ye igihe cyose atarayisubizwa.

3. Umunyamuryango usezeye cyangwa wirukanywe afite uburenganzira ku mafaranga aturuka ku nyungu yazigamiwe Koperative.

4. Guhita ahabwa amafaranga ye yose yabikije muri Koperative mu buryo bwunguka n'ubutunguka bitarenze iminsi cumi n'itanu (15). Bitabaye ibyo, yungukirwa 10 % ku mwaka.

Ingingo ya 15 :Umurage w'umunyamuryango

1. Iyo umunyamuryango apfuye azungurwa n'umuntu we yandikishije muri Koperative ye igihe yatangaga umugabane we. Umuzunguye yandikira Inama Rusange, abinyujije ku Nama y'Ubuyobozi, asaba kwegukana ibyo afitiye uburenganzira.

2. Igihe, kubera impamvu zumvikana kandi zigaragara, Inteko Rusange yanze ko aba umunyamuryango wa Koperative, uwagombaga kuzungura ahabwa, mu gihe kitarenze umwaka, umugabane, amafaranga yabikijwe na nyakwigendera n'inyungu zayo hubahirijwe ingingo za 19 na 20 z'aya mategeko.

3. Ibivugwa mu ngingo ya 12, 13, 14 na 15 z'aya mategeko bireba n'uwazunguye umunyamuryango wapfuye.

Ingingo ya 16: Abakozi bahembwa

1. Koperative ishobora gukoresha abakozi bahembwa, hakurikijwe amategeko agenga umurimo n'ubwiteganyirize bw'abakozi ariko cyane cyane ikabanza kubashakira mu banyamuryango bayo.

2. Kugira ngo yemererwe kuba umukozi agomba kuba yujuje ibi bikurikira:

a) kuba yujuje nibura imwaka 16 y'amavuko;

b) kuba ashoboye akazi;

c) kuba ari inyangamugayo (indakemwa mu mico no mu myifatire);

d) kuba atarahamwe na kimwe mu byaha biteganywa n'amategeko agenga amakoperative mu Rwanda.

e) kuba atarakatiwe igihano cy'igifungo kirenze amezi atandatu.

3. Koperative ishobora gukoreresha umukozi wo hanze igihe bigaragara ko ubumenyi bw'umurimo ugiye gukorwa nta munyamuryango ubufite.

<u>Ingingo ya 17</u>: Inyandiko zibikwa ku cyicaro cya Koperative.

Inyandiko zibikwa n'Inama y'Ubuyobozi cyane cyane Umunyamabanga wayo ku cyicaro cya Koperative ni izi zikurikira :

a) Amategeko Rusange n'ay'umwihariko ya Koperative;

b) igitabo cyandikwamo ibyemezo by'Inama Rusange;

c) igitabo cyandikwamo ibyemezo by'Inama y'Ubuyobozi;

d) igitabo cyandikwamo izindi raporo za Koperative;

e) igitabo cy'abanyamuryango n'imigabane yabo;

f) Ibitabo by'icungamari n'icungamutungo.

INTERURO YA III : UMUTUNGO WA KOPERATIVE

<u>Ingingo ya 18</u> : Aho umutungo wa Koperative uturuka

1. Umutungo wa Koperative ugizwe n'ibi bikurikira:

    a) Amafaranga yo kwiyandikisha agenwa n'Inteko Rusange;

    b) Imigabane y'abanyamuryango;

    c) amafaranga abitswa n'abanyamuryango;

    d) Amafaranga y'igicumbi n'andi azigamirwa Koperative;

    e) Inyungu ziva ku nguzanyo;

    f) Impano;

    g) Indagano;

    h) Imfashanyo;

    i) Umutungo bwite wa Koperative

    j) Umutungo wimukanwa n'utimukanwa.

2. Umutungo wa Koperative ugombwa gukoreshwa gusa iyo hagamijwe kugera ku ntego za Koperative.

3. Koperative ishobora gushora imari yayo cyangwa kubitsa hakurikijwe amategeko agenga imitunganyirize y'Amakoperative.

Ingingo ya 19: Imari shingiro

1. Imari shingiro ya Koperative ishyizwe ku mafaranga **..** (**................ frs**). Igizwe n'imigabane **........ ,** buri mugabane ukaba ungana n'amafaranga **.. *(..................frs*).** Koperative ishobora kwakira impano, ibiragano n'imfashanyo.

Ingingo ya 20: Iyongerwa n'igabanywa ry'Imari Shingiro

1. Imari shingiro ishobora kongerwa n'imigabane mishya. Ishobora kugabanuka bitewe no gusubiza imigabane beneyo ku mpamvu zo gusezera, kwirukanwa cyangwa gupfa k'umunyamuryango, guhemba abakozi no kwishyura imyenda igihe Koperative yahombye.

2. Imari shingiro ishobora kugabanywa Inama Rusange ibyemeje. Ariko ntishobora kugabanukaho ibirenze kimwe cya kabiri (1/2) bitewe no guhomba, cyangwa kwishyura imyenda.

3. Mu gihe Koperative izaba yarahawe inguzanyo n'abandi bantu, ikigo cya Leta cyangwa ikigo cyigenga, imari shingiro ntizashobora kugabanywa n'isubizwa ry'imigabane igihe inguzanyo itarishyurwa yose.

Ingingo ya 21 : Umugabane, ingano yawo n'ibiwuranga

1° Umugabane wa buri munyamuryango wagenwe n'Inama Rusange ni umwe kuri buri munyamuryango kandi ufite agaciro k'amafaranga **.. (................................ frw**).

2° Umugabane utangwa n'umunyamuryango ku giti cye ariko ushobora kwegurirwa undi muntu ubifitiye uburenganzira byemejwe n'Inama Rusange. Yandikwa muri Regisitiri ibikwa ku cyicaro cya Koperative. Handikwamo amazina, aderesi yuzuye n'umubare w'imigabane ya buri muntu n'andi mafaranga yatanzwe. Imigabane umunyamuryango atanga igaragazwa n'icyemezo ahabwa. Buri munyamuryango yemerewe kureba ibyanditswe muri iyo Regisitiri, ku cyicaro cya Koperative, umubitsi cyangwa umwanditsi ahari.

3° **U**m**u**gabane nt**u**gabanywa, nt**u**gurishwa , ntu**tangwaho** ingwate cyangwa ngo ufatirwe.

4° Umugabane ubyara inyungu. Ingano y'iyo nyungu yemezwa n'Inteko Rusange kandi ntishobora kurenga amafaranga atandatu ku ijana (6%). Itangwa igihe Koperative yungutse.

Ingingo ya 22: Amafaranga asabwa ku kazi kakorewe abanyamuryango

Koperative yaka amafaranga kuri serivisi yakorewe umunyamuryango. Ingano y'ayo mafaranga igenwa n'Inteko rusange bisabwe n'Inama y'Ubuyobozi.

Ingingo ya 23: Amafaranga azigamirwa Koperative

Koperative ishyiraho ikigega kijyamo amafaranga ayizigamirwa. Icyo kigega gikoreshywa hakurikijwe amategeko agena imitunganyirize y'Amakoperative, aya mategeko n'ibyemezo by'Inama Rusange. Amafaranga azigamirwa Koperative angana na 20% by'inyungu yose

yabonetse buri mwaka, havanywemo ayatanzwe ku bikorwa rusange n'andi yose Koperative yakoresheje.

INTERURO YA IV : IMITERERE, INSHINGANO N'IMIKORERE Y'INZEGO.

Ingingo ya 24: Imiterere y'Inzego za Koperative

Koperative ……………………………………. igizwe n'inzego zikurikira :

- Inama Rusange ;
- Inama y'Ubuyobozi ;
- Inama y'Ubugenzuzi ;

Hashobora kujyaho utunama cyangwa komite bisabwe n'Inama y'Ubuyobozi, bikemerwa n'Inama Rusange.

ICYICIRO CYA MBERE: INAMA RUSANGE

Ingingo ya 25: Inama Rusange n'ububasha bwayo

Inama Rusange igizwe n'abanyamuryango bose ba Koperative. Nirwo rwego rukuru rwa Koperative rushyiraho kandi rukavanaho izindi nzego kandi ruhuriza hamwe abanyamuryango. Izindi nzego zose zihabwa ububasha nayo.

Inama Rusange ifite ububasha busesuye kandi ifata ibyemezo bijyanye n'umurongo n'icyerekezo cy'ibikorwa bya Koperative.

Ingingo ya 26: Itumizwa ry'Inama Rusange

1. Inama Rusange isanzwe ihamagazwa na Perezida w'Inama y'Ubuyobozi. Ihamagarwa hasigaye nibura iminsi makumyabiri 20 kugira ngo inama ibe.Urwandiko ruyitumiza rwohererezwa buri munyamuryango cyangwa hagakoreshwa ubundi buryo bwose butuma bimenyekana bihagije.

2. Itumizwa ry'inama rigomba kugaragaza ibiri ku murongo w'ibyigwa, itariki, isaha n'aho inama izabera.

3. Igihe Perezida w'Inama y'Ubuyobozi adatumiye Inama Rusange mu gihe cyateganijwe, bibiri bya gatatu (2/3) by'abagize Inama y'Ubuyobozi bitoramo uyitumiza akanayiyobora.

Ingingo ya 27: Iterana ry'Inama Rusange

1. Inama Rusange isanzwe iterana nibura kabiri mu mwaka mu mpera z'igihembwe cya mbere no mu ntangiriro z'igihembwe cya kane cy'umwaka, ku munsi, isaha n'ahantu hagenwe n'Inama y'Ubuyobozi.

Inama Rusange iterana mu mpera z'igihembwe cya mbere yiga ibi bikurikira:

a) kwemeza abanyamuryango bashya no gusezerera abadakurikiza aya mategeko;

b) kwemeza amategeko ngengamikorere ya Koperative; Byigwa mu nama rusange idasanzwe

c) gutora no gukuraho abagize inama y'Ubuyobozi, abagenzuzi n'abakora mu tunama tw'impuguke;

d) raporo y'ibyakozwe na Koperative umwaka ushize;

e) gusuzuma no kwemeza imibaruro y'umutungo;

f) kugena uko inyungu zizakoreshwa;

g) kwemeza ko Koperative ifata imyenda, yishingira umwenda w'umunyamuryango;

h) kwemeza inyungu zigomba gutangwa ku migabane n'uko zatangwa ;

i) kwemeza politiki ya Koperative yo kuguriza abanyamuryango: Iyo politiki itegurwa n'Inama y'Ubuyobozi.

j) kwemeza inyungu ku nguzanyo, uko izo nyungu n'inguzanyo bizishyurwa n'ibihano biteganyije kubakererwa kwishyura.

2. Inama Rusange ya kabiri iterana mu ntangiriro z'igihembwe cya kane kugira ngo:
   a. yemeze gahunda y'ibizakorwa mu mwaka ukurikira;

   b. ishyireho ingengo y'imari

   c. isuzume ikibazo cyose giteganyijwe kwigwa uwo munsi.

3. Inama Rusange idasanzwe ishobora kuba igihe cyose bibaye ngombwa;

4. Perezida w'Inama y'Ubuyobozi wa Koperative, cyangwa umusimbura, niwe ikora gahunda y'ibigomba kwigwa.

<u>Ingingo ya 28</u>: Ifatwa ry'ibyemezo

1. Inama Rusange isanzwe ntishobora guterana ku buryo bwemewe iyo umubare w'abanyamuryango bahari utarenze kimwe cya kabiri (1/2) cy'abanyamuryango bose.

2. Iyo uwo mubare utabonetse ku nshuro ya mbere, Inama Rusange ihamagarwa bwa kabiri mu minsi umunani (8)mu buryo bumwe nk'iya mbere.

3. Yiga ibyari bisanzwe biteganyijwe k'umurongo w'ibyigwa, kandi igafata ibyemezo ku buryo bwemewe, uko abahari baba bangana kose. Ibyemezo bifatwa ku bwiganze bw'amajwi busesuye.

4. Buri munyamuryango afite ijwi rimwe igihe cy'ifatwa ry'ibyemezo.

5. Abanyamuryango bitabiriye inama basinyira ko baje mu gitabo cyabigenewe.

<u>Ingingo ya 29</u> : Inama Rusange Idasanzwe

1. Inama Rusange idasanzwe ihamagazwa hasigaye iminsi 15 ngo inama ibe, na Perezida w'inama y'Ubuyobozi abisabwe na 1/3 cy'abanyamuryango cyangwa na batatu (3) mu bagize Inama y'Ubuyobozi. Ishobora no guhamagazwa hakurikijwe amategeko agenga imitunganyirize y'amakoperative mu Rwanda. Inama yiga gusa ibiri ku murongo w'ibyigwa.

2. Iterana igihe hagomba kwigwa ibi bikurikira:

   a) gusubiramo cyangwa guhindura amategeko agenga Koperative;

   b) igihe Koperative yahombye;

c) igihe Koperative ishaka kwinjira mu Ihuriro cyangwa Impuzamahuriro, kwihuza n'izindi Koperative cyangwa ishaka guhindura intego zayo;
d) igihe cyo gushyiraho ushinzwe kubarura umutungo no kuwugabanya;

e) ikindi kintu gishobora kwigwa n'Inama Rusange idasanzwe uretse ibijyanye n'amafaranga.

3. Ibyemezo bifatwa nibura 2/3 by'abanyamuryango bahari. Iyo uwo mubare utagezeho, inama irasubikwa, ikongera igatumizwa mu minsi irindwi (7). Abitabiriye iyo nama bwa kabiri uko baba bangana kose baraterana bagafata n'ibyemezo.

4. Ibyemezo byerekeye guhindura amategeko agenga Koperative, igihe Koperative ishaka kwinjira mu Ihuriro cyangwa Impuzamahuriro, kwihuza n'izindi Koperative cyangwa ishaka guhindura intego zayo, bifatwa ku bwiganze bwa ¾ by'abanyamuryango bahari kandi batora.

ICYICIRO CYA 2: INAMA Y'UBUYOBOZI

<u>Ingingo ya 30</u> : Abagize Inama y'Ubuyobozi

Koperative iyoborwa n'Inama y'Ubuyobozi igizwe n'abanyamuryango bari hagati ya batanu (5) n'icyenda (9). Batorerwa igihe cy'imyaka itatu ariko bakaba bakongera gutorwa inshuro imwe gusa.
Iyo abagize Inama y'Ubuyobozi beguye cyangwa basezerewe mu Nama Rusange, icyo gihe hatorwa abandi bashya.

Iyo umwe mu bagize Inama y'Ubuyobozi asezeye, apfuye cyangwa yirukanywe asimburwa n'uwo bakurikiranaga mu majwi mu mwanya yari yiyamamajeho akarangiza manda y'uwo asimbuye.

<u>Ingingo ya 31</u>: Ibisabwa gutorerwa mu Nama y'Ubuyobozi

Kugira ngo umuntu ashobore gutorerwa kuba umwe mu bagize Inama y'Ubuyobozi agomba:

a) kuba afite nibura imyaka 21 y'amavuko ;

b) kuba ari inyangamugayo kandi atarakatiwe igifungo kirenze amezi atandatu (6) ;

c) kuba adakora ibikorwa bibangamiye intego n'amahame bya Koperative;

d) kuba atarahombye;

e) kuba yuzuza inshingano ze muri Koperative harimo no gutanga imigabane yose kandi ku gihe.

<u>Ingingo ya 32</u> : Inshingano z'Inama y'Ubuyobozi

1. Inama y'Ubuyobozi ya Koperative ifite ishingano zikurikira:

   a) kuyobora Koperative;
   b) kwiga dosiye y'abashaka kuba abanyamuryango;
   c) gushyikiriza raporo y'imicungire ya Koperative Inama Rusange;
   d) gutegura ingengo y'imari y'umwaka ukurikira
   e) gusinya amasezerano mu izina rya Koperative
   f) kubungabunga umutungo wa Koperative;
   g) kumenya uko imari ya Koperative iteye no kureba ko Koperative icunzwe neza;

h) guhagararira Koperative no kuyivugira;
i) gukoresha inama igihe cyose bibaye ngombwa;
j) kubika ibitabo byose bya Koperative harimo aya mategeko, lisiti y'abanyamuryango, lisiti y'abagize inama y'Ubuyobozi n'iy'abagenzuzi;
k) gukora indi mirimo yose ihawe n'Inama Rusange.

2. Imirimo yose ikorwa n'Inama y'Ubuyobozi igomba kwandikwa mu gitabo cyabugenewe.

<u>Ingingo ya 33</u> : Ifatwa ry'ibyemezo

1. Inama y'Ubuyobozi iterana nibura rimwe mu mezi atatu n'igihe cyose bibaye ngombwa itumijwe na Perezida cyangwa umusimbura we hasigaye nibura iminsi itanu (5) ngo iterane. Ubutumire bugomba kugaragaza ibizasuzumwa, isaha, umunsi n'aho inama izabera. Iyo bombi batabonetse, inama ikoreshwa n'undi mu bagize inama y'Ubuyobozi wabitorewe.
2. Kugira ngo ibiyivugiwemo byemerwe, Inama y'Ubuyobozi igomba kuba iteraniwemo na 2/3 by'abayigize. Ibyemezo bifatwa bakurikije ubwiganze bw'amajwi. Igihe amajwi angana, irya Perezida rikemura impaka.

3. Inyandiko-mvugo y'ibyavugiwe nu nama yandikwa mu gitabo cyabugenewe kandi igasinywa na Perezida n'Umwanditsi w'inama.

4. Umucungamutungo wa Koperative ashobora gutumirwa mu nama y'Inama y'Ubuyobozi ya Koperative ariko ntashobora gutora.

<u>Ingingo ya 34</u>: Uburyozwe bw'amakosa y'Inama y'Ubuyobozi

Abagize Inama y'Ubuyobozi baryozwa amakosa baba barakoze buri muntu ku giti cye cyangwa bafatanyije igihe bakora imirimo bashinzwe.

ICYICIRO CYA 3: INAMA Y'UBUGENZUZI

<u>Ingingo ya 35</u> : Abagize Inama y'ubugenzuzi

1. Inama y'ubugenzuzi igizwe n'abanyamuryango batatu (3), batorwa n'Inama Rusange, igihe cy'imyaka ibiri (2). Bashobora kongera gutorwa inshuro imwe.

2. Abagenzuzi bamaze gutorwa bahita baterana bakitoramo Perezida, umwungirije n'Umunyamabanga bagize ibiro kugeza igihe batorewe kirangiye.

3. Iyo umwe mu bagize Inama ngenzuzi apfuye, asezeye cyangwa yirukanwe, uwagize amajwi menshi mu biyamamaje batatowe ahita amusimbura akarangiza igihe yari asigaje.

<u>Ingingo ya 36</u>: Ibisabwa kugira ngo umuntu atorerwe kuba umugenzuzi

1. Ntashobora gutorerwa kuba mu bagize Inama y'ubugenzuzi, umuntu :

    a) utarageza nibura ku myaka 21 y'amavuko ;

    b) uri mu nama y'Ubuyobozi, umucungamutungo nabo bafitanye isano;

    c) uhembwa ku buryo ubwo ari bwo bwose na Koperative;

    d) utari inyangamugayo;

    e) wakatiwe igifungo kirenze amezi 6 ;

f) ukora ibikorwa bibangamiye intego n'amahame bya Koperative.

g) uwo urukiko rwemeje ko yahombye;

h) utuzuza inshingano ze muri Koperative.

2. Iyo hagize umwe muri iyo miziro ugaragara kandi umugenzuzi yaratangiye imirimo, ategetswe kwegura ako kanya kandi akabimenyesha umuyobozi w'Inama y'Ubuyobozi ya Koperative mu minsi itarenze irindwi (7) uwo muziro ugaragaye.

3. Inama y'ubugenzuzi igomba kwerekana uburyo abanyamuryango bamwe bitangiye Koperative kurusha abandi kugira ngo babone agahimbazamusyi umwaka urangiye.

<u>Ingingo ya 37</u> : Inshingano z'Inama y'Ubugenzuzi

Inama y'ubugenzuzi ishinzwe kugenzura imirimo yose ya Koperative kandi buri gihe. Ku buryo bw'umwihariko, Inama y'Ubugenzuzi ikora imirimo ikurikira:

a) Kugenzura nibura rimwe mu kwezi ibitabo by'isanduku n'ibaruramari, isohoka n'iyinjira ry'amafaranga, itangwa ry'imwenda no kugenzura muri rusange niba ibikorwa bya Koperative bikurikiza amahame ya Koperative,

b) gufasha Koperative kugera ku ntego zayo no ku musaruro mwiza, niba bikorerwa igihe, bikorwa mu mucyo kandi nta kubogama, byubahiriza amabwiriza ariho ndetse no kugenzura mu buryo butunguranye igihe cyose bibaye ngombwa;

c) kugeza raporo y'ibikorwa ku Nama Rusange;

d) kugira inama Inama y'Ubuyobozi inama za ngombwa ngo Koperative icungwe neza kandi itere imbere mu buryo buboneye;

e) gutumiza Inama Rusange idasanzwe ya Koperative igihe bibaye ngombwa kubera kurengera inyungu za Koperative n'iz'abanyamuryango;

f) gukurikirana ko aya mategeko, amabwiriza ya Koperative n'ibyemezo by'Inama Rusange n'by'Inama y'Ubuyobozi byubahirizwa kandi bishyirwa mu bikorwa;

g) kugenzura ifoto y'umutungo y'umwaka no kubikorera raporo ishyikirizwa Inama Rusange, maze ikayigaragariza icyifuzo cyayo ku byerekeye kwemeza iyo raporo no kwerekana ko Inama y'Ubuyobozi n'Umucungamari bakoze akazi kabo neza;

h) Gusuzuma cyangwa kugenzura ibyo ibona ko ari ngombwa igihe icyo ari cyo cyose ariko itivanze mu micungire ya Koperative.

i) Gusuzuma ibyo abanyamuryango banenga Inama y'Ubuyobozi, Ubucungamari n'utundi tunama twashyizweho n'Inama Rusange maze ikayikorera raporo.

<u>Ingingo ya 38</u>: Guterana kw'Inama y'Ubugenzuzi

1. Inama y'Ubugenzuzi iterana nibura rimwe mu mezi atatu n'igihe cyose bibaye ngombwa itumijwe na Perezida wayo hasigaye nibura iminsi ibiri ngo iterane. Ubutumire bugomba kugaragaza ibizasuzumwa, isaha, umunsi n'aho inama izabera ikabimenyesha Inama y'Ubuyobozi.

2. Inama y'Ubugenzuzi iterana ku buryo bwemewe iyo abagenzuzi uko ari batatu (3) bahari.

Ingingo ya 39: Ifatwa ry'Ibyemezo by'Inama y'Ubugenzuzi

Ibyemezo by'Inama y'Ubugenzuzi bifatwa kubwumvikane. Bitaba ibyo bigafatwa ku bwiganze bw'amajwi.

Ingingo ya 40: Ibibazwa Inama y'Ubugenzuzi

Inama y'Ubugenzuzi ibazwa ubugenzuzi ku micungire yose ya Koperative, ku ikurikizwa ry'amategeko agenga imikorere ya Koperative mu Rwanda, amategeko agenga Koperative ubwayo, ku ishyirwa mu bikorwa ry'ibyemezo by'Inama Rusange n'iby'Inama y'Ubuyobozi.

ICYICIRO CYA 4: UTUNAMA TW'IMPUGUKE

ngingo ya 41: Ububasha n'imikorere yatwo

1. Inama Rusange, ibisabwe n'Inama y'Ubuyobozi, ishobora gushyiraho Utunama tw'Impuguke twose ibona ko ari ngombwa ngo dukore imirimo yihariye cyangwa twige ikibazo gisaba ubumenyi buhagije mu rwego uru n'uru.

2. Akanama k'imuguke kagomba kugeza ku Nama y'Ubuyobozi raporo y'ibikorwa byako buri gihembwe.

3. Koperative ifite inshingano zo gushyiraho Akanama gashinzwe amahugurwa y'Abanyamuryango n'inzego za Koperative.

4. By'umwihariko, Koperative yo kuzigama no kugurizanya igomba gushyiraho Akanama gashyinzwe gutanga inguzanyo no kwishyuza.

Ingingo ya 42: Akanama gashinzwe amahugurwa

1. Akanama k'amahugurwa gashyinzwe gutegura gahunda y'amahugurwa y'abanyamuryango n'abagize inzego z'ubuyobozi bwa Koperative.

2. Akanama k'amahugurwa kagizwe n'abantu batanu (5) batorwa n'Inama y'Ubuyobozi mu banyamuryango hakurikijwe ubushobozi bwabo mu by'amahugurwa.

3. Akanama k'amahugurwa gashyinzwe imirimo ikurikira:

    a) gutegura no gushyiraho gahunda y'amahugurwa y'abanyamuryango n'inzego za Koperative;

    b) gutegura no gushyira mu bikorwa buri mwaka gahunda y'akazi;

    c) kugeza ku Nama y'Ubuyobozi raporo ya buri gihembwe na buri mwaka.

ICYICIRO CYA 5: IBYEREKEYE ICUNGAMUTUNGO

Ingingo ya 43 : Ishyirwaho ry'Umucungamutungo

Inama Rusange, ihereye ku cyifuzo cy'Inama y'Ubuyobozi, niyo yemeza Umucungamutungo umwe cyangwa benshi, abandi bakozi kimwe n'imishahara yabo. Bashinzwe kwita ku micungire ya buri munsi ya Koperative.

Mbere yo gutangira akazi, hagomba kubaho amasezerano y'umurimo yanditse hagati y'Inama y'Ubuyobozi n'umucungamutungo hakurikijwe amategeko agenga umurimo mu Rwanda. Ayo masezerano akorwa kimwe no ku bandi bakozi.

Inama y'Ubuyobozi niyo igenzura imirimo umucungamutungo akora. Umucungamutungo ategetswe kugira ibanga ry'akazi nk'uko biteganywa n'amabwiriza n'imyitwarire y'akazi.

Ingingo ya 44: Ibibujijwe umucungamutungo

Umucungamutungo kimwe n'undi mukozi wese wa Koperative, babujijwe gukora ku buryo buziguye cyangwa butaziguye imirimo yose ibangamiye Koperative.

INTERURO YA IV : IBYEREKEYE IMARI

Ingingo ya 45: Umwaka w'Ibaruramari

Igihe fatizo cy'ibaruramari gitangira ku wa mbere Mutarama kikarangira ku wa 31 Ukuboza kwa buri mwaka, uretse ko mu mwaka wa mbere, icyo gihe gitangirana n'umunsi Koperative yaboneyeho ubuzima gatozi.

Ingingo ya 46: Gushora imari shingiro

Inama y'Ubuyobozi yiga imishinga ibyara inyungu, ikemezwa n'Inama Rusange, ikabona gushoramo imari shingiro.

Ingingo ya 47: Amafaranga abitswa n'abanyamuryango

Buri munyamuryango abitsa muri Koperative buri kwezi amafaranga agengwa n'Inama Rusange.

Ingingo ya 48: Inyungu ku mafaranga abikijwe

Buri mwaka Inama Rusange iraterana iyo hari inyungu zabonetse ku mafaranga y'abanyamuryango , ikagena inyungu bene kubitsa bakwiriye.

Ingingo ya 49: Umushahara w'abagize inzego

Umuntu uri mu Nama y'Ubuyobozi, Umugenzuzi n'abari mu Tunama tw'Impuguke, ntibashobora kugirana na Koperative yabo amasezerano y'akazi, kuyikorera umurimo cyangwa ikindi gihemberwa. Gusa bashobora gusubizwa amafaranga yose batanze baza mu nama, ay'ifunguro n'icumbi mu buryo buteganywa n'amategeko y'umwihariko ya Koperative.

Iyo umwaka urangiye bigaragara ko bakoze neza kandi hari inyungu igaragara yabonetse, bashobora guhabwa ishimwe rigenywe n'Inama Rusange.

Ingingo ya 50: Inyandiko zisoza umwaka

Buri mwaka, Inama y'Ubuyobozi itegura inyandiko zikurikira kugira ngo zizasuzumwe n'Inama Rusange isanzwe:

Ifoto y'umutungo n'ikoreshwa ry'imari ;

Raporo y'ibyakozwe uwo mwaka ;

Imbonerahamwe y'umutungo;

Gahunda y'ibigomba gukorwa mu mwaka ukurikira ;

Ingingo ya 51: Igabana ry'inyungu

Amafaranga y'inyungu yose abonetse buri mwaka, havanywemo ayatanzwe ku bikorwa rusange n'andi yose Koperative yakoresheje, asaranganywa ku buryo bukurikira:

1. 20 % azigamirwa Koperative;

2. kwishyura inyungu ku mafaranga y'abanyamuryango yakiriwe na Koperative;

3. gutanga ubwasisi ku banyamuryango bakoranye neza na Koperative;

4. gushyira amafaranga mu bindi bigega bidasanzwe byashizweho na Koperative;

5. gutanga ishimwe ku bagize inzego z'ubuyobozi n'abakozi ba Koperative;

6. asigaye, Inama Rusange igena uko azakoreshwa.

Nta bwasisi cyangwa inyungu bitangwa bikomotse ku mafaranga yazigamiwe Koperative.

Amafaranga azigamwa ni umutungo rusange wa Koperative udashobora kugabanwa abanyamuryango keretse iyo Inama Rusange yafashe icyemezo cyo guha abanyamuryango ubwasisi, cyangwa guhaho umunyamuryango wivanye cyangwa wirukanywe muri Koperative cyangwa yasheshwe.

Amafaranga azigamirwa Koperative akoreshya mu buryo bukurikira ari uko byemejwe n'Inama Rusange:

- guteza imbere Koperative;

- kwishyura abo Koperative ibereyemo imyenda igihe isheshwe

- ikindi kintu Inama Rusange yemeje.

Ingingo ya 52: Inyungu ku migabane

Imigabane ya buri munyamuryango ishobora kubyara inyungu itarenze amafaranga atandatu kw'ijana (6 %). Iyo nyungu ishyirwaho n'Inama Rusange, igatangwa gus a iyo hagize amafaranga asaguka muri uwo mwaka.

Ingingo ya 53: Ubwasisi

Ubwasisi butangwa hakurikijwe ibyo buri munyamuryango yakoranye na Koperative. Iyo Koperative yahombye, nta bwasisi bushobora gutangwa igihe cyose inyungu y'imyaka ikurikira itaraziba icyuho cy'icyo gihombo.

INTERURO YA V: INGINGO ZINYURANYE N'IZISOZA

Ingingo ya 54 : Iseswa rya Koperative

Iseswa rya Koperative rikorwa ari uko Inama Rusange yabyemeje ku bwiganze bwa bitatu bya kane (3/4) by'abanyamuryango bitabiriye inama kandi batora.

Koperative ishobora kandi guseswa hakurikijwe ibiteganya n'Itegeko rigena ishyirwaho, imiterere n'imikorere y'Amakoperative n'andi mategeko yubahirizwa mu Rwanda.

Ingingo ya 55: Guhindura aya mategeko

Aya mategeko ntashobora gusubirwamo cyangwa guhindurwa keretse bisabwe na bibiri bya gatatu (2/3) by'abanyamuryango cyangwa batatu (3) mu bagize Inama y'Ubuyobozi.
Ibisabirwa gusubirwamo cyangwa guhinduka byemezwa na ¾ by'abanyamuryango, bateraniye mu Nama Rusange idasanzwe yahamagariwe icyo kibazo.

Ingingo ya 56: Ikemurwa ry'Impaka

Impaka zose zishobora kuvuka hagati y'abanyamuryango na Koperative cyangwa ubucungamutungo, zishyikirizwa Inama y'Ubuyobozi, byananirana zigashyikirizwa Inama Rusange kugira ngo zikemurwe mu bwumvikane, byananirana zikabona gushyikirizwa inkiko.

Izo mpaka zishobora kandi gukemuka hifashishijwe inzego ziteganywa n'amategeko agena imikorere ya Koperative mu Rwanda.

Ingingo ya 57 : Amategeko y'umwihariko

Ibidateganyijwe muri aya mategeko bizashyirwa mu mategeko y'umwihariko n'amabwiriza y'imyifatire.
Amategeko y'umwihariko ategurwa n'Inama y'Ubuyobozi, akemezwa n'Inama Rusange ya Koperative.

Ingingo ya 58: Gutangira gukurikizwa

Aya mategeko ya Koperative yemejwe n'Inama Rusange ya Koperative yateraniye i **............** ku wa **........../20..** kandi atangira gukurikizwa akimara kwemezwa.

Bikorewe i **.........,** ku wa **........../20..**

Perezida wa Koperative **..............**