REPUBULIKA Y'URWANDA

AMABWIRIZA Y'UMUYOBOZI MUKURU AKABA N'UMUBITSI MUKURU W'INYANDIKOMPAMO Z'UBUTAKA Nº 242 YO KUWA 18 /04/2024 AGENGA ABEMEREWE GUKORA UMWUGA WO GUFATA IBIPIMO KU BUTAKA (LAND SURVEYORS) MU RWANDA.

Ashingiye ku Itegeko Nº 27/2021 ryo ku wa 10/06/2021 rigenga ubutaka cyane cyane mu ngingo yaryo ya 25;

Ashingiye ku Iteka rya Perezida n° 030/01 ryo kuwa 06/05/2022 rishyiraho Ikigo cy'Igihugu Gishinzwe Ubutaka;

Ashingiye ku Itegeko Nº 22/2012 ryo ku wa 15/06/2012 rigena itangazwa, imenyekanisha n'ikurikizwa by'inyandiko za Leta cyane cyane mu ngingo zaryo iya 5 n'iya 7;

Ashingiye ku Iteka rya Perezida N° 008/01 ryo ku wa 10/05/2016 rigena imikorere n'ububasha by'Umubitsi w'Inyandikompamo z'Ubutaka cyane cyane mu ngingo yaryo ya 6;

Ashingiye kuri raporo y'ubugenzuzi ku bijyanye no kubahiriza no gushyira mu bikorwa amabwiriza agenga impuguke cyangwa umutekinisiye wemerewe gukora umwuga wo gufata, kugaragaza no kugena ibipimo ku butaka, bwakorewe mu Turere 30 tw'Igihugu;

Umuyobozi Mukuru w'Ikigo cy'Igihugu Gishinzwe Ubutaka ashyizeho amabwiriza avuguruye akurikira, asimbura amabwiriza No. 03/2021 yo kuwa 25/05/2021:

Ingingo ya 1: Icyo aya mabwiriza agamije.
Aya mabwiriza agenga impuguke cyangwa umutekinisiye wemerewe gukora umwuga wo gufata, kugaragaza no kugena ibipimo ku butaka mu Rwanda hagamijwe kubikoresha muri serivisi z'ubutaka.

Aya mabwiriza kandi azafasha abemerewe gukora uyu mwuga kunoza akazi kabo no kurushaho gutanga serivisi zinoze.

Ingingo ya 2: Abarebwa n'aya mabwiriza.
Aya mabwiriza areba abemerewe gukora umwuga wo gufata, kugaragaza no kugena ibipimo ku butaka mu Rwanda ndetse n'abafatanyabikorwa mu bijyanye no gutanga serivisi z'ubutaka.

Ingingo ya 3: Ibisabwa kugira ngo umuntu yemererwe gukora uwo mwuga.
Uwemererwa gukora umwuga wo gufata, kugaragaza no kugena ibipimo ku butaka agomba kuba yujuje ibi bikurikira:
1° kuba ari ku rutonde rw'abemerewe gukora umwuga rutangazwa n'Ikigo cy'Igihugu Gishinzwe Ubutaka mu Rwanda;

2° kuba afite icyemezo cy'uko atakatiwe igifungo kingana cyangwa kirengeje amezi atandatu; yaba yarakatiwe akerekana icyemezo kigaragaza ko yavanyweho ubusembwa;
3° kuba yujuje nibura imyaka cumi n'umunani (18) y'amavuko;
4° kuba afite icyemezo cy'ubunyamwuga kigaragaza ko yemerewe gukora uwo mwuga;
5° kuba buri murimo cyangwa igikorwa cyose kijyanye no gufata, kugaragaza no kugena ibipimo ku butaka mu Rwanda giherekejwe n'inyandiko irimo fotokopi y'icyemezo cyemerera umuntu gukora uwo mwuga na raporo y'umurimo wakozwe iriho umukono na kasha by'umunyamwuga;
6° kuba afite ikarita y'umunyamuryango itangwa n'urugaga (ROLS);
7° kuba afite aderesi izwi ku buryo uwamushaka yamubona bitagoye; kandi ikubiyemo ibi bikurikira:
   (a) Ibiro byihariye cyangwa afatanyije n'abandi bakora indi myuga ifitanye isano, bifite: ameza, intebe zihagije harimo n'izikoreshwa n'abamugana, Imashini z'ikoranabuhanga (Desktop/Laptop, ibikoresho by'akazi byo gufata ibipimo ku butaka, scanner, printer n' akabati kabikwamo dosiye.
   (b) Icyapa kigaragaza amazina, Code, telephone igendanwa, serivisi atanga,
8° Kuba isosiyeti cyangwa Ikompanyi yigenga ifite Umuyobozi Mukuru wayo wemerewe gukora umwuga wo gufata, kugaragaza no kugena ibipimo k'ubutaka cyangwa ifite umuyobozi ushinzwe ibya "surveying" wemerewe gukora uwo mwuga kandi agaragaza amasezerano yanditse y'akazi no kuba ari umunyamuryango w'urugaga ROLS;
9° Kuba uri umunyamahanga wemerewe gukora umwuga ukaba ugaragaza icyemezo cy'uko uri umunyamwuga wahawe n'urwego rubifitiye ububasha mu Gihugu afitiye ubwenegihugu kandi akaba ari ku rutonde rw'abemerewe gukora uwo mwuga wo gufata, kugaragaza no kugena ibipimo k'ubutaka mu Rwanda.

<u>Ingingo ya 4:</u> Ibyangombwa bisabwa kugirango dosiye isaba servisi ijyanye n'ibipimo ku butaka yakirwe.

Kugirango dosiye isaba serivisi ijyanye n'ibipimo ku butaka yakirwe n'inzego zifite aho zihuriye na serivisi z'ubutaka, igomba kuba yujuje ibi bikurikira:
1° Kuba uwakoze dosiye agaragara k'urutonde rw'abemerewe gukora uwo mwuga rwatangajwe n'Ikigo cy'Igihugu Gishinzwe Ubutaka (NLA) uwo mwaka;
2° Kuba dosiye irimo copy y'icyangombwa (certificate) kigaragaza ko yemerewe gukora umwuga (Certificate of practicing the surveying profession) iriho umukono na kashe by'umwimerere by'umunyamwuga kandi bitangwa n'Urugaga (ROLS);
3° Kuba dosiye irimo raporo isobanura neza uko akazi kakozwe n'aho kakorewe (Surveying report), n'ibipimo byafashwe;
4° Kuba dosiye irimo Icyemezo cy'umwimerere (Declaration form) kigomba gutangwa n'impuguke yafashe ibipimo, cyemeza ko ibipimo yafashe bizira inenge kandi kinagaragaza kwiyemeza kwirengera ingaruka zose zaterwa n'ibyo bipimo yafashe. Icyo cyangombwa kigomba kuba kiriho:
   a) Amazina ye yombi,
   b) Code y'ubunyamwuga yatanzwe na ROLS,
   c) Numero ya Telefoni igaragara neza,
   d) Aho abarizwa,
   e) Amazina y'umukiliya,
   f) UPI y'ikibanza yafatiyeho ibipimo,

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g) Umukono w'impuguke na kashe yatanzwe na ROLS kandi igaragaza amazina, code na Telephone,
h) Italiki, umwaka cyatangiweho.

NB: Iki cyemezo (form) cyavuzwe mu ngingo ya kane, igika cya 4 (4. 4°) kigomba gutegurwa k'ubufutanye bwa NLA na ROLS.

Ingingo ya 5: Ibikoresho bisabwa uwifuza gukora umwuga wo gufata, kugaragaza no kugena ibipimo ku butaka.

Ushaka gukora umwuga wo gufata, kugaragaza no kugena ibipimo ku butaka agomba kuba afite ibikoresho bikurikira:

1° Kuba afite ibiro n'ibikoresho bifite ubushobozi bwo kugaragaza ibipimo bifite ubuziranenge biri ku rwego rw'ibipimo bitarengeje 5cm (≤ 5cm) bitewe n'ubwoko bw'umushinga naho ukorerwa;
2° Kuba ibikoresho bye bifata ibipimo byizewe kandi bikorana na sitasiyo (stations za CORS;)
3° Kuba yariyandikishije ku rubuga rwa CORS;
4° Kuba akoresha uburyo bwa CORS cyangwa ubundi buryo bwemewe n'ikigo kireberera umwuga wo gufata, kugaragaza no kugena ibipimo ku butaka mu Rwanda;
5° Kuba afite ibikoresho bye bwite byavuzwe haruguru cyangwa agaragaza amasezerano y'ubukode yagiranye na nyirabyo cyangwa ubimukodesha.

Ingingo ya 6: Inshingano z'abemerewe gukora umwuga bo ku rwego rw'impuguke (certified surveyors).

Umuntu wese ukora umwuga wo gufata, kugaragaza no kugena ibipimo ku butaka afite inshingano zo gukorana ubwitange, ubunyangamugayo n'ubunyamwuga byo ku rwego rwo hejuru bifasha mu bushakashatsi, inyigo no guhesha agaciro abakora umwuga nk'uwe. Umunyamwuga kandi afite inshingano zo gutanga serivisi nziza ku baturage bamugana.

Ingingo ya7: Imirimo y'ingenzi ikorwa n'Impuguke mu gufata, kugaragaza no kugena ibipimo ku butaka (certified surveyor).

Serivisi zikorwa n'impuguke mu gufata, kugaragaza no kugena ibipimo ku butaka ni izi zikurikira:

1° Serivisi zose zerekeye kadasitiri/gupima ubutaka;
2° Gusabira abaturage ibyangombwa by'ubutaka abinyujije ku rubuga rw'irembo hakurikijwe amategeko n'amabwiriza abigenga;
3° Kugaragaza imiterere y'ubutaka n'ibiburiho;
4° Gufata ibipimo k' ubutaka bunini ugakosora amakosa ugendeye ku miterere y'isi;
5° Gufata no kugaragaza ibipimo bijyanye n'ubwubatsi haba mu nyigo, mu gihe cy'ishyirwa mu bikorwa ndetse na nyuma yaho;
6° Gufata no kugaragaza ibipimo mu byerekeye imigezi, inzuzi, n'ibiyaga;
7° Gufata no gukoresha amafoto mu kugaragaza ingero z'iri ku butaka;
8° Gukora amakarita;
9° Gukora ibishushanyo mbonezamiturire (Detailed site Pysical plans);
10° Kugaragaza ibipimo by'imiterere ya mine;
11° Kugenzura imirimo ijyanye n'inshingano ze n'abagenzi be, n'indi mirimo ijyanye no gufata kugaragaza no kugena ibipimo ku butaka ishobora kwemezwa;

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13° Gutanga ubufasha n'ubwunganizi mu gucyemura amakimbirane ashingiye ku mbibi z'ubutaka;
14° Gukora akazi ko gufata no kugaragaza ibipimo ku nyubako zifitweho uburenganzira n'abantu batandukanye cyangwa ibigo bitandukanye (Condominium survey) afatanyije n'abakora ibishushanyo by'inyubako;
15° N'indi mirimo ijyanye no gufata ibipimo ku butaka ishobora kwemezwa n'urwego rwa Leta rufite mu nshingano zarwo kwemeza porogaramu z'amasomo.

Ingingo ya 8: Imirimo y'ingenzi ikorwa n'umutekinisiye mu gufata ibipimo ku butaka.
Imirimo y'ingenzi ikorwa n'Umutekinisiye wabiherewe uburenganzira ni iyi ikurikira:
(a) Gufata ibipimo, gukora raporo no kwemeza ifishe kadasitarari (Deed plan);
(b) Gusabira abaturage ibyangombwa by'ubutaka binyujijwe ku rubuga rw'irembo hakurikijwe amategeko n'amabwiriza abigenga;
(c) Gufata ibipimo no gukora raporo yo kuri site ku mirimo yose yemewe yavuzwe mu ngingo ya 7 ariko bikemezwa gusa n'Impuguke yemewe.

Ingingo ya 9: Amahame ashingirwaho mu kugena ibiciro kuri serivisi zitangwa n'abakora umwuga wo gufata ibipimo ku butaka.
Igiciro kigenwa kuri servisi zitangwa n'abakora umwuga wo gufata, kugaragaza no kugena ibipimo ku butaka ntibigomba kuba umutwaro ku baturage. Abatishoboye, iyo berekanye icyemezo gitangwa n'inzego z'ibanze zibishinzwe z'aho batuye, Umunyamwuga ukorera muri uwo murenge uwo muturage afitemo ubutaka amukorera iyo serivisi nta mafaranga yo gupima amusabye.

Ibiciro bitangwa kuri servisi bisabwa hashingiwe ku bikoresho umunyamwuga akoresha, ingendo yakoze n'ibindi yifashisha mu kazi ke ka buri munsi.

Ingingo ya 10: Amafaranga asabwa kuri serivisi yo gufata ibipimo bya fishi kadasitarari (Deed Plan/Fiche cadastrale).
Amafaranga agomba gutangwa ku rwego rw'Igihugu ku ifishi imwe (1) yashyizweho hashingiye ku bipimo bikurikira:

No	Aho ubutaka bufatirwa ibipimo bubarizwa	Ubuso bw'ubutaka	Amafaranga yishyurwa n'usaba serivisi	Icyitonderwa
1.	Mu mujyi	0-1ha	FRW 20,000 - 30,000	Nyir'ubutaka na surveyor wikorera bumvikana igiciro hagati ya FRW 20,000 na 30,000 bitewe naho ubutaka bwe buherereye.
2.	Mu cyaro	0-1ha	FRW 15,000 - 20,000	Nyir'ubutaka na surveyor wikorera bumvikana igiciro nyacyo hagati ya FRW 15,000 na 20,000

				bitewe n'aho ubutaka bwe buherereye.
3.	Mu gihugu hose	>1ha	FRW 30,000-60,000	Nyir'ubutaka yumvikana n'umu Surveyor igiciro uhereye ku mafaranga 30,000 Frw/ha ariko ntarenze ibihumbi 60 bitewe n'ingano y'ubutaka naho buherereye.

<u>Ingingo ya 11:</u> Igiciro cy'ifishi y'ibipimo by'ubutaka buriho inyubako iri muri Condominium (Condominium surveying).

Serivisi yo gufata ibipimo no gukora ifishi kadasitarari (Deed Plan/Fiche cadastrale) ku nyubako ihuriweho n'abantu bayifiteho isangiramutungo (Condominium regime), hakanakorwa raporo y'akazi kakozwe, yishyurwa mu buryo bukurikira:

Buri Fishi kadasitarari (Deed Plan/Fiche cadastrale) yishyurwa ibihumbi 30,000 Frw kuri buri Fishi kadasitarari (Deed Plan/Fiche cadastrale) ikozwe bitewe n'umwihariko wa buri nyubako.

Ikiguzi cy' akandi kazi kajyanye no gupima ubutaka bitagamije kubwandikisha (engineering survey, hydrology survey, aerial survey, etc) cyumvikanwaho mu bwisanzure bw'impande zombi (Ushaka service n'umunyamwuga ufata ibipimo (certified land surveyor).

<u>Ingingo ya 12:</u> Ibiciro bijyanye no gukoresha iminara fatizo ikorana n'ibyogajuru (Satellites) mu buryo bw' ikoranabuhanga rya "CORS network".

No	Ibyiciro by'abakoresha umunara w'ibipimofatizo ukorana n'ibyogajuru (CORS station)	Ubwoko bwa serivisi (Nature of Service)	Ikiguzi yishyura ku mwaka cyangwa ku kwezi (User's Licensing Cost/Year/Month (Frw))
1.	Sosiyete (company)	Gukoresha umunara w'ibipimo fatizo ukorana n'ibyogajuru buri mwaka (CORS /equipment/Year)	300,000
		Gukoresha umunara w'ibipimo fatizo ukorana n'ibyogajuru buri kwezi (CORS /equipment/month)	100,000

2.	Amashuri makuru na za Kaminuza by'igenga	Gukoresha umunara w'ibipimo fatizo ukorana n'ibyogajuru buri mwaka (CORS /equipment/Year	100,000
		Gukoresha umunara w'ibipimo fatizo ukorana n'ibyogajuru buri kwezi (CORS /equipment/month)	25,000
3.	Impuguke ku giti cye /Umushakashatsi (Individual consultant/Researcher)	Gukoresha umunara w'ibipimo fatizo ukorana n'ibyogajuru buri mwaka (CORS /equipment/Year)	200,000
		Gukoresha umunara w'ibipimo fatizo ukorana n'ibyogajuru buri kwezi (CORS /equipment/month)	50,000
4.	Impuguke mu gufata ibipimo ku butaka ku giti cye	Gukoresha umunara w'ibipimo fatizo ukorana n'ibyogajuru buri mwaka (CORS /equipment/Year)	100,000
		Gukoresha umunara w'ibipimo fatizo ukorana n'ibyogajuru buri kwezi (CORS /equipment/month)	25,000

Ingingo ya 13: Ibyerekeye abimenyereza umwuga.

Abandi bose bize ibyerekeye umwuga wo gufata, kugaragaza no kugena ibipimo ku butaka batagaragara kuri uru rutonde bari mu rwego rw'abimenyereza Umwuga batanganzwa ku rubuga rw'urugaga (ROLS), bemerewe gukorana n'Impuguke yemewe kandi akagaragaza ikarita iranga uwimenyereza umwuga itangwa na ROLS.

Ingingo ya 14: Uburyo umutekinisiye n'impuguke batangamo raporo.
Umutekenisiye cyangwa impuguke mu mwuga wo gufata, kugaragaza no kugena ibipimo ku butaka asabwa gutanga raporo y'ibikorwa bye buri gihembwe mu buryo bw'ikoranabuhanga akoresheje inyandikorugero yatanzwe n'urwego rushinzwe kumureberera mu mirimo ye.

Ingingo ya 15: Ibijyanye n'imyitwarire.

Abemerewe gukora umwuga ku rwego rw'abatekinisiye no ku rwego rw'impuguke basabwa ibi bikurikira:

1° Kuba indakemwa mu mico no mu myifatire;
2° kwirinda ibikorwa ibyo aribyo byose bishobora gutesha agaciro no gusuzuguza umwuga wo gufata, kugaragaza no kugena ibipimo ku butaka;
3° Kugira ubushishozi no gufata ibyemezo bidashingiye ku marangamutima bitewe n'impano cyangwa amashimwe bahawe mu buryo buziguye cyangwa butaziguye n'ababahagarariye mu kazi, umukiriya cyangwa se umukoresha;
4° Gukorana ubwitange, ubunyangamugayo n'ubunyamwuga byo ku rwego rwo hejuru;

5° Gukora raporo y'akazi kakozwe mu buryo bunoze kandi bugaragaza ibipimo byafashwe ku butaka bizira inenge;
6° Abujijwe kugena, gutanga, gusaba cyangwa kwakira impano cyangwa ibihembo mu buryo buziguye cyangwa butaziguye kugirango ahabwe akazi;
7° Abujijwe gutiza ibirango (Cashet na certificate) yahawe n'urugaga kugira ngo bikoreshwe n'undi utabyemerewe;
8° Abujijwe gukoresha izina rye cyangwa iry'ikigo ahagarariye mu bikorwa bidahwitse (binyuranyije n'amategeko ya Repubulika y'u Rwanda);
9° Agomba guhora yiyungura ubumenyi, agendana n'aho ibihe bigeze, cyane ku bijyanye n'ibikoresho, ikoranabuhanga, amategeko n'amabwiriza.

Ingingo ya 16: Gutiza ibirango by'urwego no kubikoresha mu buryo bunyuranyije n'amategeko.
Impuguke cyangwa umutekinisiye mu gufata, kugaragaza no kugena ibipimo k'ubutaka uhimba cyangwa utiza ibirango yahawe n'urugaga cg urwego rureberera umwuga akabikoresha mu buryo bunyuranyije n'amabwiriza agenga umwuga ahanishwa guhita ahagarikwa imyaka ibiri mu gihe bifitiwe ibimenyetso, akaba ashobora gukurikiranwa n'inzego zibishinzwe ku byaha yakoze mu mirimo ye hakurikijwe andi mategeko abigenga.

Ingingo ya 17: Gutanga service yihuse
Umunyamwuga iyo yamaze gupima no gufata ibipimo k'ubutaka ndetse no guhabwa andi makuru n'inyandiko zose zisabwa, agomba kutarenza iminsi 7 ataratanga raporo ya service yasabwe n'umuturage. Iyo bigaragaye ko umunyamwuga yatanze serivisi mbi kandi atubahirije igihe gisabwa, ashobora guhanishwa guhagarikwa by'agateganyo mu gihe kingana n'umwaka, no gucibwa amande angana **n'ibihumbi mirongo itanu (50,000 Frw).** Amande ashyirwa kuri konti y'Ikigo Gishinzwe Ubutaka mu Rwanda.

Ingingo ya 18: Gufata no kugaragaza ibipimo k'ubutaka mu buryo butari ukuri.

Mu gihe Umunyamwuga afata ibipimo bishingiye ku mbibi z'ubutaka, akwiriye gufata ibipimo by'imbibi yeretswe na nyir'ubutaka nk'uko bigaragara aho ubutaka buherereye, bikemezwa n'abahana imbibi n'ubutaka bwe, hagamijwe gushyira ku gihe ibipimo byafashwe mu gihe cy'iyandikisha rusange ry'ubutaka mu Rwanda.

Mu gihe cy'igenzura, iyo bigaragaye ko umunyamwuga ahamwe n'amakosa atuma bagirana amakimbirane n'abaturage ashingiye ku mbibi bitewe n'uburyo umunyamwuga yakoresheje budakwiye, ahanishwa guhagarikwa by'agateganyo mu gihe cy'umwaka no gucibwa amande angana n'ibihumbi ijana **(Frw 100,000)** , cg kimwe muri ibyo bihano. Amande ashyirwa kuri konti y'Ikigo Gishinzwe Ubutaka mu Rwanda.

Ingingo ya 19: Inkurikizi k'umunyamwuga ukurikiranwa n'inzego z'ubutabera

Mu rwego rwo gusigasira ubunyamwuga n'isura nziza y'abakora umwuga, iyo umunyamuryango akurikiranwa n'inzego z'ubutabera afatirwa ibihano bikurikira:

(a)Guhagarikwa by'agateganyo no kwamburwa bumwe mu burenganzira bw'umunyamuryango kugeza igihe agizwe umwere;

(b) Kwamburwa cyangwa guhagarikwa mu rugaga, guhagarikwa gushyirwa ku rutonde rw'abemerewe gukora umwuga n'ubundi bufasha bwose yahawe cyangwa yahabwaga n'urugaga;

Umuntu ku giti cye cyangwa ikigo cyigenga baryozwa ku giti cyabo amakosa bakoze hashingiwe ku mategeko agenga umwuga muri rusange, bitabujijwe no kubakurikirana ku byaha byakozwe muri iyo mirimo hakurikijwe amategeko abigenga.

Umunyamwuga ku giti cye cyangwa ikigo cyigenga biyitirira umwuga cyangwa bahimba ibirango bitangwa n'urwego rureberera umwuga mu gihe atari umunyamwuga wemewe agomba gushyikirizwa ubutabera akaryozwa ibyaha byo kwiyitirira urwego, ubujura n'inyandiko mpimbano hagakoreshwa ibihano biteganywa mu gitabo cy'amategeko ahana ibyaha mu Rwanda.

<u>Ingingo ya 20</u>: Igihe aya mabwiriza azatangira gukurikizwa
Aya mabwiriza azatangira gukurikizwa kuva igihe ashyiriweho umukono.

Bikorewe i Kigali, kuwa ....18.../04/2024

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NISHIMWE Marie Grace
Umuyobozi Mukuru/Umubitsi Mukuru w'Inyandikompamo z'Ubutaka.