**REPUBLIC OF RWANDA**

**Kigali**......08 SEPT 2017

**N°**...1384.../07.01

**MINISTRY OF LOCAL GOVERNMENT**
**B.P 3445 Kigali**
**Website: www.minaloc.gov.rw**

**Madamu, Bwana Umuyobozi w'Akarere ................................ (Bose)**
**Madamu Perezida wa Komisiyo Ishinzwe Gusezerera no Gusubiza mu Buzima busanzwe abari Abasirikare.**
**Bwana Muyobozi Mukuru wa RHA**
**Madamu Muyobozi Mukuru wa REMA**
**Bwana Muyobozi Mukuru wa FARG**
**Madamu Muyobozi Mukuru w'Imbuto Foundation**

**Impamvu:** Kohereza Amabwiriza

Madamu, Bwana Muyobozi,

Nyuma yuko byagaragaye ko Leta n'Abafatanyabikorwa bayo bubaka amazu bakanayatuzamo abantu bari mu byiciro bitandukanye kandi hakaba nta buryo bwo gucunga ayo mazu no kuyegurira abo bantu buteganyijwe;

Nejejwe no kubohererereza ku mugereka Amabwiriza ya Minisitiri w'Ubutegetsi bw'Igihugu N° 001/07.01/2017 yo kuwa 05 Nzeri 2017 agenga **uburyo bwo gutuza no kwegurira inzu abantu batujwe na Leta** kugira ngo muyashyire mu bikorwa ku bijyanye n'imicungire yayo.

Mugire akazi keza

**KABONEKA Francis**
Minisitiri

**Cc:**

- Ibiro bya Nyakubahwa Perezida wa Repubulika;
- Ibiro bya Nyakubahwa Minisitiri w'Intebe;
- Bwana Minisitiri w'Ibikorwa Remezo;
- Bwana Minisitiri w'Imari n'Igenamigambi;
- Bwana Minisitiri w'Uburinganire n'Iterambere ry'Umuryango;
- Madamu/Bwana Umunyamabanga wa Leta muri MINALOC (Bose);
- Bwana Umuyobozi w'Umujyi wa Kigali;
- Madamu/Bwana Guverineri w'Intara (Bose);
- Madamu Umuyobozi Mukuru wa LODA;

**KIGALI**

**AMABWIRIZA YA MINISITIRI N° ..001/07.01/2017..YO KUWA ....05 SEPT 2017...... AGENGA UBURYO BWO GUTUZA NO KWEGURIRA INZU ABANTU BATUJWE NA LETA**

**Minisitiri w'Ubutegetsi bw'Igihugu,**

Ashingiye ku Itegeko Nshinga rya Repubulika y'u Rwanda ryo kuwa 04 Kamena 2003 nk'uko ryavuguruwe muri 2015, cyane cyane mu ngingo yaryo ya 34 na 35;

Ashingiye kandi ku Itegeko n° 43/2013 ryo kuwa 16/06/2013 rigenga ubutaka mu Rwanda, cyane cyane mu ngingo zaryo za 11, 17, 21, 34 na 35;

Ashingiye ku Itegeko n° 81/2013 ryo ku wa 11/09/2013 rishyiraho Ikigega cya Leta kigenewe gushyigikira no gutera inkunga abatishoboye barokotse Jenoside yakorewe Abatutsi mu 1994, FARG, cyane cyane mu ngingo zaryo iya 6 (3°) n'iya 7;

Ashingiye ku Itegeko N° 02/2007 ryo kuwa 20/01/2007 rirengera abari ingabo bamugariye ku rugamba, cyane cyane mu ngingo zaryo za16 na 18;

Ashingiye ku Itegeko n°20/2011 ryo kuwa 21/06/2011 rigena imitunganyirize y'imiturire mu Rwanda cyane cyane mu ngingo zaryo za 18 na 19;

Ashingiye ku Itegeko n°10/2012 ryo kuwa 02/05/2012 rigena imitunganyirize y'Imijyi n'imyubakire mu Rwanda cyane cyane mu ngingo zaryo za 3, 12, 24, 31, 32 na 34;

Amaze kubona ko Leta n'abafatanyabikorwa bayo yubaka amazu agenewe abantu batishoboye bari mu byiciro binyuranye kubera impamvu zitandukanye;

Amaze kubona ko Leta n'abafatanya bikorwa bayo yubaka amazu agenewe abantu batishoboye bimuwe kubera inyungu rusange za Leta;

Amaze kubona ko Leta n'abafatanyabikorwa bayo yubaka amazu ikanatuza abantu batishoboye batuye mu manegeka, ahatatanye cyangwa bagizweho ingaruka n'ibiza;

Amaze kubona ko Leta n'abafatanyabikorwa bayo yubaka ikanatuza abantu batishoboye hagamijwe kubahiriza imitunganyirize y'Imijyi n'Imyubakire mu Rwanda;

Amaze kubona ko ayo mazu yubakwa na Leta n'abafatanyabikorwa bayo agatuzwamo abantu bari mu byiciro bitandukanye nta buryo bwo gucunga ayo mazu no kuyegurira abo bantu buteganyijwe;

Amaze kubona ko ari ngombwa ko hajyaho amabwiriza agenga uburyo bwo gucunga no kwegurira abantu amazu yubatswe ku nkunga ya Leta cyangwa iy'abafatanyabikorwa bayo;

**ATANZE AMABWIRIZA AKURIKIRA:**

## <u>UMUTWE WA I</u>: INGINGO RUSANGE

### <u>Ingingo ya 1</u>: Icyo aya mabwiriza agamije

Aya mabwiriza agamije gushyiraho umurongo ngenderwaho Leta ikurikiza mu gutuza abantu bari mu byiciro bitandukanye by'abatishoboye n'abandi Leta cyangwa abafatanyabikorwa bayo bubakira.
Aya mabwiriza agaragaza kandi inshingano n'uruhare rwa buri rwego mu micungire y'amazu yeguriwe abantu bitewe n'icyiciro barimo.

### <u>Ingingo ya 2</u>: Ibisobanuro by'amagambo

Muri aya Mabwiriza amagambo akurikira asobanura:

i) **Incike:** umubyeyi yaba umugore cyangwa umugabo wapfushije uwo bashakanye n'abana be bose;
ii) **Utishoboye:** umuntu utishoboye ni uwatujwe muri gahunda yo gutuza imiryango hashingiwe ku byiciro by'ubudehe cyangwa ibyiciro byihariye by'abantu batishoboye biteganywa n'aya mabwiriza;
iii) **Inzu:** inyubako yo guturwamo, n'ibice byo hanze biyigize, ubutaka yubatseho hamwe n'ubutaka butubatseho buyikikije hakurikijwe imbibi z'ubwo butaka.



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**Ingingo ya 3: Ibyiciro by'abagenerwabikorwa barebwa n'aya mabwiriza**

Aya mabwiriza areba ibyiciro by'abantu bikurikira:

i) Abatishoboye **barokotse Jenoside yakorewe Abatutsi** mu 1994;
ii) Abatishoboye bari **Ingabo bamugariye ku rugamba** hakurikijwe Itegeko N° 02/2007 ryo kuwa 20/01/2007 rirengera abari ingabo bamugariye ku rugamba;
iii) Abatishoboye **cyangwa abandi bantu** Leta yimura ikanabatuza kubera ibikorwa by'inyungu rusange;
iv) Abatishoboye cyangwa **abandi bantu Leta yimura kuko batuye mu manegeka n'abandi bantu batuye nabi**;
v) Abantu batishoboye **cyangwa abandi bantu** Leta yimura ku mpamvu z'imitunganyirize y'Imijyi n'Imyubakire;
vi) Abatishoboye **cyangwa abandi bantu Leta yubakira ikanabimura kubera ibiza** bitandukanye.

**Ingingo ya 4: Impamvu yo kwegurira inzu umugenerwabikorwa**

Igikorwa cyo kwegurira umugenerwabikorwa inzu yubakiwe kigamije ibi bikurikira:

i) Kumuha uburenganzira bwo kwicungira inzu ubwe;
ii) Kumuha uburenganzira bwo kwibaruzaho uwo mutungo yeguriwe igihe yujuje ibisabwa;

**UMUTWE WA II: UBURENGANZIRA N'INSHINGANO BY'UTUJE N'UTUJWE**

**Ingingo ya 5: Uburenganzira ku nzu ku muntu utujwe na Leta**

Bitabangamiye ibiteganywa n'amategeko n'amabwiriza yihariye agenga imicungire y'umutungo ugenerwa abari Ingabo bamugariye ku rugamba, umuntu wese uvugwa mu ngingo ya 3 y'aya mabwiriza utujwe na Leta afite uburenganzira bukurikira:

i) Kuba mu nzu atujwemo mu bwisanzure no mu mudendezo;
ii) Guhabwa uburenganzira bwo kwandikwaho umutungo nyuma y'imyaka itanu (5) uhereye igihe yasinyiye amasezerano yo gutuzwa ariko



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yagaragaza imikorere myiza imuvana mu bukene inzu akayihabwa mbere y'imyaka (5).

**Ingingo ya 6: Uburenganzira bwa Leta ku nzu ihawe utujwe**

i) Gukurikirana ko utujwe akoresha kandi acunga neza umutungo yahawe;
ii)Kwimura uwatujwe no gutuza uwimuwe kubera impamvu z'inyungu rusange hubahirijwe amategeko abigenga kandi ku buryo bumufasha uko yari abayeho cyangwa ku buryo bwisumbuye;

**Ingingo ya 7: Inshingano z'utujwe na Leta**

i) Gusinya amasezerano n'Akarere cyangwa urundi rwego rwihariye rwamuhaye inzu yerekeye imicungire yayo;
ii) Gusana no gufata neza inzu yahawe kugirango itangirika;
iii) Kubahiriza ibikubiye mu masezerano avugwa mu gace ka (i);

**Ingingo ya 8: Inshingano utuje afite**

Utuje afite inshingano zikurikira:
i) Gukurikiranira hafi imikoreshereze n'imicungire y'inzu ;
ii) Gutegura amasezerano y'imicungire y'inzu;
iii) Gusinyana n'utujwe amasezerano y'imicungire y'inzu;
iv) Gutanga uburenganzira bwo guhabwa icyangombwa cy'umutungo k'uwatujwe wubahirije amasezerano yo gutuza umuryango nyuma y'igenzura rikorwa n'Akarere gafatanyije n'umufatanyabikorwa igihe ari we watanze inzu mu myaka itanu (5) uhereye igihe yasinyiye ayo masezerano;
v) Kugira inama no gukurikiranira hafi umuntu watujwe ijyanye n'imicungire y'inzu mu gihe bigaragaye ko imicungire yayo itari myiza;
vi) Gukurikirana uko amabwiriza yo kwegurira amazu abagenerwabikorwa ashyirwa mu bikorwa.

**Ingingo ya 9: Kwamburwa uburenganzira ku nzu**

Inzu yubatswe na Leta cyangwa umufatanyabikorwa wayo yamburwa uyifite mu bihe bikurikira:



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i) Inzu yubakiwe umugenerwabikorwa akayigurisha kandi atarayegurirwa;
ii) Inzu yatawe n'uwayihawe mu gihe kirenze amezi (6);
iii) Inzu ifitwe n'umugenerwabikorwa wahawe indi cyangwa wayihawe atujuje ibisabwa;
iv) Inzu umugenerwabikorwa yakodesheje igihe cyose atarayegurirwa aho kuyituramo.

**Ingingo ya 10: Ibyo utujwe abujijwe**

Uwatujwe ntiyemerewe gukora ibi bikurikira igihe cyose ataregurirwa inzu mu buryo buteganywa n'aya mabwiriza:

i) Guhindura imiterere y'inzu cyangwa kuyisenya atabiherewe uruhushya n'inzego zibifitiye ububasha;
ii) Kuyitangaho ingwate, impano, umurage cyangwa kuyigurisha atabiherewe uburenganzira n'inzego zibifitiye ububasha;
iii) Kuyitiza;
iv) Kuyikodesha;
v) Kuyihindura ikiraro cy'amatungo.

## UMUTWE WA III: IMICUNGIRE Y'INZU

**Ingingo ya 11: Imicungire y'inzu n'indi mitungo yahawe**

Imicungire y'inzu ibazwa uwatujwe hashingiwe ku masezerano y'imicungire yayo ashyirwaho umukono hagati y'uwatujwe n'Ubuyobozi bw'Akarere. Imicungire y'inzu ibazwa Akarere mu gihe yanditse kuri Leta.

**Ingingo ya 12: Inzu y'amasaziro yubakiwe incike ziri hamwe cyangwa abandi bafite ibibazo byihariye batujwe mu nzu imwe**

Inzu y'amasaziro yubakiwe ababyeyi b'incike cyangwa abandi bagenerwabikorwa bafite ibibazo byihariye bashyizwe mu nzu imwe (incike za Jenoside, abageze mu zabukuru badafite ubitaho, abafite uburwayi cyangwa ubumuga bukomeye) bakayituzwamo mu rwego rwo kubitaho by'umwihariko, yandikwa kuri Leta ikaba ari nayo iyicunga kuri byose.

**Ingingo ya 13: Imicungire y'inyubako isangiwe**

Abatujwe bahuriye mu nyubako imwe isangiwe na benshi (twin houses) ariko baba mu bice by'inzu byihariye, buri wese acunga igice cy'inzu yahawe kandi agirana amasezerano yihariye n'Akarere cyangwa urwego rwihariye rwamutuje arebana n'icyo gice.

## UMUTWE WA IV: INGINGO ZISOZA

**Ingingo ya 14: Amasezerano yihariye hagati y'Akarere cyangwa urundi rwego n'utujwe**

Mu gihe cyose Akarere cyangwa urundi rwego bagiye kwegurira inzu utujwe bakorana nawe amasezerano ajyanye n'uburyo iyo nyubako yose n'ubutaka yubatseho buzacungwa mu gihe cyose atarayegurirwa.

**Ingingo ya 15: Igihe amabwiriza atangira gushyirwa mu bikorwa**

i) Aya mabwiriza azunganirwa n'amasezerano azashyirwaho umukono hagati y'Ubuyobozi bw'Akarere n'Umugenerwabikorwa.

ii) Aya mabwiriza atangira gushyirwa mu bikorwa uhereye umunsi yashyiriweho umukono ariko akubahirizwa n'abatujwe na Leta batishoboye mbere y'iyi tariki bataregurirwa inzu batujwemo.

**Bikorewe i Kigali, kuwa ..05/.09/2017**

**KABONEKA Francis**
Minisitiri w'Ubutegetsi bw'Igihugu

**REPUBULIKA Y'URWANDA**

**AKARERE KA ....................................**

# AMASEZERANO YO GUTUZA UMURYANGO

Hagati ya:

Akarere ka ................................

Na

Madamu/Bwana.........................................................
Ufite Indangamuntu N°....................................................
Aho yatangiwe: .............................................................

Uwo bashakanye
Madamu/Bwana.........................................................
Ufite Indangamuntu N°....................................................
Aho yatangiwe: .............................................................

**Iriburiro**

Aya masezerano ashingiye ku mabwiriza ya Minisitiri w'Ubutegetsi bw'Igihugu agenga uburyo bwo gutuza no kwegurira inzu abantu batujwe na Leta yo ku wa....../....../.....

Mu rwego rwo gutuza imiryango itishoboye yari ituye mu manegeka, mu mazu ashaje cyane, itarifite aho iba, mu buryo butatanye n'iyimuwe kubera inyungu rusange, ituzwa mu Mudugudu wa ..........................Akagali ka................Murenge wa ..............mu Karere ka ................ mu mwaka wa ........... ku bufatanye bw'inzego za Leta zitandukanye hubatswe amazu ......... agenewe iyo miryango.

Aya mazu akaba yarubatswe mu rwego rwo gutuza neza abo baturage ndetse no kugirango babashe kuyacunga neza.

**<u>Ingingo ya 1</u>. Abagiranye aya masezerano.**

Aya masezerano akozwe hagati y'Akarere ka ..................... gahagarariwe na Bwana /Madamu ........................... **Umuyobozi w'Akarere, muri aya masezerano akaba yitwa ''utuje'' ku ruhande rumwe** na Bwana / Madamu..........................wiswe utujwe ku rundi ruhande;

**Humvikanywe ibi bikurikira**:

**Ingingo ya 2: Impamvu y'aya masezerano**

Aya masezerano agamije gutuza no kugena uburyo bw'imicungire y'inzu itujwemoMadamu/Bwana.............................................................................. .....................

**Ingingo ya 3: Agaciro k'inzu**

Iyi nzu ifite agaciro k'amafaranga ..........................................

**Ingingo ya 4: Aho inzu iherereye**

Inzu iherereye mu Mudugudu wa.............., Akagari ka .............., Umurenge wa .......... Akarere ka .................

**Ingingo ya 5: Ingano n'ibigize inzu**

Inzu igizwe na:

a) Ubuso bw'inzu......, umubare w'ibyumba n'uruganiriro ......, ubwiherero, ubwogero......, n'ububiko.....
b) Inzu yubatswe mu......................, ikingishijwe inzugi, zikozwe mu......... n'amadirishya akozwe mu..................., isakaje mu ..................;
c) Igikoni n' ububiko byubatswe mu ..............., ubwogero (Douche) n'ubwiherero (toilet) byubatswe mu .................................. bisakaje ........... , inzugi n'amadirisha zabyo zikozwe mu ................;
d) Ikigega gifata amazi $m^3$ ......................;

e) Ikiraro (rusange) n'inka.........;

f) Biogaz ifte agaciro ..... Frw

**Ingingo ya 6**: Ubuso busigaye bw'ubutaka butubatsweho inzu na annex zayo bungana ......bugenewe ubusitani, n'akarima k'igikoni bugomba gufatwa kandi bugakoreshwa neza;

**Ingingo ya 7: Uburenganzira n'Inshingano by'utujwe:**

a) **Utujwe afite uburenganzira bukurikira**:

i. Gutura mu nzu agenewe mu mudendezo;
ii. Guhabwa ibyangombwa by'umutungo.

b) **Utujwe afite inshingano zikurikira**:

i. Gufata neza inzu ayirinda ibyayangiza byose, kuyisana aho izangirika no kuyigirira isuku;
ii. Gufata neza ibikoresho biyigize n'ibirimo.

**c) Utujwe ntiyemerewe ibi bikurikira:**

i. Kuyigurisha;
ii. Kuyitangaho ingwate;
iii. Kuyikodesha;
iv. Kuyitangaho impano;
v. Kuyitiza;
vi. Kuyisenya.
vii. Kuyirazamo amatungo

**<u>Ingingo ya 7</u>: Uburenganzira n'Inshingano by'Utuje**

a) **Utuje afite uburenganzira bwo**:

i. Gufatira icyangombwa cy'umutungo igihe gikoreshejwe mu buryo bunyuranije n'aya masezerano;

ii. Kwimura umugenerwabikorwa kubera impamvu z'inyungu bwite cyangwa inyungu rusange akerekezwa ahandi hamufasha uko yari abayeho cyangwa byisumbuye.

b) **Utuje afite inshingano zikurikira:**

i. Kumenya no gukurikirana imicungire y'inzu;
ii. Gukurikiran ko utujwe akoresha neza imitungo yahawe;
iii. Kwambura inzu uwayitujwemo igihe cyose akoze ibinyuranyije n'ingingo ya 6 (c) y' aya masezerano.

**<u>Ingingo ya 8</u>: Izungura ry'Umutungo.**

i. Mu gihe uwasinye aya masezerano apfuye, agasiga umuryango, bimenyeshwa Ubuyobozi bw'Akarere bitarenze iminsi mirongo itatu (30), hagakorwa amasezerano mashya hagati y'abazungura bemewe n'amategeko n'Ubuyobozi bw'Akarere.

ii. Iyo umuryango utagishoboye gutura muri iyo nzu kubera impamvu zitandukanye, mbere y'igihe giteganywa n'aya masezerano, inzu isubizwa Akarere igatuzwamo undi muryango uyikeneye.

iii. Mu gihe utujwe yifuza gusana, guhindura cyangwa kongera inzu yahawe, agomba kubisabira icyangombwa ku rwego rw'ibanze rubitiye ububasha n'amategeko.

**Ingingo ya 9: Kwimurwa ku bw'inyungu rusange**

Ku bagenerwabikorwa bimuwe aho bari batuye ku bw'inyungu rusange, utujwe yemeye ko ntacyo azakurikirana ku birebana n'ingurane z'ubutaka bwe yari atuyemo bungana na ………….. kuko ubwo butaka bweguriwe Leta, kubera inzu n'ibindi bikorwa ahawe bisumbije agaciro k'ibyo yari afite.

**Ingingo ya 10: Kwegurirwa inzu**

i. Mu gihe utujwe ashatse gukoresha neza umutungo yagenewe mu kwiteza imbere, abisaba ubuyobozi bw'Akarere mu nyandiko, Akarere nako kagasuzuma ubusabe kasanga bikwiye kakaba kabimwemerera mu nyandiko, ariko hakitabwaho ko uwo mutungo ukomeje kugirira uwo muryango akamaro.

ii. Igihe bigaragaye ko uwatujwe atakiri mu kiciro cy'abatishoboye agasaba kwegurirwa umutungo kugirango awukoreshe mu nyungu z'umuryango we, Akarere kabisuzuma kakabimwemerera;

**Ingingo ya 11: Igihe amasezerano azamara.**

Aya masezerano afite igihe cy'imyaka 5 gishobora kongerwa uhereye igihe yasinyiwe bitewe n'imiterere y'umugenerwabikorwa.

**Ingingo ya 12: Kuvugurura amasezerano**

Aya masezerano ashobora kuvugururwa mu nyandiko, igihe cyose bibaye ngombwa, impande zombi zibyumvikanyeho.

**Ingingo ya 13: Gusesa amasezerano**

a) Aya masezerano aseswa gusa iyo utujwe muri iyi nzu agaragaje ko atakiyikeneye cyangwa se anyuranyije n'ibikubiye mu ngingo ya 6 y'aya masezerano. Bikorwa mu nyandiko.

b) Iyo utujwe akuwe mu nzu bitewe n'uko atubahirije ibiteganywa mu ngingo ya 6 y'aya masezerano, nta kintu asubizwa mu byo yakoze kuri iyo nzu.

**Ingingo ya 14: Abagenerwabikorwa barebwa n'Amategeko yihariye;**

Abari abasirikare bamugariye ku rugamba batishoboye, mu kwegurirwa amazu, hakurikizwa icyo amategeko areba icyo cyiciro cyihariye ateganya.

**Ingingo ya 15: Igihe amasezerano atangira gukurikizwa**

Aya masezerano atangira gukurikizwa kuva ku munsi yashyiriweho umukono n'impande zombi.

Bikorewe I ………………… ku wa ……/…../…

**Umuyobozi w'Akarere**

**1. Umuturage utujwe**

**2. Uwo bashakanye**