Sec
Bumenyeshwe ba Huissiers
Binyuze kuri emails no kuri website yacu
04/11/2015

URUKIKO RWISUMBUYE RWA NYARUGENGE, RUKIJIJE URUBANZA RWIHUTIRWA RC 0620/15/TGI/NYGE NONE KU WA 16 UKWAKIRA 2015 KU BURYO BUKURIKIRA :

HABURANA :

UREGA : SORAS Ltd mu izina ry'uyihagarariye

REPUBLIQUE DU RWANDA

Au nom du Peuple Rwandais

ABAREGWA :

1) I & M Bank Rwanda Ltd mu izina ry'uyihagarariye

2) Huissier Umutoniwase Jeanne d'Arc mwene Bakundinka Aloys na Mukakibibi Deborah wavutse mu 19- ubarizwa mu Mudugudu wa Kavumu mu Kagali ka Nonko mu Murenge wa Nyarugunga mu Karere ka Kicukiro mu Mujyi wa Kigali no kuri tel. 0788587764/0783721330

IKIREGERWA : gusaba urukiko gukemura ubwumvikane buke ku birebana n'amafaranga 500 000 rwf I&M Bank yakuye kuri konti ikayaha Huissier mu buryo bunyuranyije n'amategeko; indishyi zinyuranye

---

1. Uru rubanza rurerekana imiterere yarwo igizwe n'uko ikibazo giteye, hamwe n'ingingo z'ababuranyi kuri buri ruhande, ndetse n'inzitizi babyukije cyangwa se izo urukiko rubyutsa rubyibwirije (I), iyo miterere y'urubanza ni yo iherwaho hasesengurwa ibibazo by'amategeko biri mu rubanza kugira ngo buri kibazo gifatweho icyemezo gikwiye (II), nyuma bigasozwa n'icyemezo cy'urukiko (III).

I. IMITERERE Y'URUBANZA

2. SORAS irega ivuga ko Huissier Umutoniwase yarangije urubanza RPA 0009/14/HCM aho uwitwa Uwamahoro yari yatsindiye indishyi zingana na 14 386 500 rwf zagombaga kwishyurwa na SORAS. Uwamahoro ashaka Huissier Umutoniwase ngo amwishyurize, ni bwo Huissier Umutoniwase yishyuje SORAS 14 886 500 rwf byumvikane ko ku ndishyi yagombaga kwishyuza SORAS yongeyeho 500 000 rwf ayita igihembo cye. Nyuma yaho SORAS yahaye Umutoniwase sheki y'indishyi Uwamahoro yatsindiye ngo zibikuzwe muri AGASEKE Bank, nyuma yaho Huissier Umutoniwase yafatiriye compte ya SORAS iri muri I&M Bank ndetse anabwira iyo Banki kumwishyura 500 000 rwf iyakuye kuri iyo konti, Bank irayamuha, ni bwo arekuye ya Konti, ariko ubwo I&M Bank

ikaba yarayamuhaye SORAS yasabye I&M Bank kutabikora inayimenyesha ko yatangiye kurega Huissier Umutoniwase kandi ko I&M Bank izirengera ingaruka zo kubahiriza ibyemezo bye

3. Umutoniwase avuga ko ibyo yakoze byose nta na kimwe kinyuranyije n'itegeko kuko yashingiye ku ngingo ya 39 y'Itegeko n°12/2013 ryo ku wa 22/03/2013 rigenga umurimo w'Abahesha b'Inkiko. Iyi ngingo ikaba ivuga ko mu gihe harangizwa urubanza ku gahato, ibihembo by'imirimo y'umuhesha w'inkiko w'umwuga, byishyurwa n'uwo ayikoreye. Ibyo bihembo bikaba bigomba kongerwa ku gaciro k'ibyo uwo akorera yishyuza. Iyo habaye cyamunara, ibyo bihembo bikurwa mu mafaranga avuye muri iyo cyamunara. Bityo SORAS ngo ikaba yaragombaga kwishyura amafaranga yose hamwe angana na 14 886 500 rwf aho kuba 14 386 500 rwf.

4. Abaregwa kandi bavuga ko ibyerekeye ifatiratambama no kwishyurwa byakozwe na I&M Bank ikabyubahiriza, bikurikije ingingo za 195, 253 na 274 z'Itegeko n°21:2012 ryo ku wa 14/06/2012 ryerekeye imiburanishirize y'Imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi

5. Muri uru rubanza abaregwa batanzemo inzitizi y'iburabubasha ry'urukiko Me Umugwaneza yunganiye Umutoniwase atangamo indi nzitizi yerekeye iburabubasha ry'urega. SORAS irega ihagarariwe na Me Musabyimana Aphrodice, na ho I&M Bank ihagarariwe na Me Muhozi Paulin na ho Umutoniwase yunganiwe na Me Umugwaneza Diane

6. Akaba rero ari ngombwa gusesengura ibibazo by'amategeko biri mu rubanza kugira ngo hafatwe ibyemezo bikwiye

II.ISESENGURA RY'IBIBAZO BY'AMATEGEKO BIRI MU RUBANZA

7. Urukiko rukaba rusanga ari ngombwa gusuzuma ibibazo bikurikira :

   1) Kureba niba gukemura impaka zerekeye igihembo cy'umuhesha w'inkiko ari impaka zivutse mu irangiza ry'urubanza ku buryo ziregerwa urukiko rwaciye urubanza bwa nyuma bityo hakaba hari iburabubasha ry'uru rukiko

8. Abaregwa bavuga ko ikirego kidakwiye kwakirwa ku mpamvu y'uko uru rukiko rwaregewe rudafite ububasha kuko haregerwa impaka zabaye mu kurangiza

urubanza RPA 0009/14/HCM, kandi ingingo ya 208 y'itegeko n°21/2012 ryo ku wa 14/06/2012 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi ikaba ivuga ko bene izi mpaka ziregerwa mu rukiko rwaciye urubanza bwa nyuma, bityo hakaba haragombaga kuregerwa Urukiko Rukuru rwa Gisirikare, kuko ari rwo rwaciye ruriya rubanza rwarangijwe

9. Me Musabyimana ahagarariye abarega yavuze ko inzitizi zidakwiye ishingiro urukiko rukazazisuzuma rukazifataho icyemezo

UKO URUKIKO RUBIBONA

10. Hari Itegeko n°12/2013 ryo kuwa 22/03/2013 rigenga umurimo w'Abahesha b'Inkiko akaba ari itegeko ryihariye ku byerekeye impaka zivutse ku byerekeye iyishyurwa ry'igihembo cy'umuhesha w'inkiko warangije urubanza gikwiye kwishyurwa n'uwarangirijweho urubanza cyangwa uwarutsinzwe. Amategeko rusange yerekeye impaka zivutse mu irangiza ry'urubanza ntiyakurikizwa dore ko atanarebana n'ibyerekeye igihembo cy'umuhesha w'inkiko, ahubwo arebana n'irangiza ry'urubanza muri rusange. Iri tegeko rero ryihariye ku byerekeye impaka zivutse ku gihembo cy'umuhesha w'inkiko, akaba ari ryo rikwiye gukurikizwa muri uru rubanza. Ingingo yaryo ya 40 ivuga ko urukiko rufite ububasha ari urukiko rwisumbuye ruri hafi y'aho impaka zabereye, bityo ikaba iteganya ububasha bw'urukiko ku buryo bwihariye. Ntabwo rero hakurikizwa ingingo ya 208 y'itegeko n°21/2012 ryo ku wa 14/06/2012 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi

2) Kumenya niba kurega aho kugobokesha byambura urega ububasha ku buryo ikirego kitakwakirwa

11. Me Umugwaneza yunganiye Umutoniwase avuga ko ikirego kitakwakirwa ku mpamvu y'uko SORAS imurega idafite qualité kuko atari we wakuye amafaranga kuri konti, ahubwo Umutoniwase akaba yari kugobokeshwa nk'uwahawe amafaranga

12. Me Musabyimana ahagarariye abarega yavuze ko inzitizi zidakwiye ishingiro urukiko rukazazisuzuma rukazifataho icyemezo

UKO URUKIKO RUBIBONA

13. Kuba Umutoniwase ataragombaga kuregwa ahubwo ngo akaba yaragombaga kugobokeshwa bityo bikambura SORAS ububasha bwo kurega, ibi si ko bikwiye kumvikana kuko kurega no kugobokesha bishobora kugera ku mwanzuro umwe, iyo ugobokesha ashaka gutsindira hamwe ugobokeshwa n'uwo yareze. Gusa, itandukaniro rikaba ko ugobokeshwa ari ku ruhande rw'abaregwa we ahamagarwa mu rubanza rwamaze kuregerwa. Na ho urega, wifuza kugobokesha uwo basangiye inyungu ngo bafatanye urubanza atazamuhindukirana na we akamurega nyuma[1], uyu ni we urega ashobora guhita agobokesha agitanga ikirego, kimwe n'uko yazamugobokesha nyuma iburanisha ritararangira mu gihe abona ko bibaye ngombwa.

14. Kuba rero SORAS itaragobokesheje Umutoniwase ahubwo ikamurega nk'uwahaye itegeko I&M Bank ngo konti ya SORAS ifatirwe kandi havanweho ubwishyu, bikanashyirwa mu bikorwa, bityo SORAS ikamurega hamwe na I&m Bank, nta ho uru rukiko rubona biyibuza gukora nk'uko yabigenje. Nta mpamvu yari gutuma SORAS ihitamo kugobokesha Umutoniwase aho kumurega, mu gihe yabibonye mbere. Ubundi hagobokeshwa umuburanyi bigaragaye nyuma ko ari ngombwa ko aza mu rubanza rwamaze kuregerwa, uretse abasangiye inyungu z'abarega, bo bakaba bashoboa guhita bagobokeshwa ikirego kigitangwa nk'uko tumaze kubisobanura. Nta cyo rero uru rukiko rubona cyambura SORAS ububasha bwo kurega nk'uko yabigenje.

3) kumenya ari ryari hatangira irangizarubanza ku gahato, ngo harebwe niba ari ngombwa ko urangirizwaho urubanza yishyura igihembo cy'umuhesha w'inkiko

15. Me Musabyimana ahagarariye SORAS avuga ko yishyuye ku neza 14 386 500 rwf, ko itakwishyura 500 000 rwf kuko nta mpamvu mu gihe itigeze yishyuzwa ku gahato. Ku byerekeye irangizarubanza ry'agahato igihe rivugwa ko ryabayeho harebwa ibiteganywa n'ingingo ya 253 y'itegeko n°21/2012 ryo ku wa 14/06/2012 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi

[1]ikibazo cy'ugobokeshwa ari ku ruhande rw'uregwa cyangwa ku ruhande rw'urega cyafashweho ibyemezo mu zindi manza nka RC 0023/14/TGI/GIC Kuradusenge & crts rwaciwe ku wa 31 Nyakanga 2014, para 3 & 4. Na RCA 0100/14/TGI/GIC Murisho & crts rwaciwe ku wa 27/11/2014, para 13-16

kandi hari na jurisprudence y'urubanza rwakijijwe n'urukiko Rukuru ikaba ikwiye gukurikizwa muri uru rubanza. Me Musabyimana akomeza avuga ko ku byerekeye igihe irangizarubanza ku gahato ritangirira harebwa ibiteganywa n'ingingo ya 196 na 253 z'itegeko n°21/2012 ryo ku wa 14/06/2012 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, kuko iya 196 isobanura neza ko SORAS itishyuye ku gahato na ho iya 253 igashimangira ko nta cyamunara yigeze itezwa ngo SORAS ikunde yishyure, SORAS yishyuye nta cyamunara ibaye bityo ikaba yarishyuye ku neza

16. Me Umugwaneza n'Umutoniwase bavuga ko urubanza RPA 0009/14/HCM rutarangijwe ku neza, kuko SORAS itahise yishyura indishyi zikubiyemo igihembo cy'Umuhesha w'inkiko (500 000 rwf) zingana 14 886 500 rwf ku neza, ahubwo SORAS yamuhaye sheki ya 14 386 500 rwf nyuma y'ibihe biteganyijwe, kandi na bwo ari uko Huissier yatangiye kuyishyuza. Muri uko kwishyuza Huissier yongeraho n'igihembo cye cya 500 000 rwf ashingiye ku ngingo ya 39 y'Itegeko n°12/2013 ryo kuwa 22/03/2013 rigenga umurimo w'Abahesha b'Inkiko ivuga ko mu kurangiza urubanza ku gahato, ibihembo by'umuhesha w'inkiko, byishyurwa n'uwo ayikoreye ariko bikongerwa ku gaciro k'ibyo uwo arangiriza urubanza yishyuza. Iyo habaye cyamunara, ibyo bihembo bikurwa mu mafaranga avuye muri iyo cyamunara, bityo SORAS ikaba yaragombaga kwishyura amafaranga yose hamwe angana na 14 886 500 rwf; Nyamara ngo yishyuye 14 386 500 rwf gusa, haburaho ariya 500 000 rwf.

UKO URUKIKO RUBIBONA

17. urukiko rubona ko ari ngombwa gutandukanya kwishyura ku neza no kwishyura ku gahato. Kwishyura ku neza, ni igihe cyose uwatsinzwe ugomba kugira ibyo yishyura cyangwa ugomba gukora ibyo yategetswe n'urukiko mu rubanza rwabaye itegeko, abikoze igihe yahawe kitararenga, igihe cyagenwe cyaramuka cyararenze, akabikora bitabaye ngombwa ko hiyambazwa umukozi ugenewe kurangiza imanza, bikumvikana hano ko yaba yarumvikanye n'uwishyuza ko azamwishyura bitabaye ngombwa ko hiyambazwa uyu mukozi ushinwze kwishyuza.

18. uru rukiko rubona ko igihe cyose byabaye ngombwa ko hiyambazwa umukozi ushinzwe kurangiza urubanza ngo rurangizwe, birumvikana ko uwishyuza aba yashyize imbaraga mu kumushaka no kumvikana na we, hari ibyo uwishyuza aba yatakaje, umwanya, amafaranga, no kubabazwa n'uko adahabwa ibyo yatsindiye ku neza. Ibi byose uko birondoye n'ibindi byakongerwaho,

ni byo byumvikanisha ukuntu kwiyambaza umuhesha w'inkiko byonyine bigaragaza ko amananiza uwishyuzwa ashyira ku uwishyuza aba yatangiye, bityo rero no kurangiza urubanza ku gahato biba byatangiye. Keretse uwishyuzwa agaragaje ko Umuhesha w'inkiko yamugezeho igihe yahawe kitararangira. Ni bwo byakwitwa ko ari umuhesha w'inkiko wishakira inyungu ze. Mu gihe rero ibihe byarenze, bikaba ngombwa ko uwishyuza yiyambaza umuhesha w'inkiko, irangizarubanza ku gahato riba ryatangiye.

19. Si ngombwa ko irangizarubanza ku gahato riba ryarangiye. Bityo bikaba Atari ngombwa ko bigera ku ntera yo guteza cyamunara. Icya ngombwa ni uko bigaragara ko irangizarubanza rikozwe ibihe byararenze, kandi hiyambajwe umukozi ubishinwze ryatangiye, kuko uwishyuza hari ingorane aba yagize bigatuma yumvikana na huissier igihembo. iki gihembo itegeko (ingingo ya 39 yavuzwe) rikavuga ko gikurwa ku byatejwe cyamunara iyo cyabayeho. Mu gihe rero harangizwa urubanza rutarimo gutezwa cyamunara, birumvikana ko icyo itegeko rivuga kitagarukira aho, ahubwo birumvikana ko haba hari ikindi kigomba gukorwa. Birumvikana ko kiriya gihembo gikurwa ahandi hashoboka ariko kikishyurwa n'uwatsinzwe n'urubanza ku bwo kutihutira kurangiza ibyategetswe n'urukiko ku neza.

20. urubanza RPA 0009/14/HCM rwaciwe ku wa 05/06/2015 nk'uko bivugwa na I&M Bank ruterwaho kashempuruza ku wa 27/08/2015 nk'uko bivugwa na Umutoniwase, kandi ibi bihe SORAS ntibivuguruza. Iyishyuzwa ryatangiye gukorwa mu kwezi kwa 9/2015. Birumvikana rero ko igihe cy'ukwezi giteganyijwe cyo kurangiza urubanza ku neza cyari cyararenze, ari na yo mpamvu uwishyuza yashatse Huissier Umutoniwase bagirana amasezerano, nyuma yaho atangira kumwishyuriza, nk'uko bigaragazwa n'imihango y'irangizarubanza ku gahato yakozwe na Huissier murukurikirane w'amatariki ya 01/09/2015, ku wa 04/09/2015 no ku wa 08/09/2015; ari bwo SORAS yishyuye uwatsinze ariko itishyuye umuhesha w'inkiko. Uku kutishyura Huissier kandi itegeko ari ko ryabiteganyije, akaba ari na yo mvano y'uru rubanza.

21. SORAS rero ntigaragaza ko yishyuye ibihe yari yahawe n'urukiko bitararangira. Gusa, uru rukiko rwemeza ko ibyo bihe byari byarenze. Ariko kandi SORAS ntigaragaza ko nubwo ibyo bihe byari byarenze, yari yumvikanye n'uwishyuza ko izamwishyura bitabaye ngombwa ko yiyambaza Huissier.

SORAS yishyuye ari uko Huissier yatangiye imihango yo kurangiza urubanza ku gahato. Ntibibaho ko Huissier atangira imihango yo kurangiza urubanza ku neza. Iyo Huissier aje, kandi ibihe byateganyijwe byararenze kandi nta kigaragaza ko nubwo ibihe byarenga haba harumvikanywe ko uwishyurwa azabikorerwa ku neza, ubwo iyishyuza ku gahato ryari ryatangiye, kandi kuba iyishyuza ku gahato ryatangiye ni kimwe no kuba ryakozwe. Uru rukiko ntirubona niba hari uwabona uko aribara igice.

22. Ingingo ya 39 y'Itegeko n°12/2013 ryo ku wa 22/03/2013 rigenga umurimo w'Abahesha b'Inkiko, ivuga ko "***mu gihe harangizwa urubanza ku gahato, ibihembo by'imirimo y'umuhesha w'inkiko w'umwuga, byishyurwa n'uwo ayikoreye. Ibyo bihembo bigomba kongerwa ku gaciro k'ibyo uwo akorera yishyuza. Iyo habaye cyamunara, ibyo bihembo bikurwa mu mafaranga avuye muri iyo cyamunara***"

23. uru rukiko rubona ko igitekerezo cy'iyi ngingo, ari ikigamije kurushaho kuganisha ku ntego y'uko ubutabera bugezwa ku wo bugenewe byihuse kandi hakozwe ibishoboka byose ngo adasiragizwa cyangwa ngo ashyirweho amananiza ayo ari yo yose. Bityo ko utifuza kwishyuzwa ibirenze ibyo yatsindiwe yagombye kwishyura ibyo yatsindiwe bitaragorana, ngo hiyongereho ko yishyura n'igihembo cya Huissier wiyambajwe ngo yishyuzwe ku gahato. Mu gihe rero bigaragaye ko habayeho cyangwa hatangiye iyishyuzwa cyangwa irangiza ry'urubanza ku gahato, birakwiye ko kiriya gihembo cya Huissier cyishyurwa n'uwatsinzwe n'urubanza nk'uko itegeko ribiteganya.

24. Kuba rero huissier Umutoniwase avuga ko kwishyuza igihembo cye ku gahato bishingiye ku ngingo za 39 y'itegeko rigenga umurimo w'abahesha b'inkiko ryavuzwe, hamwe n'ingingo za 195, 253 na 274 z'itegeko n°21/2012 ryo ku wa 14/06/2012 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi aho ryemera ko Huissier watangiye kwishyuza ku gahato yishyuriza hamwe n'igihembo cye ibyo uwatsinzwe agomba kwishyura, kandi bitakwishyurwa, cyangwa bitakwishyurwa byose hakabaho amafatira ya ngombwa kugeza uwatsinzwe yishyuye ibyo asabwa n'itegeko kwishyura byose, ibisigaye akaba ari byo asubizwa, uru rukiko rubona nta mategeko Huissier umutoniwase na I & M Bank banyuranyije na yo bubahiriza imihango yateganyijwe na ziriya ngingo zimaze kuvugwa kandi iyishyurwa rigashyirwa mu bikorwa.

4) Kumenya uko igihembo cya Huyissier cyishyurwa igihe habaye irangizarubanza ku gahato kingana

25. Na ho kuba SORAS ivuga ko igihembo cya huissier ari 40 000 rwf kuko ari inshuro 2 zo kumenyesha urubanza gusa zakozwe kandi signification 1 ikaba ari 20 000 rwf, uru rukiko rusanga Atari ko bikwiye kumvikana kuko signification (kumenyesha urubanza) biri mu mihango inyuranye twavuze ko iyo yatangiye gukorwa bigaragaza ko hatangiye irangizarubanza ku gahato, kandi uru rukiko rukaba rutabona uburyo ki irangizarubanza rigizwe n'urukurikirane rw'imihango inyuranye, habaho kuribaramo ibice. Haba rero hakozwe umuhango umwe, 2, 3 kandi hagomba gukorwa urukurikirane rwose rw'imihango y'irangizarubanza nk'uko ruteganyijwe n'amategeko, igikwiye kumvikana ni uko Huissier aba yashatswe ngo atangire gukora umurimo we kandi ntiyawukora nta gihembo agenewe.

26. Nta buryo rero uru rukiko rubona bwo guhuza icyo gihembo na proportionnalité y'imihango yakozwe ku buryo cyagabanywa mu gihe hakozwe imihamgo mike, cyangwa kigatangwa cyuzuye mu gihe hakozwe imihango myinshi cyangwa se yose. Uko biri kose, itegeko riteye ku buryo iyo irangizarubanza ku gahato ryatangiye, ni ukuvuga ibihe byararenze kandi Huissier yatangiye akazi ku buryo hariho nibura umuhango umwe yamaze gukora, igihembo gikwiye gutangwa cyose. Kandi itegeko ritegenya igihembo gitoya cya 500 000 rwf.

5) Ibyerekeye indishyi zaregewe

27. SORAS irega isaba guhabwa indishyi za 11 500 000 rwf akubiyemo 500 000 rwf yahawe Huissier Umutoniwase mu buryo bunyuranyije n'amategeko, hakabamo 1 000 000 rwf y'ikurikiranarubanza n'igihembo cya Avoka hamwe na 10 000 000 rwf yo kuba SORAS yarumvise ko ngo itanga sheki zitari bwishyurwe bigatuma abantu bayitakariza icyizere

28. I&M Bank yasabye kwishyurwa n'uwareze indishyi za 10 000 000 rwf akubiyemo 5 000 000 rwf ku mpamvu yo gushorwa ku manza ku maherere, ikurikiranarubanza n'igihembo cya Avoka n'ibindi byose yatakaje muri transport na contact kubera uru rubanza, hamwe na 5000 000 rwf yo kuba yaraharabitswe igasigwa isura mbi nka Banki ituzuza neza ishingano zayo

29. Umutoniwase na Me Umugwaneza umwunganiye basaba indishyi zihwanye na 3 500 000 rwf akubiyemo 500 000 rwf y'ikurikiranarubanza, 1 000 000 rwf y'igihembo cya Avoka nk'uko amasezerano abigaragaza, na 2 000 000 rwf y'impozamarira kubera gusigwa izina ribi mu mwuga akora w'ubuhesha bw'inkiko

UKO URUKIKO RUBIBONA

30. Ubwo ikirego cya SORAS kiburiwe ishingiro birumvikana ko nta ndishyi yagenerwa, ahubwo akaba ari yo ikwiye kuzitanga kuko yashoye abaregwa mu manza nta mpamvu bakagira ibyo batakaza. SORAS ikaba ikwiye kubitangira indishyi hashingiwe ku ngingo ya 258 CC L III.

31. SORAS rero yishyure Huissier Umutoniwase 500 000 rwf y'igihembo cya Avoka kuko nta mpamvu ikwiye gushingirwaho ngo ariya masezerano abe ari yo agenderwaho; imuhe 100 000 rwf y'ikurikiranarubanza, imuhe na 200 000 rwf by'impozamarira zo kuba yarafashwe nk'aho adakora neza akazi ke. Yose hamwe ni 800 000 rwf,

32. SORAS yishyure kandi I&M Bank 500 000 rwf y'igihembo cya Avoka, iyihe 100 000 rwf y'ikurikiranarubanza, Yose hamwe ni 600 000 rwf. Na ho ku byerekeye indishyi zo kuyanduriza izina uru rukiko rurabona zitagenwa kuko kugira ibyo amakampani (company) atumvikanaho ku bijyanye n'uko hari iyandurijwe izina bitewe n'amakosa yakozwe, ari ibintu bisanzwe; kuko ari abakozi bayo cyangwa abandi bakorana na yo mu bintu binyuranye, hataburamo amakosa atuma ibintu nk'ibyo bibaho kandi bigakemuka bitabaye ngombwa ko hiyambazwa inkiko cyangwa mu gihe ziniyambajwe, bibe ibibazo bituma biba ngombwa ko inkiko zibifataho ibyemezo biremereye.

33. **III.ICYEMEZO CY'URUKIKO**

34. Rwemeje ko inzitizi zatanzwe ziburiwe ishingiro

35. Rwemeje ko ikirego cya SORAS gisuzumwe ariko kikaba kiburiwe ishingiro

36. Rwemeje ko SORAS yishyura indishyi za 800 000 rwf ikayaha Huissier Umutoniwase Jeanne d'Arc

37. Rwemeje ko SORAS yishyura I&M Bank indishyi zingana na 600 000 rwf y'ikurikiranarubanza n'igihembo cya Avoka

38. Rwemeje ko amagarama aherera kuri SORAS

NI UKO RUKIJIJWE KANDI RUSOMEWE MU RUHAME NONE N'INTEKO Y'URUKIKO IGIZWE NA MBARUSHIMANA Marie-Laetitia, UMUCAMANZA, NA KAGOYIRE Françoise, UMWANDITSI.

INTEKO

UMUCAMANZA

MBARUSHIMANA M.Laetitia
SE/

UMWANDITSI

KAGOYIRE Françoise
SE/

Copie certifiée conforme à l'original
Greffier, AYINKAMIYE Ohamde
le 30/10/2015

«En conséquence, la République du Rwanda mande et ordonne à tous huissiers [illegible] ledit acte [illegible] à l'étranger [illegible] ordonne également [illegible] officiers de force publique [illegible]
«En foi de quoi le [illegible] authentique: Contrat de marché [illegible] à l'étranger, jugement ou arrêt [illegible] à l'étranger; Sentence arbitrale, a été signé par .... le Greffier

Greffier, AYINKAMIYE Ohamde
le 30/10/2015