FEDERAL NEGERITGAZETA
OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

PROCLAMATION NO. 515/2006

Reclamation No. 515/2006

PART ONE
1. Short Title

2. Definitions

NOW, THEREFORE, in accordance with Article 35 of the Federal Democratic Constitution of Ethiopia, as hereby proclaimed as amended:

WHEREAS, it is important to address the problems identified during the administration of the programme identified as the "Programme for Promotion of the Federal Republic of Ethiopia's Human Resource Management" (hereinafter referred to as "the Programme") and to ensure its effective implementation.

NOW, THEREFORE, in accordance with Article 35 of the Federal Democratic Constitution of Ethiopia, as hereby proclaimed as amended:

NOW, THEREFORE, in accordance with Article 35 of the Federal Democratic Constitution of Ethiopia, as hereby proclaimed as amended:
1. "Civil Servant" means a person employed permanently by federal government institution; provided, however, that it shall not include the following:

a) government officials with the rank of state minister, deputy director general and their equivalent and above;
b) members of the House of Peoples' Representatives and the House of the Federation;
c) federal judges and prosecutors;
d) members of the Armed Forces and the Federal Police including other employees governed by the regulations of the Armed Forces and the Federal Police;
e) employees excluded from the coverage of this Proclamation by other appropriate laws.

2. "Temporary Civil Servant" means a person who is employed in a government office for a job which is not permanent in nature or where circumstances so require to a permanent position; however, it shall not include the following:

a) persons employed as daily laborers who are paid on daily basis;
b) persons who are assigned for internship or training;
c) persons who enter into a contract with a government office as an independent contractor for a consideration;
d) persons who enter into a contract with a government office due to their special skills and ability on part-time basis for consideration.

3. "Government Institution" means any federal government office established as an autonomous entity by a proclamation or regulations and fully or partially financed by government budget, included in the list of government institutions to be drawn up by the Council of Ministers.
4) "Class" means the basic unit of position classification in which a group of positions which are similar in duties and responsibilities are classified so that a common class title can be used, the same general requirements as to education, experience, knowledge, ability, and skill can be required and the same salary rate, range, can be applied to the class.

5) "Position" means a set of current duties and responsibilities assigned by a competent authority to be performed full time by an individual employee.

6) "Promotion" means assigning a civil servant to a higher grade;

7) "Agency or General Director" means the Federal Civil Service Agency or General Director, respectively;

8) "Head of a Government Institution" means a government official who directs the institution and includes his deputies;

9) "A Medical Certificate" means a certificate that describes the health condition or prescribes sick leave of a civil servant and that is issued by a local medical institution licensed by the appropriate authority or where the certificate is acquired from abroad it shall be verified by an authorized body.

10) "Salary" means base pay and periodical increments authorized for a grade of a class.

11) "Conditions of Work" means the entire field of relations between government office and government employee and shall also include hours of work, wage, leave, health and safety, compensation to employment injury, dismissal, retrenchment and severance pay, disciplinary and grievance procedure and any other similar matters.

12) "Rédeployment" means assigning a civil servant to a higher position without announcing the position for promotion according to article 30 of this proclamation, or to similar position of an equal grade and salary, or to a lower grade where the civil servant so agrees.
3. Scope of Application

This proclamation shall be applicable on government institutions and "civil servants" covered by the definition given under Article 2 of this proclamation.

4. Organizational Structure

The Agency shall issue detailed directives regarding the preparation and implementation of organizational structure and staffing plan to enable it to achieve its goals.

5. Classifications of Positions

1) Any government-institution shall undertake studies and decide its own organizational structure and staffing plan to enable it to achieve its goals.

2) The Agency shall issue detailed directives regarding the preparation and implementation of organizational structure and staffing plan to enable it to achieve its goals.

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2) Any government institution shall complete positions classification, questionnaire and submit to the Agency for evaluation and classification when a totally new job is created.

6. Salary Scale

1) The Agency shall prepare a salary scale to be applicable to the Civil Service in general and submit the same to the Council of Ministers, and supervises its proper implementation upon approval.

2) The salary scale shall contain the base, maximum pay and step-increments of each grade.

3) Notwithstanding Sub-Article 1 of this Article and upon permission of the Council of Ministers, the Agency, based on the specific nature of a government institution shall undertake studies of salary scales and submit the same to the Council, and upon approval, supervises their proper implementation.

4) When necessary the Agency shall undertake periodical revisions of salary scales based on economic changes and other relevant conditions, and submit same to the decision of the Council of Ministers.

7. Equal Pay for Equal Work

All positions of equal value shall have equal base salary.

8. Payment of Salary

Any Government office, shall, at the end of every month, make payments of salary to civil servants or their legal representatives.

9. Increment of Salary

1) Periodical salary increments to be made to civil servants shall be based on their performance evaluation results.

2) Civil servants obtaining an evaluation result of satisfactory or above satisfactory shall be entitled to a salary increment to be made every two years.
CHAPTER ONE
Human Resource Planning

1.15 Human Resource Planning

The purpose of Human Resource Planning is to ensure the effective utilization of human resources in the strategic plan to achieve organizational goals. It involves the identification, forecasting, and evaluation of human resource needs to support the achievement of organizational objectives.

1.16 Recruitment and Selection

Recruitment involves the process of finding qualified candidates for positions. Selection is the process of choosing the best candidate from the pool of qualified candidates for a specific position.

1.17 Human Resource Development

The objective of Human Resource Development is to enhance the skills, knowledge, and abilities of employees to support the achievement of organizational objectives.

PART THREE
Human Resource Planning, Staffing and Performance Evaluation

11. Allowances

Allowances shall be paid with the approval of the Central Government.


The National Human Resource Planning Board shall be established to formulate the National Human Resource Planning.

13. Staffing

Staffing is the process of assigning personnel to specific positions in the organization.

14. Performance Evaluation

Performance evaluation is the process of assessing an employee's performance against the performance standards and goals established for the position.
3. Vacancies may be filled through recruitment, promotion, transfer or deployment on the basis of the human resource plan.


13. Filling of vacancies

1) There shall be no discrimination among job seekers or civil servants in filling vacancies because of their ethnic origin, sex, religion, political outlook, disability, HIV/AIDS or any other ground.

2) A vacant position shall be filled only by a person who meets the qualification required for the position and scores higher than other candidates.

3) Notwithstanding the provisions of Sub-Articles (1) and (2) of this Article, in recruitment promotion and deployment preference shall be given to:

   a) female candidates;
   b) candidates with disabilities; and
   c) members of nationalities comparatively less represented in the government office, having equal or close scores to that other candidates.

4) The definition of disability applicable in the appropriate law relating to disability shall also apply for the purposes of this Article.

14. Eligibility

1) The following shall not be eligible to be civil servants:

   a) a person under the age of 18 years;
   b) any person who has been convicted by a court of competent jurisdiction of breach of trust, theft, or fraud;
   c) any person who is unwilling to take oath fidelity according to Article 18 of this Proclamation.
15. Employment of foreigners

Without prejudice to the provisions of Article 5(2) of the proclamation providing foreign Nationals of Ethiopian Origin with certain rights to be exercised in their country of Origin Proclamation No 270/2002 and Article 22(2) of this proclamation, a person who is not an Ethiopian national may not be eligible to be a Civil Servant.

16. Vacancy Announcement and Examination for Recruitment

1) Government institutions shall advertise every vacant position to be filled by a new civil servant.

2) Notwithstanding Sub-Article (1) of this Article, whenever there is shortage of professionals in the labour market, a government institution may solicit graduates of higher educational institutions for recruitment in cooperation with the institutions.

3) The Agency shall issue directives with regard to advertising vacant positions, and the preparation and conducting of examinations and disclosing the results thereof.

17. Medical Certificate and Police Record

Without prejudice to Article 13(3) of this Proclamation, the candidate who has scored the highest mark from among the competitors and passed the examination, shall submit medical certificate except HIV/AIDS test to prove his fitness for service and written testimony to prove that he has no police record with regard to crimes referred to in sub-Article 1(b) of Article 14 of this proclamation.
18. Appointment and Oath of Fidelity

1) A newly appointed civil servant shall be served with a letter of probational appointment, signed by the Head or any other authorized official of the government institution, stating the title and grade of his position, his salary and date of commencement of his appointment, together with job descriptions of his position.

2) The appointed civil servant shall, before commencement of his work, take the following oath of fidelity:

"I solemnly swear to faithfully serve the people and execute government policy, and to respect at all times the Constitution and the laws of the Country and not to disclose to any party information that is revealed to me by reason of my duties and is classified as secret or confidential by law or standard transparent procedure."

19. Determination of Starting Salary

1) Any newly appointed civil servant shall be paid the base salary as fixed by the civil service salary scale for the position he has been appointed.

2) The agency shall issue detailed directives on the circumstances in which government institutions may decide to pay a higher base salary to new recruits and the directives may include the types of position, the extent of departure from the base salary, the eligibility criteria and other relevant matters.

20. Probation

1) The purpose of probation shall be to prove the competence of a newly appointed civil servant through follow-up of his performance.

2) The period of probation of a civil servant in the position of his appointment shall be for six months; provided however, if the performance result is below satisfactory, it may be extended for an additional period of three months.
22. Temporary employment

Without prejudice to Article 2 of this Article, a temporary civil servant appointed under this Article shall be appointed to a permanent position, provided that such appointment is not for a term exceeding one year, unless otherwise provided in this Article.
2) A government office may appoint a foreign national on temporary bases, where it is proved that it is impossible to fill a vacant position that requires high level professional by an Ethiopian through promotion, transfer or recruitment.

3) The agency shall issue detailed directives on recruitment, right and duties as well as work conditions of temporary employees.

CHAPTER TWO
Promotion

23. Objectives
Promotion shall be given for the purpose of enhancing the performance of government institutions and to motivate the employees.

24. Selection for Promotion
1) Any civil servant who has completed his probation, may compete for promotion, unless he is prohibited by relevant directives on promotion.

2) The Agency shall issue detailed directives on the promotion of Civil Servants.

25. Revocation of Promotion
A promotion obtained on the basis of fraudulent evidence or granted in contravention of the law shall, with out prejudice to disciplinary and criminal liability, be revoked any time.

CHAPTER THREE
Transfer and Reassignment

26. Internal Transfer
1) A government institution may, whenever necessary, based on a transparent procedure, transfer a civil servant to another similar position of an equal grade and salary or to another place of work within the government institution.
2) Notwithstanding the provisions of Sub-Article (1) of this Article, a civil servant may, without affecting his salary, be temporarily assigned to another position; for not more than a year, irrespective of the grade or type of functions where it is required to prevent the occurrence or rectify the damage of any disaster to the government institution.

3) Where it is proved by a medical certificate that a civil servant who has completed his probation is unable to carry out the functions of his position or to reside in his place of work due to his health condition, he shall be transferred to another suitable position or place of work with:

a) the same grade, where such vacant position is available; or
b) a lower grade where a vacant position of the same grade is not available, and he is willing to be transferred to a position of lower grade.

4) Where the position of a civil servant is abolished, he shall be transferred to another position of an equal grade within the government institution.

27. Acting Assignment

1) Where circumstances so require a civil servant may be assigned to a higher position in an acting capacity for not more than a year.

2) Notwithstanding the provisions of Sub-Article (1) of this Article, a civil servant may be assigned to a higher position in acting capacity to replace a civil servant who is on education or training program, that lasts more than one year.

3) Any civil servant assigned in an acting capacity shall be entitled to acting allowance. The Agency shall issue directives on the amount of such allowance.

28. Transfer from Another Government Institution

1) A government institution may, whenever necessary and the recipient and sender government institutions as well as the civil servant so agree, transfer a civil servant to a similar position of equal grade and salary from other government institution by notifying the Agency.
2) Where the concerned civil servant, regional government institution and the recipient federal government institution so agree and when the appropriate authority in the region approves it, a civil servant may be transferred from the regional government institution to the federal government institution to similar position of equal grade and salary.

3) A civil servant transferred under this article shall not lose the salary and benefits acquired by virtue of his grade and service before the transfer.

29. Secondment

1) A civil servant may, where it is necessary and the government institution and the civil servant so agree, be seconded to another government institution or regional government institution or public enterprise or non-governmental organizations to perform a specific duty for a period not exceeding one year.

2) Where it is necessary, any government institution may second an employee from public enterprise, regional government institution or non-governmental organization for a period not exceeding one year.

3) Notwithstanding Sub-Article /1/ of this Article, upon the decision of the federal government a civil servant may, without affecting his salary, be assigned to another government institution or based on the request of a regional state to a government institution of such state, for a period not exceeding one year.

4) Where a civil servant is seconded in accordance with Sub-Article /1/ of this Article:

a) his salary and other benefits shall not be affected because of his assignment;
b) his performance shall be evaluated by the government institution to which he is seconded;
c) he shall be subjected to disciplinary measures to be taken by his employer whenever he commits disciplinary offences.
30. Redeployment

1) The filling of a vacant position in any government institution through redeployment of a permanent civil servant from another government institution shall be made only where the government institution is closed or it has redundant manpower or the position of the civil servant is abolished and the Agency so decides.

2) Any government institution may redeploy its employees on the basis of competition where it implements a new organizational structure.

3) A civil servant redeployed under this Article shall be entitled to his previous salary and benefits acquired by virtue of his grade and service.

CHAPTER FOUR
Performance Evaluation

31. Performance Evaluation

1) The purpose of performance evaluation shall be:

   a) to enable civil servants to effectively discharge their duties in accordance with the expected level, quality standards and time and expense;
   b) to evaluate civil servants on continuous basis and identify their strengths and weaknesses with a view to improve their future performance;
   c) to identify training needs of employees;
   d) to give reward/based on result;
   e) to enable management to make its administrative decisions based on concrete evidence.

2) Performance evaluation shall be carried out in a transparent manner.

3) The Agency shall issue directives on performance evaluation.
PART FOUR
Working Hours and Types of Leave

CHAPTER ONE
Working Hours

32. Regular Working Hours

Regular working hours of civil servant shall be determined on the basis of the conditions of their work and shall not exceed 39 hours a week.

33. Office Hours

The time when the office hours of civil servants begins and ends shall be determined by Regulations of the Council of Ministers.

34. Overtime Work

1) Any civil servant who has worked overtime is entitled to compensatory leave or over time pay based on his preference.

2) The Agency shall issue directive on the conditions of overtime work, amount of payment and compensatory leave.

35. Public Holidays and Weekly Rest Day

1) Any civil servant shall incur no reduction in his, regular pay on account of having not worked on public holiday or weekly rest day or on a day offices are closed by the order of the government.

2) Any civil servant ordered to work on a public holiday or on a day government institutions are closed by the order of the government, due to compelling circumstances, shall be entitled to overtime pay or compensatory leave based on his preference.

3) Notwithstanding the provision of Article 34/1 of this Proclamation a civil servant ordered to work on a weekly rest day, due to compelling circumstances, shall be granted a compensatory leave during working days of the next week.
CHAPTER TWO

36. Objectives

1) The purpose of annual leave is to enable a civil servant get rest and resume work with renewed strength.

2) Any newly appointed civil servant shall not be entitled to annual leave before serving for eleven months.

3) There shall be no payment in lieu of annual leave; provided, however, that payment may be made for unused annual leave due to termination of appointment.

37. Duration of Annual Leave

1) A civil servant shall be entitled to annual leave of 20 working days for his first year of service.

2) A civil servant having a service of more than a year shall be entitled to additional leave of one working day for every additional year of service; provided, however, that the duration of annual leave shall not exceed 30 working days.

3) Previous service rendered in any government institutions and regional government institutions shall be considered for the application of Sub-Article (2) of this Article.

38. Granting of Annual Leave

1) Annual leave shall be granted within the budget year in accordance with a leave made known to the civil servants and leave made and prepared on the basis of due consideration of the interest of the government office and, as much as possible, the preference of each civil servant.

2) A civil servant shall be entitled to advance payment of his monthly salary, at the time of taking his annual leave.

3) Without prejudice to the provisions of Article 36/2 a civil servant after the completion of 11 months shall be granted annual leave based on the service rendered.
39. Postponement of Annual Leave

1) Notwithstanding the provisions of Article 38(1) of this Proclamation, the head of a government institution may authorize the postponement of annual leave for two budget years, where the government office, due to compelling reasons, is unable to grant a civil servant his annual leave within the same budget year; provided however, that the accumulated leave shall be granted to the civil servant in the third budget year.

2) Notwithstanding the provisions of Article 36(3) of this Proclamation, a civil servant whose annual leave is postponed for two years in accordance with sub-Article (1) of this Article, may claim payment, and the government institution shall make the payment for the first year of the accumulated annual leave from a budget allocated for such purpose.

40. Unused Annual Leave

1) Where the appointment of a civil servant is terminated, the payment shall be made for the number of working days of unused annual leaves which are postponed as specified under Article 39/1 of this Proclamation.

2) The provision of Sub Article /1/ of this Article shall not apply to the civil servant transferred under Article 28 of this Proclamation or redeployed under Article 30 of this Proclamation. However, unused leave that had been postponed as specified under article 39/1/ of this Proclamation will be transferred to the government institution to which he is transferred or redeployed.

CHAPTER THREE
Other Leaves

41. Maternity Leave

1) A pregnant civil servant shall be entitled to:
a). paid leave for medical examination in accordance with a doctor's recommendation;

b). paid leave before delivery if recommended by a doctor.

2) A pregnant civil servant shall be entitled to a period of 30 consecutive days of maternity leave with pay preceding the presumed date of her confinement and a period of 60 consecutive days of maternity leave after her confinement.

3) If the pregnant civil servant deliver on before the completion of prenatal leave which is granted under sub-article 2 of this Article, the unused prenatal leave will be granted after her confinement.

4) If the pregnant civil servant does not deliver on the presumed date, the days subsequently taken before her confinement shall be replaced by the annual leave she is entitled to within the budget year of that of the following budget year if no annual leave is left.

5) The civil servant shall be entitled to sick leave in accordance with Article 42(1) of this Proclamation, if she becomes sick after completion of her maternity leave under sub-Article (2) of this Article.

6) Any civil servant shall be entitled a paternity leave with pay for five working days at the time of his wife's delivery.

42. Sick Leave

1) Any civil servant shall be entitled to sick leave where he is unable to work due to sickness.

2) The duration of sick leave to be granted to a permanent civil servant in accordance with Sub-Article (1) of this Article shall not exceed eight months in a year or twelve months in four years, whether counted consecutively or separately starting from the first day of his sickness.
3/ የእጋን እንደለት ዜና እንደለት እንደለት ውስጥ ውስጥ ውስጥ ውስጥ ውስጥ ውስጥ ውስጥ ውስጥ ውስጥ ውስጥ ውስጥ ውስጥ ውስጥ ውስጥ ውስጥ ውስጥ ውስጥ ውስጥ ውስጥ ውስጥ ውስጥ ውስጥ ውስጥ ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ውስ틀 ው samsungs
2) A civil servant who has completed his probationary period and runs for election shall be entitled to leave without pay during the election campaign and for the duration of the voting.

46. Medical Benefit

1) A civil servant who has completed his probationary period as specified under Sub-Article 2 of this Article:

a) shall have the right to get all medical services in government medical institutions without incurring additional costs;

b) shall have the right to get medical services, with half pay, in government medical institutions for his spouse and minor children.

2) The Agency jointly with other relevant government institution shall undertake studies regarding the amount of monthly contribution to be made by civil servants towards the medical benefits they are entitled to under Sub-Article (1) of this Article and submit the same to the Council of Ministers for approval and supervise its implementation up on approval.

PART FIVE
Occupational Safety and Health

47. Employment Injury

1) "Employment Injury" means employment accident or occupational disease.

2) "Employment Accident" means any organic injury or functional disorder suddenly sustained by a civil servant during or in connection with the performance of his work, and shall include the following:

a) injury sustained by a civil servant outside of his regular work, or outside of his regular working place or hours, while carrying out orders by a competent authority;
b) Injury sustained by a civil servant during or outside of working hours while attempting to save his work place from destruction of imminent danger, though without order by a competent authority;

c) Injury sustained by a civil servant while he is proceeding to or from his place of work in a transport service vehicle provided by the government institution which is available for the common use of its employees or in a vehicle hired and expressly destined by the office for the same purpose;

d) Any injury sustained by a civil servant before or after his work or during any interruption of work, if he is present in the work place or the premises of the undertaking by reason of his duties in connection with this work;

e) Any injury sustained by a civil servant as a result of an action of the employer or a third person during the performance of his work.

3) "Occupational Disease" means any pathological condition of a civil servant which arises, as a consequence of the kind of work he performs or because of the agent that causes the disease for a certain period prior to the date in which the disease became evident; provided, however, that it does not include endemic or epidemic disease which are prevalent and contracted in the area where the work is done.

4) The extent of disability and disease caused by an employment injury shall be determined under Article 24 of civil servant pension proclamation no. 345/2003.

5) Notwithstanding the provisions of Sub-Article (1) of this Article, any injury sustained by the deliberate act of the civil servant, in particular, by his non-observance of express safety instructions or by reporting to work in a state of intoxication shall not be deemed an employment injury.
<table>
<thead>
<tr>
<th>Table 1: Safety Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Principle of Disability</strong></td>
</tr>
<tr>
<td>1) Disability means the reduction in the work capacity of the worker.</td>
</tr>
<tr>
<td>2) The effects of disability are temporary, permanent, or complete.</td>
</tr>
</tbody>
</table>

3) The Agency shall supervise occupational health and safety in government institutions and ensure that the workplace is the responsibility of the Department of Health and Safety. |

4) Any government institution shall have the following responsibilities:
   - a) observe directions issued in relation to health and safety;
   - b) properly use safety devices and materials; and give them instruction on their use.
51. Permanent Partial Disablement

"Permanent partial disablement" means incurable employment injury decreasing the injured worker's capacity.

52. Permanent Total Disablement

"Permanent total disablement" means incurable employment injury, which prevents the injured worker from engaging in any kind of remunerated work.

53. Medical Benefits and Injury Leave

1) The government institution shall cover the following medical expenses incurred by a civil servant due to employment injury:

a. general and special medical treatment and surgical care expenses;

b. hospital and pharmaceutical care expenses;

c. any necessary prosthetic or orthopedic appliance expenses.

2) Any civil servant who has sustained an employment injury shall be entitled to injury leave with pay until he recovers and resumes work or until it is medically certified that he is permanently disabled; however, on the event of medical determination that the employee is unable to work permanently, he shall be entitled to the benefits provided for under Article 56 of this Proclamation.

3) Where the civil servant intentionally delays his recovery by not following the treatment properly or by his non-observance of doctor's instructions, his entitlement of medical benefits and leave under Sub-Articles /1/ and /2/ of this Article shall cease.

54. Disability Pension and Gratuity

1) Any civil servant who has sustained permanent total or partial disablement due to employment injury shall be entitled to benefits provided for in the public servant's pension law.
56. Claims of Compensation from Third Party

Any payment to be made pursuant to Article 54 of this Proclamation shall be exempt from tax and may not be attached by way of set-off or charged by the beneficiary.

57. Exemption from Tax

4) Where an employment injury resulted in the death of the civil servant, the survivors shall receive gratuity provided in the relevant pension law.

2) Injuries which, although not resulting in incapacity for work, cause such as permanent diminution of earning capacity, shall be compensated by periodic payments for the period of incapacity.
58. Responsibility to Train Civil Servants

1) A government institution shall have the duty to identify the training needs of the institution and the civil servants and to prepare plans and budget for training and thereby ensure that civil servants receive the necessary training and furnish information thereon to the Agency.

2) The Agency shall, with a view to make the training of civil servants effective, prepare a policy with regard to conditions of training locally and abroad and submit the same to the Council of Ministers and supervise its implementation upon approval.

PART SEVEN
Managing Information Profile of Civil Servants

59. Personnel Records

1) Any government institution and the Agency shall keep personnel records containing all relevant information regarding each civil servant as well as temporary employees.

2) Any civil servant shall have access to all information contained in his personnel records or to have a copy thereof.

3) Any person other than the concerned administrative staff shall not have access to personnel records unless authorized by the head of the government institution.

4) It is prohibited to deposit any document in the personnel records of a civil servant without his knowledge.

5) Any government institution shall be responsible for keeping personnel records of civil servants for a period determined in the directives issued by the government institution authorized by law.

60. The Responsibility of Organizing Profile of Civil Servants

1) The Agency shall have the duty to:

   a) implement uniform human resource management information system at a national level;
b) organize civil servants human resource database at national level;

c) collect and compile statistical data relating to civil servants.

2) Every government office shall send information on timely basis to Agency’s human resource database.

3) Any government office shall have a duty to send information on time to the human resource data base established by the Agency.

PART EIGHT
Obligations and Ethics of Civil Servants

61. Obligations of Civil Servants

Any civil servant shall:

1) be loyal to the public and the Constitution;

2) devote his whole energy and ability to the service of the public;

3) discharge the functions specified in his job description and accomplish other tasks ordered legally;

4) observe laws, regulations and directives related to the civil service;

5) have a duty to perform government policy efficiently.

62. Ethical Conduct of Civil Servants

Without prejudice to the provisions of Article 61 of this proclamation, the Council of Ministers shall issue detailed code of conduct Regulations of the Civil Servant.

63. Compulsory Medical Examination

1) Any civil servant shall have the obligation to take medical examination, with the exception for HIV/AIDS, when required by the government institution on sufficient grounds related to the service.
2) Expenses incurred pursuant to Sub-Article (1) of this Article shall be covered by the government institution.

64. Handling and Use of Property

Any civil servant shall have the responsibility to properly handle and use the equipment and materials provided to him for the carrying out of his duties.

65. Extent of Liability

Any civil servant shall be liable for the damage or loss of equipment and materials provided to him for the carrying out of his duties, where such damage or loss is caused by his negligence or intentional act.

PART NINE
Disciplinary Measures And Grievance Procedure

66. Objectives of Disciplinary Penalties

The objectives of disciplinary penalty shall be to rehabilitate a delinquent civil servant when he can learn from his mistakes and become a reliable civil servant or to discharge him when he becomes recalcitrant.

67. Types and Classification of Disciplinary Penalties

1) Depending on the gravity of the offence, one of the following penalties may be imposed on a civil servant for breach of discipline:

a) oral warning;

b) written warning;

c) fine up to one month's salary;

d) fine up to three month's salary;

e) down grading up to the period of two years;

f) dismissal.

2) The penalties specified under Sub-Article (1) (a)-(c) of this Article shall be classified as simple disciplinary penalties.
3) The penalties specified under Sub-Article (1) (d) - (f) of this Article shall be classified as rigorous penalties.

4) A civil servant who is demoted in accordance with Article (1) (e) of this Article and upon the lapse of his period of punishment, shall be reinstated:

a) to a similar available vacant post, without any promotion procedures;

b) in absence of a vacant post, he shall be reinstated to a similar post without any promotion procedures when it becomes available at a later time.

5) After a disciplinary measure has been taken on a civil servant, such measure shall remain in his record:

a) for two years, where the penalty is simple;

b) for five years, where the penalty is rigorous.

68. Offences Entailing Rigorous Penalties

Rigorous disciplinary penalties may be imposed for the following offences:

1) to undermine one's duty by being disobedient, negligent or tardy or by non-observance of working procedures;

2) deliberate procrastination of cases or mistreatment of clients;

3) to deliberately obstruct work or to collaborate with others in committing such offence;

4) unjustifiable repeated absenteeism or non-observance of office hours in spite of being penalized by simple disciplinary penalties;
5) to initiate physical violence at the place of work;
6) neglect of duty by being alcoholic or drug addict;
7) to accept or demand bribes;
8) to commit an immoral act at the place of work;
9) to commit an act of theft or breach of trust;
10) to commit an act of misrepresentation or fraudulent act;
11) to inflict damages to the property of the government due to an intentional act or negligence;
12) abuse of power;
13) to commit sexual violence at the place of work;
14) to commit any breach of discipline of equal gravity with the offences specified under this Article.

69. Taking Disciplinary Measures

1) A government institution shall establish a disciplinary committee which shall investigate disciplinary charges brought against civil servants and thereby submit recommendations to the concerned officials.

2) Disciplinary measures may be taken irrespective of any court proceedings or decision.

70. Suspension from Duty

1) Any civil servant will be suspended from duty if it is presumed that:
   a) he may obstruct the investigation by concealing, damaging or destroying evidence related to the alleged offence;
   or
   b) he may commit additional offence on the property of the government institution;
   or
   c) the alleged offence is so grave as to demoralize other civil servants or negatively affect the public trust towards civil servants;
d) the disciplinary offence may lead to dismissal.

2) A civil servant can be suspended from duty and may not get his salary according to Sub-article (1) of this Article only for a maximum period of not exceeding two months.

3) The decision given in accordance with Sub-article (2) of this Article shall be notified to the civil servant in writing, with the grounds and duration of his suspension signed by the Head of the government institution.

4) Unless a decision of dismissal is rendered against a suspected civil servant, the salary withheld at the time of suspension shall be paid to him without interest.

5) The suspension of a civil servant shall not deprive him of other rights and duties that are not affected by the suspension.

71. Period of Limitation

1) Disciplinary measure shall not be taken against a civil servant who has committed an offence entailing simple disciplinary penalty unless such measure is taken within six months, from the time the commission of the offence is known; provided, however, that the official who has failed to take the disciplinary measures within the time limit shall be held responsible.

2) No disciplinary charge shall be brought against a civil servant who has committed an offense entailing rigorous disciplinary penalty and such offense is also subject to criminal liability. Unless the disciplinary charges is brought within the time limit provided in the criminal code for such criminal offense.

3) No disciplinary charge shall be brought against a civil servant who has committed an offense entailing rigorous disciplinary penalty and such offense is not subjected to criminal liability, unless the disciplinary charges is brought within the time limit provided in the criminal code for petty offenses.

4) Notwithstanding the provisions of Sub-Articles 2/ and 3/ of this Article the official, who has failed to take the measures within a period of one year, shall be held responsible.
PART TEN

Establishment of the Administrative Tribunal

An Administrative Tribunal, which bears the title of "The Administrative Tribunal", shall have jurisdiction and decide on matters referred to it on the basis of Article 75, is hereby established.

74. The Administrative Tribunal shall have the power to hear and decide on appeals and applications

75. Any appeal by a civil servant from the decision of the Administrative Tribunal shall be filed within sixty

establishment of a grievance handling committee. The grievance handling committee shall, after conducting a preliminary inquiry, submit its recommendations to the Civil Service Commission for its decision.
3) Each chamber shall have a chairperson and two members designated by the General Director.

4) The Administrative Tribunal shall have a power, given to an ordinary court under civil procedure code, to execute its own decision, decree, order and the-court procedure.

5) The Agency may issue directives relating to the way the judges perform their functions, the code of ethics they should observe, and other related matters.

75. Jurisdiction of the Administrative Tribunal

The Administrative Tribunal shall have the power to hear and decide on appeals brought by a civil servant relating to:

1) unlawful suspension or termination of service;

2) being penalized by rigorous disciplinary penalty;

3) an illegal attachment or deduction of his salary or other payments;

4) infringement of his rights arising from an employment injury;

5) except, provided in Article 73/7 of this Proclamation, cases investigated and decided upon by grievance handling committee;

6) matters arising from his request for termination letters and testimonials of service.

76. Decision of the Administrative Tribunal

1) The Administrative Tribunal may, after hearing the appeal, confirm or reverse the decision or vary the decision in favor of the appellant.

2) The decision of the Administrative tribunal on question of fact shall be final; provided, however, that any one of the parties may appeal to the Federal Supreme Court on question of law within 30 days from the date of the decision of the Administrative Tribunal.
77. Execution

1) Any government institution against which a decision is given by the Administrative Tribunal shall have the obligation to immediately execute the decision.

2) Where the beneficiary of a decision pleaded that the decision of the Administrative Tribunal given in accordance with Article 76 of this Proclamation is not executed within 30 days, the Administrative Tribunal shall execute the decision.

3) The Head of the government institution who failed to execute the decision of the Administrative Tribunal shall be liable for the damage sustained by the institution and the civil servant.

PART ELEVEN
Termination and Extension of Service

78: Resignation

1) Without prejudice to the obligations provided in laws and contracts any civil servant may, by giving a one month prior notice, resign at any time.

2) Any civil servant, who has terminated his service without giving a one month prior notice, provided in Sub-Article 1/ of this Article, may be subjected to civil and criminal liability.

3) Where the service of the civil servant is indispensable and he could not be replaced easily, the Head of the government institution may delay his release for a period not exceeding three months including the date of application.

79. Termination Due to Illness

1) Where a civil servant is unable to resume work with in the time specified under Article 42/2 and 4/ of this Proclamation, he shall, be deemed unfit for service and be discharged.
2) Without prejudice to the provisions of Article 53/2/ of this Proclamation, where a civil servant who has sustained employment injury is medically determined to be permanently disabled, his service shall forthwith be terminated.

3) If a civil servant who has completed his probation period does not agree on the transfer that could be undertaken in accordance to Article 26/3/b/ of this Proclamation, his service shall be terminated.

80. Termination on Grounds of Inefficiency

1) The service of a civil servant who has completed his probation period may be terminated due to inefficiency where his performance evaluation result is below satisfactory for two successive evaluation periods despite exerting all his knowledge and ability to accomplish his work.

2) Notwithstanding the provisions of Sub-Article/1/ of this Article, a civil servant whose performance evaluation result is above satisfactory for five successive years may not be dismissed on grounds of inefficiency unless, his performance result becomes below satisfactory for the following three successive evaluation periods.

3) The termination of service of a civil servant under Sub-Article/1/ and /2/ of this Article shall only be effected for the achievement of the purpose of performance evaluation under Article 31 of this Proclamation where it is deemed necessary.

81. Termination due to Force Majeure/Situations

1) A civil servant who has completed probation and is absent from work due to force majeure, shall inform the situation within one month to the respective government institution.

2) The government institution that has received the reasons of absence of a civil servant in accordance with Sub-Article, (1) of this Article, shall, after verifying the validity of the reason, keep the post of the civil servant vacant for six months. Provided, however, that the service of a civil servant may be terminated if he is unable to resume work within the six months.
3) Without prejudice to the provision of Sub-Article (1) of this Article, when a civil servant who has completed his probation is absent from his work for ten consecutive working days due to unknown reasons the government institution may terminate the employment after calling him in two notices in ten days' interval.

4) Notwithstanding the Provisions of Sub-Article (3) of this Article, a government institution may reinstate the civil servant to his job if the civil servant applies for his job within six months after the termination of his employment, produces sufficient evidence to prove that his reasons of absence was due to force majeure—and there exists a similar vacant position within the institution.

5) A civil servant who responded to the notices made in accordance with Sub-Article (3) of this Article within a month from the first day of absence shall be placed on his job and the Head of the government institution shall decide afterwards on the case after examining the reasons and the supporting evidence causing the absence.

6) The service of a civil servant who has not completed his probation shall be terminated without any additional formality, where he is absent from work for one month due to force majeure.

82. Nullification of Appointment

Any appointment obtained on the basis of false representation regarding educational qualification or work experience or made by unauthorized person or in contravention of this Proclamation, regulations and directives issued hereunder or any other law shall be nullified, by the decision of the head of the government institution or the Agency.

83. Retrenchment

1) Any civil servant shall be retrenched where:
   a) his position is abolished;
   b) the government office is closed; or
   c) redundancy of man power is created;
84. Termination of Service on Disciplinary Grounds

1) The service of a civil servant shall be terminated where:

   a) a disciplinary penalty under Sub-Article 1/B of Article 67 of this Proclamation is imposed on him; and

   b) the penalty is not revoked on appeal made under Article 76 of this Proclamation.

2) Where the penalty is mitigated or revoked on appeal the civil servant shall be entitled to without interest, the payment of his unpaid salary withheld during the appeal.

85. Retirement

1) The service of a civil servant whose service is not extended beyond retirement age pursuant to article 89 shall be terminated on the last date of the last month in which he attained the retirement age determined by law.

2) The civil servant shall be notified of his retirement in writing three months prior to his retirement.

86. Termination on the Ground of Death

1) The service of a civil servant shall be terminated on the day of his death.

2) The full salary for the month in which a civil servant has passed away shall be paid to his spouse or legal heir.
87. Certificate of Service

Where the service of a civil servant on service is terminated for any reason or where he so requests, he shall be provided with a certificate of service indicating the type and duration of service as well as his salary.

88. Severance Pay

1) Any civil servant who has been retrenched under Article 83 of this Proclamation and is not entitled to pension allowance on the date of the termination of the employment contract shall be paid:

   a) his salary of three months for the first year of his service, and

   b) one-third of his monthly salary for each additional year of his service provided, however, that such payment shall not exceed his salary of 12 months.

2) A civil servant who has completed his probation and served for less than one year shall be entitled to severance pay in proportion to his service.

3) Without prejudice to the provisions of the relevant pension law, where the service of a civil servant is terminated due to death an amount equivalent to his three month's salary shall be paid to his spouse or dependent who have been made known to the government institution in writing. Where the civil servant died without notifying the name of his spouse, or dependants in writing payment will be made when the spouse or the dependant(s) produce a valid title of succession from the competent court or authority.

4) Any payment to be made pursuant to Sub-Article (3) of this Article shall be exempt from taxation and may not be attached or deducted.

89. Extension of Service

1) The service of a civil servant who has completed his probation may be extended beyond his retirement age for a period up to five years at a time and for a period not exceeding ten years in total.
2) The service of a civil servant may be extended under Sub-Article (1) of this Article where:

a) his qualification, special skill and ability is found to be essential to the government institution;

b) it is not possible to replace him by another civil servant through promotion, transfer or recruitment;

c) he is proved fit for service by medical certificate;

d) he has agreed to the extension of his service; and

e) the extension is approved by the Agency.

PART TWELVE
Miscellaneous Provisions

90. Effects of Nullification of Appointment, Promotion, Salary Increment and Other Benefits

1) Without prejudice to his criminal liability, a civil servant whose appointment, promotion, salary increment or other benefits has been nullified may not be requested to pay back the salary and other benefits he has received up to the date of the nullification measure.

2) An official or member of a committee who intentionally or negligently authorizes unlawful appointment, promotion, salary increment or other benefits shall be liable under the relevant criminal and civil law.

3) Where the Agency finds out the commitment of the fault specified under Sub-Article 2 of this Article, it may submit the case with pertinent evidence to the relevant government body that has the power to initiate criminal or civil proceedings against the persons responsible for the fault.
91. Delegation of Power

The Agency may delegate its powers and duties under this Proclamation to government institutions where it deems it necessary for the efficiency and effectiveness of the civil service.

92. Supervision of Implementation of the Proclamation

1. The Agency shall have the powers and duties to supervise the implementation of this Proclamation and regulations and directives issued hereunder.

2) The Agency, in exercising its powers and duties under Sub-Article (1) of this Article, may at any time:
   a) examine files and other records by sending inspectors to government institution or by ordering them to submit such files and records; and
   b) require the concerned official or other civil servants to give oral or written explanation.

3) Where the Agency, through its investigation under Sub-Article (2) of this Article or otherwise, discovers that the law is infringed or a discriminatory act is committed, it shall have the power to:
   a) order the rectification of the irregularities;
   b) suspend the execution of the matter until decision is made thereon;
   c) cause the taking of administrative measures against the official or the civil servant responsible for the act;
   d) enforce powers entrusted under Article 90(3) of this Proclamation.

93. Power to Issue Regulations and Directives

4) The Council of Ministers, may issue regulations necessary for the proper implementation of this Proclamation.
2) The Agency may issue directives necessary for the proper implementation of this Proclamation and Regulations, issued pursuant to the Proclamation.

3) The Agency may waive the application of some of the provisions of this Proclamation and directives issued under its authority for the purposes of undertaking reform programs that aim at improving the utilization of human resources and implementing government programs for the same purpose, and as such may also pilot test new concepts and procedures developed thereunder in government institutions after approval by the Council of Ministers.

94. Transitory Provisions

1) Government institutions, in accordance with Article 42/ Proclamation No.262/2002, shall submit, to the Agency’s approval their organizational structure, and jobs for evaluation, and classifications until the Agency issues directives on job grading pursuant to article 5(1) of this Proclamation.

2) Temporary civil servant shall be governed by the relevant provisions of Federal Civil Servants Proclamation No.262/2002 until the Agency issues directives concerning them pursuant to Article 22 of this Proclamation.

3) The relevant provisions of Legal Notice No 419 of 1972 Public Service Position Classification and Scale (Regulations No.2 and other directives, in so far as they are consistent with this proclamation, shall remain enforce until replaced by regulations and directives issued in accordance with article 93 of this proclamation.

95. Repealed Laws

1/ Without prejudice to the provisions of Article 94(1) and (2) of this proclamation, Federal Civil Servants Proclamation No.262/2002 is hereby repealed.

1) No law, directive or practice shall, in so far as it is inconsistent with this Proclamation, have effect in respect of matters provided for in this Proclamation.
96. Effective date

This Proclamation shall come into force up on Publication in the Federal Negarit Gazeta.

Done at Addis Ababa, this 19th day of February, 2007.

GIRMA WOLDEGIORGIS

PRESIDENT OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA