# FEDERAL NEGRIT GAZETA
OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

<table>
<thead>
<tr>
<th>15th Year No. 31</th>
<th>ADDIS ABABA 6th May, 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Proclamation No. 624/2009</td>
</tr>
<tr>
<td></td>
<td>Ethiopian Building Proclamation .....Page 4673</td>
</tr>
<tr>
<td></td>
<td>Corrigendum No. 4/2009 ..... Page 4700</td>
</tr>
<tr>
<td></td>
<td>PROCLAMATION NO. 624/2009</td>
</tr>
<tr>
<td></td>
<td>ETHIOPIAN BUILDING PROCLAMATION</td>
</tr>
</tbody>
</table>

WHEREAS, it has been found necessary to determine the minimum national standard for the construction or modification of buildings or alteration of their use in order to ensure public health and safety;

WHEREAS, sub-article (3) of Article 51 of the Constitution of the Federal Democratic Republic of Ethiopia empowers the Federal Government to establish and implement national standards and basic policy criteria for public health, education, as well as science and technology;

NOW, THEREFORE, in accordance with Article 55 (1) of the Constitution of the Federal Democratic Republic of Ethiopia it is hereby proclaimed as follows:

## PART ONE

### GENERAL

#### 1. Short Title

This Proclamation may be cited as the “Ethiopian Building Proclamation No. 624/2009”.

---

**Contents**

- Proclamation No. 624/2009
- Ethiopian Building Proclamation .....Page 4673
- Corrigendum No. 4/2009 ..... Page 4700

---

**General**

This Proclamation may be cited as the “Ethiopian Building Proclamation No. 624/2009”.
2. Definitions

In this Proclamation, unless the context otherwise requires:

1/ “Ministry” means the Ministry of Works and Urban Development;

2/ “building” means a permanent or temporary construction used for the purpose of dwelling, office, factory or for any other purpose;

3/ “building officer” means a person appointed by an urban administration or designated organ to enforce this Proclamation;

4/ “a registered professional” means a person who is issued with a certificate as a design or construction professional or a juridical person which is issued with a certificate as a design or construction consultant by the relevant body;

5/ “a registered contractor” means a juridical person who is registered and issued with a work permit by the relevant authority as a contractor;

6/ “category ‘A’ building” means a one story building with a span of 7 meters or less between two reinforced concrete, steel or other structural frames or any dwelling house not exceeding two stories;

7/ “category ‘B’ building” means a building with a span of more than 7 meters between two reinforced concrete, steel or other structural frames or of two or more stories not covered in category ‘C’ or a real estate development of category ‘A’;

8/ “category ‘C’ building” means any public or institutional building, factory or workshop building or any building with a height of more than 12 meters;

9/ “construction” means the construction of a new building or the modification of an existing building or alteration of its use;

10/ “dangerous building” means a building that is structurally unsafe or constitutes a special fire hazard or health risk;
11/ “designated organ” means an organ appointed by the concerned Regional State to enforce this Proclamation in areas outside of urban centers to which this Proclamation is applicable;

12/ “document” means any plan, report, estimate or any other technical presentation required or prepared in connection with the design and construction of a building;

13/ “private dwelling building” means a house containing one or more habitable rooms with sanitary and cooking facilities for the use of a single family and may include any garage and other domestic outbuildings within its site;

14/ “person” means any natural or juridical person;

15/ “plan” means any drawing or model showing the extent, nature and size of a building and the materials and method of assembly to be used, and it may include architectural, structural, sanitary, electrical, mechanical, fire protection and other drawings;

16/ “Regional State” means any regional state established in accordance with Article 47 of the Constitution of the Federal Democratic Republic of Ethiopia and includes the Addis Ababa and Dire Dawa city administrations;

17/ “stop order” means any order given by a building officer or by a building inspector to discontinue activities on a building construction site;

18/ “story” means that part of a building which is situated between the top of any floor and the top of the floor next above it, or if there is no floor above it that portion between such floor and the ceiling;

19/ “urban administration” means an organ to which powers and duties of administering an urban center have been given by law or delegated by the concerned government body;

20/ “urban center” means any locality having a municipal administration or a population size of 2,000 or more inhabitants, or which at least 50% of its labour force has, primarily, engaged in non-agricultural activities.
3. Scope of Application

1/ This Proclamation shall apply to:

a) urban centers that have 10,000 or more dwellers;

b) other urban centers that have less than 10,000 dwellers and to which this Proclamation shall be applicable in accordance with the decision made by the Regional State concerned;

c) public buildings, or buildings which could be used for industrial or commercial scale agricultural occupancy or real-estate outside of urban centers.

2/ This Proclamation may not apply to any building:

a) completed on or before the effective date of this Proclamation;

b) which is under construction with a building permit issued before the effective date of this Proclamation;

c) exempted by the decision of the Council of Ministers for reasons related with national security and other purposes.

3/ Notwithstanding the provisions of sub-article 2(b) of this Article, the urban administration or the designated organ may apply this Proclamation to:

a) a building under construction with a building permit issued before the effective date of the Proclamation if such construction is not completed within three years of the effective date of the Proclamation;

b) in order to ensure the compliance of a building for which alteration of service is required with the service such building is sought to render;

c) a building to which a renovation is required.
PART TWO
ADMINISTRATION

4. Submission of Application and Plans

1/ Any person intending to carry out construction shall submit an application to the urban administration or designated organ.

2/ The application to carry out construction shall be made on an application form prepared by the urban administration or designated organ and shall consist of a design and report according to the category of building in question.

3/ The application shall be accompanied with a reference to main roads and names of prominent places.

4/ The applicant shall submit proof of possession rights to the land or property on which the construction will take place.

5/ The documents to be submitted shall be sufficiently complete to determine compliance with this Proclamation and other laws.

5. Planning Consent

1/ Any person intending to carry out construction shall secure a planning consent prior to submitting application for construction permit.

2/ After having received an application for a planning consent a building officer shall grant a written declaration for compliance or non-compliance with the urban planning of the urban center.

6. Approval of Plans

1/ A building officer shall check submitted plan documents to ensure compliance with the provisions of this Proclamation and other laws. Approval of plans shall not be withheld on account of requirements not included in this Proclamation or other laws.
2/ A building officer may approve plans with comments provided that the comments refer to minor non-compliance and if the required rectification work can easily be carried out during construction.

3/ Approved plans shall be stamped “APPROVED” and shall bear a registration number and date of approval and shall be signed by a building officer.

4/ Application forms submitted with approved plans shall be stamped “APPROVED” in the appropriate space provided and shall bear a registration number and date of approval. Comments, if any, shall be entered on the form in the space provided and shall be signed by a building officer.

5/ Upon approval, one set of application form and accompanying plan, as stamped and signed in accordance with sub-article (3) of this Article, shall be returned to the applicant and the other set shall be retained by the urban administration or designated organ.

6/ A copy of the signed and sealed application form and approved plans shall be permanently displayed at the building site. All original approved application forms and plan shall be kept in good condition and presented at any time, before and during construction, upon the request of the urban administration or designated organ or the building officer or an authorized inspector.

7. Plan Review Period

A building officer shall review documents submitted and approve or reject within the time limit. The time limit shall be determined by Regulation to be issued for the implementation of this Proclamation.

8. Rejection of Plans

1/ Building plans that do not comply with the provisions of this Proclamation and other laws shall be rejected by a building officer.
2/ Upon rejection of submitted plans a building officer shall state in brief which provision of the law is not complied with, in the space provided on the application form. Further detailed explanations may be written if necessary on separate sheets and attached to the form.

3/ An application and plan rejected by a building officer shall be stamped “REJECTED” and shall bear the date and signature of the building officer.

4/ Upon rejection of submitted plans a building officer shall return one copy of the duly signed and sealed application form and the two copies of the duly signed and sealed plans to the applicant and the urban administration or designated organ shall retain one copy of the duly signed and sealed application form.

9. Construction Permit

A plan which has been approved in accordance with Article 6 of this Proclamation shall constitute a construction permit.

10. Validity Period of Plans

1/ The validity of approved plans shall expire after six months from the date of issuance where construction work has not been started.

2/ The validity of approved plans with which construction work has been started within six months from the date of issuance shall expire after five years from the date of issuance, if the construction work has not been completed.

3/ Upon expiry of the validity period as set out in sub-articles (1) or (2) of this Article an application for extension of the validity period of approved plans shall be submitted for re-approval of plans in accordance with this Proclamation.

11. Building Officers

1/ Every urban administration or designated organ shall appoint a building officer, with the required educational and professional qualifications to enforce, on its behalf, the provisions of this Proclamation and other laws.
2/ A building officer shall receive all applications for approval of plans and issue approved plans after ascertaining full compliance with this Proclamation and other laws.

3/ A building officer shall inspect all buildings under the territorial jurisdiction of the urban administration or designated organ to ascertain conformity with this Proclamation and other laws.

4/ A building officer may be assisted by staff of the urban administration or designated organ in the discharge of his duties; provided, however, that he shall be responsible for the ruling on applications for approval of plans and inspection reports.

5/ A building officer is empowered to order inspection of exempted buildings erected before the effective date of this Proclamation and to order the demolition or rectification of such buildings if public safety is at risk.

6/ A building officer is empowered to order rectification work if plans are approved by error; provided, however, that he must have adequate justification for ordering such rectification work.

7/ Without prejudice to his criminal liability, the building officer shall bear civil liability for any damage he causes to third parties in the course of implementing this Proclamation and the regulation and directives issued there under as a result of his own fault.

8/ Without prejudice to the provision of sub article (1), the city administration or the designated body shall make good the damage incurred by third parties where such act of the building officer is regarded as a professional fault. In such cases, the city administration or the designated body shall have the right to reimburse from the building officer to the extent it has paid to third parties.
12. Delegation

1/ A building officer may delegate another body or an approved person to carry out duties in connection with review of plans for which he is incapable of undertaking fully or partially.

2/ A building officer shall make written recommendations to the urban administration or designated organ on application referred to him and shall sign all attached documents and stamp the same where appropriate.

3/ The urban administration or the designated organ shall issue the approved or rejected documents under the name of its building officer.

4/ The delegation for review of plans may be extended to cover inspection duties.

13. Appeals

1/ Each urban administration or designated organ shall establish a board of appeal which shall have members with the relevant qualification to enable them to decide cases in accordance with this Proclamation.

2/ The board of appeal shall have the power to hear, and decide on, decisions taken by building officers regarding construction. The decision of the board on technical matters shall be final.

14. Non-compliance

1/ A Building officer may order a building constructed without approved plans to be demolished, if the plans utilized to construct such building does not comply with the provisions of this Proclamation or other laws.

2/ In the event that the owner of a building who has been ordered by a building officer to demolish or remove his building fails to comply with the order, the urban administration or designated organ may demolish or remove the building and claim the incurred expenses from the owner.
1/ An urban administration or a designated organ shall issue special identification badges to building officers and inspection staff working under their supervision.

2/ Inspectors carrying an urban administration’s or a designated organ’s badge identifying them shall be permitted access to any building completed or under construction at any working hours.
3/ Inspectors may issue stop orders, with regard to construction not conforming to this Proclamation or other laws. Stop orders shall be made on inspection report form.

4/ A building officer shall specify the period within which rectification, removal or demolition of works not conforming to this Proclamation or other laws are to be carried out and communicate the order in writing to the owner of the building. The period to be specified shall take into account the critical nature of the order to the progress of construction and the sequence of works.

5/ Where the owner of a building fails to execute an order issued to him in accordance with sub-article (4) of this Article, the urban administration or the designated organ may cause the work to be rectified, removed or demolished at the expense of the owner.

17. Materials

1/ A building officer may order defective materials intended for use and stored on site or incorporated in the works, to be removed from the sits or the works.

2/ Use of improper materials or exceptional cases of poor workmanship may be considered as grounds for rejection of certain items or work.

3/ A building officer may require test certificates for materials which have been incorporated or are intended to be incorporated in building works.

18. Occupancy Permit

1/ A newly constructed category “C” building shall not be put to use before it has been inspected for compliance with this Proclamation and a certificate of occupancy has been issued.

2/ A building officer may provide occupancy permit for partially completed building provided safety is ensured.
3/ Without prejudice to the requirements provided for in this Proclamation the time limit within which an occupancy permit may be issued shall be determined by Regulation to be issued for the implementation of this Proclamation.

4/ A building officer may take legal measures on any person occupying a category “C” building without a valid occupancy certificate.

19. Plan Review Fees

1/ When plans or other documents are required to be submitted for review, a plan review fee shall be paid. Such fee shall be determined by Regulation to be issued for the implementation of this Proclamation.

2/ Plan review fees shall be charged on the basis of total gross floor area of one unit of each type in case of repetitive units.

3/ A plan review fee shall be paid at the time of submitting an application for approval of plans.

4/ When rejected plans are re-submitted for approval, additional plan review fee shall be charged. The rate of such fee shall be determined by Regulation to be issued for the implementation of this Proclamation.

20. Plan Approval Fees

1/ A building officer shall charge fees for the approval of plans relating to the erection, extensions or alteration of buildings. The fees shall be determined by Regulation to be issued for the implementation of this Proclamation.

2/ Plan approval fees shall be charged on the basis of cumulative gross floor area in case of repetitive floors of units.

21. Inspection Fees

1/ For inspection visits a fee per visit shall be paid in accordance with the category of buildings. The fees shall be determined by Regulation to be issued for the implementation of this Proclamation.
2/ The rates set for category “B” and “C” building in accordance with sub-article (1) of this Article, shall not be more than five and ten times respectively compared to the rates for category “A”.

22. Refund of Fees

1/ A building officer may, upon a request in writing by the applicant, authorize the refund of fees where services applied for are not rendered.

2/ A request for refund under sub-article (1) of this Article shall be bared unless submitted within six months from the date of payment.

23. Fines

1/ An urban administration or a designated organ may impose administrative fines on persons who violate the provisions of this Proclamation. The fine shall be determined by Regulation to be issued for the implementation of this Proclamation.

2/ The payment of fines may not relief the offender from complying with the requirements of this Proclamation and of additional legal measures to be taken by the urban administration or the designated organ.

24. Temporary Constructions

Where an application is made to erect a building which the applicant has declared to be a temporary building, the urban administration or the designated organ may grant provisional authorization to the applicant to proceed with the erection of such building in accordance with this Proclamation and other laws.

25. Alteration of Service, Extension, Repair or Demolition

1/ A building officer shall grant permission to proceed with alteration of service, extension, repair or demolition of a building provided that it complies with the provisions of this Proclamation.
2/ In the case of major alteration, extension, repair or demolition works, a building officer may require plans, and any other analyses or evidences necessary to verify compliance with this Proclamation.

3/ All precautionary measures which should be taken for a new building shall also be taken during any alteration, repair, extension or demolition work carried on an old building.

4/ A building officer shall grant permission to demolish dangerous buildings.

5/ No person shall, at any time, during the course of or after demolition of a building leave it in a condition dangerous to the public or any adjoining property.

6/ Notwithstanding the provisions of sub-article (1) of this Article, prior written consent from the appropriate government organ shall be required before repairing or extending buildings of historical value.

26. Employment of Registered Professionals

1/ A person intending to erect a building shall employ a qualified registered professional for each type of design required for the category of the building and retain their services for the purpose of supervising the erection thereof. The details shall be determined by Regulation to be issued for the implementation of this Proclamation. The technical work of the building design shall be coordinated by the architect.

2/ Upon completion of building works, a certificate of completion signed by the registered professionals referred to under sub-article (1) of this Article, shall be submitted to a building officer.

3/ Any registered professional who has contracted to carry out the design work of category “A” and “B” buildings shall produce guarantee for any damage resulting from any defective work due to the design. The form and the amount of the guarantee to be produced for each category of building shall be determined by Regulation to be issued for the implementation of this Proclamation.
27. Employment of Registered Contractors

1/ A person intending to erect a building shall employ a registered contractor with the necessary qualification for the category of building in question. The details shall be determined by Regulation to be issued for the implementation of this Proclamation.

2/ Any contractor who has contracted to carry out category “A” and “B” buildings shall produce a guarantee for any damage resulting from any defective work due or negligence. The form and the amount of the guarantee to be produced for each category of building shall be determined by Regulation to be issued for the implementation of this Proclamation.

28. Responsibility of Contractors and Registered Professionals

1/ Without prejudice to his criminal liability, any registered professional, contractor or sub contractor shall be liable for any damage he causes to his employer in accordance with the provisions of the Civil Code due to his defective design or construction work.

2/ Without prejudice to the generality of sub-article ((1) of this Article, a contractor shall be responsible for the workmanship of the construction of a building or an element of a building.

PART THREE

LAND USE, RELATED STUDIES AND DESIGNS

29. Land Use and Related Studies

A national, regional or an urban plan approved by federal, regional or urban administration shall have precedence on aspects of land use and related studies stipulated in this Proclamation.

30. Designs

1/ Any building shall have designs required for the category it belongs.
2/ Any building or components thereof shall be designed according to acceptable building design codes to ensure safety, comfort and unconstrained services.

3/ Any building shall be designed and constructed in such a way that it ensures safety for people, other constructions and properties.

31. **Precautionary Measures During Construction**

Without prejudice to the provisions of Article 30 of this Proclamation:

1/ any building shall be designed and constructed in such a way that it shall not impair the safety of people moving around, other constructions and properties;

2/ where any excavation related to a building is likely to impair the safety or stability of any property or service, the owner of the site shall take adequate precautionary measures to ensure that the safety and stability of such property or service is maintained;

3/ while any excavation remains open or during the placing of any foundation within it, such excavation shall be maintained in a safe condition by the owner or person carrying the excavation;

4/ where the safety or stability of any property or service is likely to be impaired by an excavation, the owner of the site shall obtain the prior written authorization of the urban administration or designated organ upon submission of preventive methods and precautionary measures;

5/ the load from any newly constructed foundation shall not affect existing foundations, utility lines or any other structure.
32. Site Operations

1/ In cases where danger or serious inconvenience to the public may ensue from the erection or demolition of a building on any site, the urban administration or designated organ may require that the owner of the site, before such work is commenced, shall do all the necessary preventive works.

2/ Where any work connected with the erection or demolition of any building may, in the opinion of the urban administration or designated organ, have any detrimental effect on the strength, standard, safety, quality or position of its property or any property falling under its authority, it may require the owner of such building to make such deposit or give such security, as it may require to cover the costs of the repair of any damage which may be caused by such work.

3/ Where construction materials or residues thereof are accumulated around a construction site, the urban administration or designated organ may by written notice, order the owner of the site to have the materials removed within the period specified in the notice.

4/ Any owner or person carrying out work in connection with the erection or demolition of any building, may erect, at the site of such work, temporary sheds as may be necessary.

5/ No owner or person shall commence or continue the erection or demolition of any building unless approved sanitary facilities are availed for all personnel employed for or in connection with such work, at the site or, with the permission of the urban administration or designated organ, at some other place. The construction activity shall be interrupted till such facilities are provided.

6/ The urban administration or designated organ may device mechanisms to administer the safety requirement during construction.
1/ Any room or space shall have dimensions that shall ensure that such room or space is fit for the purpose for which it is intended.

2/ The floor area of any dwelling unit may not be less than that necessary to provide one habitable room and a separate room containing toilet facilities.

3/ Any habitable room in any dwelling building or dwelling unit, or any bedroom in any building used for residential or institutional occupancy shall, in addition to the provision of artificial lighting, be provided with at least one opening for natural light.

4/ Any building, which is more than 20 meters above the ground floor, shall be provided with a lift or other similar service.

5/ Lifts shall be made to provide service without interruption.

1/ Any building and any structural element or component thereof shall be designed to provide strength, stability, serviceability and durability in accordance with accepted principles of structural design. Such buildings may not exhibit signs of structural failure during their life span under normal loading.

2/ Any building shall be designed and constructed in such a way that it shall not impair the integrity of any other building or property.

35. Electrical installation

Electrical installation to buildings and materials used thereof shall comply with the requirements of safety standards so that no danger associated with the electrical installations exists.
36. **Facilities for Physically Impaired Persons**

1/ Any public building shall have a means of access suitable for use by physically impaired persons, including those who are obliged to use wheelchairs and those who are able to walk but unable to negotiate steps.

2/ Where toilet facilities are required in any building, as adequate number of such facilities shall be made suitable for use by physically impaired persons and shall be assessable to them.

37. **Water Supply**

1/ Any building intended for occupancy by people shall be provided with adequate water supply. Such water supply shall have adequate distribution and storage system.

2/ Water supply systems to any building shall comply with health standards.

3/ Water supply systems to any building shall be accessible for inspection and testing.

38. **Sewerage**

1/ Where in respect of any building a suitable means of sewage disposal is available, the owner of such building shall provide a sewerage installation.

2/ Where any person has not any suitable sewage disposal in his vicinity he shall use any other acceptable means to discharge his waste water.

39. **Control of Objectionable Discharge**

1/ No person may cause or permit sewage discharged from any sanitary fixture to enter any water drain or constructed watercourse, river, stream, street or any other site.
2/ No person may cause or permit any drainage water to enter a sewerage installation.

40. **Industrial Effluent**

Where a person has obtained approval to discharge into any drain any liquid or solid matter, other than soil water or waste water, and where any additional drainage and other installations including storage, pre-treatment and metering installations are required by the urban administration or designated organ as a condition of such approval, such person shall submit any plans and other details of such installations required by the urban administration or designated organ.

41. **Non-Water Borne Means of Sanitary Disposal**

Where water-bone sewage disposal is not available, other means of sewage disposal shall be permitted by the urban administration or designated organ; provided however, that in the case of chemical or pail closets an acceptable means shall be available for the removal and disposal of sewage from such closets.

42. **Storm Water Disposal**

1/ The owner of any site shall provide acceptable means for the control and disposal of accumulated storm water that may run off from any earth works, building or pavement.

2/ The owner of any site shall provide suitable means to absorb part of the run off water within the site.

43. **Refuse Disposal**

Any building, excluding dwelling house, in which refuse is generated, shall be provided with an adequate storage area for refuse containers.
PART FIVE
FIRE PROTECTION AND FIRE FIGHTING INSTALLATION

44. General Requirement

Any public building shall be designed and constructed in accordance with acceptable fire protection design standards so that it becomes fire resistant and, if fire occurs, it minimizes accident to its users and its surroundings.

45. Fire Fighting Installation

Any approved fire fighting installation may be connected to the water supply system of the urban administration or designated organ; provided, however, that the urban administration or designated organ may, subject to any conditions it may consider necessary, allow such fire fighting installation to be connected to:

1/ any approved alternative source of supply; or

2/ any source of non potable water, where such water is not to be used for domestic or any other purpose which, in the opinion of the urban administration or designated organ might give rise to health hazard.

46. Supply of Water for Fire Protection

Water may not be taken from a supply system for use by any fire fighting installation, unless:

1/ the use of such fire protection installation and water complies with any conditions prescribed by the urban administration or designated organ.

2/ the permission of the urban administration or designated organ has been obtained upon submitting an application for the supply of such water and
PART SIX
CULPABLE INFRINGEMENTS OF BUILDING RULES

47. Application of the Criminal Code

1/ Offences committed by government officials and other civil servants who are entrusted with the power of issuing construction work permits for construction works, or offences committed by registered professionals, contractors or by building owners in contravention of the provisions of this Proclamation shall be punishable in accordance with the provisions stipulated under this part.

2/ Notwithstanding the provisions of sub article (1) of this Article, the provisions of the General Part of the Criminal Code relating to the commission of a crime and the sentencing thereof shall be applicable for crimes specified herein.

48. Improper Granting of Work Permit

1/ A building officer, or any other person who is vested with the power of granting permit for construction works intentionally:

a) grants construction work permit to a person who has no legal possession on the land on which the building is to be constructed; or

b) grants construction work permit to a person whose documents supporting the application are illegal or falsified; or

c) grants an occupancy permit to a person whose building design or the construction thereof is not in compliance with the relevant plan of the urban center in which such a building is to be constructed; is punishable with rigorous imprisonment from five years to ten years and a fine not less than birr ten thousand and not exceeding fifty thousand birr.

2/ Where the crime specified in sub article (1) of this Article is committed negligently the penalty shall be imprisonment from one year to five years and a fine not less than one thousand birr and not exceeding birr five thousand.
49. Breach of Duty to Supervise

1/ Any building officer or other public servant or any other person under contractual agreement, who is entrusted with supervising a building under construction in accordance with this Proclamation, intentionally refrains from stopping or causing the stoppage of the construction of a building the illegality of which he knows or should have known shall be punishable with rigorous imprisonment from five years up to ten years and with a fine not less than birr ten thousand and not exceeding fifty thousand birr.

2/ Where the crime specified in sub article (1) of this Article is committed negligently, the penalty shall be imprisonment from one year to five years and a fine not less than one thousand birr and not exceeding birr five thousand.

50. Undue delay of Matters

A building officer or any other public servant vested with the power of the building officer, or who is in charge, at any level, of issuing any document under his authority, with intent to obtain an advantage, directly or indirectly, from any person interested in a matter brought to his attention by reason of his responsibility, or to benefit or injure any other party interested in such matter, fails, without good cause to decide on matters related to any construction work to which specific period is set by Regulation to be issued for the implementation of this Proclamation, or abuses the interested party contrary to law, or accepted office practices, is punishable with simple imprisonment extending from six months to three years and a fine from birr five hundred up to three thousand birr.

51. Concealment of Facts and Making False Statements

1/ Any public servant who is entrusted with the filing, keeping, or verifying or delivering of documents related to the possession and use of land, as well as documents related to the construction of buildings thereon, with intent to injure the rights or interests of an other, or to procure for himself or to another undue advantage:
1/ Any registered contractor or sub contractor who is found to have built a building the type of which should not have been performed by the qualified level issued to him by the relevant body or a person, without having any qualified license, is found to engage in construction the kind of which should have be performed by qualification, is punishable with rigorous imprisonment from five years up to ten years and with a fine from five thousand to ten thousand birr.

52. Unauthorized Practice

Any registered contractor or sub contractor who is issued with a work permit by the relevant authority:

a) procures a false statement which is not certified in a document, or contrary to the fact which is evidenced by such document; or

b) omits to declare or refrains from procuring a substantial fact contained in a document which is capable of altering the decision to be rendered; is punishable from five years to ten years and with a fine from birr ten thousand to twenty thousand.

2/ Where such declaration or omission is committed by a public servant whose professional knowledge or his responsibility permits him to understand the consequences of the same, the penalty shall be from five years to fifteen years imprisonment and a fine from ten thousand to fifty thousand birr.

3/ Where the crime specified in sub article (1) of this Article is committed negligently, the penalty shall be imprisonment from one year to five years and a fine from birr one thousand up to birr five thousand.

53. Use of Improper Materials or Defective Workmanship

1/ Any registered contractor or sub contractor who is issued with a work permit by the relevant authority:

a) performs a construction work with a low quality or below standard material in contravention of the standard set or the accepted practice for such type of construction; or
b) performs a construction work which causes damage as a result of his failure to rectify the errors on the design or other contract documents which were easily detectable by a professional of his kind; is punishable with rigorous imprisonment from five years up to ten years and a fine from fifty thousand to hundred thousand birr.

2/ Any owner of a building who

a) causes the drawing up of the design or the construction work of such construction by a person who is neither qualified nor authorized to perform such works; or.

b) makes use of low quality materials which are not acceptable for the type of construction in question; or.

c) puts his building into a service to which an occupancy permit is not obtained or to a service other than to which a permit is obtained from the relevant body, or

d) constructs or causes the construction of his building in any other manner which endangers public safety; is punishable with imprisonment from five years to ten years and a fine from birr twenty thousand to fifty thousand.

3/ Where the crimes specified in sub article (1) and (2) of this Article are committed negligently, the penalties shall be imprisonment from one year to five years and a fine from birr one thousand up to birr five thousand.

54. Breach the Duty of Proper Consultancy

1/ Any registered professional who is involved in a construction work as a design or construction consultant:

a) prepares the design or other relevant documents of a construction without having due regard to the general safety regulations set forth for such specific work; or

55. Forgery of Government or Public Documents

1/ Any public servant with intent to obtain for himself or to procure to other undue advantage or with intent to cause damage in any manner destroys, endangers falsifies, deletes, or falsifies by modifying, deleting, or altering in whole or in part the terms or figures of government documents, instruments related to public interest or similar instruments or documents under his possession while he is carrying out his official responsibilities, is punishable with rigorous imprisonment from five years to ten years and a fine from birr twenty thousand to fifty thousand.

2/ Where the crime is committed by a public servant officially entrusted with filing, keeping documents specified in sub article (1) of this Article, or controlling the same, the punishment shall be rigorous imprisonment from five years to twenty five years and a fine from birr twenty thousand up to birr fifty thousand.

b) advises or permits a contractor or a supplier to procure or use a cheaper or, unwarranted quality or different material which is not acceptable by normal standards for the specific work, or relieves him of using a specific material essential thereto; or
c) approves a construction work capable of endangering public safety or the life, health or person of others or the safety of the property of another;
is punishable with rigorous imprisonment from five to fifteen years or a fine from birr thirty thousand up to fifty thousand.

Where the crime specified in sub article (1) of this Article is committed negligently, the penalty shall be imprisonment from one year to five years and a fine from birr one thousand up to five thousand.
Where the crime specified in sub article (1) of this Article is committed negligently, the penalty shall be imprisonment from one year to five years and a fine from birr one thousand up to birr five thousand.

56. Suspension of Professional Certificates or Work Permits

The certificate or the work permit of a registered professional or contractor who is found guilty under this part of the law shall be suspended for a period from five years up to the maximum period stipulated under the contravened provision.

PART SEVEN
MISSCELLANEOUS PROVISIONS

57. Powers and Duties of the Ministry

With respect to the implantation of this Proclamation the Ministry shall have the following powers and duties to:

1/ prepare codes applicable at national level;

2/ prepare model design and construction method rules for Regional States for each category of building;

3/ supervise compliance with the implementation of this Proclamation by Regional States and urban centers .

4/ provide, in coordination with other relevant organs of the Federal Government, capacity building and technical support to Regional States and urban centers so that they will be able to implement this Proclamation.

58. Powers and Duties of Regional States

With respect to the implementation of this Proclamation Regional States shall have the following powers and duties to:

1/ without prejudice that the rules could be rebutted on grounds of professional or scientific justifications, issue design and construction rules and standards applicable in their own urban centers based on local circumstances and without contradicting the provisions of this Proclamation;
2/ designate organs to enforce this Proclamation in areas outside urban centers where it is applicable;

3/ determine that a building officer of another urban center be delegated to enforce this Proclamation in urban centers which cannot appoint their own building officers due to lack of capacity;

4/ provide capacity building and technical support to their respective urban centers so that they will be able to implement this Proclamation.

59. Repealed and Inapplicable Laws

1/ Articles 8 to 14 of the Urban Zoning and Building Permit Proclamation No. 316/1987 are hereby repealed.

2/ No law shall, in so far as it is inconsistent with this Proclamation, be applicable to matters covered by this Proclamation

60. Effective Date

This Proclamation shall come into force upon the date of its publication in the Federal Negarit Gazeta.

Done at Addis Ababa, this 6th day of May, 2009

GIRMA WOLDEGIORGIS
PRESIDENT OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

Corrigendum No. 4/2009

In this Proclamation the statement under Article 60 stated as “This Proclamation shall come into force upon the date of its publication in the Federal Negarit Gazeta” shall be read as “This Proclamation shall come into force after one year from the date of its publication in the Federal Negarit Gazeta.”