

FEDERAL NEGARIT GAZETA

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COUNCIL OF MINISTERS REGULATION No.203/2011

COUNCIL OF MINISTERS REGULATION TO PROVIDE FOR THE ESTABLISHMENT OF THE PUBLIC SERVANTS SOCIAL SECURITY AGENCY

This Regulation is issued by the Council of Ministers in accordance with Article 5 and 34 of the Definition of powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No.691/2010

1. Short Title

This Regulation may be cited as the “Public Servants Social Security Agency Establishment Council of Ministers Regulation No.203/2011”.

2. Establishment

- 1/ The Public Servants Social Security Agency (hereinafter “the Agency”) is hereby established as an autonomous federal government agency having its own juridical personality.
- 2/ The Agency shall be accountable to the Ministry of Labour and Social Affairs.

3 Head Office

The Agency shall have its Head Office in Addis Ababa and may have branch offices elsewhere as necessary.

4 Objective

The objective of the Agency shall be to strengthen and expand public servants social security programs.

5 Powers and Duties

The Agency shall have the powers and duties to:

- 1/ implement public servants social security laws, regulations and directives;
- 2/ establish efficient and effective system to implement the public servants pension scheme;
- 3/ establish a system for the collection of public servants pension contributions, collect contributions, ensure that pension contributions are collected by the appropriate organs in time and in the correct amount, supervise the implementation of the system by employers and, where necessary, audit their documents and

records by requiring their submission or through site visits;

- 4/ administer public servants pension funds and assets related thereto;
- 5/ collect in advance and maintain records of evidentiary data that entitle public servants to pension benefits;
- 6/ take legal actions against public offices and individuals who fail to pay pension contributions, maintain accounts of contributions and furnish required documents and information on time;
- 7/ determine the adequacy and validity of evidentiary data submitted in connection with claims to public servants pension entitlements, as well as the types and amounts of benefits, and effect payments of benefits;
- 8/ decide on claims related to pension rights and benefits of public servants;
- 9/ invest public servants pension funds in treasury bonds and other secured investments specified by directives issued by the Ministry of Finance and Economic Development;
- 10/ Cause periodical actuarial study and review of public servants pension
- 11/ undertake studies to strengthen public servants pension programs, submit the studies to the government and implement same upon approval;

- 12/ issue directives on matters that come within its powers and duties;
- 13/ own property, enter into contracts, sue and be sued in its own name;
- 14/ carry out such other activities as may be necessary for the fulfillment of its objective.

6. Organization of the Agency

The Agency shall have:

- 1/ a Board of Management (hereinafter the "Board")
- 2/ Director General and, as may be necessary, Deputy Director Generals to be appointed by the government; and
- 3/ the necessary staff.

7. Members of the Board

- 1/ Members of the Board, including the Chairperson, shall be appointed by the government, and their number shall be determined as may be necessary.
- 2/ The Director General of the Agency shall be member and secretary of the Board.

8. Powers and Duties of the Board

- 1/ The Board shall oversee and supervise operations of the Agency.

2/ without limiting the generality of sub-article (1) of this Article, the Board shall have the powers and duties to:

- a) Approve the strategy, plan, budget and performance report of the Agency;
- b) Submit to the government, for approval, general policy matters regarding the public servants pension scheme and the funds;
- c) Approve directives of the Agency to be issued pursuant to sub-article (12) of Article 5 of this Regulation.

9. Meetings of the Board

1/ The Board shall meet once in every three months; provided, however, that it may meet at any time as may be required.

2/ There shall be a quorum where more than half of the members are present at a meeting of the Board.

3/ Decisions of the Board shall be passed by majority votes of the members present at a meeting; provided, however, that the Chairperson shall have a casting vote in case of a tie;

4/ without prejudice to the provisions of this Article, the Board may adopt its own rules of procedure.

10. Powers and Duties of the Director General

1/ The Director General shall be the chief executive officer of the Agency and shall, subject to the general

directives of the Board, direct and administer the activities of the Agency.

2/ Without limiting the generality stated in sub-article(1) of this Article, the Director General shall:

- a) Exercise the powers and duties of the Agency specified in Article 5 of this Regulation;
- b) Employ and administer employees of the Agency in accordance with the federal civil service laws;
- c) Prepare and submit to the Board the strategy, plan and budget of the Agency and implement same upon approval;
- d) Effect expenditure in accordance with the approved budget of the Agency;
- e) Represent the Agency in all its dealings with third parties;
- f) Submit performance and financial reports of the Agency to the concerned government bodies.

3/ The Director General may delegate part of his powers and duties to the officers and other employees of the Agency to the extent necessary for the efficient performance of the activities of the Agency.

11. **Budget**

The Agency's budget shall be allocated the pension funds.

12. Books of Accounts

- 1/ The Agency shall keep complete and accurate books of accounts.
- 2/ The books of accounts and financial documents of the Agency shall be audited annually by the Auditor General or by auditors annually by the Auditor General or by auditors appointed by him.

13. Transfer of Rights and Obligations

The rights and obligations of the Social Security Agency re-established under proclamation No.495/2006 are hereby transferred to the Agency.

14. Effective Date

This Regulation shall come into force on the date of publication in the Federal Negarit Gazeta.

Done at Addis Ababa, this 25th day of March, 2011.

MELES ZENAWI

PRIME MINISTER OF THE FEDERAL DEMOCRATIC

REPUBLIC OF ETHIOPIA