ማውጫ

አዋጅ ቁጥር 187/2014

የሲቪልማኅበረሰብድርጅቶችንለመመዝገብናለማስተዳደርየ ወጣአዋጅ

Content

ProclamationNo. 187/2022

PROCLAMATION TO PROVIDE FOR THE REGISTRATION AND ADMINSTRATION OF CIVIL SOCIETY ORGANISATIONS

<u>አዋጅ ቁጥር 187/2014</u>

<u>የሲቪል ማኅበረሰብ ድርጅቶችን ለመመዝገብና ለማስተዳደር የወጣ አዋጅ</u>

የመደራጀት መብት በቤኒሻንጉል ጉሙዝ ክልላዊ መንግስት ህገ-መንግስት የተረጋገጡ ሌሎች መብቶችን ለማስከበር ያለዉን ፋይዳ በመገንዘብ፤

በሕገመንግሥቱ እንደተደነገገው፣ የመንግሥት አሠራር በግልጽነት፣ በተጠያቂነትና በአሳታፊነት እንዲከናወን ለማድረግየነቃና በነፃነት የተደራጀ ማኅበረሰብ መፍጠር አስፈላጊ መሆኑንበማመን፤

የሲቪል ማህበረሰብ ድርጅቶች በስፋት ተደራጅተውና በክልሉ ማህረሰብ ሁለንተናዊ ዕድገት ውስጥ ያላቸውን ተሳትፎ ለማገዝና ተልእኳቸውን በብቃት ለመወጣት እንዲሁም በክልሉ የልማትና የዴሞክራሲያዊ ሥርዓት ግንባታ ዉስጥ ያላቸው ሚና እንዲጎለብት የተመቻቸ ምህዳር መፍጠር አስፈላጊ መሆኑን በመረዳት፤

<u>Proclamation No. 187/2022</u>

<u>proclamation to provide for the registration and administration of Civil Society organizations</u>

RECOGNIZING,the Instrumental role ofFreedomof Association for the full exercise of other Rights recognizedby the Benishangul Gumuz Regional Government Constitution;

FIRMLYCONVINCED,thattheexistenceofanactive and freely organized society is imperative to ensure thatgovernment affairs are conducted in a transparent, accountableandparticipatorymanner as mentioned in the constitution;

REALIZING,thecreationofanenablingenvironment to enable civil socities organize widly is essential to enhance the role of Civil SocietiesOrganizations in the development and democratization of theregion;

The B/G/Regional State Administrative Council

አብረተሰቡዘንድየበጎአድራጎትእናየበጎፈቃደኝነ ባሕልናእንዲዳብርማድረግአስፈላጊመሆኑንበማ ነን፤

ኒሻንጉል ጉሙዝ ክልላዊ መንግሥት ምክር ቤት ገልሉ ሕገ-መንግሥት አንቀጽ 49 ንዑስ አንቀጽ ንዑስ አንቀጽ (3.1) መሠረት የሚከተለው ዉጇል፡፡

ክፍልአንድ

ጠቅላላ

አጭርርዕስ

ህ አዋጅ "የቤኒሻንጉል-ጉሙዝ ክልላዊ መንግስት ሲቪል ማኅበረሰብ ድርጅቶችን ለመመዝገብና ለተዳደር የወጣ አዋጅ ቁጥር 187/2014 ዓ.ም" ብሎ ሊጠቀስ ይችላል።

ትርጓሜ

ቃሉ አገባብ ሌላ ትርጉም የሚያሰጠው ካልሆነ ስተቀር በዚህአዋጅውስጥ፦

1. "ክልል" ማለት የቤኒሻንጉል ጉሙዝ መንግሥት ክልል ማለት ነዉ፡፡
2. "መሥሪያቤት" ማለትበቤኒሻንጉል ጉምዝ ክልላዊ መንግሥትጠቅላይዐቃቤ ሕግመሥሪያቤትነው።
3. "ቢሮ" ማለት የቤኒሻንጉል ጉሙዝ ክልል መንግስት የገንዘብ እና ኢኮኖሚ ልማት ቢሮ ነው።
4. "የሲቪል ማኅበረሰብ ድርጅት" (ከዚህ በኋላ ድርጅት ተብሎየሚጠራ) ማለት ቢያንስ ሁለትና ከዚያ በላይበሆኑ ሰዎችበፈቃደኝነትየሚመሠረት፣የመንግሥትአካል ያልሆነ፣ለትርፍያልተቋቋመ፣ከማናቸውምየፖለቲካድርጅት ያልወገነእናሕጋዊዓላማንለማሳካት ተመዝግቦየሚንቀሳቀስአካልሲሆን፣የሙያማኅበራትን፤የብዙኀንማህበራትእናየድርጅቶችኅብረቶችንይጨምራል፤
5. "አገር በቀል ድርጅት" ማለት በክልሉ ውስጥ

COGNIZANTOF, the importance of nurturingthecultureofphilantrophyandvolunteerismint hesociety;

NOW THEREFORE, in accordance with Article 49 article 3 sub article 1of the Constitutionof the Benishangul Gumuz Regional Government Constitution,Benishangul Gumuz Regional Government Council herebyproclaimedasfollows:

SECTION ONE

GENERAL

1. ShortTitle

This Proclamation may be cited as the "Benishangul Gumuz Regional Government proclamation to provide for the registration and regulation of Civil Societies Proclamation No. 187/2022".

2. Definitions

InthisProclamationunlessthecontextrequiresotherwise:

1. "Region" means the benshangul gumz regional state.
2. "office" means Benshangul Gumuz regional state office of attorney General.
3. "Bureau" means The Benshangul Gumuz Regional state bureau of finance and economic development.
4. "Organizations of Civil Societes" (hereafter called'Organization') means a Non-Governmental, Non-partisan, Not for profit entity established at least bytwoormorepersonsonvoluntarybasisandregisteredtocarryoutanylawfulpurpose,andincludesNon-GovernmentOrganizations,Professional Associations, Mass based Societies andConsortiums;

ህጋዊ ስራን ለመስራት ወይም በዚህሕግመሠረት በኢትዮጵያዊያን፣ በኢትዮጵያ ነዋሪ በሆነ የውጭአገርዜጎችወይምበሁለቱአማካኝነትበጋራየ ተቋቋመድርጅትነው፤

6. **"የውጭድርጅት"**ማለት በውጭ አገር ሕግ መሠረት የተቋቋመ፣ በኢ.ፌ.ዴ.ሪ. የሲቪል ማኅበረሰብ ድርጅቶች አዋጅ ቁጥር 1113/ 2011 መሠረት ተመዝግቦ በዚህ አዋጅ መሰረት በክልሉ ውስጥ የሚንቀሳቀስ መንግሥታዊ ያልሆነ ድርጅት ነው፡፡
7. **"የበጎ አድራጎት ድርጅት"** ማለት ለጠቅላላው ህዝብ ወይምለሶስተኛ ወገን መስራትን አላማ አድርጎ የተቋቋመ ድርጅትነው፤
8. **"የሙያ ማኅበር"** ማለት አንድን ሙያ መሠረት በማድረግየተቋቋመ ድርጅት ሲሆን፣ ዓላማውም የአባላቱን መብትናጥቅም ማስከበር፣ የሙያ ሥነ-ምግባርን ማሳደግ፣ የአባላትንአቅም መገንባት እንዲሁም በሙያቸው ለሕዝብና ለአገርአስተዋጽዖማድረግንየሚጨምርነው፤
9. **"ኅብረት"**ማለትሁለትናከዚያበላይበሆኑድርጅቶችየሚ ቋቋምስብስብሲሆን፣የኅብረትኅብረቶችንይጨምራል፤
10. **"የዘርፍ አስተዳዳሪ"** ማለት የተለየ ፈቃድ በሚያስፈልጋቸውየሥራዘርፎችለሚሰማሩድርጅቶች የሥራ ፈቃድየሚሰጥ እና ተገቢውን ሙያዊ ክትትልና ድጋፍ የሚያደርግ በየደረጃው ያለ የክልሉመንግሥታዊመሥሪያቤትነው፤
11. **"ልዩ ፍቃድ** ማለትበአንድ ስራ ላይ ለመሰማራት በህግፍቃድ እንደሚያስፈልግ የተገለጸ በሆነ ጊዜ በዚህ ስራ ላይለመሰማራትየሚሰጥየፈቃድአይነትነው፤
12. **"ምክር ቤት"** ማለት በዚህ አዋጅ አንቀጽ 76 መሠረትየሚቋቋመውየድርጅቶችምክርቤትነው፤
13. **"የሃይማኖትተቋም"**ማለትየአንድሃይማኖትተከታዮችሃይ ማኖታቸውን ለማደራጀትና ለማስፋፋት የሚያቋቁሙትተቋምሲሆንየበጎአድራጎትዓላማዎችን ለማሳካትየተቋቋሙወይምየኃይማኖት ተቋሙየሚያቋቁማቸውንየበጎአድራጎትድርጅቶችንአይ ጨምርም፤
14. **"የራስአስተዳደር"**ማለትድርጅቶችበምክርቤቱአማካኝ ነትራሳቸውን ለማስተዳደር በፈቃዳቸው በሚያወጡት

5. **"Local Organization"** means a civil society organization legaly operate in the region orformedunderthislawbyEthiopians,foreignersresi dentinEthiopiaorboth;
6. **"ForeignOrganization"**meansa non-governmental organization formed under the laws of foreign countries and registered in accordance with organization of civil socity proclamation no. 1113/2019 and operating in the region in accordance with this proclamation.
7. **"CharitableOrganization"**meansanorganizationest ablished with the aim of working for the interest ofgeneralpublic orthirdparty;
8. **"ProfessionalAssociation"**meansanOrganizationfo rmed on the basis of a profession, and its objectivesmayincludeprotectingthe rightsandinterestsofitsmembers; promoting professional conduct, building thecapacitiesofmembersormobilizeprofessionalco ntributions of its membership to the community andthecountry;
9. **"Consortium"** means a grouping formed by two or morecivil societies Organizations, and includes consortia ofconsortiums;
10. **"SectorAdministrator"**meansa regionalGovernmentbodymandated to issue licenses for Organizations operatingin sectors that require special licensing and to provideappropriatetechnicalfollowupandsupport;
11. **"Special License"** meana licensegiventoparticipantsoncertainactivitywhenpr escribedbylaw.
12. **"Council"**meansagroupingofcivilsocietyorganizatio ns formed in accordance withArticle 85ofthis Proclamation;
13. **"ReligiousInstitution"**meansaninstitutionestablishe d by believers to organize and propagatetheirreligionandshallnotincludeorganizat ionsestablished by the religious institutions to advancecharitablepurposes.itdoesnotincludeanor ganizationorganizedbythereligiousinstitution;

የሥነምግባርደንብየሚመራአስገዳጅየቁጥጥርሥርዓት ነው፤

15. "የሥራ አመራር አባላት" ማለት ተጠሪነታቸው ለድርጅቱየበላይአካል(እንደሁኔታውለድርጅቱጠቅላላ ጉባኤወይምቦርድ)ሆኖየድርጅቱንየሥራሂደትእንዲከታተሉናእንዲቆጣጠሩበድርጅቱአባላትወይምበድርጅቱ ቦርድየተመረጡሰዎችናቸው፤

16. "የሥራመሪ"ማለትየድርጅቱንየዕለትከዕለትሥራበበላይነት እንዲመራ በውል የተቀጠረና ተጠሪነቱም ለሥራአመራርኮሚቴወይምለድርጅቱቦርድየሆነግለሰብነው፤

17. "ሰው"ማለትማናቸውምየተፈጥሮሰውወይምሕጋዊሰውነትያለውአካልነው፤

18. በዚህ አዋጅ ውስጥ በወንድ ፆታ የተገለፀው ድንጋጌ የሴትፆታንምያካትታል።

የተፈፃሚነትወሰን

1. ይህ አዋጅበሚከተሉትላይተፈፃሚይሆናል፦

ሀ) በክልሉ የተመዘገበ እና በፌደራል የሲቪል ማኅበረ-ሰብ ድርጅቶች ኤጀንሲ ተመዝግበው በክልሉ ለመሥራት ከቢሮው ጋር የመግባቢያ ስምምነት ተፈራርመው በሚንቀሳቀሱ ድርጅቶች፤

ለ)የሃይማኖትተቋማትበሚያቋቋሟቸ በጎ አድራጎትድርጅቶች፤

2 የዚህ አንቀጽ ንዑስ አንቀጽ 1 ድንጋጌ ቢኖርምይህአዋጅበሚከተሉትላይተፈፃሚአይሆንም፡-

ሀ)በሃይማኖትተቋማት፤

ነ) በእድር፣ እቁብና መሰል ባሕላዊ ስብስቦች፤

ሐ)በሌላሕግመሠረትበተቋቋሙተቋማት።

ክፍልሁለት

የሲቪል ማኅበረሰብ ድርጅቶችን በተመለከተ የተቋማት ሚና

4. የክልሉ ገንዘብና ኢኮኖሚ ልማት ቢሮ ተግባርና ኃላፊነት፤

ቢሮው በሌሎች ህጎች የተሰጡት ስልጣንና ተግባራት እንደተጠበቁ ሆነው በክልሉ ውስጥ የሚንቀሳቀሱ የሲቪል ማኅበረሰብ ድርጅቶችን በተመለከተ የሚከተሉት ተግባርና ኃላፊነቶች ይኖሩታል፤

1. በክልሉ ውስጥ ለመሥራት ፍላጎት ላላቸው የሲቪክ ማህበረሰብ ድርጅቶች የክልሉን የልማት ፍላጎትና ክፍተቶች በመለየት ሊሰማሩ ይገባቸዋል የሚላቸውን

14. "Self-Regulation"meansamandatoryregulatorysystem led by a voluntary code of conduct adopted byOrganizationsthroughtheCounciltogovernthemselves;

15. "Members of Management" means persons elected bymembers or the board of a civil societies organizationtomanageandfollowuptheoperationsoftheorganizationand accountable to the highest body ofthe organization (the General Assembly or Board asappropriate);

16. "managerial employee " means a person hired to manage the day today operations of the organization and accountable totheManagementCommitteeorBoardoftheOrganization;

17. "Person"shallmean anyphysicalorjuridicalperson;

18. AnyexpressionintheMasculinegenderinthisProclamationincludestheFeminine.

3. ScopeofApplication

1. ThisProclamationshallbeapplicableto:

a) Organizations that are registered in the region and registered with the Federal Civil Society Organizations Agency and have signed a memorandum of understanding or project agreement with the bureau to operate in the region;

b) CharitableOrganizationsestablishedbyreligiousInstitutions.

2. Notwithstanding sub-article 1 of this article, ThisProclamationshallnotbeapplicableto:

a) ReligiousInstitutions;

b) Edir,EqubandsimilartraditionalInstitutions;

c) Organizationsformedunderotherlaws.

SECTION TWO

The role of stakeholders regarding civil society organizations

4.Functions and responsibilities of the Regional Finance and Economic Development bureau

with out prejudice to the power and function ofthe bureau given by other laws,The Bureau shall have the

ዘርፎችን ዝርዝር መረጃ ያቀርባል፤ሀብት የማፈላለግ ስራን ይሰራል፡

2. በዚህ አንቀጽ ንዑስ አንቀጽ 1 መሰረት የቀረቡ ድርጅቶች የሚያቀርቡትን የልማት ዕቅድ በመመርመርና ተገቢውን ማስተካከያ በማድረግ ይዋዋላል፣ ያስተባብራል፣ ይከታተላል፣ ይቆጣጠራል፡
3. የመደራጀት መብትን በማይጻረር መልኩ የሲቪል ማኅበረሰብ ድርጅቶች ሊሠሩ የሚችሉባቸውን የመንግሥት የልማት ክፍተቶችንና ቦታዎችን ይለያል፣ በአንድ ቦታ እንዳይከማቹ ተገቢዉን ስምሪት ይሰጣል፤አፈፃፀሙን ይከታተላል፡፡
4. የሲቪል ማህበረሰብ ድርጅቶች ይዘውት የመጡትን የፕሮጀክት ሰነድ ተቀብሎ ከሚመለከታቸዉ የዘርፍ አስተዳደር ጋር በመሆን ይገመግማል፣ ተቀባይነት ሲያገኝም የዉል ስምምነት ይፈራረማል፤
5. ወቅቱን የጠበቀ የፕሮጀክት የአጋማሽና የማጠቃለያ ዘመን ግምገማ ያካሂዳል፣ ግብረ-መልስ ይሰጣል፤
6. ከፕሮጀክቱ ስምምነት ውጭ በሚንቀሳቀሱ የሲቪል ማኅበረሰብ ድርጅቶች ላይ ማስረጃዎችን በማጠናቀር ውል የተገባውን ፕሮጀክት ስምምነት በማስቆም የስራ ፍቃዳቸዉ እንዲሰረዝ ለመሥሪያ ቤቱ ያሳዉቃል፤
7. የመንግሥትና የሲቪል ማኅበረሰብ ድርጅቶች የጋራ ፎረም ያቋቁማል፤ አፈፃፀሙ በመመሪያ ይወሰናል፤ የምክክር መድረክ ያዘጋጃል፤ ያስተባብራል ይመራል፡፡
8. ወቅታዊ የኦዲትና የንብረት ቆጠራ ሪፖርት ከሲቪል ማኅበረሰብ ድርጅቶች ይቀበላል፣ ግብረ-መልስም ይሰጣል፤
9. የድርጅቶችን ንብረት የማስተላለፍ ሂደት ተገቢነት ይከታተላል፣ ይቆጣጠራል፤
10. አጠቃላይ በክልሉ የሚገኙ የሲቪል ማኅበረሰብ ድርጅቶችን መረጃ አጠናቅሮ ይይዛል፤
11. በፕሮጀክቶቹ አጠቃላይ የሥራ እንቅስቃሴ ዙሪያ ከዘርፍ አስተዳደር ጋር በትብብር ይሠራል፤
12. በፌዴራል መንግሥት የሲቪል ማኅበረሰብ ድርጅቶች ባለስልጣን ተመዝግበዉ ወይም የፕሮጀክት ስምምነት ተፈራርመዉ ወይም በክልሉ ዉስጥ ቅርንጫፍ ከፍተዉ የሚንቀሳቀሱ ድርጅቶች ተገቢዉን አገልግሎት እየሰጡ ስለመሆናቸዉ ክትትልና ድጋፍ ያደርጋል፣ ፈቃድ ከወሰዱበት መስክ ሌላ ተግባር ላይ ተሰማርተዉ ሲገኙም ለመዘገበዉ አካል እርምጃ እንዲወሰድ

following duties and responsibilities regarding the civil society organizations operating in the region;

1. Mobilise resource and Identify the development needs and gaps for the civic society organizations that are interested in working in the region, and provide detailed information on the sectors that they should be engaged.
2. Examines and makes appropriate adjustments to the development plans submitted by interested organizations as per sub article 1 of this article, and accordingly contracts, coordinates, monitors, and supervises.
3. Identify government development gaps and areas where civil society organizations can work in a manner that does not violate freedom of association, provides appropriate deployment so that they do not accumulate in one place, and monitors its implementation.
4. In collaboration with relevant sector adminstrators examine the project agreement submitted by civil socity organisations and sign project agrremnet when it is accepted:
5. Conducts timely project mid-term and end-of-term reviews and provides feedback;
6. Compiles evidence and terminate the agreement of the contracted project of civil society organizations operating outside of the project agreement and informs the office to revoke their permit.
7. Establish a joint fourm between Regional Government bodies and Civil Society Organizations, issue guideline for its implementation, coordinate, lead and organize forum for consultation.
8. Receives peridic audit and property inventory reports from civil society organizations and provides feedback;
9. Monitors and controls the appropriateness of the process of transferring the property of organizations;
10. Compiles the information of civil society organizations in the region;
11. Work in collaboration with sector administrators in carrying out project agreements;
12. monitor and support organizations that have

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13. በዚህ አንቀጽ ንዑስ አንጽ 12 የተጠቀሰው እንደተጠበቀ ሆኖ በፌደራል ተመዝግበዉ በክልሉ ዉስጥ የሚንቀሳቀሱ ድርጅቶች በክልሉ ውስጥ በህዝብ ላይ ጉዳት የሚያደርስ ድርጊት እየፈጸሙ ከሆነ የፌደራሉ መዝጋቢ አካል ተገቢውን ውሳኔ እስኪሰጥ ድረስ ጊዚያዊ እገዳ ይሰጣል፣
14. በክልሉና በሌሎች ክልሎች ላይ ለመስራት ከማንኛዉም ሚኒስቴር መስሪያ ቤት ጋር የፕሮጀክት የዉል ስምምነት ተፈራርሞ ከሚመጣ ድርጅት የፕሮክቱን የዉል ስምምነት አንድ ቅጂ በመቀበል ወቅታዊ የተግባራትና የሂሳብ፤ እንዲሁም የኦዲት ሪፖርቶችን ለቢሮዉ እንዲያቀርቡ በማድረግ የመካከለኛና የማጠቃለያ ግምገማ ያደርጋል፤ እንደአስፈላግነቱ በክልሉ ላይ ብቻ የሚተገበረዉን የፕሮጀክቱን ተግባራትና በጀት ለብቻ ነጥሎ ዉል በመግባት ይቆጣጠራል፤ ይከታተተላል፤ ይገመግማል፣
15. በሲቪል ማህበረሰብ ድርጅቶች የመጣዉን የፕሮጀክት ሀብት የአስተዳደር ወጪ ከ20% የማይበልጥ መሆኑን፣ የአላማ ማስፈፀሚያ ወጪ ከ 80% እና ከዚያ በላይ መሆኑን ያረጋግጣል፣ ለዝርዝር አፈፃፀሙ መመሪያ ያወጣል፣
16. ድርጅቶች በክልሉ ዴሞክራሲያዊ ሥርዓት ግንባታ፣ ሰብዓዊ መብቶች ጥበቃ እና የልማት እንቅስቃሴ ዉስጥ ያላቸውን ሚና አስመልክቶ ከሚመለከታቸዉ ተቋማት ጋር ተገቢውን ጥናት ያካሂዳል፣ የክልሉን መንግሥትን ያማክራል፤
17. ድርጅቶች ሲፈርሱ በሒሳብ አጣሪነት የሚያገለግሉ ባለያዎችን ዝርዝር ያዘጋጃል፣ አጣሪዎች ሥራቸውን ባግባቡ ማከናወናቸውን ከሚመለከተዉ አካል ጋር በመሆን ይቆጣጠራል፤
18. ቢሮዉ የሲቪል ማህበረሰብ ድርጅቶችን ለማስተዳደርና ለመቆጣጠር የሚያስችለዉን ማናቸዉንም ተግባር እንዳስፈላግነቱ ከሚመለከታቸዉ ጋር በትብብር ይሰራል፡፡

5. የክልሉ ጠቅላይ ዐቃቤ ህግ መስሪያ ቤት ስልጣንና ተግባራት፤

ገክልሉ ጠቅላይ ዐቃቤ ህግ መሥሪያ ቤት ማቋቋሚያ ኣዋጅ ቁጥር 161/2011 አንቀጽ 6 በጠቅላላውና ገአንቀጽ 9 ፊደል ተራ ለ በተለይ የተሰጡት ሥልጣንና ተግባራት እንደተጠበቁ ሆነው ከሲቪል ማኅበረሰብ ድርጅቶች ጋር በተያያዘ መሥሪያ ቤቱ የሚከተሉት ዝርዝር ሥልጣንና ተግባራት ይኖሩታል፦

1. በክልሉ የሚንቀሳቀሱ ሲቪክ ማህበራትን ይመዘግባል፣
2. የሕጋዊ ሰውነት ማረጋገጫ ምስክር ወረቀት ይሰጣል፣ በሕግ መሠረት ይሰርዛል፣

registered by FDRE civil society organization authority or signed a project agreement or opened a branch in the region to ensure that they are providing appropriate services.Notify concerened government body to take action When they are found to be engaged in activities other than the field for which they have taken permission,

13. Without prejudice to sub-Article (12) of this Article, the licence of civil socity organisations registered by the federal government and that has been engaged prejudicial to the public while operate in the rigion shall be suspended until FDRE civil society organization authority take appropriate measures.
14. recive a copy of the project agreement from an organization that has signed a project agreement with any FDRE ministry to work in the region and other regions, and order up-to-date activities and audit reports to conducts mid-term and final evaluation; if necessary, enter into a separate project agreement exclusively for budget and activity of the project applied only to the region and thereby monitor and evaluate.
15. Ensures that the Adminstrative cost of the organization from the project resources brought by the civil society organizations is not more than 20%, the program expenditure is more than 80% or more and Issue directives for the detailed implementation.
16. Conduct research and advise the regional Government on the role of Organizations in the protection of Human Rights, democratization and development activities of the region;
17. Prepare a list of liquidators and monitor their performance in the dissolution of Organizations;
18. in collaboration with relevant bodies carry out such other activities necessary for administration and regulation of civil socity organisations

5. PowersandFunctionsof the rigional attorney general office

Without prejudice to Article 6 and Article 9 sub article B of Attorny general Office Establishment Proclamation No. 161/2011 which grant general and specific power and function of the attorney general office,the office shall have the following detailed

3. ድርጅቶቹ የሚሰማሩባቸዉን ስራቸውንም ህጋዊነቱን ያረጋግጣል፣
4. በዘርፉ በወንጀል ድርጊት የተገኘ ገንዘብ ወይም ንብረትን ሕጋዊ አስመስሎ ማቅረብና ሽብርተኝነትን በገንዘብ መርዳትን ሌሎች ተያያዥ ወንጀሎችን ለመከላከል የሚያስችሉ ሥራዎችን ከሚመለከታቸው የመንግስት አካላት ጋር በትብብር ይሠራል፤
5. የድርጅቶች ምዝገባ እና ህልዉና የማረጋገጥ ሥራን እንደ አስፈላጊነቱ እስከ ወረዳ ድረስ ተደራሽና ቀልጣፋ ለማድረግ ተገቢዉን አደረጃጀትና አሠራር ይፈጥራል፤
6. የድርጅቶችን መተዳደሪያ ደንቦችና በተገቢዉ መንገድ መሻሻያዎቻቸውን ያረጋግጣል፣ ይመዘግባል፤

የአገልግሎት ክፍያዎችን በዚህ አዋጅ መሠረት በሚወጣዉ ህግ መሠረት ይሰበስባል፤

<u>ክፍልሦስት</u>

<u>የድርጅቶች አመሠራረትናምዝገባ</u>

<u>ንዑስክፍልአንድ</u>

<u>ጠቅላላድንጋጌዎች</u>

<u>ኮርሆዎች</u>

·ርጅቶችአመሠራረትበሚከተሉትመርሆችይመራል:-

1. ማንኛውምድርጅትለተወሰነወይምላልተወሰነጊዜሊቋቋ ምይችላል፤
2. በድርጅቶችውስጥአባልነትበፈቃደኝነት ላይየተመሠረተነው።አንድአባልበፈለገጊዜከድርጅቱመ ውጣትይችላል፤
3. ማንኛውም ድርጅት አግባብነት ያላቸውን ሕጎች መሠረትበማድረግየአባላትመቀበያመሥፈርቶችንየመ ወሰንመብትአለው፤
4. ማንኛውም ሰው የድርጅቱን መስፈርት እስካሟላ ድረስአባልየመሆንመብትአለው፣
5. እያንዳንዱአባልእኩልድምፅአለው፤

powers and duties in relation to civil society organizations:

1. RegisterOrganizationsoperating in the region;
2. accord legal personality certificate and cancel in accordance with thelaw;
3. Ensure the legitimacy of activities undertaken by organizations ;
4. WorkinclosecooperationwiththerelevantGovernmentAgenciesto preventmoney launderingandthefinancingofterrorism;
5. Develop stracture and system that are accessable and efficient up to wereda's level as it deems necessary to verifay the existence and registration of the organization;;
6. register the organization by law and ensure the appropriateness of ammendement thereof ;
7. Collectfeesfortheservicesitrendersinaccordance with law issued according to this proclamation;

<u>SECTIONTHREE</u>

<u>FORMATION AND REGISTRATION OFORGANIZATIONS</u>

<u>SUB SECTION ONE</u>

<u>GENERALPROVISIONS</u>

6.<u>Principles</u>

Theformationoforganizationsshallbegovernedbythefollowingprinciples:

1. AnOrganizationmaybeformedfordefinite oranindefiniteperio
2. Membership inanyorganizationshallbevoluntary.Amembermaywithdraw frommembershipatwill.
3. Anorganizationshallhavetherighttofreelydeterminethecriteriaformembership;
4. Any person has the right to become a member in aslong as he fulfills the criteria for membership set bytheorganization;
5. Everymembershallhaveequalvote;

6. ድርጅቶች ለአባላት ትርፍ ለማከፋፈል በማሰብ ሊቋቋሙ አይችሉም፤

7. የድርጅቶች አመሠራረትና የውስጥ አሰራር ዲሞክራሲያዊመርሖችን የተከተለ፡ ከአድሎአዊነት የፀዳ፣ ነፃና ገለልተኛሊሆንይገባል፤

8. ማንኛውምድርጅትየሚመራው በመተዳደሪያደንቡሥልጣን በተሰጣቸው አካላት ሙሉ ተሳትፎ በተመረጡሰዎችነው፤

9. ማንኛውም ድርጅት በመተዳደሪያ ደንቡ መሠረት ካልሆነበቀርአባላትንሊቀበልናሊያሰናብትአይችልም።

10. መሥሪያ ቤቱድርጅቶችሊጠቀሙባቸውየሚችሉሞዴልመተዳደሪያ ደንቦችንያዘጋጃል።

7.የሲቪል ማኅበረሰብ ድርጅቶች የወል ተግባር እና ኃላፊነት

1. አስፈላጊነታቸዉ በክልሉ መንግስት በተለዩ የልማት ክፍተቶች መሠረት ፕሮጀክቶቻቸውን የማዘጋጀት፤
2. አዲስ ፕሮጀክት ይዘው ሲመጡ ከቢሮዉና ከሌሎች የዘርፍ አስተዳዳሪዎች ጋር የስምምነት ሠነድ በመፈራረም ወደ ሥራ የመግባት፤
3. በእንቅስቃሲያቸው ከሃይማኖት ጣልቃ ገብነት የመቆጠብና የአካባቢውን ማኅበረሰብ ወግና ባህል የማክበር፤
4. አገልግሎታቸውን ከሃይማኖት ተቋማት ውጭ የመፈፀም፤
5. ለሚመለከታቸዉ አካላት ዓመታዊ የኦዲትና የንብረት ቆጠራ ሪፖርት የማቅረብ፤
6. ከተመዘገቡ በኋላ በሌላ ሕግ የተለየ ፍቃድ እንደሚያስፈልጋቸው በተመለከቱ የሥራ ዓይነቶች ከሚመለከታቸው የዘርፍ አስተዳደርና ከቢሮዉ ተገቢውን የሥራ ፍቃድ እና እዉቅና ሳያገኙ ወደ ሥራ ያለመግባት፤
7. የማንኛውም ድርጅት አባል፣ አመራርና ሠራተኞች ሥራቸውን በሚያከናውኑበት ወቅት የድርጅቱን ጥቅም የማስቀደምና ከእነሱ ጥቅም ጋርም እንዳይጋጭ ተገቢውን ጥንቃቄ የማድረግ ኃላፊነት አለባቸው።
8. ማንኛዉም የሲቪል ማህበረሰብ ድርጅት በክልሉና በሌሎች ክልሎች ላይ ለመስራት ከማንኛዉም ሚኒስቴር መስሪያ ቤት ጋር የፕሮጀክት የዉል ስምምነት ተፈራርሞ ሲመጣ የፕሮክቱን የዉል ስምምነት አንድ ቅጂ ለቢሮዉ በማቅረብ የቅድሚያ የብቃት ግምገማ እንዲደረግ ያደረጋል፤ወቅታዊ የተግባራትና የሂሳብ፣ እንዲሁም የኦዲት ሪፖርቶችን ለቢሮዉ በማቅረብ የመካከለኛና የማጠቃለያ ግምገማ እንዲካሄድ ያደርጋል፤ እንዳ አስፈላግነቱ በክልሉ ላይ ብቻ የሚተገበረዉን የፕሮጀክቱን ተግባራትና በጀት ለብቻ ነጥሎ ዉል ይዋዋላል፡፡

6. Organizations may not be established for the purposeofdistributingprofittomembers;

7. TheformationandinternalgovernanceofOrganizationsshall bebasedondemocraticprinciples,non-discriminatory,independentandneutral;

8. An Organization shall be managed by persons electedby the full participation of the organs authorized byitsrules;

9. AnOrganizationmaynotadmitordismissmembersexceptin accordancewithitsrules;

10. The Office shall prepare model rules that maybeusedbyOrganizations.

7.<u>common responsibilities and activities of civil socity organisations</u>

1. prepare project agreements according to the development gaps identified by the state government;
2. sign new project agreemengts with the bureau and relevant state administrator and implement thereof.
3. refrain from religious interference in their activities and duly respect the traditions and culture of the local community;
4. perform their services outside of religious institutions
5. Submit an annual audit and inventory report to the relevant bodies;
6. Not to engage in activities without obtaining the appropriate permit and acknowledgement from the relevant sector administration for the types of work that require a sepecial license after registration;
7. Members, management and employees of any organization are responsible for prioritizing the interests of the organization and taking due care to avoid conflict of interests.
8. Submit a copy of the project agreement that has signed with any FDRE ministry to work in the region and Federal level ,and preliminary make evaluation ,submit up-to-date activities and audit reports to conduct mid-term and final evaluation; if necessary, enter into a separate project agreement exclusively for budget and activity of the project applied only to the region.

9. ማናቸዉም ድርጅት ወደ ክልሉ ፕሮጀክትን ይዞ ሲመጣ ለክልሉ ህብረተሰብ የሥራ ዕድል መፍጠርን ታሳቢ ማድረግ አለበት፡፡

10. ማንኛዉም ድርጅት በፕሮጀክቱ የዉል ስምምነት መሠረት ወቅታዊ የሂሳብ፤የአፈፃፀምና የኦዲት ሪፖርቶችን ለቢሮዉ በማቅረብ ወቅታዊ የክትትል፤የመካከለኛና የማጠቃለያ ግምገማ ሥራዎች በተፈራራሚ ተቋማት እንዲካሄድ አስፈላጊዉን ሁሉ ማሟላት ይጠበቅበታል፡፡

11. ማንኛዉም ድርጅት የመንግስትና የሲቪል ማህበረሰብ ድርጅቶች የጋራ የምክክር መድረክን በጥሬ ገንዘብም ሆነ በዓይነት የአቅሙን መደገፍ አለበት፡፡

.የአገርበቀልድርጅቶችአመሰራረት

በክልሉ ዉስጥቋጥራቸዉሁለትናከዚያበላይየሆኑሰዎችአገርበቀልድርጅት ሊመሰርቱይችላሉ።

9.የአገርበቀልድርጅትዓይነቶች

ለዚህክፍልዓላማየአገርበቀልድርጅትበሚከተለዉአይነትአደረጃጀ ሊቋቋምይችላል።

1/ማኅበር፤

2/ቦርድ-መርድርጅት፤

3/የዘለቄታበጎአድራጎትድርጅት፤

4/የአደራበጎ አድራጎትድርጅት፤

5/የበጎአድራጎትኮሚቴ።

ንዑስክፍልሁለት

ማህበርናቦርድ-መርድርጅት

10.ማኅበር

1. ለዚህ ክፍል አላማ ማኅበር ማለት፣ ቁጥራቸዉ አምስትወይም ከዚያ በላይ በሆኑ አባላት የሚቋቋም እና ጠቅላላጉባዔዉየበላይ ዉሳኔ ሰጪ አካል የሆነበት ድርጅትሲሆን፣ለዚህሕግአፈጻጸምየሙያማህበራትንይጨምራል።

2. አንድ ማኅበር፣ ጠቅላላ ጉባኤ፣ የሥራ አስፈጻሚ ኮሚቴ፣ሥራአስኪያጅ፣ኦዲተርናእንደአስፈላጊነቱ ሌሎችየሥራ ክፍሎች ያለዉ ሆኖ ሊደራጅ ይችላል። የማኅበሩአወቃቀርናአስተዳደርበመተዳደሪያደንቡይወሰናል።

9. Any oraganization should consider creating job opportunities for the local comunity, when any organization comes to the region with a project.

10. any organization should provide timely accounting, activity and audit reports to the bureau as per the signed project agreement and fulfill all the necessary requirements for timely monitoring, Mid and final evaluation to be carried out by the signatory bodies.

11. Any organization should support in cash or in kind the joint consultation forum of government and civil society organizations.

8. FormationofLocalOrganizations

Twoormorepersons in the regionmayestablishanIndigeniousOrganization.

9. TypesofLocalOrganizations

ForthepurposeofthisSub-sectionLocalOrganizationmaybeformedas:

1/ AnAssociation;

2/ A Board-led Organization;

3/ A charitable Endowment;

4/AcharitableTrust;or

5/ACharitableCommittee.

SUB SECTION TWO

ASSOCIATIONSANDBOARD LEDORGANIZATION

10.Association

1. ForthepurposeofthisSub-sectionAnAssociationis an Organization formed by five or more membersandgovernedbyaGeneralAssemblyasthesupreme decision-making body; for the purpose ofthisProclamationitshallincludeprofessionalassociations.
2. AnassociationmayhaveaGeneralAssembly,Executive Committee, Manager, Auditor and otherdepartments as may be necessary. Details regardingthe structure and governance of an Association willbedeterminedbyitsrules

11.Board-ledOrganization

ቦርድ-መርድርጅት

1. ለዚህክፍልአላማቦርድ-መርድርጅት፣ቁጥራቸውሁለትናከዚያበላይበሆኑመሥራቾችየሚቋቋምሲሆን፣የድርጅቱየመጨረሻውሳኔሰጪአካል ቦርዱይሆናል።
2. ቦርዱ ቁጥራቸው ከ5 እስከ 13 የሚደርሱ አባላትይኖሩታል።
3. የመጀመሪያዎቹየቦርዱአባላትበመመስረቻጽሑፉላይ በመሥራቾቹ ይሰየማሉ። የቦርድ አባላት የሥራ ዘመንናከምስረታበኋላየቦርድአባላትየሚሰየሙበትስርዓት በድርጅቱመተዳደሪያደንብይወሰናል።
4. ከድርጅቱ የሥራ መሪዎች ጋር የስጋ እና የጋብቻ ዝምድናያላቸውሰዎችየቦርድአባልመሆንአይችሉም።
5. ድርጅቱ ለቦርዱ ተጠሪ የሆነ ሥራ አስኪያጅ እና አስፈላጊሰራተኞችይኖሩታል።ዝርዝሩበድርጅቱመተዳደሪያደንብይወሰናል።

ንዑስ ክፍል ሦስት

የዘለቄታየበጎአድራጎትድርጅት

12/መሠረቱ

1. ለዚህ ክፍል አላማ"የዘለቄታ በጎ አድራጎት ድርጅት"ማለትአንድ የተለየ ንብረት፣ገንዘብ በስጦታ ወይምበኑዛዜበዘላቂነትናበማይመለስሁኔታተለይቶለተገለጸየበጎአድራጎትዓላማብቻየሚውልበትድርጅትነው።
2. በዚህ አንቀፅ ንዑስ አንቀፅ 1 መሰረት በስጦታ ወይምበኑዛዜ የሚሰጠው የንብረት ወይም የገንዘብ መጠን የበጎአድራጎትአላማውንበመነሻነትለማሳካትየሚያስችልመሆንአለበት፡፡
3. መሥራቹየዘለቄታበጎአድራጎት ድርጅቱንተጠቃሚዎችይወስናል።መሥራቹተጠቃሚዎቹንበበቂ ሁኔታ ካልወሰነ የሥራ አመራር ቦርዱ ከመሥራቹሀሳብጋርይስማማልብሎበሚገምተውመልኩተጠቃሚዎችንሊወስንይችላል።

1. Forthepurposeofthissub-sectionBoard-ledOrganization means formed by two or more founders,its Boardbeingthesupremeorgan.
2. TheBoardshallhaveaminimumoffiveandamaximumofthirteenmembers.
3. The first board members shall be designated by thefounders.Thetermofserviceandappointmentproceduresfor subsequentboardmembersshallbeprescribedbytherules oftheOrganization.
4. Persons who are related by consanguinity or affinitywiththeofficersoftheOrganizationmaynotbeBoardmembers.
5. Aboard-ledOrganizationshallhaveamanageraccountable to the Board and necessary staff asmaybe necessary. The particulars shall be determined bytherules oftheOrganization.

SUB SECTION THREE

CHARITABLEENDOWMENTS

12/Basis

1. For the purpose of this Sub-sectionA "CharitableEndowment" is an organization by which a certainproperty is perpetually and irrevocably destined bydonation, money or will for a purpose that is solelyCharitable.
2. Property or money provided through Gift or willbased on Sub-Articel 1 of this provision shall besufficienttofulfillthepurposetheCharityinitially.
3. The founder shall determine the beneficiaries of aCharitable Endowment. Were the beneficiaries arenotsufficientlydeterminedbythefounder,theBoard may determine such beneficiaries as it deemsconsistentwiththeintentions ofthefounder.

B.G.R.S Administrative Council

ምዝገባስለማመልከት

1. መሥራቹ በሕይወት ሳለ የዘለቄታ በጎ አድራጎትድርጅት ምዝገባ የሚጠየቀው በመሥራቹ በራሱ ወይምለዚህጉዳይበወከለውሰውብቻነው።

2. መሥራቹከሞተበኋላጥያቄውየሚቀርበውከመሥራቹአደራ በተቀበለውሰውወይምየመሥራቹንኑዛዜበሚያስፈጽሙሰ ዎችነው።

3. በዚህ አንቀጽ ንዑስ አንቀጽ (1) እና (2) የተጠቀሱትበማይኖሩበት ጊዜ ለዘለቄታ ንብረትን ለበጎ አድራጎትዓላማ የመስጠት ውል ያዘጋጁ፣ ምስክር የሆኑ ወይምውሉንበአደራያስቀመጡሰዎችየምዝገባጥያቄያቀር ባሉ።

4. በዚህአንቀጽመሠረትምዝገባየመጠየቅግዴታየተጣለባቸ ውሰዎችምዝገባውንሳይጠይቁየቀሩእንደሆነ መሥራቹ ከሞተ ከሦስት ወር በኋላ የዘለቄታበጎአድራጎትድርጅቱማንኛውምይመለከተኛልበ ሚልሰውአመልካችነትወይም መስሪያ ቤቱ አነሳሽነትሊመዘገብይችላል።

5. በዚህአንቀጽንዑስ4መሠረትየሶስትወራትጊዜከመጠናቀቁ በፊትለበጎአድራጎትድርጅትዓላማውየሚውለውንገንዘብወ ይምንብረትእናአጠቃላይየምዝገባውን አካሔድ አስመልክቶ ዓላማውንየሚጻረርተግባር ከተፈፀመ መስሪያ ቤቱ በማንኛውም ጊዜ ጣልቃመግባትናማስተካከልይችላል።

...ትንለዘለቄታበጎአድራጎትዓላማየመስጠትተግባርንመሻር

...ትን ለዘለቄታ በጎ አድራጎት ዓላማ የመስጠት ... ቢሮውከመመዝገቡበፊትመሥራቹሊሽረውይችላል።

13.ApplicationforRegistration

1. The registration of a Charitable Endowment may notbe sought during the lifetime of the founder, exceptby the founder herself/himself or a person delegatedbythefounderforthatpurpose.

2. After the death of the founder, it shall be sought bythe person to whom the founder has entrusted suchtask and who has accepted it or by the executors ofthefounder's will.

3. In default of the persons specified in Sub-article (1)and (2), it shallbe soughtby those persons whohave drawn up the act of Endowment or who havebeenwitnessestoitorwhoholdthatactindeposit.

4. Wherethepersonswhoareboundtoseektheregistration of the Charitable Endowment fail to doso, the registration of the Charitable Endowmentmay be sought, three months after the death of itsfounder,byanyinterestedpartyorbytheAttorny general Office.

5. Whenanyactivitycontrarytotheaimoftheregistration or concerning the property or money andthe whole registrationprocess is occurred before theend of the three months indicated undersub article4ofthisarticletheAttorny general Officecaninterveneat anytime.

14/RevocationofanActofCharitableEndowment

The founder of an Endowment may revoke it so long asthe Charitable Endowment has not been registered bythethe bureau.

5.<u>የዘለቄታየበጎአድራጎትድርጅትአደረጃጀት</u>

ገናቸውምየዘለቄታበጎአድራጎትድርጅትየሥራአመራርቦርድ፣ ሥራ አስኪያጅ፣ ኦዲተርና ሌሎች አስፈላጊ ሥራክፍሎችይኖሩታል።

6.<u>የሥራአመራርቦርድጥንቅር</u>

1. የሥራ አመራር ቦርድ አባላት በመሥራቹ ወይም እርሱበወከለው ሰው ይሾማሉ። የቦርድ አባላቱ በዚህ መልክካልተሾሙ-ቢሮውየሚሾሙበትንመንገድያመቻቻል ።
2. አንድየሥራአመራርቦርድአባልበማንኛውምምክንያት ኃላፊነቱን መወጣትካልቻለ በዘለቄታ በጎአድራጎት ድርጅቱመተዳደሪያደንብ መሠረትአዲስየቦርድአባልይሾማል።
3. የሥራአመራርቦርድአባላትቁጥርከሦስት በታችሊሆንአይችልም።

17.<u>የሥራ አመራር ቦርድሥልጣንእናተግባራት</u>

ሥራአመራርቦርዱየዘለቄታበጎ አድራጎት ርጅቱየበላይአካልሆኖየሚከተሉትሥልጣንእናተግባራትይኖሩታ ል፡-

1. ዘለቄታየበጎአድራጎትድርጅቱንየሚመራሥራአስኪያጅ እናኦዲተርይሾማል፤ያሰናብታል፤
2. የዘለቄታየበጎአድራጎትድርጅቱንበመተዳደሪያደንቡመሠ ረትያስተዳድራል።

8.<u>የሥራአመራርቦርዱስብሰባዎች</u>

1. የሥራአመራርቦርዱበዘለቄታየበጎአድራጎትድርጅቱመተ ዳደሪያደንብበተመለከተውመሠረትይሰበሰባል።
2. የዘለቄታየበጎአድራጎትድርጅቱየሥራአመራር ቦርድውሳኔዎችንየሚያሳልፈውበድምፅብልጫይሆናል።

15.<u>StructureofCharitableEndowments</u>

Any Charitable Endowment shall be organized with thestructure of Management Board, Manager, Auditor andotherdepartments asmaybenecessary.

16.<u>Compositionof theManagementBoard</u>

1. MembersoftheManagementBoardshallbeappointed by the founder or by a person delegated bythe founder. Where the founder or his delegated hasnot appointed members of the Management Board,the bureau shall facilitate the appointment of suchmembers.
2. Wherea member of Management the Board is foranyreasonunabletoperformhisduties,anewmember shall be appointed according to the rules oftheEndowment.
3. The number of members of the Management Boardshallinnocasebeless thanthree.

17.<u>PowersandFunctionsof theManagementBoard</u>

The Management Board shall be the supreme organ ofthe Chairtable Endowment and shall have the followingpowers andfunctions:

1. AppointaManagerwhoshallberesponsibletomanagetheEn dowmentordismissthesame;and
2. Administer the Endowment in accordance with itsrules.

18.<u>Meetingsofthe ManagementBoard</u>

1. The Management Board shall meet as prescribed bytherules oftheCharitableEndowment.
2. The decisions of the Management Boardshall betakenbymajority.

.ለቦርዱአባላትየሚፈፀሙክፍያዎች

1. በዘለቄታበጎአድራጎትድርጅቱመተዳደሪያደንብካልተወሰነበስተቀርአንድየቦርድአባልክፍያአያገኝም።
2. በቦርድስብሰባላይለመገኘትአንድ አባል ያወጣውንወጪለመሸፈንየሚደረግማካካሻእንደክፍያአይቆጠርም።

20. የሥራአስኪያጁ ሥልጣንእናተግባራት የዘለቄታበጎአድራጎትድርጅትሥራአስኪያጅ፡-

1. የዘለቄታበጎአድራጎትየድርጅቱንሥራበመተዳደሪያደንቡመሠረትይመራል፤
2. ከሦስተኛወገኖችጋርበሚደረጉግንኙነቶችድርጅቱንይወክላል፤
3. የሥራ አመራር ቦርዱ ውሳኔዎች ሥራላይ መዋላቸውንይከታተላል፤ይቆጣጠራል፤
4. የሥራዕቅድናበጀትእንዲሁምየሥራእናየሒሳብሪፖርቶችንለሥራአመራርቦርዱ ያቀርባል፤
5. የድርጅቱንገቢየሚያሳድጉሁኔታዎችንያጠናል፤በሥራአመራርቦርዱሲፀድቁምተግባራዊያደርጋል፤
6. በመተዳደሪያደንቡመሠረትበድርጅቱሥምየተከፈቱየባንክሂሳቦችንያንቀሳቅሳል፤
7. ሌሎችበሥራአመራርቦርዱየሚሰጡትንተያያዥተግባራትያከናውናል።

1. የኦዲተር ሥልጣን እና ተግባራትኦዲተሩ፡-

1. የዘለቄታ በጎ አድራጎትድርጅቱንየገንዘብናየንብረትአስተዳደርይቆጣጠራል፤
2. የድርጅቱንየውስጥኦዲትሪፖርትበኢትዮጵያተቀባይነትባገኙየሒሳብአያያዝመርሆችመሠረትአዘጋጅቶለቦርዱያቀርባል።

19.RemunerationofBoardMembers

1. AMemberoftheBoardshallnotbeentitledtoremunerationunlessaprovisionabouthisentitlement to remuneration has been made, by theCharitableEndowment'srules orbyanylaw.
2. Payments made in connection with covering costsincurredbyBoardMembersforthepurposeofattending Board meeting shall not be considered asremuneration.

20.PowersandFunctionsof theManager

TheManageroftheCharitableEndowment shall:

1. DirecttheworkoftheCharitableEndowmentpursuanttoitsrules;
2. RepresenttheEndowmentinallitsdealingswiththethirdparties;
3. Followupandsupervisetheimplementationofthedecisionsofthe ManagementBoard;
4. Submitworkplanandbudgetaswellasactivityandfinancialreportstothe ManagementBoard;
5. Study conditions that will promote income generationfortheEndowmentandimplementsuchwhereapprovedbythemanagement Board;
6. OperatebankaccountsopenedinthenameoftheEndowmentinaccordancewithitsrules;and
7. Discharge other related tasks which may be given tohimbytheManagementBoard.

21.PowersandFunctionsoftheAuditor

TheAuditorshall:

1. MonitorthefinancialandproprietaryadministrationoftheCharitableEndowment;
2. Preparetheinternalauditreportoftheorganizationinaccordancewithaccountingstandardsacceptablein Ethiopia;

ንዑስ ክፍል አራት

የአደራበጎአድራጎትድርጅት

2.መሰረቱ

ዚህክፍልአላማየአደራበጎአድራጎትድርጅትማለትየአደራበጎአድ ጎትድርጅቱንበሚያቋቁመውሠነድመሠረትአንድ የተለየ ብረት ለበጎ አድራጎት ዓላማ ቻእንዲውልበባለአደራዎችየሚተዳደርድርጅትነው።

3.አመሰራረት

1. የአደራ በጎ አድራጎት ድርጅት በስጦታ፣ በኑዛዜ ወይምአግባብባለውየመንግስትአካልውሳኔሊቋቋም ይችላል ።
2. በዚህአንቀጽንዑስአንቀጽ(1)የተጠቀሰውስጦታወይምኑዛዜአግባብባላቸውየፍትሐብሔርሕግድንጋጌዎችመሠረት ይመራል።
3. የአደራበጎአድራጎትድርጅትመሥራችየሆነሰውማቋቋሚያ ሰነድ፤ መሥራቹን፣ ባለአደራዎቹንና የአደራበጎአድራጎትድርጅቱንተጠቃሚዎችበግልጽለይቶ ማስቀመጥአለበት።

4.የአደራበጎ አድራጎትድርጅትቀጣይነት

1. የአደራ በጎ አድራጎት ድርጅት ለተወሰነ ወይም ላልተወሰነጊዜሊቋቋም ይችላል።
2. ላልተወሰነ ጊዜ የተቋቋመ የአደራ በጎ አድራጎት ድርጅትዘላቂናየማይሻርይሆናል።

5.በባለአደራዎችየሚቀርብየምዝገባማመልከቻ

1. የአደራበጎ አድራጎት ድርጅትመሥራችየሆነሰውባለአደራዎቹንመሾምአለበት ።
2. ባለአደራዎችበዚህአዋጅአንቀጽ50በተደነገገውመሠረትየ ምዝገባምስክርወረቀትለማግኘትለመስሪያ ቤቱየምዝገባጥያቄማቅረብይኖርባቸዋል።

SUB SECTION FOUR

CHARITABLETRUST

22.Basis

For the purpose of this Sub-section "Charitable Trust"isanOrganizationestablishedbyaninstrumentbywhichspecificpropertyisconstitutedsolelyforacharitable purpose to be administered by persons, thetrustees,in aççordance with the instructions givenbytheinstrumentconstitutingthecharitabletrust.

23.Formation

1. A Charitable Trust may be established by a donationorby awillorby the decisionoftheconcernedgovernmentbody.
2. AdonationorwillunderSub-article(1)ofthisArticle shall be governedby the relevant provisionsofCivilCode.
3. A document which established a charitable trust shallclearlyspecifythefounder,thetrusteesandbeneficiariesoftheCharitable Trust.

24.PerpetuityofaCharitableTrust

1. ACharitableTrustmaybeestablishedforadefiniteoranindefiniteperiod.
2. Where a Charitable Trust isestablishedforanIndefiniteperiod, itshall be perpetual and irrevocable.

25.ApplicationforRegistrationbyTrustees

1. ThefounderofaCharitableTrustshallappointtrustees.
2. TheTrusteesshallapplyto attorney general office for acertificate of registration in the manner provided inArticle50ofthis Proclamation.

3. የአደራበጎአድራጎትድርጅትየምዝገባጥያቄድርጅቱ በተመሠረተበሦስትወራትጊዜውስጥመቅረብይኖርበታል።

4. ባለአደራዎቹ የምዝገባ የምስክር ወረቀት ከማግኘታቸውበፊት በስጦታው ወይም በኑዛዜው ላይ የተመለከተውንሀብትባለይዞታነት ወይምባለቤትነት ወደአደራበጎአድራጎት ድርጅቱ ለማስተላለፍ ከሚያስፈልጉድርጊቶችበስተቀርበሀብቱላይሦስተኛወገኖች ንየሚያካትትማናቸውንምድርጊትመፈፀምአይችሉም።

<u>የባለአደራዎችብዛት</u>

1. የባለአደራዎች ብዛት ከሦስት ያነሰ እና ከአምስት የበለጠሊሆን አይችልም። ከሦስት ያነሱ ሰዎች ተሾመው ከሆነይህንመመዘኛለማሟላትመስሪያ ቤቱቀሪዎቹባለአደራዎችየሚሾሙበትን መንገድያመቻቻል።
2. ከአምስት በላይ ባለአደራዎች ተሾመው ከሆነ በቅድሚያየተጠቀሱት መሥራት የሚችሉና ፈቃደኝነት ያላቸውአምስትሰዎችብቻባለአደራይሆናሉ።
3. በዚህ አንቀጽ ንዑስ አንቀጽ (1) የተደነገገው ቢኖርምአንድወይምከዚያበላይድርጅቶችበባለአደራ ነትተሾመውከሆነየባለአደራዎቹብዛትከሦስትበታችእ ንዲሆንመስሪያ ቤቱሊፈቅድይችላል።
4. በዚህ አንቀጽ መሠረት ከሚሾሙት ባለአደራዎች ቢያንስአንዱመደበኛመኖሪያውኢትዮጵያውስጥመ ሆንአለበት።

<u>የባለአደራዎችአሿሿም</u>

1. ባለአደራየሚሾመውየአደራበጎአድራጎትድርጅቱንያቋቋመ ው ሰው ወይም እርሱ የወከለው ሰው ነው። እነዚህሰዎች ከሌሉ መስሪያ ቤቱ ባለአደራ የሚሾምበትን መንገድ ያመቻቻል።
2. የተሾመውባለአደራይህንኃላፊነትአልቀበልምካለወይምበ ማናቸውም ምክንያት ባለአደራነቱን ማከናወን ካልቻለበመተዳደሪያደንቡመሠረትሌላባለአደራይሾማል።

3. Anapplicationforthe registrationof aCharitableTrust shall be submitted within 3 months from theformationoftheCharitableTrust.

4. TheTrusteesmay notperformany actsinvolvingthirdpartiesbeforeacquiringacertificateofregistrationexceptthoseactsnecessaryfortransferring the resource mentionedinthe donationorwilltothepossessionorownershipoftheCharitableTrust.

26.<u>NumberofTrustees</u>

1. The numberofTrusteesshallnotinany casebelower than three and more than five. Where less thanthreepersonsareappointed,the office shallfacilitate the appointment of the number of peoplerequiredtofulfillthisrequirement.
2. Wheremorethanfivepersonsareappointed,asTrustees, the five first named persons who are ableandwillingtoactshallalonebethetrustees.
3. Notwithstanding sub-article(1) of thisArticle,theoffice may allow less than 3 persons as TrusteeswhereoneormoreofsuchtrusteeisaCharity.
4. AtleastoneoftheTrusteesappointedunderthisArticleshallbepermanent resident in the region.

27.<u>AppointmentofTrustees</u>

1. The Trustees may be appointed by the person whofounded the Trust or by the person designated byhim. In the absence of such appointment the attorney general office shallfacilitatetheappointmentofTrustees.
2. Where the Trustee so appointed refuses his agencyoris forany otherreasonunable to perform thetrusteeship,anewtrusteeshallbeappointedaccordingtherules ofthetrust.

28.ድርጅትንበባለአደራነትመሾም

1. መሥራቹ ሕጋዊ ሰውነት ያለውን ድርጅት በባለአደራነትከሾመ፣ የተሾመው ድርጅት ሥራ መሪዎች የአደራ በጎአድራጎትድርጅቱንያስተዳድራሉ።
2. በዚህ አንቀጽ ንዑስ አንቀጽ (1) የተጠቀሰው ድርጅትየአደራ በጎ አድራጎት ድርጅቱን በኑዛዜው፣ በስጦታውወይምበመስሪያ ቤቱትዕዛዝበተወሰነውመሠረትከሌሎችስጦታ ዎችወይምዓላማውንለማሳካትከሚጠቀምበትገ ቢለይቶበመያዝያስተዳድራል።

9.የአደራ በጎአድራጎትድርጅትአደረጃጀት

1. የአደራ በጎ አድራጎት ድርጅትን ሥራ አስኪያጅ፣ ገንዘብያዥ እና ኦዲተር በመሥራቹወይም መሥ መስራቹበወከለውሰውይሾማሉ።
2. ከላይበንዑስአንቀጽ1የተመለከቱትንኃላፊዎች መሥራቹ ወይም በመሥራቹ የተወከለው ሰው ያልሾመእንደሆነባለአደራዎቹከመካከላቸውወ ይምከውጭኃላፊዎቹንይሰይማሉ።
3. ባለአደራዎቹበንዑስአንቀጽ2መሠረትኃላፊዎ ቹንያልሰየሙእንደሆነ ኃላፊዎቹቢሮውይሾማሉ።
4. በዚህ አንቀጽ ንዑስ አንቀጽ 1 የተጠቀሰው ቢኖርም፣ባለአደራዎችኃላፊነታቸውንበጋራያ ከናውናሉ።
5. ባለአደራዎቹስብሰባቸውንየሚመራሊቀመንበ ርከመካከላቸውይመርጣሉ።

28.Appointment of a CharityasaTrustee

1. If the founder has appointed an Organization whichhasa legal personality as a trustee, the officers oftheappointedOrganizationwilladministerthetrust.
2. TheCharityprovidedinSub-article(1)shalladminister the Ćharitable trust by the terms of thewill, donation or order of the office and distinguishit from other donations or income that it utilizes toachieveits purposes.

29.StructureofaCharitableTrust

1. The Manager, treasurer and auditor of a charitabletrust shall be appointed by the founder, or delegatedbythefounder.
2. If these officers are not appointed by the founder,delegatedbyhisdelegatee,thetrusteesshal ldesignate the same from among themselves or thirdparties.
3. The bureau shall make such designation where thetrustees fail to make such designation or are unabletogivedecision.
4. Notwithstanding sub Article (1) of this provision,Trusteesshall executetheirresponsibilitiesjointly.
5. The Trustees shall among themselves choose thepersonwho shall serve as the chairpersoninthemeetings ofthetrustees.

8.ድርጅትንበባለአደራነትመሾም

1. መሥራቹ ሕጋዊ ሰውነት ያለውን ድርጅት በባለአደራነትከሾመ፣ የተሾመው ድርጅት ሥራ መሪዎች የአደራ በጎአድራጎትድርጅቱንያስተዳድራሉ።

2. በዚህ አንቀጽ ንዑስ አንቀጽ (1) የተጠቀሰው ድርጅትየአደራ በጎ አድራጎት ድርጅቱን በኑዛዜው፣ በስጦታውወይምበመስሪያ ቤቱትዕዛዝበተወሰነውመሠረትከሌሎችስጦታ ዎችወይምዓላማውንለማሳካትከሚጠቀምበትገ ቢለይቶበመያዝያስተዳድራል።

29.የአደራ በጎአድራጎትድርጅትአደረጃጀት

1. የአደራ በጎ አድራጎት ድርጅትን ሥራ አስኪያጅ፣ ገንዘብያዥ እና ኦዲተር በመሥራቹወይም መሥ መስራቹበወከለውሰውይሾማሉ።

2. ከላይበንዑስአንቀጽ1የተመለከቱትንኃላፊዎች መሥራቹ ወይም በመሥራቹ የተወከለው ሰው ያልሾመእንደሆነባለአደራዎቹከመካከላቸውወ ይምከውጭኃላፊዎቹንይሰይማሉ።

3. ባለአደራዎቹበንዑስአንቀጽ2መሠረትኃላፊዎ ቹንያልሰየሙእንደሆነ ኃላፊዎቹቢሮውይሾማሉ።

4. በዚህ አንቀጽ ንዑስ አንቀጽ 1 የተጠቀሰው ቢኖርም፣ባለአደራዎችኃላፊነታቸውንበጋራያ ከናውናሉ።

5. ባለአደራዎቹስብሰባቸውንየሚመራሊቀመንበ ርከመካከላቸውይመርጣሉ።

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3. The bureau shall make such designation where thetrustees fail to make such designation or are unabletogivedecision.

4. Notwithstanding sub Article (1) of this provision,Trusteesshall executetheirresponsibilitiesjointly.

5. The Trustees shall among themselves choose thepersonwho shall serve as the chairpersoninthemeetings ofthetrustees.

2.የአደራበጎአድራጎትድርጅትንስለመወከል

1. ሥራአስኪያጁየአደራበጎአድራጎትድርጅቱን ይወክላል።
2. ሥራ አስኪያጁ በርሱ ምትክ ድርጅቱን የሚወክለውንባለአደራይመርጣል፤ማናቸውም የአደራ በጎአድራጎትድርጅቱንጉዳዮችየሚከታተልጠበቃሊወክልይችላል።
3. ባለአደራዎቹ ከሥልጣን ወሰናቸው ሣያልፉ ለፈፀሟቸውሕጋዊድርጊቶችተጠያቂየሚሆነው የአደራበጎአድራጎትድርጅቱነው።

.የማቋቋሚያሰነዱትዕዛዞች

1. የአደራበጎአድራጎትድርጅቱንካቋቋመውሰነድየተቀበላቸውንግልጽየሆኑትዕዛዞችባለአደራውመከተልአለበት።
2. በዚህአንቀጽንዑስአንቀጽ1የተደነገገውቢኖርም በአደራ በጎ አድራጎት ድርጅቱ ተጠቃሚ ለሆነው ሰውጥቅምየሚያስፈልግሆኖየታየእንደሆነከተባሉትትዕዛዞችውጭለመሥራትባለአደራውከቢሮው ፈቃድመጠየቅይችላል።

.ለባለአደራዎችየሚፈፀምክፍያ

1. የአደራበጎአድራጎትድርጅቱ በተቋቋመበትሠነድወይምበማናቸውምሌላሕግበግልጽካልተመለከተበስተቀርአንድባለአደራክፍያየማግኘትመብትአይኖረውም።
2. የዚህ አንቀጽ ንዑስ አንቀጽ (1) ቢኖርም አንድ ባለአደራለአደራ በጎ አድራጎት ድርጅቱ ለሰጠው ወይምየአደራበጎ አድራጎት ድርጅቱን በመወከል ለፈጸመውሙያዊአገልግሎትክፍያሊፈጸምእንደሚገባሁሉምባለአደራዎችበጽሁፍሲስማሙእናቢሮውሲያፀድቅከበጎአድራጎትድርጅቱሀብት ተመጣጣኝ ክፍያያገኛል፤

32.RepresentationofaCharitableTrust

1. The TrusteeManagershall representthe CharitableTrust.
2. The Trustee Manager shall designate the trustee whoshall act in his stead and may also appoint an advocatetorepresenttheCharitableTrustinanyproceedings.
3. TheCharitableTrustshallbeliableforactsofTrusteeswithinthescopeoftheirauthority.

33.Order ofEstablishmentDocument

1. Atrusteeshalladheretotheordersundertheestablishmentdocumentofthetrust.
2. Notwithstanding the stipulations under sub article 1 thetrusteemayaskforpermissionfromtheattorney general officetooperatebeyondtheordersontheestablishmentdocument when it is essential to do so for the interest ofitsbeneficiaries.

34.RemunerationofTrustees

1. A Trustee shall not be entitled to remuneration unlessthis is specifically stated inestablishment documentthetrustinstrumentorbyanylaw.
2. Notwithstanding sub-article(1)ofthisArticle,atrustee who acts in a professional capacity shall beentitled to receive reasonable remuneration out of thetrust funds for any services that he provides to or onbehalf of the trust if all the trustees have agreed

inwriting and it is approved by the attorney general office that he maybereemuneratedfortheservices.

የአደራ በጎ አድራጎት ድርጅቱን ከማስተዳደር ...ርበተያያዘአንድባለአደራበግሉያወጣቸውወጪዎች ...ንዲተኩለትየመጠየቅመብትአለው።

የባለአደራውሥራመልቀቅ

1. ባለአደራውሥራየመልቀቅሀሳብካለውሥራውን ከመልቀቁከሁለትወርበፊትለሌሎችባለአደራዎችሊያሳውቅ ይገባል።ይህን ሳያስታውቅ ቢቀር ከዚህ የተነሣበአደራየበጎአድራጎትድርጅቱላይለሚደርሰው ኪሣራኃላፊይሆናል።

2. ባለአደራው ሥልጣኑን ለሌላ ባለአደራ እስከሚያስተላልፍድረስየአደራበጎአድራጎትድርጅቱን የማስተዳደርኃላፊነትአለበት።

... አንድ ባለአደራ የሥራ መልቀቂያ ጥያቄ ያቀረበ እንደሆነ በዚህ አንቀጽ ንዑስ አንቀጽ 1 የተደነገገው የማስጠንቀቂያ ጊዜ ከማለፉ አንድ ወር አስቀድሞ የአደራ በጎ አድራጎት ድርጅቱን ባቋቋመው ሰው ወይም ይህን ለመፈጸም ሥልጣን በተሰጠው ሰው፤ ወይም እነዚህ ባይኖሩ ቢሮው አዲስ ባለአደራ ይሾማል።

...ነደራበጎአድራጎትድርጅቱንንብረትማስያዝ

... የተጠቃሚዎች ባለገንዘቦች የአደራ በጎ አድራጎት ድርጅቱንንብረት ወይምተጠቃሚው ሊያገኙየሚገባውንአበልበማናቸውምሁኔታማስያዝአይችሉም፡፡

... ለተወሰነጊዜየተቋቋመየአደራበጎአድራጎት ድርጅትሲፈርስ ንብረቱን የመውሰድ መብት ያላቸው ባለገንዘቦችየአደራበጎአድራጎትድርጅቱን ንብረት ማስያዝይችላሉ።

3. A Trustee is entitled to indemnity for all personalexpensesandobligationsarisingoutofthea dministrationoftheCharitableTrust.

35.Resignationof aTrustee

1. A Trustee shall be liable for any consequent loss tothe Charitable Trust where he does not notify theother trustees and the Agency of his intentiontoresigntwomonthspriortohisresignatio n.

2. ATrusteeshallremainresponsiblefortheAdminist rationoftheCharitableTrustuntilhehands overtheTrusteeship.

3. WhereaTrusteeappliesforresignation,anewTru steeshallbeappointedbythepersonconstituting the Trust, by the person on whom suchpower has been conferred, or in default of any suchperson,by the bureau 1 monthpriorto the expiryofthenoticeprescribedinSub-Article(1).

36.AttachingCharitableTrusts

1. TheCreditorsofbeneficiariesmayinnocaseattac haCharitableTrustoranyallowancetowhichaben eficiaryis entitled.

2. The Creditors of persons who are to receive theproperty forming the object of the Charitable Trustconstitutedforadefiniteperiodmayatthedis solutionoftheCharitableTrustattachsuchpropert y.

<u>ሽያጭስለማስተላለፍ</u>

ኛውም በጎ አድራጎት ድርጅት ወይም ማህበር ፡ቱንለሊላሶስተኛ ወገን በሽያጭ ሲያስተላልፍ ለህዝብ ጥሲባል ከቀረጥ ነጻየገባ ንብረት ከሆነ ቤ፡በሀገሪቱየጉምሩክህግ መሰረት ተፈጻሚይሆናል፡፡

<u>ኮጠቃሚዎችመብት</u>

. ተጠቃሚዎች በአደራ በጎ አድራጎት ድርጅቱ ማቋቋሚያሠነድ መሠረት የሚገባቸው ጥቅም እንዲሰጣቸው የአደራበጎአድራጎትድርጅቱንሊጠይቁይችላሉ።

!. ተጠቃሚዎችመብቶቻቸውንየሚጎዳሁኔታሲፈጠርባለ አደራውእንዲሻርወይምተገቢየሆነዋስትናእንዲሰጥቢሮ ውንመጠየቅይችላሉ።

:. ተጠቃሚዎች የአደራ በጎ አድራጎት ድርጅቱ አካል በሆኑንብረቶችላይበግልምሆነበጋራየማዘዝወይምየማስ ተዳደርመብትየላቸውም።

. በዚህአንቀጽንዑስአንቀጽ3የተደነገገውቢኖርምእነዚህን ንብረቶችበሚመለከትየይርጋ ዘመንእንዲቋረጥ ማድረግን በመሳሰለው ሥራ መብቶቻቸውንየመጠበቅሥራዎችንብቻመፈፀምይችላ ሉ።

<u>ንዑስ ክፍል አምስት</u>

<u>ስለበጎአድራጎትኮሚቴ</u>

<u>ሰረቱ</u>

ክፍል አላማ የበጎ አድራጎት ኮሚቴ ማለት ቸውአምስትወይምከዚያበላይየሆኑገንዘብወይምሌላንብረ ጎ አድራጎት ዓላማ ከሕዝብ ለመሰብሰብ ሀሳብ ውሰዎችስብስብነው።

<u>37.TransferonSale</u>

AnyCharitableOrganizationorassociationwhiletransferring its property to third party on sale, if theproperty is imported with out being accustom for thesakeofpublicinterest,thesaleshallbedoneinaccordancewit htheCustomlawoftheCountry.

<u>38.RightsofBeneficiaries</u>

1. The beneficiaries may claim from the CharitableTrustthemakingoveroftheinterest,which,acco rdingtotheactofconstitutionoftheCharitableTrust, istoaccrueintheirfavor.
2. When the rights of beneficiaries are jeopardized,they may apply to the attorney general office for the dismissal ofthe trustee or to compel him to give appropriateguarantees.
3. The beneficiaries of the Charitable Trust have noright to dispose of orto administer the propertyforming the objectof the Charitable Trustjointlyorseverally.
4. Notwithstanding the provision of Sub Article (3) ofthis Article, beneficiaries of a Charitable Trust mayonly carry out those acts which their rights, such asthe interruption of a prescription in relation to suchproperty.

<u>SUB SECTION FIVE</u>

<u>CHARITABLECOMMITTEES</u>

39/<u>Basis</u>

A “Charitable Committee” is acollection of five ormore persons who have come togetherwiththeintent of soliciting money or other property from thepublicforpurposesthatareCharitable.

40.የበጎአድራጎትኮሚቴንስለማፅደቅ

1. የበጎ አድራጎት ኮሚቴ በቢሮው ሳይፀድቅ ገንዘብምሆነንብረትማሰባሰብወይምማናቸውምድርጊትመፈፀምአይችልም።
2. የዚህ አንቀጽ ንዑስ አንቀጽ 1 ኮሚቴውን ለማቋቋምበሚደረጉአስፈላጊእንቅስቃሴዎችላ ይተፈፃሚአይሆንም።
3. ቢሮውየበጎአድራጎትኮሚቴዎችን ሲያፀድቅየዚህንአዋጅአንቀጽ52እና55ድንጋጌዎችበማገናዘብመወሰንአለበት።

41.የሒሳብመግለጫ

1. የበጎአድራጎትኮሚቴውዓመታዊየሒሳብመግለጫ ለቢሮውማቅረብአለበት።
2. የበጎ አድራጎት ኮሚቴው የተቋቋመው ከአንድ ዓመትላነሰ ጊዜ ከሆነ ይህ ጊዜ እንዳለቀ የሒሳብ መግለጫማቅረብአለበት።

42.የበጎአድራጎትኮሚቴአደረጃጀት

1. የበጎአድራጎትኮሚቴንየሚያቋቁምውሳኔመሥራችአባላቱን፣የበጎአድራጎትኮሚቴውን ፕሬዚዳንት፣ገንዘብያዥናኦዲተርዝርዝርሁኔታ ማሳየትይኖርበታል።
2. ውሳኔውየበጎአድራጎትኮሚቴውንዓላማዎችእና ዓላማዎቹንየሚያሳካበትንጊዜመግለፅይኖርበታል።
3. አስፈላጊ ሆኖ ሲገኝ ውሳኔው የበጎ አድራጎት ኮሚቴውሥራዎች እንዴት መከናወን እንዳለባቸው መወሰን እናበኮሚቴው የሚሰበሰበውን ገንዘብ እና ንብረት መጠንና አጠቃቀሙን ለመቆጣጠር አስፈላጊ የሆኑ እርምጃዎችንማስቀመጥ ይኖርበታል።ዝርዝሩ ቢሮው በሚያወጣውመመሪያይወሰናል።

40.Approval ofCharitableCommittees

1. Charities Committeesshall notcollectfunds orperform any other activities without acquiring anapprovalfromtheattorney general office..
2. Sub-article (1) of this Article shall not apply toactivitiesnecessaryfortheformationofacharitable committee.
3. The attorney general office shall consider Articles 52 and 55 ofthisProclamationwhenapprovingacharitablecommittee.

41.StatementofAccounts

1. ACharitableCommitteeshallsubmititsannualstatementofaccounts totheattorney general office..
2. A Charitable Committee should submit its statementofaccountsatitsdissolutionwheretheperiodforwhich the Charitable Committee is formed is less thanoneyear.

42.Structure ofaCharitablecommittee

1. The decisionestablishing the Charitable Committeeshall specify the particulars of persons who found theCharitableCommitteeandthosewhoshallactasPresident,treasurerandAuditoroftheCharitableCommittee.
2. ThedecisionshallspecifythepurposesoftheCharitable Committee and the time within which it hastoachievethem.
3. The decision shall determine, where appropriate, themannerinwhichtheactivitiesoftheCharitablecommitteemaybecarriedoutandprescribesuchmeasures that are necessary to control the amount andtheuseof thefunds andproperty collectedby theCharitable committee. Particulars shall be determinedbyDirectives issuedbythebureau.

.የአባላትኃላፊነት

1. ከበጎአድራጎትኮሚቴውእንቅስቃሴለሚመነጩግዴታዎችናዕዳዎችአባላትበአንድነት እና በነጠላኃላፊይሆናሉ።
2. በዚህ አንቀጽ ንዑስ አንቀጽ 1 የተደነገገውን በተመለከተመስሪያ ቤቱ፣የዘርፍአስተዳደሪው፣ማናቸውም ለጋሽ፣አባልወይምተጠቃሚ፣በኮሚቴውአባላትላይክስየማቅረብመብትአላቸው።

4.በቂያልሆነገንዘብናንብረት

1. በበጎአድራጎትኮሚቴውየተሰበሰበውገንዘብናንብረትየኮሚቴውን ዓላማ ለማሳካት በቂ ካልሆነ ወይም ዓላማውንማሳካትየማይቻልከሆነይህገንዘብወይምንብረትየኮሚቴው መቋቋም በፀደቀበት ውሳኔ ላይ በተመለከተውመሠረትበሥራላይይውላል።
2. በዚህ አንቀጽ ንዑስ አንቀጽ 1 በፀደቀው ውሳኔ ውስጥየተመለከተ ነገር ከሌለ ገንዘቡ ወይም ንብረቱ ለስጦታአድራጊዎቹተመላሽይሆናል።
3. ለበጎ አድራጎት ኮሚቴው ገንዘብ ወይም ንብረት የሰጡሰዎችመልሰውሊወስዱትካልፈለጉወይምካልቻሉወይምየማይታወቁከሆነበዚህአዋጅድንጋጌዎች መሠረት በመስሪያ ቤቱ ውሳኔ ለተመሳሳይ የበጎ አድራጎትዓላማይውላል።

5.ቀሪገንዘብናንብረት

1. በበጎአድራጎትኮሚቴውየተሰበሰበውገንዘብወይምንብረትዓላማውንለማሳካት አስፈላጊከሆነው በላይከሆነ ቀሪው ገንዘብ ወይም ንብረት ኮሚቴው ባፀደቀውውሳኔ መሠረት ለሌላ ተመሳሳይ የበጎ አድራጎት ዓላማሥራላይይውላል።
2. በውሳኔው ውስጥ ይህንን በሚመለከት የተገለፀ ነገር የሌለእንደሆነ ገንዘቡ ወይም ንብረቱ መስሪያ ቤቱ በዚህ አዋጅድንጋጌዎች መሠረት ለሌላ ለተመሳሳይ የበጎአድራጎትዓላማይውላል።

43.LiabilityofMembers

1. ThemembersofaCharitableCommitteeshallbejointly and severally liable for obligations and debtsarisingoutofits activities.
2. Any donor, member, beneficiary, the office or theSectorAdministratorshallhavestandingforthepurposeof sub-article1.

44. InsufficientFundandProperty

1. WherethemoneyorpropertycollectedbytheCharitableCommitteeisinsufficientto attaintheobject which the charitable committee proposed toachieve,orwhereachievementofitspurposebecomes impossible, such money or property shallhavethedestinationprescribedbythedecisionwhichhasapprovedthecharitablecommittee.
2. In absence of aprovision, to that effectthe moneyorproperty shallbereturned to thepersonswhohavedonatedthemoneyorproperty.
3. If Persons who have donated money or property tothe Charitable committee cannot or do not want toclaim it back, the money or property shall be placedat the disposal of the attorney general office and shall be destinedfor a similar charitable purpose in accordance withtheprovisions ofthisProclamation.

45.Balance

1. WherethemoneyorpropertycollectedbytheCharitable Committee amounts to more than what isnecessaryfortheattainmentoftheproposedpurpose, the balance shall have the destination foranotherCharitablepurposeprescribedbythedecisionapproved bytheCharitablecommittee.
2. Inthe absence of any Provisionto that effect,itshall be placed at the disposal of the attorney general office andshall be destined for a similar Charitable purpose inaccordancewiththeprovisionsofthisProclamation.

6.ወደዘላቂበጎአድራጎትድርጅትነትስለመለወጥ

1. የበጎአድራጎትኮሚቴውበፀደቀበትውሳኔላይበተመለከተውመሠረትበኮሚቴውየተሰበሰበውገንዘብ ወይም ንብረት ለአንድ ለተወሰነ ዘላቂ ዓላማየሚውል ከሆነ ይህንኑ ዓላማ ለማሳካት ዘላቂ የበጎአድራጎትድርጅት ይቋቋማል።

2. በበጎ አድራጎት ኮሚቴው የተሰበሰበው ገንዘብ ወይምንብረት የታቀደውን ዓላማ ለማሳካት አስፈላጊ ከሆነውእጅግየበዛከሆነየኮሚቴውአባላትበሲቪልማኅበረሰብድርጅትነትለመመዝገብሊያመለክቱይችላሉ።

3. ኮሚቴውበድርጅትነትከተመዘገበ፣በኮሚቴውየተሰበሰበው ገንዘብና ንብረት ወደተመዘገበው ዘላቂ በጎአድራጎትድርጅትነት ይተላለፋል።

ንዑስ ክፍል ስድስት
ኅብረቶችናየኅብረቶችኅብረት

7.ኅብረቶችናየኅብረቶችኅብረትአመሠራረት

1. ሁለትና ከዚያ በላይ የሆኑ የሲቪል ማኅበራት ድርጅቶችወይምኅብረቶችየጋራዓላማቸውንለማሳካትበመካከላቸው በሚያደርጉት ስምምነት ወይም በዚህ ሕግበተመለከቱትድንጋጌዎችመሠረትኅብረትወይምየኅብረቶችኅብረትመመሥረትይችላሉ።
2. ኅብረቶችወይምየኅብረቶችኅብረትከአባሎቻቸውመብትናጥቅምጋርየተያያዘማንኛውንምሕጋዊዓላማለማሳካትሊመሠረቱይችላሉ፤ይህምየሚከተሉትንያካትታል:-

ሀ)ለጋራግቦችስኬታማነትአባሎቻቸውንማስተባበርናመደገፍ፤

ለ) የሀሳብ፣የመረጃ እና የልምድ ልውውጥንማካሄድ፤

46.ChangeintoaCharitableEndowment

1. Where under the decision approving the charitablecommittee the money or property collected by theCharitable committee is to be destined to a specificlastingobject,aCharitableEndowmentshallbe constituted fortheattainmentofsuchobject.

2. Wherethemoneyorpropertycollectedbythecharitablecommitteeissignificantlylargerthanwhat is necessary for the attainment of the proposedpurpose,the members of a CharitableCommitteemay seek permission and apply forregistrationascivilsocietyorganization.

3. If the Committee is registered as an Organization,the money or property collected by the Committeeshallbetransferredtothe CharitableEndoment.

SUBSECTIONSIX
CONSORTIAANDCONSORTIUMOFCONSORTIUM

47.Formationof Consortium and Consortiumof Consortiums

1. Twoormorecivilsocietyorganizationsorconsortiums may form a consortium or a consortiumofconsortiumsinaccordancewithanagreementconcludedamongthemselvestowardstheachievement of their objectives or in accordance withtheprovisions ofthisProclamation.
2. Consortiums or a consortium of consortiums may beestablished for any legal purpose related to rights andbenefits of their members including those indicatedbelow:

   a) To support their members for the achievement ofcommonobjectives;

   b) To facilitate the sharing of ideas, information andexperience;

(ሐ)የአባላትንአቅምመገንባትናሀብትየማሰባሰብ ጥረታቸውንመደገፍ፤

መ) የአባላትን ሥነ ምግባርና የሙያ ደረጃ ለማሳደግ ሚያስችሉሥራዎችንማከናወን፤

ሠ) የአባላት የጋራ ድምፅ በመሆን የአባላትንየጋራመብትና ቅምማስከበርእናለአባላትምቹየሥራሁኔታእንዲፈጠር ሟገት፤

ረ) አባሎቻቸው በተሠማሩበት የሥራ ዘርፍ የጥናትና ርምር፣ እንዲሁም የፖሊሲ ሙግትእና ድጋፍ ራዎችንማከናወን።

3. ከላይበዝርዝርየተጠቀሱትዓላማዎችእንደተጠበቁሆነው፣ ማንኛውም ኅብረት አባል ድርጅቱ ከሚሰራበትየሥራዘርፍጋርተመሳሳይየሆነ ሥራ በመሥራትከአባሉጋርውድድርውስጥሊገባአይችልም።ሆኖም፣ኅብረቶችሀብትበማሰባሰብበአባሎቻቸውአማካኝነት የፕሮጀክትሥራዎችንማከናወንይችላሉ።

ንዑስክፍልሰባት

የድርጅቶችምዝገባ

8.ምዝገባ

1. ማንኛውም ድርጅት በዚህሕግ መሠረት በመስሪያ ቤቱመመዝገብአለበት።
2. መሥሪያ ቤቱ የድርጅት ማመልከቻ በቀረበለት በ30 ቀናት ውስጥ፣ በዚህ አዋጅ የተደነገጉት አስፈላጊ ሁኔታዎች መሟላታቸውን ካረጋገጠ በኋላ አመልካች ድርጅቱን በመመዝገብ የምስክር ወረቀት ይሰጣል።
3. አመልካቹ በዚህ አንቀጽ ንዑስ አንቀጽ 2 ላይ በተመለከተው ጊዜ ውስጥ በስራ ክፍሉ የምዝገባ የምስክር ወረቀት ያልተሰጠው እንደሆነ በ30 ቀናት ውስጥ ቅሬታውን ለመሥሪያ ቤቱ ኃላፊ ማቅረብ ይችላል።

c) To build the capacity of members and support theirresourcemobilizationefforts;

d) Toundertakeactivitiesdesignedtoenhancetheethical andprofessionalstandardsamongmembers;

e) To work for the protection of the rights of membersby articulating their common voice and advocate forenablingworkenvironmentformembers;

f) To conduct research and policy advocacy activitiesin thesectorsinwhich theirmembersoperate.

3. Notwithstanding the above mentioned aims, a consortiummay not involve itself in operations that place it in directcompetitionwithamemberorganization.However,consortiums are not barred from collecting and mobilizingresourcestooperateprojectsthroughtheirmemberorganizations.

SUB SECTION SEVEN

REGISTRATIONOFORGANIZATIONS

48.Registration

1. Any organizations shall be registered by the attorney general office inaccordancewiththeseprovisions.
2. The attorney general office shall, upon application and after ensuringthe fulfillment of the requirements stipulated under thisProclamation,registertheapplicantandissuearegistration certificate within 30 days from the date ofapplication.
3. Wheretherelevant department fails to issuecertificateofregistrationwithintheperiodindicatedundersub-article 2, the applicant may file its complaint to the head of attorney general office.

4. የመሥሪያ ቤቱ ኃላፊ የቀረበለትን ቅሬታ በመመርመር በ15 ቀናት ውስጥ ውሳኔ ይሰጣል።

5. መስሪያ ቤቱድርጅቱንያልመዘገበውያለበቂምክንያትመሆኑን ጠቅላይ አቃቢ ህጉ ሲረዳ የምዝገባ ሰርተፊኬቱ ወዲያውኑእንዲሰጥያዛል።ለዚህድንጋጌአፈጻጸም፣ መስሪያ ቤቱ ለቀረበለትየምዝገባማመልከቻበንዑስአንቀጽ2በተመለከተውጊዜምላሽካልሰጠ፣ድርጅቱንላለመመዝገብበቂምክንያትእንደሌለውይቆጠራል።

6. በጠቅላይ ዐቃቤ-ሕጉ ውሳኔ ላይ ቅር የተሰኘ አመልካች የጠቅላይ ዐቃቤ-ሕጉ ውሳኔ በደረሰው በ30 ቀናት ውስጥ ለክልሉ ጠቅላይ ፍርድ ቤት ይግባኝ ማለት ይችላል።

9.<u>ለምዝገባየሚያስፈልጉሰነዶች</u>

1. የአገር በቀል ድርጅቶች የምዝገባ ማመልከቻ በድርጅቱመሥራቾች ሰብሳቢ ተፈርሞ መቅረብ ያለበት ሲሆን፣የሚከተሉትንዝርዝርጉዳዮችማካተትይኖርበታል:-

ሀ)የመሥራቾችንሥም፣አድራሻናዜግነትየያዘየምሥረታቃለ-ጉባኤ፤

ለ)የመሥራቾችየመታወቂያወይምየፓስፖርትኮፒ፤

ሐ)የድርጅቱንሥምእንዲሁምዓርማ(ካለው)፤

መ)የድርጅቱንዓላማእናሊሰማራያሰበበትንየሥራዘርፍ፤

ሠ)ሊሰማራያሰበበትንየሥራቦታ፤

ረ) በመሥራቾች የፀደቀ መተዳደሪያ ደንብ፤(ሰ)የድርጅቱንአድራሻ።

2. የህብረቶች የምዝገባ ማመልከቻ በተወካያቸው ድርጅት ኃላፊ አማካኝነት ተፈርሞ ከሚከተሉት ሰነዶች ጋር ተያይዞ ይቀርባል፤

ሀ) በህብረቱ መሥራች ድርጅቶች ተወካዮች የተፈረመ የመተዳደሪያ ደንብ፣

ለ) አባላት ኅብረቱን ለመመሥረት የተስማሙበት ቃለ-ጉባዔ፣

ሐ) ለህብረቱ አባላት ከመሥሪያ ቤቱ ወይም ሥልጣን ካለው ሌላ አካል የተሰጠ የአባላት የምዝገባ የምስክር ወረቀት፣

3. አመልካቹ አግባብነት ባለው ደንብ የሚወሰነውን የምዝገባ ክፍያ ይከፍላል።

4. የሙያ ማህበራት ምዝገባ እና አስተዳደር ዝርዝር ጉዳዮችን በተመለከተ መሥሪያ ቤቱ መመሪያ ሊያወጣ ይችላል።

4. The head of attorney general shall examine the complaint and make adetermination on the matter with in aperiod of 15 (fifteen) days.

5. Where the attorney general finds that the attoney general office failed registerthe Organizationwithout a good cause; it shall directtoissuethecertificateofregistrationforthwith.Forthepurposeofthisprovision,theAttorney general office shall be deemed not to have a good cause torefuseregistrationifitfailstorespondtosuchapplication within the time limit mentioned under subarticle2ofthisarticle.

6. An applicant dissatisfied with the decision of the attorney general may lodge an appeal before the regional suprem Courtwithin 30daysfromreceivingtheattorney general'sdecision.

<u>49.DocumentsRequiredforRegistration</u>

1. An application for registration by Local Organizationshallbesignedbythefoundersandcontainthefollowingparticulars:
   a. The minutes of the formative meeting indicatingthenames,addressesandcitizenshipofthefounders;
   b. Copyoftheidentitycardorpassportofthefounders;
   c. The name of the organizationand its logo,if ithas one;
   d. Theobjectivesoftheorganizationanditsintendedsectorofoperation;
   e. Theplacewhereitintendstooperate;
   f. The Rules of the organization approved by thefounders;
   g. TheOrganization'saddress.

2. TheapplicationforregistrationbyaConsortiumshallbesigned and submitted by the head of their representativeOrganizationandshallcontain thefollowingparticulars:
   a) RulesoftheConsortiumsignedbytherepresentatives offounder;
   b) The minutes of the decisionamong members toformtheconsortium;
   c) Acertificate of registrationissuedby the Attorny general office or Authorized Regional Government body to themembers oftheConsortium.

3. TheapplicantshallpayaregistrationfeetobedeterminedbytherelevantRegulation.

4. The Attorny general office may issuedirectivesondetails regarding the registrationandAdministrationofProfessionalAssociations.

ምዝገባጥያቄንስላለመቀበል

ነቅላይ ዐቃቤ-ሕጉከሚከተሉት ምክንያቶች አንዱ ፕሩንካረጋገጠድርጅቱንአይመዘግብም፡-

ማመልከቻው በዚህ አዋጅ አንቀጽ 49 የተደነገጉትንመስፈርቶችየማያሟላሆኖሲገኝና ይህንንምእን ዲያስተካክልየአመልካቹተወካይተጠይቆለማስተካከልካልቻ ለ፤

) የድርጅቱ ዓላማ ወይም በመተዳደሪያ ደንቡ ላይየተመለከተው የሥራ ዝርዝር ለሕግ ወይም ለሕዝብሞራልተቃራኒከሆነ፤

ፊ)ድርጅቱየሚመዘገብበትሥምወይምዓርማ፡ከሌላድርጅት ወይም ከማንኛውም ሌላ ተቋም ሥም ጋርየሚመሳሰል ከሆነ ወይም ሕግን ወይም የሕዝብንሞራል የሚቃረንከሆነ፤

ፀ)ድርጅቱለምዝገባያቀረበው ሰነድ በሐሰትየተዘጋጀወይምየተጭበረበረከሆነ።

ማመልከቻውን በዚህ ሕግ መሠረት መርምሮ ተቀባይነትየሌለውከሆነአመልካቹየጎደለውንነገር በ30 ቀናትውስጥአስተካክሎእንዲቀርብ መስሪያ ቤቱ በጽሑፍመልስይሰጠዋል።

' አመልካቹ የተባለውን ነገር ለማስተካከል ፍቃደኛ ካልሆነመስሪያ ቤቱ ማመልከቻውንያልተቀበለበትንሕጋዊምክንያትበመጥቀስጥ ያቄውንውድቅያደርጋል።

/በወረዳ ዐቃቤ-ህግ ጽ/ቤት የምዝገባ ጥያቄው ውድቅ ተደርጎበት ቅር ከተሰኘ ወገን ቅሬታውን በ15 ቀናት ውስጥ ለዞን ዐቃቤ-ህግ መምሪያ ያቀርባል፡፡ በዞን ዐቃቤ-ህግ መምሪያ የምዝገባ ጥያቄው ውድቅ የሆነበት አመልካች በዉሳኔዉ ቅር ከተሰኘ ቅሬታውን በ30 ቀናት ውስጥ ለመስሪያ ቤቱ ሃላፊ ማቅረብ ይችላል፡፡

50. Refusalof Applicationfor Registration

1/The attorney general shall refuse to registeran Organizationwhereitfindsthat:

a) Theapplicationdoesnotcomplywiththenecessary conditions set out under Article 49 ofthisProclamationandtheapplicant'srepresentative fails to meet such conditions afterbeingrequestedtodoso;

b) TheaimoftheOrganizationortheactivitiesdescriptionundertheOrganization'srulesarecontrarytolaworpublicmoral;

c) The name or symbol under which the proposedOrganizationistoberegisteredresemblesthenameofanotherOrganizationoranyotherinstitutionoriscontrary topublicmoralorisillegal;

d) The documentfurnishedforregistrationby theOrganization isfraudulentlyobtainedor forged.

2/Ifanapplicationfailstofulfillthenecessaryrequirements laid out under the law, the attorney general office mustprovide a written response permitting the applicant tofulfillsuchrequirementsandresubmititsapplicationwithin30days.

3/If the applicant is unwilling to amend and resubmit itsapplication, the Attorny general office shall reject the application forregistration and state the legal grounds for rejecting theapplication.

4/Anapplicantthatisdissatisfiedwith Wereda attorney general office'sdecision may lodge a complaint before zone attorney general office within30daysfromreceivingthedecision. An applicantthatisdissatisfiedwithzone attorney general office'sdecision may lodge a complaint before attorney general within30daysfromreceivingthedecision.

...Administrative Council

ጠቅላይ ዐቃቤ-ሕጉ ቅሬታው በቀረበለት በ15 ቀናት ውስጥ ቅሬታውን መርምሮ ውሳኔ ይሰጣል፡፡

/አንድ ድርጅት በማታለል ወይም በማጭበርበር የምዝገባ የምስክር ወረቀት አግኝቶ ከሆነ፣ ይኸው በመሥሪያ ቤቱ ሲረጋገጥ የመስሪያ ቤቱ ኃላፊ ድርጅቱ እንዲፈርስ ሊወስን ይችላል።

' በዚህ አንቀጽ ንዑስ አንቀጽ 5 እና 6 መሠረት በተሰጠ ·ሳኔ ቅሬታ ያለው ድርጅት የመስሪያ ቤቱ ኃላፊ ውሳኔ ደረሰው በ30 ቀናት ውስጥ ይግባኙን በመሥራቾቹ ማካኝነት ለክልሉ ለጠቅላይ ፍርድ ቤት ማቅረብ ይችላል።

I.<u>የመተዳደሪያደንብአስፈላጊነትናይዘት</u>

ማንኛውምድርጅትየሚከተሉትንመረጃዎችየያዘየመተዳደሪያደንብ ሊኖረውይገባል፡-

') የድርጅቱሥም፤

.)የድርጅቱዓላማዎች፤

ሐ)የድርጅቱየበላይአካል፣ሥልጣንናተግባር፣የውስጥአደረጃጀትናአስተዳደር፣የስብሰባናየውሳኔ አሰጣጥሥርዓት፤

መ)የድርጅቱገቢናሐብትለአባላትእንዲሁምለሠራተኞች በሕግ ከተፈቀደ የአገልግሎት ክፍያበቀርሊከፋፈልየማይችልመሆኑን፤

') የድርጅቱ አባል ወይም ሠራተኛ በመሆኑ ብቻበድርጅቱንብረትላይአንዳችምመብትየማይኖረውመሆኑን፤

) ድርጅቱ ከአባላት የተለየ የራሱ መለያና የሕግሰውነት ያለውመሆኑን፤

)የአባላትመለዋወጥበድርጅቱሕልውና ላይተጽዕኖየሌለውመሆኑን፤

አባልነትበውርስየማይተላለፍመሆኑን፤

5) TheAttorney general shall reviewthecompliantandgiveitsdecisionwith in 15daysupon receivingthecompliant.

6) If an Organization obtained a registration certeficate byfraudulentorforgeryactandifitisverifiedby the attorney general office,theattorney generalshalldecidedissolussionofTheOrganization.

7) IftheOrganizationisunsatisfiedwiththe attorney general'sdecision that is given in accordance with sub article 5and 6 of this article, the Organization may lodge anappeal before the regional suprem Court within 30 daysfromreceivingtheattorney general'sdecision.

51.<u>The Significanceof an Organizational Rule andItsContents</u>

1/AllOrganizationsmusthaverulescontainingthefollowing:

a) TheOrganization'sname;

b) TheOrganization'sobjectives;

c) The Organization's Executive body,Power andFunctions,internalgovernanceandstructure,meetinganddecision-makingprocedures;

d) AstipulationindicatingthattheOrganization'sincome and resources may not be distributed tomembersoremployeesexceptforpaymentoflegallypermittedservicefees;

e) A stipulation indicating that the Organization'smembers or employees do not have an automaticright over the organizations resource only by themerefactoftheirmembership;

f) A stipulationindicating that the Organization hasa separate and independent legal personality andsymbolfromitsmembers;

g) A stipulation indicating that Change of MembersoftheOrganizationdonothaveeffectonthe existenceoftheOrganization;

h) Membershipdoes notdevolvebyinheritance;

ቅላይ ዐቃቤ-ሕግ ቅሬታው በተረበለት በ15 ቀናት ውስጥ ቅሬታውን መርምሮ ውሳኔ ይሰጣል፡፡

/አንድ ድርጅት በማታለል ወይም በማጭበርበር የምዝገባ የምስክር ወረቀት አግኝቶ ከሆነ፣ ይኸው በመሥሪያ ቤቱ ሲረጋገጥ የመስሪያ ቤቱ ኃላፊ ድርጅቱ እንዲፈርስ ሊወስን ይችላል።

/ በዚህ አንቀጽ ንዑስ አንቀጽ 5 እና 6 መሠረት በተሰጠ ውሳኔ ቅሬታ ያለው ድርጅት የመስሪያ ቤቱ ኃላፊ ውሳኔ ደረሰው በ30 ቀናት ውስጥ ይግባኙን በመሥራቾቹ ማካኝነት ለክልሉ ለጠቅላይ ፍርድ ቤት ማቅረብ ይችላል።

1.<u>የመተዳደሪያደንብአስፈላጊነትናይዘት</u>

/ማንኛውምድርጅትየሚከተሉትንመረጃዎችየያዘየመተዳደሪያደንብ ሊኖረውይገባል፡-

ሀ) የድርጅቱሥም፤

ለ)የድርጅቱዓላማዎች፤

ሐ)የድርጅቱየበላይአካል፣ሥልጣንናተግባር፣የውስጥአደረጃጀትናአስተዳደር፣የስብሰባናየውሳኔ አሰጣጥሥርዓት፤

መ)የድርጅቱገቢ.ናሐብትለአባላትእንዲሁምለሠራተኞች በሕግ ከተፈቀደ የአገልግሎት ክፍያበቀርሊከፋፈልየማይችልመሆኑን፤

ሠ) የድርጅቱ አባል ወይም ሠራተኛ በመሆኑ ብቻበድርጅቱንብረትላይአንዳችምመብትየማይኖረውመሆኑን፤

ረ) ድርጅቱ ከአባላት የተለየ የራሱ መለያና የሕግሰውነት ያለውመሆኑን፤

(ሰ)የአባላትመለዋወጥበድርጅቱሕልውና ላይተጽዕኖየሌለውመሆኑን፤

(ሸ)አባልነትበውርስየማይተላለፍመሆኑን፤

5) TheAttorney general shall reviewthecompliantandgiveitsdecisionwith in 15daysupon receivingthecompliant.

6) If an Organization obtained a registration certeficate byfraudulentorforgeryactandifitisverifiedby the attorney general office,theattorney generalshalldecidedissolussionofTheOrganization.

7) IftheOrganizationisunsatisfiedwiththe attorney general'sdecision that is given in accordance with sub article 5and 6 of this article, the Organization may lodge anappeal before the regional suprem Court within 30 daysfromreceivingtheattorney general'sdecision.

51.<u>The Significanceof an Organizational Rule andItsContents</u>

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e) A stipulation indicating that the Organization'smembers or employees do not have an automaticright over the organizations resource only by themerefactoftheirmembership;
f) A stipulationindicating that the Organization hasa separate and independent legal personality andsymbolfromitsmembers;
g) A stipulation indicating that Change of MembersoftheOrganizationdonothaveeffectontheexistenceoftheOrganization;
h) Membershipdoes notdevolvebyinheritance;

)የድርጅቱየሒሳብናየገንዘብእንቅስቃሴተቀባይነት ባለውየሒሳብአያያዝሥርዓትየሚመራመሆኑን፤

(በ)የድርጅቱንየሥራናየሒሳብዕቅድናአፈጻጸምየሚመረምረውናየሚያጸድቀውየበላይአካልመሆኑን፤

(ተ)መተዳደሪያደንቡየሚሻሻልበትንሥርዓት፤

(ቸ)የድርጅቱንየበጀትዓመት፤

(ነ) ድርጅቱ እንዲፈርስ ወይም እንዲዘጋ የሚወስነውንየበላይአካልናየሚመራበትንሥርዓት፤

(ኘ)ድርጅቱሲፈርስያለበትንሕጋዊዕዳ ከፍሎተራፊውንብረት የድርጅቱ የበላይ አካል ለመረጠውሌላ ድርጅት ወይም በመሰሪያ ቤቱ በኩል ለሌላ አካልወይምበዚህአዋጅመሰረትለተቋቋመውፈንድየሚተላለፍመሆኑን።

2/ በዚህ አንቀጽ ንዑስ አንቀጽ (1) ከተዘረዘሩት በተጨማሪየመተዳደሪያደንቡ የሚከተሉትንም ሊያካትት ይችላል:-

ሀ)ለአባልነትብቁየሚያደርጉመስፈርቶች፤

ለ)አባልነትየሚቋረጥባቸውንወይምየሚታገድባቸውንምክንያቶች፤

ሐ)አባልነትሲቋረጥወይምሲታገድበድርጅቱውስጥይግባኝየሚጠየቅበትሥርዓት፣

መ) የአባልነትና ሌሎች ክፍያዎች የሚወሰኑበትናየሚጠየቁበትሥርዓት፤

ሠ) የሥራ አመራር ኃላፊዎች የሚሾሙበትናየሚሻሩበትሥርዓት፣ሥልጣንናተግባራት፤

ረ)የሥራአስፈጻሚቦርድአባላትየሚሾምበትናየተጠሪነትሥርዓት፣ሥልጣንናተግባራት፤

i/TheOrganization'saccountsandfinancialtransactionswill bemanagedbyanacceptedaccountingsystem;

j/ The Supreme body of the Organization will examineand approve the Organization's financial and workplanandperformance;

k/Procedure for amending the rules;

l/TheOrganization'sbudgetyear;

m/TheOrganizationalbodythatwilldecideto dissolveandclosetheOrganization,andtheprocedurestobefollowed;

n/ A stipulation indicating that during dissolution, oncethedebtsoftheOrganizationarepaidtheoutstanding money and property shall be transferredtoanotherorganizationnamedbytheOrganization'ssupremebodyortoanotherbodythrough the office or to the fund established underthisproclamation.

2/ In addition to the information mentioned above. the RulestheOrganizationmayalsoinclude:

a) Requirementsthatmustbefulfilledformembership;

b) Reasonsforterminationorsuspensionofmembership;

c) Internal procedures for appealing from decisions toterminateorsuspendmembership;

d) Procedures for imposing and collecting membershipandotherfees;

e) The power, procedure for appointment and procedureforremovalofexecutivemembersofthe organization;

f) Thepowersandfunctionsandprocedurefortheappointment andaccountability of the officers of theorganization;

)የድርጅቱየሒሳብናየገንዘብእንቅስቃሴተቀባይነት ባለውየሒሳብአያያዝሥርዓትየሚመራመሆኑን፤

(በ)የድርጅቱንየሥራናየሒሳብዕቅድናአፈጻጸምየሚመረምረውናየሚያጸድቀውየበላይአካልመሆኑን፤

(ተ)መተዳደሪያደንቡየሚሻሻልበትንሥርዓት፤

(ቸ)የድርጅቱንየበጀትዓመት፤

(ነ) ድርጅቱ እንዲፈርስ ወይም እንዲዘጋ የሚወስነውንየበላይአካልናየሚመራበትንሥርዓት፤

(ኘ)ድርጅቱሲፈርስያለበትንሕጋዊዕዳ ከፍሎተራፊውንብረት የድርጅቱ የበላይ አካል ለመረጠውሌላ ድርጅት ወይም በመሰሪያ ቤቱ በኩል ለሌላ አካልወይምበዚህአዋጅመሰረትለተቋቋመውፈንድየሚተላለፍመሆኑን።

2/ በዚህ አንቀጽ ንዑስ አንቀጽ (1) ከተዘረዘሩት በተጨማሪየመተዳደሪያደንቡ የሚከተሉትንም ሊያካትት ይችላል:-

(ሀ)ለአባልነትብቁየሚያደርጉመስፈርቶች፤

(ለ)አባልነትየሚቋረጥባቸውንወይምየሚታገድባቸውንምክንያቶች፤

(ሐ)አባልነትሲቋረጥወይምሲታገድበድርጅቱውስጥይግባኝየሚጠየቅበትሥርዓት፣

(መ) የአባልነትና ሌሎች ክፍያዎች የሚወሰኑበትናየሚጠየቁበትሥርዓት፤

(ሠ) የሥራ አመራር ኃላፊዎች የሚሾሙበትናየሚሻሩበትሥርዓት፣ሥልጣንናተግባራት፤

(ረ)የሥራአስፈጻሚቦርድአባላትየሚሾምበትናየተጠሪነትሥርዓት፣ሥልጣንናተግባራት፤

i/TheOrganization'saccountsandfinancialtransactionswill bemanagedbyanacceptedaccountingsystem;

j/ The Supreme body of the Organization will examineand approve the Organization's financial and workplanandperformance;

k/Procedure for amending the rules;

l/TheOrganization'sbudgetyear;

m/TheOrganizationalbodythatwilldecideto dissolveandclosetheOrganization,andtheprocedurest obefollowed;

n/ A stipulation indicating that during dissolution, oncethedebtsoftheOrganizationarepaidtheoutstanding money and property shall be transferredtoanotherorganizationnamedbytheOrganization'ssupremebodyortoanotherbodythrough the office or to the fund established underthisproclamation.

2/ In addition to the information mentioned above. the RulestheOrganizationmayalsoinclude:

a) Requirementsthatmustbefulfilledformembership;

b) Reasonsforterminationorsuspensionofmembership;

c) Internal procedures for appealing from decisions toterminateorsuspendmembership;

d) Procedures for imposing and collecting membershipandotherfees;

e) The power, procedure for appointment and procedureforremovalofexecutivemembersofthe organization;

f) Thepowersandfunctionsandprocedurefortheappointment andaccountability of the officers of theorganization;

52.የምዝገባውጤት

በዚህ ሕግየተመለከቱትንመስፈርቶችአሟልቶየተመዘገበድርጅት፡-

1. የሕግሰውነትይኖረዋል፤
2. በሥሙ ይከሳል፣ይከሰሳል፣ውል ይዋዋላል፤
3. ልዩየሥራፈቃድንየሚመለከቱሕጎችእንደተጠበቁሆነው፣ በማናቸውምሕጋዊ የሥራመስክየመሰማራትመብትአለው፤
4. በሥሙ የሚንቀሳቀስና የማይንቀሳቀስንብረትባለቤትየመሆን፣ንብረትየማስተዳደርናየማስተላለፍመብትአለው። ሆኖም ንብረቱም ሆነ ከንብረቱ ሽያጭ የሚገኘውገንዘብ በስጦታ ለአባላት ጥቅም ወይም ከአላማው ውጪለሆነተግባርሊተላለፍአይችልም፤
5. በዚህ አንቀፅ ንዑስ አንቀፅ 4 መሰረት ንብረት ያስተላለፈድርጅትበ15የስራቀናትለመስሪያ ቤቱ እና ለቢሮውማሳወቅአለበት፡፡

53.የሥራነፃነት

1. ማንኛውምድርጅትየተቋቋመበትንሕጋዊዓላማ ለማሳካት በየትኛውም ሕጋዊ ሥራ ላይ የመሠማራትሙሉመብትአለው።
2. ማንኛውምድርጅት፣በራሱየፕሮጀክትሥራንለማከናወንወይምለሌሎችድርጅቶችየገንዘብናየዕውቀትድጋፍለማድረግሊቋቋምይችላል።
3. ድርጅቶች የሚያከናውኗቸው ሥራዎች ጋር ግንኙነትወይምተያያዥነትያላቸውን፣በሥራላይያሉሕጎች፣ፖሊሲዎች፣ አሰራሮች እንዲለወጡ፣ እንዲሻሻሉ ወይምአዲስ ሕጎችና ፖሊሲዎች እንዲወጡ ሐሳብ ማቅረብይችላሉ።

52.ResultofRegistration

Any Organization which registered upon fulfillment theregistrationrequirementsprovidedinthisProclamation:

1. Shallhavelegalpersonality;
2. Cansue,besuedandenterintocontracts;
3. Withoutprejudicetolawsthatrequirespeciallicense,canoperatein thesectorofitschoice;
4. Toown,administerandtransfermovableandimmovable property. However, the proceeds fromthe disposal of the property may not be transferredasdonationforthebenefitofmembers ortoanotheractivitywhichisnotitsmission;
5. The Organization which transfer property based onsubarticle4ofthisarticleshallinformtothe bureau and attorney general officewithin15days.

53.OperationalFreedom

1. An Organization shall have the right to engage in anylawfulactivitytoaccomplishits objectives.
2. An Organization may be established to implementproject activities on its own or to provide financialandtechnicalsupporttootherorganizations.
3. The Organization may propose Recommendations forthe change or amendment of existing laws, policies orpractices,orissuanceofnewlawsandpoliciesof

52.የምዝገባውጤት

በዚህ ሕግየተመለከቱትንመስፈርቶችአሟልቶየተመዘገበድርጅት፡-

1. የሕግሰውነትይኖረዋል፤
2. በሥሙይከሳል፣ይከሰሳል፣ውልይዋዋላል፤
3. ልዩየሥራፈቃድንየሚመለከቱሕጎችእንደተጠበቁሆነው፣ በማናቸውምሕጋዊ የሥራመስክየመሰማራትመብትአለው፤
4. በሥሙ የሚንቀሳቀስና የማይንቀሳቀስንብረት ባለቤትየመሆን፣ንብረትየማስተዳደርናየማስተላለፍመብትአለው። ሆኖም ንብረቱም ሆነ ከንብረቱ ሽያጭ የሚገኘውገንዘብ በስጦታ ለአባላት ጥቅም ወይም ከአላማው ውጪለሆነተግባርሊተላለፍአይችልም፤
5. በዚህ አንቀፅ ንዑስ አንቀፅ 4 መሰረት ንብረት ያስተላለፈድርጅትበ15የስራቀናትለመስሪያ ቤቱ እና ለቢሮውማሳወቅአለበት፡፡

53.የሥራነፃነት

1. ማንኛውምድርጅትየተቋቋመበትንሕጋዊዓላማ ለማሳካት በየትኛውም ሕጋዊ ሥራ ላይ የመሠማራትሙሉመብትአለው።
2. ማንኛውምድርጅት፣በራሱየፕሮጀክትሥራንለማከናወንወይምለሌሎችድርጅቶችየገንዘብናየዕውቀትድጋፍለማድረግሊቋቋምይችላል።
3. ድርጅቶች የሚያከናውኗቸው ሥራዎች ጋር ግንኙነትወይምተያያዥነትያላቸውን፣በሥራ ላይያሉሕጎች፣ፖሊሲዎች፣ አሰራሮች እንዲለወጡ፣ እንዲሻሻሉ ወይምአዲስ ሕጎችና ፖሊሲዎች እንዲወጡ ሐሳብ ማቅረብይችላሉ።

52.ResultofRegistration

Any Organization which registered upon fulfillment there gistration requirement sprovided in this Proclamation:

1. Shallhavelegalpersonality;
2. Cansue,besuedandenterintocontracts;
3. Withoutprejudicetolawsthatrequirespeciallicense,canoperatein thesectorofitschoice;
4. Toown,administerandtransfermovableandimmovable property. However, the proceeds fromthe disposal of the property may not be transferredasdonationforthebenefitofmembers ortoanotheractivitywhichisnotitsmission;
5. The Organization which transfer property based onsubarticle4ofthisarticleshallinformtothe bureau and attorney general officewithin15days.

53.OperationalFreedom

1. An Organization shall have the right to engage in anylawfulactivitytoaccomplishits objectives.
2. An Organization may be established to implementproject activities on its own or to provide financialandtechnicalsupporttootherorganizations.
3. The Organization may propose Recommendations forthe change or amendment of existing laws, policies orpractices,orissuanceofnewlawsandpoliciesof those which have relationship with the activities theyareperforming.

4. በክልሉ ውስጥ የሚሠሩ ድርጅቶች በራሳቸው የፕሮጀክት ሥራዎች ለማከናወን ወይም ከሌሎች መንግሥታዊ ካልሆኑ አገር በቀል ድርጅቶች ጋር የገንዘብ፣ የዓይነትና የዕውቀት ድጋፍ በማድረግ መሥራት ይችላሉ።

5. የውጭ ድርጅቶች በተቻለ መጠን ከአገር በቀል ድርጅቶችእና መንግስታዊ ድርጅቶች ጋር በአጋርነት በመሥራትየአገርበቀልድርጅቶችንአቅምእንዲጎለብት ድጋፍማድረግይችላሉ።

6. ማንኛውምድርጅትየሚያከናውናቸውሥራዎችዘላቂ ልማትንየሚያመጡና ዲሞክራሲያዊ ስርዓትንለመገንባትየሚያስችሉወይምየአባላቶቹን መብትናጥቅም ለማስጠበቅ ወይም የተሰማሩበትን የሙያ መስክለማሳደግአስተዋጽዖያለውእንዲሆንተገቢውን ጥረትማድረግአለበት።

7. ለጠቅላላውሕዝብወይምለሦስተኛወገንጥቅምመሥራትንዓላማአድርጎየተቋቋመድርጅት፣የሴቶችን፣ ህጻናትን፣የአካልጉዳተኞችን፣የአረጋውያንንናሌሎችለጉዳት ተጋላጭ ወይምለችግር ተጋላጭ የሆኑ የሕብረተሰብ ክፍሎች ጥቅምንማካተቱንማረጋገጥአለበት።

4. Organizations operating the region mayimplementprojectactivitiesorworkinpartnershipwithLocalOrganizations by providing financial, technical orinkindsupport.

5. To the extentpossible,ForeignOrganizationsbyworking in partnership with local and GovernmentalOrganizations can give support to build the capacityofLocalOrganizations.

6. Any Organization shall make the necessary efforts toensurethatitsactivitieshelptobringaboutsustainabledevelopment,contributetothedemocratizationprocess,promotetherightsandinterests of its members or enhance the professiontheyareengagedin.

7. An Organization which is established for the benefitof the general public or third parties shall ensurethat its activities take into account the interests ofwomen,Children,personswithdisabilities,theelderly and others exposed to threat or vulnerablegroups ofthesociety.

54.<u>የሀብትአሰባሰብእናአስተዳደር</u>

1/ማናቸውምድርጅት፡-

(ሀ)ለሚተገብረው ፕሮጀክት ዘላቂነት አስፈላጊ በመሆናቸው፣ ፕሮጀክቱ ከተጠናቀቀ በኋላ ፕሮጀክቱ ከሚፈጸምበት ቦታ እንዳይወጡ በፕሮጀክት ስምምነቱ ላይ በግልጽ ከተመለከቱ ንብረቶች በስተቀር፣ ንብረቱን ከአንድ ወደ ሌላ ወይም ከአንድ ወረዳ ወደ ሌላ ወረዳ ወይም የከተማ አስተዳደር የማንቀሳቀስ ሙሉ መብት አለው፤

(ለ)ለዓላማውመሳካትገቢለማግኘትበማንኛውምሕጋዊየንግድናኢንቨስትመንትሥራውስጥአግባብነት ባላቸው የንግድና ኢንቨስትመንት ሕጎችመሠረትየመሳተፍመብትአለው።ሆኖምከሥራውየሚገኘውንትርፍለአባላትጥቅምማስተላለፍአይችልም፤

(ሐ)ለዓላማውመሳካትከየትኛውምሕጋዊምንጭገንዘብ የመጠየቅ፣ የመቀበልና የመጠቀም መብትአለው።

2.ለጠቅላላውሕዝብወይምለሦስተኛወገንጥቅምመሥራትንዓላማአድርጎየተቋቋመድርጅት፣የአስተዳደርወጪውከገቢውከ፳በመቶሊበልጥአይችልም።ለዚህድንጋጌአፈጻጸም‹‹የአስተዳደርወጪ››ማለትድርጅቱከሚያከናውነውየፕሮጀክትሥራጋርተያያዥነትየሌለው፣ነገርግንለድርጅቱሕልውናቀጣይነት አስፈላጊ የሆነ እና ከአስተዳደር ሥራዎች ጋርየተያያዘወጪሲሆን፣ የአስተዳደር ሠራተኞችደመወዝናጥቅማጥቅሞችን፣ከአስተዳደርሥራጋርየተያያዘ የአላቂና ቋሚ እቃዎች ግዢን፣ የጥገናናእድሳት ወጪዎችን፣የቢሮ ኪራይ፣የፓርኪንግክፍያዎች፣የኦዲትአገልግሎት፣የማስታወቂያክፍያ፣የባንክ አገልግሎት፣የመብራት፣የስልክ፣ የፋክስ፣ የውሃ፣ኢንተርኔት፣የፖስታናየሕትመትአገልግሎትወጪዎችን፣ታክስ፣ለአስተዳደርሥራየሚውሉተሽከርካሪዎች ግዢ፤ ጥገና፤ የነዳጅና ዘይት እንዲሁምየመድኅንግገርወጪዎችን፣የቅጣትክፍያዎችን፣ እንዲሁምየጥብቅናአገልግሎትክፍያንያካትታል።

3.ከላይበንዑስአንቀጽ 2 የተመለከተው ድንጋጌ በልዩሁኔታ ተፈጻሚ የማይሆንባቸውን ድርጅቶች በሚመለከትቢሮውመመሪያሊያወጣይችላል።

<u>54.ResourceMobilizationandAdministration</u>

1. AnyOrganization:

a) Shall have the right to move its properties fromonetoanotherregionor from one wereda to another wereda or cityadministration,unlesstheProjectAgreementstatesthatsuchpropertiesmaynotbetransferred because they are necessary for thesustainabilityofaspecificprojectitisimplementing;

b) Have the right to engage in any lawful businessand investment activity in accordance with therelevant trade and investment laws in order toraisefundsforthefulfillmentitsobjectives.However, the profitto be obtained fromsuchactivities may not be transferred forthe benefitofmembers;

c) Shall have the right to solicit, receive and utilizefundsfromanylegalsourcetoattainitsobjective.

2. TheAdministrativecostofanOrganizationestablished for the benefit of the general public orthat of third Parties may not exceed twenty percentofitstotalincome.Forthepurposeofthisprovision, “Administrative Expense”shall meanexpenseswhicharenotrelatedtotheprojectactivities of an Organization but are necessary toensurethecontinuityofanOrganizationandrelatedtoadministrativeactivities,andshallinclude:salariesandbenefitsofadministrativeemployees;purchaseofconsumablesandfixed assetsandrepairandmaintenanceexpenses relatedto administrative matters; office rent, parking fees,auditfees,advertisementexpenses,bank servicefees,feesforelectricity,fax,water and internetservices;postalandprintingexpenses;tax,purchase and repair of vehicles for administrativepurposes, and procurement of oil and lubricants forthe same;insurance costs, penalties and attorneyfees.

3. Thebureau may issueDirectivesregardingOrganizationsexemptedfromtheapplicationofprovisions ofsubArticle2ofthisArticle.

55.በገቢ ማስገኛስራዎችስለመሠማራት

1. ከላይ በአንቀጽ54(1)(ለ) መሠረት በገቢ ማስገኛስራዎች ላይ የሚሰማራ ድርጅት፣ አግባብነት ባላቸውየንግድ ፈቃድና ምዝገባ ህጎች መሠረት፣ አዲስ የንግድድርጅቶችን (ኩባንያዎችን) በማቋቋም፣ በነባር የንግድድርጅቶችውስጥአክሲዮንበመያዝህዝባዊ መዋጮመሰብሰብ ፣ ወይም የንግድ ስራን በብቸኛ ባለቤትነትበማካሔድየገቢ ማስገኛስራዎችንማከናወንይችላል፡፡

2. ድርጅቱበራሱየገቢ ማስገኛ ስራዎችን በሚያከናወንበትጊዜለዚሁስራ የተለየ የባንክ ሒሳብ መክፈት፣እንዲሁም በንግድ እና ታክስ ህጉ በሚጠየቀው መሠረትየገቢ ማስገኛስራውንየሚመለከት የተለየ የሂሳብመዝገብመያዝይኖርበታል፡፡

3. አግባብነት ያላቸው የታክስ፣ የንግድ ፈቃድና ምዝገባ፣እንዲሁምየኢንቨስትመንትሕጎችበገቢ ማስገኛስራዎችንበመሚመለከቱጉዳዮችላይተፈጻሚይሆናሉ፡፡

4. ድርጅቱከገቢ ማስገኛስራውየሚያገኘውገቢ፣የድርጅቱንየ አስተዳደርእናየፕሮገራምወጪዎችለመሸፈንይውላል፡፡

5. ድርጅቱ ከገቢ ማስገኛ ስራው የሚያገኘው ገቢና ሃብትለአባላትእንዲሁምለሠራተኞችሊከፋፈልአይችልም ።

55.IncomeGenerationActivities

1. An Organization which engages in income generatingactivities in accordance with Article 54(1) (b) of thisProclamationmay dosoby establishing aseparatebusiness Organization (company), acquiring shares inanexisting company,CollectPublicCollectionsoroperatingits business asasoleproprietorship.

2. AnOrganizationengagedinincomegeneratingactivities shall open a separate bank account and keepseparatebooksofaccountforitsbusinessinaccordance with therelevantcommercialandtaxlaws.

3. The relevant tax, commercial registration and businesslicensing, and investment laws shall be applicable toincomegeneration activitiesunder thisprovision.

4. Incomethatisgeneratedfromincomegeneratingactivitieswil lbeusedtocoveradministrativeandprogramcostsoftheorga nization.

5. Theincomeandresourcesthatareacquiredfromincome generating activities shall not be transferred orshared for the benefit of members or workers of theorganization.

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3/መስሪያ ቤቱ በዚህ አዋጅ መሠረት የተመዘገቡትን እንዲሁም የታገዱትንናከመዝገብ የተሠረዙትንድርጅቶችዝርዝርበየስድስት ወሩበጋዜጣያወጣል።

58.<u>የድርጅትቅርንጫፍ</u>

1/ ማንኛውም ድርጅት አስቀድሞ ለመስሪያ ቤቱ በማሳወቅበመተዳደሪያደንቡመሠረትቅርንጫፍሊከፍትይችላል።

2/በዚህአንቀጽንዑስአንቀጽ(1)መሠረትለሚከፈትቅርንጫፍየሚሰጠውሥልጣን ራሱንየቻለድርጅትየሚያደርገው ወይም ዋናው መስሪያ ቤት በቂ ቁጥጥርእንዳያደርግበትየሚከለክልሊሆንአይችልም።

59.<u>ለውጥንስለማሳወቅ</u>

1/ማንኛውምድርጅትበሚከተሉትጉዳዬችላይለውጥሲያደርግለመስሪያ ቤቱማሳወቅናማስመዝገብአለበት፡-

(ሀ)የሥያሜወይምየምልክትለውጥ፤(ለ)የሥራ ዘርፍለውጥ፤

(ሐ) የዋና መሥሪያ ቤት አድራሻ ለውጥ፤(መ)የሥራቦታለውጥ፤

(ሠ)የሥራአመራርአባላትናየሥራመሪለውጥ፤

(ረ)በመተዳደሪያደንብላይየሚደረግማናቸውምለውጥ፤

(ሰ)የባንክሒሳብወይምፊራሚዎችለውጥ።

2/በዚህአንቀጽመሠረትየተደረገለውጥየድርጅቱንማናቸውምመብቶችወይምግዴታዎችአይነካም።

60.<u>የምስክርወረቀትንበይፋስለማሳየት</u>

ማንኛውም ድርጅት የምዝገባ ምስክር ወረቀቱን ገዋናውመስሪያቤት፣እንዲሁምግልባጩንበየቅርንጫፎቹለማናቸውምጎብኚሊታይበሚችልቦታማስቀመጥይኖርበታል።በተጨማሪምየድርጅቱሥምናመለያምልክትበድርጅቱዋናመሥሪያቤትና ቅርንጫፍጽ/ቤቶች ለሕዝብ ሊታይ በሚችል ግልጽ ስፍራ መቀመጥይኖርበታል።

3/Theoffice shall everysixmonthspublishinanofficial reigional GazzettethelistofOrganizationregistered,suspended orcancelled underthisProclamation.

58.<u>BranchofanOrganization</u>

1/ An Organization may establish a branch based on itsrulesbygivingpriornoticetotheoffice.

2/ ThePowersofthebranchoftheOrganizationestablished underSub-article(1) of this Articleshallnot make it an independent organization on its own orprevent the head office from making sufficient controlonthebranch.

59.<u>ObligationtoinformChanges</u>

If an organization makes changes to any of the followingmatters, it shall inform the attorney general office about the change oramendmentandgetitregistered.

a) ItsNameor Symbol,
b) ChangeofOrganization'soperationalSector,
c) ChangeofHeadquarters,
d) ChangeplaceofOperation,
e) ChangeofExecutiveMembersorChiefExecutive,
f) AmendmentsofitsRules,
g) ChangeofBankAccountorSignatories.

2/Achangeof namebyanOrganizationunderthisArticleshallnotaffectanyRightsorObligationsoftheOrganization.

60. <u>Displayof Certificate</u>

EveryOrganizationshallkeepitscertificateofregistration in its Head Office and a copy thereof in itsbranchesinaplacethatisvisibletoanyvisitor.Additionally, the symbol and name of the Organizationmust be placed at a publicly visible place at both the headofficeandthebranchoffices.

61.<u>ሕልውናንስለማረጋገጥ</u>

1. ማንኛውም ድርጅት በዚህ አዋጅ ውስጥ ሪፖርት ለማቅረብየተቀመጠውየጊዜገደብባለፈበሦስትወራት ውስጥሪፖርትካላቀረ የፕረሮጀክቱን ሪፖረት አለማቅረቡ በቢሮው ከተረጋገጠ ፈቃድ የሰጠው መስሪያ ቤትየድርጅቱንሕልውናለማረጋገጥ በክልሉ ውስጥ ሽፋን ባለው ጋዜጣጥሪያደርጋል፤
2. ከላይ የተመለከተው ጥሪ በጋዜጣ በወጣ በ30 ቀናት ውስጥድርጅቱበርግጥምሕልውናያለውከሆነ የድርጅቱሕጋዊተወካይቀርቦበዚህሕግበተቀመጠው የጊዜገደብሪፖርት ያላቀረበበትን ምክንያት ማስረዳትይጠበቅበታል። ተወካዩ በዚህ ጊዜ ውስጥ ቀርቦ ድርጅቱ ለቢሮው ሪፖርትያላደረገበትንበቂምክንያት ካላቀረበ መስሪያ ቤቱ ቢሮዉ በሚያቀርበዉ ማስረጃ መስረት ድርጅቱ እንዲፈርስ ይወስናል፡፡

<u>ክፍል አራት</u>

<u>ሒሳብናሪፖርት</u>

62.<u>የሒሳብመዝገብየመያዝግዴታ</u>

1. ማናቸውምድርጅትየድርጅቱንየገንዘብእንቅስ ቃሴየሚያሳይ ተቀባይነት ባለው የሒሳብ አሰራር የተዘጋጀየሒሳብመዝገብየመያዝግዴታ አለበት።
2. የሒሳብሰነዶቹየድርጅቱንገቢናያወጣውንወጪ ፤የወጪውንምክንያት፣ሐብትናዕዳ፣ የለጋሾችንማንነትናየገቢውንምንጭያካተቱመ ሆንአለባቸው።
3. ድርጅቱ የሥራ መሪዎች በዚህ አንቀጽ መሠረት የተዘጋጁየሒሳብ ሰነዶችን፣ የሒሳብ ዓመቱ ካለቀ በኋላ ቢያንስለአምስትዓመትጠብቀውየማቆየትግዴ ታአለባቸው።

61.<u>VerificationofExistence</u>

1. If an Organization fails to provide its report within 3months from the expiry of the timeframe set under thisProclamation for submission ofreports, the office willissueanoticein official regional gazettetoverifyits existence.
2. If theOrganizationdoesindeed maintainexistence,the legal representative must be present to explain thesituation within 30 days from the publication of thenotice. However, if the representative falls to do so, the attorney general render decision of dissolution based on the evidence produced by bureau.

<u>SECTION FOUR</u>

<u>ACCOUNTSANDREPORT</u>

62.<u>DutytoKeepAccounting Records</u>

1. Any Organization shall keep books of account that showthe financial transactions in theOrganizationand arepreparedinaccordancewithacceptableaccountingstandards.
2. The books of account shall contain entries showing fromday to day all sums of money received and expended bythe Organization, the matters in respect of which thereceiptandexpenditure takes place, name and identityof donors, source of donations; and record of the assetsandliabilities oftheOrganization.
3. The managerial employees of anOrganizationshallpreserveanyaccounting records made for the purposes of this Articlefor at least 5 years from the end of the financial year oftheOrganizationinwhichtheyaremade.

63.<u>ዓመታዊየሒሳብመግለጫናምርመራ</u>

1. ማንኛውምድርጅት ተቀባይነት ባላቸው መመዘኛዎችመሠረት የተዘጋጀ ዓመታዊ የሒሳብ መግለጫ ለቢሮው ያቀርባ።
2. የዚህ አንቀጽ ንዑስ አንቀጽ 1 ቢኖርም፣ በበጀት አመቱከአንድመቶሺህብርየማይበልጥገንዘብየሚያንቀሳቅ ስድርጅትገቢን፣ወጪን፣ሐብትናዕዳንየሚያመለክትመግለ ጫብቻማቅረብይችላል።
3. ከላይበንዑስቁጥር2የተጠቀሰውእንደተጠበቀሆኖየማንኛውም ድርጅትሒሳብየበጀትዓመቱበተጠናቀቀበ3ወራትውስጥበተ መሰከረለትኦዲተርመመርመርአለበት።
4. ቢሮው በዚህ አንቀጽ ንዑስ አንቀጽ 1 መሰረት የተላከለትን ወቅታዊ የሂሳብ መግለጫ አንድ ሦስተኛ የሚሆኑት የድርጅቱ አባላት ወይም ለጋሽድርጅቶች ወይም ከድርጅቱ ጋር የፕሮጀክት ስምምነትያላቸውመንግስታዊአካላትምርመራእንዲደረግ ከጠየቁየድርጅቱሒሳብበውጭኦዲተርእንዲመረመርሊያ ዝይችላል።
5. የድርጅቱ ሒሳብ የበጀት ዓመቱ ባለቀ በአምስት ወራትውስጥ ካልተመረመረ እና ይህንን ለመፈጸም ድርጀቱፈቃደኛካልሆነመስሪያ ቤቱየውጭኦዲተርሾሞማስመርመርይችላል።
6. በዚህ አንቀጽ ንዑስ አንቀጽ 4 እና 5 መሠረት በመስሪያ ቤቱበተሾመውኦዲተርለተከናወኑማናቸውምየኦዲትሥራ ዎችወጪየሚከፍለውየሚመለከተውድርጅትወይምጥፋተ ኛሆነውበተገኙ የሥራመሪዎቹይሆናሉ።

.<u>ዓመታዊየሥራክንውንሪፖርት</u>

1. የሥራ መሪዎች የድርጅቱን የእያንዳንዱን የበጀት ዓመትዋና ዋና ክንዋኔዎች የሚያሳይ ሪፖርት የሒሳብ ዓመቱባለቀበሦስትወርጊዜውስጥለቢሮው ማቅረብአለባቸው።

63.<u>Annual Statements of Accounts and Examination ofAccount</u>

1. Any Organization shall submit to the bureau an annualstatementofaccountspreparedinaccordancewithacceptablestandards.
2. Notwithstandingsub-article(1)ofthisArticle,Organizationswhose annualflowoffundsdoesnotexceedBirr100,000.00,(one hundred thousand) thestatement of accounts may choose to only prepare areceiptsandpaymentsaccountandastatementofassetsandliabilities.
3. WithoutprejudiceSub-article(2),allOrganizationsaccountshallbeexaminedannuallybyaCertifiedAuditorwithinthreemonthsaftertheendofthefinancialyear.
4. the statement of account submitted to the bureau as per sub article 1 of this article If one third of the Organization's members, donors orgovernmentalbodiesthathaverequestedtheexamination, the bureau may appointacertifiedexternalauditor.
5. Where it appears to the office that the account of anOrganizationis not auditedwithinfive months fromthe end of that yearand the Organization is unwillingto have it audited, the office may appoint a certifiedexternalauditor.
6. InaccordancewithSub-article(4)and(5)ofthisArticle, the expenses of any auditcarried out by anAuditor appointed by the attorney general office shall be paid by theCharity or Society concerned, or by its managerial employee if thelatterarefoundtobeatfault.

64.<u>AnnualActivityReport</u>

1. TheofficersofanOrganizationshallprepareandsubmit to the bureau every Budget year major activityreports regarding the organization with in three monthsupontheendtheBudgetyear.

2. ማንኛውምየሥራክንውንሪፖርትለመስሪያ ቤቱሲቀርብየሒሳብመግለጫአብሮመያያዝአለበት።
3. ቢሮውየቀረበለትንሪፖርትበመመርመርድርጅቱተጨማሪ ማስረጃ ወይም ማብራሪያ እንዲሰጠው ሊጠይቅይችላል።

65. <u>ዓመታዊሪፖርትለሕዝብክፍትስለማድረግ</u>

1. በቢሮውየሚገኝማናቸውምየድርጅትዓመታዊሪፖርትወ ይምሌላሰነድጉዳዩበሚመለከተው አካል ወይም በድርጅቱ አባላት ሲጠየቅበማናቸውምአመቺጊዜክፍትመደረግአለበት።
2. ማናቸውምድርጅትዓመታዊየሥራክንውንእናየኦዲትሪ ፖርቱን ለአባላቱና ለተጠቃሚዎች ተደራሽ ማድረግአለበት።

66.<u>የባንክሒሳብስለመክፈት</u>

1. ማንኛውምድርጅትየባንክሒሳብለመክፈትበቅድሚያከቢ ሮውበጽሑፍፈቃድማግኘትአለበት።ቢሮው የባንክሒሳብለመክፈትጥያቄበቀረበለትበ5ቀናትውስጥም ላሽመስጠትይኖርበታል።
2. የማንኛውምድርጅትየገንዘብእንቅስቃሴበስሙበተከፈተ የባንክሒሳብመከናወንይኖርበታል።
3. ማንኛውምባንክ ቢሮው በጠየቀጊዜወዲያውኑበማናቸውም የድርጅትሥምየተከፈቱየባንክሂሳቦችንዝርዝርናየሒሳብ መግለጫዎችንየመስጠትግዴታአለበት።
4. የድርጅት የባንክ ሒሳብ እንቅስቃሴ በመተዳደሪያ ደንቡበተመለከተውአኳኋንነው።

67.<u>የውጭዜጎችንስለመቅጠር</u>

የሙያ ዘርፉ ልዩ ሙያ የሚጠይቅ እና በሀገር ውስጥ ዜጎች የማይሸፈን ሆኖ ሲገኝ ለቢሮዉ በማሳወቅና ቢሮዉም አስፈላግነቱን ካመነበት ማናቸውም ድርጅት አግባብ ባለው ሕግ መሠረት የሥራ ፈቃድ የተሰጠውን የውጭ ዜጋ መቅጠር ይችላል።

2. Every such annual activity report shall have attached toittheannualstatementofaccounts.

3. Afterreviewing the reports the bureau may require Additionalinformationorexplanation.

65. <u>Disclosure ofAnnual ActivityReporttothePublic</u>

1. Any annual activity report or other document kept bythe bureau, when requested by any concerned body ormembers of the organization, must be made open to thepublicatanygiventime.
2. All Organizations must make available at all times, totheir beneficiaries and members, the books of account,auditreportsandannualreports.

66. <u>OpeningaBankAccount</u>

1. An Organization shall get a written approval c thebureau to open a bank account. The burea shallrespond to requests for such approval withi fivedaysfromreceiptoftherequest.
2. Allfinancialtransactionsshallbeperformedthrough a bank account opened by an Organizationinitsname.
3. All banks have the obligation to provide the bankstatement of accounts held by any Organization tothebureauwhenrequested.
4. The Bank Account transaction can be done in thecontextoftheOrganizationrules.

67. <u>EmployingForeigners</u>

Any organization may employ aForeignNationalwho has bee granted a work permit in accordance with the relevant la\ by informing the bureau if it deems necessary that th professional sector requires special skills and is not covere by local citizens.

B/G/R/S/Administrative Council

ክፍል አምስት

ሕግንስለማስከበር

68.ምርመራየማድረግሥልጣን

1. ማናቸውም ድርጅት ሥራውን በሕግ መሠረት እየሰራ አለመሆኑ ከመንግሥት አካላት፣ ከለጋሽ ድርጅቶች ወይም ከሕዝብ ከሚቀርቡ ጥቆማዎች በመነሳት ቢሮዉ መረጃን ለመሥሪያ ቤቱ በማሳወቅ ድርጅቱ ላይ ምርመራ እንዲደረግ ሊያደርግ ይችላል።
2. በዚህ አንቀጽ ንዑስ አንቀጽ (1) የተጠቀሰው ቢኖርም መሥሪያ ቤቱ ምርመራ ለማድረግ ሲወስን ምርመራውን ለማከናወን በቂ ምክንያት መኖሩን በቅድሚያ ማረጋገጥ አለበት።

የምርመራ ሥራዎች በተቻለ ፍጥነት በአጭር ጊዜ እንዲጠናቀቁና የድርጅቱን የዕለት ከዕለት እንቅስቃሴና ሕልውና አደጋ ላይ እንዳይጥሉ መሥሪያ ቤቱ ተገቢውን የጥንቃቄ እርምጃ መውሰድ አለበት።

. መሥሪያ ቤቱ የምርመራ ሥራውን በሚያከናውንበት ወቅት፣ ከባድ የሕግ ጥሰት መፈጸሙን ሲያረጋግጥና በዚህ ምክንያትም የድርጅቱን እንቅስቃሴ ማገድ አስፈላጊ ሆኖ ሲያገኘው መስሪያ ቤቱ ከ1 ወር ከ15 ቀናት ላልበለጠ ጊዜ የዕገዳ ትዕዛዝ ሊሰጥ ይችላል። ሆኖም የመስሪያ ቤቱ ከሶስት ወር ባልበለጠ ጊዜ ውስጥ የመጨረሻ ውሳኔ ካልሰጠ እገዳው ቀሪ ይሆናል።

በዚህ አንቀጽ ንዑስ አንቀጽ 4 መሠረት መስሪያ ቤቱ በሰጠው እገዳ ላይ ድርጅቱ በ30 ቀናት ውስጥ ቅሬታውን ለመስሪያ ቤቱ ማቅረብ የሚችል ሲሆን፤ በመስሪያ ቤቱ ውሳኔ ቅር ከተሰኘ ድርጅቱ ውሳኔው ከተሰጠበት ቀን ጀምሮ ባሉት 30 ቀናት ውስጥ ለክልሉ ጠቅላይ ፍርድ ቤት ይግባኙን ማቅረብ ይችላል።

SECTION FIVE

LAWENFORCEMENT

68. Powerof Inspection

1. Theinvestigationshallbelaunchedon any organization on thebasisofinformationobtainedfromGovernmentorgans,donorsorthepublic, and the bureau shall duly notify attorney general so as to conduct investigation on the organisation.
2. Notwithstanding the fulfillment of the conditions under sub-article 1, the office shall first ensure that it has sufficient reason to conduct the investigation.
3. The office must take all precautionary measures to ensure that the investigation is performed within a short period of time and is not carried out in a way that hampers the day to day activities and continued existence of the organization
4. If, during the course of the investigation, the office finds that a grave violation of the law has been committed and such violation makes it necessary to suspend the activities of the Organization, the office may give a suspension order for a period not exceeding 45 days. But if the office did not decided with in three month, the suspension shall seize to exist.
5. Based on Sub Article 4 of this Article the Organization may appeal to the office on the decision of office within 30 days. The organization may appeal to the regional supremeCourt on the decision of the office within 30 days after the office gave its decision.

69.አስተዳደራዊእርምጃስለመውሰድ

1. ይህን አዋጅ እና ሌሎች ሕጎችን ለሚጥሱ ድርጅቶች ቢሮዉ በፅሑፍ ማስጠንቀቂያ ይሰጣል፤ ማስጠንቀቂያውም የተፈጸመውን የሕግ ጥሰት፣ ሊደረግ የሚገባውን ማስተካከያ እና በምን ያህል ጊዜ ውስጥ መስተካከል እንዳለበት በግልጽ ማሳየት አለበት።

2. ለማስተካከያ የሚሰጠው ጊዜ የተፈጸመውን ጉድለት ወይም ጥፋት ክብደትና የጉዳዩን ውስብስብነት ከግምት ውስጥ ያስገባ መሆን አለበት። የጥፋት አይነቶችና የሚሰጡ የማስጠንቀቂያ ዓይነት/ደረጃ/ በመመሪያ ይወሰናል፡፡

3. በተሰጠው ማስጠንቀቂያ መሠረት ድርጅቱ አሠራሩን የማያስተካክል ከሆነ ቢሮዉ ለመስሪያ ቤቱ ያሳዉቃል፡፡ መስሪያ ቤቱ በድርጅቱ ላይ ተጨማሪ ማጣራት ያደረጋል፣ ተገቢ ሆኖ ካገኘዉ እንዲታገድ ሊወስን ይችላል፡፡ የዕገዳ ውሳኔ በመስሪያ ቤቱ ካልተነሳ ወይም በፍርድ ቤት ካልታገደ በቀር፣ የዕገዳ ውሳኔው በተሰጠ በሦስት ወራት ውስጥ ማስተካከያ ያላደረገ ድርጅት እንዲፈርስ የመስሪያ ቤቱ የመጨረሻ ውሳኔ ይሰጣል።

4. በዚህ አንቀጽ ንዑስ አንቀጽ 3 መሠረት የመፍረስ ውሳኔ የተሰጠበት ድርጅት አባላት፣ መሥራቾች ወይም ኃላፊዎች ውሳኔው በተሰጠ በ30 ቀናት ውስጥ ቅሬታቸውን ለክልሉ ጠቅላይ ፍርድ ቤት ማቅረብ ይችላሉ።

5. በድርጅቱ የተፈጸመው ሕግ የመተላለፍ ተግባር በወንጀል የሚያስጠይቅ ሲሆን በመሥሪያ ቤቱ ጉዳዩ ተጣርቶ ለሚመለከተዉ ዐቃቤ-ህግ እንዲቀርብ ይደረጋል፡፡

69.AdministrativeMeasures

1. The bureau may give warning to organizations thatdonotcomplywith thisproclamationorother laws.The warning must clearly indicate the violation of the law, the correction that must be made, and the time frame in which it must be corrected.

2. Thewarningmustbeinwritingandshallspecifythe violation, the measures to be taken and the timeframe to rectify the violation. Such time frame shalltake into account the gravity of the violation and thecomplexityofthecase.

3. If the faultcommitted by the Organization is graveortheorganizationfails to redressitsfaultafterbeing given clear warning, the Attorney general office will give theorganizationastrictwarning. the attorney general poffice may conduct further investigation. When it deems necessary the activities of the organisation may be suspended.Unless the suspension decision is reversed by the attorney general office or suspended by the court, the office will issue a final decision to dissolve the organisation that does not make adjustments within three months of the suspension decision being issued.

4. TheMembers,FoundersorManagersoftheOrganization that is dissolved by the decision of theattorney general can appeal to regional Supreme Court with in 30daysfollowingthedecision.

5. If the vilolation by the organization entail criminal liability the attorney general office shall inspect the matter and refer the caseto the attorney general.

የመሰማትመብት

ሥሪያ ቤቱ በማናቸውም ድርጅት ላይ የትኛውንም ነት አስተዳደራዊ እርምጃ ከመውሰዱ በፊት ርጅቱ መከራከሪያዎቹንና ማስረጃዎቹን የማቅረብና ከ ይግባኝ ደረጃ ባለ ሂደት የመሰማት መብት ው።

ክፍልስድስት

ስለድርጅቶችመዋሐድ፣መከፋፈልእናመለወጥ

መዋሐድ

1. ቁጥራቸው ሁለት ወይም ከዚያ በላይ የሆኑ ድርጅቶችአግባብነትባላቸውሕጎችናበመተዳደ ሪያደንባቸውመሠረት በአዲስ ስም ወይም ከሚዋሐዱት ድርጅቶችበአንዱስምሊዋሐዱይችላሉ።
2. ውሕደቱሲፈጸምየቀድሞዎቹድርጅቶችመብት ናግዴታዎችእንዲሁምበውስጣቸውየነበሩሰራተ ኞችእንደአግባብነታቸውበውህደት ወደተፈጠረው ድርጅትይተላለፋሉ።
3. በውሕደቱየተፈጠረውአዲስድርጅትበዚህአዋጅ መሠረትመመዝገብአለበት።

መከፋፈል

. አንድ ድርጅት በመተዳደሪያ ደንቡ ላይ በተመለከተውመሠረትበድርጅቱየበላይአካል ውሳኔሊከፋፈልይችላል።

በመከፋፈሉ ውሳኔ ላይ በሌላ ሁኔታ ካልተመለከተ በቀር፣በክፍፍሉ የተፈጠረው እያንዳንዱ ድርጅትየቀድሞውድርጅትላለበትግዴታናመ ብትእኩልተካፋይነው።

70.TheRighttobe Heard

Any Organization has the right to be heard and present itsarguments before the office imposes any administrativemeasure.

SECTION SIX

MERGER, DIVISION AND CONVERSION OFORGANIZATIONS

71.Merger

1. TwoormoreOrganizations may mergeinto oneunder a new name or under the name of one of theorganizations in accordance with relevant laws andinaccordancewiththeirrules.
2. TherightsandobligationsoftheformerOrganizationsandbasedontheirrelevancytheEmployeesofthoseOrganizationsshallbetransferredtothenewlyformedOrganization.
3. ThenewlyestablishedOrganizationshallberegisteredinaccordance withthisProclamation.

72.Division

1. An Organization may be divided into two or moreOrganizations upon the decision of its Supremeorganinaccordancewithitsrules.
2. Unless stated otherwise in the decision to dividethe Organization, theOrganizations that resultfrom the division shall bear the obligations andutilizetherightsequally.

3 የቀድሞው ድርጅት ህልውና የሚያበቃው ለአዲሶቹ ድርጅቶችየምዝገባምስክርወረቀትሲሰጥነው።

4.በአዲሶቹድርጅቶችሙሉስምምነትከነሱአንዱየቀድሞውንድርጅትስምይዞሊቆይይችላል።

73.መለወጥ

1. አንድ ድርጅት በመተዳደሪያ ደንቡ ላይ በተመለከተውመሠረት በድርጅቱ የበላይ አካል ውሳኔ ወደሌላ ዓይነትድርጅትሊለወጥይችላል።
2. ለውጡሲፈጸምየቀድሞውድርጅትመብትናግዴታዎች እንዲሁም በውስጣቸው የነበሩ ሰራተኞችእንደአግባብነታቸውወደተለወጠውድርጅትይተላለፋሉ።
3. የተለወጠው አዲስ ድርጅት በዚህ አዋጅ መሠረት እንደገናመመዝገብአለበት።

ክፍልሰባት

ስለድርጅቶችመፍረስ

74.የድርጅቶችመፍረስ

1/አንድድርጅትየሚፈርሰው፡

(ሀ)በመተዳደሪያደንቡሥልጣንባለውአካልእንዲፈርስ ሲወሰን፣
(ለ) በዚህ አዋጅ አንቀጽ 69 ወይም 74(3) መሠረት ድርጅቱ እንዲፈርስ በፍትህ ቢሮ ኃላፊ ሲወሰን፤፤ወይም
(ሐ) በክልሉ ጠቅላይ ፍርድ ቤት ውሳኔ ነው።

2/ፍርድቤትአንድድርጅትእንዲፈርስየሚወስነው፡-
(ሀ)ድርጅቱ በከባድ የወንጀል ድርጊት ወይምበተደጋጋሚበቀላልወንጀል በመሳተፍጥፋተኛሆኖሲገኝ፣ወይም
ለ)ዕዳውንየመክፈልችሎታየሌለውሲሆንብቻነው።

3.The existence of the formerOrganizationshallceaseatthetimewhenthecertificatesofregistrationareissuedtotheneworganizations.

4. With the unanimous consent of all newly formedorganizations,oneofthenewlyformedOrganizationsmayretainthenameoftheprevious Organization.

73.Conversion

1. AnyOrganizationmaybeconvertedintoanotherform of Organizationwhere its Suprem organsodecidesinaccordancewithitsrules.
2. TherightsandobligationsoftheformerOrganizationandbasedontheirrelevancytheservants of those organizations shall be transferred totheOrganizationaftertheconversion.
3. The converted Organization shall be registered againinaccordancewiththisProclamation.

SECTION SEVEN

DISSOLUTIONOFORGANIZATIONS

74.Dissolution

1/AnOrganizationmayonlybedissolveduponthedecisionof:

a) the Organization's competent organ in accordancewithitsrules;
b) the Head of the justice bureau when it idecides that theorganization shall be dissolved in accordance withArticle69or74(3)ofthis Proclamation;
c) TheRegionalsupremCourt.

2/AcourtcandissolveanOrganizationwhen;

a) It is convictedof aserious criminal offenceorisrepeatedlyfoundguiltyofaminorcriminaloffence;or
b) TheOrganization isinsolvent.

3. በዚህ አንቀጽ ንዑስ አንቀጽ 1 (ሀ) መሠረት በአባላት ውሳኔ የፈረሰ ድርጅት ውሳኔውን ለመስሪያ ቤቱ በአሥራ አምስት ተከታታይ ቀናት ውስጥ የማሳወቅ ግዴታ አለበት።

4. በዚህ አንቀጽ ንዑስ 3 መሠረት ድርጅቱ ለመስሪያ

5. ቤቱ

6. የሚያቀርበው ማስታወቂያ፣ ድርጅቱ እንዲፈርስ የተወሰነበትን ቃለ ጉባኤ፣ የድርጅቱን ወቅታዊ የሥራ ክንውንና የሒሳብ መግለጫ አያይዞ ማቅረብ አለበት።

75. <u>የመፍረስ ውጤት</u>

1. ከዚህ በላይ ባለው አንቀጽ 74 መሠረት ድርጅቱ እንዲፈርስ ሲወሰን ንብረቱ ወዲያውኑ በመስሪያ ቤቱ በሚሾም ሒሳብ አጣሪ ኃላፊነት ሥር ይሆናል።

2. ሒሳብ አጣሪው፣ ከድርጅቱ ዓላማ ጋር የተያያዙና ሊቋረጡ የማይችሉ ሥራዎችን ለማጠናቀቅ ካልሆነ በስተቀር ከሒሳብ ማጣራት ውጪ ሌላ ተግባር ማከናወን አይችልም።

3. የድርጅቱን ዕዳዎችና የማፍረስ ሂደቱን ለማከናወን የሚያስፈልጉ ወጪዎች ተጠናቀው ከተከፈሉ በኋላ ሒሳብ አጣሪው የድርጅቱ ቀሪ ገንዘብ ወይም ንብረት በድርጅቱ የመተዳደሪያ ደንብ ወይም በድርጅቱ የበላይ አካል አስቀድሞ በተወሰነው መሠረት ለሌላ ድርጅት እንዲተላለፍ ያደርጋል፡፡

4. በዚህ አንቀጽ ንዑስ አንቀጽ 3 መሠረት በድርጅቱ የመተዳደሪያ ደንብ ወይም በድርጅቱ የበላይ አካል ውሳኔ ላይ ካልተመለከተ ቀሪ ገንዘቡ ወይም ንብረቱ መስሪያ ቤቱ በሚወስነው መሠረት ለሌላ ድርጅት እንዲተላለፍ ይደረጋል።

5. የድርጅቱ የሒሳብ ማጣራት ሥራዎች ሲጠናቀቁ፤ መስሪያ ቤቱ ድርጅቱን ከመዝገብ ይሰርዛል።

6. የዚህ አንቀፅ ድንጋጌዎች እንደተጠበቁ ሆነው ህብረቶች ወይም የህብረቶች ህብረት በሚፈርሱበት ጊዜ ቀሪ ንብረቶች ወደ አባል ድርጅቶች ወይም ህብረቶች ሊተላለፉ ይችላሉ፡፡

3. AnOrganizationwhichisdissolvedinaccordancewith sub Article 1/A/ . of this Article shall notify theoffice ofthedecisionwithinfifteendays.

4. The notification submitted to the office under subarticle 3 shall be accompanied with the resolution todissolvetheOrganization,thecurrentlyactivityreportandstatementofaccountoftheOrganization.

75..<u>EffectsofDissolution</u>

1. Once the dissolution of an Organizationis ordered asper Article 74, the property of the organization shallforthwithvestintheliquidatorappointedbytheoffice.

2. The liquidator shall not perform any activities otherthan those necessary for its liquidation unless suchactivities are withinthe objectof the organizationandcannotbeinterrupted.

3. Once the debts of the Organization are paid and thecosts of dissolution are settled, the liquidator shallaffectthetransferoftheremainingmoneyorproperty to another organization in accordance withthe Rules or a prior decision of the supreme body oftheOrganization.

4. IftherulesorthedecisionoftheOrganization'ssupremebodydonotprovideforarecipientorganization as per sub article 3 of this article, theremaining money or property shall be transferred toanotherorganization designated bytheoffice.

5. After the liquidation process is concluded, office shallcancelthe nameof theOrganizationfromitsregistry.

6. Without prejudice to the provisions of this article whenConsortiums or consorti of consortiums are Dissolvedtheremainningpropertiesmaybetransferdtothem emberOrganizationsorConsertiums.

...Administrative Council...

ስምንት

ድንጋጌዎች

ድርጅቶችምክርቤት

. በሁሉም ድርጅቶች ሙሉ ተሳትፎ የሚመራ ምክር ቤትበዚህአዋጅተቋቁሟል።

2. ቢሮውየምክርቤቱንመሥራችጉባዔይጠራል፤ያስተባብራል።

3. ምክር ቤቱ ጠቅላላጉባዔ፣ ሥራአስፈፃሚኮሚቴናለሥራውአስፈላጊየሆኑአደረጃጀቶች ይኖሩታል።ምክርቤቱየራሱንመተዳደሪያደንብያወጣል።

ድርጅቶችበምክርቤቱጠቅላላጉባዔየሚወከሉበትስርዓትበምክርቤቱመመሪያይወሰናል።

5. ምክርቤቱየሚከተሉትሥልጣንና ተግባራትይኖሩታል፦

ሀ) ከቢሮው፣ ከለጋሾችና ከሌሎች ባለድርሻ አካላትጋርበመመካከርዘርፉሊከተለውየሚገባውንየስነምግባርደንብናማስፈጸሚያስልትያወጣል፤አተገባበሩንበቅርበትይከታተላል፣

ለ) በድርጅቶች ምዝገባና አስተዳደር ላይ ለቢሮውናለመስሪያ ቤቱምክረ-ሃሳብያቀርባል፣

ሐ)ዘርፉንይወክላል፤ያስተባብራል፣

የምክርቤቱበጀትከአባላትመዋጮናከሌሎች ሕጋዊምንጮችይሆናል።

ለምክር ቤቱ መመሥረትና መጠናከር መስሪያ ቤቱ አስፈላጊውንትብብርናድጋፍያደርጋል።

SECTION EIGHT

MISCELLANEOUSPROVISIONS

76.CouncilofCivilSocietyOrganizations

1. A council governed by the full participation of allCivilSocietyOrganizationshasbeendulyestablishedbythisProclamation.
2. Thebureaushallconveneandcoordinatethefoundingmeetingofthe Council.
3. TheCouncilshallhaveaGeneralAssembly,Executive Committee and the necessary structures.Thecouncilshallenactitsowninternalrules.
4. The procedures for representation of Organizationsinthe GeneralAssembly of the Council shall bedeterminedbytheDirectives oftheCouncil.
5. The Council shall have the following powers andfunctions;

   a) Enact the Code of Conduct for the sector, anddevise enforcement mechanisms in consultationwiththebureau,donorsandotherstakeholders,

   b) Shall advise the bureau and the office on the registration andadministrationofOrganizations,

   c) Representandcoordinatethecivilsocietysector.

6. The source of the council's budget shall be member contributions and other legal means.
7. The bureau shall extend the necessary cooperation for establishment and strengthening of the Council.

ማኅበረሰብፈንድ

ቢሮው የሚተዳደር የሲቪል ማኅበረሰብ ፈንድ በዚህአዋጅተቋቁሟል።

የሲቪል ማኅበረሰብ ፈንድ በጎ ፈቃደኝነትን እና የዘርፉንዕድገትለማበረታታት፣በተለይምልዩድጋፍየሚያስፈልጋቸውን የማኅበረሰብ ክፍሎች የሚያገለግሉድርጅቶችንለማበረታትይውላል።

ሲቪልማኅበረሰብፈንድገቢውንየሚያገኘው፦

(ሀ) ቀደም ሲል ይህ አዋጅ ከመውጣቱ በፊት ከፈረሱ ማኅበራትና ድርጅቶችየተሰበሰበ ሀብት/ ንብረት ካለ፤

(ለ) በመስሪያ ቤቱ ወይም በፍርድ ቤት ውሳኔ ከሚፈርሱድርጅቶችየሚገኝንብረት፤

(ሐ)በመንግሥትለፈንዱየሚደረግድጎማ፤

ድርጅቶችለሲቪልማኅበረሰብፈንዱመዋጮማድረግአይችሉም።

ሲቪልማኅበረሰብፈንድአስተዳደርንበተመለከተ ቢሮው ዝርዝርመመሪያያወጣል።

ተሻሩእናተፈፃሚነትየማይኖራቸውሕጎች

ዚህ አዋጅ ከተደነገጉ ጉዳዮች ጋር የሚቃረን ማንኛውም ግ፣ ደንብ፣ መመሪያ፣ ልማድ ወይም አሠራር በዚህ አዋጅ በተመለከቱት ጉዳዮች ላይ ተፈፃሚነት አይኖረውም።

የመሸጋገሪያድንጋጌዎች

ከዚህ አዋጅ በፊት የነበሩ የድርጅቶች መብቶችና ግዴታዎች በዚህ አዋጅ የተመለከቱትን መሠረታዊ የሆኑ መብቶችንና ግዴታዎችን እስካልተቃረኑ ድረስ ባሉበት ይቀጥላሉ፤

ከዚህ በፊት በክልሉ የተመዘገቡ ማህበራት ይህ አዋጅ ከጸናበት ቀን ጀምሮ በአንድ ዓመት ጊዜ ውስጥ እንደገና በመስሪያ ቤቱ መመዝገብ አለባቸው።

77. CivilSocietiesFund

1/ A Civil Societies fund administered by the bureauisherebyestablished.

2/The Civil Societies fund shall be used to encouragevolunteerism and development in the sector, andprovide incentives to Organizations working withvulnerablegroups.

3/The income ofCivil Societies Fund shall comefrom:

a) PropertiesobtainedfromCharitiesandSocieties dissolved before the enactment ofthis Proclamationif any;
b) PropertiesobtainedfromOrganizationsdissolved bythedecisionof attorney generalorCourt;
c) SubsidyfromtheGovernmenttotheFund.

4/OrganizationsmaynotcontributetotheCivilSocietiesFund.

5/ThebureaushallissueDirectivesontheadministrationofthe CivilSocieties Fund.

78.RepealedandInapplicableLaws

Anylaw,Regulation,DirectiveandCustomaryPractice contrary to this Proclamation shall have noeffect.

79.TransitoryProvisions

1/Any right or duty arising under any provision of the repealed laws shall continue unless it contravenes this proclamation.

2/All Organization registered in the region shall re register withinoneyearafterthecomingintoforceofthisProclamation.

0.ደንብናመመሪያየማውጣትስልጣን

1. የክልሉ መስተዳድር ምክር ቤት ይህን አዋጅ ለማስፈጸም ደንብ ሊያወጣ ይችላል።

2. ቢሮዉና መስሪያ ቤቱ በዚህ አዋጅ መሠረት የሚወጣውን ደንብ ለማስፈፀም መመሪያ ሊያወጡ ይችላሉ።

1.አዋጁየሚጸናበትጊዜ

ህ አዋጅ በክልሉ ምክር ቤት ከፀደቀበት ቀን ጀምሮ የጸና ሆናል።

አሶሳ

ሌ 23 ቀን 2014 ዓ.ም

ደሊ ሀሰን አልአጀብ

ቤኒሻንጉል ጉሙዝ ክልላዊ መንግስት ፕሬዚዳንት

80.PowertoEnactRegulationandDirective

1. The regional administrative CouncilmayenactRegulationsnecessarytogiveeffecttothis Proclamation.

2. The bureau and the office may issue Directives to give effecttothisProclamaitonandtheRegulationenactedinaccordancewithSubArticle1ofthisArticle.

81.EffectiveDate

ThisProclamationshallenterintoforcefromtheDateofenactement by regional council.

Assosa

On this 30 Day of July /2022

Ashadli Hassen Alajeb

President of Benishangul Gumuz Regional State