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# ፌዴራል ነጋሪት ጋዜጣ

## FEDERAL NEGARIT GAZETTE

OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

ሃደ አምስተኛ ዓመት ቁጥር ሀ አዲስ አበባ - ጥር ጽ፪ ቀን - ፪ሺ፲ጵ ዓ.ም

Photologa በኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ የሕዝብ ተመካዮች ምክር ቤት ጠባቂነት የመጣ

ADDIS ABABA 30th, January 2019

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abo / a ደንብ ቁጥር ከ <u>የጀመጀ/የሺ 78 ዓ.ም</u>mo ጋ ad D.

የተምሩክ ኮሚሽንን ተማባር: "ኃላፊታት" እና አደረጃጀት ለመወሰን የወጣ የሚኒስትሮች ምክር ቤት ዴንብ...ነል ፕሺሂሂሂር CONTENT

Regulation No. 437/2018

Definition of Powers, Duties and Organization of the Customs

Commission Regulation.....page 10688

ደንብ ቁጥር ፬፻፴፯/፪ሽ,፲፩

<u>የጉምሩክ ኮሚሽንን ተግባር፣ታላፌነት እና አደረጃጀት</u> ለመወሰን የወጣ የሚኒስትሮች ምክር ቤት ደንብ

በፌደራል መንግስት አስፌዓሚ አካላት አደረጃጀት ላይ የተደረገውን ለውጥ ተከትሎ የታምሩክ ኮሚሽን በህግ የተቋቋመ በመሆኑ:

የኮሚሽኑ ሥልጣንና ተማባር የሚኒስትሮች ምክር ቤት በሚያወጣው ዶንብ እንደሚወሰን በሀግ በመደንገጉ።

2 To collect duties and taxes timely and efficiently

To implement relevant customs laws and

የሚኒስትሮች ምክር ቤት የፌደራል መንግስት አስፊዳሚ አካላትን ሥልጣንና ተግባር ለመወሰን በወጣው አዋጅ ቁጥር እሽ.33/፪ሽ.፲፩ አንቀጽ ፴፩ (፪) መሠረት የሚከተለውን ዶንብ አውጥቷል !!

#### ል. <u>አሞር ር</u>ዕስ

ይህ ደንብ "የጉምሩክ ኮሚሽንን ተማባር፣ ኃላፊነት እና አደረጃጀት ለመወሰን የወጣ የሚኒስትሮች ምክር ቤት ደንብ ቁጥር ፱፻፴፯/፪ሺ፲፩" ተብሎ ሊጠቀስ ይችላል፡፡ REGULATION No. 437/2018

PROVIDE THE DEFINITION OF POWERS, DUTIES AND ORGANIZATION OF THE

WHEREAS, the Customs Commission is already established by law following the organizational and structural changes in the Federal Government Executive Organs;

WHEREAS, the Powers and Duties of the Commission are provided to be defined by the Council of Minister's Regulation;

NOW THEREFORE, the Council of Ministers has issued the following Regulation in accordance with Article 31 (2) of Proclamation No. 1097/2018 defining powers and duties of the Federal Executive Organs.

## 1. Short Title 2119 and 22 and Englanded

This Regulation may be cited as "Definition of Powers, Duties and Organization of the Customs Commission Regulation No. 437/2018."

ያንዱ ዋ.ኃ 8 • 85 Unit Price

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#### ጀ. ትርጓሚ

የቃሉ አገባብ ሌላ ትርጉም የሚያሰጠው ካልሆን በስታቀር በዚህ ዶንብ ውስጥ፦

- ñ/ "ሚኒስቴር ወይም ሚኒስትር" ማለት እንደ ቅደም ተከተላቸው የገቢዎች ሚኒስቴር ወይም ሚኒስትር ነው።
- ፪/ "ኮሚሽን ወይም ኮሚሽነር" ማለት እንደ ቅደም ተከተላቸው የጉምሩክ ኮሚሽን ወይም ኮሚሽነር ነው።
- ፫/ በዚህ ደንብ ውስጥ በወንድ ጾታ የተገለፀው ለሴት ጾታም ተራየሚ ይሆናል፡፡ ፈጠና ነን ለመመል

#### f. ዋና መሥሪያ ቤት

የኮሚሽኑ ዋና መሥሪያ ቤት አዲስ አበባ ሆኖ እንደ አስፌላጊነቱ በኢትዮጵያ ውስፕም ሆነ ከኢትዮጵያ ሙቁ ቅርንጫና መሥሪያ ቤቶችና የጉምሩክ ጣቢያዎች ሊኖሩት ይችላል።

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ኮሚሽኑ የሚከተሉት ዓላማዎች ይኖሩታል፡-

፩/ ዘመናዊ የጉምሩክ አስተዳደር ስርዓት በመዘር ጋት ተማተና ተማተና ማስተና ተማተ ያለው አገል የተማተና ተማተ ያለው አገል የተማተር መስመ ነው። I the manual changes in the Federal Government Locuring

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- Organication are provided to be defined by the commission are provided to be defined by the commission are provided to be defined by the commission are provided to be defined by the council of
- ፫/ አማባብንት ያላቸውን የጉምሩክ ሀንቸና ኢትዮጵያ የተቀበለቻቸውንና ያዕደቀቻቸውን ዓለም አቀፍ አስ 200200014 to biomes and 1804 1814 1814 ስምምነቶች በሥራ ላይ እንዲውሉ ማድረግ፤
- 31 (2) ተመዲዲየር ፈ ጋር ለበ ምብር ዲ ዲኖር ሲ ጋር ሊ ሊ ዲ ዲ ዲ ሲ ሲ ተነባ ተማ ተመለለሰር መደም ተመር አ ዲ ሲ ተነባ ተመፈለሰ ተነባ ተመፈለ ነው። ተመፈለ ነው። የተመረ ነው።
- ሯ/ የጉምሩክ ጣቁተበርበርን እና ኮንትሮባንድን መከላከልና መቆጣጠር፣ italigast noissiamin

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#### 2. Definition

Unless the Context requires otherwise, in this Regulation:

- 1/ "Ministry or Minister" means the Ministry or Minister of Revenues, respectively.
  - 2/ "Commission or Commissioner" means the Customs Commission or Commissioner, respectively.
  - 3/ Any expression in the Masculine Gender will be applicable to the Feminine.

#### 3. Head Office

The Commission shall have its head office in Addis
Ababa and may have branch offices and customs
stations elsewhere in Ethiopia or abroad as may be
necessary.

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### 4. Objectives fragging the Control desert

The Commission shall have the following objectives:

- To provide equitable, expeditious and quality

  and the service by establishing a modern customs

  administration system;
  - To collect duties and taxes timely and efficiently on goods imported or exported;
- 3/ To implement relevant customs laws and TRANK Contemptationals agreements (approved and approved approved and approved approved and approved approved and approved approved approved and approved approved approved approved and approved approved approved approved and approved appr

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- 4/ To Control the import and export of prohibited or restricted goods;
- 5/ To prevent and control customs fraud and contraband.

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#### **፩. የኮሚሽኑ ሥልጣንና ተግባር**

ኮሚሽኑ የሚከተሉት ሥልጣንና ተግባራት ይኖሩታል፡-

- ፩/ የቀረጥና ታክስ ማስከፌያ ዋጋ ይተምናል፣ በህግ መሰረት ቀረጥና ታክስ እንዲሁም የፌቃድ እና የአገልግሎት ክፍያ ይሰበሰባል፣
  - ፪/ የጉምሩክ ሀጎችን ለማስፌጸም የሚያስፌልጉ የአስመጨቃች፤ የሳኪዎች ወይም በማንኛውም ሰው ይዞታ ስር የሚገኙ ሰንዶችን ይመረምራል።
  - ፫/ በጉምሩክ ወደቦች፣ በወሰን አካባቢዎች እና በሙተላለፌያ መንገዶች የጉምሩክ መቅረጫና መቆጣጠሪያ ጣቢያዎች እንዲቋቋሙ አጥንቶ ለሚኒስትሩ ያቀርባል፣ ሲፊቀድም ያቋቁጣል፥
  - ፬/ የጉምሩክ መ,ጋዘን , ይቋቁማል፣ ወደ አገር የሚገቡ ወይም ወደ ውድ አገር የሚጎኩ ዕቃዎች የሚከማቹበትን ሥፍራ ይመስናል፣ ዕቃዎች በአግባቡ መይዛቸውን ይቆጣጠራል።
- ፟ራ/ የኮንትሮባንድ ዕቃዎች ወደ አገር እንዳይገቡ
  ወይም ከአገር እንዳይወጡ ይከላከላል፤
  ይቆጣጠራል፣ በዚህ ሁኔታ የሚንቀሳቀሱ
  ዕቃዎችንና መጓጓገርዎችን ይይዛል፤
  አስፊላጊውን ሕጋዊ እርምጃ ይወስዳል፤
  - 7/ በጉምሩክ ወደቦቸና በወሰን አካባቢዎች እንዲሁም በሌሎች የጉምሩክ ጣቢያዎች በኩል የሚገቡና የሚወጡ ዕቃዎችንና ማጓጓገርዎችን ይፌትሻል፣ የጉምሩክ ስነስርዓት ተፌፅሞባቸው መግባታቸውንና መውጣታቸውን ያረጋግጣል፣
- 2/ ወዴ አገር እንዳይገቡ ወይም ወደ ውጭ አገር እንዳይላኩ በሕግ የተከለከሉ፣ ገደብ የተደረገባቸውን ወይም የጉምሩክ ሥነ-ሥርዓት ያልተፈጸመባቸውን ዕቃዎች ይይዛል፣ አስፈላጊውን ሕጋዊ እርምጃ ይወስዳል፣

#### 5. Powers and Duties of the Commission

The Commission shall have the following powers and duties:

- 1/ To assess duty paying values, collect duties and taxes, collect license and service charges in accordance with laws;
- 2/ To inspect and examine documents of
   importers, exporters or any other person, for
   the purpose of enforcing customs laws;
  - 3/ To carry out studies for the establishment of customs stations in any customs ports, frontier posts and transit routes, and implement same up on approval by the Ministry;

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- 4/ To establish customs warehouses and approve the place for the deposit of import and export goods, establish warehouses, give license for those who establish customs warehouse, supervise the proper handling of deposited goods;
- 5/ To prevent and control the import or export of contraband goods and seize, take any legal actions on such goods and means of transportation of such goods;

(Telegraph Practical Harman 15)

- 6/ To inspect and search any goods and means of transport entered in to or departing from Ethiopia through customs ports, frontier posts and other customs stations, assure that they are being accustomed;
  - 7/ To seize goods which are prohibited by the law not to be imported or exported, restricted or un accustomed goods and take the necessary legal measures;

- ጀ/ ገቢና ወጪ ዕቃዎችን በተመለከተ መረጃዎችን ይይባል፣ ይደራጃል፣ ይጠናቅራል፣ Pwg.ogA:
- ፱/ ስለጉምሩክ ቀረጥና ታክስ አጣጣል፣ አተማመንና አሰባሰብ እንዲሁም ስለኮንትሮባንድ መከላከልና ቁጥተር የአሰራር ስርዓት አጥንቶ ለሚኒስቴሩ ያቀርባል፣ ሲፌቀድም ተግባራዊ ያደርጋል፣
- paragraph of enforcing customs laws የሌላቸው፣ ፲/ በንምሩክ ቁጥተር ስር ያሉ ባለቤት もゆのぞう Prito, O.S.T 8.1:020. ያስተዳድራል፣ ይሸጣል፣ ያስወግዳል፣
- ፲፩/ በጉምሩክ ሀጎች መሰረት ልዩ ልዩ ፌቃዶችን ይሰጣል፣ ይድሳል፣ ይግዳል ወይም ይሰርዛል፣
- ፲፪/ ለጉምሩክ ሥራ አፊጻጸም አስፌላጊ የሆኑ ቅጾችንና የተለያዩ ጽሁፎችን ያዘጋጃል፣
- ፲፫/ የቀረጥና ታክስ ስሌቶችን፣ አሰባሰብ፣ ሒሳብ ሌሎች 16943 1.343 4.8.8719 ለማከናወን የሚያስችሉ በመናዊ የአሥራር ሥርዓቶችን *በዴዎችንና* ተግባራዊ o prevent and control the 1 A.C.2.8.9 export in
- ፲፬/ ብቃት ያላቸው የጉምሩክ ባለሙያዎችን ለማፍራት የሚያስችሉ ምልጠናዎች እንዲሰጡ ያደርጋል፣
- ፲ራ/ በመስኩ ግልፅነትንና ተጠያቂነትን መሰረት በማድረግ ፍትሃዊ፣ ቀልጣፋና ተራት ያለው አገልግሎት ይሰጣል፣ የቀረጥ ነፃ መብቶችንና ማበረታቻዎችን አጠቃቀም በመከታተልና በመቆጣጠር ለታለመሳቸው ያላማ መዋሳቸውን ያረጋግጣል:
- ፲፮/ የንምሩክ ወንጀሎችን በሚመለከት 8.1.77.1 እንደ አስፌሳጊንቱም ለሌሎች አካላት ያሰራጫል፣

necessary legal meesures,

- To collect, organize and disseminate data of imported and exported goods;
- To carry out studies for efficient system of leyying, valuation and collection of customs duties and taxes as well as ways and systems of combating and repression of contraband activities, and implement the same up on me 1990 approval; Action of the Kill of CF250
  - 10/ To sale, dispose, administer goods without owner, abandoned or forfeited; PA TO MUNICIPAL COUNTY OF USE
    - 11/ To issue, renew, suspend or cancel various types of licenses in accordance with the ATTEMPT ATTE customs laws:
    - 12/ To prepare forms and brochures necessary for customs activity;

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- 13/ To apply and implement modern systems and methods for valuation, assessment and collection of taxes and duties and financial accounting and other related activities;
- 14/ To provide trainings to employees that enables the commission to obtain efficient, customs professional expertise; CAPAR 2010000

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- 15/ To provide efficient, equitable and quality service with in the sector based on the principles of transparency and accountability, and enforce the proper implementation of incentives and tax exemption granted to investors and ensure that the privileges are used for their intended purposes;
- 16/ To organize and compile statistical data on customs criminal offences and disseminate the information to others as may be necessary;

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- ፲፮/ የጉምሩክ ህግን ለማስከበር የሚያስችሉ የግንዛቤ ማስጨበጫ ፕሮግራሞችን በመንደፍ ተግባራዊ .የደር.ኃል ፡
- leu-፲፰/፡፡ በዚህ / ደንብ ! አንታዕመ ውጪ እና \_ በሌሎች አግባብነት ባላቸው ሀንት መሰረት የጉምሩክ ሕግ በመተባለፍ የሚፈፀሙ ወንጀሎችን ለመከላከል በፌደራል ፖሊስ የሚደራጀው እና የሚመደበው የፖሊስ ኃይል ስምሪትን በሚመለከት ከፌደራል ፖሊስ ጋር በጋራ ያቅዳል፣ ይኤጽግል፣ ይገመንግል፣
- ፲፱/ የጉምሩክ ሳቦራቶሪ ያደራጃል፣ ዋቅም ሳይ sa promise with the direct Ar. of the the
  - *ሽ/ ከሚኒስቴሩ በሚሰጠው አመራር መሠረት* የጉምሩክ አስተዳደርን በሚመለክት ዓለምዓቀፍ ስምምነቶችን ያደርጋል።
  - ሸፅ/ የንብረት ባለቤት ይሆናል፣ ውል ይዋዋላል፣ በስሙ ለመከሰስና ለመከሰስ ይችላል።
  - ጽጀ/ ዓሳማሙን ተግባራዊ ለማድረግ የሚያስራልን ሌሎች ተዛማጅ ተግባሮችን ያከናውናል።

### ፯. <u>የኮሚሽኑ አቋም</u>

por 67:

- management of the Commission's 8/ በጠቅላይ ሚኒስትሩ የሚሾሙ ከሚሽነርና ምክትል ኮሚሽነሮች። እና
- ፪/ ለሥራው አስፈላጊ የሆኑ **ሠራተኞች ይኖሩታል**፡፡ V Support the Commissioner in planning a grangin

## ፯. <u>የኮሚሽንሩ ተግባርና ኃላ</u>ፊነት

- ሽ/ ኮሚሽነሩ የኮሚሽኑ ዋና ሥራ አስፌዴሚ በመሆን የኮሚሽኑን ሥራዎች ይመራል፤ ያስተዳድራል::
- ፪/ የዚህ አንቀጽ ንዑስ አንቀጽ ፩ እንደተጠበቀ ሆኖ 11 In the angence of the Century, Stiffydd
- ሀ/ በዚህ ደንብ አንቀጽ ጅ የተመለከቱትን የኮሚሽኑን ሥልጣንና ተግባር በሥራ ላይ ያውሳል ፡

- 17/ To plan and implement awareness programs that will ease the enforcement of customs
- 18/ Plan, implement, evaluate in collaboration Awith Federal Police concerning deployment of the police force organized - pursuant to article 9 of this Regulation and other relevant laws to prevent criminal offences in violation of customs laws.
- To organize and operate customs laboratory;
- 20/ To make international agreements regarding the customs administration with the direction of the Ministry;
  - 21/ To own property, enter into contract, sue and be sued in its own name;
- 22/ Perform such other related activities required for the attainment of its objectives.

## 6. Organization of the Commission

The Commission shall have: The Commission shall have:

- 1/ A Commissioner and Deputy Commissioners to be appointed by the prime Minister; and
- 2/ Necessary employees.

### P. 11. P. P. 141 7. Powers and Responsibilities of the Commissioner

- 1/ The Commissioner shall be the Chief Executive Officer of the Commission and shall direct and administer the activities of the Commission.
- 2/ Notwithstanding Sub-Article (1) of this Article, the Commissioner shall:
  - a) Exercise the Powers and Duties of the Commission specified under Article 5 of this Regulation;

PREDATE

- ለ) ያኮሚሽኑን ሥራተኞች በደንብ ቁጥር እጀምሯ/፪ሽ. መስፈት ይቀጥራል፣ ያስተዳድራል፣ ያስናብታል፣
- d) የኮሚሽኑን ዓመታዊ የሥራ ፕሮግራምና በጀት አዜጋጅቶ፣ ለሚኒስቴሩ ያቀርባል፣ ሲልቀድም 1.6 18 80.14: motorola
  - መ) ለኮሚሽኑ በተራቀደው በጀትና 7676.9 13110 15 VIII 060 PRC.2A:
  - · · ሥ) የፍትሐብሔር ክርክሮችን ሚኒስቴሩ በሚደወጣው an and g J. Salan heck ቤት ውጭ በስምምንት ሊጨርስ ይችላል።
    - ከሦስተኛ ወገኖች ጋር በሚደረጉ ግንኙንቶች ሁሉ ኮሚሽኑን ይመክላል።
    - ስለ ሥራው እንቅስቃሴ በየጊዜው ለሚኒስቴሩ ሪፖርት ያቀርባል።
- 🗓 ኮሚሽነሩ ለኮሚሽኑ ሥራ ባስልለን መጠን ሥልጣንና ተግባሩን ለሌሎች የኮሚሽኑ ኃላፊዎችና ሥራተኞች በውክልና ሊያስተላልፍ ይችላል:
- ጃ. <u>የምክትል ኮሚሽነሮች ሥልጣንና</u> ተግባር ምክትል ኮሚሽነሮች:-

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- 8/ 880% 116年半のう በማቀድ፣በማደራጀት፣ በመምራትና በማስተባበር ኮሚሽነሩን ይረዳሉ።
- g/ በኮሚሽነሩ የሚሰጧቸውን ሌሎች ስራዎች 2/ Notwithstanding Sub-Artick Ortonal Sub-Article, the
  - ፫/ ኮሚሽነሩ በማይኖርበት ጊዜ ተለይቶ የተወከለው ምክትል ኮሚሽነር ኮሚሽነሩን ወክሎ ይሥራል::

- (a) Employ, administer, dismiss employees in accordance with Regulation No. 155/2008:
  - Prepare and submit to the Minister the annual plan and budget of the Commission and implement the same upon approval;
  - Effect payment in accordance with the 745mm approved budget and work program of the Commission;
    - e) May settle Civil disputes out of court in accordance with the directives issued by the Minister:
    - f) Represent the Commission in all its dealings with third parties; who was a compact
      - g) Submit periodical reports to the Minister. APTH AMERICA POLICEON

TABOUT PRODUCT PROCESS PRESENT

3/ The Commissioner may delegate part of his Powers and Duties to officials and employees of the Commission to the extent necessary for the management of the Commission's activities.

#### 8. Powers and Duties of the Deputy Commissioners

The Deputy Commissioners shall:

- 1/ Support the Commissioner in planning organizing, directing and coordinating the activities of their respective sectors.
- 2/ Perform other activities directed to them by the Commissioner.

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3/ In the absence of the Commissioner, the Deputy Commissioner specifically delegated by the Commissioner shall carry out the activities of the Commissioner.

## ፱. <u>የጉምሩክ ፖሊስ ስለማደራጀትና ስለመመ</u>ደብ

የፌደራል ፖሊስ ጉምሩክ ሕጎችን በመተላለፍ የሚፈፀሙ መንጀሎችን ለመከላከል የሚያስችል የጉምሩክ ፖሊስ ኃይል ያደራጃል፣ያሰስተናል፣ስኮሚሽኑ ይመድባል፡፡

### ፲. <u>በጀት</u>

የኮሚሽኑ በጀት በመንግስት ይመደባል::

## ፲፩. <u>የሂሳብ መዛግብት</u>

- *፩/ ኮሚሽኑ የተሟሉና* ትክክለኛ 844.0 መዛግብት ይይዛል፡፡
- ፪/ የኮሚሽኑ የሂሳብ መዛግብትና ገንዘብ ነክ ሰንዶች በዋናው አዲተር መሥሪያ ቤት ወይም በዋናው  $\lambda$ &tC በሚሰየም 18.1C 189001: 8,0006006A ::

## ፲፪. መመሪያ የማውጣት ስልጣን

ሚንስቴሩ ይህንን ደንብ ለማስፈ*ፀም* መመሪያዎችን ሲያወጣ ይችላል::

## ፲፫. ተፈባሚ የማይሆኑ ሀንቦች

手到12 9.7% ይህን ደንብ የሚቃረን ደንብና መመሪያ በደንበ በተሸፊን ጉዳይ ላይ ተፊየሚ አይሆንም።

## ፲፬. ደንቡ ተፈዓሚ የሚሆንበት ጊዜ

ይህ ደንብ በሚኒስትሮች ምክር ቤት ከወደቀበት ኅዳር ሸ፪ ቀን ፪ሺ፲፩ ዓ.ም ጀምሮ የወና ይሆናል።

አዲስ አበባ ጥር ፳፪ ቀን ፪ሺ፲፩ ዓ.ም

ዶ/ር አብይ አህሙድ

የኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ ጠቅሳይ *ሚኒስትር* 

## 9. Organizing and Deploying Of Customs Police

Federal Police shall have the responsibility to organize, train and deploy Customs Police force to prevent criminal offences in violation of customs law.

#### 10. Budget

The Government shall allocate budget of the Commission.

## 11. Books of Account

- 1/ The Commission shall keep complete and accurate books of account.
- 2/ The books of account and financial documents of the Commission shall be audited annually by the Auditor General or by other Auditors designated by the Auditor General.

## 12. Power to issue Directive

The Ministry may issue Directives necessary for the effective implementation of this Regulation.

## 13. Inapplicable laws

Any Regulation or Directive that is inconsistent with this Regulation shall have no effect on matters covered by this Regulation.

### 14. Effective Date

This Regulation shall come in to force as of the 1st day of December 2018 of its approval by the Council of Ministers.

Done at Addis Ababa, this 30th Day of January, 2019.

ABIY AHMED (DR.)

PRIME MINISTER OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA