

የኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ

ፌደራል ነጋሪት ጋዜጣ

FEDERAL NEGARIT GAZETTE

OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

ያ ስድስተኛ <mark>ዓመት ቁጥር ፲</mark>፩ አበዓ ጥር ፲፪ ቀን ፪ሺ፲፪ ዓም

በኢትዮጵያ ፌደራላዊ ዲሞክራሲያዊ ሪፐብሊክ የሕዝብ ተወካዮች ምክር ቤት ጠባቂነት የወጣ 26th Year No. 11 ADDIS ABABA 21st January, 2020

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ኒኒስትሮች ምክር ቤት ደንብ ቁጥር ፴፻፷፩/፪ሺ፲፪

<u>ነግድ ምዝገባና ፌቃድ የሚኒስትሮች ምክር ቤት</u> (ማሻሻያ) ደንብ

ንግድ ምዝገባና ፌቃድ የሚኒስትሮች ምክር ቤት ፲ ቁጥር ፫፻፲፪/፪ሺ፱ን ማሻሻል አስፌላጊ ሆኖ ግኘ፡

:ስትሮች ምክር ቤት በንግድ ምዝገባና ፌቃድ 5 ቁጥር ፱፻፹/፪ሺ፰ አንቀጽ ፵፪(፩) መሠረት ፡ ደንብ አውጥቷል፡፡

PC CON

ህ ደንብ "የንግድ ምዝገባና ፌቃድ የሚኒስትሮች ነክርቤት (ማሻሻደ) ደንብ ቁጥር ፬፻፷፩/፪ሺ፲፪" ብሎ ሲጠቀስ ይችላል፡፡

ግሻሻያ

ንግድ ምዝገባና ፌቃድ ደንብ ቁጥር ፫፫፫፫/፪ሺ፬ ንዴሚክተለው ተሻሽሷል:-

7<mark>የደን</mark>ቡ አንቀጽ ፮ ንውስ አንቀጽ (፬) ተሥርዞ በሚከተለው አዲስ ንውስ አንቀጽ (፬) ተተክቷል:-

"፬/ በንግድ ማኅበር የንግድ ስም እንዲሻሻል ሲመየቅ በሕግ ሥልጣን በተሰጠው አካል የተረጋገጠ ቃለ ጉባኤ ስለመሻሻሉ ለዚህ በተዘጋጀ የኢንፎርሜሽን ኮሚኒኬሽን ቴክኖሎጂ አውታርን በመጠቀም ያሳውቃል፡፡

Content

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COUNCIL OF MINISTERS REGULATION No. 461/2020

COMMERCIAL REGISTRATION AND LICENSING (AMENDMENT) REGULATION

WHEREAS, it has been found necessary to Amend, the commercial Registration and licensing service Regulation No 392/2016;

NOWTHEREFORE, the Council of Ministers has hereby issued this Regulation pursuant to Article 52 (1) of the Commercial Registration and Licensing Proclamation No. 980/2016.

1. Short Title

This Regulation may be cited as the "Council of Ministers Commercial Registration and Licensing (Amendment) Regulation No. 461/2020."

2. Amendment

Commercial Registration and Licensing Regulation No.392/2016 is hereby amended as follows:

- 1/ Sub Article (4) of Article 7 of the Regulation is deleted and replaced by the following new Sub Article (4):
 - "4/ Where a request is made for an amendment of a company name of a business organization, authenticated minutes the relevant organ shall notify the amendment via information communication technology channels.

አድራሻና የቅርንጫፍ የሥራ አድራሻ ነው ከሆነም ይህንኑ የሚያረጋግጥ የአድራሻ 1.2764 "የሚለው ተሰርዞ "አማባብ PAm-11781128m 8907179 ቅለ 18. መልካቹ የሚሞላ እና በፊርማው የሚፈጋገጥ መልካች የንግድ ሥራ አድራሻ" 117.0 **广**加士A::

የደንቡ አንቀጽ ፬ ንዑስ አንቀጽ (፩) ፌደል ተራ (ሬ) ተሰርዞ በሚከተለው አዲስ ፌደል ተራ (ሬ) ተተክቷል:-

"ረ/ አመልካቹ የውጭ አገር ዜጋ ከሆነ በዚህ አንቀጽ ከተጠቀሱት በተጨማሪ የኢንቨስትመንት ፌቃድ እንዲሁም ቅርንጫና የሚከፍት ከሆነ አግባብ ያለው ባለሥልጣን በሚያዘጋጀው የምዝገባ ቅፅ ላይ በአመልካቹ የሚሞላ እና በፌርማው የሚረጋገጥ የንግድ ሥራ አድራሻ የአመልካቹ የንግድ ሥራ አድራሻው ነው ተብሎ ይወሰዳል።"

ንቡ አንቀጽ ፬ ንዑስ አንቀጽ (፪) ተሥርዞ ኒኩተለው አዲስ ንዑስ አንቀጽ (፪) ተተክቷል።

ማለሰብ ን.ኃኤ በውክልና የኘግድ ምዝገባ የምስክር ወረቀትን ለማውጣት ሲፌልግ ወኪሉ በሕግ ምልጣን በተሰጠው አካል የተሰጠ የውክልና ማስረጃ ሥነድ ማቅረብ አለበት።"

ንበ አንቀጽ ፲፫ ንዑስ አንቀጽ (፩) ፊደል ፡፡(ሥ) ተሰርሙበሚከተለው አዲስ ፊደል ተራ) ተተክቷል:-

ስ ለበጀት ዓመቱ ለደመወዝ እና ለሥራ ማስኪያጃ የሚሆን ቢያንስ ፩፻ሺ (አንድ መቶ ሺ) የአሜሪካን ዶላር ወደ አገር ውስጥ በወካዩ ስም ወይም በእንደራሴው ስም ለማስገባቱ ከባንክ የተሰጠ ማረጋንጫ።"

ንቡ አንቀጽ ፲፰ ንውስ አንቀጽ (፬) ተሰርዞ ኢክተለሙ አዲስ ንውስ አንቀጽ (፬) ተክቷል:-

ማሻሻያው የሚደረገው በማኅበሩ መመስረቻ ጽሑፍ እና የመተዳደሪያ ደንብ ላይ ከሆነ የማኅበሩ አባላት ማሻሻያ ያደረጉበትን ሠንድ ለማር ጋገጥ በሀግ ሥልጣን በተሰጠው አካል የተረጋገጠ ቃለ ጉባኤ ዋና ቅጅ፡ ማሻሻያው ከካፒታል ጋር የሚያያገነ ከሆነ ወይም

- 2/ The expression which provides "statement of principal business address of applicant and branch office, if any in any of the provisions in the Regulation is deleted and replaced by "the business address stated and signed by the applicant in the form prepared by the relevant body for this purpose."
- 3/ Paragraph (f) Sub Article (1) of Article 9 of the Regulation is deleted and replaced by the following new paragraph (f):
 - "f/ Where the applicant is a foreign national, in addition to those provided in this Article, he shall produce an investment license and the business address stated and signed in the form prepared for the purpose by the relevant body shall be taken as his business address."
- 4/ Sub Article (2) of Article 9 of the Regulation is deleted and replaced by the following new Sub Article (2):
 - "2/ Where a commercial registration of a sole business is made via an agent through a power of attorney, a power of attorney authenticated by a legally authorized body shall be produced."
- 5/ Paragraph (e) Sub Article (1) of Article 13 of the Regulation is deleted and replaced by the following new paragraph (e):
 - "e/ a bank statement certifying deposit of a minimum of USD 100,000(One hundred thousand) earmarked for salary and administrative expenses is deposited in the name of the principal or in the name of his representative;"
- 6/ Sub Articles (4) of Article 18 of the Regulation is deleted and replaced by the following new Sub Articles (4):
 - "4/ The business address stated and signed by the business organization in the form shall be taken as his business address, Where the amendment is to be made to the memorandum or Articles of association, an original copy of the

ሕግ ሥልጣን በተሰጠው አካል የተረጋገጠ ማኅበሩ ቃለ ጉባኤ ዋና ቅጅ እና የአድራሻ የሻሻያ ቅፅ ላይ በመሙላት በፌርማው 'ረጋገጠው በቅፁ የተመለክተው አድራሻ ንግድ ሥራ አድራሻው፡"

ት አንቀጽ ፳፩ ተሥርዞ በሚከተለው አዲስ የ ፳፩ ተተከቷል።

የንግድ ምዝገባ የምስክር ወረቀት ስለማሰረዝ

- ን/ የንግድ ምዝገባ የምስክር ወረቀት ለማሰረዝ ከሚቀርብ ማመልከቻ ቅፅ ጋር የሚከተሉት መረጃዎች ተያይዘው መቅረብ አለባቸው:-
 - ሀ) የሥራ አስኪያች የታደሰ መታወቂያ ወይም ፓስፓርት ዋናውና አስፌላጊ ገፆች ፎቶ ኮፒ፡
 - ለ) ማመልክቻው በወኪል የቀረበ ከሆነ የውክልና ማስረጃ ዋና እና ፎቶ ኮፒ፤ የወኪሉና የሥራ አስኪያጁ የታደሰ መታወቂያ ወይም ፓስፖርት ዋናው እና አስፌላጊ ገጾች ፎቶ ኮፒ፤
 - ሐ) የንግድ ምዝገባ የምስክር ወረቀት ማስረጀ:
 - መ) የንግድ ማኅበር ከሆነ የማኅበሩን ስረዛ ቃለ ጉባኤ (ዋናውን) እና የኦዲት ሪፖርት።

ሃለግባብ ያለው ባለሥልጣን የንግድ ምነበባ ምስክር ወረቀት መሰረዙን ለዚህ ተግባር ደዜደጀውን ያሉንፎርሜሽን ኮሚኒኬሽን ቴክኖሎጂ አውታር በመጠቀም ያሳውቃል፡፡" ቡ አንቀጽ ፳፫ ንዑስ አንቀጽ (፪) ተሰርዞ ተለው አዲስ ንዑስ አንቀጽ (፪)ተከቷል:-

ለሰብ ኒንዴ የንግድ ሥራ ልቃድ የምስክር ሬቀትን በሙክልና ለማውጣት ተወካዩ ሕግ ሥልጣን ከተሰጠው አካል የተረጋገጠ ውክልና ሥልጣን ማስረጃ ማቅረብ አለበት፡፡" ት አንቀጽ ፳፬ ንዑስ አንቀጽ (፮) ፊደል መ) ተሥርዞ በሚከተለው አዲስ ፊደል ተራ ኮታክቷል:- authorized body and where the amendment relates to capital or where it is change of business address, the original copy of minutes of the business organization authenticated by a legally authorized body;"

7/ Article 21 of the Regulation is deleted and replaced by the following new Article 21:

"21. <u>Cancellation of Commercial</u> <u>Registration Certificate.</u>

- 1/ Application for cancellation of commercial registration certificate shall be submitted by attaching the following documents with the application form:
 - a) original and necessary copies of valid identity card or passport of the manager;
- b) where the application is submitted by an attorney; original and copy of power of attorney, original and necessary copies of valid identity card or passport of the attorney and the manager;
- c) certificate of commercial Registration;
- d) in case of business organization, the minutes of cancellation resolution and audit report must be presented.
- 2/ the appropriate authority shall notify Cancellation of Commercial Registration Certificate via information communication technology channels."
- 8/ Sub Article (2) of Article 23 of the Regulation is deleted and replaced by the following new Sub Article (2):
 - "2/ Where the license of a sole business is issued via a power of attorney, a power of attorney authenticated by an authorized body shall be produced."
- 9/ Paragraph (d) Sub Article (6) of Article 24 of the Regulation is deleted and replaced by the following new paragraph (d):

ንግድ ማኅበሩ ቅርንጫፍ የሚከፍት ከሆነ ነግባብ ደለው ባለሥልጣን በሚያዘጋጀው ቅዕ ይ በአመልካቹ የሚሞላ እና በፊርማው ሚረጋገጥ የንግድ ሥራ አድራሻው፡፡ ይህ ነመልካቹ በቅፁ የተመለክተው አድራሻ ነርንጫፍ የንግድ ሥራ አድራሻው ነው ነብሎ ይወሰዳል፡"

ቡ አንቀጽ ፴ ንዑስ ኢንቀጽ (፪) ተሰርዞ ከተለው አዲስ ንዑስ አንቀጽ (፪) ተተክቷል:-

'ንግድ ማኅበር ከሆነ የአዲት *ሪፖርት* ፡"

archication form

ንበ: አንቀጽ ፴፪ ንዑስ አንቀጽ (፫) ተውርዞ ከተለው አዲስ ንዑስ አንቀጽ (፫) ተተክቷል:-

ማሻሻያው የሚደረገው በማኅበሩ የመመስረቻ 8:41.9:5 Pan-1-4268 27-11 18. hurs አባላት ማሻሻያውን 899705-ያደረጉበት ሥነድን ለማርጋገጥ በሆን ሥልጣን በተሰጠው አካል የተረጋገጠ ቃለ 7-12 ቅድ: ማሻሻያው ከካፒታል 26 109.8.871 hurs 2.1177 847.86,297 096,2766 (D.P.90 የአድራሻ No.T hur 2991 Phar-11/20 AM3 1191120 Pb 18 9716. የንግድ ሥራ አድራሻዬ ነው ብሎ የሞላው እና በፊርማው ያፈጋገጠው የንግድ ሥራ አድራሽ የአመልካቹ የንግድ የሥራ አድራሻ ነው ተብሎ ይመሰዳል:

*3*ቡ አንቀጽ ፵፩ ተሥርዞ በሚከተለው አዲስ ቀጽ ፵፩ ተተክቷል።

<u>የሆልዲንግ ኩባንያ ልዩ የምዝገባ የምስክር</u> ወረቀት ስለማሰረዝ

- 6/ የሆልዲንን ኩባንያ ልዩ የምስክር ወረቀት ለማሰረዝ ከሚቀርብ ማመልከቻ ቅኔ ጋር የሚከተሉት መረጃዎች ተደደዘው መቅረብ አልባቸው።
 - ሀ) የሆልዲንግ ኩባንያ ልዩ የምስክር መሪቀት፣
 - ለ) የሆሲዲንግ ስምምነት ስለመፍረሱ ሰነድ ፡፡፡፡ ለማፈጋገጥ በፀግ ስልጣን በተሰጠው አካል የተረጋገጠ ቃለ ጉባኤ፡
 - ሐ) የሆልዲንግ አስተባባሪ ኩባንያ ሥራ አስኪያጅ የታደሰ መታወቂያ ወይም ፓስፖርት ዋናውና አስፌላጊ ገጾች

- "(d) Where the business organization opens branches, the business address stated and signed by it in the form shall be taken as its business address;"
- 10/ Sub Article (2) of Article 30 of the Regulation is deleted and replaced by the following new Sub Article (2):
- "2/ An audit report, if it is a business organization;"
- 11/ Sub Article (3) of Article 32 of the Regulation is deleted and replaced by the following new Sub Article (3):
 - "3/ The business address stated and signed by the business organization in the form shall be taken as his business address, Where the amendment is to be made to the memorandum or Articles of association, an original, copy of the minutes of shareholders decision to amend same, authenticated by a legally authorized body, and where the amendment relates to capital or where it is change of business address, the original copy of minutes of the business organization authenticated by a legally authorized body."
- 12/ Article 41 of the Regulation is deleted and replaced by the following new Article 41:

"41. Cancellation of the Special Certificate of Registration of Holding Company

- If The holding company shall present the following, along with the application, to cancel special certificate of registration of holding company:
 - a) special certificate of registration of the holding company;
 - b) a notarized minute certification showing the dissolution of the holding company;
 - c) original and necessary copies of valid identification card or passport of the manager of the holding

ጀ/ የሆልዲንግ ስምምንተ፡ ስለመፍረሱ አግባብ ያለሙ ባለሥልጣን ለዚህ ዓላማ ያዘጋጀውን የኢንፎርሜሽን ኮሚኒኬሽን ቴክኖሎጂ አውታር በመጠቀም ይፋ ያደርጋል።

ንቡ አንቀጽ ፵፩ ንዑስ አንቀጽ (፩) ተሰርዞ ኒኮተለው አዲስ ንዑስ አንቀጽ (፩) ተተክቷል:-

በሕግ ስልጣን በተሰጠው አካል የወደቀ 'ፍራንቻይዝሩና የፍራንቻይዚ ውል ማፍረሻ ነምምነት ሰነድ፥"

ንቡ አንቀጽ ፵፪ ንዑስ አንቀጽ (፫) ተሰርዞ ከተለው አዲስ ንዑስ አንቀጽ (፫) ተተክቷል።

አምራቾች ወይም አስመጪዎች ከምርት ህሪያቸው የተነሳ ለችርቻሮ ሽያቄ ስገዳጅነት ያሳቸው ምርቶች በችርቻሮ .ሽጡ ይችሳሉ።"

ንቡ አንቀጽ ፶፪ በኋላ አዲስ አንቀጽ ፶፫ ኔምሮ ከአንቀጽ ፶፫ እስከ አንቀጽ ፶፭ ት እንደቅደም ተከተላቸው ከአንቀጽ ፶፬ ነ አንቀጽ ፶፮ ሆነው ተሽጋሽገዋል።

በዚህ ደንብ ስለመታወቂያ እና ፓስፖርት ትንንና ድንጋኔዎች እንዴተጠበቁ ሆነው 'መንጃ ፌቃድ እና ከመሥሪያ ቤቶች 'ሚሰጡ መታወቂያዎችን በማቅረብም ነገልግሎት ይሰጣል::

285በት ጊዜ

ብ በፌደራል ነ*ጋሪት ጋዜጣ ታትሞ* ቀን ጀምሮ የዐና ይሆናል፡፡

አዲስ አበባ ጥር ፲፱ ቀን ፪ሺ፲፱

ዶ/ር አብደ አህመድ

ሬደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ ጠቅላይ ሚኒስትር

- 2/ the appropriate authority shall notify Cancellation of the special certificate of registration of holding company via information communication technology channels."
- 13/ Sub-Article (1) of Article 51 of the Regulation is deleted and replaced by the following new Sub Article (1):
 - "1/ a cancellation of the franchise agreement document approved by the appropriate authority;"
 - 14/ Sub-Article (3) of Article 52 of the Regulation is deleted and replaced by the following new Sub-Article (3):
 - "3/ Producers or importers may retail goods of such a nature that cannot be sold otherwise than by retailing;"
- 15/ New Article 53 is added After Article 52 and Article 53 to 55 shall be renumbered as Article 54 to 56:
 - "53/ Notwithstanding the provisions on identity card and passports under this Regulation, driving licenses and any identity cards issued by employers may be used for the purposes of getting any services."

3. Effective Date

This Regulation shall enter into force on the date of their publication in the Federal Negarit Gazette.

Done at Addis Ababa, this 21st day of January,2020.

ABIY AHMED (DR.)

PRIME MINISTER OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA