

# るえんる とつとみ つばの

## FEDERAL NEGARIT GAZETTE

OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

አሥራ በጠነኛ ዓመት ቁጥር ፳፬ ስ አበባ ጥር ፲፯ ቀን ፪ሺ*፩ ዓ.*ም በኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ የሕዝብ ተወካዮች ምክር ቤት ጠባቂነት የወጣ

19<sup>th</sup> Year No. 24 ADDIS ABABA 25<sup>th</sup> January 2013

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አዋጅ ቁጥር ፯፻፹፩/፪ሺይ ዓ.ም

የመለስ ፋውንዴሽን ማቋቋሚያ አዋጅ....ገጽ ፯ሺ፯፻፵፪

አዋጅ ቁጥር ፯፻፹፩/፪ሺ ሬ

#### የመለስ ፋውንዴሽንን ለማቋቋም የወጣ አዋጅ

ክቡር አቶ መለስ ዜናዊ ኢትዮጵያ ብሔሮች፤ ብሔረሰቦችና ሕዝቦች በእኩልነት፤ በመራቃቀድና በአንድነት የሚኖሩባት አገር እንድትሆን ከልጅነት እስከ ሕልፌተ ህይወታቸው የከፌሎትን ከፍተኛ መስዋፅትነት መዘከር አስፌላጊ መሆኑን በመገንዘብ፤

ክቡር አቶ መለስ ዜናዊ ከለጋ ዕድሜያቸው ጀምሮ በአገራችን ሰላም፣ ልማት፣ መልካም አስተዳደርና ዲሞክራሲ እንዲሰፍን ለማድረግ በሰጡት በሳል አመራር ክፍተኛ ውጤቶች የተመዘገቡ መሆኑን በመረዳት፤

መለስ HSQ. PMS ለክራሪነት በዓለም በተለይም አገሮች ያስከተለውን በታዳጊ 4005 በመተንተን የልማታዊና አሱታዊ ሕና ልማት የአረንንዴ ዲሞክራሲያዊ *እንዲሁም* አስተሳሰብ አማራጭ በማቅረብ በዓለም አቀፍ ደረጃ ስመፍጠር የቻሉ አወንታዊ ተጽዕኖ በአፍሪካ አስተማማኝ ሰላም እንዲሰፍን ለማደረግ ከፍተኛ አርአያነት ያለው ተግባር ያበረከቱ መሆኑን በመገንዘብ፤

> ያንዱ ዋጋ Price 9.15

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Proclamation No. 781/2013

PROCLAMATION No. 781/2013.

## A PROCLAMATION TO PROVIDE FOR THE ESTABLISHMENT OF MELES FOUNDATION

WHEREAS, recognizing the need to remember the lifelong struggle and sacrifice of His Excellency Ato Meles Zenawi with a view to making Ethiopia a political entity founded on equality, unity and free will of its nations, nationalities and peoples;

WHEREAS, taking into consideration that the wise leadership of his Excellency Ato Meles Zenawi, since his early youth has contributed to great achievements in peace, development, good governance and democracy;

WHEREAS, recognizing the positive impacts made by His Excellency Ato Meles Zenawi, at the international level, through his analysis of the negative aspects of extreme adherence to market influences, and by generating the idea of developmental and democratic state as well as green development as alternative model, and his exemplary high contributions to the achievement of sustainable peace in Africa;

ዜናዊ የአገራችንን እና ክቡር አቶ መለስ የሕዝባችንን ደህንነትና ዕድገት ለማረጋገጥ በሕይወት መስዋዕትነትና 'ጥሬት ዘመናቸው ለፌፀሙት ዘሳቂ መታሰቢያ 802.03 ፋውንዴሽን **+70** መሆኑ ስለታመነበት፤

ክቡር አቶ መለስ ዜናዊ የልማታዊና ዲሞክራሲያዊ መንግሥት አስተሳሰብ በማመንጨት፣ በመተንተን፣ በማስረጽና በመተግበር እንዲሁም በሀዝብ አንል ኃይነታቸውም 731C ቀደም ሚና የተጫወቱ መሆናቸውን ለአሁኑና ለቀጣዩ ትውልድ ትምህርትነትና ልምድ የማስተላለፍ አስፌላጊነትን በ*0*073Hብ :

በኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ ሕገ መንግስት አንቀጽ ፶፰(፩) መሠረት የሚከተለው ታውዷል።

## ክፍል አንድ

#### ጠቅሳሳ

#### አጭር ርዕስ

ይህ አዋጅ "የመለስ ፋውንኤሽን ማቋቋሚያ <u>ጀ</u>የ ፹ δ/፪ሺ ሬ" ይችላል።

#### Ø. ትርጓሜ

የቃሉ አገባብ ሴላ ትርጉም የሚያሰጠው ካልሆነ በስተቀር በዚህ አዋጅ ውስጥ፡-

- δ/ "ምስል" ማስት በልዩ ልዩ ወረቀት፣ ሽራ፣ ወይም ሴሳ የታተመ ወይም በማንኛውም የተቀረፀ ወይም OL90 የተነሳ いるナ PAHJE PhOC አቶ መለስ ዜናዊን **ቅር**ባቅርጽ፣ የኤሌክትሮኒክስ **ፎቶ**ግራና፣ ቅጂ እና የመሳሰ<u></u>ትን ያካትታል፤
- ፪/ "ስያሜ" ማለት የክቡር አቶ መለስ ዜናዊን ስም፣ ቅርጽ ወይም ድምጽ (ንግግር) ሕና የመሳሰሉትን ለመታሰቢያነት፣ ለመጠሪያነት፣ ለማስታወቂያነት ወይም ለሌሎች ማናቸውም አገልግሎቶች ማዋልን ያካትታል፤

WHEREAS, it has been believed proper to establish a memorial foundation for the lifelong effort and sacrifice of His Excellency Ato Meles Zenawi, to the security and development of our country and its peoples;

WHEREAS, realizing the need to pass the legacy of His Excellency Ato Meles Zenawi to the present and future generations through compiling the vanguard role he played in generating, analyzing, propagating and implementing the theory of developmental and democratic state and his commitment to serve the people;

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

OF THE PEDERAL DEMOCR

### PART ONE GENERAL

BUB ASSESS CLUTSLAND UVADA

#### **Short Title**

This Proclamation may be cited as the "Meles Foundation Establishment Proclamation No. 781/2013".

#### **Definitions**

In this Proclamation, unless the context otherwise requires:

- "picture" includes the painting, drawing, or photograph, electronic copy, and other similar materials of printed or developed as a portrait of His Excellency Ato Meles Zenawi on different papers or other materials;
- "naming" includes using the name, stature, sound (speech) or other similar things of His Excellency Ato Meles for memorial, name, Zenawi advertisement or for any other services;

- ፫/ "ስም" ወይም "ስብዕና" ማለት ክቡር አቶ መለስ ዜናዊ የልማታዊ ዲሞክራሲያዊ መንግሥት አስተሳሰብን በማመንጨት፣ በመተንተን፣ በማስረጽና በመተግበር የነበራቸው ግንባር ቀደም ሚና ነው፤
- ፬/ "አግባብነት ያለው ስፍራ" ማለት አግባብ ባለው የመንግሥት አካል የክቡር አቶ መለስ ዜናዊን ስም ወይም ምስል በመጠቀም ለሕር ሳቸው መታሰቢያ ለመስራት ወይም ሥራዎ ቻቸውን ለማስተዋወቅ ወይም ለማስተማ ሪያነት የሚሰየም ቦታን ያጠቃልላል፤
- ፩/ "ግንባታ" ማለት የመልካም ስም ማስታወሻ፣ ቅርጻቅርጽ፣ ሃውልት፣ ተቋም እና የመሳሰሉትን ያጠቃልላል፤
- ፮/ "ጠቅሳሳ ጉባዔ" ማስት በዚህ አዋጅ አንቀጽ ፯(፩) ሕና አንቀጽ ፰(፩) የተመሰከተው የፋውንኤሽኮ ጠቅሳሳ ጉባዔ ነው፤
- ፯/ "ቦርድ" ማለት በዚህ አዋጅ አንቀጽ ፯(፪) እና አንቀጽ ፲፪(፩) የተመለከተው የፋውንዴሽታ ቦርድ ነው፤
- ፰/ "ክልል" ማለት በኢትዮጵያ ፌደራላዊ ዲሞክራሲያዊ ሪፐብሊክ ሕገመንግስት አንቀጽ ፵፯(፩) የተመለከተው ማንኛውም ክልል ሲሆን የአዲስ አበባና የድሬዳዋ ከተሞች አስተዳደሮችንም ይጨምራል፤
- ፬/ "ሰው" ማስት የተፈጥሮ ሰው ወይም በህግ የሰውነት መብት የተሰጠው አካል ነው፤
- ፲/ ጣንኛውም በወንድ ጾታ የተገለጸው የሴትንም ይጨምራል።

#### ፫. *መቋቋ*ም

የመለስ ፋውንኤሽን (ከዚህ በኋላ "ፋውንኤሽን" ሕየተባለ የሚጠራ) በሕግ የሰውነት መብት ያለው ራሱን የቻለ ተቋም ሆኖ በዚህ አዋጅ ተቋቁሟል።

#### ፬. ዋና መሥሪያ ቤት

የፋውንኤሽት ዋና *መሥሪያ* ቤት በአዲስ አበባ ሆኖ በሌሎች ስፍራዎች *እን*ደ አስፈላጊነቱ **ቅርንጫ**ፍ ጽሕፊት ቤቶች ሊኖሩት ይችላል።

- 3/ "name" or "personality" means the characteristic that portrays the vanguard role of His Excellency Ato Meles Zenawi in generating, analyzing, propagating and implementing the theory of developmental and democratic state;
- 4/ "appropriate area" includes a place allocated by the competent government body for the purpose of building a memorial for His Excellency Ato Meles Zenawi or to promote or to teach his works using his name or his picture;
- 5/ "building" includes a best name remembrance of artifacts, monument, an institution and other similar things;
- 6/ "General Assembly" means the General Assembly of the Foundation referred to in Article 7(1) and Article 8(1) of this Proclamation;
- 7/ "Board" means the Foundation's Board referred to in Article 7(2) and Article 12(1) of this Proclamation;
- 8/ "Region" means any region referred to in Article 47(1) of the Constitution of the Federal Democratic Republic of Ethiopia and includes the Addis Ababa and Dire Dawa-City Administrations;
- 9/ "person" means a natural or legal person;
- 10/ any expression in the masculine gender includes the feminine.

#### 3. Establishment

The Meles Foundation (hereinafter the "Foundation") is hereby established as an autonomous institution having its own legal personality.

#### 4. Head Office

The Foundation shall have its head office in Addis Ababa and may have branch offices elsewhere as may be necessary.

#### 9109

ዓላማ ክቡር የፋውንኤሽት አቶ መለስ ዜናዊ ዘመናቸው የነበሩትን በሕይወት ሲታንሱስት የሰዎች የልማታዊና ዲሞክራሲያዊ መንግሥት፣ ማንኙነት፣ ዲሞክራሲያዊ **አኩልነት፣** ክብርና *እንዲሬጋገ*ጥ፣ የሰውና የተልጥሮ ብልፅማና 935.17 እንዲሆን POLSECT 9459 አስተሳሰብ እና የሰሳም የህብረተሰባዊ ሰውጥ ፈለግ ማስቀጠል እና መርሆዎቻቸውን ማስፋፋት ይሆናል።

#### ፮. ተግባራትና የሕግ ችሎታ

ፋውንዴሽን የሚከተሉት ተግባራትና የሕግ ችሎታ ይኖሩታል:-

- HSQ. አስክሬን 8/ Phic አቶ መለስ መናፈሻ የሚያርፍበትና በሕዝብ የሚጎበኝ መገንባትና ማስተዳደር፤
- g/ ክቡር አቶ መለስ HSP. የፃፏቸው ጽሑፎች፤ መፃሕፍቶችና የተለያዩ እርሳቸውን የሚ*መ*ለከቱ ጥናታዊ ፊልሞች፣ መረጃዎች የምስል፣ የድምፅና የመሳሰሉት ስምርምር P92.9711 ሴሎች እንዲ*ሁ*ም መፃሕፍት ተደራጅተው የሚቀመጡበት እና ጥቅም የሚውሉበት ቤተ በስፌው ሳይ መፃሕፍት ማቋቋም፤
- ፫/ በዚህ አንቀጽ ንዑስ አንቀጽ (፩) እና (፪) የሚቋቋሙ የህዝብ መናፈሻና ቤተመፃሕፍት ለህዝቡ ተደራሽ እንዲሆኑ ማድረግ፤
- oohha ሽ/ በሕዝቦች በአንሮች ሁሉና የመግባባትና የመተባበር መንፈስ እንዲዳብር በተለያዩ መንገዶች ትምህርት መስጠት፣ እንዛ ማድረግ!
- ልማት፣ &/ በኢኮኖሚያዊና ማህበራዊ በዲሞክራሲ፣ በሰላም፣ በሀብረተሰባዊ ለውጥ መስኮች TO CTO C ተዛማድ አስተሳሰብ እና ስጥናትና ስምርምር ስሚያደርጉ いか አስፈላጊ የሆኑ ሁኔታዎችን ማመቻቸት፤

#### **Objective**

The objective of the Foundation is to ensure the continuation and promotion of the legacy and principles of His Excellency Ato Meles Zenawi in transforming the society through building developmental and democratic state, ensuring democratic relations, equality, respect and prosperity among and for all persons, maintaining balanced approach in human relations with nature and through promoting peace for which he struggled during his lifetime.

#### 6. Functions and Legal Capacity

The Foundation shall have the functions and legal capacity to:

- 1/ build and administer a public park where the remains of His Excellency Ato Meles Zenawi rests permanently;
- 2/ set up a library where books and materials written by His Excellency Ato Meles Zenawi, documentary films about him, audio and video materials as well as other books to be used for research are properly kept and widely utilized by the public at large;
- ensure that the park and library referred to in sub-article (1) and (2) of this Article are made accessible to the public;
- carry out educational programs and provide the necessary assistance with the view to promoting cooperative and mutual understanding amongst all peoples and countries; 16 40
- facilitate conducive environment for all researchers who undertake study and research on economic and development, democracy, peace, social transformation and related fields;

- ፮/ በችግር ምክንያት ትምህርታቸውን ለመከታተል ለማይችሉ ዜጎች በተለይም ለሴቶች የነፃ የትምህርት ዕድል መስጠት፤ አቅም በፌቀደ መጠን ለውጭ አገር ዜጎችም የነፃ የትምህርት ዕድል መስጠት፤ ዓላማውን በማሳካት ረገድ ከትምህርትና የምርምር ተቋማት ጋር ተባብሮ መሥራት፤
- ፯/ የአረንጓኤ ልማት አስተሳሰብ መስፋፋትንና መተግበርን መደገፍ፤
- ፰/ በኢኮኖሚያዊና ማህበራዊ ልማት፣ በአካባቢ ጥበቃ፣ በሰሳምና በዲሞክራሲ አስተሳሰብና ተግባር የሳቀ አስተዋፆ ሳበረከቱ ሰዎች ሽልማት መስጠት፤
- ፱ ክቡር አቶ መለስ ዜናዊ ያጠናቀቋቸውንና የጀመሯቸውን የምርምር ጽሑፎች ማሳተምና እንዲሰራጩ ማድረግ፤ ሆኖም ከመንግሥትና ከፓርቲ ሰነዶች ውጪ የሆኑትን በሚመለከት በቅድሚያ የቤተሰቡን ፈቃድ ማግኘት ያስፈልጋል፤
- ፲/ የክቡር አቶ መለስ ዜናዊን አስተሳሰብ ማስቀጠል፣ ማስፋፋትና ማዳበር፤
- ፲፩/ የክቡር አቶ መለስ ዜናዊ ስም፣ ምስል፣ ስራዎችና መታሰቢያዎች አጠቃቀም የሚመ ራበትን መመሪያ ማውጣትና ተግባራዊነቱን መከታተል፤ ሆኖም ከመንግሥትና ከፓርቲ ሥራዎች ጋር ያልተያያዘ ስም ወይም ምስል በመጠቀም ረገድ በቅድሚያ የቤተሰቡን ፊቃድ ማግኘት ያስፊል ጋል፤
- ፲፪/ የሚንቀሳቀስም ሆነ የማይንቀሳቀስ ንብረት ባለቤት መሆን፣ ውል መዋዋል እና በራሱ ስም መክሰስና መከሰስ፤
- ፲፫/ ዓሳማውን ለማሳካት የሚረዱ ተዛማጅነት ያሳቸውን ሴሎች ተግባራት ማከናወን።

- 6/ provide scholarships to those unable to afford education, especially, to women and, as far as possible to foreigners; cooperate with educational and research institutions with a view to achieving its objectives;
- 7/ support the promotion and implementation of the concept of green development;
- 8/ award prizes to persons who registered outstanding contributions to economic and social development, environmental protection, peace and democracy;
- 9/ publish and distribute the finalized as well as the unfinished research works of His Excellency Ato Meles Zenawi; provided, however, that the prior consent of the family shall be required with respect to works contained in documents other than government and party documents;
- 10/ ensure the continuation, promotion and enrichment of the thoughts of His Excellency Ato Meles Zenawi;
- 11/ issue directive on the use of the name, picture, works and memorial of His Excellency Ato Meles Zenawi, and follow up to ensure that it is complied with; provided, however, that the prior consent of the family shall be required with respect to the use of name or picture not associated with government or party works;
- 12/ own movable and immovable property, enter in to contracts, and sue and be sued in its own name;
- 13/ carry out other related activities necessary for the attainment of its objective.

#### ክፍል ሁለት

#### የፋውንኤሽት አመራር

#### ፯. የአመራር አካላትና ሠራተኞች

**ፋውን**ዴሽታ፡-

- ፩/ ጠቅሳሳ ጉባዔ፤
- E/ CCSI
- ፫/ ፕሬዚዳንትና ምክትል ፕሬዚዳንት፤
- ፬/ የሥራ አስፈፃሚ ዳይሬክተር፤ እና
- *፩/ አስ*ፈሳጊው *ሠራተ*ኞች፤

ይኖሩታል።

#### **፰. የጠቅሳሳ ጉባዔው አባሳት**

- ፩/ ጠቅሳሳ *ጉባዔ*ው የሚከተሉት አባሳት ይኖሩታል፡-
  - ሀ) የክቡር አቶ መለስ ዜናዊ ቤተሰብ አራት ተወካዮች፤
  - ለ) የአገር መከሳከያ ሚኒስቴር ሦስት ተወካዮች፤
  - ሐ) የንንዘብና የኢኮኖሚ ልማት ሚኒስቴር ተወካይ፤
  - መ) የውጭ ጉዳይ ሚኒስቴር ተወካይ፤
  - w) የትምህርት ሚኒስቴር ተወካይ፤
  - ረ) የጤና ፕበቃ ሚኒስቴር ተወካይ፤
  - ሰ) የመንግስት ኮሙኒኬሽን ጉዳዮች ጽሕፌት ቤት ተወካይ፤
  - ሽ) የቅርስ ጥናትና ጥበቃ ባለሥልጣን ተወካይ፤
  - ቀ) የመንግስት ከፍተኛ ትምህርት ተቋማት ሦስት ተወካዮች፤
  - በ) የ*እያንዳንዱ ክ*ልል አምስት አምስት ተወካዮች፤
  - ተ) የወጣቶች ማህበራት ተወካይ፤

#### **PART TWO**

#### **GOVERNANCE OF THE FOUNDATION**

#### 7. Governing Bodies and Staff

The Foundation shall have:

- 1/ a General Assembly;
- 2/ a Board;
- 3/ a President and a Vice President;
- 4/ an Executive Director; and
- 5/ the necessary staff.

#### 8. Members of the General Assembly

- 1/ The General Assembly shall have the following members:
  - a) four representatives of the family of His Excellency Ato Meles Zenawi;
  - b) three representatives of the Ministry of National Defense;
  - c) a representative of the Ministry of Finance and Economic Development;
  - d) a representative of the Ministry of Foreign Affairs;
  - e) a representative of the Ministry of Education;
  - f) a representative of the Ministry of Health;
  - g) a representative of the Office of Government Communication Affairs;
  - h) a representative of the Authority for Research and Conservation of Cultural Heritage;
  - i) three representatives of government higher education institutions;
  - j) five representatives of each Region;
  - k) a representative of Youth Associations;

- ቸ) የሴቶች ማህበራት ተወካይ፤
- ፪/ የፋውንኤሽ፦ ሥራ አስፈጻሚ ዳይሬክተር የጠቅሳሳ ጉባዔው ፀሐፊ ይሆናል።

#### ፱. <u>የጠቅሳሳ ጉባዔው ሥልጣን</u>ና ተማባር

- ፩/ ጠቅሳሳ ጉባዔው ፋውንዴሽ፦ን በሚመለከቱ ጉዳዮች ከፍተኛ የውሳኔ ሰጪ አካል ይሆናል።
- ፪/ የዚህ አንቀጽ ንዑስ አንቀጽ (፩) አጠቃላይ አነ*ጋገ*ር እንደተጠበቀ ሆኖ ጠቅሳሳ ጉባዔው የሚከተሱት ሥልጣንና ተግባራት ይኖሩታል፡-
  - U) ከአባሳቱ መካከል በዚህ አዋጅ አንቀጽ ፲፪(፩)(ስ) የተመስከቱትን የቦርድ አባሳት መምረጥ፤
  - ለ) ለቦርዱ አጠቃላይ የፖሊሲ መመሪያ መስጠትና አሬፃፀሙን መከታተል፤
  - ሐ) ቦርዱ የሚያቀርበውን የፋውንኤሽኑን የአጭር፣ የመካከለኛና የረጅም ጊዜ የስራ ዕቅድና በጀት ማጽደቅ፤
  - መ) የቦርዱንና የፋውንዴሽኮን የውጭ አዲተር ሪፖርቶች መርምሮ ማጽደቅ፤
  - ሥ) ስሁስት ዓመታት የሚያገለግል የፋውንኤሽኑን የውጭ አዲተር መሰየም፤
  - ረ) በቦርዱ አቅራቢነት ሽልማቶችን በዚህ አዋጅ መሠረት መስጠት፤
  - ሰ) በዚህ አዋጅ በአንቀፅ ፮(፲፩) መሠረት መመሪያ ማውጣት።

- 1) a representative of Women Associations;
- m) other additional members to be included based on the decision of the General Assembly.
- 2/ The Executive Director of the Foundation shall be the secretary of the General Assembly.

## 9. Powers and Duties of the General Assembly

- 1/ The General Assembly shall be the supreme decision-making body of the Foundation.
- 2/ Without prejudice to the generality of sub-article (1) of this Article, the General Assembly shall have the powers and duties to:
  - a) elect, from among its members, the Board members referred to in Article 12(1)(b) of this Proclamation;
  - b) give general policy guideline to the Board and follow up its implementation;
  - c) approve short, medium and long term plans and budgets of the Foundation submitted to it by the Board;
  - d) examine and approve reports of the Board and external auditor of the Foundation;
  - e) appoint external auditor of the Foundation on a two year term basis;
  - f) award prizes in accordance with this Proclamation based on the recommendations of the Board.
  - g) issue directive pursuant to Article 6(11) of this Proclamation.

#### 1. የጠቅሳሳ ጉባዔው ስብሰባዎች

- ፩/ የጠቅሳሳ ጉባዔው መደበኛ ስብሰባ በየዓመቱ የበጀት ዓመቱ በተጠናቀቀ በስድስት ወር ጊዜ ይካሄዳል፤ ሆኖም አስፈላጊ ውስጥ በሚገኝበት 2.16 ሁሉ የጠቅሳሳ አስቸኳይ ስብሰባ ሲደረግ ይችላል።
- <u>፪/ የጠቅሳሳ ጉባዔው አስቸኳይ ስብሰባ ሲጠራ</u> የሚችለው:-
  - ሀ) በፋውንኤሽት ፕሬዚዳንት ውሳኔ፤
  - ለ) በቦርዱ ውሳኔ፤ ወይም
  - ሐ) ከጠቅሳሳ ጉባዔው አባሳት መካከል በአንድ ሦስተኛ ድምጽ ሲጠየቅ፤

ይሆናል።

#### ፲፩. የጠቅሳሳ ጉባዔው ስብሰባ ሥነ ሥርዓት

- 8/ የጠቅሳሳ 7980 ስብሰባ በፋውንኤሽታ ፕሬዚዳንት ይመራል።
- E/ NH.V አዋድ 76 የተደነገገው አንቀጽ ሕንደተጠበቀ ሆኖ፡
  - oohha ሀ) ከአባሳቱ ከግማሽ በሳይ የሚሆኑት ከተገኙ 7.1% ምልዓተ eusa:
  - ለ) ማንኛውንም ውሳኔ ማሳለፍ የሚቻለው ከተገኙት አባላት ከግማሽ በላይ ድምጽ ሲገኝ ይሆናል።
- ፫/ በዚህ አንቀጽ ንዑስ አንቀጽ (፪)(ሀ) መሰረት ምልዓተ ጉባዔ ካልተሟላ ጉባዔው በ፲ሯ ቀን ውስጥ ስሁስተኛ ይጠራል። 216 2.16 በሁለተኛ ጥሪ የተሰበሰበው ጉባዔ በተገኙ አባላት P & 90 8 ውሳኔዎችን 1100 ሲያሳልፍ ይችላል።
- 0/ ሕያንዳንዱ የጠቅሳሳ ጉባዔ አባል አንድ ድምጽ ይኖረዋል።
- *ፒ/* የጠቅሳሳ ንባዔው ውይይቶችና ውሳኔዎች ቃስ ጉባዔዎች በፋውንዴሽት ፕሬዚዳንትና በሥራ አስፊጻጣ ዳይሬክተሩ ይፈረጣሉ።

#### 10. Meetings of the General Assembly

- The General Assembly shall hold its regular meeting within six months after the end of each fiscal year; provided, however, that extraordinary meetings may be held at any time when deemed necessary.
- Extraordinary meetings of the General Assembly may be convened:
  - upon the decision of the President of the Foundation;
  - b) upon the decision of the Board; or
  - at the request of one third of members of the General Assembly.

#### 11. Rules of Procedures of the General Assembly

- Meetings of the General Assembly shall be presided over by the President of the Foundation.
- Without prejudice to the provisions of Article 22 of this Proclamation:
  - a) the presence of more than half of the members shall constitute a quorum;
  - b) every decision shall be made by a vote of more than half of the members present at the meeting.
- Where there is no quorum as determined under sub-article (2)(a) of this Article the Assembly shall be convened for the second time within fifteen days. Decisions shall be made by a majority vote of members present at the second meeting.
- Every member of the General Assembly shall have a single vote.
- 5/ Minutes of the deliberations and decisions of the General Assembly shall be signed by the President and the Executive Director of the Foundation.

#### ፲፪. የቦርዱ አባላት

- - ሀ) የክቡር አቶ መለስ ዜናዊ ቤተሰብ አራት ተወካዮች፤ ሕና
  - ለ) በጠቅሳሳ *ጉባዔው የሚመ*ረጡ ዘጠኝ አባሳት፡፡
- g/ የፋውንኤሽት ሥራ አስፌጻሚ ዳይሬክተር ድምጽ የማይሰጥ አባልና ፀሐፊ ይሆናል።

#### ፲፫. የቦርድ አባላት የአንልግሎት ዘመን

በዚህ አዋጅ አንቀጽ ፲፪ (፩)(ስ) የተመስከቱት የቦርድ አባሳት የሥራ ዘመን ስአራት አመታት ይሆናል፤ ሆኖም አባሳቱ ስቀጣይ የአገልግሎት ዘመናት እንደገና ሊመረጡ ይችሳሉ።

#### ፲፬. የቦርዱ ሥልጣንና ተግባር

ቦርዱ የፋውንኤሽኑን ዓላማ ለማስፈፀም የሚያስችለው ሥልጣን ይኖረዋል፡፡ በዚህ አጠቃላይ አነ*ጋገር* ሳይወሰን ቦርዱ፡-

- ፩/ ከአባላቱ መካከል የፋውንኤሽኑን ፐሬዚዳንትና ምክትል ፐሬዚዳንት ይመርጣል፤
- ፪/ በዚህ አዋጅ አንቀጽ ፯ የተደነገገው የፋውንኤሽኑ ተግባር በሚገባ መከናወኑን ያረጋግጣል፤
- ፫/ የፋውንኤሽኑን የሥራ አስፌጻሚ ዳይሬክተር ይመለምላል፣ ይሾማል፤ ሃላፊነቱን የማይ ወጣ ሆኖ ሲገኝ ያሰናብታል፤
- ፬/ በቀጥታ ለፋውንኤሽት ሥራ አስፊጻሚ ዳይሬክተር ተጠሪ በሆኑ የስራ መደቦች ላይ የሚመደቡትን የስራ ሃላፊዎች ምደባ ያፀድቃል፤
- ጅ/ የፋውንኤሽኑን ስትራቴጂክ ዕቅድ፣ ዓመታዊ ዕቅድና በጀት ስጠቅሳሳ ጉባዔው አቅርቦ ያስፀድቃል፤

#### 12. Members of the Board

- 1/ The Board shall have the following members:
  - a) four representatives of the family of His Excellency Ato Meles Zenawi; and
  - b) nine members elected by the General Assembly.
- 2/ The Executive Director of the Foundation shall be a non-voting member and secretary of the Board.

#### 13. Tenure of Board Members

The Board members referred to in Article 12(1)(b) of this Proclamation shall serve for four years; provided, however, that the members may be re-elected for subsequent tenures.

#### 14. Powers and Duties of the Board

The Board shall have the powers to execute the objective of the Foundation which includes the following:

- 1/ to elect, from among its members, the President and Vice President of the Foundation;
- 2/ to ensure the proper implementation of the functions of the Foundation as specified in Article 6 of this Proclamation;
- 3/ to select and appoint the Executive Director of the Foundation and dismiss him when he fails to properly discharge his responsibilities;
- 4/ to approve the assignment of officers to posts directly accountable to the Executive Director of the Foundation;
- 5/ to submit strategic plans, annual plans and budgets of the Foundation to the General Assembly for approval;

- ፯/ በፋውንዴሽት የውጭ አዲተር የተመረመ ረውን የሂሳብ ሪፖርት ስጠቅሳሳ ጉባዔው ያቀርባል፤
- ፯/ የጠቅሳሳ ጉባዔ ስብሰባ በማይደረግበት ጊዜ የጉባዔውን ውሳኔ በሚሹ ጉዳዮች ላይ ውሳኔ በመስጠት በሚቀጥለው ስብሰባ አቅርቦ ያስፀድቃል፤
- ፰/ ለፋውንኤሽ፦ ስራ ማስፈፀሚያ የሚውል ንንዘብ የሚሰበሰብበትን ስልት ይቀይሳል፣ አጠቃቀሙን ይወስናል፤
- ፱/ አማካሪ ኮሚቴዎችን ያቋቁማል፣ ተግባራ ቸውንም ይወስናል፤
- ፲/ የጠቅሳሳ ጉባዔውን የስብሰባ ጊዜ፣ ቦታና አጀንዳ ይወስናል፤
- ፲፩/ ፋውንኤሽኑን በመወከል በአገር ውስጥና በውጭ አገር ግንኙነት ያደር*ጋ*ል፤
- ፲፪/ የፋውንኤሽኑን የውስጥ ደንብና የራሱን የአሰራር መመሪያ ያወጣል፤
- ፲፫/ በጠቅሳሳ ጉባዔው የሚሰጡትን ሴሎች ተግባራት ያከናውናል።

### ፲፰. የፋውንኤሽት ፐሬዚዳንት ሥልጣንና ተግባር

የፋውንኤሽት ፕሬዚዳንት፡-

- ፩/ የጠቅሳሳ ጉባዔውንና የቦርዱን ስብሰባዎች በሊቀመንበርነት ይመራል፤
- ፪/ የጠቅሳሳ ጉባዔውን ስብሰባ ይጠራል፤ ከፋውንኤሽኑ ሥራ አስፌጻሚ ዳይሬክተር ጋር በመመካከር የጠቅሳሳ ጉባዔውን የስብሰባ አጀንዳ ይቀርባል፤
- ፫/ የጠቅሳሳ ጉባዔውና የቦርዱ ውሳኔዎች ስራ ሳይ መዋሳቸውን ይከታተሳል፤
- ፬/ ቦርዱ ሊሰበሰብ በማይችልበት ጊዜ በፋውንኤሽ፦ ሥራ አስፌጻሚ ዳይሬክተር በሚቀርቡ አስቸኳይ በሆኑ ጉዳዮች ላይ ውሳኔ ይሰጣል፣ ውሳኔዎቹንም ለተከታዩ የቦርዱ ስብሰባ አቅርቦ ያስፀድቃል።

- 6/ to submit to the General Assembly financial reports audited by the external auditor of the Foundation;
- 7/ to decide, between sessions of the General Assembly, on matters falling under the jurisdiction of the General Assembly and submit same for approval at the next meeting;
- 8/ to develop a strategy of mobilization of resources for the activities of the Foundation and decide the utilization of such resources;
- 9/ to establish advisory committees and define their functions;
- 10/ to decide the time, place and agenda of the meetings of the General Assembly;
- 11/ to establish domestic and foreign relations on behalf of the Foundation;
- 12/ to adopt internal regulation of the Foundation and its own rules of procedure;
- 13/ to perform such other duties as may be assigned to it by the General Assembly.

# 15. Powers and Duties of the President of the Foundation

The President of the Foundation shall:

- 1/ preside over meetings of the General Assembly and the Board;
- 2/ call meetings of the General Assembly and draft agendas for meetings of the General Assembly in consultation with the Executive Director of the Foundation;
- 3/ follow up the implementation of the decisions of the General Assembly and the Board;
- 4/ give decisions submited to him by the Executive Director of the Foundation on urgent issues of the Foundation when the Board is unable to hold meetings and submit the decisions for approval at the next meeting of the Board.

### ፲፮, የፋውንኤሽኑ ምክትል ፐሬዚዳንት ሥልጣንና ተማባር

የፋውንዴሽታ ምክትል ፕሬዚዳንት፡-

- 8/ የፋውንኤሽኑ ፕሬዚዳንት በ**ማ**ይኖርበት ጊዜ ተክቶ ይሰራል፤
- ፪/ በቦርዱ ተለይተው የሚሰጡትን ተግባራት ያከናውናል።

# **+71**C

አስፌጻሚ **ዳይ**ሬክተር የፋውንዴሽታ MG ተጠሪነቱ ሰቦርዱ ሆኖ፡-

- 四位甲芥 §/ የፋውንዴሽኑን Rooba: ያስተዳድራል፣ ይቆጣጠራል፤
- ፪/ የፋውንኤሽኑን የሥራ ዕቅድና TC769 እንዲሁም በጀት አዘጋጅቶ ለቦርዱ ያቀርባል፣ ሲፈቀድም በሥራ ሳይ ያውሳል፤
- ውሳኔዎች ፫/ የጠቅሳሳ ጉባዔውንና የቦርዱን ሥራ ላይ ያውላል፤
- ሕና **ሕንደ**አስፈላጊነቱ በየወቅቱ 0/ npgoot የፋውንዴሽኑን የሂሳብ መግለጫዎች ለቦርዱ ያቀርባል ፤
- E/ ተጠሪነታቸው በቀጥታ ስራሱ በሆኑ የሥራ የሚመደቡትን **ሃ**ላፊዎች 12 በመምረጥ ለቦርዱ አቅርቦ ያስጸድቃል፤
- ፮/ የፋውንኤሽ<u>ትን</u> ሠራተኞች ይቀጥራል፣ ያስተዳድራል፣ ያሰናብታል፤
- ፯/ የፋውንኤሽታን የውስጥ ደንቦች ስቦርዱ በማቅረብ ያስፀድቃል፤
- ፰/ hቦርዱ በሚሰጠው አጠቃሳይ 000068 በሦስተኛ ወንኖች መሰሬት ዘንድ ፋውንኤሽ**ኑን** ይወክሳል፤
- ፱/ የፋውንኤሽ<u>ታን ዓ</u>ላማዎች ያስተዋውቃል፤
- ተማባራት ሴሎች I/ NOCA የሚሰጡትን ያከናውናል።

### 16. Powers and Duties of the Vice President of the Foundation

The Vice President of the Foundation shall:

- 1/ act on behalf of the President of the Foundation in his absence;
- 2/ perform duties specifically assigned to him by the Board.

### ፲፯. <u>የፋውንዴሽት የሥራ አስፌጻሚ ዳይሬክተር ሥልጣንና</u> 17. <u>Powers and Duties of the Executive</u> Director of the Foundation

The Executive Director of the Foundation shall be accountable to the Board and shall:

- 1/ direct, administer and supervise the activities of the Foundation;
- 2/ prepare and submit to the Board plans and work programmes as well as budgets of the Foundation, and implement same upon approval;
- decisions of the General 3/ execute Assembly and the Board;
- 4/ submit, annually and where necessary periodically, financial reports of the Foundation to the Board;
- 5/ select and submit to the Board for approval officers to be assigned to posts directly accountable to him;
- dismiss 6/ employ, administer and employees of the Foundation;
- 7/ submit to the Board for approval internal regulations of the Foundation;
- 8/ represent, in accordance with general guideline of the Board, the Foundation in its dealings with third parties;
- 9/ promote the objectives of the Foundation;
- 10/ perform such other duties as may be assigned to him by the Board.

#### ክፍል ሦስት

#### ስለፋውንኤሽኑ ንቢና የሂሳብ መግለጫዎች

#### ፲፰. የፋውንዶሽኑ የንቢ ምንጮች

ፋውንኤሽኑ የሚከተሉት የገቢ ምንጮች ይኖሩታል፡-

- ፩/ ከውርስ፣ ከስጦታ እና ከዕርዳታ ከሚገኝ ገንዘብና ንብረት፤
- ፪/ ከልዩ ልዩ የንቢ ማስገኛ እን<del>ቅ</del>ስቃሴዎች፤
- ፫/ ከመንግስት ከሚሰጥ ጠቅሳሳ ወይም የፕሮግራም ድጎማ ፤
- ፬/ ከሌሎች የንቢ ምንጮች።

#### ፲፱. የፋውንኤሽኑ የበጀት ዓመት

የፋውንዴሽ፦ የበጀት ዓመት ከሐምሴ ፩ ቀን እስከሚቀጥለው ሰኔ ፴ ቀን ድረስ ይሆናል።

#### **ሸ. ስለዓመታዊ የሂሳብ መግለጫ አቀራረብ**

- ፩/ የበጀት ዓመቱ ከተጠናቀቀ በኋላ እስከ ፬ ወር ባለው ጊዜ በአዲተር የተረ*ጋገ*ጠ የሂሳብ ሪፖርት ለቦርዱ ይቀርባል።
- ፪/ በየዓመቱ በአዲተር የተረ*ጋገ*ጠ የሂሳብ ሪፖርት ስጠቅሳሳ ጉባዔው ይቀርባል።

### <u>ክፍል አራት</u> ልዩ ልዩ ድን*ጋጌ*ዎች

### <u> ሸ፩. ከቀረጥና ታክስ ነፃ ስለመሆን</u>

ፋውንኤሽት ለስራ ማስፈፀሚያ ወደአገር የሚያስን ባቸው *ዕቃዎች፣ መሳሪያዎች*ና ተሽከርካሪዎች ከቀረጥና ታክስ ነፃ ይሆናሉ።

#### PART THREE

# INCOME AND FINANCIAL REPORTS OF THE FOUNDATION

#### 18. Source of Income

The Foundation shall have the following sources of income:

- 1/ money and property acquired through inheritance, donation and assistance;
- 2/ proceeds from income generating activities;
- 3/ general or programme subsidy from the government;
- 4/ other sources.

#### 19. Fiscal Year of the Foundation

The fiscal year of the Foundation shall commence on the 1<sup>st</sup> day of Hamle and shall end on the 30<sup>th</sup> day of Sene of the following year according to the Ethiopian calendar.

#### 20. Annual Financial Reports

- 1/ Audited financial report of the Foundation shall be submitted to the Board within a period of four months following the end of each fiscal year.
- 2/ The audited financial reports shall be submitted annually to the General Assembly.

### PART FOUR

#### **MISCELLANEOUS PROVISIONS**

# 21. Exemption from Taxes and Customs Duties

Goods, equipments and vehicles imported for the activities of the Foundation shall be exempted from taxes and customs duties.

### **፳፪. አዋ**ጁን ስለማሻሻል

ይህ አዋጅ ከጠቅሳሳ ጉባዔው አባሳት ሁለት ሦስተኛው ተገኝተው ከዚህ ውስጥ ሁለት ሦስተኛው የተስማሙበት የማሻሻያ ሀሳብ ለመንግስት ቀርቦ ሲፌቀድ ሊሻሻል ይችሳል።

#### <u>ሸ፫. የውስጥ ደንቦችን የማውጣት ስልጣን</u>

በዚህ አዋጅ በሌሎች አንቀጾች የተደነገጉት እንደተጠበቁ ሆኖ ቦርዱ ለዚህ አዋጅ አሬፃፀም አስፌላጊ የሆኑ የፋውንዴሽኑን የውስጥ ደንቦች ማውጣት ይችላል።

#### <u> ፳፬. አዋጁ የሚጸናበት ጊዜ</u>

ይህ አዋጅ በፌደራል ነ*ጋሪት ጋ*ዜጣ ታትሞ<sup>•</sup> ከወጣበት ቀን ጀምሮ የፅና ይሆናል።

አዲስ አበባ ተር ፲፯ ቀን ፪ሺሯ ዓ.ም ግርማ ወልደጊዮርጊስ የኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ ፕሬዚዳንት

#### 22. Amendment of the Proclamation

This Proclamation may be amended upon approval by the government of the recommendations of the General Assembly by a two third majority vote passed at a meeting in which two third of the members are present.

#### 23. Power to Issue Internal Regulations

Without prejudice to other provisions of this Proclamation, the Board may issue internal regulations of the Foundation necessary for the proper implementation of this Proclamation.

#### 24. Effective Date

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

Done at Addis Ababa, this 25th day of January, 2013.

**GIRMA WOLDEGIORGIS** 

PRESIDENT OF THE FEDERAL

DEMOCRATIC REPUBLIC OF ETHIOPIA