

የኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ

ፌዴራል ነጋሪት ጋዜጣ FEDERAL NEGARIT GAZETA

OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

አሥራ ሰባተኛ ዓመት ቁጥር ፳፯ አዲስ አበባ መጋቢት ፲፮ ቀን ፪ሽ፫ ዓ.ም. በኢትዮያ ፌዶራሳዊ ዲሞክራሲያዊ ሪፐብሊክ የሕዝቦች ተወካዮች ምክር ቤት ጠባቂነት የወጣ 17th Year No. 27 ADDIS ABABA 25th March 2011

அமுவ

ደንብ ቁጥር ፪፻፫/፪ሺ፫

የመንግሥት ሠራተኞች ማህበራዊ ዋስትና ኤጀንሲ ማቋቋሚያ የሚኒስትሮች ምክር ቤት ደንብ 16 ፫ሺ፯፻፹፩

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<u>የመንግሥት ሠራተኞች ማህበራዊ ዋስትና ኤጀንሲን</u> ለማቋቋም የወጣ የሚኒስትሮች ምክር ቤት ደንብ

የሚኒስትሮች ምክር ቤት የኢትዮጵያ ፌዴራላዊ ዴሞክራሲያዊ ሪፐብሊክ አስሬፃሚ አካላትን ሥልጣንና ተግባር ለመወሰን በወጣው አዋጅ ቁጥር ፯፻፺፩/፪ሺ፫ አንቀጽ ፩ እና ፴፬ መሠረት ይህን ደንብ አውጥቷል ፡፡

፩. <u>አጭር ርዕስ</u>

ይህ ደንብ "የመንግሥት ሠራተኞች ማህበራዊ ዋስትና ኤጀንሲ ማቋቋሚያ የሚኒስትሮች ምክር ቤት ደንብ ቁጥር ፪፻፫/፪ሺ፫" ተብሎ ሊጠቀስ ይችላል።

g. መቋቋም

- ፩/ የመንግሥት ሠራተኞች ማህበራዊ ዋስትና ኤጀንሲ (ከዚህ በኋላ "ኤጀንሲ") ሕየተባለ የሚጠራ የሕግ ሰውነት ያለው ራሱን የቻለ የፌዴራል መንግሥት መሥሪያ ቤት ሆኖ በዚህ ደንብ ተቋቁሟል።
- ፪/ የኤጀንሲው ተጠሪነት ስሠራተኛና ማህበራዊ ጉዳይ ሚኒስቴር ይሆናል።

COUNCIL OF MINISTERS REGULATION No. 203/2011

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

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

1. Short Title

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

2. Establishment

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

ያንዱ ዋጋ Unit price 2.30

ነጋሪት ጋዜጣ ፖ.ሣ.ቁ ፹ሺ፩ Negarit Gazeta P.O.box 80,001

፫. **ዋና** መሥሪያ ቤት

የኤጀንሲው ዋና *መሥሪያ* ቤት በአዲስ አበባ ሆኖ እንደአስፈላጊነቱ በማናቸውም ስፍራ ቅርንጫና ሊኖረው ይችላል።

0 9 1 09

የኤጀንሲው ዓላማ የመንግሥት ሠራተኞች የማህበራዊ ዋስትና ፕሮግራሞች እንዲጠናክሩና እንዲስፋፉ ማድረግ ይሆናል።

፟፟፟፟፟፟፟፟. <u>ሥልጣንና ተግባር</u>

- ኤጀንሲው የሚከተሉት ሥልጣንና ተፃባራት ይኖሩ ታል:-

- ፫/ የመንግሥት ሠራተኞች ጡሬታ መዋጮ አሰባሰብ MC31 ette 20 i organ ይሰበስባል፣ በሚመለከተው 80039 min አካል በኩል በተገቢው ጊዜና መጠን መሰብሰቡን ያረጋግጣል፣ አሠሪ መሥሪያ ቤቶች MC9#3 ተማባራዊ ማድረጋቸውን ይቆጣጠራል፣ አስፈላጊ ሲሆን ሰነዶችንና መዛግብትን አስቀርቦ ወይም በአሠሪ መሥሪያ ቤቶች ተገኝቶ ይመረምራል፤
- ፩/ የመንግሥት ሠራተኞችን ስጡሬታ መብት ብቁ የሚያደርጉ ማስረጃዎችን በቅድሚያ አሰባስቦ ይይዛል፤
- ½/ የጡረታ መዋጮ በወቅቱ በማይክፍሉ፣ የጡረታ መዋጮ ሂሣብ መዝገብ በማይዙ፣ ማስረጃ በማይልኩ እና መረጃ በማይሰጡ የመንግሥት መሥሪያ ቤቶችና ግለሰቦች ላይ ሕጋዊ እርምጃ ይወስዳል፤
- ፯/ የመንግሥት ሠራተኞች ጡረታ መብት ለማስከበር የሚቀርቡ ማስረጃዎችን ብቃት እና ተቀባይነት፣ የጥቅም ዓይነት እና መጠኑን ይወስናል፣ ክፍያ ይፈጽማል፤
- ጀ/ የመንግሥት ሠራተኞች ጡረታ መብትና ጥቅም ጥያቄዎች ላይ ውሳኔ ይሰጣል፤
- ፬/ የመንግሥት ሠራተኞች ጡሬታ ፌንዶችን በትሬዠሪ ቦንዶችና የገንዘብና ኢኮኖሚ ልማት ሚኒስቴር በሚያወጣው መመሪያ በሚወሰኑ ትርፋማና አስተማማኝ በሆኑ ሴሎች ኢንቨስትመንቶች ላይ ያውላል፤
- ፲/ የመንግሥት ሠራተኞች ጡሬታ ፈንዶችን በየተወሰነ ጊዜ በሂሣብ ስሌት አዋቂዎች ሕንዲጠኑ ያደር ጋል፤
- ፲፩/ የመንግሥት ሠራተኞች ጡሬታ ፕሮግራሞች ስለሚጠናከሩበት ሁኔታ ጥናት ሕያካሄደ ለመንግሥት ያቀርባል፤ ሲፈቀድም ተግባራዊ ያደር*ጋ*ል፤
- ፲፪/ በሥልጣንና ተግባሩ ሥር የሚካተቱ ጉዳዮችን በሚመስከት መመሪያዎችን ያወጣል፤
- ፲፫/ የንብረት ባለቤት ይሆናል፣ ውል ይዋዋላል፣ በስሙ ይከሳል፣ ይከሰሳል፣
- ፲፬/ ዓሳማውን ከግብ ሰማድረስ የሚያስፈልጉ ሴሎች ተግባራትን ያከናውናል።

3. Head Office

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

4. Objective

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

5. Powers and Duties

The Agency shall have the powers and duties to:

- 1/ implement public servants social security laws, regulations and directives;
- 2/ establish efficient and effective system to implement the public servants pension scheme;
- servants pension contributions, collect contributions, ensure that pension contributions are collected by the appropriate organs in time and in the correct amount, supervise the implementation of the system by employers and, where necessary, audit their documents and records by requiring their submission or through site visits;
- 4/ administer public servants pension funds and assets related thereto;
- 5/ collect in advance and maintain records of evidentiary data that entitle public servants to pension benefits;
- 6/ take legal actions against public offices and individuals who fail to pay pension contributions, maintain accounts of contributions and furnish required documents and information on time;
- 7/ determine the adequacy and validity of evidentiary data submitted in connection with claims to public servants pension entitlements, as well as the types and amounts of benefits, and effect payments of benefits;
- 8/ decide on claims related to pension rights and benefits of public servants;
- 9/ invest public servants pension funds in treasury bonds and other secured investments specified by directives issued by the Ministry of Finance and Economic Development;
- 10/ cause periodical actuarial study and review of public servants pension funds;
- 11/ undertake studies to strengthen public servants pension programs, submit the studies to the government and implement same upon approval;
- 12/ issue directives on maters that come within its powers and duties;
- own property, enter into contracts, sue and be sued in its own name;
- 14/ carry out such other activities as may be necessary for the fulfillment of its objective.

፮. <u>የኤጀንሲው አቋም</u>

ኤጀንሲው:-

- ፩/ የሥራ አመራር ቦርድ (ከዚህ በኋላ "ቦርድ" ሕየተባለ የሚጠራ)፣
- ፪/ በመንግሥት የሚሾሙ ዋና ዳይሬክተርና እንደአስፈላጊነቱ ምክትል ዋና ዳይሬክተሮች፣ እና
- ፫/ አስፈላጊው ሠራተኞች፣ ይኖሩታል፡፡

<u>፯. የቦርዱ አባላት</u>

- ፩/ የቦርዱ ስብሳቢና አባሳት በመንግሥት ይሰየማሉ፤ ቁጥራቸውም እንደአስፈላጊነቱ ይወሰናል፡፡
- ፪/ የኤጀንሲው ዋና ዳይሬክተር የቦርዱ አባልና ፀሐፊ ይሆናል፡፡

፰. <u>የቦርዱ ሥልጣንና ተግባር</u>

- ፩/ ቦርዱ የኤጀንሲውን ሥራዎች በበላይነት ይመ ራል፣ ይቆጣጠራል።
- ፪/ በዚህ አንቀጽ ንዑስ አንቀጽ (፩) የተመለከተው አጠቃላይ አነጋገር እንደተጠበቀ ሆኖ ቦርዱ:-
 - ሀ) የኤጀንሲውን ስትራቴጂ፣ ዕቅድ፣ በጀትና የሥራ አፈጻጸም ሪፖርት ያጸድቃል፤
 - ስ) የመንግሥት ሠራተኞች ጡረታ ዐቅድንና ፌንዶቹን የሚመስከቱ አጠቃላይ የፖሊሲ ጉዳዮችን ለመንግሥት አቅርቦ ያስወስናል፤
 - ሐ) ኤጀንሲው በዚህ ደንብ አንቀጽ ፭ ንዑስ አንቀጽ (፲፪) መሠረት የሚያወጣቸውን መመሪያዎች ያጸድቃል።

<u>፱</u>. <u>የቦርዱ ስብሰባ</u>

- ፩/ ቦርዱ በሦስት ወር አንድ ጊዜ ይሰበሰባል፤ ሆኖም አስፈላጊ ሆኖ ሲ*ገ*ኝ በማናቸውም ጊዜ ሲሰበሰብ ይችላል፡፡
- ፪/ በቦርዱ ስብሰባ ላይ አብዛኞቹ አባላት ከተገኙ ምልዓተ ጉባኤ ይሆናል፡፡
- ፫/ የቦርች ውሳኔ የሚተላለፈው በስብሰባው ላይ ከተገኙት አባላት በአብዛኛው ድምጽ ሲደገፍ ነው፡፡ ሆኖም ድምጹ እኩል ለእኩል የተከፈለ እንደሆነ ሰብሳቢው ወሳኝ ድምጽ ይኖረዋል፡፡
- ፬/ የዚህ አንቀጽ ደን*ጋጌ*ዎች እንደተጠበቁ ሆኖ ቦርዱ የራሱን የአሠራር ሥነ ሥርዓት ደንብ ሲያወጣ ይችላል።

፲. <u>የዋና ዳይሬክተሩ ሥልጣንና ተግባር</u>

- ፩/ ዋና ዳይሬክተሩ የኤጀንሲው ዋና ሥራ አስፈጻሚ ሆኖ ቦርዱ በሚሰጠው አጠቃላይ መመሪያ መሠረት የኤጀንሲውን ሥራዎች ይመራል፣ ያስተዳድራል።
- - ሀ) በዚህ ደንብ አንቀጽ ፫ የተመለከተውን የኤጀንሲውን ሥልጣንና ተግባር በሥራ ላይ ያውሳል፤
 - ስ) የኤጀንሲውን ሠራተኞች በፌዴራል ሲቪል ሰርቪስ ሕጎች መሠረት ይቀጥራል፣ ያስተ ዳድራል፤

6. Organization of the Agency

The Agency shall have:

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

7. Members of the Board

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

8. Powers and Duties of the Board

- 1/ The Board shall oversee and supervise operations of the Agency.
- 2/ Without limiting the generality of sub-article (1) of this Article, the Board shall have the powers and duties to:
 - a) approve the strategy, plan, budget and performance report of the Agency;
 - b) submit to the government, for approval, general policy matters regarding the public servants pension scheme and the funds;
 - c) approve directives of the Agency to be issued pursuant to sub-article (12) of Article 5 of this Regulation.

9. Meetings of the Board

- 1/ The Board shall meet once in every three months; provided, however, that it may meet at any time as may be required.
- 2/ There shall be a quorum where more than half of the members are present at a meeting of the Board.
- 3/ Decisions of the Board shall be passed by majority votes of the members present at a meeting; provided, however, that the Chairperson shall have a casting vote in case of a tie;
- Without prejudice to the provisions of thisArticle, the Board may adopt its own rules of procedure.

10. Powers and Duties of the Director General

- 1/ The Director General shall be the chief executive officer of the Agency and shall, subject to the general directives of the Board, direct and administer the activities of the Agency.
- 2/ Without limiting the generality stated in subarticle (1) of this Article, the Director General shall:
 - a) exercise the powers and duties of the Agency specified in Article 5 of this Regulation;
 - b) employ and administer employees of the Agency in accordance with the federal civil service laws;

- ሐ) የኤጀንሲውን ስትራቴጂ፣ ዕቅድና በጀት አዘ*ጋ*ጅቶ ለቦርዱ ያቀርባል፣ ሲፊቀድም በሥራ ላይ ያውላል፤
- መ) ለኤጀንሲው በተራቀደለት በጀት መሠረት ንንዘብ ወጪ ያደር*ጋ*ል፤
- ረ) የኤጀንሲውን የሥራ አልጻጸምና የሂሳብ ሪፖርቶች ሰቦርዱ ያቀርባል፣ ሲጸድቁም ሰሚመስከታቸው የመንግሥት አካላት ያስተላልፋል።
- ፫/ ዋና ዳይሬክተሩ ለኤጀንሲው ሥራ ቅልጥፍና ባስራለን መጠን ከሥልጣንና ተግባሩ በከፊል ለኤጀንሲው ኃላፊዎችና ሴሎች ሠራተኞች በውክልና ሊያስተላልፍ ይችላል።

፲፩. በደት

ኤጀንሲው ከጡሬታ ፌንዱ በሚመደብ በጀት ይተዳደራል፡፡

፲፪. ስለሂሣብ መዛማብት

- ፩/ ኤጀንሲው የተሟሉና ትክክለኛ የሆኑ የሂሣብ መዛግብት ይይዛል።
- ፪/ የኤጀንሲው የሂሣብ መዛግብትና ገንዘብ ነክ ሰነዶች በየዓመቱ በዋናው ኦዲተር ወይም እርሱ በሚሰይማቸው ኦዲተሮች ይመረመራሉ፡፡

፲፫. ስለመብቶችና ግዴታዎች መተሳለፍ

በአዋጅ ቁጥር ፬፻፺፭/፲፱፻፺፰ ሕንደገና ተቋቁሞ የነበረው የማኅበራዊ ዋስትና ኤጀንሲ መብትና ግኤታዎች በዚህ ደንብ ለኤጀንሲው ተላልፈዋል።

፲፬. ደንቡ የሚፀናበት ጊዜ

ይህ ደንብ በፌኤራል ነ*ጋሪት ጋ*ዜጣ ታትሞ ከወጣበት ቀን ጀምሮ የፀና ይሆናል።

አዲስ አበባ መጋቢት ፲፮ ቀን ፪ሺ፫ ዓ.ም.

መለስ ዜናዊ የኢትዮጵያ ፌዴራሳዊ ዲሞክራሲያዊ ሪፐብሊክ ጠቅላይ ሚኒስትር

- c) prepare and submit to the Board the strategy, plan and budget of the Agency and implement same upon approval;
- d) effect expenditure in accordance with the approved budget of the Agency;
- e) represent the Agency in all its dealings with third parties;
- f) submit performance and financial reports of the Agency to the Board and, upon approval, to the concerned government bodies.
- 3/ The Director General may delegate part of his powers and duties to the officers and other employees of the Agency to the extent necessary for the efficient performance of the activities of the Agency.

11. Budget

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

12. Books of Accounts

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

13. Transfer of Rights and Obligations

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

14. Effective Date

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

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

MELES ZENAWI
PRIME MINISTER OF THE FEDERAL DEMOCRATIC
REPUBLIC OF ETHIOPIA