የኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ

ፌደራል ነጋሪት ጋዜጣ

FEDERAL NEGARIT GAZETTE

OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

አሥራ ዘጠነኛ ዓመት ቁተር !4 አዲስ አበባ ተር 07 ቀን 2ሺ5 ዓ.ም በኢትዮጵያ ፌደራላዊ ዲሞክራሲያዊ ሪፐብሊክ የሕዝብ ተወካዮች ምክር ቤት ጠባቂነት የወጣ

19th Year No. 24 ADDIS ABABA 25th January 2013

28887.E

የመለስ ፋውንዴሽን ማቋቋሚያ አዋጅነጽ 🕱፻፴፪

አ ፯፻፩፪ሺጅ

<u>የመለስ ፋውንዴሽንን ለማቋቋም የወጣ አዋጅ</u>

ክቡር አቶ መለስ ዜናዊ ኢትዮጵያ ብሔሮች፣ ብሔረሰቦችና ሕዝቦች በእኩልነት፣ በመፌቃቀድና በአንድነት የሚኖሩባት አገር እንድትሆን ከልጅነት እስከ ሕልፌተ ህይወታቸው የከፌሉትን ከፍተኛ መስዋዕትነት መዘከር አስፌላጊ መሆኑን በመገንዘብ፤

ክቡር አቶ መለስ ዜናዊ ከለጋ ዕድሜያቸው ጀምሮ のなつどそう ሰሳም፣ ልማት፣ መልካም አስተዳደርና ዲሞክራሲ እንዲሰፍን ለማድረግ በሰሎት በሳል ከፍተኛ ውጤቶች አመራር የተመዘገቡ መሆኑን በመረዳት፤

ክቡር አቶ መለስ ዜናዊ የገበያ አክራሪነት በዓለም በተለይም በታዳጊ አገሮች ያስከተለውን አሉታዊ ተፅዕኖ በመተንተን እና የልማታዊና ዲሞክራሲያዊ እንዲሁም የአረንጓዴ ልማት አስተሳሰብ አማራጭ በማቅረብ በዓለም አቀፍ ደረጃ አወንታዊ ተጽዕኖ ለመፍጠር የቻሉ እንዲሁም በአፍሪካ አስተማማኝ ሰላም እንዲሰፍን ለማደረግ ከፍተኛ አርአያነት ያለው ተግባር ያበረከቱ መሆኑን በመገንዘብ፤

CONTENTS

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;

ክቡር አቶ የአገራችንን መለስ ዜናዊ እና የሕዝባችንን ደህንነትና ዕድገት ስማረ 27ጥ በሕይወት ዘመናቸው ለፌፀሙት መስዋሪትነትና የሚሆን መታሰቢያ ጥረት ዘላቂ ፋውንዴሽን ማቋቋም ተገቢ መሆኑ ስለታመነበት፤

ክቡር አቶ መለስ ዜናዊ የልማታዊና ዲሞክራሲያዊ መንግሥት አስተሳሰብ በማመንጨት፣ በመተንተን፣ በማስረጽና በመተግበር በሀዝብ አገልኃይነታቸውም 739C ቀደም ሚና የተጫወቱ መሆናቸውን ለአሁኑና ትምህርትነትና ለቀጣዩ ትውልድ ልምድ የማስተላለፍ አስፌላጊነትን በመገንዘብ፤

በኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ ሕገ መንግስት አንቀጽ ፵፭፭፭ መሠረት የሚከተለው ታውጇል፡፡

<u>ክፍል አንድ</u> ጠቅሳሳ

፩ አምር ርዕስ

ይህ አዋጅ የመለስ ፋውንዴሽን ማቋቋሚያ አዋጅ ቁጥር ፯፻፩፪ሺጅ ተብሎ ሊጠቀስ ይችላል፡፡

፪ ትርጓሜ

የቃሉ አገባብ ሌላ ትርጉም የሚያሰጠው ካልሆነ በስተቀር በዚህ አዋጅ ውስጥ፡

- ፩ ምስል ማለት በልዩ ልዩ ወረቀት፣ ሽራ፣ ወይም ሌላ የታተመ ወይም በማንኛውም ሁኔታ የተቀረፀ ወይም የተነሳ ወይም የተዘጋጀ የክቡር አቶ መለስ ዜናዊን ፎቶግራፍ፣ ቅርፃቅርጽ፣ የኤሌክትሮኒክስ ቅጂ እና የመሳሰሉትን ያካትታል፤
- ፪ ስያሜ ማለት የክቡር አቶ መለስ ዜናዊን ስም፣ ቅርጽ ወይም ድምጽ ጀንግግር፤ እና 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:

PART ONE GENERAL

1. Short Title

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

2. <u>Definitions</u>

In this Proclamation, unless the context otherwise requires:

- 1/ "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;
- 2/ "naming" includes using the name, stature, sound (speech) or other similar things of His Excellency Ato Meles Zenawi for memorial, name, 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 አ**ግባብንት ያለው ስፍራ ማለት አግባብ *የመንግሥት አካል የክቡር አቶ* ባለው ስም መለስ ወይም ምስል ዜናዊን በመጠቀም ሳቸው መታሰቢያ ለሕር ለመስራት ወይም ሥራዎ チギのう ለማስተዋወቅ ወይም ለማስተማ ሪያነት የሚሰየም ቦታን ይጠቃልላል፤
- ፭ ግንባታ ማለት የመልካም ስም ማስታወሻ፣ ቅርጻቅርጽ፣ ሃውልት፣ ተቋም እና የመሳሰሉትን ያጠቃልላል፤
- ፮ ጠቅሳሳ ጉባዔ ማለት በዚህ አዋጅ አንቀጽ ፯፺፩፪ እና አንቀጽ ፰፺፩፪ የተመለከተው የፋውንዴሽኑ ጠቅሳሳ ጉባዔ ነው፤
- ፯ ቦርድ ማለት በዚህ አዋጅ አንቀጽ ፯፺፪፻ እና አንቀጽ ፲፪፺፩፻ የተመለከተው የፋውንዴሽኑ ቦርድ ነው፤
- ፰ ክልል ማለት በኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ ሕገመንግስት አንቀጽ ፴፯፯፩፪ የተመለከተው ማንኛውም ክልል ሲሆን የአዲስ አበባና የድሬዳዋ ከተሞች አስተዳደሮችንም ይጨምራል፤
- ፱ ሰው ማለት የተ**ፌ**ዋሮ ሰው ወይም በህግ የሰውነት *መ*ብት የተሰጠው አካል ነው፤
- ፲ ማንኛውም በወንድ ጸታ የተገለጸው የሴትንም ይጨምራል።

፫ መቋቋም

የመለስ ፋውንዴሽን ፯ከዚህ በኋላ ፋውንዴሽን እየተባለ የሚጠራጀ በሕግ የሰውነት መብት ያለው ራሱን የቻለ ተቋም ሆኖ በዚህ አዋጅ ተቋቁሟል፡፡

፬ ዋና መሥሪያ ቤት

የፋውንዴሽኑ ዋና *ውሥሪያ* ቤት በአዲስ አበባ

- 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.

ሆኖ በሌሎች ስፍራዎች እንደ አስፈላጊነቱ 5. ቅርንጫፍ ጽሕፈት ቤቶች ሊኖሩት ይችላል፡፡

የፋውንዴሽኑ ዓላማ ክቡር አቶ መለስ ዜናዊ በሕይወት ዘመናቸው ሲታገሉለት የነበሩትን የልማታዊና ዲሞክራሲያዊ መንግሥት፣ የሰዎች ዲሞክራሲያዊ *ግንኙ*ነት፣ እኩልነት፣ *ክብርና* ብልፅማና *እንዲረ.*ጋገጥ፣ የሰውና የተልጥሮ *ግንኙ*ነት ሚዛናዊ **እንዲሆን** የሚያደርግ የህብረተሰባዊ ለውዋ አስተሳሰብ እና የሰላም መርሆዎቻቸውን ፈለግ ማስቀጠል አና ማስፋፋት ይሆናል፡፡

፮ ተግባራትና የሕግ ችሎታ

ፋውንዴሽኑ የሚክተሉት ተግባራትና የሕግ ችሎታ ይኖሩታል፡

- ፩ የክቡር አቶ መለስ ዜናዊ አስከሬን የሚያርፍበትና በሕዝብ የሚታበኝ መናፊሻ መገንባትና ማስተዳደር፤
- <u>፪</u> ክቡር ተናዊ አቶ መለስ የፃፏቸው መፃሕፍቶችና ጽሑፎች፣ የተለ የዩ እርሳቸውን የሚመለከቱ **ጥናታዊ ፊልሞ**ች፣ የምስል፣ የድምፅና የመሳሰሉት መረጃዎች *እንዲሁም* ሌሎች ለ*ምርምር* የማ የግዙ መፃሕፍት ተደራጅተው የማቀመጡበት እና በሰፊው **ተቅም ላይ የሚው**ሉበት ቤተ መፃሕፍት ማቋቋም፤
- ፫ በዚህ አንቀጽ ንዑስ አንቀጽ ፲፩፫ እና ፲፪፫ የሚቋቋሙ የህዝብ መናፊሻና ቤተመፃሕፍት ለህዝቡ ተደራሽ እንዲሆኑ ማድረግ፤
- ፬ በሕዝቦች ሁሉና በአገሮች መካከል የመግባባትና የመተባበር መንፌስ እንዲዳብር በተለያዩ መንገዶች ትምህርት መስጠት፣ እግዛ ማድረግ፤
- ፭ በኢኮኖሚያዊና ማህበራዊ ልማት፣ በዲሞክራሲ፣ በሰላም፣ በህብረተሰባዊ ለውተ አስተሳሰብ እና ተዛማጅ መስኮች ምርምር ለሚያደርጉ ሁሉ ለጥናትና ለምርምር

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;
- 3/ ensure that the park and library referred to in sub-article (1) and (2) of this Article are made accessible to the public;
- 4/ carry out educational programs and provide the necessary assistance with the view to promoting cooperative and mutual understanding amongst all peoples and countries;
- 5/ facilitate conducive environment for all researchers who undertake study and research on economic and social development, democracy, peace, social transformation and related fields;

አስፈላጊ የሆኑ ሁኔታ*ዎችን ማመ*ቻቸት፤

6ที.7)#

- ፮ በችግር ምክንያት ትምህርታቸውን ለመከታተል ለማይችሉ ዜጎች በተለይም ለሴቶች የነፃ የትምህርት ዕድል መስጠት፤ አቅም በፊቀደ መጠን ለውሞ አገር ዜጎችም የነፃ የትምህርት ዕድል መስጠት፤ ዓላማውን በማሳካት ረገድ ከትምህርትና የምርምር ተቋማት ጋር ተባብሮ መሥራት፤
- ፯ የአረንንዴ ልማት አስተሳሰብ መስፋፋትንና መተግበርን መደገፍ፤
- ፰ በኢትኖሚያዊና ማህበራዊ ልማት፣ በአካባቢ ዋበቃ፣ በሰላምና በዲሞክራሲ አስተሳሰብና ተግባር የላቀ አስተዋያ ላበረከቱ ሰዎች ሽልማት መስጠት፤
- ፱ ክቡር አቶ መለስ ዜናዊ ያጠናቀቋቸውንና የጀመሯቸውን የምርምር ጽሑፎች ማሳተምና እንዲሰራጩ ማድረግ፤ ሆኖም ከመንግሥትና ከፓርቲ ሰነዶች ውጪ የሆኑትን በሚመለከት በቅድሚያ የቤተሰቡን ፌቃድ ማግኘት ያስፌልጋል፤
- ፲ የክቡር አቶ *መ*ለስ ዜናዊን አስተሳሰብ ማስቀጠል፣ ማስፋፋትና ማዳበር፤
- ፲፩ የክቡር አቶ መለስ ዜናዊ ስም፣ ምስል፣ ስራዎችና መታሰቢያዎች አጠቃቀም የማ መ መመሪያ ማውጣትና んのキろ リST ተግባራዊነቱን መከታተል፤ ከመንግሥትና ሥራዎች ከፓርቲ ኃር ያልተያያዘ ስም ወይም ምስል በመጠቀም በቅድሚያ **ፌቃድ** ረገድ የቤተሰቡን ማግኘት ያስፈልጋል፤
- ፲፪ የሚንቀሳቀስም ሆነ የማይንቀሳቀስ ንብረት ባለቤት መሆን፣ ውል መዋዋል እና በራሱ ስም መክሰስና መከሰስ፤
- ፲፫ ዓላማውን ለማሳካት የሚረዱ ተዛማጅነት ያላቸውን ሌሎች 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.

6ที.7)#

ክፍል ሁለት

የፋውንዴሽኑ አመራር

፯ የአመራር አካላትና ሥራተኞች

ፋውንዴሽኑ፡

- **፩** ጠቅሳሳ ንባዔ፤
- <u> የ</u> በርድ፣
- <u> ፫ ፕሬዚዳንትና ምክትል ፕሬዚዳንት፤</u>
- ፬ የሥራ አስፈፃሚ ዳይሬክተር፤ እና
- ፭ አስፈላጊው ሥራተኞች፤ ይኖሩታል።

፰ የጠቅሳሳ ጉባዔው አባሳት

- ፩ ጠቅሳሳ *ጉ*ባዔው የሚከተሉት አባሳት ይኖሩታል፡
 - ሀጀ የክቡር አቶ *ማ*ለስ ዜናዊ ቤተሰብ አራት ተወካዮች፤
 - ለጀ የአገር *መ*ከሳከ*ያ ሚኒስቴር ሦስት* ተወካዮች፤
 - ሐጀየገንዘብና የኢኮኖሚ ልማት ሚኒስቴር ተወካይ፤
 - መጀ የውሞ ጉዳይ ሚኒስቴር ተወካይ፤
 - **ሥ**ጀየትምህርት ሚኒስቴር ተወካይ፤
 - ረጀ የጤና ዋበቃ ሚኒስቴር ተወካይ፤
 - ሰ፪ የመንግስት ከሙኒኬሽን ጉዳዮች ጽሕፊት ቤት ተወካይ፤

 - ቀ፪ የመንግስት ከፍተኛ ትምህርት ተቋማት ሦስት ተወካዮች፤
 - በ፪ የአያንዳንዱ ክልል አምስት አምስት ተወካዮች፤
 - ተደየወጣቶች 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;
 - 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;
 - three representatives of government higher education institutions;
 - j) five representatives of each Region;
 - k) a representative of Youth Associations;

ቸያ የሴቶች ማህበራት ተወካይ፤

- ኀ፪ በጠቅሳሳ ጉባዔው ውሳኔ መሰረት የሚጨመሩ ሌሎች አባሳት፡፡
- ፪ የፋውንዴሽኑ ሥራ አስ<mark>ፌጻሚ</mark> ዳይሬክተር የጠቅሳሳ ጉባዔው ፀሐፊ ይሆናል።

፱ የጠቅሳሳ ጉባዔው ሥልጣንና ተግባር

- ፩ ጠቅሳሳ ጉባዔው ፋውንዴሽኑን በሚ*መ*ለከቱ ጉዳዮች ከፍተኛ የውሳኔ ሰጪ አካል ይሆናል፡፡
- ፪ የዚህ አንቀጽ ንዑስ አንቀጽ ፯፩፻ አጠቃሳይ አን*ጋገር* እንደተጠበቀ ሆኖ ጠቅሳሳ ጉባዔው የሚከተሉት ሥልጣንና ተግባራት ይኖሩታል።
 - ሀጀ ከአባላቱ መካከል በዚህ አዋጅ አንቀጽ ፲፪፺፩፻፺ለ፪ የተመለከቱትን የቦርድ አባላት መምረጥ፤
 - ለ፤ ለቦርዱ አጠቃላይ የፖሊሲ *መመሪያ* መስጠትና አ**ፈባ**ፀሙን መከታተል፤
 - ሐጀቦርዱ የሚያቀርበውን የፋውንዴሽኑን የአጭር፣ የመካከለኛና የረጅም ጊዜ የስራ ዕቅድና በጀት ማጽደቅ፤
 - መጀ የቦርዱንና የፋውንዴሽኑን የውጭ ኦዲተር ሪፖርቶች መርምሮ ማጽደቅ፤
 - ሥጀለሁለት ዓመታት የሚያገለግል የፋውንዴሽኑን የውጭ ኦዲተር መሰየም፤
 - ረጀ በቦርዱ አቅራቢነት ሽልማቶችን በዚህ አዋጅ መሥረት መስጠት፤
 - ሰደ በዚህ አዋጅ በአንቀፅ ፮፺፲፩፻ 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. <u>Powers and Duties of the General</u> 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;
 - 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.

፲ የጠቅሳሳ ጉባዔው ስብሰባዎች

- ፩ የጠቅሳሳ ስብሰባ ጉባዔው መደበኛ በየዓመቱ የበጀት 9ook በተጠናቀቀ በስድስት ውስፕ ይካሄዳል፤ ФG **Z**IL ሆኖም አስፈላጊ ሆኖ በሚገኝበት ጊዜ ሁለ የጠቅሳሳ ጉባዔው አስቸኳይ ስብሰባ ሊደረግ ይችሳል፡፡
- ፪ የጠቅሳሳ ጉባዔው አስቸኳይ ስብሰባ ሊጠራ የሚችለው።

ሀጀ በፋውንዴሽኑ ፕሬዚዳንት ውሳኔ፤

ለጀ በቦርዱ ውሳኔ፤ ወይም

ሐጀክጠቅሳሳ ጉባዔው አባሳት *መ*ካከል በአንድ ሦስተኛ ድምጽ ሲጠየቅ፤

ይሆናል፡፡

፲፩ የጠቅሳሳ ጉባዔው ስብሰባ ሥነ ሥርዓት

- ፩ የጠቅሳሳ ጉባዔው ስብሰባ በፋውንዴሽኑ ፕሬዚዳንት ይመራል፡፡
- ፪ በዚህ አዋጅ አንቀጽ ፲፪ የተደነገገው እንደተጠበቀ ሆኖ፡
 - ሀጀ ከአባላቱ *መ*ካከል ከግማሽ በላይ የሚሆኑት ከተገኙ ምልዓተ ጉባዔ ይሆናል፤
 - ለጀ ማንኛውንም ውሳኔ ማሳለፍ የሚቻለው በስብሰባው ከተገኙት አባላት መካከል ከግማሽ በላይ ድምጽ ሲገኝ ይሆናል፡፡
- ፫ በዚህ አንቀጽ ንዑስ አንቀጽ ፯፪፻፯ሀ፫ መሰረት ምልዓተ ጉባዔ ካልተሟላ ጉባዔው በ፲፭ ቀን ጊዜ ውስዋ ለሁለተኛ ጊዜ ይጠራል፡፡ በሁለተኛ ዋሪ የተሰበሰበው ጉባዔ በተገኙ አባላት የድምጽ ብልጫ ውሳኔዎችን ሊያሳልፍ ይችላል፡፡
- ፭ የጠቅሳሳ ጉባዔው ውይይቶችና ውሳኔዎች ቃለ ጉባዔዎች በፋውንዴሽኑ ፕሬዚዳንትና በሥራ አስፌጻሚ ዳይሬክተሩ ይፌረማሉ፡፡

10. Meetings of the General Assembly

- 1/ 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.
- 2/ Extraordinary meetings of the General Assembly may be convened:
 - a) upon the decision of the President of the Foundation:
 - b) upon the decision of the Board; or
 - c) at the request of one third of members of the General Assembly.

11. Rules of Procedures of the General Assembly

- 1/ Meetings of the General Assembly shall be presided over by the President of the Foundation.
- 2/ 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.
- 3/ 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.
- 4/ 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

- ፩ ቦርዱ የሚከተሉት አባላት ይኖሩታል፡
 - ሀጀ የክቡር አቶ *ማ*ለስ ዜናዊ ቤተሰብ አራት ተወካዮች፤ እና
 - ለደ በጠቅሳሳ ጉባዔው የሚመረጡ ዘጠኝ አባሳት።
- ፪ የፋውንዴሽኑ ሥራ አስ<mark>ፌ</mark>ጻሚ ዳይሬክተር ድምጽ የማይሰተ አባልና ፀሐፊ ይሆናል።

፲፫ የቦርድ አባላት የአገልግሎት ዘመን

በዚህ አዋጅ አንቀጽ ፲፪ ፲፩፻፺ለ፫ የተመለከቱት የቦርድ አባሳት የሥራ ዘመን ለአራት አመታት ይሆናል፤ ሆኖም አባሳቱ ለቀጣይ የአገልግሎት ዘመናት እንደገና ሊመረጡ ይችሳሉ።

፲፬ የቦርዱ ሥልጣንና ተግባር

ቦርዱ የፋውንዴሽኑን ዓላማ ለማስፌፀም የሚያስችለው ሥልጣን ይኖረዋል፡፡ በዚህ አጠቃላይ አህጋገር ሳይወሰን ቦርዱ፡

- ፩ ከአባላቱ መካከል የፋውንዴሽኑን ፕሬዚዳንትና ምክትል ፕሬዚዳንት ይመርጣል፤
- ፪ በዚህ አዋጅ አንቀጽ ፮ የተደነገገው የፋውንዴሽኑ ተግባር በሚገባ መከናወኑን ያረጋግጣል፤
- ፫ የፋውንዴሽኑን የሥራ አስፌጻሚ ዳይሬክተር ይመለምሳል፣ ይሾማል፤ ሃሳፊንቱን የማይ ወጣ ሆኖ ሲገኝ ያሰናብታል፤
- ፬ በቀጥታ ለፋውንዴሽኑ ሥራ አስፌጻሚ ዳይሬክተር ተጠሪ በሆኑ የስራ መደቦች ላይ የሚመደቡትን የስራ ሃላፊዎች ምደባ ያፀድቃል፤
- **ጅ የፋውንዴሽኑን ስትራቴጂ**ክ **ዕቅድ፣**

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;

ዓመታዊ ዕቅድና በጀት ለጠቅሳሳ ጉባዔው አቅርቦ ያስፀድ*ቃ*ል፤

6ที่ 7)\$1

- ፯ በፋውንዴሽኑ የው*ጭ አዲተር የተመረመ* ረውን የሂሳብ *ሪፖርት* ለጠቅሳሳ ጉባዔው ያቀርባል፤
- ፯ የጠቅሳሳ ጉባዔ ስብሰባ በማይደረግበት ጊዜ የጉባዔውን ውሳኔ በሚሹ ጉዳዮች ሳይ ውሳኔ በመስጠት በሚቀተለው ስብሰባ አቅርቦ ያስወድቃል፤
- ፰ ለፋውንዴሽኑ ስራ ማስፈፀሚያ የሚውል ገንዘብ የሚሰበሰብበትን ስልት ይቀይሳል፣ አጠቃቀሙን ይወስናል፤
- ፱ አማካሪ ኮሚቴዎችን ያቋቁማል፣ ተግባራ ቸውንም ይወስናል፤
- ፲ የጠቅሳሳ ጉባዔውን የስብሰባ ጊዜ፣ ቦታና አጀንዳ ይወስናል፤
- ፲፩ ፋውንዴሽኑን በመወከል በአገር ውስጥና በውጭ አገር ግንኙነት ያደር*ጋ*ል፤
- ፲፪ የፋውንዴሽኑን የውስዋ ደንብና የራሱን የአሰራር መመሪያ ያወጣል፤
- ፲፫ በጠቅሳሳ ጉባዔው የሚሰጡትን ሌሎች ተግባራት ያከናውናል፡፡

፲፭ የፋውንዴሽኑ ፕሬዚዳንት ሥልጣንና ተግባር

የፋውንዴሽኑ ፕሬዚዳንት፡

- ፩ የሐቅላላ ጉባዔውንና የቦርዱን ስብሰባዎች በሊቀ*ማ*ንበርነት ይመራል፤
- ፪ የጠቅሳሳ ጉባዔውን ስብሰባ ይጠራል፤ ከፋውንዴሽኑ ሥራ አስፌጻሚ ዳይሬክተር ጋር በመመካከር የጠቅሳሳ ጉባዔውን የስብሰባ አጀንዳ ይቀርፃል፤
- ፫ የጠቅሳሳ ጉባዔውና የቦርዱ ውሳኔዎች ስራ ሳይ መዋሳቸውን ይከታተሳል፤
- ፬ ቦርዱ ሲሰበሰብ በማይችልበት ጊዜ በፋውንዴሽኑ ሥራ አስፌጻሚ ዳይሬክተር በሚቀርቡ አስቸኳይ በሆኑ ጉዳዮች ላይ ውሳኔ

- 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. <u>Powers and Duties of the President of the</u> 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.

ይሰጣል፣ ውሳኔዎቹንም ለተከታዩ የቦርዱ ስብሰባ አቅርቦ ያስወድቃል፡፡

6**71.**7)\$2

፲፮ <u>የፋውንዴሽኑ ምክትል ፕሬዚዳንት</u> ሥልጣንና ተ**ግባ**ር

የፋውንዴሽኑ ምክትል ፕሬዚዳንት፡

- ፩ የፋውንዴሽኑ ፕሬዚዳንት በማይኖርበት ጊዜ ተክቶ ይሰራል፤
- ፪ በቦርዱ ተለይተው የሚሰጡትን ተግባራት ያከናውናል፡፡

፲፮ <u>የፋውንዴሽኑ የሥራ አስፈጻሚ ዳይሬክተር</u> ሥልጣንና ተግባር

የፋውንዴሽኑ ሥራ አስ<mark>ፌ</mark>ጻሚ ዳይሬክተር ተጠሪነቱ ለቦርዱ ሆኖ፡

- ፩ የፋውንዴሽኑን ሥራዎች ይመራል፣ ያስተዳድራል፣ ይቆጣጠራል፤
- ፪ የፋውንዴሽኑን የሥራ ዕቅድና ፕሮግራም እንዲሁም በጀት አዘጋጅቶ ለቦርዱ ያቀርባል፣ ሲፊቀድም በሥራ ላይ ያውሳል፤
- ፫ የጠቅሳሳ ጉባዔውንና የቦርዱን ውሳኔዎች ሥራ ሳይ ያውሳል፤
- ፬ በየዓመቱ እና እንደአስራላጊነቱ በየወቅቱ የፋውንዴሽኑን የሂሳብ መግለጫዎች ለቦርዱ ያቀርባል፤
- ፭ ተጠሪነታቸው በቀጥታ ለራሱ በሆኑ የሥራ መደቦች ሳይ የሚመደቡትን ሃላፊዎች በመምረጥ ለቦርዱ አቅርቦ ያስጸድቃል፤
- ፮ የፋውንዴሽኑን ሥራተኞች ይቀ**ጥራል፣** ያስተጻድራል፣ ያሰናብታል፤
- ፯ የፋውንዴሽኑን የውስዋ ደንቦች ለቦርዱ በማቅረብ ያስፀድቃል፤
- ፰ ከቦርዱ በሚሰጠው አጠቃሳይ መመሪያ መሰረት በሦስተኛ ወገኖች ዘንድ ፋውንዴሽኑን ይወክሳል፤
- ፱ የፋውንዴሽኑን ዓላማዎች ያስተዋውቃል፤
- ፲ በቦርዱ የሚሰጡትን ሌሎች ተግባራት

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.

17. Powers and Duties of the Executive 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;
- 3/ execute decisions of the General 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;
- 6/ employ, administer and dismiss 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.

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ስለፋውንዴሽኑ ገቢና የሂሳብ መግለጫዎች

፲፰ የፋውንዴሽኑ የገቢ ምንጮች

ፋውንዴሽኑ የሚከተሉት የገቢ ምንጮች ይኖሩታል፡

- ፩ ከውርስ፣ ከስጦታ እና ከዕርዳታ ከሚገኝ ገንዘብና ንብረት፤
- **፪ ከልዩ ልዩ የ**ኅቢ ማስገኛ እንቅስቃሴዎች፤
- ፫ ከ*ሙንግ*ስት ከሚሰዋ ጠቅሳሳ ወይም የፕሮግራም ድ*ጎጣ*፤
- ፬ ከሌሎች የገቢ ምንጮች፡፡

፲፱ የፋውንዴሽኑ የበጀት ዓመት

የፋውንዴሽኑ የበጀት ዓመት ከሐምሌ ፩ ቀን እስከሚቀዋለው ሰኔ ቀን ድረስ ይሆናል፡፡

፲ ስለዓመታዊ የሂሳብ መግለጫ አቀራረብ

- ፩ የበጀት ዓመቱ ከተጠናቀቀ በኋላ እስከ ፬ ወር ባለው ጊዜ በኦዲተር የተረ*ጋገ*ጠ የሂሳብ ሪፖርት ለቦርዱ ይቀርባል፡፡
- ፪ በየዓመቱ በአዲተር የተረጋገጠ የሂሳብ ሪፖርት ለጠቅሳሳ ጉባዔው ይቀርባል፡፡

<u>ክፍል አራት</u> ልዩ ልዩ ድን*ጋጌዎ*ች

፲፩ <u>ከቀረጥና ታክስ ነፃ ስለመሆን</u>

ፋውንዴሽኑ ለስራ ማስፌፀሚያ ወደአገር የሚያስገ ባቸው ዕቃዎች፣ መሳሪያዎችና 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 1st day of Hamle and shall end on the 30th 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. 67,7)\$4

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ይህ አዋጅ ከጠቅላሳ ጉባዔው አባላት ሁለት ሦስተኛው ተገኝተው ከዚህ ውስዋ ሁለት ሦስተኛው የተስማሙበት የማሻሻያ ሀሳብ ለመንግስት ቀርቦ ሲፌቀድ ሲሻሻል ይችላል፡፡

፲፫ የውስጥ ደንቦችን የማውጣት ስልጣን

በዚህ አዋጅ በሌሎች አንቀጾች የተደነገጉት እንደተጠበቁ ሆኖ ቦርዱ ለዚህ አዋጅ አፌፃፀም አስፌሳጊ የሆኑ የፋውንዴሽኑን የውስጥ ደንቦች ማውጣት ይችሳል።

፲፬ <u>አዋጁ የሚጸናበት ጊዜ</u>

ይህ አዋጅ በፌደራል ነ*ጋ*ሪት □□□ □ ትሞ ከወጣበት ቀን ጀምሮ የፀና ይሆናል።

አዲስ አበባ ጥር ፲፮ ቀን ፪ሺ**፭ ዓም** 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