



የኢትዮጵያ ፌዴራልዊ ዲሞክራሲያዊ ሪፐብሊክ

፩፻፬፭ ንጂረተ ጽሑፍ

FEDERAL NEGARIT GAZETTE

OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

፩፻፬፭ ንጂረተ ጽሑፍ ቁጥር ፭፻፭
አዲስ አበባ ከምበራ ፯ ቀን ፩፻፭ ዓ.ም

የኢትዮጵያ ፌዴራልዊ ዲሞክራሲያዊ ሪፐብሊክ
የሰነድ ተወስኗቸው ማዘኝ በት መቀበት የወጣ

21st Year No.62
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መዝገብ

የግል ድርጅት ወራተኞች ጥሩ (ማንኛያ) አዋጅ
የግል ድርጅት ወራተኞች ጥሩ (ማንኛያ) አዋጅ
የግል ድርጅት ወራተኞች ጥሩ አዋጅ

አዋጅ ቁጥር ፭፻፭

የግል ድርጅት ወራተኞች ጥሩ አዋጅ

ለማንኛያ የወጣ አዋጅ

የግል ድርጅት ወራተኞች ጥሩ አዋጅ ቁጥር
፭፻፭/፭፻፭ ማንኛያ አስፈላጊ ሆኖ በመግኘቱ፤

በኢትዮጵያ ፌዴራልዊ ዲሞክራሲያዊ ሪፐብሊክ
ከተ መንግስት አንቀጽ ፩ ዓ.ም አንቀጽ (፫) መሠረት
የሚከተሉው ተወስኗል፡፡

፩. አዋጅ ሰነዶች

ይህ አዋጅ "የግል ድርጅት ወራተኞች ጥሩ
(ማንኛያ) አዋጅ ቁጥር ፭፻፭/፭፻፭" ተብሎ ለመቀበ
ለቻል፡፡

፪. ማንኛያ

የግል ድርጅት ወራተኞች ጥሩ አዋጅ ቁጥር
፭፻፭/፭፻፭ አንቀጽ አንቀጽ ተኩስል፡-

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PROCLAMATION No. 908/20015

A PROCLAMATION TO PROVIDE FOR THE AMENDMENT OF PRIVATE ORGANIZATION EMPLOYEES' PENSION PROCLAMATION

WHEREAS it has become necessary to amend
the Private Organization Employees' Pension
Proclamation No. 715/2011;

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

1. Short title

This Proclamation may be cited as the "Private
Organization Employees' Pension (Amendment)
Proclamation No.908/2015".

2. Amendment

The Private Organization Employees' Pension
Proclamation No. 715/2011 is hereby amended as
follows:

<p>፩/ የኢዋቂ አንቀጽ ጥ/ 30-ሰ አንቀጽ (፪) ፍጋል ተራ (ሙ) ተወርሃ ንብረት ፍጋል ተራ (ሙ) ፍጋል ተራ (ሙ) ሆኖ ተሽሯል፤</p> <p>፪/ የግል ድርጅት መራተኛ’ ማለት በግል ድርጅት መሰጥ ካለበት አምስት ቀናት ለገንዘብ ገመወን ለየተከናወው ለተወሰነ መያወጪ እሌተወሰነ ገዢ መያወጪ የተወጠረ ስራ ለመሰራት የተወጠረ ስራተኛ ስሆን የሰራ መራንጻው ይጠየምሸል፡፡ ሆኖም ለጥጥ ለቀማጥለሽንኩር እንዲ ቅረጋ አና ለአመሰግ መሰላል በየወጪ፡፡ ለተወሰነ ገዢ በይ ለየተደረገው የሚከናወን ስራን ለመሰራት የተወጠረ ስራተኛን አያዝተትም”</p> <p>ጀ/ ‘አበል’ ማለት የአገልግሎት መረጃ አበል የጠና ጉዳለት መረጃ አበል የጥቅት መረጃ አበል መያወጪ የተተከወች መረጃ አበል ስሆን የእረፍት አበልን ይጠየምሸል፤</p> <p>፪/ በኢዋቂ ከከንቀጽ ጥ/ 30-ሰ አንቀጽ (፪) ቁጥሪ የሚከተሉው እኩለ ጥ/ 30-ሰ አንቀጽ (፪) ተጨማሪል፡-</p> <p>“፪/በዚህ አንቀጽ ጥ/ 30-ሰ አንቀጽ (፪) መመረት የተሰበሰበውን የጠረጃ መዋጤው በዚ ቀን መሰጥ ገዢ የእረፍት የግል ድርጅት ገዢ ባሌተደረገው የጠረጃ መዋጤው ላይ ይመወበ ከተከናወበት ወር ቁጥሪ ካለው ወር የመጀመሪያ ውን ይሞር በባንክ ማስቀመጥ ወልድ መጠን መሰረት የሚታሰብ ወልድ አና ይ/ በመቶ ቁጥጥ ማጠናር የመከራል ባይኩል ይኖርበታል”</p> <p>፫/ የኢዋቂ አንቀጽ ጥ/ 30-ሰ አንቀጽ (፫) ፍጋል ተራ (ሙ) ተወርሃ ንብረት ፍጋል ተራ (ሙ) ፍጋል ተራ (ሙ) ሆኖ ተሽሯል፤</p>	<p>1/ sub-articles (1) and (7) of Article 2 of the Proclamation are deleted and replaced by the following new sub-articles (1) and (7):</p> <p>“1/ ‘private organization employee’ means a salaried person employed in a private organization for not less than forty five days for definite or indefinite period of time or piece of work including managerial employees. However it does not include employees engaged in cotton collection, sugar cane cutting and such other similar works regularly repeated in the course of the year;</p> <p>7/ ‘benefit’ means retirement pension, invalidity pension, incapacity pension or survivors’ pension and includes gratuity;”</p> <p>2/ the following new sub-article (13) is added after sub-article (12) of Article 11 of the Proclamation:</p> <p>“13/ If the private organization fails to pay pension contribution collected pursuant to sub article (1) of this Article within 30 days, it shall be liable to pay interest with the bank deposit interest rate including 5% penalty for the unpaid pension contribution calculated from the first day of the month following the last day of the month in which payment of salary has been effected.”</p> <p>3/ paragraph (d) of sub-article (3) of Article 16 of the Proclamation is deleted and the existing paragraph (e) is restructured as paragraph (d);</p>
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<p>፪/ የአዋጅ አንቀጽ ጥና የፌዴራል ስነ አንቀጽ (፫) ተወርሃ የሚከተሉበት አዲስ የፌዴራል ስነ አንቀጽ (፬)</p>	<p>4/ sub-article (6) of Article 16 of the Proclamation is deleted and the following new sub-articles (6) and (7) are added after sub-article (5) and the existing sub-article (7) is renumbered as sub-article (8):</p> <p>“6/ Where an employee who has received retirement or invalidity gratuity pursuant to this Proclamation or Public Servants Pension Proclamation is re-employed as an employee of a private organization covered by the Private Organizations Employees Pension Scheme, his former service shall, without prejudice to sub-article (3) of Article 15 of this Proclamation, be counted along with the new service; provided that the gratuity is paid back.</p> <p>7/ A person to whom reimbursement of pension contribution has been made pursuant to this Proclamation or the Public Servants Pension Proclamation before the coming in to force of this Proclamation, if employed as an employee of a private organization covered by the Private Organizations Employees Pension Scheme before retirement age, his former service shall, without prejudice to sub-article (3) of Article 15 of this Proclamation, be counted along with the new service; provided, however, that the reimbursed contribution he received shall be paid back with interest calculated at bank deposit interest rate.”</p> <p>5/ sub-article (1) of Article 18 of the Proclamation is deleted and replaced by the following new sub-article (1):</p>
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"፩/ በዚህ ዝርዝር የመጀት የገንዘብ የግል
ደርጅት መሬታና ሁሉ አዋጅ ክፍፍიት
ቃን አንስቶ አገልግሎት ክፍረው በዚህ
አዋጅ በአንቀጽ ጥሩ ፳၀-ሰ አንቀጽ(፩)
በይ በተደረገበው መሰረት የጠረቻ
መመሪያ ዕድሜው ስራው
የእንዲሁ የገንዘብ የግል አስከ
ዕድሜ ልክ ያከፈልዋል::"

፪/ የአዋጅ አንቀጽ ጥሩ ፳၀-ሰ አንቀጽ (፩) ተጨማሪ
ነበረው ጥሩ ፳၀-ሰ አንቀጽ(፩) እና (፩) አንድቅደም
ተከተለዋው ጥሩ ፳၀-ሰ አንቀጽ(፩) እና (፩) ሆኖው
ተፈጻሚው ነው ጥሩ ፳၀-ሰ አንቀጽ (፩) ተጨማሪ
በሚከተለው አንስቶ ጥሩ ፳၀-ሰ አንቀጽ (፩)
ተተከታለ:-

"፪/ በዚህ አንቀጽ ጥሩ ፳၀-ሰ አንቀጽ (፩)፣ (፩)
ውያም (፩) መሰረት አገልግሎት የተቋረጡ
የግል ደርጅት ስራታና የጠረቻ መመሪያ
ዕድሜው ስራው በጠና ጉዳለት
ምክንያት ለሥራ በቀ አለመሆኑ
ከተረጋገጧ ይከው ከተረጋገጧበት ገዢ
ቀጥሎ ክለው ወር ይምር የእንዲሁ
ጠረቻ አስፈላጊ ላይ ዕድሜ ልክ
የከፈልዋል:: የሞተ አንድሆነም ከምተበት
ገዢ ቀጥሎ ክለው ወር ይምር ለተተከለው
አስፈላጊ ያከፈልዋል::"

፫/ በአዋጅ ክፍፍಿ ጥሩ ፳၀-ሰ አንቀጽ (፩) ቀጥሎ
የሚከተለት አንስቶ ጥሩ ፳၀-ሰ አንቀጽ(፩) እና (፩)
ተፈጻሚው ነው ጥሩ ፳၀-ሰ አንቀጽ (፩) ጥሩ ፳၀-ሰ
አንቀጽ (፩) ሆኖ ተፈጻሚል:-

"፫/ በዚህ አንቀጽ ጥሩ ፳၀-ሰ አንቀጽ (፩)
የተደረገበው አንድተመበች ሆኖ መዋቅደዋ
አይደረገችና የተጠና የደመዣነት ስኬል

"፪/ An employee of a private organization
who has served for at least 10
years, if terminates his contract of
employment after the coming into
force of this Proclamation, he shall
receive retirement pension benefit for
life upon attaining retirement age as
stipulated under sub-article (1) of
Article 17 of this Proclamation."

፬/ sub-article (2) of Article 18 of the
Proclamation is deleted and the existing
sub-articles (3) and (4) are renumbered as
sub-articles (2) and (3), respectively, and the
existing sub-article (5) is deleted and
replaced by the following new sub-article
(4):

"፪/ Where it is ascertained that an
employee of a private organization who
has separated from service in
accordance with sub-article (1), (2) or
(3) of this Article due to health
problems which prevents him from
engaging in any remunerated work
prior to attaining the retirement age, he
shall receive retirement pension for life
starting with the month following such
ascertainment; in case he dies, his
survivors shall be paid benefits starting
with the month following his death."

፭/ the following new sub-articles (2) and (3)
are added after sub-article (1) of Article 19
of the Proclamation and the existing sub-
article (2) is renumbered as sub-article (4):

"፪/ without prejudice to sub-article (1) of
this Article, an employee who is
employed in a private organization that

በለለበት የገል ድርጅት አገልግሎም ወይም
በለተ ማኅተውም የገል ድርጅት ወሰኑ
በተቀመረ በያስተት ዓመት ወይም ካዬ,^፩
ባንድ ገዢ መሰጥ በጠረሱ የሚገልጻ
መሸጥና በጠረሱ ከሚገልጻበት ወር ሆኖት
ዓመት እስቀድሞ ባለው ወር ሰነድለው
ከነበረው መደበኛ የወር ድመወገን በቋር
በመቶ የሚበላጥ ዓመታዊ እማካይ
የደመወገን ዘመንና የጥና እንደሆነ በየኖሙቱ
እስከ ፕሮ በመቶ ያለው የደመወገን ዘመንና
በኋ በደመወገን ላይ ተደምር የሚሰት
ዓመት እማካይ የወር ድመወገን ተደዘ
ደታበበለሁ

Է/ ԱԹԽԱՂԻՔ ՄՃՊԴԻ աՅԲՈ ԱՀԱՆ
ՀՊԱՆԴԻ ՀՂԱՄՂԱՆԴԻ ԱՃ.ԶՄ ՄԴԴՀՅ-Թ.Թ
ՔՂԱ Ք.ԸԸՆԴԻ ՄՃ.ՎԴԴԻ Ք.ԴԻՄ ՀՂԱՄՂԱՆԴԻ
ԱԹԽԱՂԻՔ ՄՃ.ՎԴԴԻ Թ.Վ.Դ. ՀՊԸ
ԱԹԽԱՂԻՔ ՄՃՊԴԻ ՀԴ ԱՀԱՆ ՀՊԱ
ԱԴԻՖՄԱՆՄ ՔԱԼԴԻ ՓՄԸ ՄՄՃԴԻ
ԴԱԾՏԸՆԿՐԱՆՑ Ք.Դ.Ա.Ա. ՀՊԱ

(፩) የሚከተሉት አንቀጽ ተከታታይ ስለመ የሚከተሉት አንቀጽ
(፪) የሚከተሉት አንቀጽ ተከታታይ ስለመ የሚከተሉት አንቀጽ (፪)

“፩/ የግል ድርጅት መሬታናው በመረጃ
ከተማለለበት ወር እንደ ዓመት እስቀድሞ
በለው ወር ሰከራለው ክነብረው መጋቢቶ
የወር ደመዱን በማጥታውም ገዢ ክፍና
በመቶ የሚሰላጥ ዓመታዊ እማካይ
የድመዱን ዘመንና የገኝ እንዲሆነ ለሰነ
በመቶ ያለው እማካይ ዓመታዊ ደመዱን
ዓክማንና በታች በድመዱዎት ፈጂ ተካምና
የቆረሻት ለበደ ይታሰሳል፡፡”

has no organizational structure or studied salary scale, or gets retired after serving for three years or lesser after his employment if paid more than 25% annual average salary increment on the salary paid a month before 3 years of his pension entitlement, the 25% annual average salary increment shall only be considered for the calculation of three years average monthly salary.

3/ For any private organization employee who has served as a member of the national defense force or as a member of police, the service shall be calculated and added in accordance with the formula set under Public Servant Pension Proclamation."

8/ the existing provision of Article 21 of the Proclamation shall be numbered as sub-article (1) and the following new sub-article (2) is added:

"2/ If a private organization employee gets more than 25% annual average salary increment at anytime on the normal salary paid a month before a year, the 25% annual average salary increment shall only be added for the calculation of gratuity."

ይ/ የኢትዮ አንቀጽ ጽኑ ተሰርሱ በሚከተለው እና አንቀጽ ሽቦ ተተክቷል-

“გეგ. ლოცვა თუ და უკარ მის მიზანი

የግል ዲርጅት መሬታችው አገልግሎት
በማንኛውም የዕስናያት በፊረሰ ለግል
ደርጅቱም ሆነ ለግል ዲርጅት
መሬታችው የጠራታ መዋሪዎች ተመሳሽ
እያደገኛዋል"

Ե/ ՔԱՊՔ ՀՅՈՒՅ ԱՅ ՅՈ-Ն ՀՅՈՒՅ (Է) ԳՈՅԱ
ՆՈՅԻ ՅՈ-Ն ՀՅՈՒՅԴ (Է) ԽԸ (Զ) ՅՈ-Ն
ՀՅՈՒՅԴ (Է) ԽԸ (Է) ՄՌՈՎ ԳՈՅԱ

Ե՞կ/ ՈՂԳՔ ՀՅԴՔ Պ Ի ԽՅ-Ն ՀՅԴՔ (Ը) ԳՊԱ^Ն
ՔՄՀԻՒՆՈՒ ՀՅԸ ԽՅ-Ն ՀՅԴՔ (Ը)
ԴԱՐՄՀԱ-

"ԵՇ ՔԱՎՔ ԳՐԸ ԱՅՍ/ՏԱԼ ՀՅԴՓԾ Ո ՃՆ
ՔԱՆ ՀՅԴՓԾ ՅՆ-Ը ՀՅԴՓԾ (Ճ) ՃՆ
(Ճ) ՔՅԴՉՆ ԱՐԸԾՄ ԼՄՊԱՌՊ ԹԿ
ԹՎԸՆ ՔՄՁԱՌՈՒ ԹՎԿ ԹՎԸՆ
ԹՎԿՄ ՈՐՄԿ ԽՄՀՀՄ ՀՈԱ ԿԸ
ԿՄՎԸՆ ԱՄԿ ԹՎԸՆ ՃՅԲ ՊՈ.

ሀ) ወርሃዊ የጠራታ እስል በመቀበል ገይ
ያለ ባለሙስ ተብል በመራተኞች ከዚ
በመቀበር ይመዋን የሚያገኘውን ከዚ
የጠና መጽሑፍን መዋሪው የሚቀነሰው
በየዚህ ከሚከለለው ይመዋን ገይ
ብቻ ነው፤

Ա) Քաշեցի հով Ամսֆուն և քա
ղամբով՝ Ք.Ի.Ինքո ուշեցի հով
բազերցի հիմն Քահան օմքացի
սովուն բազեփառը Աշ-Ծ-
հազերցաւ ուշեցի հով և պի
նգուն

9/ Article 26 of the Proclamation is deleted and replaced by the following new Article 26:

"26. Non-Reimbursement of Pension Contribution

If the employment contract of private organization employee is terminated due to any reason, the pension contribution may not be reimbursed for the private organization as well as for the private organization employee."

10/ sub-article (2) of Article 48 of the Proclamation is deleted and the existing sub-articles (3) and (4) are renumbered as sub-articles (2) and (3);

11/ the following new sub-article (3) is added after sub-article (2) of Article 50 of the Proclamation:

'3/ Notwithstanding the provision of Article 9 of Social Health Insurance Proclamation No. 690/2010 and sub article (1) and (2) of this Article, a contribution for social health insurance shall be deducted monthly from pension benefit and transferred to social health insurance fund. However:-

(a) if the beneficiary who receives monthly pension benefit also receives salary from employment, a contribution for social health insurance shall be deducted only from his monthly salary;

(b) if the beneficiary who receives pension benefit also receives survivors' pension benefit, the contribution for social health insurance shall be deducted only from the pension benefit he gets by

፩/የኢትዮጵያ የፌዴራል አንቀጽ (፫) ተሰርዞ
በሚከተለው እናስ ጽዜ-ስ አንቀጽ (፫)
ተተካቸላ-

“፩/ የጠረሱ አበል በመቀበላ ሌይ ያለ
በለመብት በዚህ አዋጅ በሚገኘው የግል
ደርጅት ከተወጪረኝ ለጠረሱ መመሪያ
ዶክመንት የልጋጌ ከሆነ እናስ አገልግሎት
ከቀድሞ አገልግሎቱ የጊር ተደምሮ
ይታስብላጥል:: ሆኖም ገንዘባኝ የታስብላጥ
አበል ከቀድሞው አበል የነስ ከሆነ
የቀድሞውን አበል የማግኘት መብት
አንድተጠበቀ ሆኖ ወደ ሥራ በመመለስ
ለፈጸመው አገልግሎት የሚከራለው አበል
ውይም የጠረሱ መቀበሉ አይደርም”

፪/በኢትዮጵያ የፌዴራል አንቀጽ (፫) ቀጥሉ
የሚከተለት እናስ ጽዜ-ስ አንቀጽ (፫) እና (፬)
ተጨማሪው ነገሮች ጽዜ-ስ አንቀጽ (፫) እና
(፬) ጽዜ-ስ አንቀጽ (፫) እና (፬) ሆነው
ተሽጠቃቄል-

“፩/ በሁለተኛ ወይም ከዚያ በላይ የግል
ደርጅት መሰጥ በመቀመር በሁለተኛ
ውይም ከዚያ በላይ የግል ደርጅት
ይመወከ ከሚከራለው መሬተኛ የጠረሱ
መቀበሉ የሚሰበበው መሬተኛው
ከመረመጥ በእንደ የግል ደርጅት
ከሚከራለው ይመወከ ሌይ በቻ ይሆ኏ል
ሆኖም የግል ደርጅት መሬተኛው
የመንግስት መሬተኛው የቅጥር ከሆነ
በግል ደርጅት ከሚከራለው ይመወከ ሌይ
የጠረሱ መቀበሉ አይሰበበባል
አገልግሎትም ለጠረሱ አበል አውሳኔን
አይታስብላጥም”

12/ sub-article (1) of Article 51 of the Proclamation is deleted and replaced by the following new sub article (1):

“1/ If a private organization employee who receives pension benefit if employed in a private organization covered by this Proclamation and has not reached the retirement age, his new service shall be added to his previous service; provided, however, that if the retirement benefit based on the accumulated service is less than the previous one, without prejudice to his right to receive the previous pension, he may not receive any payment or contribution reimbursement for the new service he provided.”

13/ sub-articles (2) and (3) are added after sub-article (1) of Article 51 of the Proclamation and the existing sub-articles (2) and (3) are renumbered as sub-articles (4) and (5):

“2/ If a private organization employee is employed and salaried from two or more private organizations, the pension contribution may be collected according to his choice from salary paid by one private organization; provided, however, that if a private organization employee is a public servant as well, the pension contribution may not be collected from a salary paid by any private organization, and the service may not be calculated for pension benefit.

ይ/ በዚህ አዋጅ ወይም በመንግስት
ማራተኞች ጥሩታ አዋጅ መወረዳ
መጠሪያ ዕድል ታሪ ከመደረሰ
እስቀል:: የአገልግሎት ጥሩታ አበላ
የተወስኑለት ባለሙስት በዚህ አንቀጽ
“ዚህ አንቀጽ (፫) መወረዳ አንቀጽ
በመቀመር የፋይመው አገልግሎት
ከቀድ:: አገልግሎቱ የፋይመው አበላ
ተሞስለ የሚከፈልው መጠሪያ ዕድልዎ
ች እና ስራርብ በኋይ ይሆናል፤ ሆኖም
በዚህ እና ጥሩታ ወይም በዚህ ጥሩታ
ምክንያት ውስጥ ውስጥ ውስጥ
የሚያሳይ ማናቸውንም ሁኔታ መሠራት
የማይቻል መሆኑ በሁዝና በርድ:
ተረጋግጧ ከዚህ ለሰነበት ከዚህ
ከተሰኗበበት ወር ቅጥሎ ከለው ወር
ይምር አበላ ተሞስለ ይከፈልል”

3/ If a re-employed beneficiary was entitled to a retirement pension benefit pursuant to this Proclamation or Public Servant Pension Proclamation before the retirement age of 60, the new service that has been rendered by him shall be added to his pension benefit with the previous service in accordance with sub-article (1) of this Article only when he attains the retirement age of 60; provided, however, that if it is ascertained by a medical board that the employee of a private organization is incapable of fulfilling service due to employment injury or health problems and separated from service, his pension shall be re-considered starting from the next month following his separation from service.”

3. Effective Date

This Proclamation shall enter into force as of the 8th day of July, 2015.

Done at Addis Ababa, this 10th day of July, 2015.

MULATU TESHOME (DR.)

PRESIDENT OF THE FEDERAL DEMOCRATIC
REPUBLIC OF ETHIOPIA

አዋጅ የሚገኘበት ዘዴ

ይህ አዋጅ ከከምና ይ ቅዱስ ዓ.ም ይግባር የዚህ
ይሆናል::

አዲስ አበባ አዋጅ ቤት ቅዱስ ዓ.ም

የ/ር መ-ሰብ ተሻጠ

የኢትዮጵያ ፌዴራልዊ ዲሞክራሲያዊ ሪፐብሊክ

ተወካይ