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## **ዝክረ ሕግ**

# **ZIKRE HIG**

**Of the Council of the Amhara National Regional State  
in the Federal Democratic Republic of Ethiopia**

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Issued under the auspices of the Council of the Amhara National Regional State

✉ 1324  
ያንዱ ዋጋ ብር 9.60  
Unit price

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<p align="center"><u>••• ••• 171/2002 •••</u></p> <hr/> <p>•••••</p> <p>••• ••• ••• ••• ••• ••• ••• •••</p> <p>••• ••• ••• ••• ••• ••• ••• •••</p> <p>••• ••• ••• ••• ••• ••• ••• •••</p> <p>••• ••• ••• ••• ••• ••• ••• •••</p> <p>••• ••• ••• ••• ••• ••• ••• •••</p> <p>••• ••• ••• ••• ••• ••• ••• •••</p> <p>••• ••• ••• ••• ••• ••• ••• •••</p> <p>••• ••• ••• ••• ••• ••• ••• •••</p> <p>••• ••• ••• ••• ••• ••• ••• •••</p> <p>••• ••• ••• ••• ••• ••• ••• •••</p> <p>••• ••• ••• ••• ••• ••• ••• •••</p> <p>••• ••• ••• ••• ••• ••• ••• •••</p> <p>••• ••• ••• ••• ••• ••• ••• •••</p> <p>••• ••• ••• ••• ••• ••• ••• •••</p> <p>••• ••• ••• ••• ••• ••• ••• •••</p>	<p align="center"><u>Proclamation No. 171 /2010</u> <u>The Amhara National Regional State Civil Servants Revised Proclamation</u></p> <p>WHEREAS, it has become necessary to make more brief and revise in a suitable condition for application of the civil servants' proclamation of some provisions in accordance with the research findings of the Regional Business Process Reengineering.</p> <p>WHEREAS, it has become necessary to promulgate a law on the administration of civil servants of the Region compatible with the progress of the country and a structure of government;</p> <p>WHEREAS, it is appropriate to undertake human resources management reform to make the Regional Civil Service efficient, neutral, effective, sustainable, transparent and development oriented;</p>

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WHEREAS, it is necessary for the Government to establish a system that may attract and retain competent profession dedicated to serve the public;

WHEREAS, it is necessary to legislate clear provisions which guarantee job security and fair conditions of service to civil servants and define their obligations;

WHEREAS, it is appropriate to ensure that appointment, promotion, transfer, salary increment and training is based only on the educational qualification, ability, profession, experience and performance of the civil servants;

WHEREAS, it is believed proper to base remuneration on position classification and grading and thereby ensure the principle of equal pay for equal work;

WHEREAS, it is necessary to establish procedures for the adjudication of cases of civil servants;

NOW, THEREFORE, the Council of the Amhara National Regional State by virtue of its powers vested in it pursuant to the provision of Article 49 sub article 3(1) of the National Regional Revised Constitution, hereby issued this proclamation.

**PART ONE**  
**GENERAL**

1. **Short Title**

This proclamation may be cited as “the Amhara National Regional State Civil Servants

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Revised Proclamation No.171/2010".

2. **Definitions**

In this Proclamation Unless the context requires otherwise:

- 1. "Civil Servant" means a person employed permanently by a government office; this includes the women civil servants; provided, however, that it shall not include the following:
  - a. Government Officials with the rank of Deputy Heads of Bureau and with other equivalent ranks and above;
  - b. Leading members of the Councils of the Region, the Nationality Zone and Woreda;
  - c. Regional Courts' Judges and Prosecutors;
  - d. Members of the Regional Police and other employees governed by the regulation of the Regional Police;
  - e. Appointees and employees excluded from the coverage of this Proclamation by other appropriate laws.
- 2. "Government Office" means any Regional Government Office established at any level of the administration as an autonomous institution by a proclamation or regulation and fully or partially financed by government budget.

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3. "Position" means a set of related tasks intended to be Performed, full time, by a civil servant;
4. "Promotion" means assigning a civil servant to a higher grade;
5. "Head of a Government Office" means a Government Official who directs the Office.
6. "Medical Certificate" means a certificate explains the health condition of a civil servant and gives a sick leave issued by a medical institution licenced by the inland appropriate authority or a certificate that is found from foreign medical institution, assured by the appropriate authority.
7. "Salary" means base pay and periodical increments authorized for a grade of a Position.
8. " Temporary employee" means a person who works temporarily on the permant position in the government office if the situations forced; however, it shall not include the following:

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- a. workers who are payed daily;
- b. trainers or apprentices who are assigned in government office for training or apprenticeship;
- c. contractors who are payed for contracts that they agree with the government office;
- d. workers who are payed for their special knowledge and skill according to their contracts they agree with the government office.

9. "Conditions of work" means the entire filed of relations between workers and government office and shall also include hours of work, wage, leaves, occupational safety and health, payments due to dismissal because of redundancy, discipline case, grievance procedure and any other similar matters.

10. "Placement" means in accordance with Article 31 of this proclamation, prior to vacancy announcement of promotion, place one government employee with similar position and salary or with high position and salary or with low position according to his agreement.

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11. "Administrative decision" means a decision given to the issues elected with human resources management supportive process, stated in part 9 of this proclamation, by the head of the office either orally or in written form without keeping procedure.

12. "Bureau" means the Regional Capacity Building and Civil Service Bureau.

3. **Scope of Applicability**

This Proclamation shall be applicable on government offices and civil servants

**PART TWO**  
**REGIONAL GOVERNMENT**  
**OFFICES ARRANGEMENT,**  
**PERFORMANCE EVALUATION,**  
**POSITION CLASSIFICATION,**  
**SALARY SCALE AND**  
**ALLOWANCES**

4. **Arrangement of Government Offices**

1. Any Regional Government office to achieve its objective, shall bring the necessary structure of the organization and human resources to Bureau by doing a research itself or by other body.

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2. In accordance with sub-article (1) of this Article, if any Government Office needs additional budget for its new structure, shall ask the council of regional administration and get permission before implementing the structure.

**5. Evaluation and Classification of Position**

1. A position shall be classified to a class of postions and grade on the basis of the type of service, function, profession or occupation, difficulty and complexity of duty, extent of responsibility and requisite education, experience, knowledge, ability and skill.

2. Reclassification of a position shall be carried out where:

- a. the original classification has been found to be in error;
- b. new information not previously brought to light justifies a different classification; or
- c. the duties and responsibilities of the position have so changed as a result of changes in the structure and systems of the organization.

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3. When a position already occupied by a civil servant is reclassified pursuant to sub-article(2) of this Article:

a. to a high grade, civil servant occupying the position shall be promoted to the higher grade if he meets the qualification requirements thereof;

b. to a lower degree or if the civil servant occupying the position does not meet the qualification requirement when reclassified to a higher grade the provision of sub-article(5) of Article 28 of this proclamation shall apply.

4. Appointment, promotion, transfer or demotion of a civil servant shall not be entitled to an unissued position.

5. Following this proclamation, the Bureau may issue detailed directives that used to implement the government office classification of position.



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**6. Salary Scale**

- 1. The Bureau shall undertake studies on salary scales to be applicable to Regional Civil Service and submit the same to the Council of Regional Administration for approval; and implement in service upon approval.
- 2. A salary scale shall contain the base and maximum pay and steps indicating periodical increments for each grade.
- 3. If necessary, the Bureau shall undertake periodical revisions of salary scales based on economic changes and other relevant conditions and submit to the regional government for decision.
- 4. Notwithstanding sub-article (1) of this Article, the Bureau based on special conditions of works, may study various salary scales of government offices and present with comments to the Council of the Regional Administration.

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**7. Equal pay for equal work**  
All positions of equal value shall have equal base salary.

**8. Payment of Salary**  
Any government office, at the end of every month, makes payments of salary to civil servants or their legal representatives.

**9. Increment of Salary**  
1. Civil servants may be entitled to periodical salary increments based on their performance evaluation.

2. To implement the principles stated under sub-article(1) of this Article, the Bureau may issue its own directives.

**10. Attachment and Deduction of Salary**  
1. The Salary of civil servant may not be attached or deducted except in accordance with:  
a. the written consent of the civil servant;  
b. court order; or  
c. the provisions of the law.

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2. Monthly deductions from the salary, a civil servant to be made pursuant to sub-article (1) (b) or (c) of this Article shall not exceed one third of this salary.

**11. Allowances**

1. Any allowance shall be paid for only the purpose of carrying out the functions of the civil service.  
2. The Bureau shall undertake studies on the payment of various allowances and submit to same to the council of Regional Administration and, upon approval, supervise their implementation.

**PART THREE**  
**PLANNING OF HUMAN**  
**RESOURCES, STAFFING AND**  
**PERFORMANCE EVALUATION**  
**CHAPTER ONE**  
**SELECTION AND**  
**RECRUITMENT**

**12. Planning of Human Resources**

1. The objective of planning of Human resources is, to perform the outcomes of any government office cited on its strategic planning, to predict the interest of Human resources, to fulfill the necessary human resources in kind and number, and develop and use properly, and help to take measures evaluating through time and making an amendment.

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2. Any Government Office in accordance with its own strategic planning, shall study and implement its short, middle and long term planning of Human resources.

3. Bureau may issue detailed directives for the preparation and implementation of Human resources planning.

**13. Ineligibility**

1. The Following shall not be eligible to be civil servants:

- a. A person under the age of 18 years;
- b. A person who has been convicted by a court of competent jurisdiction of any crime committed in connection with his duties as a civil servant of breach of trust, theft or fraud, unless he has been reinstated in accordance with the law;
- c. Without prejudice to sub-article (1) (b) of this Article, a civil servant who has been dismissed on grounds of disciplinary offence, before the lapse of two years from the date of his dismissal.

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2. Notwithstanding the provisions of sub-article (1) (c) of this Article, one which has been dismissed on grounds of discipline for committing breach of trust, theft, or fraudulent act in connection with his duties as a civil servant, may not be employed as civil servant before the lapse of two years.

3. Notwithstanding sub-article (1) (a) of this Article, the bureau may issue directives to circumstances in which young persons above the age of 14 and below 18 may be appointed as civil servants and on the conditions of service applicable to them.

#### **14. Appointment of Foreigners**

Article 22 (2) of this proclamation determined, a person who is not an Ethiopian may not be eligible to be a civil servant.

#### **15. Filling of Vacancies**

1. There shall be no discrimination among job seekers or civil servants in filling vacancies because of their ethnic origin, sex, religion, political out look, disability, HIV/AIDS or any other ground, provided, however, the bureau may issue various directives in relation to special behavior of nationalities of the region.

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2. A vacant position shall be filled only by a person who meets the qualification required for the position and scores higher than other candidates.
3. Without prejudice to the provisions of sub-articles (1) and (2) of this Article, preferences shall be given to female candidates having equal or close scores to that of other candidates.
4. Notwithstanding the provisions of sub-articles (1) , (2) and (3) of this Article, priorities of appointment shall be given to candidates with disabilities who meet the minimum passing score.
5. Vacancy may be filled through recruitment, promotion or transfer on the basis of human resource planning.

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**16. Vacancy Announcement and Examination For Recruitment**

1. Government Offices shall advertise every vacant position by human resources management supportive process to be filled with a new civil servant.

2. The Bureau may issue directives with regard to advertising vacant positions and the preparation and conducting of examinations and disclosing the results thereof.

**17. Medical Certificate and Police Record**

The candidate, who scores the highest mark among the competitors and passed the examination, shall submit medical certificate to prove his fitness for service and written testimony to prove that he has no police record with regard to crimes referred to in sub-article (1) (b) of Article 12 of this proclamation.

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18. Appointment and Oath of Fidelity

1. a newly appointed civil servant shall be served with a letter of probation appointment, signed by human resources management supportive process owner, stating the title and grade of his position, his salary and date of commencement of his appointment, together with job descriptions of his positions.

2. The appointed civil servant shall, before commencement of his work, take the following oath of fidelity:

“I----- being a civil servant solemnly and sincerely swear that above all else faithfully serve the people, and at all times respect the constitutions of the country and laws and will not disclose to any party the secret revealed to me by reason of my duties.”



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**19. Determination of Starting Salary**

1. Any newly appointed civil servant shall be paid the base salary as fixed by the civil service salary scales for the position he has been appointed.

2. Bureau, provided; however, that payment of step salary higher than the base salary for government offices, shall issue detailed directives for some positions, grades of payment, and preconditions.

**20. Probation**

1. The Purpose of probation shall be to prove the competence of a newly appointed civil servant through follow-up of his performance.

2. The period of probation of a civil servant on the position of his appointment shall be for six months and his performance is evaluated every 3 months.

3. By six months probation period, civil servants who have got lower efficient shall be dismissed without extended discipline by human resources management supportive process.

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4. Where the civil servant on probation, is absent from his work due to employment injury, and without prejudice to the provisions of sub-articles (2) and (3) of Article 53 of this proclamation, he shall be entitled to complete the remaining probation period following the date of his recovery.

5. A civil servant, in probation period, who is absent from his work less than a month due to more than ability case shall get performance only for the time he was at work.

6. Notwithstanding the provisions of sub-article (5) of this Article, a probated woman, who is absent from work because of delibery case more than a month, shall finish the remaining probation period; provided, however, when absenteeism period is lower than a month, the performance shall be filled with reminding her working period.

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7. Unless, otherwise with a special provisions of this proclamation, a government employee with a probation period has rights and duties like a permanent government employee.

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**21. Permanent Appointment**

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1. A letter of permanent shall be issued to a civil servant who has scored sufficient or more of performance in his probation period.

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2. Where the government office failed to evaluate the performance of the civil servant, without prejudice to the responsibility of the concerned official, the performance evaluation shall be carried out within one month; provided, however, because of late performance evaluation, the civil servant shall not be dismissed.

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22. Temporary Appointment

1. Without prejudice to sub-article (2) of this Article, a Government office may appoint a temporary civil servant only for a job which is not of a permanent nature, provided; however, that a government office may, where circumstances so require, appoint a temporary civil servant to a permanent position.
2. A government office may appoint a foreign citizen on a temporary basis where it is provided that it is impossible to fill a vacancy that requires a high level professional by an Ethiopian through promotion, transfer or recruitment.
3. The Bureau may issue detailed directives of rights and duties, working conditions and recruitment of temporary employees.

23. Revocation of Appointment

Without prejudice to the accountability of crime, appointment of Government Civil Servant shall be revoked immediately if the forged transcript or job experience is found or the certificate given by unauthorized body or the certificate that contradicts this proclamation, regulation or directives that used to implement this proclamation.

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**CHAPTER TWO**  
**PROMOTION AND**  
**PERFORMANCE EVALUATION**

**24. Objectives**

Promotion shall be given for the purpose of enhancing the performance of government offices and encouraging the civil servant.

**25. Selection For Promotion**

1. In accordance with this proclamation, any civil servant who has finished his probation period, may compete for promotion of the vacant position unless he is prohibited by detailed directives of implementing the promotion.

2. The Bureau shall issue detailed directives for the promotion of civil servants and the specified in sub-article (1) of this proclamation.

**26. Revocation of Promotion**

Without prejudice to the accountability of discipline and crime, any promotion obtained on the basis of false representation regarding qualification or granted in contravention of the law by any other ground shall be revoked at any time.

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27 **Performance Evaluation**

- 1. In accordance with this proclamation, the purpose of performance evaluation is the following:
  - a. in order to discharge effectively their duties, it is necessary to prepare evaluation system for civil servants that are evaluated in office, processes, and personal level;
  - b. by doing continuous performance evaluation, identify their strengths and weakness and improve their future performances and make them effective;
  - c. identify the civil servants’ interest of training & improvement;
  - d. create suitable conditions for civil servants gaining incentive based on their result;
  - e. based on concrete information, make officials and process owners to give Administrative decisions.

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2. The details shall be issued with directives that prepared by Bureau, the performance evaluation shall be made based on clear working procedure.

**CHAPTER THREE**  
**TRANSFER AND**  
**CLASSIFICATION**

**28. Internal Transfer**

1. If necessary, a government office may, transfer a civil servant to another similar position of an equal grade and salary or to another place of work within the government office.

2. Any transfer to be made under sub-article (1) of this Article, shall be carried out on the basis of competition whenever there are civil servants within the government office applying for the transfer.

3. Notwithstanding the provisions of sub-article (1) of this Article, a civil servant may, without affecting his salary, be temporarily assigned to another position, for not more than a year irrespective of the grade or type of functions where it is required to prevent the occurrence or rectify the damage of any disaster to the government office.

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4. Where it is proved by a medical certificate that a civil servant is unable to carry out the functions of his position or to reside in his place of work due to his health condition, he shall be transferred to another suitable position or place of work with:

- a. the same grade where such vacant position is available; or
- b. a lower grade, but without decreasing his salary, where a vacant position of the same grade is not available and he is willing to be transferred to a position of lower grade.

5. Where the position of a permanent civil servant is abolished, he shall be transferred to another position of an equal grade within the government office.

**29. Transfer from Another Government Office with Agreement**

1. In the region, the civil servant may be transferred from any government office to another government office by competing from others with clear announcement of vacant position.



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2. It is possible to transfer a civil servant from one region to another region or from region to federal or from federal to any region if they agreed and if the civil servant is a regional or a federal one.

**30. Temporary Transfer**

1. If necessary, with the consent of the sending government office and the civil servant, it is possible to make temporary transfer of the civil servant to another region government office, developmental government office or to non-governmental organization for not more than one year.

2. Notwithstanding the provisions of sub-article (1) of this Article, a civil servant may be transferred from one region government office to another region government office or to another governmental office of the same region by the requesting of the region government, without affecting his salary, for not more than one year.

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3. In accordance with sub-article (1) of this Article,  
a civil servant transferred temporarily:

a. the salary and any other benefits shall not  
be reduced;

b. his performance shall be sent to the  
employer office, filled with the previous  
government office;

c. if he makes a breach of discipline, the  
penalties shall be taken by the employer  
government office.

**31. Classification**

1. Any vacant position of government office,  
shall be filled with civil servants who come  
from another government office, only if the  
government office is closed/vanished, or if  
there are surplus human resources, or  
revocation of position.

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2. Any government office shall classify its own civil servants by computing, if the new structure of the organization is studied and implemented.

3. In accordance with this Article, the classified civil servant salary and other benefits shall not be reduced that has been found with his grade and service previously.

**PART FOUR**

**WORKING HOURS AND**

**VARIOUS LEAVES**

**CHAPTER ONE**

**WORKING HOURS**

**32. Regular Working Hours**

Regular working hours of civil servants shall be determined on the base of the conditions of their work and shall not exceed 39 hours a week.

**33. Office Hours**

The time when the office hours of civil servants begins and ends shall be determined by regulations of the Council of Regional Administration.

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**34. Overtime Work**

1. A civil servant who has worked overtime shall be payed for overtime work payment or compensatory leave with his options.
2. The bureau shall issue detailed directives for overtime work conditions, amount of payment and compensatory leave.

**35. Public Holidays and Weekends**

1. Any civil servant shall incur no reduction in his regular pay on account of having not worked on a public holiday, weekends, or on a day offices are closed by the order of the government.
2. A civil servant ordered to work on a public holiday, weekends or on a day offices are closed by the order of the government shall be entitled to overtime pay or compensatory leave by his options.

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**CHAPTER TWO**  
**ANNUAL LEAVE**

**36. Objectives**

1. The purpose of annual leave is to enable a civil servant get rest and resume work with renewed strength.
2. A newly appointed civil servant shall not be entitled to annual leave before serving for eleven months; provided, however, civil servants who have finished their probation period and worked on the other either federal or regional government office previously, shall use their annual leave not waiting eleven months.
3. There shall be no payment in lieu of annual leave; provided, however, that payment may be made for unused annual leave due to termination of appointment or passed by the decision of the head. The necessary directives that used for implementation shall be issued with bureau.

**37. Duration of Annual Leaves**

1. A civil servant shall be entitled to annual leave of a 20 working days for his first year of service.

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2. A civil servant having a service of more than a year shall be entitled to additional leave of one working day for every additional year of service; provided, however, annual leave shall not exceed 30 days for one budget year.

3. Previous service rendered in any other federal or regional government office shall be considered for the application of sub-article (2) of this Article.

**38. Granting of Annual leave**

1. Annual leave shall be granted with in the budget year in accordance with a leave made known to the civil servants and prepared in the basis of due consideration of the interest of the government office and, as much as possible, the preference of each civil servant.

2. A civil servant shall be entitled to advance payment of his monthly salary at the time of taking his annual leave.

3. Without prejudice to sub-article (2) of Article 36 of this proclamation, a civil servant after finishing eleven months shall be given annual leave to his service of appointing budget year.

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4. In accordance with sub-articles (1) and (2) of this Article provisions, a civil servant who has interrupted his service during annual leave before finishing of the budget year, shall be enforced to pay back his salary considering his unworking days.

**39. Postponement of Annual leave**

Notwithstanding the provisions of Article 38 of sub-article (1) of this proclamation, the head of a government office with the help of process owners or may authorize the postponement of annual leave for not more than two budget years where the government office, due to compelling reasons, is unable to grant a civil servant his annual leave within the same budget year; provided however, that the accumulated leave shall be granted to the civil servant in the third budget year.

**CHAPTER THREE**  
**VARIOUS LEAVES**

**40. Maternity Leave**

1. A pregnant civil servant shall be entitled to:

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a. paid leave for medical examination in accordance with a doctor's recommendation;

b. paid leave before delivery if recommended by a doctor;

2. A pregnant civil servant shall be entitled to a period of 30 consecutive days of maternity leave with pay preceding the presumed date of her confinement and a period of 60 consecutive days of maternity leave after her confinement, generally for 90 consecutive days of maternity.

3. In accordance with sub-article (2) of this Article, if the civil servant delivers before the presumed date of her confinement, the rest maternity leave shall be given to her after her confinement.

4. If the civil servant does not deliver using her presumed date of birth maternity leave, the rest days until her delivery shall be given from the budget year annual leave if she has or the next year; provided, however, if necessary for pregnant civil servants who have special works,



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the responsible government bodies shall issue detailed directives by following this proclamation asking permission from Bureau.

5. The civil servant shall be entitled to sick leave in accordance with sub-article (1) of Article (41) of this proclamation provisions, if she becomes sick after completion of the maternity leave under sub-article (2) of this Article.

6. If the spouse of the civil servant is the government permanent employee, he shall be entitled to leave of 5 working days with pay in accordance with deleivery to support his wife and family.

**41. Sick Leave**

1. Any civil servant shall be entitled to sick leave where he is unable to work due to sickness.

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2. The duration of sick leave to be granted to a permanent civil servant in accordance with sub-article (1) of this Article, shall not exceed eight months in a year, or twelve months in four years, whether counted consecutively or separately starting from the first day of his sickness.

3. Sick leave to be granted in accordance with sub-article (2) of this Article shall be with full pay for the first six months, with half pay for the next two months and without pay for the rest four months.

4. Notwithstanding sub-article (3) of this Article, HIV/AIDS patients civil servants shall be entitled to full pay for the first eight months and with half pay for the rest four months.

5. A civil servant not finishing his probation period shall be entitled to one month sick leave with pay approved by medical certificate.

6. Where any civil servant is absent from work due to sickness:

a. he shall, as soon as possible, notify the government office unless prevented by force majeure;

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b. he shall provide a medical certificate in case of absence for three consecutive days or for more than six days with in a budget year.

**42. Marriage Leave**

Any civil servant shall be entitled to leave with pay for three working days when he concludes marriage.

**43. Mourning Leave**

1. Any civil servant shall be entitled to leave with pay for three consecutive days in the event of his spouse, descendant, ascendant or any other relative, up to second degree, by consanguinity or affinity.

2. A civil servant shall be entitled to leave with pay for one day in the event of the death of his close relative or friend other than those specified in sub-article (1) of this Article; provided; however, that such leave shall not exceed six days within a budget year.

**44. Special Leave with Pay**

Any civil servant shall be entitled to special leave with pay where:

a. he is summoned by a court or any other competent authority, for the time utilized for the same purpose.

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b. he participates in the election of government officials, for the duration of the voting.

c. if the permanent civil servant is computing with election, he shall be entitled to leave with pay for the period of election promotion and election.

**45. Special Leave without Pay**

Where a permanent civil servant, upon sufficient ground, applies for a special leave without pay, the head of the government office may authorize the grant of such leave if it does not adversely affect the interest of the office. The details shall be determined with the regulations issued by the Council of the Regional Administration.

**46. Medical Benefits**

1. A permanent civil servant shall have the right to get all medical services, free of charge, in government medical institutions.

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2. A permanent civil servant shall have the right to get medical services with half pay in government medical institutions for his spouse and minor children.
3. The Bureau including with any other concerned government bodies shall jointly under take studies regarding the amount of contributions to be made by civil servants towards the medical benefits they are entitled to under this Article, and submit same for the approval of the Council of Regional Administration.
4. The amount of contribution to be determined under sub-article (3) of this Article shall be made equal for all civil servants.

**PART FIVE**  
**OCCUPATIONAL SAFETY AND**  
**HEALTH**

- 47. Employment Injury**
1. "Employment Injury" means occupational accident or occupational disease.
  2. Notwithstanding of the provisions of sub-article (1) of this Article, any injury sustained by the deliberate act of the civil servant, in particular, by his non-observance of express safety instructions or by reporting to work in a state of intoxication shall not be deemed an employment injury.

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3. "Occupational Accident" means any organic injury or functional disorder sustained by a worker as a result of any cause in connections with the performance of his work and includes:

a. any injury sustained by a worker while carrying out the head's order, even away from the work place or outside his normal hours of work;

b. any injury sustained by a worker while carrying out his duties either in working hours or out of working hours, in case of preventing offices emergency accident or destortion even without head's order;

c. any injury sustained by a worker whild he is preceeding to or from place of work in a transport service vehicle provided by the undertaking which is available for the common use of its workers or in a vehicle hired and expressly destined by the undertaking for the same purpose;

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d. any injury sustained by a worker before or after his work or at times when works interrupted temporarily in his work place directly related his work duties;

e. any injury sustained by a worker as a result of an action of the head or a third party during the performance of his work.

4. "Occupational disease" means the type of work performed by the worker, or the surroundings in which the worker is obliged to work, at this situation if he gets and waits with disease; provided, however, occupational disease shall not include endemic or epidemic disease which are prevalent entracted in the area where the work is done.

5. The amount of occupational disease and disability is stated with Article 24 of pension proclamation number 345/1995 of the federal civil servants.

**48. Safety Measures**

1. Any government office shall have the responsibility to:  
a. ensure that the work place does not cause hazard to the health and safety of civil servants;

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b. provide civil servants with protective devices and materials and give them instructions on their usage;

2. Any civil servant shall have the obligation to:

a. observe directives issues in relation to safety and health;

b. properly use safety devices and give them instruction on their usage;

c. promptly inform the concerned official of any situation, which he may have reason, to believe could present a hazard.

3. The bureau shall attend the implementation of occupational safety and health usage and issue directives for safety measures in the government offices.

4. The Bureau studies preventive and safeguard methods of occupational safety and health and prepare a suitable condition of training for regional government office.



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**49. Concept of Disablement**

1. "Disablement" means any employment injury as a consequence of which there is a decrease or loss of capacity to work.
2. Disablement shall have effects that are temporary disablement, permanent partial disablement, permanent total disablement and death.

**50. Temporary Disablement**

"Temporary disablement" means the reduction for a limited period of time of the worker's capacity for work partially or totally.

**51. Permanent partial disability**

"Permanent partial disability" means incurable employment injury decreasing the injured worker's capacity.

**52. Permanenet total disablement**

"Permanent total disablement" means incurable employment injury, which prevents the injured worker from engaging in any kind of remunerated work.



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54. Disability, Pension and Compensation

- 1. A permanent civil servant who has sustained permanent total or partial disability due to employment injury shall be entitled to benefits provided for in the relevant pension law.
- 2. A temporary civil servant who has sustained permanent total disability shall be entitled to compensation amounting to five times of his annual salary.
- 3. Where the disability sustained by the temporary civil servant is permanent partial disability, the amount of compensation shall be calculated on the basis of the sum referred to in sub-article (2) of this Article and shall be proportional to the degree of the disability.
- 4. Injuries, causing serious deformity although not resulting in disability, shall be considered as permanent partial disability for the purpose of the provisions of this Article.

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5. Where as employment injury resulted in the death of the civil servant, his survivors shall be entitled to:  
 a. survivors pension gratuity payable under the relevant pension law if the deceased was a permanent civil servant; or  
 b. compensation under sub-article (2) of this Article, if he was a temporary civil servant.

**55. Exemption From Tax**

Any payment to be made pursuant to Article 54 of this proclamation shall be exempt for taxation and may not be attached, deducted by way of set off or with other condition assigned by the beneficiary.

**56. Claims of Compensation From Third party**

1. Where the injury sustained by the civil servant is caused by the fault of a third party, the government office shall be entitled to claim compensation from the third party an amount equal to the expenses.  
 2. Which it has incurred due to the injury, in the event that the civil servant receives compensation from the third party that caused the injury, the government office may deduct from the salary of the civil servant, the expenses incurred pursuant to sub-article (1) and (2) of Article 53 of this proclamation; provided, however, if

the civil servant receives compensation less than the government office's expenses, the office may ask the difference from the third party.

**PART SIX**  
**TRAINING OF CIVIL SERVANTS**

**57. Objectives**

A civil servant may be trained to improve his capability and achieve better performance or to prepare him for higher responsibility based on career development.

**58. Responsibility to Train Civil Servants**

1. Every government office shall have the duty to identify the training needs of the office and to prepare plans and budget for training and there by ensure that the civil servants receive the necessary training and furnish information thereon to the bureau.
  
2. To make the training of civil servants effective, the bureau shall initiate policy with regard to the condition of their training locally and abroad and prepare the implementing manuals and submit to the Regional Council of Administration

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and where approved shall support and supervise for its implementation.

**PART SEVEN**

**MANAGING INFORMATION  
PROFILE OF CIVIL SERVANTS**

**59. Personnel Records**

1. Every government office shall keep personnel records containing all relevant information regarding each permanent and temporary civil servant and shall have the responsibility to transfer it when the civil servant is transferred.

2. A civil servant shall have access to all information contained in his personnel records or to have a copy thereof.

3. Any person other than the human resources management supportive process owners and workers shall not have access to personnel records unless authorized by the head of the government office.

4. It is prohibited to deposit any document in the personnel records of civil servant without knowing it prior.

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5. Any government office shall be responsible for keeping personnel records of civil servants for a period determined in the directives issued by Bureau.

**60. The Responsibility of Compiling of Information profile of Civil Servants**

1. The Bureau:
  - a. make the system of human resources information management to be implemented regionally;
  - b. prepare information profile of civil servants regionally;
  - c. shall have the duty to collect and compile statistical data relating to civil servants and contribute to concerned bodies.

2. Any government office shall have an obligation of sending information to information profile of civil servants prepared by the Bureau.

**PART EIGHT**  
**OBLIGATION AND ETHICS OF CIVIL SERVANTS**

**61. Obligation of Civil Servants**

Any civil servant shall:

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1. be loyal to the public and the constitution;
2. devote his whole energy and ability to the service of the public;
3. discharge the functions specified in his job description and accomplish other tasks ordered legally;
4. observe laws, regulations and directives related to the civil service; and
5. discharge government's policies, strategies and programmes efficiently.

**62. Ethical Conducts of Civil Servants**

Notwithstanding the provisions of Article 61 of this proclamation, the Council of Regional Administration may issue the regulation of Ethical conduct of civil servants.

**63. Compulsory Medical Examination**

1. Any civil servant shall have the obligation to take medical examination, with the exception for HIV/AIDS, when required by the government office on the sufficient grounds related to the service.
2. Expense incurred pursuant to sub-article (1) of this Article, shall be covered by the government office.



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**64. Handling and Use of Property**

Any civil servant shall have the responsibility to properly handle and use the equipment and materials provided to him for the carrying out of his duties.

**65. Extent of Liability**

Any civil servant shall be liable for the damage or loss of equipment and materials provided to him for the carrying out of his duties, where such damage or loss is caused by his negligence or intentional act.

**PART NINE**

**DISCIPLINARY MEASURES**

**66. Objectives of Disciplinary Penalties**

The objectives of disciplinary penalty shall be to rehabilitate a delinquent civil servant when he can learn from his mistakes and become a reliable civil servant or to discharge him when he becomes recalcitrant.

**67. Types and Classifications of Disciplinary penalties**

1. Depending on the gravity of the offence, one of the following penalties may be imposed on a civil servant for breach of discipline:

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- a. oral warning;
- b. written warning;
- c. fine up to one month's salary;
  
- d. down grading until two years;
  
- e. dismissal.

2. The penalties specified under sub-article (1) (a) and (b) of this Article shall be classified as simple disciplinary penalties.

3. The penalties specified under sub-article (1) (c)-(e) of this Article shall be classified as rigorous penalties.

4. A civil servant penalized by down grading with sub-article (1) (d) of ths Article, after finishing:

- a. the vacant position similar to him before penalized;
  
- b. if not found the vacant position similar to him before penalized, shall be classified without additional promotion procedure if there is a vacant position.

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5. Notwithstanding sub-article (4) (a) and (b) of this Article provisions, a civil servant shall be payed the previous salary after finishing penalties.

**68. Offence Entailing Rigorous penalties**

Rigorous disciplinary penalties may be imposed for the following offences:

1. to undermine one's duty by being disobedient, negligent, or tardy.
2. deliberate procrastination of cases or mistreatment of clients.
3. to deliberately obstruct work or to collaborate with others in committing such offence.
4. unjustifiable repeated absenteeism or non-observance of office hours inspite of being penalized by simple disciplinary penalties.
5. to initiate physical violence at the place of work.
6. neglect of duty by being alcoholic or drug addict.
7. to accept or demand bribes.

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- 8. to commit an immoral act at the place of work.
- 9. to commit an act of theft, breach of trust, deception or fraudulent act.
- 10. to inflict damages to the property of the government due to an intentional act or negligence.
- 11. abuse of Power.
- 12. abuse of sex.
- 13. to commit another alleged offence similar in weight to the above lists.

**69. Taking Disciplinary Measures**

- 1. In every government office, the human resources management supportive process or the agent with the process, shall establish a disciplinary committee which investigate disciplinary charges brought against civil servants and thereby submit recommendations to the concerned officials. The Council of Regional Administration issue its implementing regulation.
- 2. Before imposing a disciplinary penalties on any civil servant, he should be informed of the alleged offence and be given the chance to defend himself.
- 3. Disciplinary measures may be taken irrespective of any court proceedings or actions.

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70. Suspension from Duty

- 1. A civil servant may be suspended from duty with holding his salary:
  - a. if he is suspected of destroying, hiding or stealing the relevant information that is directly related to his suspect issues; or
  - b. if he is hesitated of doing additional damage of the government property ; or
  - c. due to the charged offence weight, if he is hesitated to offence other civil servants' moral or may change the customers belief towards the organization; or
  - d. if expected, he shall be dismissed because of doing disciplinary offences.
- 2. A civil servant may be suspended from duty by withholding his salary for a period not exceeding one month in accordance with sub-Article (1) of this Article.
- 3. A civil servant who shall be suspended from duty, the period of suspension and the cause shall be stated in written form with the head of the office or the agent in accordance with sub-article (2) of this Article.

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4. Unless, otherwise, the civil servant shall be dismissed with the charges of the discipline offence, he shall be payed the suspension period salary without interest.

5. Temporary suspension shall not prevent another duties and rights of civil servants that are not related to suspension.

**71. Period of Limitation**

1. Disciplinary measure shall not be taken against a civil servant who has committed an offence entailing simple disciplinary penalty, unless such measure is taken with one month; Provided, however, the concerned head shall be accountable unless he takes measures with the specified period.

2. A civil servant who has committed an offence entailing rigorous disciplinary penalty with additional accountability of crime, unless charged with the discipline in the period of limitation of the penal law, he shall not be accountable with his offence.

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3. A civil servant who has committed an offence entailing rigorous disciplinary penalty with additional accountability of crime, unless accused of the discipline during limitation of the penal law, he shall not be accountable with his offense.

4. In accordance with sub-articles (2) and (3) of this Article provisions of the limitation period, unless the concerned head accuses the disciplinary charges starting from the known date of offence up to one year, he himself shall be accountable to the discipline.

5. Unless any civil servant asks the rights of issues related to salary and related pays with in six months, it shall be limited with period of limitation.

**PART TEN**

**ADMINISTRATIVE TRIBUNAL**

**72. Establishment of the Administrative Tribunal**

1. An administrative tribunal which hears and decides appeals brought by civil servants is hereby established.

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2. The administrative tribunal shall have a power which examine and decide on appeal cases.
3. The tribunal, with the presents of bureau, shall have a chairperson and a necessary number of courts for the work that designated by the head of the government.
4. The tribunal Chambers regularly with in the capital city of the region and may arrange additional Chamber by other cities if necessary.
5. In accordance with this proclamation, the administrative tribunal has been given the authority that given for the regular courts, to implement any judgement, decision, or order with the civil procedure code.

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**73. Jurisdiction of the Administrative Tribunal**

Administrative tribunal shall have a decision power by examination of the following jurisdictions appeals provided with any civil servant.

1. Unlawfull suspension or termination of service;
2. An illegal attachment or deduction of the salary or other payments;



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- 3. Infringement of his rights arising from an employee injury;
- 4. Being decided by rigorous disciplinary penalty.

**74. Decision of the Administrative Tribunal**

- 1. The Administrative tribunal may, after hearing appeal, confirm or reverse or vary the decision in favour of the appellant.
- 2. The copies of the decision shall be given to both parties.
- 3. The decision of the Administrative tribunal on question of facts shall be final; provided, however, that any one of the parties may appeal to the supreme court on question of law with in 30 days from the date of the decision of Administrative Tribunal

**75. Execution**

- 1. Any government office against which the Administrative Tribunal gives a decision shall have the obligation to execute with in 10 days.
- 2. Where the beneficiary of a decision pleaded that the decision of the Administrative Tribunal given in accordance with Article 74 of this proclamation is not excuted within 10 days. Accepting the appeals, The Administrative Tribunal shall implement the decision by the regional first instance court.

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3. The head of the government office that failed to execute the decision of the Administrative Tribunal shall be liable for the damage sustained by the office and the civil servant.

**PART ELEVEN**

**Termination and Extension of Service**

**76. Resignations**

Any civil servant may, by giving a one-month prior notice, resign at any time.

**77. Termination due to Illness**

1. Where a permanent civil servant is unable to resume work within the time specified under sub-articles (2) and (4) of Article 41 of this proclamation, he shall be deemed unfit for service and be discharged.

2. Without prejudice to the provision of Article 53 (2) of this proclamation, where a civil servant who has sustained employment injury is medically determined to be permanently disabled, his service shall be terminated.

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**78. Termination on Grounds of Inefficiency**

1. The Service of a permanent civil servant may be terminated where his performance evaluation result is below satisfactory for two successive evaluation periods, despite exerting all his knowledge and ability to accomplish his work.
2. Notwithstanding the provisions of Sub-Article (1) of this Article, a permanent civil servant whose performance evaluation result is above satisfactory for five successive years, may not be dismissed on grounds of inefficiency unless his performance result becomes below satisfactory for the following three successive evaluation periods.
3. In accordance with sub-articles (1) and (2) of this Article, the civil servant may be dismissed following Article 27 of this proclamation objectives of performance evaluation if necessary.

**79. Termination Due to Force Majeure Situations**

1. A permanent civil servant, who is absent from his work with force majeure, shall announce the cause to the office within one month.

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2. In accordance with sub-article (1) of this Article, a government office that is reported about the civil servant, who is absent from work with force majeure, and when the head assured, make vacant his position for six months, provided, however, he shall be dismissed unless he becomes to his position within six months.

3. Notwithstanding sub-article (1) of this Article provisions, a permanent civil servant, who absents for five consecutive days with unknown reason, shall be dismissed unless he reports to the office with two notices with the gap of five days.

4. Notwithstanding sub-article (3) of this Article, a civil servant after dismissing, shall provide a sufficient certificate of force majeure situations within six months, he shall be readmitted by the head or delegated of the office, if there is similar vacant position.

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5. Any civil servant, who is noticed in accordance with sub-article (3) of this Article, reports to come back before 15 days, shall be readmitted and the head of the office shall give execution by examining the cause of absenteeism and certificate. The readmission detailed implementation shall be issued with the bureau directives.

6. A temporary civil servant, who absents from his work for more than one month with the force majeure situations, shall be dismissed without additional procedure.

**80. Retrenchment**

1. Any civil servant shall be retrenched where:  
a. his position is abolished;  
b. the government office is closed;  
c. there is a change of process; or  
d. redundancy of manpower is created; and where it is not possible to classify him in accordance with Article 28 (5) of this proclamation or where he is reluctant to accept a position of a lower grade.

2. Retrenchment of a civil servant in accordance with sub-article (1) (d) of this Article shall be made, when it is proved that his performance and qualification is lower

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when compared with other civil servants holding the same position.

**81. Termination On Disciplinary Grounds**

1. The service of a civil servant shall be terminated where:

a. a disciplinary penalty under sub-article (1) (e) of Article 67 of this proclamation is imposed on his; and

b. the penalty is not canceled on appeal made under sub-article (1) of Article 74 of this proclamation.

2. Where the penalty is mitigated or canceled on appeal, the civil servant shall be entitled to, without interest, the payment of the remaining of his salary starting from the period of the decision.

**82 Retirement**

1. Unless a permanent civil servant is retained in service beyond the retirement age with Article 86 of this proclamation, his service shall be terminated without any additional formality on the last day of the last month in which he attained the retirement age determined by law.

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2. A permanent civil servant shall be notified of his retirement in writing a year prior to his retirement.

**83. Termination of Service Due to Death**

1. The service of any civil servant shall be terminated starting from the date of his death.
2. A civil servant, whose service terminated due to death, shall be payed his full salary of a die of month to spouse or legal hires/ successor.

**84. Certificate of Service**

Where a civil servant is in service or terminated for any reason, he shall be provided with a certificate of service indicating the type and amount of his salary if he requests.

**85. Severance pay**

1. Any permanent civil servant who has been dismissed due to retrenchment and is not entitled to pension allowance on the date of contract termination shall be paid:

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- a. his salary of three months for the first year of his service;
  - b. one third of his monthly salary for each additional year of his service; provided, however, that such payment shall not exceed his salary of 12 months.
2. A civil servant who has completed his probation and served for less than one year shall be entitled to severance pay in proportion to his service.
3. Without prejudice to the provisions of the relevant pension law, where the service of a permanent civil servant is terminated due to his death, an amount equivalent to his three month's salary shall be paid at a time to his spouse or dependant who have been made known to the government office in writing; provided, however, if he has been died not registering his spouse or dependant, the payment shall be payed with the certificate given from authorized court.
4. The payment executed in accordance with sub-article (3) of this Article, shall be free from tax and pension, and shall not be prohibited with credit or tolerance.



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**86. Extension of Service**

- 1. The service of a permanent civil servant may be extended beyond his retirement age for a period up to two years at a time and for a period not exceeding four years in total.
- 2. The service of a civil servant may be extended under Sub-Article (1) of this Article where:
  - a. his qualification, special skill and ability is found to be essential to the government office;
  - b. it is not possible to replace him by another civil servant through promotion, transfer or recruitment;
  - c. he is approved to fit for service by medical certificate;
  - d. he has agreed to the extension of his service; and
  - e. the extension shall be approved by the Bureau.

**PART TWELVE**

**MISCELLANEOUS PROVISIONS**

**87. Effects of Nullification of Appointment, Promotion, Salary Increment and Other Benefits**

- 1. Unless he desires it up on misrepresentation or fraud, a civil servant whose appointment, promotion, salary increment or other benefit has been nullified may not be required to pay back the salary and other benefits

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he has received up to the date of nullification.

2. Notwithstanding sub-article (1) of this Article, an official or a civil servant who intentionally or negligently authorized unlawful appointment, promotion, salary increment or other benefit, shall be accountable with the relevant provisions of administrative, penal code and civil law.

**88. Delegation of Power**

The bureau may delegate its powers and duties under this proclamation to government offices where it deems if necessary for the efficiency and effectiveness of the civil service.

**89. Supervision of Implementation of the Proclamation**

1. The Bureau shall have the powers and duties to supervise the implementation of this proclamation and regulations and directives issued here under in the government offices.

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2. The bureau shall make conducive situations to government offices, in order to implement their human resources management efficiently, and it makes the necessary measures to be taken on officials and civil servants who are doing wrongly the human resources management either deliberately or negligently.

**90. Repealed and Inapplicable Laws.**

1. The Amhara National Regional State Civil Servants Proclamation, proclamation number 74/2002 E.C is repealed and substituted with this proclamation.
2. No law, regulation, directives or practice shall, in so far as it is inconsistent with this proclamation, have effect with respect to matters provided under this proclamation

**91. Transitory provisions**

Notwithstanding the provisions of this proclamation, the public service position classification and salary scale regulations No.2 (legal notice No. 74/1972) and various directives of the region civil service commission, shall remain in force until replaced by new regulations or directives issued under this proclamation.

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**92. Power to Issue Regulations and Directives**

1. The council of Regional Administration may issue regulations necessary for the proper implementation of this proclamation.
2. The Bureau may issue directives necessary for the proper implementation of this proclamation and regulations issued pursuant to the proclamation.
3. The Bureau shall examine the objectives that used for improving the service of the civil service, and use of its human resources and to approve the effectiveness of change programmes, shall introduce and make testing implementation of the new working procedures & ideas to government offices, that used to improve provisions stated with this proclamation, and the following regulations and directives, on approval of the Council of the Regional Administration.

**93. Effective Date**

This proclamation shall enter into force strating from the date of issued.

**Done at Bahir Dar,**  
**This 2<sup>nd</sup> day of March, 2010**  
**Ayalew Gobezie**  
**President of the Amhara**  
**National Regional State**

