Proclamation No. 172 /2010

A Proclamation Issued to Provide for the Rights and Benefits of Outgoing Senior Government Officials, Members of Parliament and Judges of the Amhara National Regional State

WHEREAS, it is necessary that outgoing Senior Government Officials, Members of Parliament and Judges shall be guaranteed a life that is free from depressing conditions, and need to be protected from victimization in consideration of the services they provided to the Region and the public by shouldering huge public trust during their terms in office;
WHEREAS, it is necessary to create enabling conditions to take advantage of the knowledge and experience of outgoing Senior Government Officials, Members of Parliament and Judges accumulated through their terms in office;

WHEREAS, serving Senior Government Officials need to be encouraged positively and faithfully exert their utmost effort for the sustainable development and progress of the Region, without worrying about their future;

NOW, THEREFORE, the Council of the Amhara National Regional State, in accordance with the power vested in it under the provision of Article 49 sub-article 3(1) of the Revised Constitution of the National Region, hereby issues this proclamation.

PART ONE
GENERAL

1. Short Title

This Proclamation may be cited as the “Rights and Benefits of Outgoing Senior Government Officials, Members of Parliament and Judges of the Amhara National Regional State Proclamation No. 172/2010.”

2. Definitions

In this proclamation, unless the context otherwise requires:

1. “The Region Executive Group member” means the President of the Region, the Vice President of the Region, including the Heads of Bureau, Commission, Authority, Agency, the State
developmental Organizations or any other similar Organizations’ Heads, Deputy Heads, including with the Zonal Heads and Deputy Heads Administrators.

2. “The Region Legislative Group Member” means the Region Speaker, Deputy Speaker, Chairpersons of Standing Committees and Members of Parliament with in sub group including the Nationality Zone Parliament Speakers and Deputy Speakers.

3. “The Region Judiciary Group Member” means the President Vice President and Judges of the Region Supreme Court, while in subgroup including the President of High Court.

4. “The Region Head of Government Sub group” means the Region Head and Deputy Head of Government.

5. “Heads of Bureau Subgroup” means the Heads of Bureaus and different Organizations, those Heads who are found in similar positions and including Zone Administrators’.

6. “Deputy Heads of Bureau subgroup” means the Deputy Heads of Bureaus and different Organizations, including those Heads who are found in similar positions and Zone Vice Administrators.
7. “The President of Supreme Court Sub group” means the Region Supreme Court’s President and Vice President including Zone High Court Presidents.

8. “The Supreme Court Judges Sub group” means the Region Supreme Court’s judges.

9. “Beneficiary” means the Regional Government’s Executive, Legislative or Judiciary who is enjoying or entitled to the rights and benefits under this proclamation.

10. “Family” includes the spouse and children of a beneficiary who have not attained the age of 18 years.

11. “Survivor” shall have the meaning given under the relevant pension law;

12. “One election reign” means five years services experience.

13. “Outgoing” means unless otherwise with guilty who is outgoing from office or position by any means and is beneficiary by this proclamation.

PART TWO

RIGHTS AND BENEFITS OF OUTGOING EXECUTIVE GROUP MEMBERS

3. Pension Rights

1. Withstanding the relevant pension law, the Region Executive Group member who has served at least one election term and above:

   a. served at least one election term and above:

   b. Region Supreme Court’s judges.

   c. served at least one election term and above:

   d. served at least one election term and above:

   e. served at least one election term and above:

   f. served at least one election term and above:

   g. served at least one election term and above:

   h. served at least one election term and above:

   i. served at least one election term and above:

   j. served at least one election term and above:

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   o. served at least one election term and above:

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   q. served at least one election term and above:

   r. served at least one election term and above:

   s. served at least one election term and above:

   t. served at least one election term and above:

   u. served at least one election term and above:

   v. served at least one election term and above:

   w. served at least one election term and above:

   x. served at least one election term and above:

   y. served at least one election term and above:

   z. served at least one election term and above:
a. attained the age of 50 years and above at the time of his retirement, he shall receive retirement pension for life;
b. retires because of not fulfilling the medical condition of service, he shall receive invalidity pension of life;
c. dies while in service, his survivors shall receive pension.

2. If a Region Executive group member who has served for less than one full election term:
a. has attained the age of 50 years at the time of his retirement, he shall receive retirement gratuity,
b. retires because of not fulfilling the medical condition of service, he shall receive invalidity gratuity.

3. The amount of pension and gratuity payable under this Article sub-articles (1) and (2) shall be determined in accordance with the relevant provisions of pension law.

4. The financial impact on the pension fund resulting from the application of the provisions of this Article shall be covered by the Regional Government.

4. Maintenance Allowance

1. Any Executive group member with the following conditions has a right to get maintenance allowance:
5. Severance pay

1. Any Executive group member who has been released from office shall be entitled to severance pay. However, the beneficiary shall not be returned to governmental employment.

2. The amount of severance pay to be paid pursuant to sub-article(1) of this Article shall be equivalent to three month’s salary for the first year of service, and one third of the monthly salary shall be added for every additional year of service; provided, however, that the total amount of severance pay shall not exceed one year’s salary.
6. Housing Allowance

1. Any Executive group member with the following conditions shall be entitled to get housing allowance if he has been released from office:
   a. after serving for at least one election term; or
   b. due to sickness, disability or any other grounds caused by force majeure upon completing at least half of one election term.

2. The housing allowance under sub-article(1) of this Article shall be paid in a lump sum and its amount shall be:
   a. in the case of President or Vice-President, six month’s full payment for the initial service and an addition of half of the monthly payment for every additional year of service beyond the first election term;
   b. in the case of Bureau Head’s or any other in the same position, three month’s full payment for the initial service and an addition of half of the monthly payment for every additional year of service beyond the first election term;
   c. 
   d. in the case of Deputy Head’s of Bureau or any other in the same position, two month’s full payment for the initial
Based on this Article provided, however, that the total payment shall not exceed 18 month’s salary of housing allowance.

7. **Vehicle Allowance**

1. Any Executive group member shall be entitled to vehicle allowance if he has been released from office:
   
a. after serving for at least one election term; or

b. due to sickness, disability or any other grounds caused by force majeure upon completing at least half of one election term.

2. The vehicle allowance under sub-article(1) of this Article shall be paid in a lump sum and its amount shall be:

a. in the case of a President or Vice-President, six month’s full payment for the initial service and in addition half of the monthly payment for every additional year of service beyond the first election term;
b. in the case of Bureau Head’s or any other in the same position, three month’s full payment for the initial service and in addition half of the monthly payment for every additional year of service beyond the first election term;

c. in the case of Deputy Head’s of Bureau or any other in the same position, two month’s full payment for the initial service and in addition half of the monthly payment for every additional year of service beyond the first election term;

3. Based on this Article provided, however, that the total payment shall not exceed 18 months salary.

8. **Medical Benefit**

1. Any Ex-Executive group member:

   a. shall get free medical services for himself and his family in public health institutions or, where appropriate, in private health institutions at the expense of the Government;

   b. may get overseas medical services at the expense of the Government when recommended by a medical board.
2. Where an Ex-President or an Ex-Vice-President and his spouse are admitted to a local health institution, they shall be entitled to first class inpatient services.

3. Any Ex-Bureau Head’s sub group member or Zone Administrator shall get free medical services for himself and his family in local public health institutions or, where appropriate, in private helath institutions at the expense of the Government.

4. Any Ex-Deputy Head’s of Bureau or Vice Zone Administrator shall get free medical services for himself and his family in local public health institutions.

5. If a Government Official, who works at any level, released from office due to health damage or obstacle shall get health service expense and free medical service. The details shall be decide with directives.

9. Security Service

1. The compostion and size of the security force provided with security protection while in service, he shall be entitled to the same service for himself and his family after he has been released from office.

2. The composition and size of the security force shall be determined by the body in charge of the security service.
10. Certificate of Service

1. A Regional Ex-Executive group member shall be issued with:
   a. a certificate of service of 1st rank if he has served for two or more election terms;
   b. a certificate of service of 2nd rank if he has served for more than one and less than two election terms;
   c. a certificate of service of 3rd rank if he has served for one full election term;
   d. a certificate of service of 4th rank if he has served for more than half and less than one election term.

2. A certificate of service to be issued to the President subgroup member shall be signed by the Regional Speaker; and that to be issued to Bureau Head, Deputy Bureau Head, Zone Administrator and Vice-Administrator shall be signed by the President of the Region.

3. Based on this Article, sub-article (2), any Ex-Executive group member issued with a certificate of service shall be entitled to:
a. preference in getting medical services in public hospitals;

b. a seat of honour at a place where a public ceremony is held.

4. An Ex-President subgroup member issued with a certificate of service of 1st rank shall, in addition to the benefit provided for under sub-article (3) of this Article, be entitled to:

a. diplomatic passport;

b. VIP services at airports;

c. government funding of 50% of his air fare for his local flights.

5. An Ex-President subgroup member issued with a certificate of service of 2nd rank and an Ex-Bureau Head subgroup member issued with a certificate of service of 1st rank shall, in addition to the benefit provided for under sub-article (3) of this Article, be entitled to:

a. diplomatic passport;

b. VIP services at airports;

c. government funding of 25% of his air fare for his local flights.
6. An Ex-President subgroup member issued with a certificate of 3rd rank or an Ex-Bureau Head subgroup member issued with a certificate of service of 2nd rank or an Ex-Deputy Bureau Head subgroup member issued with a certificate of 1st rank shall, in addition to the benefit provided for under sub-article (3) of this Article, be entitled to:

   a. diplomatic passport;

   b. VIP services at airports;

   c. government funding of 10% of his air fare for his local flights.

7. An Ex-president subgroup member issued with a certificate of 4th rank or an Ex-Bureau Head subgroup member issued with a certificate of service of 3rd rank or an Ex-Deputy Bureau Head subgroup member issued with a certificate of 2nd rank shall, in addition to the benefit provided for under sub-article (3) of this Article, be entitled to:

   a. diplomatic passport;

   b. VIP services at airports.
8. ከፋ-፨ን ይታካትት የማስቻል የስርዓት የተካፈል ከ ከፋ-፨ን የተካፈል የስርዓት ያስገኝ ያነፋ የፋ-፨ን ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገhawks

9. ከፋ-፨ን ይታካትት የማስቻል የስርዓት የተካፈል ከ ከፋ-፨ን የተካፈል የስርዓት ያስገኝ ያነፋ የፋ-፨ን ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገኝ ያስገክ

11. Death of Beneficiary

1. If any Executive group member dies while in service:

   a. his three month’s salary shall be paid to his family to cover expenses related to his death;

   b. the resettlement allowance, severance pay, housing allowance and vehicle allowance that may have been due to him had he been released from office shall be paid to his family.

2. If an Ex-Executive group member dies, before he has received his benefits, the resettlement allowance, severance pay, housing allowance and vehicle allowance that have been due to him shall be paid to his family.
3. If any President subgroup member, while in service or after being released from office, dies:
   a. the news of his death, together with his short biography, shall be disclosed through Regional Government mass media;
   b. a Senior Government Official shall attend his funeral ceremony and lay a funeral wreath;
   c. the general ceremony shall be conducted at the expense of the Regional Government.

4. The death of an Executive group member shall not have the effect of terminating the medical benefits offered to his family at local health institutions pursuant to this Proclamation.

PART THREE
RIGHTS AND BENEFITS OF THE OUTGOING LEGISLATIVE GROUP MEMBERS

12. Pension Right

   1. The provision of Article 3 of this Proclamation providing for pension rights to Ex-Executive group members, shall also be applicable to an Ex-Speaker, an Ex-deputy Speaker and Ex-Chairpersons of a Standing Committee sub group members.
2. Without prejudice to the provisions of sub-article (1) of this Article, the definition given to “public servant” under the relevant pension law shall be applicable to any Member of Legislative group.

13. Maintenance Allowance

1. The provision of Article 4 of this Proclamation providing for maintenance allowance to Ex-Executive group members shall also be applicable to Ex-Speaker, Ex-Chairpersons of a Standing Committee and Ex-deputy-Speaker Sub group members.

2. Any Ex-Member of Regional Parliament after serving one election term shall get one month’s salary of a Deputy Speaker’s of the Regional Council with gratuity.

3. Without prejudice to the provision of sub-article (2) of this Article, the Member of the Council shall get additional payment of a Deputy Speaker’s of the Regional Council one fourth of one month’s Salary for every additional year of service beyond the first election term.

14. Severance Pay

The provisions of Article 5 of this Proclamation providing for severance pay to Ex-Executive group members, shall also be applicable to Ex-Legislative group members who are payed a salary; provided, however, that any member of a Speaker of Regional Council sub group who is
15. Housing Allowance

1. The provision of Article 6 sub-article 2(a) of this Proclamation providing for housing allowance to Ex-President subgroup members shall also be applicable to an Ex-Speaker’s of the Regional Council.

2. The provisions of sub article 2(b) of Article 6 of this Proclamation, providing for housing allowance to Ex-Bureau Head Sub group members shall also be applicable to an Ex-Deputy Speaker of the Region and to the Nationality Zone Speakers.

3. The provision of sub-article 2(c) of Article 6 of this Proclamation providing for housing allowance to Ex-Deputy Bureau Head Subgroup members, shall also be applicable to Chairpersons of a Standing committees and to the Nationality Zone Deputy Speakers.

16. Vehicle Allowance

1. The provisions of sub-article 2(a) of Article 7 of this Proclamation providing for Ex-President subgroup members shall also be applicable to an Ex-Speaker of the Region.
2. The provisions of sub-article 2(b) of Article 7 of this Proclamation providing for Ex-Bureau Head subgroup members shall also be applicable to an Ex-Deputy Speaker of the Region and to the Nationality Zone Ex-Speakers.

3. The provisions of sub-article 2(c) of Article 7 of this Proclamation providing for Deputy Bureau Head subgroup members, shall also be applicable to the Region Chairpersons of a Standing Committees and to the Nationality Zone Deputy Speakers.

17. Medical Benefits

1. The provisions of sub-article (2) of Article 8 of this Proclamation providing for medical benefits to an Ex-President subgroup members shall also be applicable to the Regional Speaker.

2. The provisions of sub-article (3) of Article 8 of this Proclamation providing for medical benefits to an Ex-Bureau Head subgroup members, shall also be applicable to the Regional Ex-Vice Speaker and the Nationality Zone Ex-Speakers.

3. The provisions of sub-article (4) of Article 8 of this Proclamation providing for medical benefits to an Ex-Deputy Bureau Head subgroup members, shall also be applicable to the Region Ex-Chairpersons of a Standing Committee and
18. Security Service

If a Regional Speaker is provided with security protection while in service, he shall get the same service as the Regional Ex-President subgroup members get in Article 9 of this proclamation.

19. Transport and Luggage Allowance

1. A Regional Parliament Speaker, Deputy Speaker, Chairperson of a Standing Committee, the Nationality Zone Speaker or Deputy Speaker shall be entitled to transport and luggage allowance for himself and his family, at the rate of current transport tariff, when he returns to the place of his permanent residence at the end of his term.

2. He shall use road transport to be entitled to transport and luggage allowance in accordance with sub-article (1) of this Article, provided; however, that he may use air transport in case of force majeure.

3. The luggage allowance to be paid to him in accordance type of land transport used, cover the transport cost of 1000 kilograms of luggage for the member alone, and 1500 kilograms of luggage plus 100 kilograms per
4. If he uses his own transport vehicle, the fuel cost shall be calculated on the basis of the distance of his destination and shall be covered by the Government.

20. Reinstatement to Former Job

1. Any Regional Parliament Speaker, Deputy Speaker, Chairperson of a Standing Committee, the Nationality Zone Speaker or Deputy Speaker who is released from office, and who was an employee of a Government office or public enterprise prior to his election shall, upon his request and the consent of the Government, be reinstated to his former job, if it is not vacant, to a similar vacant position.

2. If an outgoing Regional Parliament Speaker, Deputy Speaker, Chairperson of Standing Committee, the Nationality Zone Speaker or Deputy Speaker, who has been released from office could not be reinstated in accordance with sub-article (1) of this Article, he may be assigned to a similar vacant position in any other Government Office or public enterprise.
3. The service rendered in Regional Parliament by him shall be counted in calculating the period of service he renders in the Government office or public enterprise he is reinstated.

4. The provisions of this Article shall not be applicable to job positions to be filled by appointment.

21. **Certificate of Service**

1. An Ex-Member of a Regional Parliament shall be issued certificate of service with the following conditions:

   a. a certificate of service of 1\textsuperscript{st} rank if he has served for two or more election terms;

   b. a certificate of service of 2\textsuperscript{nd} rank if he has served for more than one and less than two election terms;

   c. a certificate of service of 3\textsuperscript{rd} rank if he has served for one full election term;

   d. a certificate of service of 4\textsuperscript{th} rank if he has served for more than half and less than one election term.
2. A certificate of service to be issued to an Ex-Speaker of a Regional Council shall be signed by the President of the Region, and that to be issued to an Ex-Deputy Spaker of the Region and to the Chairperson of a Standing Committee shall be signed by the Speaker of the Region, and that to be issued to an Ex-Speaker of the Nationality Zone shall be signed by the Nationality Zone’s Administrator, and that be issued to Nationality Zone Ex-deputy Speaker shall be signed by the Speaker of the Nationality Zone.

3. The provision of sub-articles (2) and (4) of Article 10 of this Proclamation providing for benefits to an Ex-Bureau Head subgroup member issued with a certificate of service shall also be applicable to an Ex-Speaker of the Region.

4. The provisions of Article 10 of this Proclamation providing for benefits to an Ex-Bureau Head issued with a certificate of service shall also be applicable to an Ex-Deputy Speaker of the Region and to Ex-Speakers of the Nationality Zone.

5. The provisions of Article 10 of this Proclamation providing for benefits to an Ex-Deputy Bureau Head issued with a certificate of service shall also applicable to an Ex-Regional Chairperson Standing Committee and to an Ex-Deputy Speakers of the Nationality Zone.
6. The Provision of sub article 3(a) and (b) of Article 10 of this Proclamation Providing for benefits to an Ex-Executive group member issued with a certificate of service shall also be applicable to any Ex-Member of Regional Council.

22. Death of Beneficiary

1. If any Speaker and Deputy Speaker of a Region, Chairperson of a Standing Committee, Speaker and Deputy Speaker of a Nationality Zone dies while in service:

   a. his three month’s salary shall be paid to his family to cover expenses related to his death;

   b. the resettlement allowance, severance pay and housing allowance that may have been due to him had he been released from office shall be paid to his family.

2. If any Speaker, Deputy Speaker, or Chairperson of a Standing Committee of the Region, the Nationality Zone Speaker or Deputy Speaker dies, before he has received his benefits, the resettlement allowance, severance pay and housing allowance that have been due to him shall be paid to his family.
3. The death of Speaker, Deputy speaker, Chairperson of a Standing Committee of the Region, the Nationality Zone of Speaker or Deputy Speaker shall not have the effect of terminating the medical benefits offered to his family at local health institutions pursuant to this Proclamation.

PART FOUR

RIGHTS AND BENEFITS OF JUDICIARY MEMBERS

SECTION ONE

OUTGOING PRESIDENT OF THE SUPREME COURT

23. General

The provisions of this Section shall be applicable to outgoing President and Deputy President of the Regionel Supreme Court released from office due to retirement.

24. PENSION RIGHTS

Ex-Judges shall be entitled to pension rights in accordance with the relevant pension law.

25. Maintenance Allowance

1. Any President of the Supreme Court sub-group member shall be entitled to maintenance allowance with the following conditions:
26. Severance Pay

1. The provisions of this Article providing for severance pay to Ex-president of the Supreme Court sub-group member.

2. The amount of severance pay to be paid pursuant to sub-article (1) of this Article shall be equivalent to three month’s salary for the first year of service and one third of the monthly salary shall be added for every additional year of service; provided, however, that the total amount of severance pay shall not exceed one year’s salary.
27. Housing Allowance

1. An outgoing President sub-group member of the Supreme Court shall be entitled to payment of a housing allowance with the following conditions:

   a. serving for five years; or

   b. without prejudice the above list due to sickness, disability, or any other ground caused by force majeure after serving at least two and half years;

   c. six month’s full payment for the initial service and an additional of half of the monthly payment for every additional year of service beyond five years of service, provided, however, that the total payment shall not exceed 18 month’s housing allowance.

28. Vehicle Allowance

1. Any Ex-President sub-group member of the Supreme Court shall be entitled to payment of vehicle allowance with the following conditions:
29. Medical Benefits

1. An Ex-President sub-group member of the Supreme Court:
   a. shall get free medical services for himself and his family in public health institutions or, where appropriate, in private health institutions at the expense of the Government;
   b. may get overseas medical services at the expense of the Regional Government when recommended by a medical board;

2. The vehicle allowance under sub-article (1) of this Article shall be paid in a lump sum and its amount shall be six month’s full payment for the initial service and an addition of half of the monthly payment for every additional year of service beyond five years of service; provided, however, that the total payment shall not exceed 18 month’s Vehicle allowance.

a. after serving for not less than five years; or
b. due to sickness, disability, or any other grounds caused by force majeure after serving at least two and half years.
2. Where an Ex-President sub-group member of the Supreme Court are admitted to a local health institution for him and his spouse, they shall be entitled to first class inpatient services.

30. Security Service

1. If any President sub-group member of the Supreme Court is provided with security service protection while in service, he shall be entitled to the same service for himself and his family after he has been released from office.

2. The composition and size of the security force shall be determined by the body in charge of the security service.

31. Certificate of Service

1. An Ex-President sub-group member of the Supreme Court shall be issued with the following conditions:

   a. a certificate of service of 1st rank if he has served for 10 years and above;

   b. a certificate of service of 2nd rank if he has served for more than five years and less than ten years;

   c. a certificate of service of 3rd rank if he has served five years;
2. A certificate of service to be issued to an Ex-President of the Supreme Court sub-group member shall be signed by the Region of the Speaker, and that to be issued to an Ex-Judges of the Supreme Court and to an Ex-High Court President shall be signed by the Supreme Court President.

3. Any Ex-Judiciary member of the Region issued with a certificate of service:

a. preference in getting medical services in the Regional Government’s Public Health institution;

b. has been given a seat of honour at a place where a public ceremony is held.

4. In addition to the benefits stated under sub-article (3) of this Article, an Ex-President sub-group member of the Supreme Court issued with a certificate service of 1st rank negotiating with the concerned Federal Bodies:

a. shall be entitled to a diplomatic passport;

b. shall be entitled to VIP services at air ports;

d. a certificate of service of 4th rank if he has served for more than two and half years and less than five years.
c. shall be entitled to Regional Government funding of 50% of his air fare for his local flights.

5. An Ex-President sub-group member of the Supreme Court shall be issued with a certificate of service of 2\textsuperscript{nd} rank or Judges of the Supreme Court sub-group member shall be issued with a certificate of service of 1\textsuperscript{st} rank, under the provisions of sub-article (3) of this Article negotiating with the concerned Federal Bodies, shall be entitled to:

a. diplomatic passport;

b. VIP services at airports;

c. Regional government funding of 25% of his air fare for his local flights.

6. An Ex-President sub-group member of the Supreme Court shall be issued with a certificate of service of 3\textsuperscript{rd} rank, or an Ex-Judges of the Supreme Court sub-group member shall be issued with a certificate of service of 2\textsuperscript{nd} rank, or Ex-President of the High Court shall be issued with a certificate of service of 1\textsuperscript{st} rank, under the provisions of sub-article (3) of this Article negotiating with the concerned Federal Bodies, shall be entitled to:
7. An Ex-President sub-group member of the Supreme Court shall be issued with a certificate of service of 4th rank, or an Ex-Judges of the Supreme Court sub-group member shall be issued with a certificate of service of 3rd rank, or Ex-President of the High Court shall be entitled with a certificate of service of 2nd rank, under the provisions of sub-article (3) of this Article negotiating with concerned Federal Bodies, shall be entitled to:

a. diplomatic passport;
b. VIP services at airports;
c. Regional Government funding of 10% of his air fare for his local flights.

8. Ex-Judges of the Supreme Court sub-group member shall be issued with a certificate of service of 4th rank, or Ex-President of the High Court shall be issued with a certificate of service of 3rd rank, under the provisions of sub-article (3) of this Article negotiating with concerned Federal Bodies, shall be entitled
32. **Death of Beneficiary**

1. If a President of Supreme Court sub-group member dies while in service:
   
a) his three month’s salary shall be paid to his family to cover expenses related to his death;

   b) the resettlement allowance, severance pay and housing allowance that may have been due to him had he been released from office shall be paid to his family.

2. If a President sub-group member of Supreme Court dies before he has received his benefits, the resettlement allowance, severance pay and housing allowance that have been due to him shall be paid to his family.

3. If a President of Supreme Court sub-group member while in service or after being released from office, dies:
   
a) the news of his death, together with his short biography, shall be disclosed through Regional Government media;
4. The death of a President of Supreme Court sub-group member shall not have the effect of terminating the medical benefit offered to his family at local health institutions pursuant to this Proclamation.

SECTION TWO

RIGHTS AND BENEFITS OF EX-JUDGES

33. General

Without prejudice to the provisions of Articles 25(1)(b), 27(1)(b), 28(1)(b) and 32 of this Proclamation, the provisions of this section shall be applicable to the Supreme Court Judges and Presidents’ of High Courts released from office due to retirement.

34. Pension Right

Ex-Supreme court Judges and Ex-Presidents’ of High Courts shall be entitled to pension rights in accordance with the relevant pension law.

35. Maintenance Allowance

1. Any Supreme Court Judge or a President of High Court shall be entitled to payment of maintenance allowance if he has been released from office:
a) after serving for not less than five years; or
b) due to sickness, disability or any other grounds caused by force majeure after serving at least two and half years.

2. The amount of maintenance allowance to be paid pursuant to sub-article (1) of this Article shall be equivalent to three month’s salary for the first year of service, and one month’s salary shall be added for every additional year of service; provided, however, that the total amount of maintenance allowance shall not exceed 18 month’s salary.

36. Severance pay

The provisions of Article 26 of this Proclamation providing for severance pay to Ex-President of Supreme Court sub-group member also be applicable to Ex-Supreme Court Judges and Presidents’ of High Courts.

37. Housing Allowance

1. Any Regional Supreme Court Judge or President of High Court shall be entitled to payment of housing allowance if he has been released from office:
b) after serving for not less than five years; or

b) due to sickness, disability or any other grounds caused by force majeure after serving at least two and half years.

2. The housing allowance under sub-article(1) of this Article shall be paid in lump sum and its amount shall be provided for a Supreme Court Judge or a President of High Court, three month’s full payment for the initial service and an addition of half of the monthly payment for every additional year of service beyond five years service.

38. **Vehicle Allowance**

1. Any Regional Supreme Court Judge or President of High Court shall be entitled to payment of vehicle allowance; if he has been released from office:

   a) after Serving for not less than five years;

   b) due to sickness, disability or any other grounds caused by force majeure after serving at least two and half years.
2. The Vehicle allowance under sub article (1) of this Article shall be paid in a lump sum and its amount shall be:

a) in the case of a Regional Supreme Court Judge, three month’s full payment for the initial service and an addition of half of the monthly payment for every additional year of service beyond five years of service; provided, however, that the total payment shall not exceed 18 month’s vehicle allowance.

b.) in the case of a President of High Court, two month’s full payment for the initial service and an addition of half of the monthly payment for every additional year of service beyond five years of service; provided, however, that the total payment shall not exceed 18 month’s vehicle allowance.

39. Medical Benefits

Any Regional an Ex-Judge of the Supreme Court or an Ex-President of High Court shall get free local medical services for himself and his family in public health institutions, or where appropriate in private health institutions, at the expense of the Government.
40. Certificate of Service

1. Any Regional Ex-Judge of the Supreme Court or Ex-President of High Court shall be issued with:
   
a) a certificate of service of 1st rank if he has served for more than 10 years;
   
b) a certificate of service of 2nd rank if he has served for more than 5 years and less than 10 years;
   
c) a certificate of service of 3rd rank if he has served for 5 years;
   
d) a certificate of service of 4th rank if he has served for more than two and half years up to five years.

2. A certificate of service to be issued to a Regional High Court Judge or a President of High Court shall be signed by the President of Supreme Court.

41. Death of Beneficiary

1. Any Regional Supreme Court Judge or President of High Court dies while in service:
   
a. his three month’s salary shall be paid to his family to cover expenses related to his death;
b. the resettlement allowance, severance pay and housing allowance that may have been due to him had he been released from office shall be paid to his family.

2. If a Regional Ex-Judge of the Supreme Court or an Ex-President of High Court dies, before he has received his benefits, the resettlement allowance, severance pay and housing allowance that have been due to him shall be paid to his family.

3. The death of a Regional Supreme Court Judge or a President of High Court shall not have the effect of terminating the medical benefits offered to his family at local health institutions pursuant to this Proclamation.

PART FIVE

MISCELLANEOUS PROVISIONS

42. Computation of Service and Relations of Rights

1. The service of any Regional Ex-Executive group member rendered as a Regional Council Speaker or Deputy Speaker or Chairperson of Standing Committee, he has paid salary, prior to his appointment shall be considered in computing his service pursuant to this Proclamation.
2. The service of any outgoing Speaker or Ex-Deputy Speaker or Ex-Chairperson of a Standing Committee, he has paid salary, rendered as an Executive official prior to his election shall be considered in computing his service pursuant to this Proclamation.

3. The service of Regional Ex-Executive group member or an Ex-Speaker or Ex-Deputy Speaker or Ex-Chairpersons of a Standing Committee, he has paid salary, rendered as a Federal Government Senior Official or Member of the House of People’s Representatives prior to his appointment or election shall be considered in computing his service pursuant to this Proclamation.

4. Any previous service referred to in sub-article (1), (2) or (3) of this Article shall not be considered in computing service pursuant to this Proclamation if the beneficiary has already acquired rights and benefits relating to the said service in accordance with this proclamation or other relevant laws.

5. Where the previous service referred to in sub-article (1), (2), or (3) of this Article entitled to the beneficiary with better rights and benefits, such rights and benefits shall be applicable.
6. Where a beneficiary was a Member of Parliament and Senior Government Official at the same time, he shall be entitled to the rights and benefits an Ex-Member of Parliament or Ex-Senior Government Official, whichever is higher.

7. Where a Regional an Ex-Executive group member has served at different levels of a Senior Government Official’s position, he shall be entitled to the rights and benefits applicable, in accordance with this Proclamation, to the highest position he assumed at any time of his tenure.

43. Deprivation of Rights and Benefits

1. Any Regional Executive group member shall not be entitled to the rights and benefits under this Proclamation if he is removed from office on the grounds that he has:

   a) failed to implement or cause the implementation of government policies; However, the details shall be provided with the regulation to implement this proclamation.

   b) abused his power;

   c) involved in corrupt practices;

   d) gave or disclosed confidential information to a partly not entitled to;

   e) committed any other offense entailing criminal or disciplinary liabilities.
2. Any member of Regional Parliament shall not be entitled to the rights and benefits under this proclamation if he has lost his mandate:

   a. for having no confidence of the electorate; or
   b. due to misconduct.

3. Any Regional Government Official or Leader shall not be entitled to the rights and benefits under this Proclamation if he has resigned without following the prescribed procedure.

44. Termination of Rights and Benefits

1. The enjoyment of rights and benefits under this Proclamation may be terminated where:

   a) the beneficiary attempts to disrupt the constitutional order;
   b) involves in any act endangering of the sovereignty of the country;
   c) commits an act of treason;
   d) fails to keep the confidentiality of securable information related to the affairs of the Regional and nation known to him during his office responsibility; or
   e) fails to respect the Regional and Federal Constitutions and Bodies constituted under the Constitution;
2. The termination of rights and benefits pursuant to sub-article 1(a-e) of this Article shall be effected up on the decision of the Council of the Region following the conviction of the beneficiary by the competent court.

3. The termination of rights and benefits pursuant to sub-article 1(f) and (g) of this Article shall be effected up on the decision of the Council of a Region following the investigation, conducted by the Regional Ethics and Anti-Corruption Commission, on the offense committed by the beneficiary.

4. A beneficiary shall notify the appropriate body the total or partial waiver of his rights and benefits under this proclamation if he wishes so.
45. Bodies Entitled to Implement this proclamation

1. For the Regional Executive group member, the Amhara National Regional State Head of Government and the Secretariat of the Amhara National Regional State Council;

2. For the Regional Legislative group member, the Secretariat of the Council of the Amhara National Regional State, and

3. For the Regional Judiciary group member, the Amhara National Regional State Supreme court; the benefits of each group presented, shall be implemented with the Regional Capacity Building and Civil Service Bureau and with Finance and Economic Development Bureau.

46. Power to Issue Regulations and Directives

The Council of Regional Government may issue regulations and directives necessary for the implementation of this proclamation.

47. Inapplicable Laws

No law, regulation, directives or practice shall, in so far as it is inconsistent with this proclamation, have force or effect in respect of matters provided for in this proclamation.
48. **Effective Date**

This proclamation shall come into force as of its publication date in the Zikre-Hig Gazette of the Regional State.

Done at Bhair
This 17th Day of June, 2010
Ayalew Gobezie
President of the Amhara National Regional State