



EXCISE TAX PROCLAMATION

PROCLAMATION NO. 76/2003

WHEREAS, to improve the regional government revenue it has become necessary to impose excise tax payable on selected goods;

WHEREAS, it is believed that this tax should be imposed on luxury goods and basic goods, which are demand inelastic;

WHEREAS, it is believed that imposing the tax on goods that are hazardous to health of the public and which are causes to social problems will reduce the consumption thereof;

NOW, THEREFORE, in accordance with Article 49(3) (a) of the regional Constitution, it is hereby proclaimed as follows.

SECTION ONE

General

1. **Short Title**

This Proclamation may be cited as the "Excise Tax proclamation No.76/2003".

2. **Definitions**

In this Proclamation, unless the context otherwise requires;

1. "Person" means a physical or juridical person;
2. "Importer" means any person who imports goods into the country;
3. "Organization" means any company, registered partnership, entity formed under foreign law resembling a company or registered partnership, or any public enterprise or public financial agency that carries out business activities including body of person corporate or unincorporated whether created or recognized under a law in force in Ethiopia or elsewhere, and any foreign body's business agent doing business in Ethiopia on behalf of the principal.
4. "Pure Alcohol" means Alcohol of purity of 80 degree of more;
5. "Alcohol" means Ethyl Alcohol;
6. "Tax Authority" means the Federal Inland Revenue Authority and the tax authorities of the Regional States and City Administrations;
7. "Bonded Warehouse" means the building or place destined for storage of specified goods before the tax is paid, secured in accordance with requirements of the Tax Authority;



8. "Cost of production" means direct labor and raw material cost incurred in the production process, cost of indirect inputs and overhead costs, but does not include depreciation costs of machineries;
9. "Taxpayer" means a person liable to pay excise tax;
10. "Bureau" and "Bureau head" means the Oromia Bureau of Revenue and Bureau head of Oromia Bureau of Revenue, respectively;
11. "Regional Government" means regional government of Oromia.

3. **Scope**

This Proclamation applies on goods listed in the Schedule attached to this proclamation only in accordance with the power vested to the regional government by the provision of the federal government constitutions Article 97

SECTION TWO

The Rate, Base and Payment of Excise Tax

4. Rate of Excise Tax

The Excise tax shall be paid on goods mentioned under the schedule attached to this proclamation:

- a) When imported;
- b) When produced locally at the rate prescribed in the Schedule.

5. Base of Computation of Excise Tax

1. in respect of goods produced locally, the cost of production;
2. in respect of goods imported, cost, insurance and freight (C.I.F.);

6. Payment of Excise Tax

1. The Excise tax shall be paid within the time prescribed under Sub-article (2) of this Article.

- a) in respect of goods produced locally, by the producer;
- b) in respect of goods imported, by the importer.

2. Time of Payment:

a) Unless decided otherwise, as provided for under Sub-Article 2 (b) Of this Article, the excise tax on goods specified under the Schedule shall be payable.

1. When imported at the time of clearing the goods from Customs area;
2. When produced locally, not later than 30 days from the date of production;



- b) Where the tax payer requests for permission to deposit goods produced in a bonded warehouse without payment of tax and if the request is approved by the Tax Authority the payment of the tax on such goods so deposited shall be effected at the time they are being removed from the Bonded warehouse;
- c) If the Tax Authority believes that the activity of the taxpayer requires a Bonded warehouse may give him permission to establish such Bonded warehouse, the conditions under which the Bonded Warehouse operates shall also be laid down by directive to be issued by the Tax Authority. No goods shall therefore be deposited in or removed from a Bonded Warehouse except in the presence and under the control of a representative of the Authority;
- d) Where a producer fails to keep proper accounts and records or fails to submit a monthly declaration or pay the tax within the time limit prescribed in this proclamation or submits a declaration which upon investigation s found incorrect the Tax Authority shall be empowered to forbid the producer to remove any good from the place of production or Bonded Warehouse.

7. Assessment of the Excise Tax

- 1. If the Tax Authority accepts that the books and records maintained by the producer are properly kept and that the monthly declaration submitted by him, pursuant to Article 8(b) of this Proclamation is correct the tax paid in accordance with the monthly declaration shall be considered accurate.
- 2. If, after review by the Tax Authority, it appears that a person has understated his tax obligation, the Authority shall issue an additional assessment.
- 3. The assessment made shall be prepared in an assessment notification and be delivered to the taxpayer. Delivery of the assessment notification shall b made in accordance with the provisions of Income Tax Proclamation.
- 4. If the Authority makes an additional assessment under Sub-Article (2) and within 30 days of the notice and demand, the person assessed does not pay the additional assessment or appeal the assessment as provided under Article 18, the person is in default.
- 5. If the Tax Authority fails to assess the tax and notify the tax payer of the amount still due within five years from the date of declaration and payment of the tax by the tax payer in accordance with Article 6 of this Proclamation, the tax so paid shall be final and concessive. In case, where the taxpayer has not declared his income or has submitted a fraudulent declaration, no time limit provided in any other law shall bar the assessment of the tax by the Tax Authority.

SECTION THREE **Collection Enforcement**

8. Obligation of the Taxpayer

In addition to the obligations specified in the other provisions of this proclamation, every taxpayer shall:

- a) Maintain books of accounts and supporting documents in accordance with proper accounting principle and in a manner acceptable to the Tax Authority;
- b) Submit every 30 days to the Tax Authority, in a form which shall be supplied by said Authority, a declaration containing such information as may be necessary for proper collection of the tax.
- c) Perform where required by tax Authority in accordance with sub-article 3 of article 9 of this proclamation.



- d) Comply fully with requirements of the inspection of his premises by the delegate of the Tax Authority in accordance with Sub-Article 3 of Article 9 of this proclamation.
- e) Immediately communicate to the Tax Authority the type and address as well as the commencement and termination date of his business;
- f) Pay in full the tax due within 30 days from the date of termination where such business is terminated.

9. Power of the Tax Authority

In addition to the powers specified in the other provisions of this proclamation the Tax Authority shall have the following powers and duties;

- 1. The implementation and enforcement of this Proclamation shall be the duty of the Tax Authority;
- 2. Requiring the person or any employee who has access to or custody of any information, records or books of account to produce the same and to attend during normal office hours at any reasonably convenient tax office and answer any questions relation thereto;
- 3. Enter business premises or stores of the tax payer or to any place suspected to be storage of the products, inspect, collect information and take appropriate measures:
 - a) during the regular working hours of the tax payer where it suspects that production or sale of goods is carried on or there is information that may be necessary for the proper assessment of the tax, and to ensure the observance of this proclamation and Regulations issued for the implementation of this proclamation;
 - b) at any time where it suspect that an offense resulting from the violation of the provisions of this Proclamation or regulations issued for the implementation of the proclamation has been committed.
- 4. Notify the tax payer the additional tax to be paid in accordance with this proclamation;
- 5. As regards goods imported;
 - a) sell such goods where the tax in respect of them is not paid within six months from the day of deposit within sex months from the day of deposit within the premises of government warehouse, or in the case of perishable goods, decide on their sale at any time it thinks fit;
 - b) Transfer to the Government treasury the balance, if any, remaining after the deduction of the tax and other expenses, provided, however, that it shall pay the same person entitled thereto where he claims it within five years from the date of the sale and where his claims are provided.

6. Requiring any person including a municipality body, financial institution, department or agency of Federal or Oromia Regional Government to disclose particular of any information

10. Seizure of Property to Collect Tax

- 1. Subject to Sub-Article (4), if any person liable to pay any tax imposed by this proclamation in default under article 7, Sub-Article (4) or Article 18, Sub-Article (2), it shall be lawful for the Authority to collect such tax (and such further amount as shall be sufficient to over the expenses of the seizure) by seizing any property belonging to such person.



2. For purposes of this Section, the term "seizure" includes seizure by any means, as well as collection from a person who owes money or property to the person liable for Excise tax. Except as provided in Sub-Articles (3) and (6), a seizure shall extend only to property possessed and obligations existing at the time the seizure are made. The Authority may request a police officer to be present during the seizure. Where the Authority seizes any property as provided hereinabove, it shall have the right to sell the seized goods at public auction or in any other manner approved by the Authority not less than 10 days after the seizure, except that when the goods seized are perishable, the Authority can sell the goods after any reasonable period having regard to the nature of the goods.
3. Whenever any property on which seizure had been made is not sufficient to satisfy the claim for which seizures made, the Authority may, thereafter and as may be necessary, proceed to seize other property liable to seizure of the person against whom the claim exists until the amount due from such person, together with all expenses, is fully paid.
4. Seizure may be made under Sub-Article (1) on property of any person in default with respect to any unpaid tax only after the Authority has notified such person in writing of the intention to make such seizure. The notice shall be delivered not less than thirty (30) days before the day of the seizure.
5. If the Authority makes a finding that the collection of the tax is in jeopardy, demand for immediate payment of such tax may be made by the Authority and, on failure or refusal to pay the tax, collection thereof by seizure shall be lawful without regard to the 30-day period provided in Sub-Article (1) and the 30-day provided in Sub-article (4).
6. If a seizure has been made or is about to be made on any property, any person having custody or control of any books or records containing evidence or statements relating to the property subject to seizure shall, on demand of the Authority, exhibit such books or records to the authority.
7. Any person in possession of (or obligated with respect to) property subject to seizure on which a seizure has been made shall, on the demand of the Authority, surrender such property (or six hore such obligation) to the Authority, except such part of the property as is, at the time of such demand, subject to a prior secured claim of creditors and subject to an attachment or execution under any judicial process.
8. Any person who fails or refuses to surrender any property subject to seizure, on demand of the Authority, shall be personally liable to the government in a sum equal to the value of the property not so surrendered, but not exceeding the amount of tax for the collection of which seizure has been made (together with costs and interest on such sum)
9. In addition to the personal liability imposed by Sub-Article (8), if the failure or refusal to surrender is without reasonable cause, such person shall be liable for an additional charge equal to fatty percent (50%) of the amount recoverable under Sub-article (8)
10. Any person in possession of property who surrenders or makes payment in accordance with this Article shall be discharged from any obligation or liability to the delinquent person or to any other person arising from such surrender or payment.
11. Preferential Claim to Assets
 1. From the date on which tax becomes due and payable under this Proclamation, subject to the prior secured claims of creditors, the Authority has a preferential claim upon the assets of the person liable to pay the tax until the tax is paid.
 2. Where a person is in default of paying tax, the Authority may, by notice in writing, inform that person of the authority's intention to apply to the Registering Authority to register a security interest in any asset, which is owned, by that person, to cover any unpaid tax in default, together with any expense incurred in recovery proceedings.



3. If the person on whom a notice has been served under Sub-Article (2) fails to pay the amount specified in the notice within 30 days after the date of service of the notice, the Authority may, by notice in writing, direct the Registering Authority that the asset, to the extent of the defaulter's interest therein, shall be the subject of security for the total amount of unpaid tax.
4. Where the Authority has served a notice on the Registering Authority under Sub-Article (3), the registering Authority shall without fee, register the notice of security as if the notice were an instrument of mortgage over or charge on, as the case may be, such asset, and such registration shall, subject to any prior mortgage or charge, operate while it subsists in all respects as a legal mortgage over or charge on the asset to secure the amount due.

12. Taxpayer Safeguards

Any property seized under Section 3 of this Proclamation shall be seized, held, and accounted for only by the Authority. No other agency of the government may require the property seized under this Section to be transferred or given over to it for any cause whatsoever. If any property seized under this Section is sold, any portion of the proceeds in excess of the persons liabilities portion of the proceeds in excess of the persons liabilities shall be returned promptly to the owner of the property.

13. Duties of Receivers

1. In this Article, "receiver" means a person who, with respect to an asset in Ethiopia of a taxpayer, is:
 - a) a liquidator of a company;
 - b) a receiver appointed out of court or by a court;
 - c) a trustee for an un rehabilitate insolvent;
 - d) a mortgage in possession;
 - e) an executor of a deceased estate; or
 - f) any other person conduction a business on behalf of a person legally incapacitated.
2. A receiver shall, in writing, notify the authority within 14 days after being appointed to the position or taxing possession of an asset in Ethiopia, whichever first occurs.
3. The Authority may, in writing, notify a receiver, of the amount which appears to the authority to be sufficient to provide for tax which is or will become payable by the person whose assets are in the possession of the receiver.
4. A receiver:
 - a) shall set aside, out of the proceeds of sale of an asset, the amount specified by the Authority under Sub-Article (3), or such lesser amount as is subsequently agreed on by the Authority;
 - b) is liable to the extent of the amount set aside for the tax of the person who owned the asset; and
 - c) may pay any debt that has priority over the tax referred to in this article notwithstanding any provision of this Article.



5. A receiver is personally liable to the extent of any amount require to be seaside under Sub-Article (4) for the tax referred to in Sub-Article (3) if, and to the extent that, the receiver fills to comply with the requirement of this Article.

14. Notification of Changes

Every taxpayer shall notify the Authority, in writing, of;

1. any change in the name,, address, place of business, constitution, or nature of the principal taxable activity or the activates of the person; and
2. any change of address from which, or name in which, a taxable activity is carried on by the taxpayer, Within 5 days of the change occurring.

SECTION FOUR **Appeal Procedure**

15. petition treatment group

Members of petition treatment group shall be selected and appointed by appropriate head of revenue authority. Details of implementation shall be in acted under the directives to issued by the bureau,

16. Powers and Duties of the Petition treatment group

1. The Petition treatment group shall be accountable to the head of the Authority and shall have the following duties;
 - a) to examine and decide on all applications submitted by tax payers for compromise of penalty and interest and on the tax assessed;
 - b) to gather any written evidence or information relevant to the matter submitted;
 - c) to summon any person who directly or indirectly has dealt with the assessment, to appear before it for questioning him about the case under its investigation; and
 - d) to review determinations made by the Authority for accuracy, completeness, and compliance with this proclamation.

2. no petition may be treated by the petition treatment group unless the petitioner has filled his or her petition with in 30 day after the receipt of the assessment notice

3. the petition treatment group shall give its decision after investigating the petition submitted to it with the in the time limit prescribed in the work manual of the bureau

17. Withdrawal of Penalty

The Petition treatment group may waive administrative penalties in accordance with the directives issued by the bureau.

18. Appeal against excise tax assessment

1. Any tax payer who objects to all excise tax assessment may appeal to the tax appeal board upon the fulfillment of the obligations under sub article 2 of this article



2. If a person appeals in accordance with sub-Article (1) of this article and affirmed by the Tax Appeal board and is under obligation to pay, is in default if not pay the tax required from him with 15 day from date rendition of such decision .
3. no appeal may be accepted by the tax appeal board unless :
 - (a) a deposit of fifty percent (50%) of the / disputed amount is made to the revenue authority
 - (b) the appeal is lodged by the appeal board with in thirty (30) days from the date of receipt of the assessment notice or fifteen(15) days from the decision of the petition treatment group
4. If no appeal is made within the period prescribed in Sub-Article (3) of this Article, the excise tax assessment of the tax made by the Authority shall be deemed to be correct and final and shall be immediately payable.
5. appeal from the decision of tax appeal board
 - (a) any party dissatisfied within the decision of tax appeal board may appeal to competent appellate court on the ground of any error of law within fifteen days from the date receipt of the decision of the tax appeal board
 - (b) the appellate court shall hear and decided any question of law arising on the appeal. a party dissatisfied by the decision of the court may appear to a competent court of appeal with fifteen day from the date of receipt of the decision of the court
 - (c) the competent court of appeal shall give its decision only the ground of error of law
 - (d) A taxpayers appeal shall not be accepted by the competent court of appeal unless at the time the appeal is lodged, the tax payer has pay the tax liabilities determined by the board
 - (e) Without prejudice of sub article(1)to (3) of this article, the provision of income tax proclamation concerting appeal shall mutates mutandis ,apply to appeals regarding taxes imposed by this proclamation

19. Burden of Proof

The burden of proving that an assessment is excessive or that a decision of the Authority is wrong is on the person objecting to the assessment or decision.

SECTION FIVE **Administrative Penalties**

20. Penalties for Late Filing

1. Except as otherwise provided in this Proclamation, a person who fails to file a timely return is liable for a penalty equal to 5 percent of the amount of tax underpayment for each month (or portion thereof) during which the failure continues, up to 25 percent of such amount.
2. The penalty under Sub-Article (1) of this Article is limited to 50,000 Birr for the first month (or portion thereof) in which not return is filed.
3. For purposes of this Article, an underpayment of tax is the difference between the tax required to be shown on the return and the amount of tax paid by the due date.



4. In any event the penalty may not be less than the smaller of the two amounts;

a) 10,000 Birr;

b) 100 percent of the amount of tax required to be shown on the return.

21. Late Payment Interest

1. If any amount of tax is not paid by the due date, the person liable is obliged to pay interest on such amount for the period from the due date to the date the tax is paid.

2. The interest rate under Sub-Article (1) of this Article is set at 25% (twenty five percent) over and above the highest commercial lending interest rate that prevailed during the preceding quarter.

SECTION SIX **Criminal Offences**

22. Procedure in Tax Offence Cases

A tax offence under this Section is a violation of the criminal law of Ethiopia and shall be charged, prosecuted, and appealed in accordance with Ethiopia Criminal Procedure Code of Ethiopia.

23. Tax Evasion

A person, who evades the declaration or payment of tax, commits an offence and, in addition to any penalty under Section 5, may be prosecuted and, on conviction, be subject to a term of imprisonment of not less than five (5) years.

24. Making False or Misleading Statements

1. A taxpayer who,

a) Makes a statement to a tax officer of the Authority that is false or misleading in a material particular, or

b) Omits from a statement made to an officer of the Authority any matter or thing without which the statement is misleading in a material particular,

Commits an offence and is liable on conviction.

2. Where the statement or omission is made without reasonable excuse,

a) and if the inaccuracy of the statement were undetected may result in an underpayment of tax by an amount not exceeding 1,000 Birr, to a fine of not less than 10,000 Birr and not more than 20,000 Birr, and imprisonment for a term of not less than one (1) year and not more than three (3) years, and

b) if the underpayment of tax is in an amount exceeding 1,000 Birr to a fine of not less than 20,000 Birr and not more than 1000,000 Birr and imprisonment for a term of not less than three (3) years and not more than five (5) years,

3. Where the statement or omission is made knowingly or recklessly,



- a) and if the inaccuracy of the statement were undetected may result in an underpayment of tax by an amount not exceeding 1,000 Birr, to a fine of not less than 50,000 Birr and not more than 100,000 Birr, or imprisonment for a term of not less than five (5) years and not more than ten (10) years; and
- b) if the underpayment of tax is in an amount exceeding 1,000 Birr, to a fine of not less than 75,000 Birr and not more than 200,000 Birr or imprisonment for a term of not less than ten (10) years and not more than fifteen (15) years.

25. Obstruction of Tax Authority 's work

1. A person who,

- a) Obstructs or attempts to obstruct an officer of the Authority in the performance of duties under this Proclamation, or
- b) Otherwise impedes or attempts to impede the administration of the Proclamation,

Commits an offence and is liable on conviction to a fine of not less than 1,000 Birr and not more than 100,000 Birr, and imprisonment for a term of two (2) years,

2. For purposes of sub-Article (1), the following and similar other actions are considered to constitute obstruction;

- a) Refusal to satisfy a request of the Authority for inspection of documents, reports, or other information related to a taxpayer's income producing activities;
- b) Noncompliance with an authority request to report for an interview;
- c) Interference with a taxation officer's right to enter the taxpayer's business premises.

26. Failure to Notify

A person who fails to notify the Authority of a change as required by Article 14 commits an offence and is liable on conviction

- a) Where the failure was made knowingly or recklessly, to a fine of not less than 10,000 Birr and to imprisonment for one year; or
- b) in any other case, to a fine of not less than 5,000 Birr and to imprisonment for six months.

27. Offences by Tax Officer

1. Any tax officer or former taxation officer employed in carrying out the provisions of this Proclamation who:

- a) directly or indirectly asks for, or receives in connection with any of the taxation officer's duties, a payment or reward, whether pecuniary or otherwise, or promise or security for that payment or reward, not being a payment or reward which the officer is lawfully entitled to receive, or
- b) enters into or acquiesces in an agreement to do or to abstain from doing, permit, conceal, or connive at any act or thing whereby the tax revenue is or may be



defrauded or which is contrary to the provisions for this Proclamation or to the proper exaction of the taxation officer's duty,

commits an offence and is liable on conviction to a fine of not less than 50,000 Birr and to imprisonment for a term of not less than ten (10) years and not more than twenty (20) years,

2. A tax officer or former tax officer employed in carrying out the provisions of his proclamation, except such information is required by the commercial code of Ethiopia to be published in the Trade Gazette, who,
 - a) discloses to any person or that person's representative, any matter in respect of another person, that may, in the exercise of the taxation officer's powers or the performance of the taxation officer's duties under the said provisions, come to the taxation officer's knowledge; or
 - b) permits any other person to have access to records in the possession or custody of the Authority, except in the exercise of the taxation officer's powers or the performance of the officer's duties under this proclamation or by order of a court;

Commits an offence and is liable on conviction to a fine of not less than 10,00 Birr and to imprisonment for a term of not less than two (2) years and not more than five (5) years

3. Nothing in this Article shall prevent a taxation officer from disclosing,
 - a) any document or information to:
 - I. any person where the disclosure is necessary for the purposes of this Proclamation or any other fiscal law;
 - II. the Auditor-General where the disclosure is necessary for the performance of duties entrusted to it by law.
 - III. the competent authority of the government of another country with which Ethiopia has entered into an agreement for the avoidance of double taxation or for the exchange of information, to the extent permitted under the agreement;
 - IV. the Ethics and anti-corruption commission where the disclosure is necessary for the performance of duties entrusted to it by law.
 - V. a law enforcement agency not described above where the Minister of Revenue issues written authorization to make disclosures necessary for the enforcement of the laws under the agency's authority; or
 - b) Information which does not identify a specific person to any person in the service of the State in a revenue or statistical department where such disclosure is necessary for the performance of the person's official duties.

28. Unauthorized Tax Collection

Any person not authorized to collect tax under this Proclamation who collects or attempts to collect tax (or an amount the person describes as tax) commits an offence and is liable on conviction to a fine of not less than 50,000 Birr and to imprisonment for a term of not less than five (5) years and not more than ten (10) years.



29. Aiding or Abetting

A person who aids, abets, incites, or conspires with another person to commit a violation of this Proclamation also commits a violation of this Proclamation. That person may be subject to prosecution and is liable, on conviction, to a fine and imprisonment, not in excess of the amount of fine or period of imprisonment provided for the offence aided or abetted.

30. Offences by Entities

1. Subject to Sub-Article (3), where an entity commits an offence, every person who is a manager of that entity at that time is treated as also having committed the same offence and is liable to a fine and imprisonment under this Proclamation.

2. Subject to sub-Article (3), where an entity commits an offence by failing to pay an amount of tax, including an amount treated by this proclamation as though it were tax, every person who was a manager of that entity at that time or was a manager within six (6) months prior to the date of commission is jointly and severally liable with that entity and that other person to the Authority for the amount.

3. Sub-Article (1) and (2) do not apply where

- a) the offence is committed without that person's knowledge or consent; and
- b) that person has exercised the degree of care, diligence and skill that a reasonably prudent person would have exercised in comparable Circumstances to prevent the commission of the offence.

4. In Sub-Article (1) and (2), "manager" means.

- a) in the case of a partnership, a partner or manager of the partnership or a person purporting to act in either of those capacities;
- b) in the case if a company, a director, manager, or officer of the company or a person purporting to act in any of those capacities; and
- c) in the case of an association of persons, a manager or a person purporting to act in hat capacity.

31. Offences by Receivers

1. A person who fails to comply with the requirements of Article 13, Bus-Article (4) commits an offence and is liable on conviction to a fine of 5,000 Birr and to imprisonment for one (1) year.

2. Where a person is convicted of an offence under Sub-Article (1) for failing to set aside an amount as required under Article 13, Sub-Article (4), tee court may, in addition to imposing a fine and prison sentence, order the convicted person to pay to the Authority, amount not exceeding the amount which the person failed to set aside.

32. Publication of Names

1. The Authority shall from time to time publish by notice in the Gazette a list of persons who have been convicted of offences under any of Articles 22 to 31.

2. Every list published in terms of Sub-Article (1) shall specify:

- a) the name, address, and principal enterprise of the person;



- b) such particulars of the offence as the Authority may think fit;
- c) the tax period or tax periods in which the offence occurred;
- d) the amount or estimated amount of the tax evaded; and
- e) the amount, if any, of the additional tax imposed.

SECTION SEVEN **Miscellaneous Provisions**

33. Duty to Cooperate

1. All Federal and Regional Government Authority and their Agencies, Bodies, Kebele administrations and Association shall have the duty to cooperate with the Tax Authority in the enforcement of this proclamation.
2. (a) no Bureau, Municipality, Department or Office of Federal or Regional Government shall issue or renew any license to any taxpayer unless the applicant produces a certificate from the Tax Authority to the effect that tax due in respect of the preceding year or years, have been paid or where the taxpayer is seeking license for the first time taxpayer identification number (TIN) issued by the Tax Authority unless appeal is pending, or time for payment is extended by the Tax Authority.
 - b) If the Tax Authority refuses to issue a certificate it shall, on demand by the applicant for the license, provide him or it with a written statement of its reasons therefore.
 - c) Any applicant who is aggrieved by the reasons stated by the Tax Authority for reusing to issue a certificate or by the revocation of his or its license may appeal in writing to the Petition treatment group.

34. Powers of the regional counsel

for Economic, Social or administrative reasons or for reasons specified under Article 42 (b) of the Income Tax Proclamation No.74/2003

- (a) up to birr 100000 oromia regional state president
- (b) more than birr 100000 oromia regional state counsel may waive in whole or in part ,the tax levied under this proclamation

35. Directives

The Bureau may issue directives for the proper implementation of this Proclamation.

36. Transitory Provisions

All Excise Tax due prior to the coming into force of this Proclamation shall be paid in accordance with the sales and Excise Tax Proclamation.

37. Repeals

Any laws, regulations ,directives or practice inconsistent with this proclamations shall not apply with respect to matters provided for in the proclamation



The Sales and Excise Tax Proclamation No. 68/1993 (as amended) shall be rescinded as from the day on which this Proclamation becomes effective.

38. Effective Date

even though this proclamation was approved 9th day of July 2003 it shall be amended in the first day of January 2008

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