WHEREAS, it has become necessary to establish a sound, transparent, and understandable financial reporting system applicable to entities in both private and public sectors;

WHEREAS, having a uniform financial reporting law enhances transparency and accountability by centralizing the hitherto decentralized financial reporting structures of Ethiopia;

WHEREAS, to support various building blocks of the economy and to reduce the risk of financial crisis, corporate failure and associated negative economic impacts; it is necessary to ensure that the provision of financial information meets internationally recognized reporting standards;

WHEREAS, it is necessary to establish a body that undertakes regulatory responsibilities in financial reporting;

NOW, THEREFORE, in accordance with Article 55(1) of the Constitution of the Federal Democratic Republic of Ethiopia, it is hereby proclaimed as follows:
I. Short Title
This Proclamation may be cited as the “Financial Reporting Proclamation No. 847/2014”.

II. Definitions
In this Proclamation unless the context otherwise requires:

1/ “accounting period” means a year ending on a balance sheet date of the reporting entity; provided, however, that as a result of the date of the formation or incorporation of the reporting entity or a change of the balance sheet date of the reporting entity, the period ending on that date is longer or shorter than a year, that longer or shorter period is an accounting period;

2/ “audit firm” means a firm licensed by the Board to provide audit service;

3/ “balance sheet date” means any month and date which a reporting entity adopts as its balance sheet date;

4/ “certified auditor” means a certified public accountant who is registered as a certified auditor by the Institute and received a practicing certificate;

5/ “certified public accountant” means an accountant who is registered by the Institute as a certified public accountant and received certificate of registration;

6/ “company” means a commercial business organization established in accordance with the Commercial Code of Ethiopia and having legal personality;

7/ “director” means the ultimate responsible person of one of the ultimate responsible persons of any reporting entity whatever his designation;

8/ “financial statement” shall have the meaning given to it by the standards to be issued by the Board and shall include the balance sheet, profit and loss account, statement of change in equity, cash flow statement and explanatory notes thereon, whether interim or final;
9/ “Institute” means the Institute of Certified Public Accountants of Ethiopia to be established by regulation to be issued by the Council of Ministers;

10/ “consolidated financial statement” means a financial statement comprising individual financial statements of companies belonging to a group;

11/ “public auditor” means a certified auditor who is licensed by the Board to act as an auditor for public interest entities;

12/ “overseas company” means a company incorporated outside Ethiopia that carries on business in Ethiopia within the meaning of the Commercial Code;

13/ “Minister” or “Ministry” means the Minister or Ministry of Finance and Economic Development, respectively;

14/ “professional accountancy body” means an association of accountants having as its objectives the regulation of professional competency of its members and the development of the accounting profession, which is accredited or recognized by the Board pursuant to Article 26 of this Proclamation;

15/ “partnership” shall have the meaning given to it under the Commercial Code;

16/ “public body” means any entity falling under the definition given to public body by a relevant law or designated as such by the law establishing it;

17/ “public interest entity” means a reporting entity that is of significant public relevance as the Board may decide from time to time because of the nature of its business, its size or its number of employees, and includes, in particular, a company whose securities are admitted to trading on a regulated capital market, banks, insurance companies and any other financial institutions and public enterprises;
(18) "reporting entity" means any entity, other than public bodies and micro enterprises, required by law to submit financial reports;

(19) "micro enterprise" means an enterprise considered as such in accordance with the criteria set by directives issued by the Board;

(20) "small or medium enterprise" means an enterprise which is a reporting entity and does not fall under the definition given to a public interest entity under sub-article (17) of this Article and other than charities and societies;

(21) "standards" mean the financial reporting and auditing standards stipulated in this Proclamation;

(22) "group" shall have the meaning given to it by the standards to be issued by the Board;

(23) "person" means any natural or legal person;

(24) any expression in the masculine gender includes the feminine.

3. Scope of Application
This Proclamation shall apply to all reporting entities established in accordance with the Ethiopian law or operating in Ethiopia.

PART TWO
ESTABLISHING A BOARD

4. The Accounting and Auditing Board of Ethiopia
1/ The Accounting and Auditing Board of Ethiopia (hereinafter the "Board") shall be established by regulation to be issued by the Council of Ministers.

2/ The Board shall have the powers and duties to:

a) issue standards and directives relating to financial reporting and auditing and ensure compliance therewith;

b) conduct inquiry or investigation and impose administrative sanction in accordance with the provisions of this Proclamation where appropriate on public interest entities and public auditors to enforce compliance with financial reporting and auditing standards;
(a) cooperate with, or become a member or an affiliate of, any international body, the objectives or functions of which are similar to or connected with those of the Board;

d) set criteria to distinguish reporting entities as either public interest entities or small and medium enterprises and register them accordingly;

e) register and license public auditors;

f) provide accreditation to local professional accountancy bodies that meet required standards and recognize professional accountancy bodies constituted outside Ethiopia pursuant to the requirement prescribed by it;

g) receive and register financial statements of reporting entities;

h) review and monitor the accuracy and fairness of financial statement to enforce compliance with the reporting standards;

i) establish an independent investigation and disciplinary scheme to investigate complaints for public interest purposes;

j) establish procedures for coordination of disciplinary responsibilities with the Institute;

k) oversee professional accountancy bodies;

l) conduct quality assurance reviews of public auditors, audit firms and persons associated with them to determine whether they have complied with the applicable auditing standards;

m) collect fees for services provided by it at the rate determined by the Government;

n) impose and collect such penalties as are prescribed in this Proclamation, the regulations issued hereunder and in the directives of the board;

o) advise the Government on any matter relating to financial reporting, accounting, auditing and corporate governance.
h) necessary actions and measures

i) governmental functions

j) governmental functions necessary for the achievement of its objective.

PART THREE
FINANCIAL REPORTING AND AUDITING STANDARDS

CHAPTER ONE
FINANCIAL REPORTING STANDARDS

5. Applicable Financial Reporting Standards

1/ The financial reporting standards to be used when preparing financial statements shall be:

a) international financial reporting standards; or

b) international financial reporting standards for small and medium enterprises;

c) International Public Sector Accounting standards applicable to charities and societies.

issued by the International Accounting Standards Board or its successor or issued by the International Public Sector Accounting Standards Board or its successor as adopted, adapted or amended by the Board.

2/ Any public interest entity shall, without prejudice to the provision of sub article (e) of this Article, be required to comply with international financial reporting standards referred to in sub-article (1) (a) of this Article.

3/ The Board shall specify, in the financial reporting standards, the minimum requirements for recognition, measurement, presentation, and disclosure in annual financial statements, group annual financial statements or other financial reports which every public interest entity or small or medium enterprise shall comply with, in the preparation of financial statements and reports.
5. Financial Statements of Reporting Entities
Incorporated outside Ethiopia
Where the Board is satisfied that:

1/ the financial statements of a reporting entity that is incorporated outside Ethiopia comply with the requirements of the law in force in the country where the reporting entity is incorporated or constituted; and

2/ the requirements of the country of incorporation are substantially the same as those provided for in this Proclamation;

the financial statements shall be taken to comply with the applicable financial reporting standards under this Proclamation.

6. Financial Statements of Groups Incorporated outside Ethiopia
Where the Board is satisfied that:

1/ the consolidated financial statement of a reporting entity representing a group that is incorporated outside Ethiopia comply with the law in force in the country where the reporting entity is incorporated; and

2/ the requirements of the country of incorporation are substantially the same as those of this Proclamation;

the consolidated financial statement shall be taken to comply with the applicable financial reporting standards under this Proclamation.

7. Obligation to Submit Financial Reports

1/ Any reporting entity shall submit to the Board its financial report in accordance with the schedule to be set by the Board.

2/ The provisions of sub-article (1) of this Article may not preclude reporting entities from submitting their financial reports to the competent public bodies in accordance with other laws.

3/ The financial report to be submitted to the competent public body in accordance with other laws shall be the original copy of the financial report submitted to the Board pursuant to sub-article (1) of this Article.
9. **Obligation to Audit Financial Statements and Consolidated Financial Statements**

1/ The Director of a reporting entity shall ensure that the financial statements of the reporting entity and the consolidated financial statements, if the reporting entity is required to prepare consolidated financial statements, are audited.

2/ The audit on the financial statement shall be conducted and the auditor’s report on the financial statements or consolidated financial statements shall be prepared according to the International Standards for Auditing approved by the Board or in the case of reporting entities constituted or incorporated outside Ethiopia, pursuant to auditing standards applicable in the country where those reporting entities are incorporated or constituted so long as it is substantially the same with this Proclamation.

10. **Auditors Qualified to Audit Financial Statements of Reporting Entities**

The financial statements and any consolidated financial statements shall be audited by:

1/ if the reporting entity is a local company or a company constituted or incorporated outside Ethiopia, an auditor appointed in accordance with the Commercial Code of Ethiopia or other relevant laws, as the case may be;

2/ if the reporting entity is constituted or incorporated under any other law that provides for the appointment of an auditor, by an auditor appointed under that law;

3/ if the reporting entity is not constituted or incorporated under a law that provides for the appointment of an auditor, an auditor appointed in accordance with the provisions of the Commercial Code or other relevant laws applicable to similar reporting entities.

11. **Registration of Financial Statements**

1/ The Director of a reporting entity shall ensure that copies of financial statements and any consolidated financial statements together with a copy of the auditor’s report on those statements are delivered to the Board for registration within 20 working days from the date financial statements and any consolidated financial statements of the reporting entity, as the case may be, are required to be signed.
Reporting entities which are constituted or incorporated outside Ethiopia shall register their financial statements in accordance with sub-article (1) of this Article.

Reporting entities shall pay to the Board the prescribed registration fee when registering their financial statements.

Any person who has vested interest may, on proof of such interest and on payment of the prescribed fee, inspect or take the copies of a reporting entity’s financial statements and auditor’s report on those statements delivered to the Board for registration under sub-article (1) or (2) of this Article.

CHAPTER TWO
AUDITING STANDARDS

12. Applicable Auditing Standards

The auditing standards to be used by auditors in Ethiopia shall be the International Standards for Auditing issued by the International Federation of Accountants or its successor as adopted, adapted or amended by the Board.

Every public auditor shall, in the exercise of his profession, comply with:

a) such minimum requirements as shall be specified by the Board as minimum requirements for providing auditing and assurance services for public interest entities; and

b) respect any regulations, directives, and code of conduct issued under this Proclamation.

Every certified auditor shall, in the exercise of his profession, comply with such minimum requirements as may be specified by the Board in the separate auditing standards for certified auditors.

PART FOUR
PROCEDURE FOR ADOPTING, ADAPTING AND AMENDING STANDARDS

13. Consultation

The Board shall engage in consultation with key stakeholders before adopting, adapting or amending financial reporting and auditing standards.
14. Public Comment

1/ Where the Board intends to issue or amend any standard, it shall, as part of the consultation process, invite comments from all interested persons by causing a notice to be published in its website, in not less than two leading daily newspapers of national circulation for three consecutive days and if it deems neccessory through other means of communication.

2/ Any person who wishes to submit any comment may, within 60 days from the last date of publication of the notice specified in sub-article (1) of this Article, submit his comments in writing to the Board.

3/ The Board may, in deciding whether to approve or amend the standards, take into account comments submitted under sub-article (2) of this Article.

15. Publication of Standards

1/ The Board shall communicate the standards it approves for implementation in Ethiopia through an official publication called “Public Notice for Financial Reporting and Auditing Standards” to all stakeholders by posting it on its website.

2/ In addition to the means of publication stated under sub-article (1) of this Article, the Board shall communicate the standards through notices published on not less than two daily newspapers of national circulation, for three consecutive days and if it deems necessary through other means of communication.

16. Contents of Publication of Standards

The notice published as set forth in Article 15 of this Proclamation shall clearly describe:

1/ the standards approved or the amendments made to the existing approved standards;

2/ the suspension for a definite or indefinite period of time or the revocation of standards;
3. the effective date of new standards or amendments and the reporting entities affected by such standards.

17. Non-Conformity of the Board's Standards with the International Standards

If there is a discrepancy between financial reporting and auditing standards adapted or amended by the Board and the International Financial Reporting and Auditing Standards due to failure to amend, suspend or withdraw, the Board shall state the difference and explain the reasons for the decision not to modify, suspend or withdraw standards that is not in conformity with the international standards.

PART FIVE
LICENSING AND ACCREDITATION

18. Licensing of Public Auditors

1. Notwithstanding any provision in the Commercial Code or any other law, no person may hold any appointment, or offer any service, as an auditor for public interest entities, unless he is licensed by the Board as a public auditor under this Proclamation.

2. An application to practice as a public auditor may be filed by any person holding a practicing certificate.

3. An application filed under sub-article (2) of this Article shall be accompanied by a receipt of the prescribed fee and such information as may be determined by the Board in its directive.

4. Where, after consideration of an application, the Board is satisfied that the applicant:
   a) holds a practicing certificate issued by the Institute;
   b) if he is a member or employee of a firm, has provided evidence that the firm’s quality assurance procedures are appropriate;
   c) meets such requirements as may be specified by the directives of the Board; and
   d) provides professional indemnity insurance in an amount to be prescribed by it;
19. Renewal of License

1/ Any public auditor shall renew his license by filing a written application to the Board, not later than one month before the expiry of the license, in such form and manner as the Board may prescribe.

2/ Where the Board is satisfied that the applicant continues to meet the requirements for the issuance of a license, the Board shall renew the license.

3/ Where the Board has not dealt with an application for the renewal of a license before the expiry of the license, the license and registration shall continue to be valid until the application for renewal is dealt with and any renewal in such case shall be taken to have commenced from the day when the license would have expired but for the renewal.

4/ The Board shall refuse to renew the license and registration of a public auditor where the applicant:
   a) does not satisfy the requirements set forth in sub-article (4) of Article 18 of this Proclamation;
   or
   b) has had his license or approval to practice as a certified auditor withdrawn, suspended or cancelled in any country.

20. Cancellation of License

The Board may, at any time, cancel the license issued to a public auditor where the public auditor no longer satisfies the requirements for audit license set forth in sub-article (4) of Article 18 of this Proclamation.

21. Practice in Firm with Approved Name

1/ No public auditor may practice as an auditor, on his own account or in partnership with other persons, in a name of a firm unless the Board has approved the name of the firm.

2/ Any public auditor who wishes to practice in the name of a firm, either on his own account or in partnership with other persons, shall apply in writing to the Board in a form and manner as may be prescribed by the Board.
Where a public auditor intends to provide audit service in partnership with other persons in a firm, he shall submit to the Board, as part of his application for the registration of the name of the audit firm, the names of partners who are public auditors and who are not public auditors.

An application filed under sub-article (2) of this Article shall be accompanied by a receipt of the prescribed fee, evidence of professional indemnity insurance in an amount prescribed by the Board, a description of the quality assurance procedures of the firm and any other relevant information as may be required by the Board in its directives.

The Board may not approve the proposed name or any proposed change in the name of an audit firm where the proposed name or proposed change in the name:

a) is the same as a firm name already approved by the Board;

b) so closely resembles a firm name that it is likely to cause confusion;

c) is, in the opinion of the Board, misleading or contrary to public interest; or

d) contravenes the Commercial Code.

An audit firm whose name has been approved in accordance with this Article shall inform the Board forthwith of any change occurring with respect to the partners including resignation and admission.

Unauthorized Audit Practice

No public auditor or audit firm may employ a person whose registration has been suspended or who has been suspended from practicing as a public auditor or a certified auditor to carry out work in connection with his audit practice.

No public auditor may practice under the name of a firm, unless prior notification has been made to the Board:

a) in the case of a partnership, of the names and initials of the partners of the firm;

b) where a letterhead is used, of a copy of the letterhead;
where the name of the firm is similar to, or includes the name of a regional or international network, or where the name of the firm mentions that it is part of a network in its letterhead or any other document, of the nature of such association or relationship with the regional or international network.

23. Obligation to Furnish Information

1/ Any person who is registered as a public auditor under this Proclamation shall:

a) notify the institute, the Board and any person to whom he or his firm acts as a public auditor of any change in the name, composition or address of such firm within 14 days of the occurrence of such change;

b) furnish the following information within 14 days of receipt of a request thereof from any person for whom he or his firm acts as a public auditor or who proposes to appoint him or his firm as a public auditor:

(1) any firm name or title under which he practices;

(2) the place of business of any partnership in which he is in practice as a partner;

(3) the full names of his partners;

(4) his nationality;

(5) if he is an Ethiopian, his name with his father’s and grandfather’s name or if he is a foreign national, his forenames or the initial thereof, his surname and any surname which he may have borne previously; and

(6) his ordinary business and residential addresses.

2/ When two or more persons are practicing in partnership, the particulars referred to in sub-article (1) of this Article may be furnished in the name of the firm and any such
communication shall be regarded as sufficient compliance by the individual partners of that firm with the provisions of sub-article (1) of this Article.

3/ For the purposes of sub-article (1) of this Article, the expression "any surname which he may have borne previously" may not include:

a) in the case of a person adopted as a child, his surname before his adoption;

b) in the case of any person, any surname previously borne by him which was changed or disused before he attained the age of 18 years or has been changed or disused for a period of not less than 20 years; or

c) in the case of a married or divorced woman or a widow, the surname borne by her before her marriage.

24. Monitoring of Financial Statements and Reports

1/ The Board may review the financial statements and reports filed with it pursuant to Article 8 of this Proclamation to determine whether the financial statements and reports are in compliance with this Proclamation.

2/ In reviewing the financial statement and report pursuant to sub-article (1) of this Article, the Board may seek further information or clarification from:

a) any officer or Director of the reporting entity;

b) any employee of the reporting entity responsible for preparing the financial statements and reports; or

c) the public auditor, certified auditor or audit firm responsible for the audit of the financial statements of the reporting entity.

25. Quality Assurance Review of Auditors

1/ The Board, or other country's accountancy regulatory agency, regional or sub-regional accountancy body or any other international accountancy body, authorized by the Board in writing, may review the practice of a public auditor and for that purpose, is authorized to:
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21. Any public auditor, his partner, employee or person associated with him shall, at the request of the Board or any person authorized by it in writing, produce any relevant book, audit working papers and files, documents or records in his possession or under his control for the purposes of sub-article (1) of this Article.

26. Accreditation and Recognition of Professional Accountancy Bodies

1. The Board shall accredit as a professional accountancy body, an organization which files an application and meets the criteria established by it to obtain accreditation as set forth in sub-article (2) of this Article.

2. To qualify for accreditation, a professional accountancy body shall demonstrate, to the satisfaction of the Board that:
   a) it complies with the requirements for professional development and achievement of professional competence prescribed by the Board;
   b) it has appropriate mechanisms for ensuring that its members participate in continuous professional development as recognized by the Board;
   c) it has mechanisms to monitor and ensure that its members are disciplined;
   d) it keeps a register of its members in the format prescribed by the Board; and
   e) it meets any other requirements prescribed by the Board from time to time.
3/ To retain its accreditation, a professional accountancy body, at least once a year, at a time prescribed by the Board, shall satisfy the Board that it continues to comply with the requirements for accreditation as provided in sub-article (2) of this Article.

4/ The Board shall recognize professional accountancy bodies that are constituted outside Ethiopia in accordance with the criteria to be prescribed by it.

27. Public Interest Oversight

1/ The Board shall ensure that a professional accountancy body:
   a) fulfills its public interest obligations;
   b) maintains and promotes the highest standards of professional and business conduct; and
   c) develops the accountancy profession and accomplishes the other public interest objectives set forth in its constitution and under this Proclamation.

2/ Any professional accountancy body shall furnish to the Board within six months of the end of its financial year:
   a) an annual report of its activities regarding the fulfillment of its public interest obligations; and
   b) an assessment or review of its activities against the performance indicators set forth in the directives of the Board.

3/ If the Board finds that a professional accountancy body is not meeting, or has not met its public interest obligations to:
   a) maintain high professional standards;
   b) develop the accounting profession; or
   c) accomplish other public interest objectives set forth in this Proclamation or its constitution;

it shall, upon 30 days written notice, suspend the accreditation of the professional accountancy body until it is satisfied that the professional accountancy body has instituted practices and procedures that will enable it to successfully discharge its responsibilities.
4. For the purpose of this Article, “public interest obligation” means the responsibility that a professional accountancy body and its members have to discharge in the interest not only of their principals but also in the interest of the public, as may be determined by the Board from time to time in its directives.

28. Cancellation of Accreditation

1. The Board may cancel the accreditation of a professional accountancy body if that professional accountancy body fails to rectify, within 30 days of notice of the suspension given under sub-article (3) of Article 27 of this Proclamation, the deficiencies that resulted in the suspension.

2. When deciding to cancel the accreditation of a professional accountancy body, the Board may:
   a) give written notice of its intention to cancel the accreditation of the professional accountancy body concerned, stating the reasons for such cancellation; and
   b) afford the professional accountancy body a period of not less than 21 days and not more than 30 days in which to submit its objection to the cancellation of its accreditation stating the reasons for its objection.

3. If the Board considers that the cancellation of the accreditation of the professional accountancy body would critically affect the interests of the public, the accounting and auditing profession or the members of the professional accountancy body, it may extend the accreditation on such conditions as it considers appropriate.

4. The accreditation of a professional accountancy body shall lapse automatically if it:
   a) ceases to exist; or
   b) fails to pay the prescribed fee or portion thereof within such period as may be prescribed by the Board.
PART SIX
STANDARDS OF PRACTICE FOR AUDITORS

29. Auditors' Report and Opinion

1. Any person acting in the capacity of certified or public auditor to any reporting entity shall not, certify or report or express an opinion to the effect that any financial statements, including any annexure thereto, which relates to such reporting entity, presents fairly, or gives a true and fair view of, or reflects correctly the affairs of such reporting entity and the results of its operations, or the matters dealt with in such financial statement or annexure, as the circumstances may require, unless:

a) he has carried out such audit free of any restrictions whatsoever;

b) he has proper accounting records in connection with the reporting entity in question, so as to reflect and explain all its transactions and record all its assets and liabilities correctly and adequately;

c) he has obtained all information, vouchers and other documents which in his opinion were necessary for the proper performance of his duties;

d) he has, in the case of a reporting entity regulated by any law, complied with all the requirements of that law relating to the audit of that reporting entity;

e) he has by means of such methods as are reasonably appropriate having regard to the nature of the reporting entity in question satisfied himself of the existence of material assets and liabilities shown on such financial statements or annexure;

f) he is satisfied, as far as is reasonably practicable having regard to the nature of the reporting entity in question and of the audit carried out by him, as to the fairness or the truth or the correctness, as the case may be, of such financial statements or annexure;

g) any matter referred to in Article 31 of this Proclamation had at the date on which he so certified or reported or expressed such opinion, been adjusted to his satisfaction.
Where the annual report of a reporting public entity discloses the extent of compliance with any regulatory requirements to which the entity or its officers and Directors are subject, the auditor shall report whether the disclosure is consistent with such regulatory requirements.

30. Period of Time for Giving Opinion

1/ Any certificate required to be given or report to be made or opinion to be expressed by a certified auditor or public auditor in his capacity as certified auditor or public auditor in pursuance of any assignment carried out by him, shall be given or made or expressed within a period of four months from the date on which the assignment was completed.

2/ If such certified auditor or public auditor is unable to give an unqualified certificate or make an unqualified report or express an unqualified opinion, he shall, within the time period stated in sub-article (1) of this Article, give that certificate or make that report or express that opinion subject to such qualifications as he may deem necessary, and may if he considers it advisable, endorse on that certificate, report or opinion the reason for any such qualification.

31. Material Irregularity

1/ If any person acting in the capacity of a certified auditor or public auditor to any reporting entity is satisfied or has reason to believe that in the conduct of the affairs of such reporting entity a material irregularity has taken place, he shall without delay:

a) notify, in writing, the officers and all the members of the Board of the reporting entity of the irregularity, by giving particulars of the irregularity; and
The Board may disclose to the Ministry of Justice such person to the reporting entity itself or any person in control of a reporting entity, which is by any person in the conduct of the management or control of a reporting entity, which has caused or is likely to cause material breach of any fiduciary duty owed by partner, shareholder or creditor of the reporting entity, or under any law applying to such person to the reporting entity itself or any person having financial interest in that reporting entity.

For the purpose of determining whether any irregularity has taken place or is taking place, any certified auditor or public auditor shall, within 30 days of the issuance of a notice referred to in sub-article (a) of this Article, notify the officers or the members of the Board of the material irregularity together with such other information as he deems fit, unless he is satisfied by information received that no such irregularity has taken place or is taking place, any such partner, shareholder or creditor of the reporting entity or any person having financial interest in that reporting entity or any public officer or any partner, shareholder, or creditor of the reporting entity referred to in sub-article (1) of this Article, have taken adequate steps to remedy the irregularity.

The certified auditor or public auditor shall, within 30 days of the issuance of a notice referred to in sub-article (a) of this Article, notify the officers or the members of the Board of the material irregularity together with such other information as he deems fit, unless he is satisfied by information received that no such irregularity has taken place or is taking place, any such partner, shareholder or creditor of the reporting entity or any person having financial interest in that reporting entity or any public officer or any partner, shareholder, or creditor of the reporting entity referred to in sub-article (1) of this Article, have taken adequate steps to remedy the irregularity.

For the purpose of this Article “material irregularity” means any unlawful act or omission by any person in the conduct of the management or control of a reporting entity, which is fraudulent or amounts to theft, or represents a material financial loss to the reporting entity or to any partner, shareholder or creditor of the reporting entity.
32. Material Irregularity Prior to Bankruptcy

If any person who was acting in the capacity of certified auditor or public auditor regarding any reporting entity immediately prior to its bankruptcy or liquidation, whether provisional or final, is satisfied or has reason to believe that:

1/ at or before the date of the bankruptcy or liquidation, as the case may be, a material irregularity in the conduct of the affairs of such reporting entity was taking place or had taken place, or

2/ When such material irregularity had caused or was likely to cause financial loss to the reporting entity or its partners, shareholders, creditors or to any person who has a pecuniary interest in the reporting entity; or

3/ when he did not comply with the provisions of sub-article 1 (b) of Article 31 of this Proclamation in respect of such irregularity before the said date;

He shall forthwith dispatch a report in writing giving particulars of such irregularity, to the person appointed as trustee or provisional trustee or as liquidator or provisional liquidator, as the case may be, of such reporting entity and at the same time supply copies of such report to the person in charge of such reporting entity and to the Board.

33. Independence of Auditor

1/ A public auditor or certified auditor shall carry out his functions in full independence and shall not:

a) act in any manner contrary to any code of professional conduct and ethics adopted by the Board or the Institute; or

b) engage in any activity that is likely to impair his professional independence as an auditor whether independence in appearance or independence of mind.

2/ If any certified auditor or public auditor or his partner or any person employed by him or an person working under his supervision and control or under the supervision and control of his partner was responsible for keeping the books, records or accounts of any reporting entity, except to the extent of making closing entries or assisting wi
34. Conflict of Interest of Auditors

Where an auditor whether an individual or a firm considers that it may have a conflict of interest or lack professional independence in relation to a reporting entity for which such auditor has been engaged as such, shall withdraw from auditing that reporting entity.
35. Professional Misconduct by Auditors

1. If a person who has been registered as a public auditor or certified auditor under the provisions of this Proclamation or the regulations issued hereunder:
   a) fails to perform any duties devolving upon him in the capacity of a public auditor or certified auditor to any reporting entity with such a degree of care and skill as is reasonably expected of him; or
   b) is on the basis of prima facie evidence presented to the Board or the Institute, pursuant to the provisions of this Proclamation or the regulations issued hereunder, is negligent in the performance of such duties;

   the Board may, whether or not such public auditor or certified auditor is liable to be or has been criminally charged or has been convicted in respect of such failure or negligence, commence its own inquiry into the circumstances pursuant to the procedures of Part Seven of this Proclamation or cause the Institute to enquire in the circumstances pursuant to the regulations issued hereunder.

2. Subject to sub-article (3) of this Article, if the evidence presented to the Board pursuant to sub-article (1) of this Article proves such failure or negligence to its satisfaction, the Board may, pursuant to the procedures set forth in Part Seven of this Proclamation impose upon that person an officer of the penalties prescribed in this Proclamation applicable.

3. No action may be instituted against any person registered as a public auditor or certified auditor under this Proclamation or the regulation issue hereunder in respect of any opinion expressed or certificate given or report or statement made or such statement, account or document certified by him in the ordinary course of his duties, unless it is proved that such opinion was expressed or such certificate was given or such report or statement was made or such statement, account or document was certified maliciously, negligently or with fraudulent intent.
PART SEVEN
ENFORCEMENT

36. Authority to Investigate
1/ The Board may authorize persons possessing the necessary professional competence to conduct investigation on behalf of the Board in respect of the following matters:

a) any complaint of dishonest practice, negligence, professional misconduct, or malpractice made against a public auditor;

b) any breach of the Code of Professional Conduct by a public auditor;

c) any material irregularity notified to it pursuant to Article 31 of this proclamation.

d) any failure to provide reports or documents required by Article 25 of this Proclamation;

e) any failure of a public auditor to maintain the necessary qualifications for a license; or

f) any other violation of this Proclamation, or regulations directives issued hereunder.

2/ If investigation in respect of matters specified in sub-article (1) of this Article is conducted by the Board itself, the Chief Executive Officer of the Board or any person authorized by him shall assign the investigating officer.

3/ The Chief Executive Officer of the Board shall notify the nature of the complaint to the auditor or public interest entity under investigation.

4/ For the purpose of investigating any allegation, complaint or charge of misconduct which violates this Proclamation or the regulations or directives issued hereunder, the investigating officer may:

a) inspect or require the production of any book, document or thing in the possession of or under the control of a public interest entity, or current or former public auditor against whom the allegation, complaint or charge has been made, or in the possession of or under the control of officers of the public interest entity the partner or employee of the public auditor or persons associated with such auditor;
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b) retain any such book, document or thing or
make copies thereof, and use in evidence in any
investigation or hearing concerning the
allegation, complaint or charge of misconduct;

c) question any person who may have information
relating to the events that form the basis of the
allegation, complaint or charge, and

d) review any financial statement and report filed
with any government department or authority.

A person may refuse to answer a question put to
him or refuse to furnish any information,
document, record or book, where the answer to the
question or the production of the document, record
or book might, in his opinion, tend to incriminate
him.

Nothing in this Article shall be construed to
compel the production by the auditor, his partner,
employee or associated persons, the public interest
entity or its officers of any book, document, record
or any other material containing:

a) any information which is confidential under
the Commercial code or any other law in
force;

b) privileged communication by or to a legal
practitioner in that
capacity;

except in so far as the disclosure of the information is
made in accordance with the law.

Notwithstanding the provisions of any other law,
whenever it appears to an official of any governmental
agency regulating any public interest entity that there
is prima facie proof of conduct on the part of a current
or former public auditor which violated or violates this
Proclamation or the regulation or the directive issued
hereunder, such official shall report such conduct to
the Board for investigation.

37. Report of Possible Violations to the Board

If it appears to the investigating officer that a
violation of this Proclamation or the regulations or
the directives issued hereunder has occurred, the
investigating officer may recommend to the Chief
Investigating Officer to:

a) question any person who may have information
relating to the events that form the basis of the
allegation, complaint or charge, and

b) review any financial statement and report filed
with any government department or authority.

38. Initiation of Proceedings

If it appears to the investigating officer that a
violation of this Proclamation or the regulations or
the directives issued hereunder has occurred, the
investigating officer may recommend to the Chief
Investigating Officer to:

a) question any person who may have information
relating to the events that form the basis of the
allegation, complaint or charge, and

b) review any financial statement and report filed
with any government department or authority.

39. Notification to the Auditor

If it appears to the investigating officer that a
violation of this Proclamation or the regulations or
the directives issued hereunder has occurred, the
investigating officer may recommend to the Chief
Investigating Officer to:

a) question any person who may have information
relating to the events that form the basis of the
allegation, complaint or charge, and

b) review any financial statement and report filed
with any government department or authority.

40. Consequences of Non-Compliance

If it appears to the investigating officer that a
violation of this Proclamation or the regulations or
the directives issued hereunder has occurred, the
investigating officer may recommend to the Chief
Investigating Officer to:

a) question any person who may have information
relating to the events that form the basis of the
allegation, complaint or charge, and

b) review any financial statement and report filed
with any government department or authority.

41. Sanctions

If it appears to the investigating officer that a
violation of this Proclamation or the regulations or
the directives issued hereunder has occurred, the
investigating officer may recommend to the Chief
Investigating Officer to:

a) question any person who may have information
relating to the events that form the basis of the
allegation, complaint or charge, and

b) review any financial statement and report filed
with any government department or authority.

42. Finality of Investigation

If it appears to the investigating officer that a
violation of this Proclamation or the regulations or
the directives issued hereunder has occurred, the
investigating officer may recommend to the Chief
Investigating Officer to:

a) question any person who may have information
relating to the events that form the basis of the
allegation, complaint or charge, and

b) review any financial statement and report filed
with any government department or authority.

43. Appeal

If it appears to the investigating officer that a
violation of this Proclamation or the regulations or
the directives issued hereunder has occurred, the
investigating officer may recommend to the Chief
Investigating Officer to:

a) question any person who may have information
relating to the events that form the basis of the
allegation, complaint or charge, and

b) review any financial statement and report filed
with any government department or authority.
Executive Officer of the Board that a proceeding be instituted against the public auditor, public interest entity, or any person alleged to have committed the violation.

2/ The Chief Executive Officer, on his own initiative or on the recommendation of the investigating officer, may institute proceedings.

3/ If the Chief Executive Officer of the Board decides to institute proceeding pursuant to sub-article (2) of this Article, he may appoint three persons of whom one is a lawyer, from among the staff members of the Board who were not involved in the investigation, to act as Hearing Examiners.

4/ The public interest entity or person against whom the proceeding has been brought shall have the right to counsel in the proceedings.

39. Procedure at the Disciplinary Hearing

1/ For the purpose of any hearing that is part of the proceedings stated in Article 38 of this Proclamation, the Hearing Examiners, at the request of either party may:

a) summon any person who, in their opinion, may be able to give material information concerning the subject of the hearing or who is believed to have in possession or custody or under control any book, document or thing which has any bearing on the subject of the hearing, to appear before them at the time and place specified in the summons, and to be interrogated or to produce such book, document or evidence and may retain for examination any book, document or evidence;

b) administer an oath to, or accept an affirmation from the person summoned under sub-article 1(a) of this Article and require him to answer questions put forward to him and to produce any book, document or other evidence in his possession or custody or under his control.

2/ The respondent in the disciplinary hearing shall be informed of the nature of the complaint made against him and shall be entitled to appear personally or by counsel to produce evidence, call and examine witnesses and cross-examine other witnesses.
3/ A summon for the attendance before the Hearing Examiners of any person or for the production of any book, document or other evidence shall be in the form prescribed by the Board, and shall be signed by one of the Hearing Examiners and shall be served in the same manner as it would have been served if it had been a subpoena in a civil matter in a court.

4/ Any witness who, having been duly sworn or having made an affirmation, gives a false answer to any question lawfully put to him or makes a false statement on any matter, knowing such answer or statement to be false, commits perjury and shall be held criminally liable in accordance with the Criminal Code.

5/ In any investigation or disciplinary proceeding, it shall be sufficient, for the purpose of proving the proper execution or the terms or the content or the authenticity of a document, for a copy of the document purporting to be a copy to be used in evidence, subject to the right of any person to adduce evidence that any copy so presented in evidence is not authentic.

40. Failure to Appear

1/ without prejudice to the provisions of sub articles (5) and (6) of Article 36 on this Proclamation, if any person who has been duly summoned fails without sufficient cause, to attend at the time and place specified in the summon, or to remain in attendance until excused from further attendance by the Hearing Examiners, or refuses to swear or to affirm as a witness or fails without sufficient cause to answer fully and satisfactorily to the best of his knowledge and belief, all questions lawfully put to him concerning the subject of the hearing or to produce any book, document or thing in his possession or custody or under his control which he has been required to produce, he shall be criminally liable in accordance with the relevant provision of the Criminal Code.

2/ The law relating to privilege of a witness subpoenaed to give evidence or to produce any book, document or other evidence before a court of law shall apply to a witness summoned to give evidence or to produce any book, document or other evidence in accordance with this Proclamation.
41. Imposition of Sanctions

1/ After hearing all of the arguments and evidence at the hearing, the Hearing Examiners shall decide if the respondent has violated this Proclamation or the regulation or directive issued hereunder.

2/ If the Hearing Examiners decide that the respondent has violated this Proclamation or the regulation or directive issued hereunder, they shall impose a sanction in accordance with Articles 42 and 43 of this Proclamation.

3/ If no appeal is filed by the respondent as provided in Article 47 of this Proclamation, the decision of the Hearing Examiners shall be deemed the final decision of the Board.

42. Sanctions on Public Auditors and Audit Firms

Where the Hearing Examiners determine that a public auditor or audit firm has committed a contravention of this Proclamation or any regulation or directive issued hereunder, the Hearing Examiners may as appropriate take any one or more of the following measures:

1/ issue a warning to the public auditor or audit firm;

2/ order the public auditor or audit firm to meet prescribed requirements;

3/ require the public auditor or partners or employees of the firm to undergo training to improve their capacity to provide high quality audit services;

4/ suspend the license of the public auditor or the audit firm;

5/ revoke the license of the public auditor or the audit firm;

6/ impose administrative penalty against the public auditor or audit firm not exceeding Birr 25,000.

43. Sanctions on Reporting Entities and their Directors

1/ Where the Hearing Examiners reach a final decision to the effect that a reporting entity has failed to comply with any financial reporting and auditing standard or directives issued under this Proclamation, the Hearing Examiners may either
Where a notice is served on a reporting entity under sub-article (1) of this Article, it shall, within 30 days of the service of the notice, restate its financial statements or reports and resubmit them to the Board and to the relevant government department or authority.

Where the Hearing Examiners find that a Director of a reporting entity who willfully caused a failure to comply with either sub-article (1) or (2) of this Article or was responsible for a serious distortion of the reporting entity's financial statements or reports, the Hearing Examiners may:

a) impose administrative penalty not exceeding Birr 10,000 on such Director;

b) suspend the Director for a period not less than a year or not more than five years or disqualify any such Director from serving in that capacity for that or any other public interest entity; provided, however, that the administrative penalties imposed on the Director in accordance with this sub-article may not spare him from criminal or civil liability;

c) refer the matter to any other relevant government department or agency for appropriate action.

Where the Hearing Examiners find that the Director of a reporting entity who willfully caused a failure to comply with either sub-article (1) or (2) of this Article or was responsible for a serious misstatement in the reporting entity's financial statements or reports, is a public auditor, the Hearing Examiners shall, in addition to the actions mentioned above, issue a warning to the reporting entity or serve a notice on the entity for an immediate restatement of its financial statements or report, or both.

2/ Where a notice is served on a reporting entity under sub-article (1) of this Article, it shall, within 30 days of the service of the notice, restate its financial statements or reports and resubmit them to the Board and to the relevant government department or authority.

3/ If any reporting entity fails to comply with the provisions of sub-article (2) of this Article, the Hearing Examiners shall impose administrative penalty not exceeding Birr 10,000, or may refer the matter to the relevant government department or authority for appropriate action.

4/ In the event that the Hearing Examiners find that a Director willfully caused a failure to comply with either sub-article (1) or (2) of this Article or was responsible for a serious distortion of the reporting entity's financial statements or reports, the Hearing Examiners may:

5/ Where the Hearing Examiners find that the Director of a reporting entity who willfully caused a failure to comply with either sub-article (1) or (2) of this Article or was responsible for serious misstatement in the reporting entity's financial statements or reports, is a public auditor, the Hearing Examiners shall, in addition to the actions mentioned above, issue a warning to the reporting entity or serve a notice on the entity for an immediate restatement of its financial statements or report, or both.

Where the Hearing Examiners find that a Director of a reporting entity who willfully caused a failure to comply with either sub-article (1) or (2) of this Article or was responsible for a serious distortion of the reporting entity's financial statements or reports, is a public auditor, the Hearing Examiners shall, in addition to the actions mentioned above, issue a warning to the reporting entity or serve a notice on the entity for an immediate restatement of its financial statements or report, or both.
sanctions under paragraphs (b) and (c) of sub-article (4) of this Article, impose sanctions against the Director as a public auditor in accordance with Article 42 of this Proclamation or if the Director is a certified auditor, the Hearing Examiners shall refer the information about such contravention to the Institute or accredited professional accountancy body for appropriate disciplinary action.

44. Criminal Offences

1/ Any person who:

a) fraudulently makes, causes or permits any false or incorrect entry in a register under this Proclamation or any copy thereof; or

b) fraudulently procures or attempts to procure, whether for himself or for any other person, registration as a certified public accountant, certified auditor or public auditor;

c) knowingly and willfully makes any statement which is false in a material particular, or which is misleading, with a view to gaining any advantage, concession or privilege under this Proclamation, whether for himself or for any other person;

d) willfully hinders any of the Hearing Examiners, the Chief Executive Officer or any member or official of the Board in the exercise of any power conferred upon such person by or under this Proclamation;

shall be guilty of an offence and be liable to a fine not exceeding Birr 20,000 or to simple imprisonment not exceeding three years or to both.

2/ Any person who contravenes sub-article (2) of Article 51 of this Proclamation shall be guilty of an offence and be liable to a fine of not exceeding Birr 10,000 or to simple imprisonment not exceeding three years or to both.

3/ Any person who contravenes the provisions of sub-article (1) of Article 18 of this Proclamation shall be guilty of an offence and be liable to a fine not exceeding Birr 1,000 for each day the offence continues to occur; provided however, that the total amount of such fine shall not exceed Birr 50,000 or
A person who willfully causes a failure of a reporting entity to comply with either sub-article (1) or (2) of Article 43 of this Proclamation or was responsible for a serious distortion of the reporting entity's financial statements or reports or knowingly and willfully aids, abets, assists, incites or induces another person to prepare or issue an inaccurate or materially misleading financial statement or financial report shall be guilty of an offence and be liable to a fine not exceeding Birr 20,000 or simple imprisonment not exceeding two years, or to both.

7/ Any person who practices the accountancy profession without a valid certificate of registration or practicing certificate shall be guilty of an offence and be liable to a fine not exceeding Birr 25,000 or simple imprisonment not exceeding three years, or to both.

8/ Any other act or omission constituting material breach of this Proclamation or regulation, directive or code of conduct issued in accordance with this Proclamation shall be a criminal offence punishable a with a fine not exceeding Birr 20,000 or with simple imprisonment not exceeding two years, or with both.
45. Restoration to Register

1/ The Board shall restore to the Register the name of a person whose registration was cancelled on the ground that he was no longer a member of the Institute, if the Institute notifies the Board, in writing, that he has had his membership restored.

2/ A person whose license has been cancelled under Article 42 of this Proclamation may apply for his registration to be restored and Articles 18 and 21 of this Proclamation shall apply, mutatis mutandis, as if he were applying for registration.

46. Enforcement of any Claim and Sanction of Board

1/ Any fee and charge payable to the Board pursuant to the provisions of this Proclamation shall be a debt due to the Board and may be claimed by action in a court of competent jurisdiction.

2/ A monetary penalty imposed by the Board as an administrative sanction under this Proclamation shall be recoverable as a fine imposed by a competent court and an affidavit sworn by a member of the Board of Directors or the Chief Executive Officer of the Board shall be sufficient proof of the lawful imposition of the monetary penalty to enable a court to issue a warrant in accordance with the provision of this Proclamation under which the penalty was imposed; provided, however, that no warrant shall be issued until any review required in relation to the matter has been disposed of or the time for applying for such review has expired.

47. Appeals

Any party, aggrieved by the decision of the Hearing Examiners, may submit his objection to the Appeals Hearing Panel to be designated in accordance with Article 48 of this Proclamation within 30 days of the receipt of the decision of the Hearing Examiners.

The Board shall restore to the Register the name of a person against the decision of the Institute, if the Institute notifies the Board, in writing, that he has had his membership restored.

48. Appeals Hearing Panel

1/ The Minister shall designate an Appeals Hearing Panel consisting of three members that examine and pass decision on any appeal lodged by any person against the decision of the Hearing Examiners.

2/ The Appeals Hearing Panel shall pass a decision within 60 days of the receipt of the appeal.
The Appeals Hearing Panel shall issue its own rules of procedure for the hearing of appeals.

If, following an appeal pursuant to Article 47 of this Proclamation, the Appeals Hearing Panel, confirms the decision of the Hearing Examiners it may order the appellant to pay in whole or in part the expenses incurred to dispose of the appeal.

Without prejudice to sub-article (3) of Article 41 of this Proclamation, any decision given by the Appeals Hearing Panel under this Article on factual matters shall be final.

49. Appeals against Decisions of the Appeals Hearing Panel

1/ An appeal may be lodged to the Federal High Court on questions of law by any party aggrieved by the decision of the Appeals Hearing panel.

2/ The decision of the Appeals Hearing Panel shall be effective during the course of the appeal unless the court of appeal orders a stay of execution pending decision on the appeal.

3/ If the court of appeal reverses the decision of the Appeals Hearing Panel on questions of law, it shall remand the case to the Appeals Hearing panel for reconsideration of the case in light of its interpretation. The Appeals Hearing Panel shall pass a final decision in conformity with the legal interpretation given by the court of appeal.

PART EIGHT

MISCELLANEOUS PROVISIONS

50. Conflicts of Interest

1/ A person who could, directly or indirectly, derive benefits from any matter that the Board has the right to determine shall, if being considered for membership of the Board of Directors of the Board, disclose with specificity to the nominating body the nature and amount of any such direct or indirect benefits.

2/ A member of the Board of Directors of the Board, prior to voting on any matter that could directly or indirectly benefit him, shall disclose to the Board of Directors with specificity the nature and amount of any such direct or indirect benefits an shall excuse himself from participating in any such vote.

3/ An employee of the Board or a consultant or advisor to the Board who has a privat
professional or official interest in, or whose immediate family member is directly or indirectly interested in, any matter being considered by the Board shall disclose such interest.

4/ A disclosure of interest made as per sub-article (3) of this Article shall be made to the Chairperson of the Board of Directors of the Board who shall take such decision as he considers appropriate in each case and submit a report thereon to the Board of Directors.

5/ On being appointed as a member of the Board of Directors of the Board, a person shall not engage in providing audit or assurance services, either in his own name or in the name of any other person, unless he complies with sub-article (2) of this Article.

6/ No member of the Board of Directors of the Board shall engage in, or continue in, any profitable pursuit outside of the Board, unless the member discloses with specificity the nature and extent of such pursuit to the Board.

7/ No member of the Board of Directors or employee of the Board shall engage in or carry on any activity, which may, create or have an adverse effect on the discharge of his duties.

8/ For the purpose of this Article “immediate family” means spouse, children, father and mother and siblings of the person concerned.

51. Confidentiality

1/ Every member of the Board of Directors of the Board, member of an advisory committee of the Board, employee of the Board, or a consultant in the service of the Board, shall, upon assumption of his office or duty, take such oath of secrecy as may be approved by the Board.

2/ No person may, without the consent in writing given by or on behalf of the Board, publish or disclose to any unauthorized person contents of any document, communication or information which relates to, and which has come to his knowledge in the course of his duties.
52. Publication of Information

1/ The Board shall periodically publish an off bulletin that shall contain such information that Board may deem necessary.

2/ The Board may maintain an electronic home and publish an e-bulletin that shall contain information that the Board may deem necessary.

3/ The Board may cause to be published in its off bulletin, on its homepage, e-bulletin or in a newspaper, the decisions of the Appeals Hear Panel given in accordance with Article 48 of Proclamation.

53. Power to Issue Regulation and Directive

1/ The Council of Ministers may issue regulations necessary for the proper implementation of Proclamation.

2/ The Board may issue directives necessary for proper implementation of this Proclamation regulations issued under sub-article (1) of Article.

54. Transitory Provisions

1/ Notwithstanding the provision of Article 56 of Proclamation the Board is hereby empower to prescribe the time frame for compliance reporting entities with the provisions of Proclamation taking into consideration capacity and preparedness; provided, however, this time frame may not in any event exceed years.

2/ Notwithstanding the provision of Article 18 of Proclamation, any person who, immediately before the coming into force of this Proclamation:

a) was providing audit and assurance services to public interest entity, may continue to provide such services for six years beginning from the closing date for submitting application for registration, if he applies for registration within six months of the closing date for submittin application for registration, if he applies for registration in accordance with Article 48 of Proclamation:

b) was providing audit and assurance services to a public interest entity, whether on his account or in partnership with other person under firm name, may continue to provide such services for six years beginning from closing date for submitting of application for registration, if he applies for registration
52. Publication of Information

1/ The Board shall periodically publish an official bulletin that shall contain such information that the Board may deem necessary.

2/ The Board may maintain an electronic homepage and publish an e-bulletin that shall contain such information that the Board may deem necessary.

3/ The Board may cause to be published in its official bulletin, on its homepage, e-bulletin or in a daily newspaper, the decisions of the Appeals Hearings Panel given in accordance with Article 48 of this Proclamation.

53. Power to Issue Regulation and Directive

1/ The Council of Ministers may issue regulations necessary for the proper implementation of this Proclamation.

2/ The Board may issue directives necessary for the proper implementation of this Proclamation and regulations issued under sub-article (1) of this Article.

54. Transitory Provisions

1/ Notwithstanding the provision of Article 56 of this Proclamation the Board is hereby empowered to prescribe the time frame for compliance by reporting entities with the provisions of this Proclamation taking into consideration their capacity and preparedness; provided, however, that this time frame may not in any event exceed five years.

2/ Notwithstanding the provision of Article 18 of this Proclamation, any person who, immediately before the coming into force of this Proclamation:

a) was providing audit and assurance services to a public interest entity, may continue to provide such services for six years beginning from the closing date for submitting an application for registration, if he applies for registration within six months of the entry into force of this Proclamation notwithstanding that he does not meet the requirements to act as a public auditor set forth in this Proclamation;

b) was providing audit and assurance services to a public interest entity, whether on his own account or in partnership with other persons under a firm name, may continue to provide such services for six years beginning from the closing date for submitting an application for registration, if he applies for registration of
firm within six months of the entry into force of this Proclamation notwithstanding that he does not meet the requirements to operate under a firm name set forth in this Proclamation.

3/ The application of a person or a firm allowed under this Article to continue providing audit and assurance services without registering in accordance with this Proclamation shall be rejected after six years, if such person or firm fails to meet the requirements for registration set forth in this Proclamation within five years from the closing date for submitting of application for registration.

55. Repeal and Inapplicable laws

1/ The following are hereby repealed:

a) Sub-articles (16) and (17) of Article 5 of the Office of Federal Auditor General Establishment Proclamation No. 669/2010; and


2/ The following may not be applicable with respect to matters provided for in this proclamation:

a) The provisions of the 1960 commercial Code of Ethiopia pertaining to financial reporting.

b) Article 27, sub-article (2) of Article 32 and Article 34 of the Public Enterprises Proclamation No. 25/1992.

c) Sub-article (8) of Article 6 of the Ethiopian Commodity Exchange Authority Establishment Proclamation No. 551/2007;

d) Article 8 (a) of the Excise Tax Proclamation No.307/2002;

e) Article 18, sub-article (2) of Article 22 and Article 59 of the Income Tax Proclamation No.286/2002 (as amended by Proclamation No.693/2010);

f) Sub-article (1) of Article 23, sub-article (3) of article 24 and sub-article (1) of Article 26 of the Banking Business Proclamation No.592/2008;
g) Sub-article (1) of Article 26 and sub-article (1) of Article 30 of the Insurance Business Proclamation No. 746/2012; and

h) Sub-article (1) of Article 27 and sub-article (3) of Article 29 of the National payment System Proclamation No. 718/2011.

3/ No other law may, in so far as it is inconsistent with this Proclamation, be applicable with respect to matters provided for by this Proclamation.

56. Effective Date
This Proclamation shall enter into force on the date of its Publication in the Federal Negarit Gazette.

Done at Addis Ababa, this 5th day of December, 2014.

MULATU TESHOME (DR.)
PRESIDENT OF THE FEDERAL
DEMOCRATIC
REPUBLIC OF ETHIOPIA