<u>የሚኒስትሮች ምክር ቤት ደንብ ቁጥር</u>

....../፪ሺ፲፬

የነዳጅና ኢነርጂ ባለሥልጣንን አደረጃጀት ስልጣንና ተግባር ለመወሰን የወጣ

የሚኒስትሮች ምክር ቤት ደንብ

የፌዴራል መንግሥት አስፈፃሚ አካላትን አደረጃጀት እንደገና ለመወሰን በወጣው አዋጅ ቁጥር 1263/2014 አንቀጽ 51(1) መሠረት የነዳጅና ኢነርጂ ባለሥልጣን የተቋቋመ በመሆኑ፣

የባለሥልጣኑ አደረጃጀት፣ሥልጣንና ተግባር የሚኒስትሮች ምክር ቤት በሚያወጣዉ ደንብ እንደሚወሰን በዚሁ አዋጅ የተደነገገ በመሆኑ፣

የሚኒስትሮች ምክር ቤት የኢትዮጵያ ፌደራላዊ ዲሞክራሲየዊ ሪፐብሊክ አስፈፃሚ አካላትን ሥልጣንና ተግባር ለመወሰን በወጣው አዋጅ ቁጥር ፩፪፷፫/፪ሺ፲፬ አንቀጽ ፶፩ (፪) መሠረት ይህን ደንብ አውጥቷል፡፡

፩. አጭር ርዕስ

ይህ ደንብ *"የነዳጅና ኢነርጂ ባለሥልጣንን አደረጃጀት፣ ስልጣንና ተግባራት ለመወሰን የወጣ የሚኒስትሮች ምክር ቤት ደንብ ቁጥር.................. /፪ሺ፲፬"* ተብሎ ሊጠቀስ ይችላል፡፡

Council of Ministers Regulation No._________2021

Council of Ministers Regulation for the definition of; the organization, powers and duties of the Petroleum and energy Authority.

WNERE AS: The petroleum and Energy Authority is established by Proclamation No. 1263/2021 Article 51(1) following the re-definition of powers and duties of the Executive Organs of the Federal Democratic Republic of Ethiopia;

WHEREAS; according to the same proclamation it has been decided that the power and duty of the Authority to be determined by the council of Ministers regulation;

THIS REGULATION is issued by the council of ministers pursuant to Article 51(2) of the definition of powers and duties of the executive organs of the Federal Democratic republic of Ethiopia Proclamation No. 1263/2021 determined by the council of Ministers, this regulation is issued.

1) Short title

This regulation may be cited as the; "Definition of Organization, power and duty of the Petroleum and energy Authority No._____ 2021"

፪.ትርጓሜ

በዚህ ደንብ ውስጥ የቃሉ አገባብ የተለየ ትርጉም የሚያሰጠው ካልሆነ በስተቀር፣

፩/ "አዋጅ" ማለት የአስፈፃሚ አካላትን ሥልጣንና ተግባር ለመወሰን የወጣ አዋጅ ቁጥር ፩፪፷፫/፪ሺ፲፬ ነው፤

፪/ "ፈቃድ" ማለት ኤሌክትሪክ ለማመንጨት፣ ለማስተላለፍ፣ ለማሰራጨትና ለመሸጥ፤ወደሃገር ውስጥ ለማስገባት፤ ወደ ዉጪ ለመላክ፣ወይም ለግል ለመጠቀም፤ የኢነርጂ ኦዲት፣የኢነርጂ ብቃትና ቁጠባ ተቋራጭ ወይም የማማከር አገልግሎቶችን ለማከናወን የሚሰጥ የንግድ ሥራ ፈቃድነዉ፤

፫/**"ኢነርጂ"** ማለት ከዉሃ፣ከፀሐይ፣ከነፋስ፣ከጂኦተርማል እንፋሎት ወይም ከሌላ ምንጭ የሚገኝ ኃይል ነዉ፤

፬/ **"የነዳጅ ውጤት"** ማለት ከተፈጥሮ ድፍድፍ ነዳጅ እና ከፔትሮሊየም ጋዝ፣ ባዮ-ፊውል ወይም ሲንተቲክ ነዳጅን ከማጣራት ወይም ከማቀናበር የተገኘ ንፁህ ወይም አግባብ ባለው መንገድ የተደባለቀ የነዳጅ ውጤት ሆኖ ቤንዚንን፤ኬሮሲንን፤ ናፍጣን ፣ቀላልና ከባድ ጥቁር ናፍጣንና የአውሮፕላን ነዳጅን ያካትታል፣

2) Definitions

In this regulation unless the context otherwise requires;

1/ **"proclamation"** means the definition of powers and duties of the executive organs of the Federal Democratic Republic of Ethiopia proclamation No. 1263/2021;

2/ **"License"** means commercial license issued to; generate; transmit, distribute, sale, or for self-use, import and export of electricity to conduct: energy audit, contract in energy efficiency and conservation activities, or in consulting services or other related activities;

3/ **"Energy"** means power obtained from; water, solar, wind, geothermal or from other sources;

4/ **"petroleum products"** means natural crude oil, and natural petroleum gas, biofuel or synthetic petroleum, extracted from crude oil or from blending, or appropriately blended petroleum product like; benzene, gasoil, light and heavy fuel oil, Aeroplan fuel, storing, distributing, selling, transporting, exporting and the like;

፭/ **"የግብይት ተሣታፊ"**ማለት የነዳጅ ውጤቶችን የሚያስመጣ፣ የሚያጣራ፣የሚያደባልቅ፣ የሚያከማች፣ የሚያከፋፍል፣ የሚቸረችር፣ የሚያጓጉዝ፣ የሚልክ እና መሰል ተግባራትን እንዲያከናውን ፈቃድ የተሰጠው ሰው ነው፤

5/ **"Marketing Participants"** means a licensed person who is authorized to perform the functions of importing, refining, mixing, storing, distributing, selling, transporting, exporting and the like;

፮/ **"የብቃት ማረጋገጫ የምስክር ወረቀት"** ማለት ነዳጅና የኤሌክትሪክ ሥራዎችን ለማከናወን የተቋምና የሙያ ብቃትን በማረጋገጥ በባለሥልጣኑ የሚሰጥ የምስክር ወረቀት ነዉ፤

6/ **"Competency Certificate"** means a certificate issued by the Authority that certify the competency of legal entities and professionals intended to engage in petroleum and Electrical works;

፯/ **"ሚኒስቴር"** ማለት የንግድና ቀጠናዊ ትስስር ሚኒስቴር ነው፤

7/ **"Ministry"** means ministry of trade and regional Integration;

፰/ "**ባለሥልጣን**" ማለት የነዳጅና ኢነርጂ ባለስልጣንነዉ፤

8/ **"Authority"** means Petroleum and Energy Authority;

9/ **"ግሪድ"** ማለት የኤሌክትሪክ ኃይል ከማመንጫ ጣቢያ ተነስቶ ለደንበኞች የሚቀርብበት የማገናኛ ቦታዎችን ጨምሮ የተያያዘዉ የማስተላለፊያና ማከፋፈያ ሥርዓት ነዉ፣

9/ **"Grid''** Means the network of transmission and distribution systems and connection points for the flow and supply of electrical energy from generating stations to customers.

፲/ **“ኮድ”** ማለት በባለሥልጣኑ መመሪያ የተደነገጉ የኤሌክትሪክ ሥራዎችን፣የኃይል አቅርቦት ወይም የአገልግሎት አሰጣጥ ደረጃዎችን የሚመለከቱ የሥርዓቶችና የአሠራሮች ስብስብ ነዉ፣

፲፩/ **“ፈንድ”** ማለት በኢነርጂ ብቃትና ቁጠባ ተግባር ላይ ለተሰማሩ ብድርና ድጋፍ ለመስጠት አላማ በኢነርጂ አዋጅ ፰፻፲ ፪ሺ ፮ አንቀጽ (፳፫) የተቋቋመ ከተለያዩ ምንጮች የሚሰበሰብ ገንዘብ ነዉ፡፡

፲፪/ “**ባለአደራ ወኪል**” ማለት ከፈንዱ ልዩ ልዩ ምንጮች የሚሰበሰበውን ገንዘብ እንዲያስቀምጥ፣ በባለሥልጣኑ ትእዛዝ ብድር እንዲሰጥና ተከፋይ ገንዘብንም እንዲቀበል የተወከለ ማንኛውም የፋይናንስ ተቋም ነው፣

፲፫/ **“ፓናል”** ማለት ባለስልጣኑ የሚያከናውቸው በባሕሪያቸው ጥልቅ የሆነ እውቀትና ክህሎትን የሚጠይቁ ጉዳዮች ላይ ሙያዊ እይታንና ምክር ሊሰጥ የሚችል
በግዜያዊነት የሚቋቋም ከተለያየ ዘርፍ የተውጣጣ የባለሙያ ስብስብ ማለት ነው፡፡

፲፬/ **“ሰው”** ማለት ማንኛውም የተፈጥሮ ሰው ወይም በሕግ ሰውነት መብት የተሰጠው ሰዉ ነው፤

፲፭/ ማናቸውም በወንድ ፆታ የተገለፀው የሴትንም ፆታ ያካትታል፡፡

10/ **“code”** means collection of operational rules and procedures concerning; electrical works, power supply, or service standards as approved by the Authority’s directive;

11/ **“Fund”** means the Energy Efficiency and Conservation Fund, established by proclamation 810/2013 Article (23) of the energy proclamation, that shall be utilized for the purpose of providing loans and financial supports to persons involved in energy efficiency and conservation activities;

12/ "**trust agent**" means any represented financial institution that keeps the money collected from various sources of the Fund as well as advances and collects loans upon the order of the Authority;

13/ **“panel”** means group of experts established on temporary basis to provide expert perspective and advise to the Authority on subjects related to the functions of the Authority which requires deep knowledge and expertise.

14/ “Person” means any natural or juridical person;

15/ Any expression in the masculine gender includes the feminine

፫. ዋና መሥሪያ ቤት

የባለሥልጣኑ ዋና መሥሪያ ቤት በአዲስ አበባ ሆኖ እንደአስፈላጊነቱ በማናቸውም ሥፍራ ቅርንጫፍ ሊኖረው ይችላል፡፡

፬. ዓላማ

ባለሥልጣኑ የሚከተሉት ዓላማዎች ይኖሩታል፡-

፩/የነዳጅና ኢነርጂ አቅርቦትና ሥርጭትተደራሽነት፣አስተማማኝነት፣ፍትሐዊነት፣ደህንነትና ኢኮኖሚያዊነትንማረጋገጥ፤

፪/ የነዳጅና ኢነርጂ ብቃትና ቁጠባን እንዲስፋፉ ማስቻል፤

፫/ የነዳጅና ኢነርጂ ዘርፉን ልማትና ተወዳዳሪነት ማስፈን፤

፬/ በቴክኖሎጂ የተደገፈ ዘመናዊና ግልጽነት ያለው የነዳጅና ኢነርጂ የግብይት ስርአት መገንባት፤

፭/የነዳጅና ኢነርጂ ተጠቃሚዎችና የአገልግሎት ሰጪዎችን መብትና ግዴታ ማስከበር፡፡

፭. የባለሥልጣኑ ሥልጣንና ተግባር

ባለሥልጣኑ የህግ ሰዉነት መብት ያለዉ ሆኖ የሚከተሉት ሥልጣንና ተግባራት ይኖሩታል፡-

፩/ በዚህ ደንብ የተሠጡ ሥልጣንና ተግባራትን ለማስፈጸም የሚያስችል ተቋም ደረጃል፣ይገነባል፣መመሪያዎንች ያዘጋጀል፣በነዳጅና በኢነርጂ ዘርፍ የተሟላ የህግ ማዕቀፍ እንዲኖር

3) Head Office

The Authority shall have its head office in Addis Ababa and may have branch offices elsewhere as necessary.

4) Objectives the Authority:

The Authority shall have the following objectives;

1/ Ensure, accessible, reliable, equitable, economical, and safe petroleum and Energy supply and distribution;

2/ Promote petroleum and energy efficiency and conservation;

3/ Promote development competitiveness in the petroleum and energy sector;

4/ Building a modern, transparent and technologically supported petroleum and energy marketing infrastructure;

5/ Enforce the rights and obligations of petroleum and energy consumers and service providers.

5. Powers and duties of the Authority

the Authority is a legal entity which shall have the following powers and duties;

1/ Organize and build institution for the implementation of its duties and responsibilities issued in this regulation; prepare directives, formulate comprehensive legal framework for the

petroleum and energy sector, submit to the appropriate Authority and

ያደርጋል፤ ለሚመለከተዉ አካል ያቀርባል፣ ተግባራዊ ያደርጋል፣በመስኩ የአቅም ግንባታ ተግባራትን ያከናዉናል፤

፪/ በኢነርጂ ዘርፍ ወሰጥ ለሚሰማራ ሰው የንግድ ስራ ፈቃድ ይሰጣል፤ ይቆጣጠራል፤ ያድሳል፤ ያግዳል፤ ይተካል፤ ይሰርዛል፤ አስተዳደራዊ እርምጃ ይወስዳል፣ በነዳጅና በኢነርጂ ዘርፍ ለሚሰማራ ሰዉ የተቋምና የሙያ ብቃት ማረጋገጫ የምስክር ወረቀት ይሰጣል፤ ያድሳል፤ ይተካል፣ ያግዳል፤ ይሰዛርል፣

፫/ በብሔራዊ ግሪዱ ውስጥና ከብሄራዊ ግሪድ ውጪ ለሚሰጥ የኤሌክትሪክ አገልግሎት የታሪፍ ጥናትና አወሳሰን መመሪያ ያዘጋጃል፣ ይወስናል ፤በባለፈቃዱ የቀረበለትን ረቂቅ የግሪድና ከብሄራዊ ግሪድ ውጪ የኤሌክትሪክ ታሪፍ በመገምገም ይወስናል ፣አፈፃፀሙንም ይቆጣጠራል፤

፬/ የነዳጅ ውጤቶች የዋጋ ግንባታና የግብይት ተሳታፊዎች የትርፍ ህዳግ መመሪያ ያዘጋጃል፣ለሚኒስቴሩ ያቀርባል፣ ሲጸድቅም በመመሪያው መሰረት የነዳጅ ውጤቶችን የጅምላና የችርቻሮ መሸጫ ዋጋ፣የግብይት ተሳታፊዎች የትርፍ ህዳግ እና የትራንስፖርት ታሪፍ ጥናት በማድረግ የውሳኔ ሀሰብ ለሚኒስቴሩ ያቀርባል፣ ሲወሰንም ተግባራዊ ያደርጋል፤

፭/ የነዳጅና ኢነርጂ ዘርፍን የረጅም፣ የመካከለኛና የአጭር ጊዜ የብቃትና ቁጠባ ስትራቴጂና ፕሮግራም በአገር አቀፍ እንዲሁም በዘርፍ ደረጃ ያዘጋጀል፣ እንዲተገበር ያደርጋል አፈፃፀማቸውን ይከታተላል፤ይገመግማል፤

implement. Undertake capacity building in the sectors.

2/ For a person intending to engage in the energy sector; issue business license, regulate, renew, suspend, replace, revoke, impose an administrative penalty. Issue, renew replace and suspend competency certificate to persons and firms intending to engage in petroleum and energy sector;

3/ Prepare directive for tariff study determination in the national grid and in the off grid for electricity services and approve. Evaluates on grid tariff and off grid tariff application by licensees, approve and regulate its implementation

4/ Prepare petroleum products; wholesale and retail price, profit margins and transportation tariffs of market participants, and submit tariff Directive to the Ministry and upon approval based on the Directive study petroleum products wholesale and retail price, profit margins and transport tariff of market participants for submission to the Ministry and follow-up the implementation upon approval;

5/ Prepare long term, medium- and short-term energy efficiency and conservation strategy and program, cause the implementation there of and review and monitor;

6) የነዳጅና ኢነርጂ ብቃትና ቁጠባ፣ ጥናትና ምርምር፣ ልማትና ሠርቶ ማሳያ ተግባራትን ያከናውናል፣የቁጠባ ባህልን ያስፋፋል፣ያስተባብራል፤እንዲሁም በቴክኖሎጂ ሽግግርና በአቅም ግንባታ ዙሪያ ከሀገራዊ፤ አህጉራዊና ዓለም አቀፋዊ የሥልጠና ተቋማት ጋር በመተባበር ይሰራል፤

6/ Promote and coordinate petroleum and energy efficiency and conservation research, demonstration centers, technology transfer. Cooperate and work with regional and international training and capacity building institutions and promote efficient use culture;

7) የኢነርጂ ኦዲት ኮድ፣ የኢነርጂ ብቃት ደረጃዎች ኮድ፣ የብሔራዊ ግሪድ ኮድ፣የደንበኞች አገልግሎት አሠጣጥ ኮድ፣የኤሌክትሪክ መስመር ዝርጋታ ኮድ፣ የኢንስፔክሽን ኮድ፣ የኃይል አቅርቦት ጥራት ደረጃ ኮድ፣እና የኃይል አቅርቦትና አሠራር ኮዶችን ያወጣል አፈፃፀማቸውንም ይቆጣጠራል፤

7/ Issue; energy audit code, efficiency standard code, national grid code, customers service code, electrical installation code, inspection code, service quality standard code, technical standard code, and other codes and follow-up their implementation

፰/ በነዳጅና ኢነርጂ ዘርፍ የሚተገበሩ የቁጥጥር የአሠራር ስታንደርዶችንና ኮዶችን ፤ በዘመናዊ ቴክኖሎጂ የተደገፉ እንዲሆኑ የቴክኖሎጂ መሠረተ ልማት ይዘረጋል፣እንዲዘረጋ ያደርጋል፣ ተግባራዊነቱንም ይቆጣጠራል፣

8/ To ensure that the regulatory systems and procedures of the petroleum and energy sectors are supported by modern technology, deploy, cause the deployment of technology infrastructure and regulate its implementation.

፱/ የኤሌክትሪክ ኃይል ግዢ እና የኤሌክትሪክ ኔትወርክ አገልግሎት ስምምነቶችን ያጸድቃል፤

9/ Approve power purchase and electrical network service agreements;

፲/ የነዳጅና ኢነርጂ ጥራትና ብቃት ፍተሻ ላብራቶሪዎችን ያቋቁማል፣ የፍተሻ ሥርዓቶችን በማውጣት ይተገብራል፤ዉጤታማነቱን በልኬት ያረጋግጣል፣

10/ Establish laboratories for petroleum and energy efficiency testing, issue and implement testing procedures; verify the result through measurement፤

፲፩/ የነዳጅና ኢነርጂ ብቃት፣ጥራትና ቁጠባ ሥራዎችን ዉጤታማነት በልኬት ያረጋግጣል፣

፲፪/ ከነዳጅና ኢነርጂ አቅርቦት፤ስርጭትና አጠቃቀም ጋር የተዛመዱ መረጃዎችን ይሰበስባል፣ ይተነትናል፣ ያደራጃል ያሰራጫል፣

፲፫/ የኢነርጂ ብቃትና ቁጠባ ፈንድ ገቢ ይሰበስባል፣

፲፬/ የነዳጅ ውጤቶች አቅርቦትና የስርጭት ተደራሽነትና ፍትሃዊነት ለመቆጣጠር የሚያስችል የአሰራር ስርአት ይዘረጋል፣ በተዘረጋው ስርአት መሰረት መከናወኑን ይከታተላል፣ ይቆጣጠራል፣

፲፭/ አግባብ ካለው አካል ጋር በመመካከር የነዳጅ ውጤቶች እና የኢነርጂ የመገልገያ መሳሪያዎች አስገዳጅ የኢትዮጵያ ደረጃ እንዲወጣላቸው ያደርጋል፣ አፈፃፀሙንም ይቆጣጠራል፣ የነዳጅ ውጤቶች ማከማቻ፣ ማጓጓዣ እና ማከፋፈያ ተቋማትን ደረጃ ይወስናል፣

፲፮/ በነዳጅና ኢነርጂ ዘርፍ የግብይት መሰረተ ልማትና የሎጀስቲክስ አቅሞች እንዲገነቡ ድጋፍ ያደርጋል፣

፲፯/ ከነዳጅ ማከፋፈያ ኩባንያዎች ለራስ ፍጆታ ቀጥተኛ ገዢ የሆኑ ተቋማት የሚያቀርቡትን የነዳጅ ጥያቄ በመገምገም የአገልግሎቱ ተጠቃሚ እንዲሆኑ ይፈቅዳል፣አዳዲስ ማደያዎችና የነዳጅ ዴፖዎች ተገንብተው ወደ ስራ ለመግባት ዝግጁ መሆናቸውን በማረጋገጥ የነዳጅ ግዢ አገልግሎት እንዲያገኙ ያደርጋል፤

11/ Confirm in measured terms effectiveness of petroleum and energy efficiency activities;

12/ Collect data and information related to petroleum and energy supply, distribution, and utilization and organize, analyze and disseminate;

13/ Collect income of the energy efficiency and conservation fund;

14/ Shall establish systems to regulate the equitable the accessibility, and distribution of petroleum products and follow-up and regulate its implementation.

15/ In consultation with the appropriate body, it shall establish a mandatory Ethiopian standard for petroleum products and energy using appliances and shall monitor its implementation. Shall determine institutional standards for storing transporting and distributing petroleum products,

16/ Support the development of adequate market and logistical infrastructure for energy and petroleum products.

17/ Review the direct bulk fuel purchase request for self-use of institutions from petroleum distribution companies and grant them permits as appropriate. Grant support for newly built retail fuel service providers/ stations upon confirming their state of readiness for the service

፲፰/የነዳጅ መቅጃና መሥፈሪያ መሳሪያዎችን እና የነዳጅ ማጓጓዣ ቦቴዎችን የመያዝ አቅም ትክክለኛነት ይቆጣጠራል፣ አስፈላጊውን የማስተካከያ እርምጃም ይወስዳል፣

፲፱/ በነዳጅና ኢነርጂ ዘርፍ በተሰማሩ ወገኖች መካካል ከህጋዊ የስራ ግንኙነታቸው አንጻር አለመግባባት ሲከሰትና ጉዳያቸውም በባለስልጣኑ እንዲታይላቸው ሲያመለክቱ የግልግልና የእርቅ አፈታቱ በአዋጅ ቁጥር ፲፪፻፴፯/፪ሺ፲፫ መሠረት እንዲፈፀም ያስተባብራል፣

፳/ ባለሥልጣኑ እንደአስፈላጊነቱ የተሰጡትን ተልእኮዎች ለማሳለጥና ሙያተኮር እዕታ በመስጠት በስራው ላይ እገዛ ለመስጠት የሚችሉ ልዩ ልዩ ከውስጥ ሰራቶኞቹና ከውጪ የተውጣጡ የባለሙያዎች ፓነናሎችን ያቋቁማል፣ ሥራቸዉንም በሚፀድቁ ፤ መመሪየዎችና፤ አሰራሮች መሠረት እንዲያከናውኑ ያደርጋል፣

፳፩/ ለሚሰጣቸው አገልግሎቶች በመንግሥት በሚወሰን ተመን መሠረት የአገልግሎት ክፍያ ያስከፍላል፣የዘርፉን አገልግሎት አቅራቢዎችንና ተገልጋዮችን መብትና ግዴታ አፈፃፀሙንም በክትትል ያረጋግጣል። ጉድለት ለታየባቸው ሁኔታዎች የማስተካከያ ሥራዎች እንዲከናወኑ ያደርጋል።

18/ Regulate the accuracy of fuel pumps and fuel meters and volume capacity of fuel transportation tankers and take appropriate corrective actions.

19/ When disputes arise among those working in the energy and petroleum sector regarding their legal relationship and if the parties prefer to put a request to the Authority for its resolution, the Authority shall coordinate the resolution of the dispute in accordance with the Arbitration proclamation No.1237/2021.

20/ The Authority as may be necessary, shall establish panels from within and outside its structure, to assist the Authority by providing professional perspectives to expedite its mission. The Authority shall cause the committee to perform on bases of approved regulations, directives, codes,

21/ Collect service fee for the regulatory services in accordance with the approved fee structure by the government.
Confirm in a follow-up measures implementation of rights and obligations of service providers and consumers in the sector. Take appropriate corrective measures wherever gaps is observed.

፳፪/ዓላማውን ከግብ ለማድረስ የሚረዱ ሌሎች ተግባራትን ያከናዉናል፣

፮. የባለሥልጣኑ አቋም

ባለሥልጣኑ፡-

፩/ በሚኒስቴሩ የሚመደብ አንድ ዋና ዳይሬክተርና፣እንደአስፈላጊነቱ ምክትል ዋና ዳይሬክተሮች፣

፪/ ከሚቆጣጠራቸው ዘርፎች ባህርይ ጋር የሚመጥን አደረጃጀት፣መዋቅርና ለሥራው አስፈላጊ የሆኑ ሠራተኞች፣ ይኖሩታል፡፡

፯. የዋና ዲይሬክተሩና የምክትል ዋና ዳይሬክተሮች ስለሚመደብበትና ከሃላፊነት ስለሚሰናበቱበት ሁኔታ፣

፩)ዋና ዳይሬክተሩና ምክትል ዋና ዳይሬክተሮች አግባብነት ያለው የትምህርት ዝግጅትና የሥራ ልምድን መሠረት ባደረጉ መስፈርቶች በሚኒስቴሩ ይመደባሉ፤

፪)ዋና ዳይሬክተሩንና ምክትል ዋና ዳይሬክተሮችን ለመመደብ ተፈላጊ የሆኑ የትምህርት ዝግጅትና የስራ ልምድ መስፈርቶች እንዲሁም ከሃላፊነት ስለሚሰናበቱበት ሁኔታ ሚኒስቴሩ መመሪያ መሰረት ይወሰናል፡፡

፫/የዋና ዳይሬክተርና የምክትል ዋና ዳይሬክተሮች የሥራ ዘመን አምስት ዓመት ይሆናል፣ ሆኖም ለተጨማሪ የሥራ ዘመን ለአንድ ጊዜ እንደገና ሊራዘም ይችላሉ፤

22/ Perform other activities in support of to achieving its stated objectives

6. Organization of the authority

The Authority shall have;

1/ A Director General to be appointed by the Ministry and as appropriate deputy directors,

2/ It will have its own organizational structure compatible with the nature of the industry it regulates and staff.

7. Assignment of the Director General and Deputy Director Generals and dismissal conditions

1/ The Director General and Deputy Directors shall be appointed by the Minister taking in to consideration relevant educational background and work experience.

2/ Required educational preparation and work experience shall be determined in accordance with the Directive to be issued by the Ministry.

3/ The term of office for Director general and deputy general director shall be five years; provided however, that he may be reappointed once for additional office term.

፬/ የዋና ዳይሬክተርና የምክትል ዋና ዳይሬክተሮች ከሃላፊነት ስለሚሰናበቱበት ሁኔታ

ሀ) በአዕምሮ ህመም ወይም በአካል ጉድለት ምክንያት ሥራዉን ማከናወን ካልቻለና ይህም በሃኪም ሲረጋገጥ፣

ለ) በማስረጃ በተረጋገጠ የስነምግባር ጉድለት፤

ሐ) የአቅም ውስንነት ያለበት መሆኑ በመንግሥት ሲታመን፣

መ) በራሱ ፈቃድ ለመልቀቅ ሲያመለክት፣

4. Dismissal conditions of the Director General and the Deputy Directors Generals

a/ Mental or physical disabilities deterring him/her from conducting the function and if such confirmed by a physician.

b/For known and evidential ethical problem.;

c/When the government believes he has capacity limitations

d/upon submission of a resignation application.

፰/ የዋና ዳይሬክተሩ ሥልጣንና ተግባር

፩) ዋና ዳይሬክተሩ የባለሥልጣን መስሪያ ቤቱ ዋና ስራ አስፈጻሚ ይሆናል ስራዎቹንም በኃላፊነት ይመራል፣ያስተዳድራል፣

2) የዚህ አንቀፅ ንዑስ አንቀፅ (1) አጠቃላይ ድንጋጌ እንደተጠበቀ ሆኖ ዋና ዳይሬክተሩ፡-

ሀ) በዚህ ደንብ አንቀፅ ፭ የተጠቀሱትን የባለሥልጣኑን ሥልጣንና ተግባራት በሥራ ላይ ያውላል፤

ለ) በሚንስቴሩ በሚፀደቅ የአስተዳደር መመሪያና በመንግሥት በሚፀደቅ የደመወዝ እስኬልና ጥቅማጥቅም መመሪያ መሠረት የባለሥልጣኑን ሠራተኞች ይቀጥራል ያስተዳድራል፡፡

8 . Powers and Duties of the Director General

1. The Director General shall be the chief executive officer of the Authority and shall direct and administer the activities of the authority.

2.Subject to sub article (1) of this article. The Director General shall;

a) Exercise the power and duties of the Authority referred to in article (5) of this regulation;

b/ Recruit and administer the Authority’s staff in accordance with the directives to be approved by the Board.

c/ Prepare and submit the annual budget and work plan of the Authority and implement same upon approval by the Board,

ሐ) የባለሥልጣኑን ዓመታዊ ዕቅድ እና በጀት አዘጋጅቶ በመንግስት ያቀርባል፣ሲፀድቅም ይተገብራል፤

መ) ለባለሥልጣኑ በተፈቀደው በጀትና የሥራ ፕሮግራም መሠረት ገንዘብ ወጪ ያደርጋል፤

ሠ) ከሶስተኛ ወገኖች ጋር በሚደረጉ ግንኙነቶች ባለሥልጣኑን ይወክላል፤

ረ) አመታዊ ዕቅድና በጀት፤ የስራ አፈጻጸምና የፋይናንስና የኦዲት ሪፖርቶችን ለሚኒስቴሩና ለሚመለከታቸው ሌሎች አካላት ያቀርባል;

፫/ ዋና ዳይሬክተሩ ለባለሥልጣኑ ሥራ ቅልጥፍና ውጤታማነት አስፈላጊ ሆኖ ሲያገኘው ሥልጣንና ተግባሩን በከፊል ለባለሥልጣኑ ሌሎች የሥራ ኃላፊዎችና ለሌሎች አካላት በውክልና ሊሰጥ ይችላል፤

፱. የምክትል ዋና ዳይሬክተሮች ሥልጣንና ተግባር

፩/ ምክትል ዋና ዳይሬክተሮች ተጠሪነታቸው ለዋናው ዳይሬክተር ይሆናል፣

፪/ ዋና ዳይሬክተሩ በማይኖሩበት ጊዜ ወይም ሥራውን ለማከናወን ባልቻለበት ጊዜ ከምክትል ዋና ዳይሪክተሮች አንዱ ተክቶ ይሰራል፣

፫/ ዋና ዳይሬክተሩ በሚሰጣቸው የሥራ ትእዛዝ መሠረት የባለሥልጣኑን

d) Prepare and the annual action plan and budget of the Authority to the government and implements upon approval

e) Authorizes payments in accordance with approved budget and work plan.

f/ Represents the Authority in third party engagements.

g/ Submit the Authority's Annual; finance, performance and audit report to the Ministry and other concerned parties.

3/ The Director, whenever deemed necessary for the expediency and outcome of the functions of the Authority, shall delegate partially partial his power and responsibilities to his subordinates and to other bodies.

9/ Powers and duties of the Deputy Director General

1) The deputy Director shall be accountable to the Director General,

2) In the absence of the Director General or when the Director general is unable to carry out his functions, the Deputy Director shall replace his responsibility

3) Deputy Director in accordance with the direction to be provided by the Director General, shall plan, organize, coordinate and lead the Authority's functions.

ተግባራት በማቀድ፣ በማደራጀት፣ በመምራትና በማስተባበር ይሰራሉ፣

፲. ገቢና በጀት

፩/ ባለሥልጣን መ/ቤቱ በራሱ የውስጥ ገቢና በጀት የሚተዳደር ይሆናል፣

፪/ የባለሥልጣኑ የገቢ ምንጮች፣

ሀ) ለሚሰጠው የቁጥጥር አገልግሎት ከደንበኞች (ከአገልግሎት ተጠቃሚዎች) ከኤሌክትሪክ ሽያጭ ላይ የሚታሰብና በመንግስት በሚወሰን ተመን መሠረት የሚሰበሰብ ፣

ለ) ለሚሰጠው የቁጥጥር አገልግሎት ከደንበኞች (ከአገልግሎት ተጠቃሚዎች) ከነዳጅ ሽያጭ ላይ የሚታሰብና በመንግስት በሚወሰን ተመን መሠረት የሚሰበሰብ

ሐ) ከፈቃድ እና ከብቃት ማረጋገጫ የአገልግሎት ክፍያዎችና ከቅጣት የሚሰበሰብ ፣

መ) ለባለሥልጣኑ ዓላማዎች ከልማት አጋሮች ሊሰጡ የሚችሉ ገንዘቦች፣

ሠ) በባለሥልጣኑ ከተያዘ ከማንኛውም የባለቤትነት ወለድ የሚመነጭ ማንኛውም ገቢ ተንቀሳቃሽም ሆነ የማይንቀሳቀስ፣እና

ረ) ከባንክ ተቀማጭ ገንዘብ የሚገኝ ወለድ፣

10/ Revenue and budget

1. The Authority shall be administered by its own internal revenue and budget.

2. The Authority's Sources of revenue;

a) From the regulatory service fee which is collected from electricity sold to customers (collectable from customers) and the rate shall be determined by the government;

b) From the regulatory service fee which is collected from petroleum sold to customers per liter (collectable from customers); and the rate shall be determined by the government;

c) Collections from license fees and certification service fees and penalties

d) Finance from dev elopement patterners dedicated to support the objectives of the Authority

e) Any interest income arising from the authority’s ownership or holdings of fixed or movable assets;

f/ Interest arising from any deposits

3/ በዚሁ አንቀጽ ንዑስ አንቀጽ ፪/ ሀ እና ለ የተጠቀሰው የቁጥጥር አገልግሎት ክፍያ በነዳጅ ዋጋና በኢነርጂ ታሪፍ ግንባታ ውስጥ ተካቶ የሚሰላና የሚሰበሰብ ይሆናል፣

፬/ የባለስልጣኑ የገቢ አሰባሰብና የበጀት አስተዳደር ገንዘብ ሚኒስቴር በሚያወጣው መመሪያ መሰረት ይፈጸማል፣

፭/ በአንቀጽ ፲(፪) የተገለጸው ቢኖርም በዚሁ መሠረት የተጠቀሠዉው መመሪያ ወጥቶ ወደ ሥራ እንዲገባ እስከሚፈቀድ ደረስ የባለሥልጣኑ በጅት ከመንግሥት የሚመደብ ይሆናል፡፡

3/The regulatory fee defined in sub-Article 2, A and B of this Article shall be constituted in the petroleum and energy tariff framework and accordingly computed and collected.

4/ The Authorities revenue collection and budget administration shall be affected per the Directive of Ministry of Finance.

5/ Without prejudice to the provision on sub-Article 2, until up to its implementation via a directive to be issued, the budget of the Authority shall be allocated by the government

፲፩. የሂሣብ መዛግብት

፩/ ባለሥልጣኑ የተሟሉና ትክክለኛ የሆኑ የሂሣብ መዛግብቶችን ይይዛል፤

፪/ የባለሥልጣኑ የሂሣብ መዛግብትና ገንዘብ ነክ ሠነዶች በውስጥ ኦዲተርና በዋና ኦዲተር ይመረመራሉ፡፡

11. Accounting records

1. The authority shall keep complete and accurate book of accounts.

2. The book of accounts and financial documents of the authority shall be audited annually by the internal auditor and by the auditor general.

፲፪. ደንቡ የሚጸናበት ጊዜ

ይህ ደንብ በፌደራል ነጋሪት ጋዜጣ ታትሞ ከወጣበት ቀን ጀምሮ የጸና ይሆናል፡፡

አዲስ አበባ ………………….. ቀን ፪ሺ፲፬ ዓ.ም

ዐቢይ አህመድ (ዶ/ር)

የኢትዮጵያ ፌደራላዊ ዲሞክራሲያዊ ሪፐብሊክ ጠቅላይ ሚኒስትር

12 Effective date

This regulation shall enter to force on the date of publication in the federal Negarit Gazeta

Done at This regulation shall enter to force on the date of publication in the federal Negarit Gazeta

Done at Addis Ababa ……….2021

Abey Ahemed (PHD)

PRIME MINSTER OF THE FEDRAL GOVERNMENT OF ETHIOPIA