

# ፌዴራል ነገሥት ሀገር

## FEDERAL NEGARIT GAZETA

OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

አሥራስድስተኛ ዓመት ግንባታ ዓ.ም  
አዲስ አበባ ነሐሴ 0 ቀን 2010 ዓ.ም

የኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ጠቅላይ ሚኒስትር  
የሕዝብ ተወካዮች ምክር ቤት ጠባቂነት የወጣ

16<sup>th</sup> Year No. 49  
ADDIS ABABA 16<sup>th</sup> August, 2010

**የሀገር**  
xêJ ግንባታ 6) 5/2010 ስ.ጠ  
yNGD x\%Rና የሽያጭ ጥበቃ xêJ ...  
ገጽ 514)2

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**xêJ ግንባታ 6) 5/2010**  
**yNGD x\%Rና የሽያጭ ጥበቃ xêJ**

yNGD | % xgገት\$ bMTktIW yné gbĀ  
x!÷ñ, ±!s! m\RT tgb!WN x\%R tk  
ትሎ መካሄድ ስላለበት፤

yNGÇN ^BrtsB kir-WDDR XĀ tgb!  
ካልሆኑ የገበያ ተግባራት፣ እንዲሁም ሽያጭን  
k, ĀúSt\$ ygbĀ h#e-āC y, k\$KLĀ Iné  
gbĀ WDDR xmchT ĀIW | R>T ¥SfN  
xSf\$g! ርñ bmgβt\$

የንግድ እንቅስቃሴዎች ማደግን ተከትሎ የሽያጭን  
ጤንነትና ደህንነትን አደጋ ላይ የሚጥሉ የንግድ ዕቃዎች  
ችንና አገልግሎቶችን መስፋፋት ለመግታት እንዲቻልና  
ደህንነታቸውንና ለጤና ተስማሚ መሆናቸውን በዘላቂነት  
ለማረጋገጥ ተጠቃሚዎች ላወጡት ዋጋ ተመጣጣኝ  
የሆኑ የንግድ ዕቃዎችና አገልግሎቶች ማግኘት የሚችሉ  
በትን ሁኔታ ማመቻቸት በማስፈለጉ፤

yz!HN xêJ tfÉ, nT |¥rUg\_ የአስፈ.  
የሚነትና yĀ"nT tGÆ%TN |¥kĀwN `§ōnT  
y, ñ%cW አካላትን ስልጣንና ተግባር መወሰን  
xSf\$g! ጠርቆ SI -mnbt፤

bx!T×ūĀ ØĀ%\$ēĀ Ā!äK%\$!ĀēĀ ገጥቢ ጠቅ  
?g-mNG| T xNq{ \$5(1) m\RT y, k  
tIW -W©LŴ

**PROCLAMATION NO. 685/2010.**

**TRADE PRACTICE AND CONSUMERS' PROTECTION PROCLAMATION**

Whereas, it is necessary that commercial activities must be undertaken in accordance with appropriate practices based on free market economic policy of the country;

Whereas, it is desirable to protect the business community from anti-competitive and unfair market practices, and also consumers from misleading market conducts, and to establish a system that is conducive for the promotion of competitive market;

Whereas, it is necessary to prevent the proliferation of goods and services that endanger the health and well being of consumers, following the expansion of commercial activities, and to ensure their safeness and suitability to human health in a sustainable manner, and to create the possibility that consumers get goods and services equivalent to the price they pay;

Whereas, it is found important to determine the powers and duties of organs that will be in charge of the responsibility to carry on executive and judiciary activities in order to ensure the implementation of this Proclamation;

Now therefore, in accordance with Article 55(1) of the Constitution of the Federal Democratic Republic of Ethiopia it is hereby proclaimed as follows:

አንጻር ይህ  
Unit Price

ነገሥት ሀገር ፌዴራል ጠቅላይ ሚኒስትር  
Negarit G. P.O.Box 80001

**KEL xND**  
**«QSS DNUq:ፎC**

**1/ x+R R:S**

YH xêJ "yNGD x\%Rና የሽማቸች ጥበቃ  
xêJ q\$R 6)' 512ሺ.2" tBI 0 !!- qS  
YC\$LY

**2. T R Ü »**

y" I# xgÆB I\$ TRg#M y, ሌs- W  
ካልሆነ በስተቀር በz!H xêJ ውስጥ:-

1/ "m\r-êf yNGD : " wYM xgLGI 0T"  
¥IT bgbÃ \$Y X\_rT bmf- "  
MKNÁT tgb! ለLçn yNGD | % !!ÅSk  
TL y, CL k1¥ቸች yy:IT F\$g0T UR  
ytgÄß የንግድ : " wYM xgLGI 0T nW፤

2/ "m\r-êf ግልጋላ 0T" ¥IT XNd  
yW1/2 ymB%T `YL1/2 ySLK XÄ  
3/4S dcK ግልጋሎት nW፤

3/ "ባለሥልጣን" ¥IT bz!H xêJ  
bxNq{ " 1 m\rT 3/4} sSS የንግድ  
አሰራርና የሽማቸች ጥበቃ ባለሥልጣን  
nW፤

4/ "ሽማቸ" ማለት Ków]ካ ፡ ሌU SMF  
KS g0 dÄJ " ዋጋውን ራሱ ወይም ሌላ  
ሰው የሚከፍልለት ሆኖ ለራሱ ወይም  
ለሌተሰቡ ፍጆታ የሚሆን የንግድ ዕቃ  
ወይም አገልግሎት የሚገዛ የተፈጥሮ ሰው  
ነው፤

5/ "ነጋዴ" ማለት የሙያ ሥራው አድርጎ  
ጥቅም ለማግኘት ሲል በንግድ ሕጉ  
አንቀፅ 5 የተዘረዘሩትን ሥራዎች  
የሚሠራ ወይም አገልግሎት የሚሰጥ  
ወይም የንግድ ሥራ ነው ተብሎ በሕግ  
የሚወሰነውን ሥራ የሚሰራ ማንኛውም  
ሰው ነው፤

6/ "የንግድ ሥራ" ማለት በዚህ አንቀጽ ንዑስ  
አንቀጽ /5/ በተተረጎመው መሠረት  
ነጋዴ የሚሠራው ሥራ ነው፤

7/ "ተፈላጊ GB>T" ¥IT : " äCNÄ  
xgLGI 0èCN l dNb@0cW b¥QrB  
rgD l twÄÄqäC bEM xSf\$g!  
yçn" bq\$!# wYM XNdLB !!g"  
y¥YCL m\r-t L¥T wYM hBT  
nW፤

**PART ONE**  
**GENERAL PROVISIONS**

**1. SHORT TITLE**

This Proclamation may be cited as "Trade  
Practice and Consumers' Protection Proclamation  
No. 685/2010."

**2. DEFINITIONS**

In this Proclamation, unless the context otherwise  
requires:

1/ "Basic Goods or Services" mean goods or  
services related to the daily need of  
consumers, the shortage of which in the  
market may lead to unfair trade practice;

2/ "Basic Public Utilities" means utilities such as  
water, electricity, telephone and the like;

3/ "Authority" means Trade Practice and  
Consumers Protection Authority established  
pursuant to Article 31 of this Proclamation;

4/ "Consumer" means a natural person who buys  
goods and services for his personal or family  
consumption, where the price is being paid  
by him or another person and not for  
manufacture or resale;

5/ "Business Person" means any person who  
professionally and for gain carries on any of  
the activities specified under Article 5 of the  
Commercial Code, or who dispenses  
services, or who carries on those commercial  
activities designated as such by law;

6/ "Commercial Activity" means any activity  
carried on by a business person as defined  
under sub article (5) of this Article;

7/ "Essential Facility" means an infrastructure or  
resource that cannot easily or reasonably be  
found, and which is very important to  
competitors in order to supply their goods  
and services to their customers;

- 8/ "yNGD : " ልC" ማለት kጻናቸWWM >YnT gNzBና ገንዘብነት ካላቸው ሰነዶች በስተቀር ጻናቸWWM የሚገዙ ወይም ሃሚ<sup>1</sup>-# ወይም ሃሚክራዩ ወይም በሌላ ሁኔታ በሰዎች መካከል yNGD | %። ሃሚkጻWንጅCW ሃ. NqúqS# : " ልC ማለት nW፤
- 9/ " ኃ n!StR" wYM " ኃ n!STR" ማለት yNGDጎ x!NፍSTገገ ኃ n!StR wYM ኃ n!STR nW፤
- 0/ "sW" ማለት ytf\_é sW wYM b?G ysWnT mBT yts- ው አካል ነው፤
- 01/ "xgLG!ፀT" ማለት dmwZ wYM yqN ፺ ልt፶ Kፑ ልፍn፶ gb! ሃ. ልSg" ማለት N፶WWM xgLG!ፀT ymS- T NGD | %። nW፤
- 02/ "ተገቢ ያልሆነ የንግድ ሥራ" ማለት ንግድን የሚመለከት ፶ሕግ ድንጋጌዎችን የሚጥስ ጥ " - - U ድርጊት ነው፤
- 03/ "ቢሮ" ማለት የክልል ንግድና ኢንዱስትሪ ቢሮ ወይም ሌላ የሚመለከተው ቢሮ ነው፤
- 04/ "አስመጪ" ማለት የንግድ ዕቃዎችን በየብስ ወይም በባህር ወይም በአየር ከውጭ ሀገር ወደ ኢትዮጵያ የሚያስመጣ ሰው ነው፤
- 05/ "ላኪ" ማለት የንግድ ዕቃዎችን በየብስ ወይም በባህር ወይም በአየር ከኢትዮጵያ ወደ ውጭ ሀገር የሚልክ ሰው ነው፤
- 06/ "የጅምላ ሻጭ" ማለት የንግድ ዕቃዎችን ከአምራች ወይም ከአስመጪ ገዝቶ ለቸርቻሪ የሚሸጥ ማንኛውም ሰው ሲሆን አምራች ወይም አስመጪ የንግድ ዕቃዎችን ለቸርቻሪ ወይም ለጅምላ ሻጭ ሲሸጥ በጅምላ ንግድ ውስጥ እንደተሳተፈ ይቆጠራል፤
- 07/ "የቸርቻሮ ሻጭ" ማለት የንግድ ዕቃዎችን ከጅምላ ሻጭ ወይም ከአምራች ወይም ከአስመጪ ገዝቶ ለሸማች ወይም ለተጠቃሚ የሚሸጥ ማንኛውም ሰው ሲሆን ጅምላ ሻጭ ወይም አምራች ወይም አስመጪ የንግድ ዕቃዎችን ለሸማች ወይም ለተጠቃሚ ሲሸጥ የቸርቻሮ ንግድ ውስጥ እንደተሳተፈ ይቆጠራል፤

- 8/ "Goods" means movable commodities that are being purchased or sold or leased or by which any commercial activity is conducted between persons except monies in any form and securities;
- 9/ "Minister" or "Ministry" means the Minister or the Ministry of Trade and Industry;
- 10/ "Person" means any natural or juridical person;
- 11/ "Service" means any commercial dispensing of service for consideration other than salary or wages;
- 12/ "Unfair Trade Practice" means any act in violation of provisions of trade related Laws;
- 13/ "Bureau" means regional state trade and industry bureau or another appropriate bureau;
- 14/ "Importer" means any person who imports goods from abroad via land or sea or air into Ethiopia;
- 15/ "Exporter" means any person who exports goods abroad via land or air or sea from Ethiopia;
- 16/ "Wholesaler" means any person who sells goods to a retailer after buying them from a manufacturer or an importer, or when a manufacturer or an importer sells goods to a retailer or to a wholesaler is considered to have been engaged in wholesale business.
- 17/ "Retailer" means any person who sells goods to consumers or users after buying them from a wholesaler or a manufacturer or an importer, or when a wholesaler or a manufacturer or an importer sells goods to consumers or users is considered to have been engaged in retail business;

- 08/ "ፀረ ውድድር ወይም የገበያ ውድድርን የሚገድቡ ተግባራት" ማለት ዋጋ በመቀነስ ተመሳሳይ የንግድ ዕቃ ወይም አገልግሎት የሚሸጡ ነጋዴዎችን ኪሣራ ላይ በመጣል ወይም በተመሳሳይ የንግድ ሥራ ላይ የተሰማሩ ነጋዴዎችንና ቴክኖሎጂዎችን በመጠቅለል ወይም ሌሎች ነጋዴዎች ወደ ንግድ እንዳይገቡ በመከላከል ወይም የንግድ ዕቃዎች እና አገልግሎቶች ሻጮች የሚሸጡበትን ዋጋ እንዳይወስኑ በመከላከል ወይም የሽማግሌዎችን ወይም የተጠቃሚዎችን ምርጫ በመገደብ የንግድ ዕቃዎችን ወይም የአገልግሎቶች ሽያጭን ከሌሎች ተመሳሳይ ካልሆኑ የንግድ ዕቃዎች ወይም አገልግሎቶች ሽያጭ ጋር በማያያዝ በንግድ ሥራ ውስጥ የሌሎች ነጋዴዎችን የመወዳደር አቅም የሚገድቡ ተግባራት ወይም በዚህ አዋጅ አንቀጽ 5፣ 01፣ 05 እና ! 1 የተከለከሉት ተግባራት እና የመሳሰሉት ናቸው፤
- 09/ "የማምረት ሥራ" ማለት በኢንዱስትሪ የሚከናወን የመቀመም፣ የመለወጥ፣ የመገጣጠምና የማሰናዳትን ሥራ ይጨምራል፤
- ! / "ደንብ" ማለት ይህን አዋጅ ለማስፈጸም የሚወጣ ደንብ ነው፤
- ! 1/ "የመንግሥት yL፣T DRJ T" ፄI T bመንግሥት የልማት ድርጅቶች xēJ q፲R ! 5፡09)' 4 m\rT yt፲፲m DRJ T wYM h# #M xKS!x፡ñC\$ bፌዴራል mNG| T ytĀz yNGD t፲M ወይም በክልል መንግሥት የሚቋቋም የልማት ድርጅት nW፤
- ! 2/ በዚህ አዋጅ ውስጥ በወንድ ጾታ የተሰጠው የሴትንም ጾታ ያካትታል።

**3. > § ፄ ā C**

- YH xēJ :-
- 1/ የሽማግሌዎችን መብትና ጥቅም የማስጠበቅ፤
- 2/ የንግድ ዕቃ እና አገልግሎት አቅርቦት ለሰው ጤናና ደህንነት ተጭማሪ ሆኖ እንዲገኝ የክትትል ስርአት የመዘርጋት፤
- 3/ አምራቾች ፣ አስመጪዎች፣ አገልግሎት ሰጪዎች እና በአጠቃላይ በንግድ ሥራ የተሰማሩ ነጋዴዎች በተጠያቂነት እንዲሰሩ የማድረግ፤

- 18/ “Anti Competitive or Acts Restricting Market Competition” means acts limiting the competitive capacity of other business persons in commercial activities through acts of putting business persons engaged in selling similar goods and services at loss by reduction of prices or through acts of taking over of businesses and technologies of business persons engaged in similar businesses or through act of restricting the entry of other business persons in to market or through acts of restricting the suppliers of goods and services from determining their selling prices or through the tying of the sale of certain goods and services with the sale of other unlike goods and services by limiting the choices of consumers or users or are the acts prohibited under Articles 5, 11, 15 and 21 of this Proclamation and the like;
- 19/ “Manufacturing Activity” includes any formulation, alteration, and assembling and prefabrication activity carried on by an industry;
- 20/ “Regulation” means regulation issued to implement this Proclamation;
- 21/ “Public Enterprise” means an enterprise established in accordance with Public Enterprises Proclamation № 25/1992 or a business organization whose shares are totally owned by the federal government or public enterprise established by a regional state;
- 22/ any expression in the masculine gender includes the feminine.

**3. OBJECTIVES**

- This Proclamation has the objectives of:
- 1/ protecting consumers rights and benefits;
- 2/ ensuring the suitability of the supply of goods and services to human health and safety and installing a system of follow up;
- 3/ ensuring that manufacturers, importers, service dispensers and persons engaged in commercial activities in general carry on their activities in a responsible way;



6/ የንግድ አሰራርና የሽማግሌ ጥበቃ ባለስልጣን የዳኝነት ስልጣን እና የሚኒስቴሩና የቢሮዎች የአስፈጻሚነት ስልጣን እንደተጠበቀ ሆኖ የዚህ አዋጅ ድንጋጌዎች ስለምግብ፣ መድኃኒትና ጤና ክብካቤ አስተዳደርና ቁጥጥር በወጣው አዋጅ ቁጥር 6)1/2ሺ.2 መሠረት ከሚካሄዱ የቁጥጥር ስራዎች እና ከሚወሰዱ እርምጃዎች ጋር በተያያዘ ተፈጻሚነት አይኖራቸውም።

**KEL h#T**  
**የንግድ አሰራር**  
**ምዕራፍ አንድ**

**bb\$YnT ytÄzN gbÄ xl xGÆB m- qM**

**5. S`Q**

፳N¾WM ነጋዴ bGI#M ርn kI፩ፀC UR bm፭N bb\$YnT yÄzWN gbÄ bGL}M ርn bSWR xl xGÆB bm- qM yNGD ሥራ ማካሄድ አይችልም።

**6. TRq#M**

፳N¾WM ነጋዴ bGI# wYM kI፩ፀC UR bm፭N bxND ygbÄ KLL WS\_ êUN wYM I፩ፀC yNGD DRDR h#ፀ- äCN ym፩Ë- R wYM WDDRn y፳- I T wYM bGL} ymgdB ytrUg- አቅም ለI W ርn ktg፱ gbÄWN bb\$YnT Y²L YÆ\$LŸ

**7. yb\$YnTN SI ፳rUg\_**

1¼ xND gbÄ bb\$YnT mÄz#N I ፳rUg\_ ነጋዴው bgbÄW WS\_ ለI W DR፳ wYM I፩ፀC wd gbÄW XNÄYgb# I mkLkL ለI W xQM wYM አግባብነት ያላቸው I፩ፀC mmz¾äC wYM ymmz¾äc\$ \_MrT GMT WS\_ y, gb# g#ÄxC ÄcWŸ

2¼ bxND gbÄ WS\_ yb\$YnT xl I ፳ I T y, ÖI W፤ ytÆI W gbÄ twÄÄŸ ሊሆኑ የሚችሉ ወይም የሚተካኩ የንግድ ዕቃዎችንና xgLG I ፀèCN yÄz sl፭N nWŸ

6/ Without prejudice to the adjudicatory power of Trade Practice and Consumers Protection Authority and the enforcement power of the Ministry and the bureaus, the provisions of this Proclamation may not apply to matters with regard to supervisory activities and measures undertaken in accordance with the Food, Medicine and Health Care Administration and Control Proclamation No. 661/2009.

**PART TWO**  
**TRADE PRACTICES**  
**CHAPTER ONE**

**ABUSE OF MARKET DOMINANCE**

**5. PRINCIPLE**

No business person, either by himself or acting together with others, may carry on commercial activity by openly or dubiously abusing the dominant position he has in the market.

**6. DEFINITION**

A business person either by himself or acting together with others in a relevant market, is deemed to have a dominant market position, if he has the actual capacity to control prices or other conditions of commercial negotiations or eliminate or utterly restrain competition in the relevant market.

**7. ASSESSMENT OF DOMINANCE**

1) A dominant position in a certain market may be assessed by taking in to account the business person's share in the market or his capacity to set barriers against the entry of others into the market or other factors as may be appropriate or a combination of these factors.

2) The market relevant for the assessment of a dominant position is the market that comprises goods or services that actually compete with each other or fungible goods or services that can be replaced by one another.



ከ¼ yxNDN yNGD :” wYM xgLGI 0T xQRiT½ I፩ twÄÄ¶ yçN wYM ÄLçN yNGD :” wYM xgLGI 0T kmqbL UR XNÄ!gÄ” ¥DrG wYM I፩ twÄÄ¶ yçNWN yNGD :” wYM xgLGI 0T b¥kí fL wYM b¥MrT \$Y gdB mÈL½ wYM b7ÿrው k, fI gW yNGD :” wYM xgLGI 0T UR GNß#T KI ¶ W yNGD :” wYM xgLGI 0T G™ UR XNÄ!gÄ” ¥DrG፤

I¼ yNGD :” äCNÄ xgLGI 0èCN xQRiT btmlkt yT ወይም I¥N ወይም bMN h#ፀ- wYM m- N wYM bMN ÁIM êU XNdgÄ SgØ wYM wd W+ መላክ እንዳለበት gdi C” mÈL::

9. **ልዩ ሁኔታዎች**

tgb!nT ÄI WN yNGD >\$¥ kGB I¥D rS bGD I!f}ማቸW y, gቡ፣ bÆH¶ÄcW wú” XÄ bl፩ b¥ÄcWም mNgD I!úk# y¥YCI# መሆኑን በማረጋገጥ የንግድ ሥራን የሚያከናውን ነጋዴ፣ በተለይም:-

1¼ yNGD :” äCNÄ yxgLGI 0èCN \_% TÄ dHNnT m- bQ½

2¼ I፩W twÄÄ¶ ks- W êU wYM ጥቅም ጋር መስተካከል፣ እና

3¼ BqÄ twÄÄ¶ çñ mgßTን½

ከግብ ለማድረስ የረፀመው ተግባር ገበያውን ያለአግባብ ተቆጣጥሯል በሚል አያስጠይቅም::

10. **ተፈላጊ ጉዳዮች**

y, n!STéC MKR bፀT በዚህ ምዕራፍ አንድ ytmlktፕ DNUgፀC tፈ፣ y¥YçN#ፈcWN L¥TN I¥Í - N Y- Q¥I# y, ፩cWN xNÄND የንግድ ስራዎችን b, ÄwÈW dNB XNÄ!wስ# I!ÄdRG YC፩L፶

a) making the supply of particular goods or services dependent on the acceptance of competitive or non competitive goods or services or imposing restrictions on the distribution or manufacture of competing goods or services or making the supply dependent on the purchase of other goods or services having no connection with the goods or services sought by the customer;

b) in connection with the supply of goods or services, imposing such restrictions as where or to whom or in what conditions or quantities or at what prices the goods or services shall be resold or exported.

9. **EXCEPTIONS**

A business person who conducts business to achieve legitimate business purposes, by ensuring that acts he commits are indispensable, decisive by their nature and cannot be achieved in any other ways; in particular:

- 1) maintenance of quality and safety of goods;
- 2) leveling with prices or benefits offered by a competitor; and
- 3) achieving efficiency and competitiveness; shall not be considered as abusing market dominance.

10. **EXEMPTIONS**

The Council of Ministers may specify by regulation, those trade activities which shall be exempted from the application of the foregoing provisions of this Chapter One, when it deems such activities are vital in facilitating economic development.



**ምዕራፍ ሁለት**  
**SMMnèC½ b^BrT y. Āz# xī äC XĀ**  
**ነጋዴዎች**  
**ብቻ ለሀገራቸው አማካኝነት የሚያሳልፏቸው**  
**Wúñ፩C**

**01. መርህ**

yNGD WDDRN y. ĀGD½ y. gDB  
wYM y. Āz# > \$¥ wYM Wm.T ĀI W  
SMMnT ¥DrG½ b^BrT xīM mĀZ  
wYM b¥^bR Wúñ፩ ¥úI F ytklkl  
፡፡

**02. ተግባር**

1% bz!H ምዕራፍ SMMnT y. IW /rG  
b?G tfÉ. nT b!ñrWM ĀYñrWM  
mGĀETN½ b{/#F wYM b" L  
የተፈፀመ ውልን እና የአካሄድ ሥርዓትን  
Y= M%L፡፡

2% bz!H ምዕራፍ b^BrT xīM መያዝ  
¥I T SMMnT b¥YmSL h፡፡-  
bነጋዴዎች መካከል በቀጥታ ወይም  
btzêé፡፡ mNgD byGL y. fiMN  
ተግባር ለመተካት የሚደረግ የተባረኩት  
wYM yTBBR DRg!T nW፡፡

**03. የብድር ልዩነት**

1% y. ktI#T F[#M ytklkl# DRg!èC  
ĀcW፡፡

h% wdg0N GNB#T ĀšcW ነጋዴዎች  
መካከል ከሚከተሉት አንዱ >YnT >\$¥  
wYM W- @T ĀI W SMMnT ¥DrG  
ወይም b^BrT xīM mĀZ wYM  
b¥^bR Wúñ፩ ¥úI F:-

i% bq\_፡፡ wYM btzêé፡፡ መን  
gD èUN mwsN፤

ii% ተመሳጥኖ መጫራት፤

iii% dNb@CN ወይም ygbĀ KLLN  
ወይም MRTĀ >Ā+ N b÷፡፡  
mmdB፤

I % GNB#፡፡cW kšY wd ፡፡C bç' <  
ነጋዴዎች መካከል የሚፈፀም ዓላማው  
wYM W- @ \$ ZQt¾ yCRÒé èU  
mwsN yçn SMMnTY፡፡

**CHAPTER TWO**  
**AGREEMENTS, CONCERTED PRACTICES**  
**AND DECISIONS OF ASSOCIATIONS OF**  
**BUSINESS PERSONS**

**11. PRINCIPLE**

Agreement or concerted practice or a decision by  
an association is prohibited if it has the object or  
effect of preventing, restricting or distorting  
competition.

**12. DEFINITION**

1) For the purpose of this chapter, the term  
agreement includes mutual understanding,  
written or oral contract and operational  
procedures, whether or not legally  
enforceable.

2) For the purpose of this chapter concerted  
practice means a unified or cooperative  
conduct of business persons depicted in a  
way that does not look like an agreement and  
done to substitute individual activity.

**13. ABSOLUTE PROHIBITION**

1) The following acts are absolutely prohibited:

a) agreements or concerted practices or  
decisions by associations of business persons  
in a horizontal relationship and have the  
object or effect of the following:

i. directly or indirectly fixing prices;

ii. collusive tendering;

iii. allocating customers, or marketing  
territories or production or sale by  
quota;

b) agreement between business persons in a  
vertical relationship that has an object or  
effect of setting minimum retail price.

2% kz!H b\$Y I \f,, T DNUgC P g0N  
P'ñ ytÆI W GNB#T y, ñrW bxND  
gbA WS\_ ÆI# twAA¶ ነጋዴዎች  
መካከል ሲሆን፣ ከላይ ወደታች የተባለው  
dGä ከነጋዴዎችA bdNb®C wYM  
bxQ%b!äC wYM kh# tM UR  
y, ñR GNB#T nWY

**04. L t hñe-äC**

kz!H b\$Y bxNq{ 03/1/ bödL /h/ XÄ /I/  
እንደተጠቀሰው ፀረ WDDR tGÆR f}m;L  
tBI0 ወይም ሌሎች የዚህን ምዕራፍ ከ# T DNU  
gC bmt\$IF MKNÄT ytkss 'ÖE ytkl  
kl#T DRglèC k, ÄSkTI#T g#ÄT YLQ kS  
MMnt\$wYM k^BrT xì Ñ wYM k^BrT\$  
Wúne ytgBW ytkñl0! ወይም yB" T wYM  
bl\$ hñe- twAA¶ bmcN rgD ytgBW  
\_QM y, ÄmZN mcñN I ¥SrÄT YC\$LW

**ምዕራፍ ሦስት**  
**የውህደት ጋራ ስራ ለመፈጸም ማስፈሰስ**  
**የውህደት ጋራ ስራ ለመፈጸም ማስፈሰስ**

**05. m R ?**

- 1/ ባለሥልጣኑ ገንብ ለውህደት DRglT  
bgbÄ WDDR \$Y kFt¼ t}:ñ  
>eYfLIM wYM I!ÄSkTL y, CL  
'- wYM ygbÄ WDDRN Ä- Í L  
BI0 kwsn ውህደቱ\$ XNÄYfIM  
Yki K\$LW
- 2/ ባለሥልጣኑ ሁኔታ >"kê "®e >"kê  
(1) SW[f ¼} "c'-" -d'® የንግድ  
ምዝገባ ለማያከናውነው አካል ወዲያውኑ  
T d" p > Ku f::

**06. T R g# M**

- 1% bz!H xèJ m\rT xND ሃውህደት tGÆR  
xl y, ÆI W G\$èf tì Mn-cWN YzW  
Yñ,, ynb,, h#T wYM kz!Ä b\$Y yçñ#  
የንግድ ማህበራት slèhÇ wYM Xnz!H  
የንግድ ማህበራት xND >\$¥ ÄI W yNGD  
| % I ¥kÄwN h# NM wYM k0I #N  
hB-cWN slÄq\$¶I # nWY
- 2% >"É c- " ÄU w²< sÄC የንግድ  
ማህበር xKs!xñC ወይም sK#tèC  
wYM NBrèC ወይም የሌላ ሰው  
የንግድ መደብርን bGÇI wYM bl\$  
b¥N¾WM mNgD bq\_- wYM  
btzéè¶ hñe- y%S ¥DrGM  
ሃውህደት DRglT YÇÄLW

- 2) For the purpose of the preceding provisions horizontal relationship is deemed to exist between competing business persons in a certain market, whereas vertical relationship is deemed to exist between business persons and its customers or suppliers or both.

**14. EXCEPTIONS**

It is possible for a business person accused of anticompetitive practice as provided for under Article 13(1) (a) and (b) above or other provisions of this chapter, to prove that the technological or efficiency or other pro-competitive gains of the agreement or the concerted practice or the decision by association outweigh the detriments of the prohibited acts.

**CHAPTER THREE**  
**REGULATION OF MERGER AND UNFAIR**  
**COMPETION**

**15. PRINCIPLE**

- 1) The Authority shall prohibit the act of merger, if it decides that it causes or is likely to cause a significant restriction against competition or eliminates competition.
- 2) The Authority shall immediately notify its decision under sub article (1) of this Article to the body that conducts commercial registration.

**16. DEFINITION**

- 1) Merger for the purpose of this Proclamation is deemed to have occurred when two or more business organizations previously having independent existence amalgamate or when such business organizations pool the whole or part of their resources to carry on a certain business purpose.
- 2) Merger also occurs by directly or indirectly acquiring shares or securities or assets of a business organization by a person or group of persons jointly or the business of another person through purchase or any other means.

3¼ ለዚህ አንቀጽ ንዑስ አንቀጽ /2/ ድንጋጌ አፈፃፀም xND sW wYM Bz# sāC bxND የንግድ ማህበር ወይም የንግድ መደብር g#A×C wYM xStÄd%ēf | %āC \$Y t}; ñ y, ĀdRS Wún@ l mS- T kÖl# የንግድ ማህበሩን ወይም የንግድ መደብሩን XNdĀz# wYM XNdt öĒ- „ Yö- %LŸ

**07. ውህደትን SI ሄሰወ**

- 1/ የንግድ ምዝገባ የሚያከናውን የመንግሥት መስሪያ ቤት በንግድ ምዝገባ ውስጥ የሚካተቱ የንግድ ማህበራትን መዋሃድ ወይም የአክሲዮኖች ወይም ሴኩራቲዎች ወይም ንብረቶች ዝውውርን ከመመዘገቡ በፊት ለባለሥልጣኑ ማሳወቅ አለበት።
- 2/ ማንኛውም የውህደት ዓላማ ያለው ቅንብር ወይም ስምምነት የሚመለከት ሰው የውህደት ዓላማ ያለው ቅንብር ወይም ስምምነት መደረጉን ወይም ለማድረግ ሙከራ መኖሩን ለባለሥልጣኑ ማሳወቅ አለበት።
- 3/ የባለሥልጣኑ ፈቃድ ከመገኘቱ በፊት የውህደት ድርጊት በተግባር ላይ እንዲውል አይፈቀድም።

**08. ውህደትን ስለመቆጣጠር**

- 1¼ ባለሥልጣኑ bNGD WDDR \$Y g#LH t}; ñ y, ĀSkTL wYM l!ĀSkTL y, CL gdB y, \_L wYM yNGD WDDRN y, Ā- ፋ yውህደት tGÆRN Yki K\$LŸ
- 2¼ ባለሥልጣኑ የውህደት ሄS- wqĀ s!qRBI T f" ርN y, s\_ wYM y, kl KL mርn#ን ለአመልካቹ በተፋጠነ ሁኔታ - d'ፀ- " b{/ #F mGl { xl bT::
- 3¼ ባለሥልጣኑ Wún@ kmS- t\$ bōT t = ማሪ መረጃዎችንና ሰነዶችን ከአመልካቹ y, fLG kርn½ በአስቸኳይ እንዲቀርቡ ወሳኔውን በአጭር ጊዜ ለአመልካቹ ማሳ wQ xl bTŸ
- 4¼ ባለሥልጣኑ አስፈላጊ ሆኖ ካገኘው፣ አመል ካቹ ውህደቱን XNĀT ሄ\$SፌL XNĀl bT XĀ bz!h# m\ rT t\$>lō kqrb f" ር l!s\_ XNd, CL ሄS- wQ YC\$LŸ

3) For the purpose of the implementation of sub article (2) of this Article, a person or a group of persons shall be deemed to have acquired or to have taken control of a business organization or a business where such person or group of persons could influence the decision making in the affairs or in the administrative activities of a business organization or a business.

**17. NOTIFICATION OF MERGER**

- 1) A government office, which conducts commercial registration, shall inform the Authority, the merger of business organizations or the transfer of shares or securities or assets which shall be entered in the commercial register before registering the same.
- 2) Any person, who is concerned with an agreement or arrangement that has the purpose of merger, shall, inform the Authority of the conclusion of an arrangement or agreement with the purpose of merger or an attempt to conclude the same.
- 3) No merger arrangement shall be implemented before the Authority grants permission.

**18. REGULATING MERGER**

- 1) The Authority shall prohibit the acts of merger that cause or are likely to cause a significant restriction on competition or that eliminate competition.
- 2) The Authority, when a notification of merger is submitted to it, shall, immediately communicate to the applicant in writing of its decision either to grant or deny its permission.
- 3) If the Authority needs additional information or documents, it shall communicate its decision to the applicant within a short period of time in order that the information and documents be submitted.
- 4) Where the Authority deems necessary, may notify the applicant how he shall amend the merger and that it gives the permission on condition of the submission of the amendment.

5/ የሚኒስትሮች ምክር ቤት ቁጥጥር የሚደረግባቸውን የውህደት ተግባራት ዝርዝር ጉዳዮች በደንብ ሊወሰን ይችላል።

5/ The Council of Ministers may specify by regulation those acts of mergers that are subject to supervision.

09. Lt hክጭ-፳C

ውህደቱ ir WDDR W-ጭ ሸIW blፍ NM bNGD WDDR ሻY k, ሸSKTIW gሸAT YLQ ktKከl ስጭ!፻ kB" T Xሸ twሸሸግ ርክ kmgBT xNER y, ሸSgBW ፈQM y, ሸmZN mፍንዘN" ስpS < uT " - ፈU K፻L "ዕ፻" uT ሸሸ፻w S "ሸ፻ Kሸ፻ ፻T ሸ፻ M S J ' < " ኦመልካቺ ማስረዳት k፻I ፻ ሸሸሸ፻ግኩ f" D I!s\_ YC፻Lሻ

! . t f፻ nTN SI ፻SqrT

y, n!ST፻C MKR bጭ yM: %F ሦስት DNUgጭC t f፻ y፻Yፍን#፻cWN L፻TN I ፻údG Y- Q፻I# y, ሸI# የንግድ ስራዎችን bdNB I mwsN YC፻Lሻ

! 1. ተገቢ የልሆ የውድድር ተግባር ፣MሻL

1፻ bNGD | % ፻d፻T WS\_ ፻N፻WM hq፻ ሸL፻ን፻ xúúC፻ x-፻YnT ሸI bT Xሸ yt wሸሸግN yNGD ፈQM yg፻ ሸwYM I!g፻ ሸy, CL DRg!T wYM tG፻R bt wሸሸግ ሻY ሸሸ፻- r tgb! ሸL፻ን yNGD ውድድር XNd፻ን Y፻- %Lሻ

2፻ btIYM y, ktI#T tgb! ሸL፻ን# yNGD ውድድር ተግባራት የተከሰሱ ናቸው:-

h፻ bl፻W ነጋዴ wYM በነጋዴው tG ሸ፻c btIYM ነጋዴው k, ሸqR bW የንግድ ፊዎ wYM xgLGI፻T UR btgሸ፻ ከክጭ ፻dሸgRN ሸSk tI wYM I!ሸSkTL y, CL ፻፻c WM DRg!T ፣

I፻ ሸI mBT k፻ንW ymr፻W ሸI bጭ ነጋዴ f" D W፻፻, khq፻ yNGD x\%R t፻፻ግ፻ b፻ን ከክጭ yI ፻WN mr፻ y፻W፻T፻ ymሸZ wYM ym- qM ፻፻cWM DRg!T ፣

/፻ yI ፻WN ነጋዴ ወይም የነጋዴውን tG፻ራት btIYM ነጋዴው k, ሸ qRbW የንግድ ፊዎ wYM xgL GI፻T UR btgሸ፻ ከክጭ ፻፻" nTN ሸú፻ wYM I!ሸú፻ y, CL ፻፻cWM hsT y፻ን wYM ፻rUgሸ yI ፻ W xg፻I { ፣

19. EXCEPTIONS

The Authority may grant a permission to implement a merger in spite of the fact that it has an anticompetitive effect, where the applicant can justify the merger by proving that gains in this respect cannot be obtained without restricting competition and technology, efficiency and pro-competitive gains resulting from the merger outweigh its anticompetitive effects.

20. EXEMPTIONS

The Council of Ministers may specify by regulation those trade activities it deems are vital in facilitating economic development to be exempted from the application of the provisions of chapter three.

21. PROHIBITION OF UNFAIR COMPETITION

1) Any act or practice carried out in the course of trade, which is dishonest, misleading, or deceptive and harms or is likely to harm the business interest of a competitor shall be deemed to be an act of unfair competition.

2) In particular the following acts of unfair competition shall be prohibited:

a) any act that causes or is likely to cause confusion with respect to another business person or its activities, in particular, the goods or services offered by such business person;

b) any act of disclosure, possession or use of information, without the consent of the rightful owner of that information, in a manner contrary to honest commercial practice;

c) any false or unjustifiable allegation that discredits, or is likely to discredit another business person or its activities, in particular the products or services offered by such business person;

m¼ bንግድ ሄStêwQ | %o fdT  
የንግድ : " āCN wYM xgL  
GI 0èCN bhsT wYM bt²Æ  
h#n@- ሄnÉi R፤

\\ / ከንግድ : " āC wYM kxgLGI 0  
èC êU ወይም ለ?ሪ ወይም  
xm%oT wYM kፄMrÒ ì-  
ወይም kYZT ወይም kx- " qM  
McፅT wYM k\_%T UR  
btgÅβ½ tgb! ለLçn \_QM  
I ፄGBT bፄsB MNCE  
ለL-wqWN = Mé I ¹ፄÓC  
ወይም ለተጠቃሚዎች hst¾  
wYM yt²Æ mr© ሄ\%o= T፤

ረ/ ሚስጥራዊ የሆኑ የሌላ ነጋዴ  
የንግድ መረጃዎችን በቀድሞ  
ተቀጣሪዎቹ አማካኝነት ማግኘት  
ወይም ለማግኘት መሞከር ወይም  
መረጃዎቹን በማግኘት የነጋዴውን  
ደንበኞች ለማስከብላል ወይም ሌላ  
ተወዳዳሪነቱን ለሚቀንስ ዓላማ  
መጠቀም፡፡

**ከፍል ሦስት**  
**የሽማግሌች ጥበቃ**

**12. የሽማግሌ መብት**

ማንኛውም ሽማግሌ:-

- 1/ ስለሚገዛው ዕቃ ወይም አገልግሎት ጥራትና አይነት በቁና ትክክለኛ መረጃ ወይም መግለጫ የማግኘት፤
- 2/ ዕቃዎችን ወይም አገልግሎቶችን አማርጦ የመግዛት፤
- 3/ የዕቃዎችን ወይም አገልግሎቶችን ጥራት ወይም አማራጮችን በማየቱ ወይም የዋጋ ድርድር በማድረጉ ምክንያት እንዲገዛ ያለመገደድ፤
- 4/ በማንኛውም ነጋዴ በትህትናና በአክብሮት የመስተናገድ እና በነጋዴው ከሚደርስበት የስድብ፣ የዛቻ፣ የማስፈራራት እና የስም ማጥፋት ተግባር የመጠበቅ፤
- 5/ በዚህ አዋጅ መሠረት ለንግድ አሠራርና ለሽማግሌ ጥበቃ ባለሥልጣን ቅሬታውን ለዳኝነት የማቅረብ፤ እና

- d) comparing goods and services falsely or equivocally in the process of commercial advertisement;
- e) with a view to acquire an unfair advantage, disseminating to consumers or users, false or equivocal information including the source of which is not known, in connection with the prices or nature or system of manufacturing or manufacturing place or content or suitability for use or quality of goods and services;
- f) obtaining or attempting to obtain confidential business information of another business person through his ex-employee or obtaining the information to pirate his customers or to use for purposes that minimize his competitiveness.

**PART THREE**  
**PROTECTION OF CONSUMERS**

**22. THE RIGHT OF CONSUMER**

Any consumer shall have the right to:

- 1) get sufficient and accurate information or explanation on the quality and type of goods and services he purchases;
- 2) selectively buy goods or services;
- 3) not to be obliged to buy for the reasons that he looked into quality or options of goods and services or he made price bargain;
- 4) be received humbly and respectfully by any business person and to be protected from such acts of the business person as insult, threat, frustration and defamation;
- 5) submit his complaints to the Trade Practice and Consumers Protection Authority for adjudication; and

6/ በንግድ ዕቃዎችና አገልግሎቶች ግብይት ምክንያት ለሚደርስበት ጉዳት በዚህ አዋጅ መሠረት የመካሰ፤ መብት አለው።

**! 3. የንግድ ዕቃዎችንና አገልግሎቶችን ዋጋ ስለማ መልክት**

1/ ማንኛውም ነጋዴ የንግድ ዕቃዎችንና የአገልግሎቶችን የዋጋ ዝርዝር በንግድ ቤቱ በግልጽ በሚታይ ቦታ ማመልከት ወይም በንግድ ዕቃዎቹ ላይ መለጠፍ አለበት።

2/ የዕቃው ወይም የአገልግሎቱ ዋጋ ቀረጥ፣ ታክስ ወይም ሌላ ሕጋዊ ክፍያ ያካተተ መሆን አለበት።

**! 4. ስለንግድ ዕቃዎች መግለጫ**

1/ ማንኛውም ነጋዴ በሚሸጣቸው የንግድ ዕቃዎች ላይ መግለጫ መለጠፍ ወይም በተለየ ወረቀት ላይ ጽፎ ለሽማቹ መስጠት አለበት።

2/ በንግድ ዕቃዎች ላይ የሚጠቀሙ መግለጫ እንደአግባቡ የሚከተሉትን ዝርዝሮች የሚያመለክት መሆን አለበት፡-

- ሀ/ የንግድ ዕቃው ስም፣
- አ/ የንግድ ዕቃው የተሠራበትን ወይም የመጣበትን አገር፣
- በ/ የንግድ ዕቃውን ማለፊያ የተጣራ ክብደት፣ መጠን እና ብዛት፣
- መ/ የንግድ ዕቃውን ጥራት፣
- ሠ/ የንግድ ዕቃው ከምን እንደተመረተ የሚያሳይ ዝርዝር፣
- ረ/ የንግድ ዕቃውን የቴክኒክ ዝርዝሮች፣ የአሠራር ወይም የአጠቃቀም ዘዴ፣
- ሰ/ በንግድ ዕቃው አጠቃቀም ወቅት ሊወሰዱ የሚገባቸውን የጥንቃቄ እርምጃዎች፣
- ሸ/ ነጋዴው ስለንግድ ዕቃው አገልግሎት ለገዢው የሚሰጠውን ዋስትና፣

6) be compensated for damages he suffers because of transactions in goods and services.

**23. DISPLAY OF PRICE OF GOODS AND SERVICES**

1) Any business person shall, display price of his goods and services by posting such list in a conspicuous place in his business premise or by affixing price tags on the goods.

2) The price of goods and services shall be inclusive of customs duties, taxes and other lawful fees.

**24. LABELS OF GOODS**

1) Any business person shall, affix labels on the goods he sells or provide them to the consumer on a separate paper.

2) Labels affixed on goods shall indicate the following particulars as may be appropriate:

- a) the name of the goods;
- b) country of manufacturing or export of the goods;
- c) the gross and net weight, volume, and quantity of the goods;
- d) quality of the goods;
- e) statement of materials used to manufacture the goods;
- f) technical specification of the goods and their operational or utilization methods;
- g) safety measures to be considered during the use of the goods;
- h) a warranty of the service of the goods to be provided by the business person;

k/ የፋብሪካው፣ የአሻጊው እና የአስ መጪው ስምና አድራሻ፣

ሀ/ የንግድ ዕቃው አገልግሎት መስጠት የሚያበቃበትን ጊዜ፣

ሀ) / የንግድ ዕቃው የተመረተበትን ቀን፣

ተ/ በኢትዮጵያ ደረጃዎች የተመለከቱትን መስፈርቶች ያሟላ መሆኑ፣ እና

ሀ/ የተሰጡትን ጥቅም ለመጠበቅ አስፈላጊ ሆኖ ሲገኝ ሚኒስቴሩ በሕዝብ ማስታወቂያ የሚያወጣቸውን ሌሎች ዝርዝሮች፡፡

3/ በንግድ ዕቃዎች ላይ የሚለጠፍ መግለጫ በቀላሉ የማይላቀቅ ሆኖ በራሱ በዕቃው ላይ ወይም በመያዣው ላይ መለጠፍ ወይም መታተም የሚገባው ሲሆን ቢያንስ በአማርኛ ወይም በእንግሊዝኛ ቋንቋ መጻፍ አለበት፡፡

**! 5. ደረሰኞችን ስለመስጠትና ቀሪዎችን ስለመያዝ**

1/ ማንኛውም ነጋዴ ለሸጠው ዕቃ ወይም አገልግሎት ደረሰኝ የመስጠት ግዴታ አለበት፡፡

2/ በዚህ አንቀጽ ንዑስ አንቀጽ (1) መሠረት ነጋዴው ለሸጣቸው ዕቃዎች ወይም አገልግሎቶች የሰጣቸውን የደረሰኝ ቀሪዎች ወይም ለሸያጭ ለገዛቸው የንግድ ዕቃዎች ወይም አገልግሎቶች የተቀበላቸውን ደረሰኞች ለአስር /0/ ዓመት መያዝ አለበት፡፡

**! 6. ራሱን ስለመግለጽ**

1/ ማንኛውም ነጋዴ የንግድ ስሙን በግልጽ በሚታይ ቦታ መለጠፍ አለበት፡፡

2/ ማንኛውም ነጋዴ ከሚሸጠው የንግድ እቃ ወይም አገልግሎት ጋር በተያያዘ ሸማቹ በሚያቀርብለት ጥያቄ መሠረት በአጥጋቢ ሁኔታ እራሱን መግለፅና ሸማቹ የሚፈልገውን መረጃ እንዲወስድ መፍቀድ አለበት፡፡

i) the name and address of the factory, packer and the importer;

j) expiry date of the goods;

k) manufacturing date of the goods;

l) indication that the goods have fulfilled requirements set in Ethiopian standards; and

m) other details published in public notices by the Ministry when deemed necessary to safeguard public interest.

3) Labels to be posted on goods shall be posted or printed on the good or its pack, being not easily detachable and shall be written at least in the Amharic or English language.

**25. ISSUING RECEIPTS AND KEEPING THEIR PADS**

1) Any business person shall have the obligation to issue receipts to the consumer in respect of goods or services sold.

2) The business person shall keep pads of receipts issued in respects of goods and services he sold pursuant to sub article (1) of this Article or receipts obtained in respect goods and services he bought for sale, for ten (10) years.

**26. SELF DISCLOSING**

1) Any business person shall display his trade name in an overt place.

2) Any business person, shall, upon a request by a consumer relating to goods or services he sell, satisfactorily disclose himself and let the consumer take the information he wants.

**! 7 ስለንግድ ማስታወቂያ**

በማንኛውም የሚገለጹ ስለንግድ ዕቃዎችና አገልግሎቶች የሚወጡ የንግድ ማስታወቂያዎች በማንኛውም ሁኔታ በተለይም፡-

- 1/ የዕቃውን ባህርይ፣ ውሁድ እና ብዛት፤ወይም
- 2/ የዕቃውን ምንጭ፣ ክብደት፣ መጠን፣የአመራረት ዘዴ፣ የማምረቻ ቀን፣ አገልግሎት የሚያበቃበት ጊዜ እና ስለአጠቃቀሙ፤ ወይም
- 3/ የዕቃውን አምራች ወይም የአገልግሎቱን አቅራቢ፤ወይም
- 4/ አገልግሎትን በተመለከተ አገልግሎቱ የሚሰጥበትን ቦታ፣ መሠረታዊ ባህርይ፣ የአገልግሎቱን ጥቅም እና ስለአገልግሎቱ አጠቃቀም፤ወይም
- 5/ የዕቃው ወይም የአገልግሎቱ የግዢ ሁኔታ፣ ከግዢ በኋላ ስለሚሰጥ አገልግሎትና ዋስትና፣ ስለክፍያ ሁኔታ እና ዋጋ፤ወይም
- 6/ የጥራት ምልክቶችን፤ወይም
- 7/ የንግድ ምልክትን እና አርማን፤ወይም
- 8/ ዕቃውን ወይም አገልግሎቱን በመጠቀም የሚጠበቅ ውጤትን፣ በተመለከተ ሀሰተኛ ወይም አሳሳች መሆን የለባቸውም፡፡

**! 8. በንግድ ዕቃዎችና አገልግሎቶች ላይ ስለሚገኙ ጉድለቶች**

- 1/ ማንኛውም ሽማች በገዛው የንግድ ዕቃ ወይም አገልግሎት ላይ ያገኛቸውን ጉድለቶችና ጉድለቶቹ ሊያስከትሉ ስለሚችሉት ጉዳት ለሚኒስቴሩ ወይም ለቢሮው ማሳወቅ ይችላል፡፡
- 2/ ለሽማቹ የበለጠ የሚጠቅሙ ስለ ንግድ ዕቃው የተሰጡ ዋስትናዎች ወይም የሕግ ወይም የውል ድንጋጌዎች እንደተጠበቁ ሆነው ሽማቹ የንግድ ዕቃው ላይ ጉድለት ያገኘበት እንደሆነ የንግድ ዕቃውን ከገዛበት ቀን ጀምሮ በአስራ አምስት ቀን ውስጥ የንግድ ዕቃው እንዲለወጥለት ወይም ዋጋው እንዲመለስለት መጠየቅ ይችላል፡፡

**27. COMMERCIAL ADVERTISEMENTS**

Commercial advertisements about goods and services announced by any one shall not be false or misleading in any manner particularly on:

- 1) the nature, components and quantity of the goods; or
- 2) the source, weights, volume, method of manufacturing, date of manufacturing, expiry date of the goods and how it is used; or
- 3) the manufacturer or the supplier of the goods or services; or
- 4) the place of delivery, basic nature, the use and on how to use it, as far as services is concerned; or
- 5) conditions of purchase, warranty and services after purchase, conditions of payment and prices of the goods and services; or
- 6) quality marks; or
- 7) trade mark and emblem; or
- 8) results expected by using the goods or services.

**28. DEFECTS FOUND IN GOODS AND SERVICES**

- 1) Any consumer may report defects in goods and services purchased and the damage the defects may cause, to the Ministry or the bureau.
- 2) Without prejudice to warranties on goods or legal or contractual provisions more advantageous to the consumer, where the consumer finds defect in the good, he may demand the replacement of the good or a refund within fifteen days from the date of purchase of the goods.



3/ ሸማቹ የገዛው አገልግሎት ጉድለት ያለበት ከሆነ > ሸማቹ በአሰራሪ አምስት ቀን ውስጥ በሸማቹ ምርጫ ነጋዴው አገልግሎቱን ለሸማቹ በድጋግ ያለ ክፍያ ይሰጠዋል ወይም ነጋዴው ለአገልግሎቱ የተቀበለውን ዋጋ ለሸማቹ ይመልሳል፡-

ሀ/ በአገልግሎት አሰጣጡ ወቅት በሸማቹ ንብረት ላይ ለደረሰ ስጦታ አገልግሎት ሰጪውና ሸማቹ በጽሑፍ የገቡት ውል ጽ/ቤት ይሆናል፤

ለ/ የጽሑፍ ውል በሌለ ጊዜ አገልግሎት ሰጪው ጉዳት የደረሰበትን ንብረት በሙሉ ወይም የተወሰነ ክፍሉን ይተካል፡፡

**! 9. በውል ግዴታን ስለማስቀረት**

በሸማቹና በነጋዴ መካከል የሚደረገው የውል ግዴታዎች በዚህ አዋጅ ነጋዴው የተጣለበትን ግዴታ የሚያስቀሩ ወይም ሸማቹ በህግ ያሉትን መብቶች እንዳይጠቀሙ የሚከለክሉት ከሆነ ውሉ ለውጭ ነው፡፡

**" . ኃ ሸማቹ ለአገልግሎት ሰጪው አዋጅ**

ኃ ሸማቹ ለአገልግሎት ሰጪው አዋጅ መፈጸም ለማንኛውም ሰው ወይም ነጋዴ የተከለከለ ነው፡-

- 1/ የንግድ ዕቃዎችና አገልግሎቶች ስላላቸው ጥራት ወይም መጠን ወይም ብዛት ወይም ተቀባይነት ወይም ምንጭ ወይም ባህርይ ወይም ውሁድ ወይም ጥቅም የተሳሳተ መረጃ መስጠት፤
- 2/ የንግድ ዕቃዎች ስለአዲስነታቸው ወይም ስለሞዴላቸው ወይም አገልግሎታቸው የቀነሰ ወይም የተለወጡ ወይም እንደገና የተሰሩ ወይም በአምራቹ እንዲሰበሰቡ የተባሉ ወይም ያገለገሉ ስለመሆናቸው በትክክል አለመግለጽ፤
- 3/ የሌላውን ነጋዴ የንግድ ዕቃዎችና አገልግሎቶች በአሳሳች ሁኔታ መግለጽ፤
- 4/ የንግድ ዕቃዎችና አገልግሎቶችን በማስታወቂያ እንደተነገረላቸው አለመሸጥ ወይም ማስታወቂያው የመጠን ውሱንነት መኖሩን ካልገለፀ በስተቀር ሸማቾች በሚፈልጉት መጠን ልክ ላለማቅረብ ወስኖ ማስታወቂያ መስራት፤

3) Where the service purchased by the consumer is defective, the business person, shall, by the choice of the consumer, deliver the service again to the consumer free of charge or refund the consumer the fee he paid for the service within fifteen days from the date of the purchase of the service:

a) the written contract between the service provider and the consumer shall apply for damages happening to the property of the consumer during the delivery of the service.

b) where there is no written contract, the service provider shall replace the entire or part of the damaged property.

**29. WAIVING OBLIGATIONS THROUGH CONTRACT**

The contract shall be of no effect, where the provisions of the contract made between a consumer and a business person, waive legal obligations imposed on the business person by this Proclamation or prevent the consumer from exercising his rights under the law.

**30. UNFAIR AND MISLEADING ACTS**

The following unfair and misleading acts are prohibited from being committed by any person or business person:

- 1) issuing misleading information on quality or quantity or volume or acceptance or source or nature or component or use of goods and service may have;
- 2) failing to disclose correctly the newness or model or the decrease in service or the change in or re-fabrication or the recall by the manufacturer or the second hand condition of goods;
- 3) describing the goods and services of another business person in a misleading way;
- 4) failing to sell goods and services as advertised or advertising goods or services with intent not to supply in quantity consumers demand, unless the advertisement discloses a limitation of quantity;

- 5/ ስለዋጋ ቅናሽ ሐሰተኛ ወይም የተሳሳተ መረጃ ማስተላለፍ፤
- 6/ አንድ ሽማግሌ አንድን የንግድ ዕቃ ወይም አገልግሎት በመግዛቱ ወይም የገንዘብ መዋጮ በማድረግ ተጨማሪ የገንዘብ ወይም የአይነት ጥቅም እንደሚያገኝ በመግለጽ በሽማግሌ አሻሻጭነት ከአሱ ቀጥሎ ሌሎች ሽማግሌ የንግድ ዕቃውን ወይም አገልግሎቱን የሚገዙ ወይም የገንዘብ መዋጮ የሚያደርጉ ከሆነ ወይም በሽያጭ ስልቱ ውስጥ የሚገቡ ከሆነ በሽማግሌ ቁጥር ልክ ተጨማሪ የገንዘብ ወይም የአይነት ጥቅም እንደሚያገኝ የሚገልጽ የፒራሚድ የሽያጭ ስልት ተግባራዊ ማድረግ ወይም ተግባራዊ ለማድረግ መሞከር፤
- 7/ ከንግድ ዕቃዎችና አገልግሎቶች ሽያጭ ጋር በተያያዘ የተገቡ የዋስትና ግዴታዎችን አለመወጣት፤
- 8/ የንግድ ዕቃዎች የሚያስፈልጓቸው ዕድሳት ወይም ጥገና ወይም የሚተኩ ክፍሎቻቸው እንደማያስፈልጋቸው አድርጎ ማቅረብ፤
- 9/ በንግድ ዕቃዎች ወይም በማይንቀሳቀሱ ንብረቶች ላይ የሚሰጡ የዕድሳት የጥገና ወይም የተወሰኑ አካላቶቻቸውን የመተካት ወይም የማይንቀሳቀሱ ንብረቶችን የመስራት ወይም የመገንባት አገልግሎቶችን ወይም ሌላ ማንኛውም አገልግሎት የመስጠት ሥራን ከሚጠበቀውና ወይም በንግድ ሥራው ከታወቀው ደረጃ በታች ወይም ባልተሟላ ሁኔታ መስጠት፤
- 0/ ለሰው ጤናና ደህንነት አደገኛ የሆኑ ወይም ምንጫቸው ያልታወቀ ወይም የጥራት ደረጃቸው ከተቀመጡላቸው ደረጃዎች የወረዱ ወይም የተመረዙ ወይም የአገልግሎት ጊዜያቸው ያለፈ ወይም ከባድ ነገሮች ጋር የተደባለቁ የንግድ ዕቃዎችን ወይም አገልግሎቶችን ማዘጋጀት ወይም ለሽያጭ ማቅረብ ወይም መሸጥ፤
- 01/ በንግድ ዕቃዎችና አገልግሎቶች ግብይት ማንኛውንም የማጭበርበር ወይም የማደናገር ተግባር መፈፀም፤
- 02/ የሽማግሌን መብት የሚጠብቅ ባልሆነ ምክንያት የንግድ ዕቃዎችን ወይም አገልግሎቶችን አልሸጥም ማለት፤

- 5) making false or misleading statements of price reduction;
- 6) applying or attempting to apply a pyramid scheme of sale by describing that a consumer will get a reward in cash or in kind by purchasing a good or service or by making a financial contribution and which describes that the consumer will get additional reward in cash or in kind where other consumers through his salesmanship purchase the good or service or make financial contribution or enter into the sales scheme, based on the number of consumers;
- 7) failing to meet warranty obligation entered in connection with the sale of goods and services,
- 8) misrepresenting the need for repair or replacements of parts to be made to goods as though not needed;
- 9) delivering services of repairing or replacing parts of goods or immovable properties or delivering the service of making or building immovable properties or delivering any other services below the standard recognized in the business or with deficiency;
- 10) preparing or making available for sale or selling goods or services that are dangerous to human health and safety or those source of which is not known or whose quality is below standards set in advance or are poisoned or have expired or are adulterated;
- 11) doing any act of cheating or confusing in any transaction of goods and services;
- 12) refusing to sell goods and services for reasons that are not protecting the rights of the consumer;

- 03/ የደረጃ ማህተም የሚያስፈልጋቸውን የንግድ ዕቃዎችን ወይም አገልግሎቶችን ያለደረጃ ማህተም ለሽያጭ ማቅረብ ወይም መሸጥ፤
- 04/ የንግድ ዕቃዎችን ወይም አገልግሎቶችን በንግድ ዕቃዎቹ ላይ ወይም በንግድ መደብሩ ውስጥ ከተለጠፈው ዋጋ አስበልጦ መሸጥ፤
- 05/ የንግድ ዕቃዎች የተሰሩበትን ሀገር አሳስቶ መግለጽ፤
- 06/ በሽማቾች መካከል ተገቢ ያልሆነ አድልዎ መፈጸም፤
- 07/ አንድን የንግድ ዕቃ ወይም አገልግሎት ለመሸጥ ሽማቹ ያልፈለገውን ሌላ የንግድ ዕቃ ወይም አገልግሎት አብሮ እንዲገዛ ማስገደድ፤
- 08/ ህጋዊ ከሆነው ውጪ በሚሳን ወይም በመስፈሪያ ወይም በሌላ መለኪያ መሳሪያ ማጭበርበር።

- 13) making available for sale or selling goods or services without standard marks for which the standard mark is needed;
- 14) selling goods or services at a price above the price affixed to the goods or the price posted in the business premise;
- 15) describing the country of the making of goods falsely;
- 16) unduly favoring one consumer over the other;
- 17) subjecting the consumer to purchase a good or service not desired in order to sell another good or service;
- 18) cheating in balance or measurements or any other measurement contrary to the lawful ones.

**KFL አራት**  
**SINGD አሰራርና የሽማቾች ጥበቃ**  
**ባለሥልጣን**

**PART FOUR**  
**TRADE PRACTICE AND CONSUMERS**  
**PROTECTION AUTHORITY**

**"1. Simlīm**

- 1/ የንግድ አሰራርና የሽማቾች ጥበቃ ባለሥልጣን /ከዚህ በኋላ "ባለሥልጣን" XytÆI y - %/ ራሱን የቻለ የህግ ሰውነት ያለው የፌዴራል መንግሥት አካል ሆኖ በዚህ አዋጅ ተቋቁሟል።
- 2/ ¼ባለሥልጣኑ } Ö] 'f ለሚኒስቴሩ ልጋ ልጋ።
- 3/ ባለሥልጣኑ u²=| >ªï SW[f ልጋ ልጋ።

**31. ESTABLISHMENT**

- 1) Trade Practice and Consumers Protection Authority, (hereinafter referred to as "the Authority"), is hereby established as an autonomous federal government organ having its own legal personality.
- 2) The Authority shall be accountable to the Ministry.
- 3) The Authority shall be governed by this Proclamation.

**"2. ዋና መሥሪያ ቤት**

¼ባለሥልጣኑ ዋና መሥሪያ ቤት በአዲስ አበባ ከተማ ጋ. እንደአስፈላጊ ~ uK?KA< ቦታዎች ቅርንጫፍ ጽሕፈት ቤቶችን ሊያቋቁም ይችላል።

**32. HEAD OFFICE**

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



- 9/ ነጋዴዎች በሽማግሌ ላይ አግባብነት የገደለው ተግባር እንዳይፈጽሙና ምክንያታዊ ያልሆነ ትርፍ ለማግኘት ሲሉ በሽማግሌ ላይ ተገቢ ያልሆነ የንግድ ዕቃዎችና አገልግሎቶች ዋጋ እንዳይጥሉ ይከላከላል፤
- 10/ የዚህን አዋጅ ድንጋጌ በሚተላለፉ ነጋዴዎች ወይም ሌሎች ሰዎች ላይ አስተዳደራዊ እና ፍትሐ ብሔራዊ እርምጃዎችን ይወስዳል፤
- 101/ I, 11Ñ ORNÅ F ጽሕፈት b@C xSf\$g!WN MKRÅ DUF YsËL፤
- 102/ ተመሳሳይ ዓላማ ካላቸው ብሔራዊ፣ አሀ g#%@E እÅ >IM xqí @E tI ÷T UR GNBጠTÅ TBBR Ym\R-L፤
- 103/ yNBrT ÆI b@T YÇÄL½ WL Yê @S½ bSÑ YkúL½ YksúL፤
- 104/ b?G y, s- #TN XÅ >S¥WN KGB I¥DrS y, rÇTN I@0C tGÆ %T ÅkÅWÅL፤
- 105/ በ0Á%L ymNG| T \%t@C xêJ m\rት የባለሥልጣኑን \%t@C Q\_R½ xStÄdRÅ SNBT ያከናውናል፤
- 106/ የፖሊሲ ሃሳቦችን ያመነጫል፣ በሌሎች የመንግሥት አካላት በሚካሄዱ የፖሊሲ ሰዎችና ስትራቴጂዎች ቀረፃ ላይ ይሳተፋል።

**"5. የባለሥልጣኑ የዳኝነት | LÈNÅ tGAR**

- 1/ የዚህን አዋጅ መተላለፍ በተመለከተ በሚቀርቡለት አቤቱታዎች መሠረት ዳኝነት ያያል፣ በነጋዴዎች ወይም በሌሎች ሕግ ተላላፊዎች ላይ አስተዳደራዊና ፍትሐ ብሔራዊ ወሳኔዎችን ያስተላልፋል አቤቱታ አቅራቢዎች ለደረሰባቸው ጉዳት በፍትሐብሔር እንዲካሉ ያደርጋል።
- 2% ¾²=I > "kî "®@e > "kî (1) > ÖnlÄ ድንጋጌ እንደተጠበቀ ሆኖ ባለሥልጣኑ y, ktI#T የዳኝነት | LÈNÅ tGÆ%T Yñ, -Lÿ-

- 9) protect consumers from unfair activities of business persons and from unfair prices of goods and services aimed at obtaining unjustifiable profit;
- 10) take administrative and civil measures against business persons or other persons on violation of this Proclamation;
- 11) give necessary advice and support to branch offices to be established;
- 12) establish relationship and cooperation with national, continental and international bodies having similar objectives;
- 13) own property, enter into contracts, sue and be sued in its own name;
- 14) perform such other duties as may be defined by law and undertakes other activities necessary for the attainment of its objectives;
- 15) determine the employment, administration and dismissal of the staff of the authority in accordance with federal civil servants Proclamation.
- 16) initiate policy issues, participate on policy and strategy drafting undertakings by other organs of government.

**35. JUDICIAL POWER AND DUTIES OF THE AUTHORITY**

- 1) The Authority, based on applications submitted to it on violations of this Proclamation, adjudicates, impose administrative and civil sanctions, and gets complainants compensated for damages they sustained.
- 2) Without limiting the generality of sub article (1) of this Article, the Authority shall have the following judicial powers and duties:

h% bz!H xēJ Ā bl@ ŪC kg#Ā† UR xGÆBnT Æ§cW ?gŪC b\ f „ T DNUg፩C wYM YHN xēJ I ¥S fiM bw- # dNi C ወይም y?ZB ¥S-wq፩āC ytklkl!T tGÆ %T ተፈፅመዉ ሲገኙ የማስተካከያ wYM I@ ŪC tgb!nT ለ§cWN አስተዳደራዊ ወይም ፍትሐ ብሔራዊ እRM፩āC ImWsd y, ለSCL yĀ"nT tGÆR ለkĀWĀL፤

ሰ% yĀ"nT tGÆ, N I ¥kĀwN xSF §g! yçn# mr፩āC XĀ sni CN ¥N¾WM sW XNĀ!ĀQRBIT ለdrUL፤

ሐ% MSKÉC bዳኝነት CI ŪT ፅT qR bw " §cWN XNĀ!s- # ለdrUL፤

መ% ym/§ | R>T wYM y¥rUgĀ " L Yqb§L½ bz!HM m\rT MRm% ለdrUL፤

ሠ% የሚሰጣቸውን xStĀd%ēf ወይም ፍትሐ ብሔራዊ ወሳኔዎችን ያስፈጽማል፤ XNĀ!fiN ም ፉI ISN ፡ ለU } Nu= ¾J' > ካM ለ²L::

3% ባለሥልጣኑ yz!HN xēJ DNUg፩C wYM YHN xēJ I ¥SfiM yw- # dN iCN ወይም y?ZB ¥S-wq፩āC CN bt§If ¥N¾WM sW §Y እንደሁኔታው:-

h% tgb! xYdIM ytÆI W DRg!T XNĀ!i r\_ wYM XNĀ!öM ¾¥DrG፤

ሰ% ytጉ፩!WN ymwĀdR xQM wdn brbT i- ImmlS y, ለSCL tgb! XRM፩ mWsdN = Mé½ bDRg!t§ g#ĀT I drsbT wgN ካሣ እNĀ!k fL ¾¥DrG፤

ሐ/ የንግድ ፈቃድ እንዲታገድ ወይም እንዲሰረዝ ¾ማድረግ፤

መ/ ሽማቾች ለደረሰባቸው ጉዳት እንዲካሱ ¾ማድረግ፤

ሠ% yNGD: " āC XNĀ!ĀZ# XĀwYM XNĀ!¹- # ¾¥DrG፤ > e} ÇĀ^፩ እና ፍትሐ ብሔራዊ -d'፩ዎች ሊያስተላልፍ YC§L::

a) conduct adjudication on acts of violation prohibited under this Proclamation and provisions stated in other laws which have relevance to the case or regulations or public notices issued to implement this Proclamation and where the acts are committed to take correctional or other appropriate administrative or civil measures;

b) commission any person for the submission of information and documents that are necessary to conduct its adjudicative duty;

c) summon witnesses to appear and testify before the adjudicative tribunal;

d) take affidavits or verifications and makes examinations accordingly;

e) execute civil or administrative decisions it passes and order police or any appropriate organ for their execution.

3) The Authority may take the following administrative and civil measures as it finds appropriate, against any person who violated the provisions of this Proclamation or regulations or public notices issued to implement this Proclamation:

a) order the discontinuation or injunction of the act pronounced inappropriate;

b) order the payment of compensation to the person affected by the act including taking any other appropriate measure that enables to reinstate the victims competitive position;

c) suspend or cancel business licenses;

d) order the payments of compensation to consumers for damages they have sustained;

e) order the seizure and/ or selling of goods.

- 4/ ባለሥልጣኑ በዚህ አዋጅ የተመለከቱት ወንጀሎች መፈፀማቸውን ካወቀ ወይም ካመነ በጉዳዩ ላይ ያሰበሰባቸውን ማስረጃዎችና ያለውን አስተያየት የወንጀል ምርመራ መዝገቡን መርምሮ ውሳኔ ለመስጠት ስልጣን ላለው ዐቃቤ ህግ ማቅረብ አለበት።
- 5/ ባለሥልጣኑ በንግድ አሰራር አዋጅ ቁጥር 3)፤ 9/09) (5 ተቋቁሞ በነበረው የንግድ አሰራር አጣሪ ኮሚሽን የተወሰኑ ውሳኔዎችን ያስፈጽማል።

**"6. SI ባለሥልጣኑ አደረጃጀት**

ባለሥልጣኑ፡-

- 1/፩ b, nIST, xQ%b!nT b- Q\$Y, n! ST, y, ëም xND ዋና ዳይሬክተር፣ XÃ
- 2/፩ | | %W xSf\$g! yçn# ዳኞችና \ %t @C Yñ, -LŴ

**"7. ሃዋና ዳይሬክተሩ | LĒNĀ tGÆR**

- 1/፩ ዋና ዳይሬክተሩ የባለሥልጣኑ ፎፕ | % xSfÉ, bmçN ሃባለሥልጣኑን | % āC Ād%©L½ Ym%L½ ĀStĀD%L።
- 2/፩ yz!H xNq{ N; #S xNq{ (1) አጠቃላይ xnUgR XNdt - bq çñ ዋና ዳይሬክተሩ bz!H xēJ bxNq{ " 4 እና " 5 ytzrz, T የባለሥልጣኑ" ሥልጣንና tGÆ%T b | % \$Y mē\$çWN ĀrUG ĒL።

**"8. የዳኞች አሰያያዎ**

- 1/ የባለሥልጣኑ እያንዳንዱ የዳኝነት ችሎት በጠቅላይ ሚኒስትሩ የሚሰየሙ አንድ ሰብሳቢ እና ሁለት K?KA< ዳኞች ይኖሩታል።
- 2/ ዳኞች ለሥራው ተፈላጊ የሆነ ጻS-Á wnf፣ የትምህርት ሰጪ እና የሥራ ልምድ ሊኖራቸው ይገባል።
- 3/ በዚህ አንቀጽ ንዑስ አንቀጽ /1/ መሠረት የሚሰየሙ ዳኞች በፌዴራል መንግሥት የሲቪል ሰርቪስ ሕግ ይተዳደራሉ።

- 4) When the Authority knows or believes that the of fences provided in this Proclamation are committed, it shall, together with its evidential findings and opinion, submit to the public prosecutor in charge of examining and determining the case.
- 5) The Authority shall execute decisions passed by the trade practice investigation commission that was established pursuant to the trade practice proclamation No. 329/2003.

**36. ORGANIZATION OF THE AUTHORITY**

The Authority shall have:

- 1) a Director General to be appointed by the Prime Minister upon the recommendation of the Minister; and
- 2) the necessary judges and staff.

**37. POWERS AND DUTIES OF THE DIRECTOR GENERAL**

- 1) The Director General being the chief executive of the Authority shall organize, direct and administer the activities of the Authority.
- 2) Without limiting the generality stated under sub article (1) of this Article, the Director General shall make sure that the powers and duties of the Authority provided for under Articles 34 and 35 of this Proclamation are being executed.

**38. APPOINTMENT OF JUDGES**

- 1) Each division of the adjudicative tribunal of the Authority shall have one presiding and two other judges to be appointed by the Prime Minister.
- 2) The judges shall have the necessary professional qualification, educational background and experience needed for the post.
- 3) The judges, to be appointed pursuant to sub article (1) of this Article, shall be governed by the federal government civil service laws.

**"9. የክልሎች የሽማግሌ ጥበቃ ዳኝነት አካላት**

- 1/ ክልሎች በዚህ አዋጅ የሽማግሌን መብት ጥበቃ በተመለከተ በተቀመጡት ድንጋጌዎች ላይ ዳኝነት የሚያዩ አካላትን በዚህ አዋጅ መሠረት እንደአስፈላጊነቱ ሊያቋቁሙ ይችላሉ።
- 2/ በክልሎች የሚቋቋሙ የሽማግሌ መብት ጥበቃ ዳኝነት አካላት በዚህ አዋጅ ስለሽማግሌ በተደነገጉት ጉዳዮች ላይ ዳኝነት የሚያዩት በክልል መንግሥታት ፈቃድ ከሚሰጡባቸው የንግድ ሥራ መስኮች ወይም በአካባቢ የሰራ መስኮች ከተሰማሩ ነጋዴዎች ወይም በክልሉ ከሚሰሩ የንግድ ሥራዎች ጋር በተያያዘ ነው።
- 3/ በክልሎች የሚቋቋሙ የሽማግሌ ጥበቃ ዳኝነት አካላት ውስጥ የሚሰሩ ዳኞች በየክልሎቹ ኘፊዚዳንቶች ይሾማሉ።

**#. y| n-| R>T ?g0C t fÉ nT**

ባለሥልጣኑ ፣ " a < " uT xT u f ፣ ፣ p f የx!T xùÃ ØÁ%§ēē Ä!äK%§!Äēē ሪT B I!K yFT/B/ጸ XÃ ywNj Ä mQÃ | n| R>T ?Gጋትን b| % SY ÄWSLŸ

**ክፍል > Uef ክስ ስለማቅረብ እና ምርመራ ስለማከናወን**

**#1. ክስ ስለማቅረብ**

- 1/ የዚህ አዋጅ ክፍል ሁለት ድንጋጌዎች የተጣሱ መሆኑን በመግለጽ የዚህ ክፍል ተፈጻሚነት የሚመለከተው ሰው ሀዳኝነት እንዲታይባቸው ወይም መብቱ እንዲከበርለት ለባለሥልጣኑ ማመልከት ይችላል።
- 2/ ሽማግሌ በዚህ አዋጅ የተደነገጉ መብቶቻቸው እንዲከበሩ ዳኝነት እንዲታይባቸው ባለሥልጣኑ ወይም ክፍል የሽማግሌ ጥበቃ ተቋም ክስ ማቅረብ ይችላሉ።
- 3/ ሚኒስቴሩን ጨምሮ ማንኛውም ሰው የዚህ ህን አዋጅ ድንጋጌዎች በተላለፉ ሰዎች ላይ አስተዳደራዊ ወይም ፍትሐብሔራዊ እርምጃ እንዲወሰድ ለባለሥልጣኑ ክስ ማቅረብ ይችላል።

**39. REGIONAL STATES' CONSUMERS PROTECTION JUDICIAL ORGANS**

- 1) Regional states may, when necessary, establish organs that adjudicate on matters of consumer rights protections as indicated in this Proclamation.
- 2) Consumer rights protection judicial bodies to be established by regional states to adjudicate matters related to consumers as provided for in this Proclamation shall have jurisdiction in connection with commercial activities licensed by the regional states or business persons engaged in such commercial activities or commercial activities conducted in the regional states.
- 3) Judges working in the consumer rights protection judicial bodies to be established by the regional states shall be appointed by the presidents of the regional states.

**40. APPLICABILITY OF PROCEDURAL LAWS**

In conducting adjudication the Authority shall apply civil and criminal procedure laws of the Federal Democratic Republic of Ethiopia.

**PART FIVE**  
**INSTITUTING OF ACTIONS AND**  
**CONDUCTING INVESTIGATION**

**41. INSTITUTING ACTIONS**

- 1) By stating the provisions of Part Two of this Proclamation have been violated, any person who is concerned with the application of this Part may apply to the Authority for adjudication or for his right to be protected.
- 2) Consumers may institute actions for adjudication to protect their rights provided for under this Proclamation at the Authority or at regional state consumer protection body.
- 3) Any person including the Ministry may institute action at the Authority for administrative or civil measures to be taken against violators of the provisions of this Proclamation.









3/ የዚህ አንቀጽ ንዑስ አንቀጽ /1/ እና /2/ ድንጋጌዎች በሕግ በተሰጣቸው ሥልጣን ወይም በሕግ መሠረት በተሰጠ ፈቃድ መሠረት የንግድ ዕቃዎችን እንዲያከማቹ ፈቃድ በተሰጣቸው ሰዎች ላይ ተፈጻሚ አይሆኑም።

**#6. መሠረታዊ የንግድ ዕቃዎችና አገልግሎቶችን ዋጋ ስለመወሰን**

አስፈላጊ ሆኖ ሲገኝ ሚኒስቴሩ የዋጋ ቁጥጥር ሊደረግባቸው የሚገቡ መሠረታዊ የንግድ ዕቃዎችና አገልግሎቶች ላይ ያደረገውን ጥናት ለሚኒስትሮች ምክር ቤት አቅርቦ በማስፈቀድ ዝርዝራቸውንና ዋጋዎቻቸውን በሕዝብ ማስታወቂያ ሊያወጣ ይችላል።

**#7. ስለመሠረታዊ የንግድ ዕቃዎች ስርጭት**

ሚኒስቴሩ ከሚመለከታቸው ሌሎች የመንግሥት መሥሪያ ቤቶች ጋር በመመካከር ዝርዝራቸውና ዋጋዎቻቸው በሕዝብ ማስታወቂያ የተገለጹት መሠረታዊ የንግድ ዕቃዎች እና አገልግሎቶች ስለሚሰጡበት፣ ስለሚሸጡበትና ከቦታ ቦታ ስለሚዘዋወሩበት ሁኔታ ለመወሰንና እንደአስፈላጊነቱም ዕቃዎቹ ባለቁ ጊዜ እንዲተኩ ነጋዴውን ለማዘዝ ይችላል።

**ክፍል cvf**  
**L† L† DNUq@C**

**#8. የፌዴራልና የክልል ፍርድ ቤቶች ሥልጣንና ኃላፊነት**

1/ የፌዴራል እና የክልል ፍርድ ቤቶች የንግድ አሠራርና የሽማግሌ ጥበቃ ሥራን ለማቀጠል እንዲቻል የንግድ አሠራርና የሽማግሌ ጥበቃ ጉዳዮች የሚታዩባቸውን ችሎቶች ያደራጃሉ።

2/ በዚህ አንቀጽ በንዑስ አንቀጽ (1) መሠረት የተደራጁ ችሎቶች በዚህ አዋጅ በአንቀጽ #9 የተመለከቱ የወንጀል ጥፋቶችን የማየትና የመወሰን ሥልጣን ይኖራቸዋል።

**#9. Q È T**

bz!H xêJ bxNq{ " 5 N;#S xNq{ (3) m\rT ባለሥልጣኑ y, wSdW xStÄ d%êE እና ፍትሐ ብሔራዊ XRM© XNdt - bq ናቭ የፌዴራል እና የክልል ፍርድ ቤቶች yz!HN xêJ DNUg@C b, t\$| F b¥N¾WWM sW \$Y q\_!0 ytml kt\$TN የወንጀል QÈèC ይወስናሉ-

3) The provisions of sub article (1) and (2) of this Article shall not apply to persons that are empowered by law or licensed in accordance with the law to hoard goods.

**46. REGULATING PRICES OF BASIC GOODS AND SERVICES**

The Ministry, when deemed necessary, submits to the Council of Ministers its study on basic goods and services that shall be subject to price regulation and upon approval publish their list and prices in public notices.

**47. DISTRIBUTION OF BASIC GOODS**

The Ministry in consultation with other concerned government organs may determine the conditions of distribution, sale and movement of basic goods and services and, as may be necessary, order the business person to replenish the stock of the same.

**PART SEVEN**  
**MISCELLANEOUS PROVISIONS**

**48. RESPONSIBILITIES AND FUNCTIONS OF THE FEDERAL AND REGIONAL STATE COURTS**

1) Federal and regional state courts shall organize trade practice and consumer protection divisions in order to expedite the trade practice and consumer protection activities.

2) Divisions organized pursuant to sub article (1) this Article shall have power to adjudicate and pass decisions on criminal violations stated under Article 49 of this Proclamation.

**49. PENALTY**

Without prejudice to administrative and civil measures the Authority shall take pursuant to sub article (3) of Article 35 of this Proclamation, the federal and regional state courts shall decide the following criminal penalties against any person who violates the provisions of this Proclamation:

- 1/ የዚህን አዋጅ አንቀጽ 8 የተላለፈ ማንኛውም ነጋዴ የዓመታዊ ገቢውን 05 በመቶ /አሥራ አምስት በመቶ/ ወይም የዓመታዊ ገቢውን መጠን መወሰን ባልተቻለ ጊዜ ከብር 5)ሺ /አምስት መቶ ሺ ብር/ እስከ ብር 1ሚሊዮን /አንድ ሚሊዮን ብር/ በሚደርስ የገንዘብ መቀጫ እና ከ5 /አምስት/ እስከ 05 /አሥራ አምስት/ አመት በሚደርስ ጽኑ እስራት ይቀጣል፤
- 2/ የዚህን አዋጅ አንቀጽ 03 "ጠቅላይ" አጭር (1) /ሀ/ እና /ለ/ ድንጋጌዎች የተላለፈ ማንኛውም ነጋዴ የዓመታዊ ገቢውን በመቶ /ሃያ በመቶ/ ወይም የዓመታዊ ገቢውን መጠን መወሰን ባልተቻለ ጊዜ ከብር 1ሚሊዮን /አንድ ሚሊዮን ብር/ እስከ ብር 2ሚሊዮን /ሁለት ሚሊዮን ብር/ በሚደርስ የገንዘብ መቀጫ እና ከ5 /አምስት/ እስከ 0 /አሥር/ ዓመት በሚደርስ ጽኑ እስራት ይቀጣል፤
- 3/ የዚህን አዋጅ አንቀጽ !1 የተላለፈ ማንኛውም ነጋዴ የዓመታዊ ገቢውን በመቶ /አሥር በመቶ/ ወይም የዓመታዊ ገቢውን መጠን መወሰን ባልተቻለ ጊዜ ከብር 3)ሺ /ሦስት መቶ ሺ ብር/ እስከ ብር 6)ሺ /ስድስት መቶ ሺ ብር/ በሚደርስ የገንዘብ መቀጫ እና ከ3 /ሦስት/ እስከ 5 /አምስት/ ዓመት በሚደርስ ጽኑ እሥራት ይቀጣል፤
- 4/ የዚህን አዋጅ አንቀጽ " ንዑስ አንቀጽ (6) እና (0) የተላለፈ ማንኛውም ነጋዴ ከብር 1)ሺ /አንድ መቶ ሺ ብር/ እስከ ብር 2)ሺ /ሁለት መቶ ሺ ብር/ በሚደርስ የገንዘብ መቀጫ እና ከ0 /አስር/ እስከ ! /ሃያ/ ዓመት በሚደርስ ጽኑ እስራት ይቀጣል፤
- 5/ በዚህ አዋጅ አንቀጽ " ስር ያሉትንና ከዚህ በላይ በዚህ አንቀጽ ንዑስ አንቀጽ /4/ ከተጠቀሰው የአንቀጽ " ንዑስ አንቀጽ /6/ እና /0/ ድንጋጌዎች ውጪ ያሉትን ድንጋጌዎች የተላለፈ ማንኛውም ነጋዴ ከብር \$ሺ /ሃምሳ ሺ ብር/ እስከ ብር 1)ሺ /አንድ መቶ ሺ ብር/ በሚደርስ የገንዘብ መቀጫ እና ከ3 /ሦስት/ እስከ 7 /ሰባት/ ዓመት በሚደርስ ጽኑ እስራት ይቀጣል፤
- 6/ የዚህን አዋጅ አንቀጽ #5 በመተላለፍ የንግድ ዕቃዎችን አስማችቶ ወይም ደብቆ የተገኘ ማንኛውም ነጋዴ ከብር 2)ሺ /ሁለት መቶ ሺ ብር/ እስከ ብር 4)ሺ /አራት መቶ ሺ ብር/ በሚደርስ የገንዘብ መቀጫ እና ከ3 /ሦስት/ እስከ 7 /ሰባት/ ዓመት በሚደርስ ጽኑ እስራት ይቀጣል፤

- 1) any business person who violates Article 8 of this Proclamation shall be punished with a fine of 15% (fifteen percent) of his annual income or where it is impossible to determine the amount of his annual income with fine from birr 500,000 (five hundred thousands birr) to birr 1,000,000 (one million birr) and with rigorous imprisonment from 5 (five) to 15 (fifteen) years;
- 2) any business person who violates the provisions of Article 13 sub article (1) (a) and (b) of this Proclamation shall be punished with a fine of 20% (twenty percent) of his annual income or where it is impossible to determine the amount of his annual income with fine from birr 1,000,000 (one million birr) to birr 2,000,000 (two million birr) and with rigorous imprisonment from 5 (five) to 10 (ten) years;
- 3) any business person who violates Article 21 of this Proclamation shall be punished with fine of 10% (ten percent) of his annual income or where it is impossible to determine his annual income with fine from birr 300,000 (three hundred thousands birr) to birr 600,000 (six hundred thousands birr) and with rigorous imprisonment from 3 (three) to 5 (five) years;
- 4) any business person who violates sub articles (6) and (10) of Article 30 of this Proclamation shall be punished with fine from birr 100,000 (one hundred thousands birr) to birr 300,000 (three hundred thousands birr) and with rigorous imprisonment from 10 (ten) to 20 (twenty) years;
- 5) any business person who violates the provisions of Article 30 of this Proclamation other than sub articles (6) and (10) of Article 30 of this Proclamation stated under sub article /4/ of this Article shall be punished with fine from birr 50,000 (fifty thousands birr) to birr 100,000 (one hundred thousands birr) and with rigorous imprisonment from 3 (three) to 7 (seven) years;
- 6) any business person who has been found hoarding or diverting goods in violation of Article 45 of this Proclamation, shall be punished with fine from birr 200,000 (two hundred thousands birr) to birr 400,000 (four hundred thousands birr) and with rigorous imprisonment from 3 (three) to 7 (seven) years;

- 7/ በዚህ አንቀጽ ከንዑስ አንቀጽ /1/ እስከ /6/ በተዘረዘሩት ወንጀሎች ውስጥ በቀጥታም ሆነ በተዘዋዋሪ መንገድ የማንኛውም ነጋዴ ያልሆነ ሰው ተሳትፎ መኖር ከተረጋገጠ ከብር 2)ሺ /ሁለት መቶ ሺ ብር/ እስከ ብር 4)ሺ /አራት መቶ ሺ ብር/ በሚደርስ የገንዘብ ቅጣት እና ከ3 /ሦስት/ እስከ 5 /አምስት/ ዓመት በሚደርስ ጽኑ እስራት ይቀጣል፤
- 8/ በዚህ አንቀጽ ከንዑስ አንቀጽ /1/ እስከ /6/ ከተጠቀሱት ውጪ ያሉትን የዚህን አዋጅ ድንጋጌዎች ወይም ይህን አዋጅ ለማስፈጸም የሚወጣውን ደንብ ድንጋጌዎች ወይም ይህን አዋጅ ለማስፈጸም የሚወጡ የሕዝብ ማስታወቂያዎች ድንጋጌዎችን የተላለፈ ነጋዴ የሆነ ወይም ነጋዴ ያልሆነ ሰው ከብር " ሺ /ሰላሳ ሺ ብር/ እስከ ብር \$ሺ /ሃምሳ ሺ ብር/ በሚደርስ የገንዘብ መቀጫ እና ከ2 /ሁለት/ እስከ 4 /አራት/ ዓመት በሚደርስ ጽኑ እስራት ይቀጣል፤
- 9/ የዚህ አንቀጽ ሌሎች ንዑስ አንቀጾች ድንጋጌዎች እንደተጠበቁ ሆነው የባለሥልጣኑ ዳኛ ወይም ዋና ዳይሬክተር ወይም ሌላ ሠራተኛ ወይም የሚኒስቴሩ ወይም የቢሮው ሠራተኛ ወይም የክልል የሽማግሌ ጉዳይ የዳኝነት አካል ዳኛ የሆነ መደለያ በመቀበል ወይም በወዳጅነት ወይም በዝምድና ወይም አግባብ ባልሆነ ሌላ ግንኙነት በዚህ አዋጅ ከተደነገገው ውጪ እንዲፈጸም ያደረገ እንደሆነ ከ0 /አሥር/ እስከ 05 /አስራአምስት/ ዓመት በሚደርስ ጽኑ እስራት ይቀጣል፤
- 0/ በዚህ አንቀጽ ንዑስ አንቀጽ /9/ የመለከተው ቅጣት መደለያ በሰጠው ባለጉዳይ ላይም ተፈጻሚ ይሆናል፤
- 01/ ከንግድ ዕቃዎች ወይም አገልግሎቶች ሽያጭ ወይም ዝውውር ጋር ተያይዞ በአምራችነት ወይም በላኪነት ወይም በአስመጪነት ወይም በጅምላ ሻጭነት ወይም በችርቻሮ ሻጭነት ወይም በሌላ ማንኛውም ሁኔታ በሽያጩ ወይም በዝውውሩ የተሳተፉ ሰዎች የዚህን አዋጅ ድንጋጌዎች መተላለፍ በተመለከተ የተናጠል እና የጋራ የወንጀል ተጠያቂነት አለባቸው።

- 7) where the participation of a person other than a business person in the crimes mentioned from sub article (1) to (6) of this Article has been ascertained he shall be punished with fine from birr 200,000(two hundred thousands birr) to birr 400,000 (four hundred thousand birr) and with rigorous imprisonment from 3 (three) to 5 (five) years;
- 8) any business person or any person other than a business person who violates the provisions of this Proclamation other than those mentioned under sub articles (1) to (6) of this Article or the provisions of regulations to be issued to implement this Proclamation or the provisions of public notices to be issued to implement this Proclamation, shall be punished with fine from birr 30,000 (thirty thousands birr) to birr 50,000 (fifty thousands birr) and with rigorous imprisonment from 2 (two) to 4 (four) years;
- 9) without prejudice to the other provisions of this Article, where a judge or Director General or another employee of the Authority or the Ministry or the bureau or the judge of regional state consumers protection judicial organ, by taking bribes or through favoritism or nepotism or other improper relationships implements otherwise than provided for in this Proclamation shall be punished with rigorous imprisonment from 10 (ten) to 15 (fifteen) years;
- 10) the penalty provided for under sub article (9) of this Article shall also be applicable to the person who has given the bribe;
- 11) In connection with the sale or circulation of goods and services persons who participate in the sale or circulation as manufacturers or exporters or importers or wholesalers or retailers or in any other way, shall have criminal liability individually and jointly concerning the violations of the provisions of this Proclamation.



**\$5. ፊንታና ስርዓት ለማረጋገጥ ለሚያስፈልጉት**

1/ ማረጋገጫ ለማረጋገጥ ለሚያስፈልጉት ስርዓት ለማረጋገጥ ለሚያስፈልጉት

2/ ማረጋገጫ ለማረጋገጥ ለሚያስፈልጉት ስርዓት ለማረጋገጥ ለሚያስፈልጉት

**\$6. የመጀመሪያ ስርዓት**

በንግድ አሰራር አዋጅ ቁጥር 3)፣ 9፡09) (5 መሠረት የወጡ የሕዝብ ማስታወቂያዎች በዚህ አዋጅ መሠረት በሚወጡ የሕዝብ ማስታወቂያዎች እስከሚተኩ ድረስ ተፈጻሚ ይሆናሉ።

**\$7. የተሰረዘው ስርዓት**

1/ የንግድ አሰራር አዋጅ ቁጥር 3)፣ 9፡09) (5 መሠረት የወጡ የሕዝብ ማስታወቂያዎች በዚህ አዋጅ መሠረት በሚወጡ የሕዝብ ማስታወቂያዎች እስከሚተኩ ድረስ ተፈጻሚ ይሆናሉ።

2/ ማንኛውም ሌላ ስርዓት ወይም የተለመደ አሰራር ከዚህ አዋጅ ጋር የሚቃረን ሆኖ ከተገኘ በዚህ አዋጅ በተመለከቱት ጉዳዮች ላይ ተፈጻሚነት አይኖረውም።

**\$8. የግብር ስርዓት**

ይህ አዋጅ በፌዴራል ነጋሪት ጋዜጣ ታትሞ ከወጣበት ቀን ጀምሮ ማረጋገጥ ለሚያስፈልጉት ስርዓት ለማረጋገጥ ለሚያስፈልጉት

**አዲስ አበባ ነሐሴ 0 ቀን 2ሺ.2 ዓ.ም**

**GR፤ wLdgbxRg፤S**

**የግብር ስርዓት ለማረጋገጥ ለሚያስፈልጉት ስርዓት ለማረጋገጥ ለሚያስፈልጉት**

**55. POWER TO ISSUE REGULATION AND DIRECTIVE**

1) The Council of Ministers may issue regulation to implement this Proclamation.

2) The Ministry may issue public notice to implement this Proclamation and the regulation to be issued pursuant to this Proclamation.

**56. TRANSITORY PROVISIONS**

Public notices issued pursuant to Trade Practice Proclamation № 329/2003 shall be implemented until they are replaced by public notices to be issued pursuant to this Proclamation.

**57. REPEALED LAWS**

1/ Trade Practice Proclamation № 329/2003 is hereby repealed and replaced by this Proclamation.

2/ No other law or customary practice that is inconsistent with this Proclamation shall have effect with respect to matters provided for in this Proclamation.

**58. Effective Date**

This Proclamation shall enter into force up on the date of publication in the Federal Negarit Gazeta.

Done at Addis Ababa, this 16<sup>th</sup> day of August , 2010

**GIRMA WOLDEGIORGIS**

**PRESIDENT OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA**