የኢትዮጵያ ፌዴራሳዊ ዲሞክራሲያዊ ሪፐብሊክ

# **ፌዴራል ነጋሪት ጋዜጣ** FEDERAL NEGARIT GAZETA

OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

	<b>ዲሞክራሲ ደዊ ሪፐብሊክ</b> በር ቤት  ጠባቂነት የወጣ Addis Ababa 22 <sup>nd</sup> January, 2007
<u> </u>	CONTENTS
አዋጅ ቁተር ፝፭፻፲/፲፱፻፺፱ ዓ.ም	Proclamation No. 510/2007
የብሔራዊ ሎተሪ አስተዳደርን እንደገና ለማቋቋም የወጣ አዋጅ ነጽ ፫ሺ፭፻፬	National Lottery Administration Re-establishment Proclamation Page 3509
አዋጅ ቁጥር ፭፻፲/፲፱፻፺፱	PROCLAMATION NO. 510/2007.
የብሔራዊ ሎተሪ አስተዳደርን እንደገና ለማ <b>ቋቋም</b> የወጣ አዋጅ	A PROCLAMATION FOR THE RE-ESTABLISHMENT OF THE NATIONAL LOTTERY ADMINISTRATION
የሎተሪ ሥራ ከጊዜ ወደ ጊዜ በዓይነትና በአጨዋወት ዘዴው አያደገና እየሰፋ በመምጣቱ ምክንያት በተ ጠናከረና ሥርዓት ባለው መንገድ ለማካሄድ፣ ለመምራ ትና ለመቆጣጠር እንዲቻል እንዲሁም ከዘርፉ የሚገኘው ገቢ ለኢኮኖሚና ማህበራዊ ልማት የሚያደርገው እገዛ የተሻለ እንዲሆን ለማስቻል የብሔራዊ ሎተሪ አስተዳደ ርን ድርጅታዊ አቋም ማሻሻልና ማጠናከር በማስፈለጉ፤	WHEREAS, it has deemed necessary to restructure and strengthen the National Lottery Administration to properly manage, regulate and control lottery games in view of the new developments in their variety and play styles and to maximize the financial contributions of the sector towards economic and social development;
የግሉን ክፍለ ኢኮኖሚ በሎተሪ ሥራ ላይ እንዲሳተፍ ማድረጉ የዘርፉን የአገልግሎት ብቃት ከፍ ለማድረግ ያስችላል ተብሎ በመታመኑ፤	<b>WHEREAS,</b> it is believed that the participation of private investors in the sector contributes to the improvement of the service;
በኢትዮጵያ ፌዴራሳዊ ዲሞክራሲያዊ ሪፐብሊክ ሕገ- መንግሥት አንቀጽ <sup>፻</sup> ጅ/፩/ መሥረት የሚከተለው ታውጇል። <b>ክፍል አንድ</b> <b>ጠቅሳሳ</b>	NOW, THEREFORE, in accordance with Article 55(1) of the Constitution of the Federal Democratic Republic of Ethiopia, it is hereby proclaimed as follows: PART ONE GENERAL
፩. <u>አ<del>ምር ር</del>ዕስ</u>	1. Short Title
ይህ አዋጅ "የብሔራዊ ሎተሪ አስተዳደርን እንደገና ለማቋቋም የወጣ አዋጅ ቁጥር ጅ፻፲/፲፱፻፺፱" ተብሎ ሊጠቀስ ይችሳል።	This Proclamation may be cited as the "National Lottery Administration Re-establishment Proclamation No.510 /2007"
፪. <u>ትርጓሚ</u>	2. Definition
የቃሉ አገባብ ሌሳ ትርጉም የሚያሰጠው ካልሆነ በስተቀር በዚህ አዋጅ ውስተ፤	In this Proclamation, unless the context requires otherwise:

- ፟/ "ሎተሪ" ማለት የሽልማት አሸናፊው በዕድል፣ በዕጣ አወጣদ ወይም በማናቸውም ሌላ ዘኤ የሚታወቅበት ጨዋታ ወይም ድርጊት ሲሆን ቶምቦላን ወይም ራፍልን፣ ሎቶን፣ ቶቶን፣ ፈጣን ሎተሪን፣ የቁዋር ሎተሪን፣ የተደራራቢ ሽልማት ሎተሪን፣ የፕሮሞሽን ሎተሪን፣ ቢን ነን፣ የስፖርት ውርርድ ሎተሪንና ሌሎች ተመሳሳይ ድርጊቶችን ይጨምራል፤
- ፪/ "የገንዘብ ሎተሪ" ማለት ሽልማቱ በገንዘብ የሚሰጥ ሎተሪ ነው፤
- ፫/ "ቶምቦሳ ወይም ራፍል" ማለት የሎተሪ ቲኬ ቶቹ ቅድሚያ ተከታታይ ቁጥር ተሰጥቷቸው የሚታተሙ፣ አሸናፊው በሕዝብ ፊት በሚወጣ ሪጣ የሚለይና ሽልማቱ በዓይነት የሚሰጥ ሎተሪ ነው፤
- ፬/ "የስፖርት ውርርድ ሎተሪ" ማለት በቤት ውስጥ ወይም ከቤት ውጭ የሚከናወኑ የስፖርት ውድድሮችን መሥረት በማድረግ የሚደረግ ውርርድና ሽልማቱ በገንዘብ ወይም በዓይነት የሚሰጥ ሎተሪ ነው፤
- ጅ/ "ሎቶ" ማለት አስቀድሞ ከተለዩ ተከታታይነት ካላቸው ቁጥሮች መካከል ተጫዋቹ የሚፈል ጋቸውን የተወሰኑ ቁጥሮች በመምረዋ አሸናፊ መሆን አለመሆኑ በሕዝብ ፊት በሚወጣ ዕጣ የሚወሰንበት የገንዘብ ሎተሪ ነው፤
- ½/ "ቶቶ" ማለት በዋናነት በእግር ኳስ ጨዋታ ወቅት በሚደረግ ውርርድ ሽልማቱ በገንዘብ የሚሰጥ፣ እና
  - ሀ/ ከተወራረዱት መካከል ብዙ አሸናፊዎች የሚኖሩ ከሆነ የሽልማቱ ገንዘብ ለአሸናፊ ዎቹ እኩል የሚከፈል፣ ወይም
  - ለ/ ውድድሩ በተባለው ሰዓት ባይካሄድ፣ ውጤቱ ቢሰረዝ ወይም የጨዋታው ዓይ ነት ቢለወጥ አሸናፊዎቹ በሕዝብ ፊት በሚ ወጣ ዕጣ የሚለዩበት፣ ሎተሪ ነው ፤
- 第/ "ፌጣን ሎተሪ ማለት" ተሳታፊዎች የሎተሪውን ቲኬት በመፋቅ ሽልማቱን ማግኘት ወይም ማጣታቸውን ወዲያውኑ የሚያውቁበት የገን ዘብ ሎተሪ ነው፤
- ፰/ "የቁጥር ሎተሪ" ማለት የሎተሪ ቲኬቶቹ በቅድሚያ ተከታታይ ቁጥር ተሰጥቷቸው የሚታተሙና አሸናፊው በሕዝብ ፊት በሚወጣ ዕጣ የሚለይ የገንዘብ ሎተሪ ነው፤

- 1/ "lottery" means any game or activity in which the prize winner is determined by chance, drawing of lots or by any other means and includes tombola or raffle, lotto, toto, instant lottery, number lottery, multiple prize lottery, promotional lottery, bingo, sport betting lottery and other similar activities.
- 2/ "money lottery" means a lottery in which the prize is distributed in money;
- 3/ "Tombola or raffle" means a lottery in which lottery tickets are given serial numbers, winners are determined by public draw and prizes are distributed in kind;
- 4/ "sport betting lottery" means a lottery for betting arranged on the basis of in-door or out-door sport competitions and in which the prize is distributed in money or in kind;
- 5/ "lotto" means a money lottery in which chance of winning is determined by choosing certain numbers from a defined series of numbers and in which the winning are determined by public draw;
- 6/ "toto" means a money lottery performed by betting at a time where there is mainly football competition, and
  - a) where there are several winners of a single event, the prize money is divided equally among the winners; or
  - where the event does not take place at the specified time, the results are cancelled or its competitive nature is changed, winners are identified by public draw;
- 7/ "instant lottery" means a money lottery in which participants can determine immediately whether they won or lost prizes by scratching the lottery tickets;
- 8/ "number lottery" means a money lottery in which lottery tickets are given serial numbers and winners are determined by public draw;

- Ø/ "የተደራራቢ ሽልማት ሎተሪ" ማለት ተሳታፊው በአንድ የሎተሪ ቲኬት ከዋናው ሽልማት ሌላ ተጨማሪ ሽልማት የሚያገኝበት የገንዘብ ሎተሪ ነው !
- I/ "ኮንቬንሽናል ቢንን" ማለት በቢንን ማጫወቻ ክበብ በመገኘትና በቅድሚያ ክርድ በመግዛት ተሳታፊዎች ከአጫዋቹ የሚሰጡ ተዕዛዞችን ከራሳቸው የመጫወቻ ቁጥሮች ጋር እያመሳ ከሩ አሸናፊ መሆን አለመሆናቸው የሚታወቅ በት የገንዘብ ሎተሪ ነው፤
- ፲፩/ "ዘመናዊ ቢንን" ማለት ተሰታፊዎች በሎተሪ ቲኬቶች ላይ የሚሰጡ ትዕዘዞችን መሠረት በማድረግ የዕድል ቁጥሮችን ከመጫወቻ ቁጥ ሮች ጋር እያመሳከሩ አሸናፊ መሆን አለመ ሆናቸው የሚታወቅበት የገንዘብ ሎተሪ ነው፤
- ፲፪/ "የፕሮሞሽን ሎተሪ" ማለት የምርት ወይም የአገልግሎት ሽያጭን ለማስፋት በምርት መጠቅለያ ወይም ክዳን ውስጥ ተደብቀው የሚገኙ ዕጣዎችን፣ ከምርቱ ወይም ከአገል ግሎቱ ግዢ ጋር በተያያዘ ሁኔታ የሚታደሉና ባለዕድል የሚያደርጉ ኩፖኖችንና ካርዶችን ወይም ሌሎች ዘዴዎችን በመጠቀም የሚከና ወንና ሽልማቱ በዓይነት የሚሰጥ ሎተሪ ነው፤
- ፲፫/ "የሎተሪ ሥራ" ማለት በአገር ውስዋም ሆነ በውጭ አገር ማናቸውንም ዓይነት ሎተሪ በማዘጋጀት በአገር ውስዋ መሸዋ፣ ማከፋፈል፣ ማጫወትና ዕጣ ማውጣት ወይም ማናቸውንም ተመሳሳይ ተግባር ማከናወን ነው፤
- ፲፬/ "ሰው" ማለት ማናቸውም የተፈዋሮ ሰው ወይም በሕግ የሰውነት መብት የተሰጠው አካል ነው፤
- ፲፭/ "ሚኒስቴር" እና "ሚኒስትር" ማለት እንደ ቅደም ተከተሉ የገቢዎች ሚኒስቴር እና ሚኒስትር ነው።

#### <u>ክፍል ሁለት</u> የብሔራዊ ሎተሪ አስተዳደር

## <u> ፫. እንደነና *መ*ቋቋም</u>

- - ፪/ የአስተዳደሩ ተጠሪነት ለሚኒስቴሩ ይሆናል።

- 9/ "multiple prize lottery" means a money lottery in which a participant may win an additional prize besides the main prize by the same lottery ticket;
- 10/ "conventional bingo" means a money lottery in which participants go to bingo game centers and buy cards in which they correspond their numbers with the numbers communicated by the game setter and determine whether they won or lost prizes;
- 11/ "modern bingo" means a money lottery in which participants can determine whether they won or lost prizes by corresponding the luck numbers with play numbers following instructions given on lottery tickets;
- 12/ "promotional lottery" means a lottery designed to promote the sale of products or services by the use of lots hidden in product packages or covers, luck coupons and cards distributed along with the sale of the goods or services or any other methods and the prize of which is distributed in kind;
- 13/ "lottery activity" means the preparation of any lottery inside or outside the country and the distribution, sale, drawing of lots or the performance of any other similar activity inside the country;
- 14/ "person" means any natural or juridical person;
- 15/ "Ministry" and "Minister" means the Ministry and Minister of Revenue, respectively.

#### PART TWO THE NATIONAL LOTTERY ADMINISTRATION

#### 3. Re-establishment

- 1/ The National Lottery Administration (hereinafter referred to as the "Administration") is hereby re-established as an autonomous federal agency having its own legal personality.
- 2/ The Administration shall be accountable to the Ministry.

#### ፬. <u>ዋና መሥሪያ ቤት</u>

የአስተዳደሩ ዋና መሥሪያ ቤት በአዲስ አበባ ሆኖ ቅርንጫፍ መሥሪያ ቤቶችን እንደ አስፈለጊነቱ በአገሪቱ ውስተ በማናቸውም ቦታ ሊያቋቁም ይችሳል።

## <u>ጅ. ዓላማ</u>

የአስተዳደሩ ዓላማ ሎተሪን በማካሄድ ለኢኮኖሚና ማኅበራዊ ልማት እገዛ የሚያደርግ ገቢ ማመንጨትና የሎተሪ ሥራን መቆጣጠር ይሆናል።

#### <u>፮. የአስተዳደሩ ሥልጣንና ተግባር</u>

አስተዳደሩ የሚከተሉት ሥልጣንና ተግባሮች ይኖሩታል፤

- ፬/ የሎተሪ ሥራ ያካሂዳል፣ ሪጣ የሚወጣበትን ቀን፣ የሽልማቱን መጠንና ሁኔታ፣ ሽልማቱ የሚቆይበትን የጊዜ ገደብና ሌሎች አስፈላጊ መረጃዎችን በሎተሪ ትኬቶች ላይ ያመለክ ታል፣ አሸናፊ የሪጣ ቁጥሮችንም ለሕዝብ ያስታውቃል፤
- Ø/ ሚኒስቴሩ በሚያወጣው መመሪያ መሠረት ከልዩ ልዩ የሎተሪ ዓይነቶች ከሚገኘው ገቢ ላይ ለዕድለኞች መከፈል ያለበት ድርሻ ተግባራዊ መደረጉን ያረጋግጣል፤
- ፫/ የአሸናፊ ዕጣ የተከፈለባቸውና ከሽያቄ የተረፉ የሎተሪ ቲኬቶች በውቄ አዲተር ከተመረመሩ በኋላ ሚኒስቴሩ በሚያወጣው መመሪያ መሥረት እንዲወገዱ ያደርጋል፤
- ፬/ በዚህ አዋጅ በተደነገገው መሠረት ለሎተሪ ሥራ ፈቃድ ይሰጣል፣ይቆጣጠራል፣ይሰርዛል፣
- ፟ዿ፟/ የሎተሪን ጨዋታ ለማካሄድ የሚያስፌልጉ የመ ሣሪያ ዓይነቶችንና መመዘኛዎችን ይወስናል፣ ወደ አገር ውስጥ የማስገቢያ ፌቃድ ይሰጣል፣ ይቆጣጠራል፤
- ½/ የንብረት ባለቤት ይሆናል፣ ውል ይዋዋሳል፣ በስሙ ይከሳል፣ ይከሰሳል፤
- 第/ ዓሳማውን ተግባራዊ ለማድረግ የሚያስፈልጉ ሌሎች ሕጋዊ ተግባራትን ያከናውናል፤
- ፰ ህገ ወ<del>ጥ</del> የሎተሪ ሥራዎችን ይቆጣጠራል።

#### 4. Head Office

The Administration shall have its head office in Addis Ababa and may have branch offices elsewhere in the country as may be necessary.

#### 5. Objectives

The objectives of the Administration shall be to generate, through undertaking lottery activities, revenue that could contribute in financing the country's economic and social development programs and to supervise lottery activities;

#### 6. Powers and Duties of the Administration

The Administration shall have the powers and duties to:

- 1/ undertake lottery activities; indicate on lottery tickets the drawing dates of lots, amounts and conditions of prizes, period of limitations for claiming prizes and other necessary information, and announce winning numbers to the public;
- 2/ ensure the payment of prizes to winners in accordance with revenue allocations set for different types of lotteries by directives of the Ministry;
- 3/ dispose winning and settled as well as unsold lottery tickets after being audited by external auditors and in accordance with directives of the Ministry;
- 4/ give permit to undertake lottery activities, supervise same and revoke in accordance with the provisions of this Proclamation;
- 5/ determine the types and specifications of equipment required to perform lottery games; issue permits for and supervise the importation of same;
- 6/ own property, enter into contracts, sue and be sued in its own name;
- 7/ perform other legal activities necessary for the attainment of its objectives.
- 8/ control illegal lottery activities.

#### <u>፝ዿ፟. የአስተዳደሩ አቋም</u>

አስተዳደሩ፣

፩/ በሚኒስትሩ አቅራቢነት በመንግሥት የሚሾም ዋና ዳይሬክተር፣ እና

፪/ አስፈሳጊው ሠራተኞች፣ ይኖሩታል።

#### 

- ዾ፟/ ዋና ዳይሬክተሩ ከሚኒስቴሩ በሚሰጠው አጠ ቃላይ መመሪያ መሠረት የአስተዳደሩን ሥራ ዎች ይመራል፣ ያስተዳድራል፤
- ፪/ የዚህ አንቀጽ ንዑስ አንቀጽ /፩/ አጠቃሳይ አንጋገር እንደተጠበቀ ሆኖ ዋናው ዳይሬክተር፤
  - ሀ/ በዚህ አዋጅ አንቀጽ ፮ የተመለከቱትን የአስተዳደሩን ሥልጣንና ተግባሮች ሥራ ላይ ያውላል፤
  - ለ/ የአስተዳደሩን ድርጅታዊ መዋቅር፣ የሥራ ዕቅድና በጀት አዘጋጅቶ ለሚኒስቴሩ ያቀርባል፣ ሲፈቀድም ሥራ ሳይ ያውሳል፤
  - ሐ/ ለአስተዳደሩ በተፈቀደው በጀት መሠረት ገንዘብ ወጭ ያደርጋል፤
  - መ/ የፌዴራል ሲቪል ሰርቪስ ሕግን መሥረ ታዊ ዓሳማዎች ተከትሎ በመንግሥት በሚጸድቅ መመሪያ መሥረት ያስተዳደሩን ሥራተኞች ይቀጥራል፣ ያስተዳድራል፣

  - ሪ/ አስፈሳጊ ሆኖ ሲገኝ ክፍርድ ቤት ውጭ ክርክሮችን በስምምነት ይጨርሳል፤
  - ሰ/ አዳዲስ የሎተሪ ጨዋታዎችን ሥራ ሳይ ለማዋል የሚያስችሉ ጥናቶችን ለሚኒስቴሩ እያቀረበ ያስወስናል፤
  - ሽ/ የአስተዳደሩን የሥራ አሬፃፀምና የሂሣብ ሪፖርት አዘጋጅቶ ለሚኒስቴሩ ያቀርባል።
- ፻/ ዋናው ዳይሬክተር ለአስተዳደሩ ሥራ ቅልዋፍና ባስሬለገ መጠን ሥልጣንና ተግባሩን በከፊል ስአስተዳደሩ ሌሎች ኃሳፊዎችና ሥራተኞች በውክልና ሊሰዋ ይችሳል።

#### Organization of the Administration

The Administration shall have:

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

8.

#### Powers and Duties of the Director General

- 1/ The Director General shall, subject to the general directives of the Ministry, direct and administer the activities of the Administration.
- 2/ Without limiting to the generality stated under Sub-Article (1) of this Article, the Director General shall:
  - a) exercise the powers and duties of the Administration stated under Article 6 of this Proclamation;
  - b) prepare and submit to the Ministry the organizational structure, work plans and budgets of the Administration and, upon approval, implement same;
  - c) effect payments in accordance with the approved budget of the Administration;
  - employ and administer the employees of the Administration in accordance with directives approved by the government following the basic principles of the Federal Civil Service laws;
  - e) represent the Administration in all its dealings with third parties;
  - f) settle disputes out of court as may be necessary;
  - g) submit studies on the introduction of new lottery games for the approval of the Ministry;
  - h) prepare and submit to the Ministry activity and financial reports of the Administration.
- 3/ The Director General may, to the extent necessary for the efficient performance of the activities of the Administration, delegate part of his powers and duties to other officials and employees of the Administration.

#### <u>ĝ</u>. <u>የገቢ ምንሞ</u> Source of Revenue 9 አስተዳደሩ የሚከተሉት የገቢ ምንጮች ይኖሩታል፤ of revenue: ፩/ የሎተሪ ቲኬት ሽያጭ፤ <u>፪/ ከጋራ ሽርክና ሥራ የሚገኝ ገቢ፤ እና</u> 1/

፫/ የፌቃድና የኮሚሽን ክፍያዎች።

## <u>፲/ የገቢ አጠቃቀም</u>

- <u>ð</u>/ ከአስተዳደሩ ገቢ ሳይ ለሎተሪ ሪድለኞች የተከፈለውና ለሥራ ማስኬጃ የዋለው ከተቀነሰ በኋላ የሚቀረው የተጣራ ገቢ አስተዳደሩ የሚይዘው የመጠባበቂያ ሂሳብ ብር ፩ሚሊዮን /አንድ ሚሊዮን ብር/ እስከሚሆን ድረስ ወደዚሁ ሂሳብ ገቢ ይደረጋል።
- ፪/ በዚህ አንቀጽ ንሪስ አንቀጽ /፩/ የተመለከተው የመጠባበቂያ ሂሳብ ጥቅም ሳይ ሊውል የሚችለው ለሎተሪ ሪድለኞች ክፍያ ለመፈጸም የገንዘብ እጥረት ሲያጋጥም ብቻ ይሆናል።
- ፫/ የመጠባበቂያ ሂሳብ በዚህ አንቀጽ ንዑስ አንቀጽ /፪/ ለተመለከተው ዓላማ በመዋሉ ምክንያት የኈደለ እንደሆነ ከአስተዳደሩ የተጣራ ገቢ ላይ እየተቀነሰ እንዲተካ ይደሬጋል።
- በዚህ አንቀጽ ንዑስ አንቀጽ /፩/ ወይም /ຼ͡/ <u>0</u>/ የተመለከተው ተቀናሽ ከተደረገ በኋላ ተራፊ ሂሳብ ወደማሪከሳዊ ግምጃ ቤት ፌሰስ ይደረጋል።

#### ፲፩. ስለሂሳብ <u>መዛግብት</u>

- ፩/ አስተዳደሩ የጥንድ ሂሳብ አያያዝ ሥርዓትን በመከተል የተሟሉና ትክክለኛ የሆኑ የሂሣብ መዛግብትን ይይዛል።
- ፪/ የአስተዳደሩ የሂሳብ መዛግብትና ገንዘብ ነክ ሥነዶች በየዓመቱ በዋናው አዲተር ወይም እርሱ በሚሰይማቸው የውጭ አዲተሮች ይመረመራሉ።

#### <u>ክፍል ሦስት</u> <u>የሎተሪ ሥራ ስለማካሄድና ስለፌቃድ አሰጣተ</u>

## ፲፪. <u>የሎተሪ ሥራ ስለማካሄድ</u>

፩/ አስተዳደሩ በዚህ አዋጅ አንቀጽ ĝ ንዑስ 太子中衆 /龚/፣ /[[]፣ /[]/ /[]/፣ /[]/ 次子 /[][]/ የተመለከቱትን የሎተሪ ዓይነቶች የማካሄድ ብቸኛ መብት ይኖሪዋል።

The following shall be the administration's sources

- lottery ticket sales;
- 2/proceeds of joint venture activities; and
- 3/ permit and commission fees.

## 10. Utilization of Revenue

- 1/ The Administration's surplus income after deduction is made for prize payments and operating costs shall be retained as reserve fund until the amount of such fund reaches Birr. 1,000,000 (One million Birr)
- 2/ The reserve fund referred to in Sub-Article (1) of this Article shall be utilized only for settlement of lottery prize winners' claims in the event of cash shortages.
- Where the reserve fund is utilized for the 3/ purpose referred to in Sub-Article (2) of this Article, the Administration's surplus income shall be retained until the fund is fully replenished.
- 4/ The residual surplus after making the deduction referred to in Sub-Article (1) or (3) of this Article, shall be transferred to the Central Treasury.

### 11. Books of Accounts

- 1/ The Administration shall keep complete and accurate books of accounts by using the double entry accounting system.
- 2/ The books of accounts and other financial documents of the Administration shall be audited by the Auditor General or by external auditors assigned by him.

#### PART THREE UNDERTAKING OF LOTTERY ACTIVITIES AND ISSUANCE OF PERMIT

#### 12. Undertaking of Lottery Activities

1/ The Administration shall have exclusive right to undertake lottery activates referred to in Sub-Articles (5), (6), (7), (8), (9) and (11) of Article 2 of this Proclamation.

- ፪/ የዚህ አንቀጽ ንዑስ አንቀጽ /፩/ ድንጋጌ ቢኖርም አስፈላጊ ሆኖ ሲገኝና በሚኒስቴሩ ሲፈቀድ አስተዳደሩ በዚህ አዋጅ አንቀጽ ፪ ንዑስ አንቀጽ /፩/ እና /፮/ የተመለከቱትን የሎተሪ ሥራዎች የካፒታል፣ ቴክኖሎጂ፣ የዕውቀትና የሥራ አመራር ብቃቱ ካላቸው ተሳታፊዎች ጋር በጋራ ሽርክና ሊያካሂድ ይችላል።
- ፫/ በዚህ አዋጅ አንቀጽ ፪ ንዑስ አንቀጽ /፫/፣ /፬/፣ /፲/ እና /፲፪/ የተመለከቱት የሎተሪ ሥራዎች በማንኛውም ሰው ሊካሄዱ ይችላሉ።

#### ፲፫. <u>ለሎተሪ ሥራ ፈቃድ ስለመስጠት</u>

- ፩/ ማንኛውም ሰው በዚህ አዋጅ አንቀጽ ፲፪ ንዑስ አንቀጽ /፫/ መሠረት የሎተሪ ሥራ ለማካሄድ ፌቃድ እንዲሰጠው ሲፌልግ ለዚህ ተግባር የተ ዘጋጀውን ቅጽ በመሙሳትና አስፈላጊ ማስረጃ ዎችን በማያያዝ ማመልከቻውን ለአስተዳደሩ ያቀርባል።
- ፪/ አስተዳደሩ የቀረበለት የፌቃድ ማመልከቻ የተ ፵ላ መሆኑንና ሚኒስቴሩ በመመሪያ ያወጣ ቸው ሁኔታዎችና ግዬታዎች መሟላታቸውን በማረጋገጥ የተጠየቀውን ፌቃድ ይሰጣል።

#### <u>፲፬. ፈቃድን ስለማገድና መሥረዝ</u>

- ፩/ ግንኛውም ባለፈቃድ የዚህን አዋጅ ወይም ይህን አዋጅ ለማስፌጸም የወጡ ደንቦችን ወይም መመሪያዎችን ድንጋጌዎች የጣስ ወይም ከተፈቀደለት ውጭ የሰራ እንደሆነ አስፈሳጊው የማስተካከያ እርምጃ እስኪወሰድ ድረስ አስተዳደሩ ፈቃዱን ሊያግድ ይችላል።
- ፪/ አስተዳደሩ ከሚከተሉት ምክንያቶች በአንዱ ማንኛውንም ፌቃድ ሊሰርዝ ይችሳል፤

  - ለ/ ፌቃዱ የአስተዳደሩ ስምምነት ሳይኖር ለሌላ ሰው ተሳልፎ የተገኘ እንደሆነ፤
  - ሐ/ ፌቃዱ የሕዝቡን ሰላምና ፀጥታ ወይም የአገሪቱን ደህንነት የሚሳዳ የወንጀል ተግባር ሲሰራበት ወይም የማጭበርበር ተግባር ሲፈጸምበት ከተገኘ፤
  - መ/ ፌቃዱ በዚህ አንቀጽ ንዑስ አንቀጽ /፩/ መሠረት ከታገደና ባለፌቃዱ በተሰጠው የጊዜ ገደብ ውስጥ አስፌሳጊውን የማስተ ካከያ እርምጃ ሳይወስድ ከቀረ፤

- 2/ Notwithstanding the provisions of Sub-Article (1) of this Article, the Administration may, where it is deemed necessary and upon obtaining the authorization of the Ministry, undertake lottery activities referred to in Sub-Articles (5) and (6) of Article 2 of this Proclamation with joint venture partners having the requisite capital, technology, know-how and managerial competence.
- 3/ The lottery activities referred to in Sub-Articles (3), (4), (10) and (12) of Article 2 of this Proclamation may be undertaken by any person.

#### **13. Issuance of Permit**

- 1/ Any person seeking a permit for undertaking any lottery activity, pursuant to Sub-Article (3) of Article 12 of this Proclamation, shall fill in the prescribed application form and submit to the Administration together with the necessary evidence.
- 2/ The Administration shall, upon ascertaining the completeness of the application and the fulfillment of the terms and conditions set by the directives of the Ministry, issue the requested permit.

#### 14. Suspension and Revocation of Permit

- 1/ Where any permit holder violates the provisions of this Proclamation or regulations or directives issued for its implementation or acted outside of the scope of the permit, the Administration may suspend the permit until the necessary corrective measure is taken.
- 2/ The Administration may revoke a permit on any of the following grounds:
  - a) where the permit was obtained by producing false documents or declaration;
  - b) where the permit is found to have been transferred to another person without the consent of the Administration;
  - c) where the permit is used in pursuance of a criminal act against public peace and order or national security or for committing any fraudulent act;
  - d) where the permit has been suspended in accordance with Sub-Article (1) of this Article and the permit holder has failed to take the necessary corrective measure within the specified time limit;

- // ባለፌቃዱ የንግድ ሥራውን የተወ ወይም
  የከሰረ እንደሆነ፤
- ረ/ በተሰጠው የጊዜ ገደብ ፍቃዱን ደሳሳደሰ እንደሆነ።
- ፫ አስተዳደሩ አንድን ፈቃድ ከማገዱ ወይም ከመሠረዙ በፊት እርምጃውን የሚወስድበትን ምክንያት ለባለፈቃዱ በጽሑፍ በመማለጽ ባለፈቃዱ ጽሑፉ በደረሰው በሰባት ቀናት ወስዋ የበኩሉን አስተያየት በጽሑፍ እንዲሰዋ ያደርጋል።
- ፬/ ባለፌቃዱ በዚህ አንቀጽ ንዑስ አንቀጽ ፫ በተገለ ጸው መሠረት መልስ ካልሰጠ ወይም የሰጠው መልስ አጥጋቢ ሆኖ ካልተገኘ አስተዳደሩ ፌቃዱን የማገድ ወይም የመሠረዝ ውሳኔ ይሰጣል። በተሰጠው ውሳኔ ቅር የተሰኘ ቅሬታውን ለሚኒ ስቴር መሥሪያ ቤቱ ማቅረብ ይችላል።

## ፲፭. ስለፈቃድ እድሳት

- ፬/ ከአንድ ዓመት በሳይ ለሚካሄድ የሎተሪ ሥራ የሚሰጥ ፈቃድ በየበጀት ዓመቱ መጀመሪያ ሳይ መታደስ አለበት።
- ፪/ ፈቃድ ለማሳደስ የሚቀርብ ማመልክቻ ፈቃዱ የሚያገለግልበት የበጀት ዓመት ከማለቁ ከአንድ ወር በፊት መቅረብ አለበት።
- ፫/ አስተዳደሩ በዚህ አዋጅ አንቀጽ ፲፬ መሠረት ፌቃዱን ለማገድ ወይም ለመሠረዝ የሚያበቃ ምክንያት ካልኖረ በስተቀር ማመልከቻው በደረሰው በ፴ ቀናት ውስጥ ፌቃዱን ያድሳል።

## ፲፮. <u>ቁተተር ስለማድሪግ</u>

- ፬/ አስተዳደሩ፣
  - ሀ/ የዚህን አዋጅና አዋጁን ለማስፈጸም የሚ ወጡ ደንቦችና መመሪያዎች እንዲሁም ፌቃድ የተሰጠባቸው ግዬታዎች መከበራ ቸውን ለማረጋገጥ ተገቢውን ክትትልና ቁጥጥር ያደርጋል፤
  - ለ/ የኢንተርኄት ቴክኖሎጂን ወይም ማናቸ ውንም ሌሳ ዘዴ በመጠቀም የዕድል ይዘት ያሳቸውን ድርጊቶች እንዳይሬጸሙ ይቆጣጠራል።

- e) where the permit holder ceases operating his business or becomes bankrupt;
- f) Where the permit holder fails to renew with in the prescribed time.
- 3/ Before suspending or revoking a permit, the Administration shall notify in writing the permit holder the reasons for taking such measure and invite him to submit a written response within seven days from the date of receipt of the notice.
- 4/ If the permit holder fails to reply as mentioned in Sub-Article (3) of this Article or if his response is not satisfactory, the Administration shall suspend or revoke the permit. Any person who is dissatisfied with the decision may lodge his appeal to the ministry.

#### 15. Renewal of Permit

- 1/ Any permit issued for a lottery activity lasting for more than a year shall be renewed at the beginning of every fiscal year.
- 2/ An application for renewal of permit shall be submitted one month before the expiry date of the budget year for which it was issued.
- 3/ The Administration shall renew the permit within 30 days of the Submission of the application unless there is a ground for suspending or revoking it in accordance with Article 14 of this Proclamation.

#### 16. Supervision

- 1/ The Administration shall:
  - a) make the necessary follow up and supervision to ensure the observance of this Proclamation, regulations and directives that may be issued for the implementation of this Proclamation and the conditions of a permit;
  - b) control activities having chance elements and involving money payments by participants and prize offerings in the form of commissions under the guise of network marketing of goods or services through the use of internet technology or any other means;

- ሐ/ ያለፌቃድ የሚካሄድ የሎተሪ ሥራን የማስቆም ትዕዛዝ ይሰጣል፣ ጥፋተኛውም በሕግ መሥረት እንዲቀጣ ለሚመለከታ ቸው አካላት ያሳውቃል።
- ፪/ አስተዳደሩ የፍርድ ቤት ትዕዛዝ በማውጣት በማናቸውም አመቺ ሰዓት ወደ ማንኛውም የህንፃ ይዞታ በመግባት ህገ ወዋ የሎተሪ ሥራዎችን ይቆጣጠራል።

## <u> 12. haha</u>

- ፩/ ማንኛውም ሰው ከአስተዳደሩ የተሰጠ ፌቃድ ሳይኖረው ማናቸውንም የሎተሪ ሥራ ማካሄድ አይችልም።
- ፪/ ጣንኛውም ሰው የሎተሪ ሥራ ለማካሄድ የተሰጠውን ፈቃድ ያለአስተዳደሩ ስምምነት ለሌሳ ሰው ማስተሳለፍ አይችልም።

## ፲፰. ስለ<u>ፈቃድ ክፍያዎች</u>

ለፈቃድ ማውጫና ማሳደሻ የሚጠየቀው ክፍያ ሚኒስቴሩ በሚያወጣው መመሪያ ይወሰናል።

## <u>፲፱ የኮሚሽን ክፍያ</u>

- ፩/ አስተዳደሩ የሎተሪ ሥራ ለማካሄድ ፌቃድ ሲሰጥ ወይም ሲያድስ ከፌቃድ ክፍያው በተጨማሪ፤
  - ሀ/ ለቶምቦሳ ወይም ለስፖርት ውርርድ ሎተሪ ሲሆን ከሎተሪ ቲኬት ሽያቄ ሊገኝ ይችሳል ተብሎ በሚገመተው ጠቅሳሳ ገቢ፣
  - ለ/ ለፕሮሞሽን ሎተሪ ሲሆን ለሽልማት ሲውል በታቀደው ምርት ወይም አገልግ ሎት ጠቅሳሳ የመሸጫ ዋጋ የገቢ ግብርን ጨምሮ፣ ወይም
  - ሐ/ ለኮንቬንሽናል ቢንን ሲሆን ባለፌቃዱ በየ ጊዜው በሚያገኘው ጠቅሳሳ ገቢ፣
  - ላይ ተሰልቶ ፲፭% የኮሚሽን ክፍያ ይሰበስባል።

- c) issue an order to stop the carrying out of any unauthorized lottery activity; and report to the concerned organs with a view to prosecuting the offender in accordance with the law.
- 2/ The Administration may, up on having search warrant issued by the court, enter into any premises at any convenient time to control illegal lottery activities.

## 17. Prohibitions

- 1/ No person may undertake lottery activities without having a permit issued by the Administration.
- 2/ It is prohibited to transfer a permit issued to undertake lottery activities without the consent of the Administration.

#### 18. Permit Fees

Fees to be paid for the issuance and renewal of permits shall be prescribed by directives to be issued by the Ministry.

#### **19.** Commission Payments

- 1/ Where the Administration issues or renews permits to undertake lottery activities, it shall collect 15% commission payments in addition to permit fees calculated on:
  - a) in the case of tombola or sport betting lottery, the forecasted total revenue from lottery tickets sales;
  - b) in the case of promotional lottery, the total value of the products or services allocated for prize awards including income tax; or
  - c) in the case of conventional bingo and any other lottery, the total periodical revenue earned by the permit holder.

፪/ በዚህ አንቀጽ ንዑስ አንቀጽ ፩/ሐ/ የተመለ ከተውን የኮሚሽን ክፍያ ሚኒስቴሩ በሚያወ ጣው መመሪያ በተመለከተው የጊዜ ገደብ ውስጥ ሳይክፌል ከቀረ በዚህ አዋጅ አንቀጽ ፲፬ መሠረት ሲወሰድ የሚችለው አስተዳደራዊ እርምጃ እንደተጠበቀ ሆኖ ክፍያው ለዘገየበት ለእያንዳንዱ ወር ጃ% መቀጫ ያስከትላል፤ ሆኖም ጠቅላላ መቀጫው ከሚፈለገው የኮሚሽን ክፍያ ፪% ሲበልጥ አይችልም።

## <u>ክፍል አራት</u> ልዩ ልዩ ድን*ጋ*ጌዎች

## <u> ፳. ቅጣት</u>

ድርጊቱ በወንጀል *ሕግ መሥረት* የበለጠ የሚያስቀጣ ካልሆነ በስተቀር፤

- ፩/ ማንኛውም ሰው የጽና ፌቃድ ሳይኖረው የሎተሪ ሥራ ካካሄደ ከብር ፶ሽ እስከ ፻ሽ በሚደርስ የገንዘብ መቀጮና ከሦስት እስከ አምስት ዓመት በሚደርስ እሥራት ይቀጣል፤
- ፪/ ማንኛውም ሰው፣
  - ሀ/ የሕንፃ ይዞታውን ለሕገ-ወፑ ሎተሪ ሥራ ማካሄጃ እንዲውል ያከራየ ወይም በማናቸ ውም ሁኔታ የፈቀደ፣ ወይም
  - ለ/ በአስተዳደሩ ቁጥጥር እንዲያደርግ የተመደበን ሠራተኛ ቁጥጥር ወደሚደረግበት የሕንፃ ይዞታ እንዳይገባ የከለከለ ወይም የቁጥጥር ሥራው እንዳይካሄድ በማናቸውም መንገድ ያሰናከለ፣

እንደሆነ ከብር ፲ሽ እስከ ሸሽ በሚደርስ የገንዘብ መቀጮ እና ከአንድ ዓመት እስከ ሁለት ዓመት በሚደርስ እሥራት ይቀጣል።

#### <u> ሸ፩. ደንብና መመሪያ የማውጣት ሥልጣን</u>

የሚኒስትሮች ምክር ቤት እና ሚኒስቴሩ አንደቅ ደም ተከተሳቸው ይህን አዋጅ በሚገባ ለማስፌጸም የሚያስፈልጉ ደንቦችንና *መመሪያዎችን* ሊያወጡ ይችሳሉ።

#### 

- ፩/ የብሔራዊ ሎተሪ አስተዳደርን እንደገና ለማቋ ቋም የወጣው አዋጅ ቁተር ፪፻፲/፲፱፻፸፫ በዚህ አዋጅ ተኘሯል።
- ፪/ ይህን አዋጅ የሚቃረኑ ሕጎች፣ ደንቦች፣ መመሪያዎችና የአሠራር ልምዶች በዚህ አዋጅ የተሸፈኑ ጉዳዮችን በሚመለከት ተፈጻሚነት አይኖራቸውም።

2/ Without prejudice to any administrative measure that may be taken in accordance with Article 14 of this Proclamation, failure to settle a commission payment pursuant to Sub-Article 1(C) of this Article within the time limit set by directives issued by the Ministry shall result in a fine of 20% for every month of delay; provided, however that such fine shall not exceed 100% of the outstanding commission payment.

## PART FOUR MISCELLANEOUS PROVISIONS

## 20. Penalty

Unless the act entails higher penalty under the Criminal Law:

- 1/ any person who undertakes any lottery activity without having a valid permit shall be punished with a fine not less than Birr. 50, 000.00 and not more than Birr. 100,000.00 and with an imprisonment for not less than three year not more than five years.
- 2/ any person who:
  - a) leases or authorizes in any other manner his premises for the purpose of carrying out any illegal lottery activity; or
  - b) prohibits the Administration's inspector from entering into his premises for the purpose of conducting inspection or obstructs the inspection in any other manner;

shall be punished with a fine not less than Birr 10,000.00 and not more than Birr 20,000.00 and with an imprisonment for not less than one year and not more than two years.

#### 21. Powers to Issue Regulations and Directives

The Council of Ministers and the Ministry may, respectively, issue regulations and directives necessary for the proper implementation of this Proclamation.

#### 22. Repealed and Inapplicable Laws

- 1/ The National Lottery Administration Reestablishment Proclamation No. 210/1981 is hereby repealed.
- 2/ All laws, regulations, directives and practices inconsistent with the provisions of this Proclamation shall have no effect on matters covered by this Proclamation.

ይህ አዋጅ በነ*ጋሪት ጋ*ዜጣ ታትሞ ከወጣበት ቀን ጀምሮ የፀና ይሆናል።

አዲስ አበባ ጥር ፲፬ ቀን ፲፱፻፺፱ ዓ.ም.

## **ግርግ ወልደጊዮርጊ**ስ

የኢትዮጵያ ፌዴራሳዊ ዲሞክራሲያዊ ሪፐብሊክ ፕሬዜዳንት

## 23. Effective Date

This Proclamation shall come in to force up on Publication in the Federal Negarit Gazeta.

Done at Addis Ababa, this 22<sup>nd</sup> day of January, 2007

## **GIRMA WOLDEGIORGIS**

## PRESIDENT OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

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