DIRECTIVE NUMBER 159/2024

DIRECTIVE ON VILLAGE TRADE CONTROL PROCEDURE

Addis Ababa

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In Addis Ababa City Administration, To make the trade system fair, modern, efficient and accessible so that traders and consumers can get the right service they expect from the business system and to mitigate illegal business activities, Now, it has become necessary to establish a consistent, clear, accountable and proper monitoring and control system in the Addis Ababa City Administration, In order to enable uniform procedures to be followed, the bureau has issued this directive in accordance with Proclamation No. 84/2016 E. C, Article 16, Sub-Article 2 (e) issued to determine the powers and functions of executive bodies of the Addis Ababa City Administration.

PART ONE

GENERAL PROVISIONS

1. Short Title

This Directive may be cited as "Village Trade Control Procedures Directive No. 159/2024"

2. Definitions

In this Directive unless the context of the word requires otherwise,

1. **"City**" means the city of Addis Ababa.
2. **"Bureau"** means Addis Ababa City Administration Trade Bureau.
3. **"Sub-city Trade Office"** means the trade office at the second level of the city administration.
4. "**Woreda Trade Office**" means the trade Office at the third level of the city, which is part of the woreda.
5. **"Proclamation"** means Business Registration and Licensing Proclamation No. 980/2008 E.C Business Registration and Licensing (Amendment) Proclamation No. 1150/2011 E.C:
6. **"Regulation"** means Business Registration and Licensing Council of Ministers Regulation No. 392/2009 E.C and Business Registration and Licensing Council of Ministers (Amendment) Regulation No. 461/2012 E.C.
7. **"Village Working Procedure"** means separation of woredas, houses settled in certain area by road to or by another which is convenient for business monitoring and as to whether the trade business is going on following the legal operational system and requirements to establish a monitoring and control operational system.
8. **"Control"** means to monitor and control whether a trader is doing business in compliance with the commercial law, commercial registration and license Proclamation, rules and regulations, commercial competition and consumer protection Proclamation and other relevant laws.
9. **"Controller"** means a public servant employed by the bureau, sub-city, and woreda to monitor and control whether the trader is working in compliance with the law or not, as mentioned in sub article 8 of this article.

10. **"Village"** means the houses and buildings settled in one locality in the woreda administration, separated by roads or other means convenient for business control.
11. Article 2 of Commercial Registration and Licensing Proclamation No. 980/2008 E.C, Article 2 of Commercial Registration and Licensing/ Amendment/Proclamation No. 1150/2011 E.C, Article 2 of Commercial Competition and Consumer Protection Proclamation No. 813/2006 E.C and the definitions given in Article 2 of the Legal Notice Code of Conduct shall apply to this Directive as appropriate.

3. Scope of application of the directive

This directive shall be applicable on trade conducted at the Addis Ababa City Administration Trade Bureau, Sub city trade office, woreda trade office, and on the operation of traders engaged in business.

PART TWO

CONTROLLED VILLAGE TRADE ISSUES AND CONTROLLING SYSTEMS

4. Controlled village trade issues

Controlling shall be carried out on the following issues.

1. Trades engaged in business activities, Shall have a valid trade license.
2. The trade license shall be put in an open and clean place for the consumers to view.
3. List of prices of goods shall be posted in an open place.
4. That the consumers get proper receipt for the price they paid.
5. That the supplied goods keep the quality and are free from all problems affecting consumers' health.
6. The existence of proper information about the goods.
7. The compliance of all other laws provided for trading activities.

5. Village Trade Controlling System

1. Village controlling shall be identified by villages and shall be conducted by the controller assigned from the trade bureau, sub city or woreda trade office.

2. Trade controlling operation may be conducted from the information given by the community or by the initiation of the bureau, the sub city or wereda offices.

PART THREE
FUNCTIONS AND RESPONSIBILITIES OF BUREAU STRACTURES AND CONTROLLERS IN VILLAGE WORKING PROCRDURE

6. Functions and Responsibilities of the Bureau

1. According to the duties and responsibilities given by the law, it will perform, control work, monitor, and take action and shall implement this directive by the woredas and sub cities as appropriate.
2. Develop, organize and direct, the training and supervises the control system.
3. According to Article 7(6) of this directive, receives and evaluates the reports of the sub-cities, makes corrections, gives feedback, monitors, supports and controls and takes actions.
4. Based on the report received from the sub-city or the suggestions received from the stakeholders or the public, a control expert will be assigned, to go to the place where there is a problem, to investigate and find a solution to the problem, takes corrective action or get it taken.
5. Takes administrative measures against traders who violate the commercial law, the proclamation, regulations and this directive.

7. Duties and Responsibilities of Sub-city trade office.

1. Performs control work, monitors and takes action based on the delegation from the bureau.
2. On the basis of the report received from the woreda or according to the suggestions received from the stakeholders or the public, assigns a monitoring and the controller shall go to the place where there is a problem reinvestigates and provides a solution to the problem.
3. Together with the woredas, it will prepare the woredas under it in a way convenient for business control.
4. According to this directive it monitors and controls whether the woredas are doing the control work properly.
5. Organizes the information provided by the supervision and control expert and sends the result of the control received from the Woreda trade office with a proposal to the bureau. Takes administrative action based on orders from the bureau.

6. After receiving 3 months, 6 months, 9 months report and the fiscal year from each woreda, compiles and organizes it and submits it to the bureau every month and receives feedback.

8. Duties and Responsibilities of the Woreda Trade Office

1. Based on the size of the woreda, the number of traders and the available controller, divide the woredas into villages in a manner convenient for control purpose and record.
2. Report the number and special names of the villages identified in the woreda, the number of traders; the business sector in which the trader is engaged to the sub city.
3. Assigns two or three controllers to each village.
4. Provide training for the controllers so enable them to know the duties and responsibilities given to the bureau by law.
5. The table attached to this directive shall be given to the monitoring and control expert in order to give monitoring and support for the merchants identified in the village. It collects the daily information from the professional, evaluates the work on the next day and shall give work s or next task or orders.
6. Secures that any merchant keeps a permanent record in the store, the finding of the inspection work carried out about the store and the next duties.
7. Receive the daily work reports of the controllers assigned to each village according to their plan, and evaluate, give feedback, support those who are tired in their work, encourage and recognize strong experts, and take a proper corrective measure to those who do not fulfill their responsibilities properly, and have various problems, depending on their fault, verbal warning, written warning, fine up to one month's salary.
8. Sends 3 months, 6 months, 9 months and fiscal year reports to the sub city and receives feedback.
9. Inform the assigned controllers, where their village area and zones of controlling to is, and they will go door-to-door at every merchant's store in the village where he is assigned, and according to the authority and duties given to the bureau by law, he will take responsibility and check properly whether the merchant is working in compliance with the law according to the control table as stated in sub-article 5 of this article. Based on this, he fills in the table

putting the date confirming by his signature and shall submit it to the head of the woreda office.

10. The controller assigned to each village is fully responsible for the work process and the information he/she provides according to the plan, every day according to the monitoring and control work table chart, and therefore the expert must be held responsible by law for any legal action or action not taken in accordance with the law.

9. Responsibility of the Controller

1. When any controller goes to the merchant's store or company for inspection, he must show his identification and the identification indicating as he is a controller, issued by the bureau to the company to be inspected.
2. He must explain to the business organization about the control work,
3. Controller should go to commercial establishments or stores for controlling only during government working hours.
4. If controller go to a business or store for control work, out of government working hours, a letter stating the name of the controlled business from the head must be kept with the person in charge.
5. The owner or representative of the business must be immediately notified in writing of any defects found in the control work;
6. When the controller goes to work, he must make an agreement with coordinator assigned to coordinate supervision activities in accordance with Form 01, Appendix 1 to this manual, about the business organization he will monitor and supervise.
7. The controller assigned to each village has the responsibility and accountability of monitoring and controlling as to whether the trader is doing business in the village according to the law.
8. The controller must fill in the results of his control activities in Appendix 1 Form 01 of this instruction and sign with the controlled business company and submit it to the nearest head with a proposal.

9. According to the submitted control finding, the bureau must execute the specific administrative action according to the decision;
10. According to the corrective action taken against a business organization, the controller must visit the business organization again to confirm the correction of the deficiency;
11. If, a controller is ordered as may be necessary to carry out on the business enterprise based on the decision given by the bureau or by the sub-city, the trader or a person delegated to carry out the business shall have the duties to execute out the administrative action in the presence of the police or law enforcement member when necessary.

10. Issues or cases to be controlled and monitored by the controller.

1. People engaged in business without a business license;
2. Persons or organizations engaged in business whose business licenses have been suspended or revoked by administrative action;
3. Traders who have a business license and work outside their approved purpose;
4. Traders who work without renewing their business license during the business license renewal period;
5. Whether or not the combination of different business activities that have been granted business licenses in one place or premises can cause damage to the health and safety of the user population or property;
6. To check whether or not the current price list of the business goods and services are conspicuously displayed or posted on the trade house or on the merchandise;
7. To check whether or not the duties required by the conduct of the business, or working in accordance with their standards are complied.
8. Placing the original business license in a clearly visible place in the business house or, if the business is a branch, placing a photocopy of the business license stamped by the registering body in a clearly visible place in the business house;
9. Checks that the business license is not leased or pledged for use to any other person;
10. Check that he is not using the same business license after an administrative or court decision to dissolve the business or to an individual trader not to run the business had been given organization;

11. When making a change of address, inform the registrar's bureau of the change within one month;
12. Check if the trader accurately and timely provides any information requested by the concerned parties or appropriate authority about the business;
13. Check that the administrative measures taken according to the order issued by the bureau are executed;
14. Check any businessman engaged in business has a business license certificate issued or renewed in the field of business he is engaged;
15. Whether there is a label on the commercial goods sold;
16. That the merchant gives/issues a receipt for the goods he sold;
17. That the information provided regarding the business is not misleading;
18. Check whether or not commercial goods that are unsuitable for human health, that do not meet quality standards, poisoned, expired or mixed with foreign substances are offered.
19. Not committed any fraud on commercial goods;
20. Monitor legality of measures; ensures that illegal measurements on the market are not in use.
21. Check that the business fulfills health care, environmental care, disaster prevention, the quality of the goods and services.
22. Check whether the business address match's with the registered address;
23. Monitors the supply of consumer goods provided by the government to consumer cooperatives and their proper distribution to consumers.
24. Check whether the defects that caused the suspension of business licenses are corrected within the time limit given in the proclamation;
25. Monitor, control, and report whether wholesale, wholesale, or retail, retail transactions are being carried out at the same level and implemented as per the decision made by the bureau.

11. Rights and Obligations of the Inspected Trader.

1. The merchant has the right to request and see the identity of the controller and the identification document issued by the bureau as a monitoring and control specialist.
2. He has the right to request and obtain any information regarding the supervisory work.
3. The trader is obliged to open the business place during working hours when requested for monitoring and control work and to open it outside working hours when necessary.

4. Must be present with business license and any other relevant information related to business.

PART FOUR

ADMINISTRATIVE MEASURES

12. Administrative measures to be taken by the controller Assigned by the Woreda.

1. Any business store or organization that is engaged in business without a business license shall notify the immediate superior in writing and give a written warning in accordance with the proclamation. Yashgal shall notify the immediate superior in writing of the administrative action

2. Any business store or organization found to be trading with a suspended or revoked business license without renewing a business license shall notify the immediate superior in writing in accordance with this directive and issue a written warning in accordance with the proclamation. Yashgal shall notify the immediate superior in writing of the administrative action taken

3. The expert must inform his findings to the head according to this, directive except for the violations mentioned in sub-article 1 and 2 of this article.

13. Procedure of Taking Administrative Actions.

1. The woreda monitoring and control professional compiles information and reports on the defects found in the work and submits them to his immediate supervisor with a proposal.
2. Based on the results of the inspection and the proposed decision, the woreda bureau shall submit its own decision proposal to the head of the sub-city commercial bureau based on supporting information and considering the rules and Directives of the Proclamation.
3. The head of the sub-city commercial bureau will send the control results from the control and monitoring experts and the monitoring and control results submitted to him from the sub-city a commercial bureau along with a proposal to the bureau.
4. The bureau will make an administrative decision after examining the monitoring and control report, results and evidence submitted to it from the sub-city, and will send an order to the sub-city commercial bureau for the execution of the decision.

14. Filing Complaint.

1. According to this directive, any person who has a complaint against the administrative action taken by the woreda commercial bureau can submit his complaint to the woreda or the head of the sub city trade office within 10 working days.
2. The head of the woreda or sub-city trade office must notify the complainant of the decision in writing within 5 days. If he is not notified of the decision in 5 days or an appeal against the decision, he can submit his compliant attaching such decision to the head of the bureau within 5 working days.
3. The head of the bureau must make a decision within two months of receiving a complaint. A businessman who is dissatisfied with the decision of the bureau can appeal to the competent court within two months of the decision.

PART FIVE

Miscellaneous provisions

15. Amendment of the Directive

The Bureau may amend this directive as necessary.

16. Effective Date

This Directive shall come into force as of the date of its registration with the Ministry of Justice and its uploading on the official website of the Bureau.

Addis Ababa, 2024

Binyam Mekru

Head of Addis Ababa City Administration Trade Bureau

Annex 1

Operational form 01

Any controlling professional shall have the obligation to fill in this form together with his immediate supervisor before they go out for the monitoring.

1. Names of professional

1.1 Ato /W/ro/W/t …….

1.2 Ato /W/ro/W/t …….

1.3 Ato /W/ro/W/t …….

2. Date……. Month ……. Year …….. Home …….. Assigned for monitoring
3. Sub city ……. Woreda …….. Village /Block …… special location ……Business House No ……., trade is If any business organization's name ……
4. The type of work or issues assigned to the professionals to monitor …… ……
5. Immediate supervisor's who assigned the professionals name ……. Signature …….. Date …….
6. Monitored business company, Field of business ……. License no ……..
7. Issues, findings during the monitoring …… ……..
8. Person present working in the shop or company during the monitoring Full Name …….. Type of Work …….. Name of the trader ……
9. How many times was the monitoring conducted on the shop or company with in 3 months …… ……..
10. Any forms administrative action taken on the shop or company, if any describe …… ……

11. Any correction seen after the monitoring, if any , Describe
    ……
    ……
12. Any new or unusual issue encountered during the monitoring, if any ,describe
    ……
    ……
13. Comment and opinion to be given on the monitoring
    ……
    ……
    ……

Professionals confirming that all the above statements are correct and true.

Full Name	Signature	Date
1. …….	……	……
2. ……	……	……
3. ……	…….	……

Immediate supervisors received after the monitoring

Full Name ……. Signature …….. Date …….