Operational Manual for Document Authentication and Registration Service Giving

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FEDERAL DOCUMENTS AUTHENTICATION AND
REGISTRATION AGENCY

OPERATIONAL MANUAL FOR DOCUMENT AUTHENTICATION AND
REGISTRATION SERVICE GIVING

Seal
Federal Documents
Authentication and Registration Agency
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INTRODUCTION

With the intention to satisfy the beneficiary community service demand the document authentication and registration agency is striving to escalate in upgrading the capacity of performance of the human power and to be bring to the level of service giving the world has come across with balancing the procedure. One among such efforts includes to go further modernizing and improving the document authentication and registration procedure with the condition required on the moment.

To extend fast and efficient service bringing about the beneficiary community service demand and satisfaction productive change it is necessary to implement developing service giving manual. The document authentication and registration process on the regard of creating clear and uniform procedure to prevent this manual from being prone to the litigations of courts and to make to reliable it is believed to have big role. Generally to realize the citizens or beneficiaries constitutional right of producing property, selling, inheriting or utilizing otherwise the manual share serve as supporting execution tool. The agency intending to carry out the power and responsibility vested in line with the proclamation No. 922/2008 as well the establishing regulation No. 379/2008 as well with the intention to upgrade the justice procedure and intensify investment process this document is intended to serve as a manual used uniformly for the document authentication and registration business.

The manual is divided in to nine parts and content wise it is attempted to include in detail the service types extended by the agency, the requirements required from the beneficiaries who are appearing to get such services, emphasis points and notices which are required to be attended and cared by service giving professionals as well the detail list of job division the professionals reserve in the document authentication and registration process and it is attempted to develop dividing according to their characteristics in different categories. Finally, service payment rate is included for each service type. Therefore, concerned parties at respective stages have discussed and different inputs are included this manual is made to be implemented having certified by the agency management council and signed by the agency senior official.
Objective of the manual
The principal objective which calls the production of this revised manual to make the power and duties of the agency vested through the law in authenticating and registering documents service giving process clear as well to enable the agency all branches to give service to the satisfaction of the beneficiary community, uniform, speedy and procedure to be valued by the professionals.

Short title
This manual can be referred as revised document authentication and registration service giving procedure manual

Definition
Except otherwise the context of the word given other mining in this manual

1. Manual means: authenticating and registering of documents service giving procedure manual
2. Agency means: the Federal Documents Authentication and Registration Agency
3. Identification means: the identity confirming documents listed under this manual part seven serial No. 7.1
4. Trading company means: Companies established for the objective of trade and specified under the commercial code 212 sub article 1
5. Other companies means: Includes charitable associations and companies, cooperative associations, religious organizations and associations, Iders and like associations established for commercial and not for profit purposes
6. Branch office means: branches located in Addis Ababa and Dire Dawa Cities having structured under the agency for the intention to certify the accessibility of service giving
7. Any description stated in the masculine gender shall include the feminine gender.

Scope of performance
This service giving business manual shall be effective at all the agency branch offices
PART ONE

Power of Attorney Giving, Revoking and for Fighting Document

Authentication and Registration

1.1 Power of attorney giving document

1.1.1 General power of attorney (in line with civil code No. 2203)

- Power of attorney giving document produced with the legal relevance
- Confirming the principal has the power emanated from the law or the contract
- Principal /principals/ identification card
- Memorandum of association, article of association, vital commercial registration, as necessary minute of the commercial association
- If other associations outside commercial associations non expired registration certificate, article of association, letter notifying the position of manager
- List of properties specified on the power of attorney document or document confirming the title deed evidence if any

1.1.2 Special power of attorney (in line with the civil code No. 2205)

- Power of attorney giving document produced with the legal relevance
- Confirming the principal has the power emanated from the law or the contract
- Principal /principals/ identification card
- Memorandum of association, article of association, vital commercial registration, as necessary minute of the commercial association
- If other associations outside commercial associations non expired registration certificate, article of association, letter notifying the position of manager
- List of properties specified on the power of attorney document or document confirming the title deed evidence if any
1.1.3 Family power of attorney (in line with the civil procedure No. 58)
- Power of attorney giving document produced with the legal relevance
- Confirming the principal has the power emanated from the law or the contract
- Principal /principals/ identification card
- Evidence confirming blood relation
- Marriage evidence if the those to transact the attorney are husband and wife
- List of properties specified on the power of attorney document or document confirming the title deed evidence if any

1.1.4 Legal attorney power of attorney (in line with the civil procedure No. 63)
- Power of attorney giving document produced with the legal relevance
- Confirming the principal has the power emanated from the law or the contract
- Principal /principals/ identification card
- Memorandum of association, article of association, vital commercial registration, as necessary minute of the commercial association
- If other associations outside commercial associations non expired registration certificate, article of association, letter notifying the position of manager
- To confirm the legal attorney license is cleared of debt and limit

1.1.5 Revoking as well forfeiting power of attorney
A) The power of attorney revoking in line with civil code No. 2226/1/
- Document revoking power of attorney produced in line with the legal relevance
- To confirm the power of attorney revoking party reserves the power emanated from the law or contract
- Identification card of the one revokes
- Power of attorney document authenticated and registered before hand
• When the one appeared to revoke the power of attorney is a commercial company, if the signatory has not given the power of attorney to revoked to the manager minute on which the new manager is appointed

B) Forfeiting power of attorney (in line with the civil code No. 2229/1/)

• Power of attorney forfeiting document developed in line with the law relevance
• To confirm the individual forfeiting the power of attorney reserves the power emanated from the law or contract
• ID Card of individuals forfeiting the power of attorney
• Power of attorney document authenticated and registered before hand

**Cases call for attention /caution**

• If the principals give power of attorney with any party given with the power to authenticated document affirming as we husband and wife the agent in line with the attorney when appears intending to get service he/she can be waited without the need to require for the submission of marriage evidence again.
• If one among the husband and wife arrived to get service from the power of attorney evidence extended as husband to wife or wife to husband affirming to my spouse marriage evidence shall not be required again.
• Father or mother appointed as a guardian as per the law can give power of attorney concerns managing property of other 3rd party for the child they are guardian for.
• If any guardian who is appointed with the court desires to represent 3rd party concerns the administration of property must bring additional power from the court.
• A power of attorney extended by the party extended with power to prosecute contract can be revoked /forfeiting appearing for the party vested with the power of authenticating and registering any contract document.
• If any single party desires to revoke the agent having more than one individuals have together given the power of attorney in line with the civil code No. 228/2:
  
  o Can revoke the agent identifying the power share of himself/herself to represent.
  o The principal or other principals can revoke the power of attorney they have given to the agent together including the reason deemed reasonable to revoke the agent in the revoking document.
  
• Thought the agent is not permitted to represent 3rd party in the power of attorney document but according to what is specified in the civil code No. 2215/3:
  
  o That he/she has faced the accidental obstacle
  o He/she is obliged by the good performance management to carry out the work referred
  o Can appoint 3rd party for only administrative activities specifying he/she is short of time to notify the principal concerns the case
  
• The administrative operation is what is defined on the civil code No. 2204 all works of reserving principals wealth, protecting, leasing for the duration exceeding not 3 years, collecting the wealth given through loan, reserving the income leveraged from the wealth receiving the same and issuing receipt for the paid up debts shall be considered as administrative duties.
  
• The power of attorneys extended only for signature samples when on the first instance the principals need to be verified that they belong the power from the contract or the law as well bellow evidence when those things specified under the power of attorney are found to be furnished with evidence and accordingly must be given.
  
• Power of attorney of liaison business can be given specifying under advocate agency mentioning the civil procedure No. 63 as well in line with civil code No. 2204
• Individuals who give power of attorney in a single document together affirming we principals can give the power of attorney only on cases which are in common but they cannot give including things concerns their private cases. Therefore, document authentication request furnished to extend or execute for the 3rd party power of attorney identify private affairs of the principals in the power of attorney document extended affirming that our cases are similar shall not have acceptance.

• In line with document with the title country director of some foreign companies when they appear to get service in addition to the document as per the type of service notwithstanding other evidences which are need to be submitted have to complete under this manual the articles of association as well as non expired registration certificate which is authenticated by the party competent to authenticate the legal recognition concerns the power of the individual mentioned above in the document and the company.

• The regional legal attorney license since may be registered with our agency that it is restricted by courts or competent other parties it must be cleared with debt and limit
PART TWO

Bequeath, translation, affidavit, declaration, documentary copy verifying document authentication and authenticating and registering documents authenticated by other competent parties

2.1 Concerns bequeath document

2.1.1 Bequeath to be made apparently (in line with civil code No. 881 and proclamation No. 922/2008 article 17(1) (C))

- Bequeath document prepared in line with the law
- Two witnesses
- Public testament giver and witnesses identification

2.1.2 Living will revoking (in line with the civil code No. 898)

- Living will revoking document prepared with regard to the law
- Two witnesses
- The one revoking living will and witnesses identification
- Living will document registered having confirmed before hand

2.2 Registering defined document (in line with proclamation no. 922/08 article 8/3)

- Letter of the translator supported with affidavit
- Certifying the license of translator is verified with debt and limit
- The original document before translation
- Two copies of the document lodged having prepared with the language desired

2.3 Registering documents lodged having authenticated by the ministry of foreign affairs, defense army departmental officials, Federal prisons and Federal Police Commission (Proclamation No. 922/8 article 6)

- To confirm whether the principal document and copy is lodged
- Authority /head signed on the document
2.4 To register verifying document copies with the original (in line with proclamation No. 922/2008 article 12)

- Identification card of document provided
- If it is through agency the agent power of attorney evidence
- Original document issued from the legal institution as well document copy

2.5 To confirm affidavit document and to register the same (in line with the civil procedure No. 92/205)

- Affidavit application prepared with the legal relevance
- Identification card of affidavit provider
- If any mentioned points requiring evidence in the affidavit document relevant evidences

2.6 Willingness declaration

- Willingness declaration document prepared with the legal relevance
- To confirm the declaration provider reserves the power vested in line with the law or the contract
- Identification card of the declaration provider
- Legal evidence concerns the case referred in the declaration for example the original birth certificate, medical evidence
- To confirm whether there is blood relation between the declaration provider and receiver in line with the law
**Cases which need to draw special attention**

- When governmental and nongovernmental entities in Ethiopia require authentication for the correct position of power of attorney and documents of the like nature coming from abroad the agency beyond authenticating the signature sample of the ministry of foreign affairs affixed on the document and beyond registering the same must issue specifying the fact that is has not investigated the document for authentication and stating that the individual which is referred in the document has not appeared before it to sign the same.

- Concerns documents in coming from private institutions upon requests calling for the verification of copy and the production of translation is furnished the organization issue the document, governmental institution registered or given recognition must be confirmed to have affixed its legible signature overleaf.

- Verifications shall not be produced for the student copy, vehicle insurance, map of the house, marriage or solitary evidences and birth certificate copy.

- When the declaration is concerned with a child the two parents shall appear and need to issue willingness declaration. But upon a party fail to appear and the other one be able to appear bearing an evidence certifying that the missing parent has given the permit to the other one legally attaching the same evidence with document it is possible to issue the declaration alone.

- Different body party agreement for example concerns kidney donation it shall be covered with affidavit and on the occasion when they conclude the affidavit:
  - Patient evidence confirmed by the physicians board
  - Donor health status evidence
  - Donor marital or solitary evidence
  - Income amount of the giver and the receiver having confirmed with affidavit
- When the one donating his/her body part is married he/she need to present the spouse willingness and marriage evidence.
- If the donor is not married attaching the close family willingness evidence and shall be waited in line with this condition until prepared for legal frame work in the future.
- Cases to be confirmed by an affidavit must be outside events able to get confirmed through evidence by other party.
PART THREE

Authenticating and registering documents transferring through contract large and small properties and leasing them

3.1 Different contract concerns movable property

3.1.1 Movable property transfer contract (in line with the civil code No. 2266 and 2427)

A) Vehicle sales contract (for code 1, 2 and 3)

- Sales contract document /form/ prepared in line with the law
- To confirm whether the dept and limit is absent and it is cleared
- Ownership title deed
- Sellers and buyers identification card
- Legal document confirming the power of the seller in line with the contract or the law
- If the property is belongs to the trading company the memorandum of association and articles of association, vital trade register, as necessary minute
- Sellers solitary evidence or if married marriage evidence and spouse willingness agreement
- Vehicle price estimation issued from transport authority
- Clearance to be issued from transport authority and revenue authority for code 1 and 3
- Letter produced from revenues and customs authority duty free right transfer authority if it is duty free however it is 10 years in service for code 1 and 3 or declaration document issued from road transport based up on the same

B) Vehicles sales contract (for code 5, 11, 35 and the like)

- Sales contract document /form/ prepared in line with the law
To confirm whether the dept and limit is absent and it is cleared
Ownership title deed
Sellers and buyers identification card
Legal document confirming the power of the seller in line with the contract or the law
Registration certificate of the company which is not expired, articles of association, letter referring the position of manager
Vehicle price estimation issued from transport authority
Transfer recognition /support letter issued from the concerned government institution except religious institution

C) Vehicle gift contract (in line with the civil code No. 2427)
Gift contract document prepared in line with the law
To confirm whether the dept and limit is absent and it is cleared
Ownership title deed
Identification cared of the giver and the receiver
To confirm the giver the receiver reserved the power in line with the law or the contract
Letter produced from revenue and customs authority ensuring the vehicle is imported duty free or declaration document issued from roads authority based up on this
If the property is belongs to the trading company the memorandum of association and articles of association, vital trade register, as necessary minute
Solitary evidence of the giver if unmarried and marriage evidence if married and spousal willingness agreement
Vehicle price estimation issued from transport authority
Clearance issued from transport authority and revenues authority for code 1 and 3
D) **Vehicle share gift or sales contract (civil code No. 1260-1262)**

- Sales or gift contract document prepared in line with the law
- To confirm whether the dept and limit is absent and it is cleared
- Ownership title deed declaring the property is owned on common
- Identification card of share seller /giver and buyer/receiver
- To confirm the share seller /giver and the share buyer /receiver reserves the power in line with the law or the contract
- Solitary evidence of the share seller/giver if unmarried and marriage evidence if married and spousal willingness agreement
- If the property is belongs to the trading company the memorandum of association and articles of association, vital trade register, as necessary minute
- Clearance issued from transport authority and revenues authority for code 1 and 3
- Letter produced from revenue and customs authority ensuring the vehicle is imported duty free or declaration document issued from roads authority based up on this

E) **Construction machinery sales and gift contract**

- Contract document prepared in line with the law
- To confirm whether the dept and limit is absent and it is cleared
- To confirm the share seller /giver and the share buyer /receiver reserves the power in line with the law or the contract
- Ownership title deed, estimation and clearance from the concerned government institution
- Transfer right letter or clearance for those having duty free right from revenue and customs if it is imported duty free
- Identification card of the seller and buyer
• If the property is belongs to the trading company the memorandum of association and articles of association, vital trade register, as necessary minute
• Solitary evidence of the seller/giver if unmarried and marriage evidence if married and spousal willingness agreement

F) Vehicle motor sales or gift contract
• Contract document prepared in line with the law
• To confirm whether the dept and limit is absent and it is cleared
• Price estimation issued from transport authority
• Identification card of the seller/giver and buyer/receiver
• Duty free right clearance from revenue and customs authority if imported duty free
• To confirm the share seller/giver and the share buyer/receiver reserves the power in line with the law or the contract
• Solitary evidence of the seller/giver if unmarried and marriage evidence if married and spousal willingness agreement
• If the property is belongs to the trading company the memorandum of association and articles of association, vital trade register, as necessary minute
• Sellers title deed letter

G) Different movable machineries sales or gift contract
• Contract document prepared in line with the law
• To confirm whether the dept and limit is absent and it is cleared
• Identification card of the concluders
• To confirm the share seller/giver and the share buyer/receiver reserves the power in line with the law or the contract
• Solitary evidence of the seller/giver if unmarried and marriage evidence if married and spousal willingness agreement
• Declaration on which the title deed evidence /machinery is imported or receipt for purchasing if it is procured domestically
• Commercial business permit and vital registration if absent letter from ministry of trade declaring its absence
• Duty free right transfer letter or clearance from revenue and customs if imported duty free
• If the property is belongs to the trading company the memorandum of association and articles of association, vital trade register, as necessary minute

H) **Shop sales or gift contract**

• Contract document prepared in line with the law
• To confirm whether the dept and limit is absent and it is cleared
• Vital commercial registration and trade permit
• Clearance from revenues
• If the property is belongs to the trading company the memorandum of association and articles of association, vital trade register, as necessary minute
• Solitary evidence of the seller/giver if unmarried and marriage evidence if married and spousal willingness agreement
• To confirm the share seller /giver and the share buyer /receiver reserves the power in line with the law or the contract
• Identification card of concluders

3.1.2 **Movable property lease contract**

• Contract document prepared in line with the law
• Identification card of the lessor and the lessee
• Ownership deed of the property to be leased
• To confirm the lessor and the lessee reserves the power in line with the law or the contract
• Solitary evidence of the lessor if unmarried and marriage evidence if married and spousal willingness agreement
• If the property is belongs to the trading company the memorandum of association and articles of association, vital trade register, as necessary minute

Cases need to draw special attention
• Public transport having the capacity of more than 45 person, Higer Mini Bus and trucks having the capacity of more than 100 quintal however imported duty free can be transferred through sales without the need of recognition from duty free right license giving authority. Vehicles outside such category if imported before 10 years but concerns to duty free right transfer from the concerned party except they furnish letter they cannot be transferred through sales.
• Vehicles imported duty free cannot be transferred through sales or gift outside the permission secured from revenues and customs authority. Power of attorney shall not be given with such regard.
• The price estimation to be taken on the occasion of selling movable properties it is recalled that it shall be carried out based upon the information issued by the road transport or ministry of construction. Thus, the seller and the buyer if state in their contract reaching to consent beyond the estimation provided having specified in the document as soon as the estimation they have provided is not the list they can be waited in line with the higher estimation they have offered without being forced to enter to the estimation offered by the concerned parties.
• Foreign nationals if fail to present nationality and residence condition evidence concerns the obligation of providing marriage evidence:
  o Application notifying the applicant cannot furnish marriage evidence and ready to take any responsibility
Affidavit authenticated by the agency having completed in line with the application

Minute of the decision passed by the organized committee investigating the application and the affidavit of the applicant to confirm the affidavit is comprised of the identity list of the applicant, full name of marriage concluder if marriage is present, nationality, residential address, list of evidence of the vehicle

- To confirm the solitary evidences incoming from abroad have not passed with 6 months, the date must be counted since the date produced by the first issuing party of the document. But if it is stated the expiry date of the document they can procure service until the date of expiry

- Foreign nationals of Ethiopian origin if require service furnishing solitary evidence issued in Ethiopia or Kebele identification card they must not be attended.

3.2 To authenticate and register different contract concerns immovable properties

3.2.1 Immovable property transfer contract (in line with the civil code No. 1723 and 2875)

A) Residential house sales or gift contract

- Contract document prepared in line with the law
- To confirm whether the dept and limit is absent and it is cleared
- Identification card of concluders and witnesses
- To confirm the seller /giver reserves the power in line with the law or the contract
- Solitary evidence of the seller if unmarried and marriage evidence if married and spousal willingness agreement
- Ownership title deed of the seller
• If the property is belongs to the trading company the memorandum of association and articles of association, vital trade register, as necessary minute
• Form to be completed by the seller and prepared by the agency

B) Trading company sales or gift contract
• Contract document prepared in line with the law
• To confirm whether the dept and limit is absent and it is cleared
• Vital commercial registration and trade license
• Solitary evidence of the seller/giver if unmarried and marriage evidence if married and spousal willingness agreement
• Clearance from revenues
• To confirm the share seller /giver the power in line with the law or the contract
• Property ownership deed map
• If the property is belongs to the trading company the memorandum of association and articles of association, vital trade register, as necessary minute
• ID card of seller /giver, buyer/ receiver and two witnesses

C) Condominium house sales or gift contract
• Contract document prepared in line with the law
• To confirm whether the dept and limit is absent and it is cleared
• Title deed map whose overleaf is authenticated for being correct through seal
• Declaration letter issued from the concerned party signifying the condominium house owner has been five years since taken the same over
• Identification card of concluders and two witnesses
• To confirm the seller /giver reserves the power in line with the law or the contract
• If the property is belongs to the trading company the memorandum of association and articles of association, vital trade register, as necessary minute
• Solitary evidence of the seller if unmarried and marriage evidence if married and spousal willingness agreement

D) Sales or gift contract of the house built in association
• Contract document prepared in line with the law
• To confirm whether the dept and limit is absent and it is cleared
• Title deed map whose overleaf is authenticated for being correct through seal
• Declaration letter signifying the absence of dept and limit from sub city associations organization
• Solitary evidence of the seller/giver if unmarried and marriage evidence if married and spousal willingness agreement
• Identification card of concludes and two witnesses
• To confirm the seller/giver reserves the power in line with the law or the contract
• Sub city seal on tax receipt copy

E) Gift or sales contract of fixed property share (in line with civil code No. 1260 and 1261)
• Contract document prepared in line with the law
• To confirm whether the dept and limit is absent and it is cleared
• Ownership evidence signifying the property is owned in common
• Identification card of share seller /giver and buyer /receiver and witnesses
• To confirm the seller/giver reserves the power in line with the law or the contract
• Solitary evidence of the seller/giver if unmarried and marriage evidence if married and spousal willingness agreement
• If the property is belongs to the trading company the memorandum of association and articles of association, vital trade register, as necessary minute

**F) Lease right sales or gift contract**

- Contract document prepared in line with the law
- Ownership deed map
- To confirm whether the dept and limit is absent and it is cleared
- Lease contract issued from the concerned party
- Solitary evidence of the seller/giver if unmarried and marriage evidence if married and spousal willingness agreement
- Identification card of concluders and two witnesses
- To confirm the seller/giver reserves the power in line with the law or the contract
- Clearance from revenues if the lease right to be transferred is of the trading company
- If the property is belongs to the trading company the memorandum of association and articles of association, vital trade register, as necessary minute

**Cases need to draw special attention**

- Husband to wife, wife to husband or inheriting children for parents alive cannot leave share. But when husband or wife one among the two are heir through public testament since they shall be deemed heirs concerns the property they have secured through heir ship they can conclude share leaving contract with other heirs
- If the resource subject for inheritance is share right it is possible to transfer only among heirs through gift or sales and they shall not be required for clearance
- When service seekers appear to transfer property through sales, inheritance, sales or otherwise they shall be attended without the need to
refer other heir ship evidences going backward if the map is authenticated overleaf and list of heirs are regarded overleaf.

- Marriage evidence shall not be required to transfer or lease property secured through inheritance or gift.
- If there is anything made clear concerns advance payment in the contract advance payment receipts must be presented stating the same.
- It is only possible to procure the services of transferring or leasing immovable properties located outside Addis Ababa Administration in the region/city administration where the properties are situated. Therefore, they cannot be attended the agency branch offices located in Addis Ababa.
- Marriage concluders concluded property isolation contract or get the same approved appearing before the agency before the marriage when they appear to transfer or lease their properties they need no agreement of their spouse. Thus, the property isolation contract must be made with the existing spouse.
- Concerns immature children the two parents must be present to purchase and sale properties or each one of them can be attended if they have given power of attorney to the other. Thus, if anyone is the guardian to sale immovable property found registered in the name of the child they need to present additional power issued through court.
- They shall be extended with service without the need of seal on the map issued from the land holding registration and information agency.
- The existing map and the landholding certifying map secured from the administrative transitional project office shall not be affixed with seal overleaf.

3.2.2 **Immovable property lease contract (in line with the civil code No. 2896)**

- Contract document prepared in line with the law
- Ownership deed map
- To confirm the seller/giver reserves the power in line with the law or the contract
- Marriage or solitary evidence of the lessor and permit agreement
- When the buildings are G+1 and more for residential purpose and not for public utilities building using license certificate
- If the lessor or the lessee is trading company memorandum and articles of association
- Trade vital registration and trade license as well minute as necessary
- If the lessor is an association not for profit leasing permit, article of association, registration certificate not expired from the concerned party
- Concluders identification card

A) When the property is secured through inheritance and when the map is not transferred to the heirs
- Inheritance investigating report confirmed by the court with the heir ship evidence
- Upon letter signifying they are on the process of transferring name from the concerned party is furnished
- The lease shall be approved upon more than half of the heirs or those having more than half number of share are appeared (civil code No. 1265/2)

B) Upon property share takers more than half are appeared
- Notwithstanding other preconditions in line with the civil code No. 1265 ownership deed map registered for their common name must be presented

Cases calling for special attention
- If the map is held with the bank or other finance institutions the bank or the finance institution the letter and map copy the agency sent through cover letter in the address specified it shall be given to the branch office and shall be used for internal service.
• Service seekers bringing property evidences photocopy with the cover letter in addition to the banks upon furnishing similar evidence from other finance institution the institutions must be confirmed with bearing legal recognition with the national bank of Ethiopia.

• The verified bank or finance institution letter shall serve only for 6 months since the bank or the institution has produced the letter.

• Upon furnishing letter signifying it is on the process to transfer the name of immovable property sold having registered authenticated by the agency as well sold through the judgment execution of the non documented landholdings from the concerned party they can be attended to lease only for one year.

• For public utilities or buildings outside for the purpose of residence having only 1 floor (G+1) are rendered for lease contract it is necessary to confirm that they have served the building usage permit certificate.

• Concerns the condominium commercial space sales shall be attended as other trading company space sales.

• If the agency confirms on the form prepared that the trading company is not engaged in business on the contract served each shall be obliged to submit clearance.
PART FOUR
Authenticating and registering different contract

4.1 Intellectual property sales, gift or lease contract
- Contract document prepared in line with the law
- To confirm whether the dept and limit is absent and it is cleared
- To confirm whether the invention owner has the power in line with the law or contract
- Invention title deed issued from intellectual property office or the ministry of science and technology as the type of invention
- If the invention owner is solitary or married, marriage evidence and spousal agreement
- Relevant registration certificate
- Concluders identification card

4.2 Loan contract (in line with civil code No. 2471)
- Contract document prepared in line with the law
- To confirm whether the invention owner has the power in line with the law or contract
- Concluders identification card
- If concluder is solitary or married, marriage evidence and spousal agreement
- If the borrower is the trading company the memorandum of association and articles of association, vital trade register, as necessary minute

4.3 Private property registration contract to be concluded before marriage
(in line with the revised family code article 42 and 44)
- Contract document prepared in line with the law
- Concluders and four witnesses identification card
- Concluders solitary evidence
- Property title deed
4.4 **Employment contract (in line with proclamation No. 377/96 article 4)**

- Contract document prepared in line with the law
- To confirm whether the concluders have the power in line with the law or contract
- Concluders identification card
- Supervisors professional license as necessary
- Memorandum of association, article of association trade vital registration and minute if necessary of trading company
- The employers legal trade registration and trade license if registered privately

4.5 **Agency contract (in line with the commercial code No. 328/2 and 398)**

- Contract document prepared in line with the law
- To confirm whether the concluders have the power in line with the law or contract
- Concluders identification card
- Authenticated heir ship evidence and inheritance report approved by the court if heirs
- Memorandum of association, article of association trade vital registration and minute if necessary of trading company

4.6 **Collateral contract (in line with the civil code No. 2825 and 3041)**

- Contract document prepared in line with the law
- To confirm whether the dept and limit is absent and it is cleared
- Concluders identification card
- Two human witnesses if the property is immovable
- To confirm whether the concluders have the power in line with the law or contract
- If concluder is solitary or married, marriage evidence and spousal agreement
- Property declaration evidence pledged as a collateral
- Memorandum of association, article of association trade vital registration and minute if necessary of trading company

4.7 **Severance contract (in line with civil code No. 1962)**
- Contract document prepared in line with the law
- If severance grantor is solitary or married, marriage evidence and spousal agreement
- Contract document having monitory right confirmed by competent party to conclude matured contract concerns payment time
- Concluders identification card
- To confirm whether the concluders have the power in line with the law or contract
- Ownership title deed if there is property specified in the contract
- If the trading company the memorandum of association and articles of association, vital trade register, as necessary minute
- To confirm the verification concerns the absence of debt and minute
- Letter produced to the agency address dignifying the permission provided for the transference of debt from the debtor to the one severance to be given when the banks are creditors

4.8 **Efficiency benefit contract (in line with the civil code No. 1309)**
- Efficiency contract document prepared in line with the law
- To confirm whether the concluders have the power in line with the law or contract
- Ownership title deed
- To confirm the verification concerns the absence of debt and minute
- Identification card of efficiency provider and receiver
- Two witnesses if the efficiency contract shall be concluded on immovable property
- If efficiency provider is solitary or married, marriage evidence and spousal agreement
• Memorandum of association, article of association trade vital registration and minute if necessary of trading company

4.9 Joint venture agreement
• Contract document prepared in line with the law
• Concluding parties several /individual renewed trade license
• Memorandum of association, article of association trade vital registration and minute if necessary for the trading company is the concluder
• Evidence confirming ownership or right reference if any which is specified in detail in the contract document and requires evidence.
• Identification card of concluding parties

4.10 Contract revision
• Revision contract document developed in line with the law
• Contract document registered before hand or to be revised
• To confirm whether the concluders have the power in line with the law or contract
• Identification card of concluding parties
• Two witnesses when the contract shall be revised concerns the immovable property transfer contract
• If concluder is solitary or married, marriage evidence and spousal agreement
• Memorandum of association, article of association trade vital registration and minute if necessary of trading company

4.11 To forfeit contract (in line with the civil code No. 1819)
• Contract document developed in line with the law the contract to be forfeited
• To confirm the name of property is not transferred
• The contract document registered before hand
• To confirm the contract duration is not completed if it is house lease contract
To confirm whether concluders reserve the power in line with the law or contract

- Identification card of concluding parties
- Two witnesses when the contract to be forfeited concerns immovable property transfer
- Memorandum of association, article of association trade vital registration and minute registered beforehand or to be forfeited or contract document of trading company

4.12 **Inheritance right share release contract (in line with the civil code No. 983)**

- Contract document prepared in line with the law
- Identification of the share releaser, share receiver and witnesses
- To confirm whether share releaser or receiver reserves the power in line with the law or contract
- Heir ship evidence issued from the court

**Cases calling for special attention**

- Memorandum and article of association is not necessary for the trading company to be established in the future
- The severance contract agreement can be concluded by the creditor and the one severance shall be granted or the debtor or in a tripartite arrangement
- If the contract shall be forfeited through agency the agency document must indicate apparently the agent to terminate the contract
- If educational or professional performance evidence issued with the employee on the occasion of employment is granted from private or foreign institutions the evidence must be authenticated by the party concerned in the country
- The inheritance right share release request must be attended before the inherited property is registered in the name of the heirs
**PART FIVE**

Authenticating and registering trading companies memorandum of association and article of association as well minute

5.1 Trading companies memorandum of association (in line with the commercial code No. 284, 298, 313 and 517)

- Not less than four copy of memorandum and articles of association in line with the law
- Letter issued from ministry of trade or office signifying the name of trading company
- Trading company members identification card
- If any contribution to be contributed in kind in the trading company property title deed, as well the owner solitary or marriage evidence if married and spousal agreement
- When there is property to be remitted in kind to certify the absence of the debt and limit
- To confirm whether signatories reserve power in line with the law or contract
- If any individual registered in the trading company as a member who is not matured enough birth certificate or guardian ship evidence issued from court
- Common consent of parent or power of attorney evidence one has represented the other

5.2 Minute of trading companies

- Not less than 3 copies of minute prepared in line with the law
- Letter from the ministry of trade or office signifying the nomenclature when there is name change as well clearance from revenues
- To certify whether signatories reserve power in line with the law or the contract
• Memorandum and article of association, vital trade registration and recent minute registered of the trading company
• Identification card of members attended the meeting

5.3 **Minute when expatiate are admitted to the existing trading company**
• Minute developed in line with the law
• Memorandum and article of association, vital trade registration and recent minute registered of the trading company
• To certify whether signatories reserve power in line with the law or the contract
• Support letter issued from ministry or trade
• When the number of shares to be purchased by the expatriate is beyond the limit specified by the law support letter from trade competition and consumers protection authority
• To confirm the contribution need to be settled in line with the investment proclamation is made
• Clearance for revenues
• If the new entrant is trading company memorandum and article of association, as necessary minute, vital trade registration or support letter

5.4 **Trading companies merger**

5.4.1 **Trading companies merger (in line with the trade law No. 549 and trade competition and consumers protection proclamation No. 813/2006 article 9/3)**
• Minute of several kind approved in line with the law
• To verify that confirmation of the absence of debt and limit
• Not less than three copy common minute of associations to be merged
• When the overall the trading company is more than the legal minimum requirement amount letter permitting the merger from trade competition and consumers protection agency
• Clearance from revenues for each of trading companies to be merged
• Existing memorandum and article of association, vital trade registration and minute registered beforehand as well recent minute of respective trading companies to be merged
• Identification card of members of association attended the meeting
• To confirm whether signatories reserve power in line with the law or contract

5.4.2 **Memorandum and article of association of trading companies merged**
• Approved minute merger is completed
• Letter issued from ministry of trade if there is name change
• New memorandum and article of association prepared in line with the law
• ID card of signatories
• To confirm whether signatories reserve power in line with the law or contract

5.5 **Change on the trading company from one type to the other (in line with the commercial code No. 545 and 547)**
• Approved minute they have agreed to change to other kind of trading company
• Revised memorandum and articles of association
• To confirm the absence of debt and limit
• Letter issued from ministry of trade which signifies the name change
• Clearance from revenues
• The existing memorandum and article of association, vital trade registration and the former registered and the resent minute
• Identification card of member attended the meeting
• To confirm whether the signatories reserves power in line with the law or contract
5.6 **Dissolution of the established trading company (in line with the commercial code No. 217, 495 and 542)**

- Less than three copies of minute produced in line with the law
- The commercial company memorandum and article of association and minute registered beforehand
- To confirm the absence of debt and limit
- Vital trade register, support letter from ministry of trade if the former is not issued
- Renewed identification card of signatories
- To confirm whether signatories reserve power in line with the law or contract

**Cases calling for special attention**

- If it is specified as when a trading company manager appears to sale or hire movable /immovable property the power of such scope shall be covered in the commercial code and memorandum and articles of association the power of the manager must be recognized in line with the commercial code and the memorandum and articles of association. But if it is apparently specified it shall reserve the power of selling and leasing on the memorandum and article of association it shall be possible to attend accordingly
- The activities of the manager if not specified apparently to have the power of making collateral immovable properties or sale the same in the commercial code or memorandum of association, the power of changing or leasing he/she cannot be attended
- Concerns decisions the shareholders having more than 50 members pass on their extra ordinary and ordinary shareholders assembly (commercial code No. 422 and 417)
  - Evidence signifying the meeting is called in line with the law is attached with the agenda
  - Minute produced in line with the law
  - Full name, place of meeting, date of meeting, list of member attended the meeting, list of member attended not the meeting,
shareholding of all members, agenda of meeting and content of decision the minute should have contain
- Attendance sheet listing members attended the extra ordinary or ordinary general assembly must be presented having attached with minute
- Ordinary as well as extra ordinary general assembly meeting minute must be presented having developed in different document

- Any bank insurance and micro finance as well finance and finance related institution the national bank issues them license memorandum, article of association and minute, need to be sent to the agency with cover letter having seals affixed on the documents
- If any contribution made in kind, if the contribution made is immovable property issued for investment there should be support letter from the investment office where the property is located, when the contribution is property movable and if it is imported duty free there should be support letter from the party concerned
- If the property is located outside Addis Ababa and having no debt and limit before hand and letter produced to the agency address signifying it is legal holding must be in place
- If there is an agenda to transfer the share through sales or gift in the minute it is necessary to confirm clearance is issued from revenues
- On the occasion when share sales and name change is made it must be necessary to verify debt and limit is absent
- If the capital is more than the amount of money limited by the law when share is transferred through sales and gift support letter from ministry of trade and trade completion and consumers protection agency as well clearance from revenues must be provided
- Property registered in the name of the trading company cannot be served for members capital increase
- The trading companies shall be dissolved in line with the trade law and their article of association
PART SIX

Authenticating and registering article of association and minute of other associations

6.1 Article of association of other association

- Not less than four copies of articles of association produced in line with the law
- Evidence signifying nomenclature from the competent concerned party
- Identification card of signatories
- If any contribution made in kind title deed document
- If the owner is solitary or married solitary and marriage evidence respectively and spousal agreement
- To confirm whether signatories reserve power in line with the law or the contract

6.2 Minute of other association (in line with proclamation No. 621/2001 article 71)

- Not less than four copies of minute produced in line with the law
- Registration certificate of the association not expired
- Letter signifying name and responsibilities of board members if there is no board members name list in the articles of association from the concerned party
- Signatories identification card
- If any contribution made in kind title deed document
- If the owner is solitary or married solitary and marriage evidence respectively and spousal agreement
- It is necessary to confirm the debt and limit is cleared on the property
- To confirm signatories reserve power in line with the law or contract
6.3 **Sales or lease and procurement contract of other associations and iders**

- Contract document produced in line with the law
- Registration certificate of the association not expired
- Article of association authenticated from competent party
- Property title deed document of the association/ider
- To confirm debt and limit is cleared
- Letter from the concerned party signifying the associations /iders are permitted to sale, lease, issue or purchase property in line with the objective they are established
- To confirm whether concluders reserve power in line with the law or the contract
- Identification card of concluding parties and witnesses as necessary
PART SEVEN

ID Card General notices

7.1 ID Cards accepted with the agency

Types of ID cards accepted:

- Kebele residential ID Card
- Ethiopian origin ID Card
- Civil servant ID Card
- Public enterprises employees ID Card
- Drivers license (including international)
- Passport
- Temporary residential permit issued from security, immigration and immigrant affairs authority
- Ethiopian embassies ID Card
- AU/UN ID Card
- Legal attorney license
- ID Card issued to diplomat from ministry of foreign affairs
- Civil servant pension ID Card
- Government universities regular students ID Card
- Professional work permit
- Maritime ID Card

Up on presentation of the above listed ID cards they need to be renewed for the specified years, affixed with photograph, affixed properly with seal, having no erasures and cancelations, signature, name and responsibility of the head issued the identification card in the titer or properly jotted down handwritten

7.2 General notices

- When individuals arrested under the care of police appear seeking for service they are expected to arrive bearing letter signifying the accompanying police and name of the individual from the police station
- It is possible to extend service verifying the clearance incoming having produced entitle to whom it may concern or with the name of the one receiving service with the original and attaching what is verified.

- When the hearing impaired and communicate using sign language appear seeking service it is necessary to approve translator from listening impaired association is appointed through letter.

- If the gift to be made through agency the content of the representation must note type of property to be transferred and to whom shall be given. Similarly when trading company or other associations give gifts they are expected to furnish minute specifying type of property to be transferred and minute specifying to whom it shall be given.

- Foreign nationals appear with translator’s letter are expected to furnish document issued from their embassies and confirmed having passed through ministry of foreign affairs.

- Any document must be submitted on the date when served for service.

- Document after being signed by beneficiaries they need not to be taken overnight with professional without the recognition of the head.

- Solitary evidence need to be submitted from the relevant government party.

- Documents require renewal through law or notice / description on them if need to be attached with the document to be authenticated they need not to be expired with service duration.

- When statement describing the state of solitary from a specified date over the solitary evidence statement and upon the beneficiary appear to transfer property to the 3rd party or lease the same and if it is produced after the date specified on the statement additional evidence shall not be required of him/her to confirm the property is owned by himself /herself. But if it is produced before the date specified in the description additional evidence need to be furnished proving the property is solely owned.

- Before any documents served for service are authenticated, registered as well as verified the original with copies the content after being verified that
they are not in contradiction with the national laws and our community moral heritages in line with this manual

- The concerned service seekers and witnesses as necessary shall be made to sign on the document presented before the authenticating individual
- Following this they shall be made to settle the necessary service fee
- Then the officer shall sign and affix titer on the document
- Finally on the documents authenticated by seal affixing professional the agency circle seal shall be affixed and the beneficiary share document shall be issued to the concerned beneficiary.

- Any beneficiary requiring the authentication or registration of any document in line with the process regarded in detail above need to be sure that the document is authenticated or registered. But if such individual took the document without fulfilling one among the process and without having affixed round seal the document under process the agency shall not be liable for the problem to created
- Legal document issued from any other government as well as nongovernmental institutions in connection with document authentication and legal documents submitted as an evidence by the beneficiary must be complete with legible content, none doubting, affixed with the necessary legal seal, signature of the authority legible to sign on the document name and responsibility indicating titer or handwritten.
- For services the agency has extended like document authentication, registration, verifying copy the proportional service charge shall be levied in line with the regulation approved by the council of ministers.
- Beneficiaries appear to forfeit any contract and public testament authenticated and registered with the agency can be attended at any agency branch office.
PART EIGHT

Major Job Descriptions of Performers

8.1 Information expert
- To confirm the beneficiaries or legal agent have appeared with the document
- To give the waiting line ticket printed by the waiting line keeping machine or to lead to the concerned officer
- To maintain information, to give evidence for beneficiaries

Notice
The dispatch of information expert must not investigate the document content the beneficiaries appear with

8.2 Limits, signature sample and license registration authenticating expert
- Shall registered limit and debt lifting orders passed from the court, shall issue evidences related with the business
- Shall reserve different government and nongovernmental organization authorities, managers as well religious leaders signature sample, shall register when forfeited
- Shall register power of attorney permit, limit, renewal and cancellation
- Shall register signature samples and permit in coming from translation offices having legal permits, shall register when forfeited
- Shall handle carry fully and properly documents
- Shall give the necessary response and briefs for questions requiring briefs from limit investigators as well as other document investigators

8.3 Job description of debt and limit investigating expert
- Shall verify movable and immovable properties are not limited before transferred through sales or gift or kind contribution to 3rd party
- Shall verify the legal attorney permit issued by the FDRE Federal General Attorney are renewed
- Shall verify the signature samples of different governmental as well as public enterprises authorities, managers and religious leaders
- Shall verify signature samples and licenses incoming from translation office having legal entity

8.4 **Job description of officer**

- To confirm any document brought to be authenticated and registered are in the line of the procedure
- To confirm the document has contain completely the content need to comprise (Full name, Nationality, Address) to confirm the document content is not in contradiction with the law or moral
- To certify signatories reserve legal capability if the document brought to be authenticated and registered is through agency to authenticate power of attorney evidence
- If there are properties and rights mentioned independently in the document to confirm evidenced are furnished confirming they are of the privileged
- To verify properties be transferred to 3rd party are debt and limit free by the debt and limit investigator
- Shall sign confirming evidence, two copies of the original contract are correct which are to be attaché with the document when the documents are offered for the signature, shall sign confirming payment is properly settled

8.5 **Job description of document authenticating officer**

- To verify the document is seconded having verified by the officer and the document copies presented are similar
- To verify the documents original ordered to be attached with their copies
- To confirm the document produced to the address of the agency is submitted with its original
- To confirm the signatory /signatories reserve the capacity which is as per the legal stands or procured through contract
- To confirm they bore proper Id Card
• To confirm the ID Card brought with signatories are owned by themselves
  o Name/s
  o Photographs
• To make signatories signed their signatures properly and write their names
• If they sign through agency or company name to confirm whether they have written their names affixing their respective signatures for the principals or company
• If they shall put their finger prints to make affixes their finger prints at the foot of the documents and whether they have written their name legibly around the finger prints
• If they are listening impaired to verify whether translator is sent through support letter from the listening impaired association
• To get signed overleaf verifying whether the translator has correctly translated, to attach the identification card of the translator
• If any foreign national having no understanding about what is narrated to certify he/she has appeared with the translator evidence produced from the embassy, to make the ID Card of the translator attached, to sign overleaf proving it is correctly translated by the translator
  o To verify the evidences and ID Card copy with the original, to sign, to write, to give number for each, to attach the same
  o To write on the remaining document “individuals whose name nationality and address are specified on the document have subscribed their signature appearing before me” showing their ID Card and documents seconded in detail are attached”

**Notice**
The authenticating officer when faced with cases hindering the correct authentication of the document in line with the manual notwithstanding to act in a collaborative sprite with the head as well the official seconded the document he/she cannot return the document seconded form the official to investigate with regard to the law and moral as well affirming the document to be amended
8.6 Job description of the accountant

- To prepare the service payment receipt in line with the payment rate permitted through law receiving document
- To calculate stamp duty to be settled for respective documents
- To transfer the prepared payment receipt and stamp duty calculation to the teller
- When there is service payment Birr 3000 (three thousand Birr) and more the beneficiaries shall remit the money through the agency bank account and to give information signifying the agency account to bring with bank advise
- To produce receipt for the beneficiary in line with the advice lodged for payments deposited with bank
- Shall sum receipt issued for revenue daily, shall confirm it is correct, shall present report
- To daily confirm the issued receipts income are in agreement with the teller, senior treasurer and correct
- To sign memorandum of understanding with the teller and branch office manager of representative for money to lodge in the safe box without being deposited for different reasons and bank advice

8.7 Job description of the teller

- To collect payments and cash in line with payment receipts to be presented having prepared from the accountant
- When there is service payment Birr 3000 (three thousand Birr) and more to receive bank advise beneficiaries have deposited the amount to the agency bank account
- To issue the necessary receipt to beneficiaries for the collected cash as well as bank advice
- To affix stamp ordered through law for the service on documents require to get affixed with stamp
• To write the amount affixing rectangular seal
• To handover the collected cash and bank advise from beneficiaries every day for the agency finance representative through model 64
• Concerns the income collected from beneficiaries daily in cash and bank advice to report for immediate supervisor
• To take memorandum of understanding with the teller and branch office manager of representative for money to lodge in the safe box without being deposited for different reasons and bank advice

8.8 Seal affixing expert
• To confirm the document is completed by the concerned officer and document authenticating officer
• To confirm evidences related with the document are attached
• To confirm overleaf of the document is the money seal affixed and stamp affixed
• Confirming the document is completely completed to affix round seal of the agency
• To register the document in computer

8.9 Job description of document organizer
• Shall take over confirmed documents identifying by their identification No./Code
• Shall scan documents registered having authenticated, shall structure them filing as per date and number
• Receiving document correct stance authentication request from different offices and register the incoming file
• Shall confirm original documents out coming for work are recovered to their place
• Shall receive the request of authenticated documents copy issuance or original document copy verification, verify the same
• Shall verify the identity of the applicant, the presence of power in line with the law or contract

• Shall verify the legality of the document furnished and shall verify with the remaining original document

• When documents are required to be sent from police, court, general attorney etc shall issue getting signed by the receiver and registering list of evidences to return the document and confirming that it is approved by the immediate supervisor

• Shall take over documents counting confirming they are properly and correctly returned
PART NINE
Miscellaneous

9.1 Obligation of implementing properly of the manual and cooperation

9.1.1. When any services are extended by the agency employee he/she need to base this manual

9.1.2. Any agency employee is obliged to cooperate with the relevant parties for this manual execution

9.1.3. Any service requesting beneficiary reserves the right to receive service and require service fulfilling the preconditions listed under service types covered under this manual

9.2 The right to lodge petition

If the document authenticating officer devoid the service he is required to render in line with this manual and other relevance laws give service violating the manual and other laws anyone having petition can submit petitions in 15 working days for the document authenticating immediate supervisor as well as the agency officials

9.3 Service payment and stamp duty

Service payment and stamp duty rate is attached with this manual

9.4 Revising the manual

9.4.1 This manual can be revised at any time found necessary

9.5 Effective period of procedural manual

This manual shall be effective since the date signed and released by the agency general director

February 13, 2017
Signed
Meresa G/Yohanes
Agency Main Director

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## Service Payment and Stamp Duty Rate

<table>
<thead>
<tr>
<th>No.</th>
<th>Type of service</th>
<th>Service charge</th>
<th>Stamp duty</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>General attorney code 1</td>
<td>Birr 5.00 per copy and additional Birr 1.00 per person</td>
<td>Birr 35.00</td>
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<td>Family attorney code 13</td>
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<td>Motor cycles sales contract code 2A</td>
<td>Birr 10.00 per copy</td>
<td>Price estimation 2%</td>
</tr>
<tr>
<td>6</td>
<td>Different vehicle body parts sales contract code 2A</td>
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<tr>
<td>7</td>
<td>Construction archeries sales contract code 2A</td>
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<td>8</td>
<td>Company sales contract code 2B</td>
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<td>Birr 5.00</td>
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<td>Birr 350.00</td>
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<td>Description</td>
<td>Fee Details</td>
<td>Additional Fee</td>
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<td>Association code</td>
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<td>Birr 5 and limit 1% if any</td>
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<td>7</td>
<td>Different properties gift contract code</td>
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<td>Birr 5 and limit 1% if any</td>
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<td>Birr 5.00</td>
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<td>Collateral and guarantee contract code</td>
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<td>Price estimation 1%</td>
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<td>Birr 5.00</td>
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<tr>
<td>12</td>
<td>Service to be rendered outside regular place of work</td>
<td>Birr 100.00 per case</td>
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