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ጋዜጣ አዋጅት ኤርትራ  
ብመንግስቲ ኤርትራ ዝሕተም

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**GAZETTE OF ERITREAN LAWS  
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ERITREA**

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Proclamation No. 124/2002  
The Business Information Register Proclamation  
Proclamation No. 125/2002  
The Unfair Trade Practices Proclamation  
Proclamation No. 126/2002  
Proclamation to Provide for the Registration of Eritreans Working in Embassies and International Organisations in Eritrea  
Proclamation No. 127/2002  
A Proclamation to Provide for the Registration of Foreigners who Reside, Work or Engage in Business in Eritrea  
Proclamation No. 128/2002  
A Proclamation to Amend the Business Licensing System Control and Business Licensing Office Establishment Proclamation No 72/1995

# አዋጅ ቁ. 124/2002

## አዋጅ መዝገብ ሓበሬታ ዋረን

### 1. ሐጺር አርእስት

እዚ አዋጅ'ዚ "አዋጅ መዝገብ ሓበሬታ ዋረን - አዋጅ ቁጽ 124/2002" ተባሂሉ ክጥቀስ ይከኣል።

### 2. ምቕም መዝገብ ሓበሬታ ዋረን

ሚኒስትሪ ንግድን ኢዱስትሪን እዚ አዋጅ'ዚ ኣብ ግብሪ ካብ ዝውዕለሉ ዕለት ጀሚሩ መዝገብ ሓበሬታ ዋረን የቐምን ይሕዝን። ዕላማታት ናይ መዝገብ ሓበሬታ ዋረን ከኣ እዞም ዝስዕቡ እዮም፡-

ሀ) ኣህጉራዊ ተቐባልነት ዘለዎ ንዋረን ትካላት ዝምልከት ስርዓተ ሓበሬታ ምቕም፣ ከምኡ'ውን

ለ) ቡባዓ መቱ ውጽኢት ስራሓት ጽላት ዋረን ምግምጋም።

### 3. ደረት ተፈጻምነት

መዝገብ ሓበሬታ ዋረን ኣብ ንግድ፣ ምስናዕ፣ ኣገልግሎት ምግብ፣ ምግፋፍን ምፍራይን ሃብቲ ዓላን ንግዳዊ ሕርሻታትን ንዝተዋፈሩ ዝሸፍንን ብእኣም ጥራይ ዘይውሰንን ይኸውን።

### 4. ዝድለ ሓበሬታ

(1) ኣብ ዓንቀጽ 3 ናይ'ዚ ሕጋጋት እዚ ዝተጠቐሱ ዋረን ትካላት ሚኒስትሪ ንግድን ኢንዱስትሪን ብዘውጽኡ ቅጥዕታት ነዞም ዝስዕቡ ዝምልከቱን ብእኣም ጥራይ ዘይተወሰኑን ሓበሬታታት መሊኦም ነቲ ሚኒስትሪ ይህብዎ፡-

ሀ) ኣብ ንግዳዊን ዝዛመድዎን ጽላታት

1. ስም ትካል፡
2. ስም ዋና/ዋናታት፡
3. ሕጋዊ ቅርጸ ትካል፡
4. ዝምድና ምስ መስራቲ ኩባንያ፡ እንተልዩ፡
5. አድራሻ ትካል፡
6. ትካል ግብሪ ዝኸፍለሉ መለለይ ቁጽሪ፡
7. ንግዳዊ ንጥፈታት ትካል፡
8. ዝነግደሎም ዓይነት አቕሑ፡
9. ዓቕን ዓመታዊ ምንቅስቃስ ብጽላታት ንጥፈት ብናቕፋ (ምምጻእ፡ ሰደድ፡ ጃምላዊ መሸጣ፡ ችርቻሮ፡ አገልግ ሎታት)፡
10. መቦቆል እታው፡
11. ሰደድ ዝተላእከሉ ሃገር፡
12. ዋጋ፡ መጽዓንን ዓቕንን ናይ ዝመጹ አቕሑ፡
13. ዋጋ መጽዓንን ዓቕንን ሰደድ፡
14. ድምር ርእሰማል ብናቕፋ፡
15. ቁጽሪ ሰራሕተኛታት፡
16. ዝርዝር ናብ መኸዘን ዝርከብ አቕሑ፡ ከምኡ ከአ
17. ስፍሓት መኸዘን ብሜትሮ ትርብዒት፡፡

**ለ) አብ ምስናዕን ዝዛመድዎ ንጥፈታትን**

**1ይ ክፋል - ሓፈሻዊ**

1. ናይ አቃውማ መለለዩ፡ ከምኡ ከአ
2. ዓይነት ዋንነትን ቅርጺን፡፡

**2ይ ክፋል - ኢንዱስትሪያዊ ስታትስቲካዊ ሓበሬታ**

1. ምንጪ ምወላ ወፍሪ (ዘዋጽኦ እጃም፡ ለቓሕ፡ ናይ ደገ፡ ናይ ውሽጢ ሃገር)፡
2. ቁጽሪ ሰራሕተኛታት (ጾታ፡ ዝሰልጠነ፡ ዘይሰልጠነ፡

ሞያዊ፣ተሞክሮአዊ)፡

- 3. ድምር ዓመታዊ መሸጣ (ናይ ውሽጢ ሃገርን ሰደድን)፡
- 4. ተወሳኺ ካልእ አታዊታት፡
- 5. አብ መኸዘን ዝርከብ ትሕጃ፡
- 6. ጥረ ነገራት፡
  - 1 ዝተፈጸመ ዕድገ
  - 2 ምንጪ እታው፡ ከምኡ'ውን
  - 3 ዝሃለኹ፡
- 7. ኢንፎት፡
- 8. ሓፈሻዊ ወጻኢታት ትካል፡
- 9. ምህርቲ
  - 1 ዋጋ ምህርቲ፡ ከምኡ'ውን
  - 2 መጠን ምጥቃም ዓቕሚ ምህርቲ፡
- 10. ናይ ምምስራሕ ምምሕዳርን ወጻኢታት፡
- 11. ዝተኸፍለ ግብርን ቀረጽን፡ ከምኡ'ውን
- 12. አኸሳብነት፡

**3ይ ክፍል - ኢንዱስትሪያዊ ዓይነታዊ ሓበሬታ**

- 1. ወፍሪ፡
- 2. ሽቕለት፡
- 3. መሸጣ፡
- 4. ጥረ-ነገራትን አገልግሎታትን፡
- 5. ምህርቲ፡
- 6. ፊናንሲያዊ መግለጺ፡ከምኡ'ውን
- 7. ካልእ ተወሳኺ ሓበሬታ፡፡

(2) ብተወሳኺ ካልእ ብመሰረት እዚ አውጅ'ዚ ብሚኒስትሪ ንግድን ኢንዱስትሪን ዝጥለብ ሓበሬታ ብመሰረት ሚኒስትሪ ዘውጽእ ቅጥዒ ይቐርብ፡፡

(3) ብዋኒነ ትካላት ብመሰረት እዚ አውጅ'ዚ ዝሞሃብ ሓበሬታ ካብ ጥሪ 1 ክሳብ ታሕሳስ 31 ናይ ነፍሲ ወከፍ ዓመት



ናይ ዘካየድኦ ንጥፊታት ዝሸፍን ኮይኑ እንተደንገየ ጥሪ 15 ናይ ዝቕጽል ዓመት ንሚኒስትሪ ንግድን ኢንዱስትሪን ይዋሃብ። ሚኒስትሪ ንግድን ኢንዱስትሪን ኣድላዪ ኮይኑ ምስዘረኸቦ ግን፡ ንዝተጠቐሰ ሓበሬታ ኣብ ዝኾነ ግዜ ናይ'ቲ ዓመት ክወሃቦ ክሓትት ይኸእል።

(4) ነፍሲ ወከፍ ዋሊን ትካል ፍቓድ ዋሊኑ ኣብ ዓፃመት የሓድስ።

5. ግዴታን መቕጻዕትን

- (1) ሚኒስትሪ ንግድን ኢንዱስትሪን ኣብ ዝሓተሉ ዝኾነ ዋሊን ትካል ብኡን ንብኡን ሓቀኛን ትኸክለኛን ሓበሬታ ናይ ምሃብ ግዴታ ይህልዎ።
- (2) ሚኒስትሪ ንግድን ኢንዱስትሪን ነቲ ዝተደልዩ ሓበሬታ ኣብ ውሽጢ ዝተወሰነሉ ግዜ ንሚኒስትሪ ንዘይሃበ ወይ ብፍላጥ ናይ ሓሶት ወይ ዘይቅኑዕ ሓበሬታ ናይ ዝሃበ ዋሊን ትካል ፍቓድ ንግድ ብውሳኔ ክእግድ፡ ወይ ኣብ ክብድ ዝበለ ጉዳያት፡ ክስርዝ ይኸእል።

6. ፍርዳዊ ዳግመ ምርኣይ

- (1) ዝኾነ ብመሰረት ዓንቀጽ 5(2) ናይ'ዚ ኣውጅ'ዚ ሚኒስትሪ ንግድን ኢንዱስትሪን ብዝህቦ ናይ ምእጋድ ወይ ምስራዝ ውሳኔ ቅር ዝበሎ ሰብ ኣብ ውሽጢ ሰላሳ (30) መዓልታት ድሕሪ ሚኒስትሪ ውሳኔ ምሃቡ ብላዕለዎይ ቤት ፍርዲ ዳግም ክርኤ ክሓትት ይኸእል።
- (2) ላዕለዎይ ቤት ፍርዲ ነቲ ውሳኔ፡-
  - (ሀ) ዊንታዊ፡ ዶብ ሓላፍነት ዝጥሕስ ወይ ምስ ሕጊ ዘየሳኒ፣ ወይ
  - (ለ) ምስ ስርዓት ዝጠልቦ ዘየሳኒ፣ ወይ
  - (ሐ) ብኣድማዒ መርትዖ ዘይተደገፈ፡ ኮይኑ ምስ ዝረኸቦ ይስዕሮ።

(3) ውሳኔ ላዕለዋይ ቤት ፍርድ ናይ መወዳእታ ይኸውን።

7. ምስጢራዊነት

- 1. ሕጊ ክግለጽ እንተዘይደንጊጉ፣ ብመሰረት እዚ ኣውጅ'ዚ ዝተዋህበ ሓበሬታ ብሚስጢር ይተሓዝ።
- 2. ብዘይተፈቐደሉ ሰራሕተኛ ዝግበር ምውጻእ ሚስጢር ብመሰረት እዚ ኣውጅ'ዚ ናይ ዝተዋህበ ሓበሬታ ብመሰረት ገበናዊ ሕጊ ኤርትራ የቐጽዕ።

8. ኣብ ግብሪ ዝውዕለሉ

እዚ ኣውጅ'ዚ ኣብ ጋዜጣ ኣዋጃት ኤርትራ ተሓተሙ ካብ ዝወጸሉ ዕለት ጀሚሩ ኣብ ግብሪ ይውዕል።

ኣስመራ፡ ታሕሳስ 27፡ 2002  
መንግስቲ ኤርትራ።

3. Scope of Coverage

The provisions of this Proclamation shall cover, with effect from the date of its promulgation, all business establishments engaged in manufacturing, mining, services, utilities and commercial trade.

4. Provisions Required

Provisions of this Proclamation shall refer to in Article 3 of the Constitution of the State of Eritrea.

## **Proclamation No. 124/2002**

### **The Business Information Register Proclamation**

#### **1. Short Title**

This Proclamation may be cited as "The Business Information Register Regulations – Proclamation No. 124 /2002".

#### **2. Establishment of Business Information Register**

The Ministry of Trade and Industry shall, as of the date of entry into force of this Proclamation, establish and maintain a Business Information Register for the following purposes:

- a) to establish an internationally accepted database on business establishments; and
- b) to review annually the performance of the business sector.

#### **3. Scope of Coverage**

The Business Information Register shall cover, but shall not be limited to, business establishments engaged in trade, manufacturing, services, fisheries and commercial farms.

#### **4. Information Required**

- (1)The business establishments referred to in Article 3 hereof shall fill and provide the Ministry of Trade and

Industry, in forms to be issued by the latter,  
information on, but not limited to, the following:

A. in trade and related sectors:

1. the name of the enterprise;
2. the name of the owner/owners;
3. the legal form of organization of the enterprise;
4. parent company affiliation, if any;
5. the address of the enterprise;
6. the tax identification number of the enterprise;
7. the commercial activity of the enterprise;
8. the commodities it trades in;
9. the volume of annual transaction by sectors of activity in Nakfa (import, export, wholesale, retail, services);
10. the origin of imports;
11. the destination of exports;
12. the cost and freight (C & F) value and volume of imports;
13. the FOB (Freight On Board) value and volume of exports;
14. the total capital in Nakfa;
15. the number of employees;
16. inventories; and
17. warehouse space in square meters.

B. in manufacturing and related activities:



**Part I – General:**

1. establishment identification, and
2. ownership type and structure.

**Part II – Industrial statistics:**

1. the source of investment fund: (equity, loan, foreign, domestic),
2. the number of employees (gender, skilled, unskilled, professional, experience),
3. total annual Sales (domestic and exports),
4. other income,
5. stock,
6. raw materials;
  1. purchases,
  2. origin of imports, and
  3. Consumption,
7. inputs,
8. factory overhead,
9. production;
  1. production cost, and
  2. Production capacity utilization,
10. operating and administrative expenses,
11. taxes and duties ,and
12. profitability.

### Part III – Qualitative Information

1. investment,
  2. employment,
  3. sales,
  4. raw material input and services,
  5. production,
  6. financial statement, and
  7. other additional Information.
- (2) In Addition, any other information required by the Ministry of Trade and Industry under this Proclamation shall be submitted in accordance with a prescribed format.
- (3) The information to be given by business establishments under this Proclamation shall cover activities undertaken between January 1<sup>st</sup> and December 31<sup>st</sup> of every year and shall be submitted to the Ministry of Trade and Industry by January 15 of the next year, provided the Ministry may, where it deems it necessary, request for the specified information at any time during the calendar year.
- (4) Each business establishment shall renew its business license annually.

## **5. Obligation and Penalty**

- (1) Any business establishment shall have the obligation to provide immediately true and accurate information pertaining to any request therefor by the Ministry of Trade and Industry.
- (2) The Minister of Trade and Industry may, by decision, suspend or, in extreme cases, revoke the license of business establishments, which fail to provide the required information within the prescribed time or knowingly provide the Ministry false or incorrect information.

## **6. Judicial Review**

- (1) Any person aggrieved by a decision of the Minister of Trade and Industry suspending, or revoking a license in extreme cases, under Article 5(2) may, within thirty (30) days after such decision is rendered, seek a review by the High Court.
- (2) The High Court shall set aside a decision which it, finds is:
  - (a) arbitrary, an abuse of discretion, or otherwise not consistent with law; or
  - (b) not made consistent with required procedures; or
  - (c) unsupported by substantial evidence.
- (3) The decision of the High Court shall be final.

## **7. Confidentiality**

- (1) Information submitted pursuant to this Proclamation shall be held confidential, unless the law requires disclosure thereof.
- (2) Disclosure of information submitted pursuant to this Proclamation by unauthorized personnel shall be punishable in accordance with the Penal Code of Eritrea.

## **8. Entry into Force**

This Proclamation shall enter into force as of the date of their publication in the Gazette of Eritrean laws.

**Asmara, December 27, 2002**

**Government of Eritrea**