COUNCIL OF MINISTERS REGULATION No. 461/2020

COMMERCIAL REGISTRATION AND LICENSING (AMENDMENT) REGULATION

WHEREAS, it has been found necessary to Amend, the commercial Registration and licensing service Regulation No 392/2016;

NOW THEREFORE, the Council of Ministers has hereby issued this Regulation pursuant to Article 52 (1) of the Commercial Registration and Licensing Proclamation No. 980/2016.

1. Short Title

This Regulation may be cited as the “Council of Ministers Commercial Registration and Licensing (Amendment) Regulation No. 461 /2020.”

2. Amendment

Commercial Registration and Licensing Regulation No.392/2016 is hereby amended as follows:

1/ Sub Article (4) of Article 7 of the Regulation is deleted and replaced by the following new Sub Article (4):

"4/ Where a request is made for an amendment of a company name of a business organization, authenticated minutes of the relevant organ shall notify the amendment via information communication technology channels."
2/ The expression which provides “statement of principal business address of applicant and branch office, if any in any of the provisions in the Regulation is deleted and replaced by “the business address stated and signed by the applicant in the form prepared by the relevant body for this purpose.”

3/ Paragraph (f) Sub Article (1) of Article 9 of the Regulation is deleted and replaced by the following new paragraph (f):

“f/ Where the applicant is a foreign national, in addition to those provided in this Article, he shall produce an investment license and the business address stated and signed in the form prepared for the purpose by the relevant body shall be taken as his business address.”

4/ Sub Article (2) of Article 9 of the Regulation is deleted and replaced by the following new Sub Article (2):

“2/ Where a commercial registration of a sole business is made via an agent through a power of attorney, a power of attorney authenticated by a legally authorized body shall be produced.”

5/ Paragraph (e) Sub Article (1) of Article 13 of the Regulation is deleted and replaced by the following new paragraph (e):

“e/ a bank statement certifying deposit of a minimum of USD 100,000(One hundred thousand) earmarked for salary and administrative expenses is deposited in the name of the principal or in the name of his representative;”

6/ Sub Articles (4) of Article 18 of the Regulation is deleted and replaced by the following new Sub Articles (4):

“4/ The business address stated and signed by the business organization in the form shall be taken as his business address, Where the amendment is to be made to the memorandum or Articles of association, an original copy of the minutes of shareholders decision to amend same, authenticated by a legally
authorized body and where the amendment relates to capital or where it is change of business address, the original copy of minutes of the business organization authenticated by a legally authorized body;”

7/ Article 21 of the Regulation is deleted and replaced by the following new Article 21:


1/ Application for cancellation of commercial registration certificate shall be submitted by attaching the following documents with the application form:

a) original and necessary copies of valid identity card or passport of the manager;

b) where the application is submitted by an attorney; original and copy of power of attorney, original and necessary copies of valid identity card or passport of the attorney and the manager;

c) certificate of commercial Registration;

d) in case of business organization, the minutes of cancellation resolution and audit report must be presented.

2/ the appropriate authority shall notify Cancellation of Commercial Registration Certificate via information communication technology channels.”

8/ Sub Article (2) of Article 23 of the Regulation is deleted and replaced by the following new Sub Article (2):

“2/ Where the license of a sole business is issued via a power of attorney, a power of attorney authenticated by an authorized body shall be produced.”

9/ Paragraph (d) Sub Article (6) of Article 24 of the Regulation is deleted and replaced by the following new paragraph (d):
(d) Where the business organization operates in branches, the business address stated as signed by it in the form shall be taken its business address;

10/ Sub Article (2) of Article 30 of the Regulation is deleted and replaced by the following new Sub Article (2):

"2/ An audit report, if it is a business organization;"

11/Sub Article (3) of Article 32 of the Regulation is deleted and replaced by the following new Sub Article (3):

"3/ The business address stated and signed by the business organization in the form shall be taken as his business address. Where the amendment is to be made to the memorandum or Articles of association, a original copy of the minutes of shareholders decision to amend same authenticated by a legally authorized body; and where the amendment relates to capital or where it is change of business address the original copy of minutes of the business organization authenticated by legally authorized body."

12/ Article 41 of the Regulation is deleted and replaced by the following new Article 41:

"41. Cancellation of the Special Certificate of Registration of Holding Company

1/ The holding company shall present the following, along with the application to cancel special certificate of registration of holding company:

a) special certificate of registration of the holding company;

b) a notarized minute certification showing the dissolution of the holding company;

c) original and necessary copies of valid identification card or passport of the manager of the holding coordinator company.
2/ the appropriate authority shall notify Cancellation of the special certificate of registration of holding company via information communication technology channels.

13/ Sub-Article (1) of Article 51 of the Regulation is deleted and replaced by the following new Sub Article (1):

"1/ A cancellation of the franchise agreement document approved by the appropriate authority;"

14/ Sub-Article (3) of Article 52 of the Regulation is deleted and replaced by the following new Sub-Article (3):

"3/ Producers or importers may retail goods of such a nature that cannot be sold otherwise than by retailing;"

15/ New Article 53 is added After Article 52 and Article 53 to 55 shall be renumbered as Article 54 to 56:

"53/ Notwithstanding the provisions on identity card and passports under this Regulation, driving licenses and any identity cards issued by employers may be used for the purposes of getting any services."

3. Effective Date

This Regulation shall enter into force on the date of their publication in the Federal Negarit Gazette.

Done at Addis Ababa, this 21st day of January, 2020.

ABIY AHMED (DR.)

PRIME MINISTER OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA