

*PROCLAMATION NO. XXX/2018*  
*A PROCLAMATION FOR THE*  
*REGULATION OF COMMUNICATIONS SERVICE*

WHEREAS, Communications Service serves an essential function in the economic and social development of the Country;

WHEREAS, the Government has decided to restructure the telecommunications market and introduce competition in the provision of telecommunications service in order to enhance the economic and social development of the Country;

WHEREAS, the establishment of an independent, transparent, and accountable regulatory Authority is necessary to achieve the Government's policy of restructuring the telecommunications market and introducing competition;

NOW, THEREFORE, in accordance with Article 55(1) of the Constitution of the Federal Democratic Republic of Ethiopia, it is hereby proclaimed as follows:

PART ONE  
*General*

1. *Short Title*

This Proclamation may be cited as the "Communications Service Regulation Proclamation No. XXX/2018."

2. *Definitions*

In this Proclamation, unless the context requires otherwise:

- 1) "Authority" means the Ethiopian Communications Regulatory Authority, whose powers, unless otherwise specified in this Proclamation, shall be exercised by its Director General;
- 2) "Appeals Board" means the body established by this Proclamation for the purpose of adjudicating appeals of Decisions of the Board of Directors;
- 3) "Board of Directors" shall mean the Governing Board of the Authority;
- 4) "Broadcaster" means an entity that is licensed by the Ethiopian Broadcasting Authority to provide Broadcasting service within the territory of Ethiopia;
- 5) "Broadcasting" means the emission and dissemination of radio or television programming intended for reception by the public;
- 6) "Communications Service" means service offered to the public consisting of the dissemination or interchange of audio, video or data content using telecommunications media, and of physical content using postal service, but does not include broadcasting;

- 7) "Decision" means any written decision, order, ruling, determination or other similar pronouncement issued by the Authority, Board of Directors, or the Appeals Board, that disposes in whole or in part and on a temporary or permanent basis, of any matter before the Authority, Board of Directors, or the Appeals Board;
- 8) "Director General" means the Director General of the Authority;
- 9) "Information Service" means the offering of a capability for generating, acquiring, storing, transforming, processing, retrieving, utilizing, or making available information via telecommunications, and includes electronic publishing, but does not include any use of any such capability for the management, control, or operation of a telecommunications system or the management of a Telecommunications Service;
- 10) "Interconnection" means the physical, technical and logical linking of the Telecommunications Networks used by the same or a different Telecommunications Operator in order to allow the users of one telecommunications operator to communicate with users of the same or another Telecommunications Operator, or to access services provided by another Telecommunications Operator. Services may be provided by the persons involved or by other persons who have access to the Telecommunications Network;
- 11) "Ministry" or "Minister" means the Ministry or Minister of Innovation and Technology or its successor;
- 12) "Public Hearing" means the process by which the Authority may solicit views of members of the public on a matter within the Authority's jurisdiction.
- 13) "Public Official" means a governmental official or an employee of the Government.
- 14) "Significant Market Power" means the ability to materially affect the price or supply in the relevant market for Communications Service as a result of either control over essential facilities or use of a Person's position in the market;
- 15) "Stakeholder Consultation" means the transparent process by which the Authority shall take action in any matter within its jurisdiction that may affect the rights of any party or the public interest.
- 16) "Tariff" means any charge, price, or levy and underlying terms and conditions imposed by a Telecommunications Operator for a Telecommunications Service.
- 17) "Telecommunications" means the emission, transmission, or reception, through the agency of electricity or electromagnetism, of any sounds, signs, signals, writing, images or intelligence of any nature by wire, radio, optical or electromagnetic systems, whether or not such sounds, signs, signals, writing, images or intelligence have been subjected to rearrangement, computation or other processes by any means in the course of their transmission, emission, or reception;
- 18) "Telecommunications Equipment" means any appliance, apparatus, or accessory used or intended to be used for Telecommunications Services;
- 19) "Telecommunications Line" means any wire, cable, tower, mast, antenna, pole or any other structure or equipment used or intended to be used in connection with a telecommunications system;

- 20) "Telecommunications Network" means the collection of Telecommunications Lines and associated switching systems that is used for the provision of Telecommunications Service;
- 21) "Telecommunications Operator" means an entity authorized by the Authority pursuant this Proclamation to provide Telecommunications Service;
- 22) "Telecommunications Service" shall mean the provision by a licensee of the conveyance of Telecommunications directly to the public or to Telecommunications Operators.
- 23) "Universal Access" means the availability to all users, regardless of their geographic location, of Communications Services of a quality specified by the Authority and at suitable prices;
- 24) "Person" means any natural or juridical person and any reference to the male gender shall apply equally to the female gender;

## PART TWO

### *The Communications Regulatory Authority*

#### 3. *Establishment*

- 1) The Ethiopian Communications Regulatory Authority (hereinafter "the Authority") is hereby established as an independent federal Government Authority for regulation of Communications Services having its own legal personality.
- 2) The Authority shall be accountable to the Prime Minister .

#### 4. *Head Office*

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

#### 5. *Objectives*

The objectives of the Authority shall be to promote the development of high quality, efficient, reliable and affordable Communications Service throughout the nation; to promote a competitive market for the achievement of these goals; and to promote the interests of consumers.

#### 6. *Powers and Duties*

The Authority shall have the following powers and duties:

- 1) To ensure that Communications Services are operated in a manner that will best serve and contribute to the Country's economic and social development, as per government policy;
- 2) To implement policies for Communications Services;
- 3) To hold Stakeholder Consultations on the matters committed to its discretion by this Proclamation, either on its own initiative or at the request of a member of the public;
- 4) To require any licensee, Telecommunications Operator, Postal Operator or Broadcaster to provide information that the Authority reasonably finds to be

- necessary for the proper performance of its functions and the exercise of its powers under this Proclamation;
- 5) To specify technical standards for the provision of Communications Service, in cooperation with institutions mandated to set standards and other relevant bodies, and to ensure that Communications Services conform to the specified standards of quality;
  - 6) To regulate tariffs relating to Communications Service in accordance with the provisions of this Proclamation;
  - 7) To license and supervise operators of Communications Service and modify, renew, suspend or revoke licenses;
  - 8) To regulate types of Telecommunications Equipment that may be connected to a Telecommunication Network;
  - 9) To authorize and supervise the use of the Radio Frequency spectrum in Ethiopia for commercial and government users including the military and intelligence services, in consultation with relevant parties, including the Ministry, the Ethiopian Broadcasting Authority and the organization mandated to lead Space Science and Technology activities in Ethiopia;
  - 10) To manage the notification, coordination and filing process of satellite orbital locations as per the framework of international radio frequency spectrum regulations, in consultation with the organization mandated to lead Space Science and Technology activities in Ethiopia.
  - 11) To establish the national telecommunications numbering plan, allocate and administer numbers, and supervise efficient use thereof;
  - 12) To manage Internet Protocol addresses, domain names, including the Country Code top level domain for Ethiopia (.et), through allocating, assigning and supervising efficient use thereof;
  - 13) To regulate interconnection between Telecommunications Networks of different service providers;
  - 14) To safeguard the interest of consumers of Communications Services;
  - 15) To investigate complaints and resolve disputes between Communications Service operators, and between consumers and Communications Service operators;
  - 16) To promote research into the development and use of new communications techniques and technologies, including those that promote accessibility of persons with disability and other members of society to Communications Services;
  - 17) To advise the government on communications policy and legislative measures in respect of providing and operating Communications Services.
  - 18) To represent Ethiopia, in coordination with the competent Government body, in international conferences and international organizations concerned with regulation of Communications Services; and to monitor the implementation of treaties dealing with Communications Services to which Ethiopia is a party and to coordinate with regional and global organizations particularly with regard to use of the Radio Frequency spectrum;
  - 19) To collaborate with educational institutions in order to promote technical education in the field of telecommunications;

- 20) To determine and collect license fees, levies from operators and other regulatory fees consistent with the terms of this Proclamation and of other relevant laws;
- 21) To ensure compliance by Telecommunications Operators with international obligations entered into by Ethiopia in the Telecommunications sector;
- 22) To monitor and investigate compliance with this Proclamation and with conditions of licenses, and any Directives that the Authority may prescribe pursuant to this Proclamation and make such decisions as are necessary to enforce compliance with the same;
- 23) To respond to and dispose of complaints and disputes against Broadcasters consistent with the terms of the Proclamation;
- 24) To promote the goal of Universal Access, including, as appropriate, by establishing and administering mechanisms for the financial support of Universal Access;
- 25) To promote information security, data privacy and protection;
- 26) Foster the development of electronic commerce through the use of electronic signatures to lend authenticity and integrity to correspondence in any electronic medium;
- 27) To own property, to enter into contracts, and to sue and be sued in its own name;
- 28) To perform such other related activities as may be necessary for the attainment of its objectives and the implementation of the terms of this Proclamation.
- 29) The Authority may perform any of the functions set out in this section upon its own initiative or, consistent with the provisions of this Proclamation and any other applicable law, may contract with outside parties to perform certain functions.

#### 7. *Organization of the Authority*

The Authority shall have:

- 1) Board of Directors;
- 2) a Director General,
- 3) a number of Deputy Directors General, as deemed necessary; and
- 4) necessary staffs.

#### 8. *Board of Directors*

- 1) The Authority shall be supervised by a Board of Directors consisting of seven members.
- 2) The Prime Minister shall appoint members of the Board of Directors and designate one of his nominees to serve as Chairman of the Board of Directors.
- 3) Four of the members of the Board of Directors shall be Public Officials and three members of the Board of Directors shall be from the private sector and/or academia.
- 4) Members of the Board of Directors shall be remunerated by the Authority.

#### 9. *Powers and Duties of Board of Directors*

The Board of Directors shall have the following powers and duties:

- 1) oversee the implementation of this Proclamation and the activities of the Authority;
- 2) review the annual work programs and budgets as well as the activity reports of the Authority;

- 3) deliberate and, as may be appropriate, decide on policy matters pertaining to the implementation of this Proclamation.
- 4) supervise and review the Decisions and actions of the Director General.

*10. Requirement for Selection of the Members of Board of Directors*

- 1) A person shall not be appointed or remain in office as a member of the Board of Directors who:
  - a. is not a citizen of Ethiopia;
  - b. is not permanently resident in Ethiopia;
  - c. has a direct or indirect financial interest in any company subject to the jurisdiction of the Authority;
  - d. is incapacitated by any illness;
  - e. has been convicted in Ethiopia or elsewhere by a competent court of a criminal offense punishable by at least one year imprisonment; or
  - f. has at any time been removed from an office of trust in Ethiopia or elsewhere on account of misconduct.
- 2) Members of the Board shall be selected by the Prime Minister based on their demonstrated qualifications in a relevant field such as finance, accounting, law, consumer affairs, telecommunications, engineering, broadcasting, journalism, information technology, economics, and public administration.

*11. Term of Members of Board of Directors*

- 1) Members of the Board of Directors shall serve for a term of seven years.
- 2) Notwithstanding the provision of sub-Article (1) of this Article, the terms of office of the members of the Board of Directors shall be staggered so that one Board member's term shall expire on July 7 of each year.
- 3) In nominating the initial members of Board of Directors, the Prime Minister shall specify that one member shall serve a term of seven years; one member shall serve a term of six years; one member shall serve a term of five years; one member shall serve a term of four years; one member shall serve a term of three years; one member shall serve a term of two years; and one member shall serve a term of one year.
- 4) A member of the Board may be re-appointed for a second seven-year term.

*12. Conditions for Removal of Members of Board of Directors*

- 1) The Prime Minister may only remove a member of the Board for the following reasons:
  - a. The member's incapacity to perform his or her duties due to illness;
  - b. The member's conviction by a court of competent jurisdiction in Ethiopia or elsewhere of a criminal offense punishable by at least one year imprisonment;
  - c. The member's knowing and continued violation of the conflict of interest provisions of this Proclamation;
  - d. The member's failure to continue to fulfill all of the qualifications for serving as a member as established in Article 10 (1) of this Proclamation.

- 2) In the event of a vacancy on the Board due to the death, resignation, or removal of a member of the Board, the Prime Minister shall appoint a new member of the Board of Directors.
- 3) A new member of the Board appointed pursuant to sub-article (2) of this Article shall only serve to complete the unexpired portion of the departed member's term.

#### 13. *Meeting Procedures of Board of Directors*

- 1) The Board shall meet at least four times per year in order to consider the business of the Authority and to hear such reports as the Director General and staff of the Authority may present.
- 2) The Chairman shall have the power to schedule meetings, upon not less than fourteen days advance notice to the Board and to the public; provided, however, that in the event of exigent circumstances that require the Board to meet upon less than fourteen days advance notice the Chairman may call such a meeting of the Board with the concurrence of at least two other members of the Board.
- 3) A quorum to conduct the business of the Board shall consist the majority of the number of members of the Board then serving.
- 4) In the absence of the Chairman, the Chairman may designate another member of the Board to act as Chairman. In the event of the death, resignation, or removal of the Chairman, the remaining members of the Board may, by majority vote, designate one of the remaining Board of Directors to act as Chairman pending an appointment of a new Chairman by the Prime Minister.
- 5) The Board shall act by majority vote of the members present. In the event that members of the Board are evenly divided on a matter that is put to a vote by the Board, the Chairman shall cast the deciding vote.

#### 14. *Director General of the Authority*

- 1) The Director General of the Authority shall be appointed by the Prime Minister.
- 2) The Director General shall be the chief executive officer of the Authority and, subject to the general directives of the Board, shall direct and administer the activities of the Authority in accordance with the terms of this Proclamation.
- 3) Without limiting the generality of sub-article (2), the Director General shall, under the supervision of the Board of Directors:
  - a. exercise the powers and duties of the Authority specified under Article 6 of this Proclamation;
  - b. employ and supervise the employees of the Authority in accordance with approved Government Directives;
  - c. prepare the work programs and budget of the Authority and implement same upon approval by the Government;
  - d. effect expenditures in accordance with the budget approved for the Authority;
  - e. safeguard commercial secrets and other confidential information collected by it pursuant to this Proclamation;
  - f. represent the Authority in all of its dealings with third parties; and

- g. prepare the performance and the financial reports of the Authority and submit same to the concerned organ of the Government;
- 4) The Director General may delegate part of his powers and duties to the employees of the Authority to the extent necessary for the efficient performance of the Authority's activities.

15. *Deputy Directors General of the Authority*

- 1) The Deputy Directors General shall be appointed by the Prime Minister.
- 2) The Deputy Directors General shall be accountable to the Director General and shall perform such functions as the Director General shall assign to them from time to time.

16. *Functions of the Ministry*

The Ministry shall have responsibility and function, pursuant to this Proclamation, for formulating the general policy for the Communications Sector with a view to ensuring, amongst others, the utilization of the sector as a platform for the economic and social development in Ethiopia.

17. *Budget*

- 1) Without prejudice to the provisions of sub-article (2) of this article, the budget of the Authority shall be drawn from the following sources:
  - a. budget allocated to it by the Government;
  - b. income from license fees and other regulatory fees collected in accordance with sub-Article (20) of Article 6 of this Proclamation; and
  - c. other sources.
- 2) The financial administration of the authority shall be governed by the Federal Financial Administration Proclamation No. 648/2009 (as amended) and regulations and directives issued thereunder.
- 3) Funds supplied for the Authority's budget as described in sub-article (1) of this Article shall be deposited in a bank account opened in the name of the Authority and shall be expended for the performance of the Authority's functions.

18. *Books of Accounts*

- 1) The Authority shall keep complete and accurate books of accounts.
- 2) The books of accounts and other financial documents of the Authority shall be audited annually by the Federal Auditor General or by an auditor designated by him.

PART THREE

*Requirement and Conditions of a License*

19. *Communications Services License*

- 1) No person may operate a Communications Service without obtaining a license from the Authority.



- 2) The Authority shall issue licenses for the operation and provision of Communications Service by way of class or individual licenses on such terms and conditions as the Authority may from time to time determine, including the term of the license.
- 3) The Authority shall conduct a Stakeholder Consultation pursuant to Articles (34-37) of this Proclamation to establish procedures for applications for licenses and for renewal of licenses.
- 4) The Authority shall at all times be guided in the formulation of licensing procedures, issuance of Communications Service licenses and preparation of license conditions and terms as applicable, by the principles of and consideration for—
  - a. Transparency, fairness and non-discrimination;
  - b. Efficient use and management of radio frequencies;
  - c. Available numbers under the National Numbering Plan;
  - d. The need to promote fair competition and investment in the communications industry;
  - e. The need to provide modern, quality, affordable and readily available Communications Services in all parts of Ethiopia; and
  - f. Such other principles and considerations as the Authority may from time to time consider necessary and in the national interest.

#### 20. *Conditions of a License*

- 1) The Authority shall impose such conditions on a license to operate a Communications Service, including the length of the term of the license, as the Authority deems necessary for the achievement of the objectives stated in Article 5 of this Proclamation.
- 2) Without limiting the generality of sub-Article (1) of this Article, the Authority may include the following conditions in a license:
  - a. That the licensee must provide services to the entire territory of the Nation at non-discriminatory prices;
  - b. That the licensee must publish, in a format specified in the license, the charges and other terms and conditions that are applicable to the service provided;
  - c. Criteria for setting tariffs for the service to be provided;
  - d. That the licensee shall comply with such technical standards or requirements including service performance standards as may be specified in the license.
- 3) The Authority may modify any conditions in a license at any time, consistent with the procedural requirements established in Articles (34-37) of this Proclamation, if it considers it in the public interest to do so.

### PART FOUR *Technical Regulation*

#### 21. *Technical Standards*

- 1) The Authority may determine technical standards regarding radiocommunications and Telecommunications Equipment including customer premises equipment.

- 2) Any Directive for the determination of a standard shall be developed through a Stakeholder Consultation pursuant to Articles (34-37) of this Proclamation and shall be published on the Authority's website and in such other manner as may be appropriate to ensure adequate notice to the public.

#### *22. Approval of Equipment*

- 1) The Authority may, by public notice, specify any radiocommunications and Telecommunications Equipment that requires the Authority's approval before it may be connected to a telecommunications system.
- 2) The Authority shall, at the request of licensed service providers, equipment manufacturers or suppliers, conduct type approval tests and issue certificates therefor in respect of radiocommunications and Telecommunications Equipment and facilities to be used in the Federal Democratic Republic of Ethiopia.
- 3) The Authority shall consider the following criteria in approving types of Telecommunications Equipment:
  - a. Safety to life and health;
  - b. Maintenance of the Telecommunications Network including conditions regarding data protection;
  - c. Electromagnetic compatibility;
  - d. Appropriate use of electromagnetic frequency spectrum;
  - e. Interoperability between the Telecommunications Equipment and the Telecommunications Network; and
  - f. Other considerations that the Authority may determine by Directives.
- 4) It is prohibited to manufacture, import, or distribute, without obtaining prior approval, Telecommunications Equipment that requires the approval of the Authority.
- 5) The Authority may conduct a Stakeholder Consultation pursuant to Articles (34-37) of this Proclamation to permit the importation and use of Telecommunications Equipment that has been approved by internationally recognized testing bodies that the Authority may designate by a Directive.

#### *23. Radio Frequency Spectrum Management*

- 1) The Authority shall be responsible for the control, planning, administration, management, and licensing of the radio frequency spectrum in Ethiopia for both commercial and government users including the military and intelligence services.
- 2) In performing radio frequency spectrum management, the Authority shall comply with applicable standards and requirements of the International Telecommunication Union and its Radio Regulations as agreed or adopted by the Federal Democratic Republic of Ethiopia.
- 3) The Authority shall maintain, and periodically update, the "National Table of Frequency Allocations" (NTFA), in line with the Radio Regulations of the International Telecommunication Union, and relevant regional agreements;

- 4) The Authority shall, in respect of radio frequency spectrum, protect the interest of Ethiopia internationally, and shall be responsible for regional and global coordination of the use of radio frequency spectrum.
- 5) The Authority may conduct one or more Stakeholder Consultations pursuant to Articles (34-37) of this Proclamation to establish Directives governing the licensing and use of the radio frequency spectrum for the provision of Communications Services.

#### 24. *Assignment of Frequency*

- 1) The Authority may, pursuant to the procedure established in Articles (34-37) of this Proclamation, assign frequencies to be used for Telecommunications Service, radiocommunication service, and for radio and television Broadcasting in cooperation with the Ethiopian Broadcasting Authority.
- 2) The Authority shall coordinate the use of frequencies, both locally and internationally, and monitor the proper use of same.
- 3) In deciding upon an application for assignment of frequencies, the Authority shall take into consideration the present use of frequencies and projected future needs of the Country.
- 4) The Authority may assign frequencies to different persons on a time-sharing basis.
- 5) In the event of mutual exclusivity between applications for assignment of frequencies, the Authority shall adopt the method that it deems appropriate for selecting among the applications. Such methods may include a form of competitive bidding, random selection, or comparative hearings, among others.

#### 25. *Radio Frequency Fees*

- 1) The Authority shall prescribe such Directives, pursuant to the procedure established in Articles (34-37) of this Proclamation, as will best further the purposes of this Proclamation to establish fees for the use of radio frequency spectrum resources for the provision of Communications Services.
- 2) Such Directives as the Authority may prescribe pursuant to sub-article (1) of this Article shall, at a minimum, ensure that fees:
  - a. recover from commercial providers of Communications Services a measure of the economic value of the radio frequency spectrum resources for the benefit of the People of Ethiopia and shall compensate the Authority for the cost of administering licensing and regulation of radio frequency spectrum resources;
  - b. shall be reasonable, non-discriminatory, and administered in a transparent manner; and
  - c. shall encourage the development and expansion of Communications Services to all areas of the Nation.

#### 26. *Allocation of Numbers and Addressing Resources*

- 1) No person shall use numbering and addressing resources in Ethiopia except pursuant to authorization of the Authority and for the purposes permitted under this Proclamation.

- 2) The Authority shall manage and regulate the use of numbering and addressing resources for the provision of Telecommunications Services and Information Services in Ethiopia. This shall include the National Numbering Plan, Internet domain registration, and all other numbering and addressing resources of the Nation.
- 3) All Telecommunications Operators shall be entitled to obtain numbering resources for the provision of Telecommunications Services pursuant to such Directives as the Authority may prescribe pursuant to the terms of this Proclamation.
- 4) The Authority shall specify the procedures by which Telecommunications Operators may obtain access to numbering resources for the provision of Telecommunications Services.
- 5) The Authority may conduct one or more Stakeholder Consultations pursuant to Articles (34-37) of this Proclamation to establish Directives governing the administration and use of numbering and addressing resources. In particular, such Directives shall include provisions for the rejection, in whole or in part, of an application for the use of numbering resources in the event that:
  - a. the applicant is not a Telecommunications Operator;
  - b. the proposed use of numbering resources is not compatible with the National Numbering Plan;
  - c. the proposed use of numbering resources is inconsistent with the provisions of this Proclamation, the Authority's Directives, or any other law then in force in Ethiopia;
  - d. the proposed use of numbering resources may pose a risk to national security or public order;
  - e. the applicant would not make timely or efficient use of numbering resources.
- 6) In any case in which the Authority shall reject an application for use of numbering resources in accordance with Directives adopted pursuant to this Proclamation, the Authority shall issue its Decision in such matter in writing and shall explain, with particularity, the reasons for rejecting the application.
- 7) An applicant may submit a revised application for use of numbering resources that corrects any legal or technical deficiencies that the Authority has identified in its Decision rejecting the original application. An applicant may also request review by the Authority of its Decision rejecting the application or may file an appeal of the Decision with the Board of Directors pursuant to the provisions of this Proclamation.
- 8) The Authority may also, at the request of any person or on its own motion, revoke any authorization to use numbering resources, or prohibit any use of numbering or addressing resources that was commenced prior to the entry into force of this Proclamation, if the Authority finds, pursuant to a transparent process consistent with Articles (34-37) of this Proclamation, that such use of numbering resources would be inconsistent with the terms of sub-Article (5) of this Article.
- 9) In any case in which the Authority shall revoke an authorization to use numbering resources or shall prohibit any use of numbering or addressing resources that commenced prior to the entry into force of this Proclamation, the Authority shall issue its Decision in writing and shall state with particularity the reasons for its action.

- 10) The party whose authorization for use of numbering resources is revoked or prohibited may request review by the Authority of its Decision or may file an appeal of the Decision with the Board of Directors pursuant to the provisions of this Proclamation.
- 11) The Authority shall have the authority to conduct a Stakeholder Consultation, pursuant to Articles (34-37) of this Proclamation, to establish Directives for Internet Domain registration.
- 12) The Authority shall have authority to contract with one or more outside organizations for the management, subject to the Authority's supervision, of the Nation's numbering and addressing resources.

#### *27. Number Registration, Usage and Portability*

- 1) The Authority may permit a licensee to hold numbers for later use for a period of up to three years from the date of authorization to use numbers.
- 2) The Authority may prescribe further Directives, pursuant to Articles (34-37) of this Proclamation, concerning the usage of numbers.
- 3) The Authority shall maintain a general Register of Numbers, which contains all numbers that have been assigned and all numbers that are limited to particular uses or are stored, and the parties to whom the numbers are allocated. The Register of Numbers may be in physical format or electronic format and the Authority shall make the Register of Numbers available to any member of the public at no charge.
- 4) The Authority shall conduct a Stakeholder Consultation pursuant to Articles (34-37) of this Proclamation to prescribe Directives for the implementation of number portability between Telecommunications Operators.

#### *28. Numbering Fees*

- 1) The Authority may prescribe such Directives as will best further the purposes of this Proclamation to establish fees for the use of numbering resources for the provision of Telecommunications Services and Information Services.
- 2) Such Directives as the Authority may prescribe pursuant to sub-article (1) of this Article shall, at a minimum, ensure that fees:
  - a. recover from commercial providers of Telecommunications Services a measure of the value of the numbering resources for the benefit of the People of Ethiopia;
  - b. shall be reasonable, non-discriminatory, and administered in a transparent manner; and
  - c. shall encourage the development and expansion of Telecommunications Services and Information Services to all areas of the Nation.

#### *29. Required List of Special Number Services*

- 1) The Authority may, through a Stakeholder Consultation pursuant to Articles (34-37) of this Proclamation, determine a list of services that Telecommunications Operators

shall be required to provide to their customers. Such services may include, among others:

- a. emergency services;
  - b. directory assistance services;
  - c. operator assistance services;
  - d. services for disabled customers; and
  - e. any other services that the Authority shall deem necessary.
- 2) In the event that the Authority shall determine that Telecommunications Operators shall be required to provide access to emergency services to their customers, the Authority shall promote public safety through the use of a specific number that shall be designated as the national emergency assistance number for telephone services throughout Ethiopia. The Authority shall also take action to encourage the prompt deployment throughout Ethiopia of the necessary infrastructure for the provision of access to emergency services.

### 30. *Power to Inspect*

- 1) The Authority may assign inspectors to ascertain that the requirements of this Proclamation and the Authority's decisions made hereunder are complied with.
- 2) An inspector assigned pursuant to sub-article (1) of this Article may enter and inspect, during working hours, the premises of any licensee or any place on where the Authority believes on reasonable grounds there is any radio apparatus.
- 3) An inspector shall have power to inspect any Telecommunications Equipment and to examine and make copies of any relevant documents.
- 4) An inspector shall show his or her identification card before entering any place for inspection.

## PART FIVE

### *Use of Land and Buildings for Telecommunications Lines*

### 31. *Right of Telecommunications Operator To Use Land and Building*

- 1) Subject to sub-article (3) of this Article, a Telecommunications Operator may, with the consent in writing of the lessee or possessor of any land or owner of any building, and subject to such terms and conditions as may be agreed upon between the Telecommunications Operator and the lessee or possessor of land or owner of building, pass under, over, along, across, in or upon such land or building, any facilities necessary for the provision of Telecommunications Services.
- 2) Upon an agreement under sub-article (1), it shall be lawful for the Telecommunications Operator or its representatives, at all times and on reasonable notice, to enter upon the land or to have access to the building to:
  - (a) put up any pole, which may be required for support of a Telecommunications Line;

- (b) fasten or attach to anything growing on that land a bracket or other support for a Telecommunications Line;
  - (c) cut down any tree or branch that is likely to injure, impede or interfere with any Telecommunications Line; or
  - (d) perform any activities necessary for the purpose of establishing, constructing, repairing, improving, examining, altering or removing any facilities necessary for the provision of Telecommunications Service or for performing any other activities in accordance with the provisions of this Proclamation.
- 3) Notwithstanding any agreement under sub-article (1) of this Article a Telecommunications Operator shall not, except with the consent of the lessee or possessor of the land or owner of the building:
- (a) acquire any right other than that of user of such land or building under, over, along, across, in or upon which any facilities necessary for the provision of Telecommunications Services is placed and only for such purposes as the parties have agreed; and
  - (b) exercise those rights in respect of any land vested in or under the control of a local authority, except in accordance with a procedure set out in sub-article (5) of this Article.
- 4) A Telecommunications Operator shall ensure that as little damage as possible is caused to the land or building and to the environment by reason of the exercise of the powers conferred by this Article and shall pay fair and adequate compensation to the lessee or possessor of the land or owner of the building for any damage or loss sustained by reason thereof.
- 5) Where a Telecommunications Operator intends to enter any land or any building under the control of a local authority or other public body, the Telecommunications Operator shall seek the consent of the local authority or public body, stating the nature and extent of the activities to be done.
- 6) The local authority or other public body may, upon request as per sub-article (5) of this Article, permit the Telecommunications Operator to exercise any or all of the powers under sub-article (2) of this Article, subject to such conditions, including the use of the property, the time or mode of execution of any works, or for any other related activity to be undertaken by the Telecommunications Operator as may be agreed between the Telecommunications Operator and the local authority.
- 7) Any dispute arising between a Telecommunications Operator and the lessee or possessor of any land or owner of any building with respect to the provisions of this Article may be referred to the Authority for adjudication.
- 8) Any person aggrieved by a Decision of the Authority may appeal to the Board of Directors within thirty days from the date of the Decision of the Authority.
- 9) Any person aggrieved by a Decision of the Board of Directors may appeal to the Appeals Board within thirty days from the date of the Decision of the Board of Directors.
- 10) Any person aggrieved by a Decision of the Appeals Board may appeal to the Federal High Court within sixty days from the date of the Decision of the Appeals Board.

### 32. *Construction*

- 1) Any construction or excavation work or permanent fixtures of any nature in the vicinity of a Telecommunications Line shall require the prior consent of the Telecommunications Operator.
- 2) The Telecommunications Operator shall have the duty to respond within thirty days to a request submitted to it pursuant to sub-article (1) of this Article.
- 3) Where the Telecommunications Operator unduly withholds its consent, the Authority may authorize the completion of the activities referred to in sub-article (1) of this Article where it ascertains that such activities will not cause damage or any impediment to the Telecommunications Line.
- 4) Any construction work or fixtures of a permanent nature shall be at least two meters away from the installation of the Telecommunications Line.
- 5) When any construction work is hindering an existing Telecommunications Line, the operator may, by giving thirty days' notice, request the owner or the possessor to remove it.
- 6) If the owner or possessor fails to remove the construction work the operator shall have the right to remove it.

## PART SIX *Operations of the Authority*

### 33. *The Authority's Power to Conduct Public Hearings*

- 1) The Authority may initiate a public hearing on any substantive matter within its jurisdiction under this Proclamation, either on its own initiative or upon the written request of interested parties.
- 2) Public hearings conducted by the Authority shall be open to all members of the public, except to the extent that the Authority decides that the confidential nature of any specific matter to be addressed during the hearing requires that such confidential material be withheld from public disclosure.
- 3) The Authority shall make public the reasons for limiting public access to information in any of its proceedings and shall seek to ensure to the maximum extent possible that all of its proceedings shall be fully open to the public.

### 34. *The Authority's Conditions for Stakeholder Consultation*

- 1) The Authority shall hold a Stakeholder Consultation, to be conducted in whole or in part by written submissions only, whenever it may take action in any matter within its jurisdiction that may affect the rights of any party or the public interest.
- 2) The Authority shall initiate a Stakeholder Consultation by issuing a public notice:
  - a. announcing the commencement of the process;
  - b. setting out the nature of the matter to which such Stakeholder Consultation relates;
  - c. stating the period within which comments may be submitted, together with all filing requirements;



- d. providing any background discussion paper or other information that may assist interested parties in the preparation of their comments; and
  - e. including any other information that the Authority deems appropriate in the circumstances.
- 3) The Authority shall ensure that the Public Notice initiating a Stakeholder Consultation shall give interested parties adequate notice of the matters that the Authority is considering and the actions that the Authority is likely to take as a result of the Stakeholder Consultation.
  - 4) As a result of a Stakeholder Consultation, the Authority may adopt, amend, or repeal any Directive that it is within the Authority's authority to make in accordance with the provisions of this Proclamation. The Authority may also conclude that the purposes of this Proclamation will be best served by not taking formal action or by issuing a report concerning the findings it reaches as a result of the Stakeholder Consultation.
  - 5) When the Authority considers it appropriate, it may also present recommendations to Parliament for legislation to address matters that the Authority considers it cannot address pursuant to the terms of this Proclamation or may take such other action as it considers appropriate in the circumstances.

#### 35. *The Authority's Decision Making Process*

- 1) The Authority shall ensure that it shall conduct all of its proceedings in a transparent manner.
- 2) The Authority shall provide adequate notice to the public, through a Public Notice or other similar instrument, of its proposed action with respect to adoption, amendment, repeal, or enforcement of any Directive or its proposed action to implement any provision of this Proclamation.
- 3) The Authority shall allow members of the public, including natural and juridical persons subject to the Authority's jurisdiction, consumers, and other organizations a reasonable opportunity to submit written or oral presentations addressing any action the Authority proposes to take.
- 4) The Authority shall also allow members of the public to respond to written or oral presentations submitted by other members of the public.

#### 36. *The Authority's Decisions*

- 1) The Authority may take any action that is consistent with the Authority's powers and duties pursuant to this Proclamation.
- 2) In any proceeding before the Authority, the Authority shall render a decision in writing explaining the reasons for its action.
- 3) The Authority shall base its findings of fact and conclusions of law only upon the information contained in the record of the proceeding before it and on publicly available facts of which the Authority may take official notice.

- 4) The Authority's decision shall explain in reasonable detail the reasons supporting its action and shall address the positions presented in presentations made by members of the public.
- 5) The Authority's Decision may grant, in whole or in part, any action or relief requested by any party; may deny any action or relief requested by any party; or may fashion such other remedy within the scope of the Authority's authority that may, in the Authority's judgment, best serve the purposes of this Proclamation.
- 6) The Authority shall publish each Decision on the Authority's website and in appropriate publications of general circulation in order to ensure that the public has adequate notice of its Decision.

### *37. The Authority's Decision Review Process*

- 1) Any person aggrieved by the Decisions of the Authority or the Authority's staff may request that the Authority review the Decision of the Authority or of the Authority's staff.
- 2) In all cases in which such review is requested, the Authority shall issue a Public Notice informing the public that the Decision is under review and shall allow interested members of the public an opportunity to make written or oral presentations concerning the request for review of the Decision.
- 3) The Authority may grant the request for review in part or in whole or may deny the request for review.
- 4) The Authority shall issue a written Decision in response to the request for review of the original Decision and shall state with particularity the reasons underlying its action.
- 5) Any request for appeal of the Authority's Decision must be filed with the Board of Directors within thirty days of the effective date of the Authority's Decision.

### *38. Appeals Board*

- 1) The Appeals Board shall be an independent, three-member body that shall be appointed by the Prime Minister for staggered terms of three years.
- 2) The Prime Minister shall designate one of his nominees to serve as Chairman of the Appeals Board.
- 3) In nominating the initial Appeals Board members the Prime Minister shall specify that one member shall serve a term of three years; one member shall serve a term of two years; and one member shall serve a term of one year.
- 4) Members of the Appeals Board may be reappointed for a second three-year term.
- 5) Members of the Appeals Board shall have experience in law, telecommunications, broadcasting or other relevant disciplines.
- 6) Members of the Appeals Board shall be remunerated by the Authority, but the remuneration of a member of the Appeals Board may not be decreased during his term of office.

### *39. Powers and Duties of Appeals Board*

- 1) The Board shall be empowered to hear appeals of Decisions taken by the Board of Directors.
- 2) The members of the Appeals Board shall establish transparent procedures for hearing and adjudicating matters brought before them.
- 3) Any person aggrieved by a Decision of the Board of Directors may appeal said Decision to the Appeals Board, provided, however, that the Appeals Board shall only have authority to determine whether the Decision is lawful and shall not substitute its judgment for the judgment of the Board of Directors on issues of fact or policy.
- 4) The Appeals Board shall issue its decisions in writing, explaining its reasons for either affirming or overruling the Decisions of the Board of Directors.
- 5) In the event that the Appeals Board overrules a Decision of the Board of Directors, it must refer the matter to the Authority for further proceedings.
- 6) Any request for review or appeal of the Decision by the Board of Directors must be filed with the Appeals Board within thirty days of the effective date of the Decision by the Board of Directors.
- 7) For purposes of this subsection, a Decision of the Authority shall be effective upon its public release unless the Authority shall specify a different effective date in writing.
- 8) A Decision of the Authority shall be effective during the pendency of any request for review or appeal, unless the Authority shall determine that the interests of justice and the purposes of this Proclamation shall be better served by delaying the effectiveness of such Decision.
- 9) Any person aggrieved by a Decision of the Appeals Board may within sixty days from the date of the Decision appeal to the Federal High Court, provided, however, that the Federal High Court shall only have authority to determine whether the Appeals Board's Decision is lawful and shall not substitute its judgment for the judgment of the Authority on issues of fact or policy.

#### 40. *The Authority's Conflict of Interest Code*

- 1) Neither the Director General nor any member of the Board of Directors, the Appeals Board, nor any member of the Authority's staff may work on any Authority matter that will affect:
  - a) his or her personal financial interests;
  - b) the financial interests of his or her spouse or minor child;
  - c) the financial interests of his or her business partner;
  - d) the financial interests of any organization in which he or she serves as an officer, director, general partner, employee or trustee; or
  - e) the financial interests of any entity with whom he or she has an arrangement for employment or with whom he or she is negotiating for employment.
- 2) In such case, he or she may either divest himself of the interest causing the conflict of interest or recuse himself from any involvement in the matter.

- 3) In no instance, however, may the Director General, any member of the Board, any member of the Appeals Board, nor any member of the Authority's staff hold a direct ownership interest in any company that is subject to the jurisdiction of the Authority pursuant to this Proclamation.

PART SEVEN  
*Economic Regulation*

41. *Interconnection*

If a Telecommunications Operator receives a request for interconnection from another Telecommunications Operator, then the first Telecommunications Operator shall have an obligation to interconnect its Telecommunications Network with the other Telecommunications Operator's Telecommunications Network at technically feasible locations, in accordance with the principles specified in Article (42) of this Proclamation and pursuant to terms and conditions negotiated between the parties in good faith.

42. *Terms and Conditions for Interconnection*

- 1) All interconnection agreements between Telecommunications Operators shall be in writing and shall comply with this Proclamation, and the Directives published from time to time by the Authority pursuant to this Proclamation.
- 2) The terms and conditions of interconnection agreements shall primarily be agreed upon between the parties thereto; however, the Authority may intervene and make binding rulings at its own instance or at the instance of either or both parties to the agreement:
  - a. if the Authority determines that the agreement or any provision thereof is inconsistent with the provisions of this Proclamation or any Directive that the Authority has adopted;
  - b. in the event of a failure of consensus between the parties on specific issues or a delay in reaching such consensus; or
  - c. if the Authority considers it is in the public interest for it to intervene at its own instance and without any invitation from either or both parties to the agreement.

43. *Collocation and Infrastructure Sharing*

- 1) A Telecommunications Operator may request physical collocation of its equipment, for the purposes of providing a service to the public, at the premises of another Telecommunications Operator that the Authority has determined has Significant Market Power.
- 2) The Telecommunications Operator that receives a request for physical collocation shall accommodate such request to the extent it is technically feasible.
- 3) The parties shall, in good faith, negotiate reasonable compensation for the use of collocation space.

- 4) In the event that the parties cannot agree on commercial or technical terms of a collocation agreement, the Authority shall determine the appropriate terms pursuant to the procedure established in Articles (34-37) of this Proclamation.
- 5) The Authority shall have authority to prescribe Directives for the provision of collocation space, including standard technical and commercial terms.
- 6) Telecommunications Operators are encouraged, to the maximum extent feasible, to share passive and active infrastructure for the provision of Telecommunication Service.
- 7) A Telecommunications Operator that the Authority has determined has Significant Market Power shall be required to share both passive and active infrastructure upon the reasonable request of another Telecommunications Operator.
- 8) The parties shall, in good faith, negotiate reasonable compensation for the sharing of infrastructure.
- 9) In the event that the parties cannot agree on commercial or technical terms of an agreement for the sharing of infrastructure, the Authority shall determine the appropriate terms pursuant to the procedure established in Articles (34-37) of this Proclamation.
- 10) The Authority shall have authority to prescribe Directives for the sharing of infrastructure, including standard technical and commercial terms.
- 11) Notwithstanding the provisions of sub-Articles (1)-(10) of this Article, nothing in this Proclamation shall be deemed to prevent a Telecommunications Operator from requesting collocation or infrastructure sharing of a Telecommunications Operator that the Authority has not determined to have Significant Market Power. In the event that such a request is made, the parties shall seek to negotiate in good faith the commercial and technical terms of such collocation or infrastructure sharing.

#### 44. *Lawful Tariffs*

- 1) All Telecommunications Operators shall charge lawful tariffs for their services. Lawful rates shall be just, reasonable, and not unduly discriminatory among users or classes of users.
- 2) All tariffs of Telecommunications Operators that have not been found by the Authority to possess Significant Market Power, as defined in this Proclamation or by the Authority's Directive, shall be presumed lawful. Telecommunications Operators that have not been found by the Authority to possess Significant Market Power shall not be required to file their tariffs with the Authority.
- 3) Any Telecommunications Operator that the Authority determines possesses Significant Market Power, in one or more relevant product markets, shall publish its tariffs.
- 4) The Authority may direct that a Telecommunications Operator that the Authority has determined possesses Significant Market Power delay the effectiveness of any tariff until the Authority has approved said tariff.
- 5) The Authority may, by Directive adopted pursuant to the procedure established in Articles (34-37) of this Proclamation, establish the standards and procedures by

which it shall determine the lawfulness of any tariff filed by a Telecommunications Operator that the Authority has determined possesses Significant Market Power.

- 6) Such standards established under sub-article (5) of this Article shall, *inter alia*, include the cost basis on which the tariff was established. In assessing cost, the Authority shall use a forward-looking incremental cost methodology.

#### 45. *The Authority's Power To Review Tariffs*

- 1) Notwithstanding the provisions of sub-article (2) of this Article, the Authority shall have the authority to review and control tariffs of any licensed Telecommunications Operator and to develop Directives for setting tariffs in order to ensure that such tariffs are lawful.
- 2) The Authority may, on its own motion, or in response to a petition filed by any interested party, initiate a proceeding to determine whether the tariffs of any Telecommunications Operator are lawful. In making such a determination, the Authority may rely on standards that it may develop pursuant to the procedures established in Articles (34-37) of this Proclamation.

#### 46. *Market Competition Regulation*

- 1) Notwithstanding the provisions of any other law, the Authority shall have exclusive competence to determine, pronounce upon, administer, monitor and enforce compliance of all persons with competition laws and Directives, whether of a general or specific nature, as it relates to the Ethiopian telecommunications market.
- 2) The provisions of this Article shall also apply to Broadcasting, and the Authority shall ensure that the ownership and control of broadcasting stations shall not become unreasonably concentrated.
- 3) The Authority shall have the authority to conduct a public consultation proceeding, pursuant to Articles (34-37) of this Proclamation, for the purposes of establishing Directives to prevent unreasonable concentration of ownership and control of broadcasting stations.

#### 47. *The Abuse of Significant Market Power*

- 1) It shall be unlawful for any Telecommunications Operator that the Authority determines has Significant Market Power to engage in any conduct that has the purpose or effect of substantially lessening competition in any Ethiopian telecommunications market.
- 2) It shall be unlawful for any Telecommunications Operator to enter into an agreement or arrangement with any other person that has the purpose or effect of substantially lessening competition in any Ethiopian telecommunications market.
- 3) The Authority may, on its own motion, or in response to a petition filed by any interested party, initiate a proceeding to determine whether one or more Telecommunications Operators has engaged in any conduct that has the purpose or effect of substantially lessening competition in any Ethiopian telecommunications market.
- 4) In the event that the Authority finds, pursuant to a hearing conducted in accordance with the procedures established in Articles (34-37) of this Proclamation, that any

Telecommunications Operator has engaged in any conduct that has the purpose or effect of substantially lessening competition in any Ethiopian telecommunications market the Authority shall:

- a. order such Telecommunications Operator to refrain from such conduct in the future; and
- b. impose such fine or other sanction, as prescribed pursuant to Article 51 of this Proclamation, as it deems appropriate in the circumstances.

#### 48. *Universal Access Services*

- 1) The Authority shall, pursuant to Stakeholder Consultation, develop annual objectives for Universal Access to Communications Services in Ethiopia.
- 2) In developing its Universal Access objectives, the Authority shall seek to ensure that Communications Services are accessible to the largest number of users possible, particularly in rural and remote areas of Ethiopia.
- 3) It is hereby established a Universal Access Fund that shall be used to support universal access to Communications Service in Ethiopia. The amounts and sources of income for the Universal Access Fund, its manner of administration and the types of Communications Services that are to be supported by the Universal Access Fund shall be determined by the regulation to be issued by the Council of Ministers.

#### 49. *Consumer Protection*

- 1) The Authority shall have the authority to issue such Directives as it shall deem necessary in order to ensure that the interests of consumers of Communications Services are protected.
- 2) The Authority shall adopt such Directives issued as per sub-article (1) of this Article through Stakeholder Consultation pursuant to Articles (34-37) of this Proclamation.
- 3) Without limiting the authority contained in sub-article (1) of this Article, the Authority shall in particular require each Telecommunications Operator to establish a Code of Conduct that shall specify the rights of consumers, including the consumer's right to lodge a complaint with the Telecommunications Operator or with the Authority.
- 4) The Authority shall approve each Telecommunications Operator's Code of Conduct by a written Decision that the Authority shall adopt through Stakeholder Consultation pursuant to Articles (34-37) of this Proclamation.
- 5) The Authority may require a Telecommunications Operator to make such changes to its Code of Conduct as the Authority, pursuant to Stakeholder Consultation, concludes are necessary in order to protect the interests of consumers.

### PART EIGHT

#### *National Security and Enforcement*

#### 50. *National Security*

- 1) Telecommunications Operators shall take all reasonable steps to ensure the confidentiality of their customers' Telecommunications.
- 2) Notwithstanding the requirement of sub-article (1) of this Article, Telecommunications Operators shall comply with all lawful orders of any Ethiopian court of competent jurisdiction to provide such information relating to a customer's Telecommunications as an Ethiopian court of competent jurisdiction shall, pursuant to the laws of Ethiopia, require.
- 3) A Telecommunications Operator shall provide access to its Telecommunications Network to permit duly authorized agents of the Government of Ethiopia to carry out lawful surveillance of Telecommunications in the conduct of a criminal investigation or national security investigation in accordance with the terms stipulated by a court of competent jurisdiction. In the event of noncompliance, the Authority may impose penalties, revoke or suspend the license to provide services.
- 4) The Authority shall have the authority to require Telecommunications Operators to register all SIM cards and to establish a National Subscriber Registry that shall contain such information concerning subscribers as the Authority may require for the purpose of consolidating and harmonizing the database of subscribers of the Telecommunications Operators in order to promote national security.

#### 51. *Enforcement*

- 1) The Authority shall have authority to enforce the provisions of this Proclamation and of any Directive, license, or other instrument that the Authority may issue pursuant to the provisions of this Proclamation.
- 2) The Authority shall have authority to monitor compliance with the terms of this Proclamation and of any Directive, license, or other instrument that the Authority may issue pursuant to the provisions of this Proclamation. Such monitoring may consist of regular activities of the Authority's staff or may arise as a result of information or complaints submitted to Authority by any interested party.
- 3) The Authority shall have authority, pursuant to a transparent procedure consistent with the terms of Articles (34-37) of this Proclamation, to adjudicate all complaints against any licensee and shall have authority to assess appropriate remedies for any violation of the terms of this Proclamation, of any license issued pursuant to this Proclamation, or other instrument that the Authority may issue pursuant to the terms of this Proclamation.
- 4) Such remedies as the Authority may impose pursuant to the terms of this Article may include fines or restitution to be paid by any Person who violates the terms of this Proclamation, of any license issued pursuant to this Proclamation, or of any Directive or other instrument that the Authority may issue pursuant to the terms of this Proclamation.
- 5) Such remedies may also include other appropriate sanctions as well, including, if necessary, revocation of a license, provided, however, that such remedies shall be proportionate, non-discriminatory, and transparent.



- 6) Notwithstanding the provisions of sub-articles (1) to (5) of this Article, the Authority shall, from time to time, develop Directives indicating the types of infraction that would be subject to fines and penalties, and proposing the level of fines to be paid.
- 7) Any person who contravenes the provisions of this Proclamation shall be liable to punishment in accordance with the Penal Code.

PART NINE  
*Miscellaneous Provisions*

52. *Prohibitions*

No person is authorized to connect or disconnect Telecommunication Lines except for authorized employees of a Telecommunications Operator or a person licensed to do so by the Authority. This prohibition does not apply to a person connecting or disconnecting his own customer premises equipment.

53. *Power to Issue Regulations and Directives*

- 1) The Council of Ministers shall issue Regulations for the implementation of this Proclamation.
- 2) The Authority shall issue Directives for implementation of this Proclamation and Regulations issued as per this Proclamation.

54. *Investment*

Notwithstanding the terms of any other Proclamation or Regulation, telecommunications services, including ownership of a Telecommunications Operator or a Telecommunications Network, shall be open without limitation to private investors including both domestic investors and foreign investors.

55. *Repeal*

The following are hereby repealed:

- 1) The Telecommunications Proclamation No. 49/1996;
- 2) The Telecommunications (Amendment) Proclamation No. 281/2002;
- 3) Telecommunications Services Council of Ministers Regulation No. 47/1999;
- 4) Telecom Fraud Offence Proclamation No. 761/2012
- 5) Broadcasting Service Proclamation No. 533/2007 sub-Article (6) of Article 7.
- 6) Ethiopian Postal Service Enterprise Establishment Council of Ministers Regulation No. 165/2009 Article 3 of the Amharic Version.
- 7) Post Office Proclamation No. 240/1966 sub-Articles (2), (5) and (6) of Article 2, Article 4, sub-Articles (1), (2) and (3) of Article 6, Article 14 and Article 15.
- 8) Paragraphs (o), (q), (r), and (s) of Sub-Article 1 of Article 20 of Proclamation 1097/2018.

56. *Effective Date*

This Proclamation shall enter into force as of January XX, 2019.

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