OF THE COUNCIL OF THE AMHARA NATIONAL REGIONAL STATE
IN THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

CONTENTS
Regulation No.51/2007
The Amhara National Regional State Rural Land Administration and Use System Implementation, Council of Regional Government Regulation.

REGULATION NO.51/2007
A COUNCIL OF REGIONAL GOVERNMENT REGULATION ISSUED TO PROVIDE FOR THE IMPLEMENTATION OF THE RURLA LAND ADMINISTRATION AND USE SYSTEM IN THE AMHARA NATIONAL REGIONAL STATE
WHEREAS, the Rural Land Administration and use Determination Proclamation to be applicable throughout the Regional State has been Revised and issued to produce an effect.

WHEREAS, The contribution of the land administration system shall, by unequivocally and specifically stipulating the rights and obligations of those bodies authorized to acquire and use Rural land-holdings in the regional state, have an irreplaceable part in the effort undertaken to be exonerated from poverty, within the ambit of the Rural development and prosperity to be realized in a fair course thereof;

WHEREAS, it has been necessary to put in place a working system with a transparent and responsible land administration and use so as to ensure the maintenance of land fertility and thereby protection of the environment along with the sustainability of the land Administration itself, having enjoyed the overall support of the general public;

WHEREAS, it has been found appropriate to create favorable conditions which might enable land holders to materilize sustainable development and investment promotion in the regional state by integrating their labor, wealth and creative abilities following the
ownership mentality to be produced as the result of the land holding;

NOW, THEREFORE, the council of the Amhara Regional Government, in accordance with the powers vested in it under the provisions of Art.58 sub-art.7 of the revised Regional constitution and Art. 33 sub-art.1 of the revised Rural Land Administration and use Determination Proclamation No. 133/2006, hereby issues this regulation.

PART ONE
General

1. Short Title

This regulation may be cited as “The Rural Land Administration and Use System Implementation, Council of Regional Government Regulation No. 51/2007.”

2. Definitions

1. Such terms and phrases used in this regulation as “Farmer”, “Authority”, “Child”, “pensioner”, “common Holding”, “Family member”, “State Holding”, “Kebele resident”, “Land use plan”, “Land user”, “Person”, “Public service”, “Rural Land Administration”, “Rural land”, “Rent”, “use Right”, “Expropriation from land holding” and “Land Holder” shall have the definitions given to them under art.2 of the Revised Regional State Rural Land Administration and use determination proclamation No, 133/2006.
2. Unless the context otherwise requires;

A. “Investor” shall mean any person who has obtained an investment license and thereby engages in an activity of economic significance through channeling his financial wealth on to the rural land and helping generate hard currency, having to that effect formulated a plan capable of promoting the sector into a higher level by way of linking the agriculture along with the industry.

B. “Investment Holding” shall mean plot of Rural land registered in the name of an individual, group, or organization licensed as investor in a certain kebele and whose use-right is upheld for a definite period of time.

C. “National service” shall mean any military service rendered for a definite period of time by departing from one’s locality or a service rendered to cope with an emergency operation having to do with a certain calamity or participation in a public administration as a regular employee, be it in the form of through an election or assignment for a specified duration.

D. “valuer” shall mean an institution or expert working in a private or public institution who has the knowledge or experience or both
to assess the amount of compensation for an asset developed on a land holding, having been designated by the authority.

E. “Compensation” shall mean a payment made payable in kind or cash or both to the land holder who may be dispossessed of his holding in return for an asset established thereon.

F. “Formula” shall mean a set of working procedure enabling one to assess the amount of compensation payable to the holder who might be required to relinquish his holding in a uniform manner.

G. “Proclamation” shall mean the Revised Rural Land Administration and use Determination proclamation No. 133/2006

3. Objective

The regulation shall have specific objectives indicated herebelow:

1. To create favorable conditions enabling the land administration system to promote long-lasting agricultural product and productivity of the regional state by causing the full implementation of the rights and obligations pertaining to the rural land holders as are stipulated under the proclamation;

2. To put in place a land use system instrumental for the preservation of the soil fertility as well as
3. እንወስ ይታወቃለን፣ የመሬት ያነሳ የሚገኝ ወይም የሚፈልጉ የገጠር ነው የሚታወቋች ከነፃ የማገኝ ወይም የማጠቀም መብት ካለው።

4. እንወስ ይታወቃለን፣ የመሬት ያነሳ የሚገኝ ወይም የሚቀጠረ የገጠር ነው የሚታወቋች ከነፃ የማገኝ ወይም የማጠቀም መብት ካለው።

5. እንወስ ይታወቃለን፣ የመሬት ያነሳ የሚገኝ ወይም የሚቀጠረ የገጠር ነው የሚታወቋች ከነፃ የማገኝ ወይም የማጠቀም መብት ካለው።

PART TWO
IMPLIMENTATION OF THE
RIGHTS OF LAND ACQUISTION
AND USE

4. The Right to Acquire Land

1. እንወስ ይታወቃለን፣ የመሬት ያነሳ የሚገኝ ወይም የሚቀጠረ የገጠር ነው የሚታወቋች ከነፃ የማገኝ ወይም የማጠቀም መብት ካለው።

2. ለስለ እንወስ ይታወቃለን፣ የመሬት ያነሳ የሚገኝ ወይም የሚቀጠረ የገጠር ነው የሚታወቋች ከነፃ የማገኝ ወይም የማጠቀም መብት ካለው።

3. To realize an equitable land administration system in the regional state by devising a mechanism of documentation incorporating each and every land holder and the overall nature of the holding so occupied;

4. To render a significant contribution for the prevalence of good governance by materializing the special protection accorded to women, incapables and orphans and;

5. To improve performance as regards the provision of rural land that may be utilized for investment purposes and thereby follow up its effectiveness.
and transferred in to a rural area with an intention to engage himself in an agricultural occupation, shall be considered as a rural dweller.

3. Mass organizations, governmental and non-governmental organizations and religious institutions found in the regional state may, where their duties are not performed for gain, acquire rural land holding which they may use for their undertakings, on condition that such a move may not contravene the right of farmers to acquire land as provided under sub-art-1 of this article hereof; provided, however, that they may not transfer same to third parties, either in bequeath or donation.

4. Private investors who desire to engage in an agricultural business shall have the right to obtain land that they may so use, from the government through lease or, from private holders through rental, on the basis of an agreement to be concluded with the latter. Particulars shall be determined by a directive.

5. How to exercise

1. the size of the rural landholding that any person may acquire by a applying for the same to the pertinent kebele administration having stated that he engages himself or wishes to so engage in an agricultural activity and use it for the aforementioned purpose, in accordance with the provisions of Art.7 sub-art 1 of the proclamation and Art.4 sub-art 1of this regulation, may not be less than 0.25 hectares, where it refers to a plot
2. መሬት ለማግኘት የሚቀርብ ማናቸውም የሚመለከቱት አካል የሚቀርበው ደንብ የሚስፈርም ባለስልጣኑ ከሚያወጣው መመሪያ ጋር ተያይዞ በሚገኝ ይህን ቅጽ መሠረት በጽሁፍ ይሆንል።

3. በዚህ አንቀጽ ንዑስ አንቀጽ 1 ላይ የተደነገገው ቢኖርም ግለሰብ ሆነ ከቤተሰቡ ጋር በይዞታ የሚሰጠው ከፍተኛ ከፍተኛ መሬት መጠን በደጋ እና በወይና ደጋ ከ7 ከ분ታር እና በቆላ አካባቢዎች የሚያስፈልጋቸው ይወሰናል።

4. የተርፍ ላይ ያልተመሰረተ የህዝብ አገልግሎት ለመስጠት የተቋቋሙ ህጋዊ ያላቸው ተቋማትና ድር ትምቶች ይዘት ተቋማት ተልዕኮ መሣካት የሚያስፈልጋቸው የገጠር መሬት ይዞታ መጠን ከተሰጣቸው ሥራ ስፋት እና የውስብስብነት ጋር በተገናዘበ አኳሃን ተጥቦ ባለስልጣኑ በሚያወጣው መመሪያ ይወሰናል።

5. በዚህ አንቀጽ መሠረት መሬትን ባይን ያደርጉት የክልሉ አካባቢ ከቅደምት ይዞታዎች ጋር በሚደረግ ድርድር መሬት ከግለሰብ አርሶ አደሮች በኪራይ ውል መሠረት ማግኘትን የሚከለከሉ አይሆኑም።

6. በዚህ አንቀጽ መሠረት መሬትን ባይን ያደርጉት የክልሉ አካባቢ ከቅደምት ይዞታዎች ጋር በሚደረግ ድርድር መሬት ከግለሰብ አርሶ አደሮች በኪራይ ውል መሠረት ማግኘትን የሚከለከሉ አይሆኑም።

2. Any request put forward with the view to acquiring land shall be submitted in writing to the concerned body using the form annexed to the directive to be issued by the authority for the execution of this regulation.

3. Notwithstanding the provision of sub. Art.1 of this article hereof, the maximum size of land that any one may be granted in holding and enjoyed at household or family levels may not exceed seven hectares in the high land and semi-high land and ten hectares in the low land areas respectively.

4. The size of the rural land holding that may be necessary for the legal intuitions and organizations established with the view to rendering non-profit public service, in order to fulfill the mission of their establishment shall be determined by a directive to be issued by the authority, having been studied with a reference to the extent and complexity of the tasks entrusted upon them.

5. The provisions stipulated herein above under this article may not, where no surplus land is available, bar an acquisition of land from individual peasant farmers in rent by negotiating with the former land holders in the Regional state.

6. The right of acquisition of land holding may,
pursuant to this Article, be applicable where one or the other of the conditions indicated herein below shall be satisfied:

A. with the details to be stipulated in a directive, where it is publicly determined that land re-distribution is to take place:

B. Where it is ascertained that there exists an extra plot of land which is not already allocated in holding and registered as a surplus land, due to a variety of reasons;

C. Where it is decided by the public at large that a communal rural land holding is to be distributed for and utilized by individual users.

7. Where it has been objectively impossible to materialize the right of acquisition of land holding due to an absence of the conditions specified under sub, Art. 6 of this article hereof, and where it is ascertained that there exists sufficient land readily available for possible re-settlement in the regional State, An alternative of land provision may be considered by formulating and executing a voluntary re-settlement scheme thereof.

6. Re-distribution to be established on the consent of the land holders

1. Without prejudice to the provision of Art. 8 sub, art 1 of the proclamation, land Re-distribution may be carried out in the regional stat under exceptional circumstance, where those who possess land in excess of the size of
the minimum prescribed by this regulation and at least 80% of the kebele inhabitants have consented on the subject and submitted in writing their request for same to the authority’s Woreda representative office.

2. The Agreement approving the Re-distribution shall be applicable on those land holders who may have voted in support of the decision; provided, however, that such a planned Re-distribution may not affect any land holder who has shown up and participated in a gathering called upon to deliberate on land re-distribution so long as he; has voted for the motion in support of the decision or rejected same.

3. Landless kebele residents and those who possess holdings below the prescribed minimum may, not Pursuant to the provisions of sub, Art. 1 and 2 of this Article hereof, be able to attend the gathering to deliberate on the issue as to whether land Re-distribution is to take place or not.

4. The decision for land Re-distribution shall be applicable on the basis of a directive to be issued by the Authority subsequent to this regulation; provided, however, that the authority may not accept such decision should it finds to the redistribution likely cause land fragmentation.

5. Where land has duly been Re-distributed in accordance with the directive to be issued by the authority with the view to executing public
decisions, a land holder, whose land holding, has been reduced and taken there from shall, of such action is not to cause fragmentation, have the rights to retain the portion of his own choice as well as obtain from the person taking over the land prior compensation commensurate to the value of the assets produced thereon.

6. the Re- distribution may be undertaken with respect the land to be developed using modern irrigation in a manner that satisfies The interests of those holders having lost their holdings for the construction of irrigation, Infrastructure and other similar services.

7. Any holder or user may not prohibit redistribution form having been carried out as regards land to be developed with modern irrigation.

8. Those holders whose land is taken away due to the construction of modern irrigation infrastructure shall be provided with their share by way of Re-distribution out of the land to be developed through irrigation. To that effect, their right to obtain from the government prior compensation commensurate to the amount of the product which happened to be gained from their land shall be respected until such time that they are provided with same. Particulars shall be determined by a directive.

9. An irrigated land redistribution shall be carried out through the instrumentality of the pertinent committee members to be elected by the
beneficiaries of the irrigation development with the assistance of the Authority’s woreda representative office along with the closest follow up of the woreda administration concerned.

10. Where an irrigated land redistribution is underway the land holder shall have the opportunity to take the plot of his choice in so for as such an action does not potentially cause land fragmentation thereof.

11. Where redistribution takes place with regard to an irrigated land, there shall be carried out an activity of consolidating, individual peasants, land holdings, as much as possible.

12. Without prejudice to the fact that any farmer who received land covered with the perennial crops is duty-bound to pay in advance proper compensation to the previous holder, where the said holder applies in writing that he cannot afford to pay at once the compensation beforehand such an application is accepted by the Authority’s Woreda representative office, the government shall, after having made the payment of compensation, in advance have the right to collect the amount of expenditure from the debtor. Particulars shall be determined by a directive to be issued for the implementation of this regulation.

13. The provisions of this article hereof shall not be applicable to the modern irrigation construction lands which are known to have been constructed prior to the coming into force
of this regulation unless the beneficiaries of the said irrigation have given their full consent.

7. Determination of the Minimum Plot of Land

The minimum size of a plot of land to be granted for any person in the Regional State may not be less than 0.2 if it is cultivatable by rain and 0.06 hectares if it is cultivatable through irrigation respectively.

8. Exchange of Land Holdings

Any person who is granted rural land in holding shall have the right to exchange his possession with that of another holder so long as the implementation of such an exchange does not result in a possible land fragmentation; Provided, however, that the said exchange is to be effective only upon its submittal to and registration by the pertinent Authority’s woreda representative office.

9. Utilization of Land

1. Unless he has been provided with a clear identification and sufficient prescription in writing with regard to the use of his land form the body competent to formulate land use plans as per the provisions of art. 13 of sub- Art.5 of the proclamation, any land holder may be able to utilize his plot of land for house construction, farming, animal husbandry, forestry, or other related activities thereto until such time that land
10. **Consolidation of Land Holdings**

1. Any holder, having acquired the right to use rural land may voluntarily exchange his plots of land situated in various localities with another land holder in order to consolidate same or find them contiguous with one another.

2. The Authority pertinent woreda representative office shall freely render the necessary support in order to implement the right stipulated under sub-Art. 1 of this article hereof, where the land holders approach and ask for legal advise and technical assistance. Particulars shall be determined by a directive to be issued by the authority.

3. Where land holders undertake an exchange of land holding with the view to consolidating pursuant to sub. Art 1 of this Article hereof, they shall obtain renewal of their land holding certificate free of charge.

2. Without prejudice to the provision of sub.Art.1 of this Article hereof, it shall not be permitted to use such land for the cultivation of narcotic plants which are forbidden by law. Particulars shall be determined by a directive.
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WAYS OF TRASFERRING LAND RELATED RIGHTS

11. Transfer of Land Holding rights in Bequeath

1. Any natural person who happens to be a rural land holder in accordance with this regulation may transfer his holding rights to a beneficiary by will who engages or wishes to engage in agricultural works.

2. Notwithstanding the provision of sub. Art.1 of this Article hereof, where a will making person already has his own family or minor children at the time of his death and his deed is likely to isolate his family or his children from legal inheritance, his will shall not be valid at law.

3. Where a person, having died after transferring his holding right by will does not have minor children but rather a spouse while declaring the will and where he has transferred his land holding and use rights by will to persons another than his spouse, the land holding shall remain in the hands of his surviving spouse for two consecutive harvesting years as of the date of his death and as for as the use right is concerned, the will shall stay suspended short of execution provided, however that after the aforementioned period of time such use right shall be conveyed to the designated beneficiary in a distinctly identifiable manner,
4. በወቅቱ አንቀጽ ንዑስ አንቀጽ 3 የፈር የለውን ይይስ የሚገኝ ይህ ያለውን ያለው አንቀጽ እና የሚገኝ ያለች በወቅቱ ከመማቱ የተፈፃሚ አይሆንም።

5. የተናዘው በመሬቱ የመቀጠም መብቱን በተመለከተ ሣይሆን በመሬቱ ላይ የፈፀውን በተመለከተ ሀብት ይችላል።

6. በወቅቱ አንቀጽ ንዑስ አንቀጽ 1 የፈር የለውን ይይስ የሚገኝ ይህ ይናвой ያለች እና የሚገኝ ያለች አንቀጽ እና የሚገኝ ያለች እና የሚገኝ ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያለች ያleurs de la source.
A. His minor children, or in the absence of same, his family members;

B. His sons and daughters of full age or other family members having virtually no land and yet engaging or preferring to engage in an agricultural work as the means of their lively hood;

C. Those sons and daughters of full age, although, they already have their own land holdings, where such persons so engage in an agricultural work;

D. parents who engage or wish to engage in an agricultural work, where there are no minor children, grownups, family members or caretaker individuals living together with the deceased.

8. Notwithstanding the provision of sub. Art 7 (D) of this Article hereof, where the land holder has left a spouse at the time of his death, the surviving spouse shall continue using the land as of the date of the farmer’s death if he (she) continues to reside in the same kebele or until he/she concludes new marriage if that is not to be the case, until he (she) passes away; provided, however, if he (she) quits residing that kebele, concludes marriage or dies, such use right with respect to the land shall be transferred to parents who are the legal heirs of the deceased.

9. They may not have the right to share such
holding in an individual manner instead of collective utilization, if each plot of land is, in case division, to be less than 0.2 hectare cultivable by rain and 0.06 hectares cultivatable by irrigation respectively.

10. The provision stipulated under sub Art 9 herein above shall mutatis mutandis apply to the division of land holdings which might be undertaken at the time of divorce.

11. Where the size of land is not virtually divisible due to its being less than that provided under sub. Art 9 of this Art. hereof and the divorced spouses have failed to agree as to its collective utilization they shall have alternatives to offer it for rent, exchange same with that of an other person, cause it to be used by either of them or transfer it to a third party.

12. The total size of the land to be possessed by any person, for whom the right to acquire rural land holding in bequeath has been guaranteed, may not, at the time of inheritance, exceed the ceiling prescribed under Art 5 sub-Art.3 of this regulation hereof.

13. In the absence of those persons eligible to inherit the land holding of the deceased either by will or other wise, such land shall
14. የመሬት አስተዳደርና አጠቃቀም ኮሚቴ ለአዲስ መሬት ጠያቂዎች ይከፋፈል።

12. የመሬት የመጠቀም መብት ላሆን የሚስጥ በኃላይ ይናል።

1. የመሬት ከባለይ ባለይ ያለውን የመጠቀም መብት በአዋጅ ለማንኛውም ወው የማይፀናና ተቀባይነት የሌለው ነው።

2. ከшеስት ዋመት ለበለጠ ጊዜ የሚደረግ ማናቸውም የመሬት ኪራይ ውል በፅሁፍ መደረግና መሬቱ ለሚገኝበት የባለስልጣኑ ወረዳ ተጠሪ ይኖርበታል።

3. ለሁኔታ የሚቆይና በቃል የተደረገ የኪራይ ውል በዚህ ደንብ መሠረት የማይፀናና ተቀባይነት የሌለው ነው።

12. Conditions of Providing Land use Right through Rent

1. Any land holder may, pursuant to the proclamation and this regulation, transfer to any one his use right he has established on the land on the basis of rental contract.

2. Any land rental contract which may be entered in excess of three years shall be made in writing and registered after where such land is situated having been submitted to the Authority’s woreda representative office. Provided, however, that such contract may not be valid and effective, if it has been made orally and for the period longer than the one stipulated hereinabove.

3. Any contractual document relating the land rent made in the writing shall, having regard to the circumstances area of the land reachable having been measured by modern or local instruments, of customary nature the be registered as constituting surplus resource and hence distributed to the use of new land seekers through the agency of the relevant kebeke land administration and use committee.

14. Where a deceased’s lawful land holding is rendered by rent under a contract at the time of his death such an action may not prevent the contractors from using the land in line with their contractual agreements.
duration of the contract validity and amount of the rent as well as modality of the payment thereof.

4. Any payment of land rent may, having been determined on crop produced from the land, allowance given to the holder every harvesting season, or payment in grain or in cash given at once or divided annually or on any other similar benefit, be disbursed.

5. The maximum period of time that private investors may rent land from the government shall be determined by a directive. Provided, however, that pursuant to the proclamation, it may not be more than 25 years in general term of agreement.

6. Pursuant to this regulation hereof, where the lessor wants to renew the rent agreement entered into for ten (10) or more than ten (10) years, he shall, having stated that he wants to renew the contract ahead of 1 year before the termination of term of renting period of time, notify in writing to the holder. Unless the lessee forwarded his own notification to the lessor within 6 months since he has received the request, it shall be regarded as he has agreed to renew the agreement as the condition of contract they had earlier.

7. Where any land holding has been given by rental contract to several persons, the party who cause the registration of the agreement...
ተካራይ መሬቱን ባግባቡ ካለመያዙ የተነሣ አከራይ በሚመለከት እንወ አካል አማካኝነት ማስጠንቀቂያ የተሰጠው ወይም ችግት የተወሰነበት እንደሆነ አከራይ በተወሰነው ጊዜ ከማብቃቱ በፊት የኪራይ ፈሉን በተናጠል እንዲያፈርስ በቂ ምክንያት ያሆነዋል።

9. Where the lessee is given a warning or determined on a penalty by the concerned Government body due to that he does not properly manage the land, this hall be justifiable reason to the lessor to invalidate the rental contract individually before the termination of its definite time.

10. Any party who has a good reason for invalidating the contract, before he submits his appeal of invalidating contract, he shall give a six-month written warning in advance to another party indicating that he wants to invalidate the contract.

13. The Rights of Creditor where a mortgage of Rural Land use Right obtained through Lease

1. Pursuant to the provision of Art 19 of the proclamation, where rural land use right is secured in mortgage if the borrower does not pay within definite period of time in first shall have prior right. Where it is found that none of them cause the registration, the person who has started to use on the land shall have the prior right.

8. Where any rental contract is effected, its application shall enforce not only the lessee but the heirs and those other parties who may have the right on the land holding.
accordance with the agreement, the creditor may, having given a month written notice without any extra procedure by applying to the Authority’s woreda representative office through the execution of respective kebele, receive the asset on the land or use the land in accordance with the provision of their agreement and for the determined period of lease or rent same to another person and receive the revenue. This provision shall apply on the other holders who secure their property developed on their holding by a mortgage mutatis –mutandis.

14. Conditions of deprivation of the Rights of Land Holdings

1. Rural land holding rights given in accordance with the proclamation and this regulation hereof, may be deprived of with one or other reasons indicated hereunder:

A. Be employed in a permanent job which may be earned an income not less than average monthly salary determined by the government to be paid in minimum starting salary;

B. be engaged in work field other than agricultural activity and excisable one;

C. be vanished for five consecutive years without notifying his present address or not renting his land or not representing a person who may administer such a
D. allow the land to lie fallow for three consecutive years without an adequate and right reason or without having a prior written permit from pertinent kebele Land Administration and use committee or form the Authority’s of woreda; representative office:

E. cause severe degradation of the land under his holding by flood erosion where there is the opportunity to protect it or the impoverishment of the environment;

F. notifying in writing that he has willingly given up his holding rights;

G. on decision passed by pertinent body with the view to using the land for public service.

2. The provision stipulated under sub. Art 1 of this Article hereof, shall not be applicable to any person who lives on a retirement pension or is assigned to national service no matter how much his income is

3. A person who has vanished without trace form his residing locality, as it is stipulated under the provisions of sub. art 1 letter C and D of this Article hereof, where it ensured that it has completed three years since his disappearance or it has completed two years since his land has lied fallow without permit.
due to various reasons, without prejudice to his holding rights, the land, being administered under the kebele land administration and use committee, may be determined that those who have no land may use it until the time limit of five years is complete to say that he is vanished without trace or it is believed that he is vanished without trace or it is believed that he may use the land.

4. Where it is decided that the land is to be administered under the kebele and temporarily given to other persons to be used, the holder’s asset on the land if any, the reasonability of taking care of properly and protecting same not to be harmed and damaged shall be the kebele land administration and use committee.

5. Any person who has deprived of his right of land holding in accordance with the provisions of letter No. of E and F of sub. Art. 1 of this Article hereof, where it is ensured that he has caused damage on this land or the environment due to his fault before he has submitted the land, he shall not be free form responsibility of maintaining this hereon.

6. A person who is deprived of his land holding rights due to the provisions stipulated under sub-Art. 1 of this Article hereof, as deemed appropriate, shall have the rights to lift assets he produced on his land if he could not lift it
or is made not to be lifted the asset, to obtain reasonable compensate beforehand and to return the cost he has expended in order to maintain fertility of the land.

15. Effects of Obtaining surrogate Land Holding

1. pursuant to sub-Art.7 of Art.5 of this regulation hereof, any farmer who has willingly participated in the resettlement programme the Regional State may formulate and having been given a replacing land and commenced to produce harvest and ensured in writing that he has preferred to live in the area thereon he resettled shall submit his former holding to the kebele land Administration use committee. Particulars shall be determined by a directive

2. Without prejudice to the provision of sub. Art. 1 of this Art. hereof, any person who has been given same land to be used for production service in the new area shall have a responsibility to return his former holding to the respective kebele land administration and use committee being a part of public movement made from one area to another area for the sake of environment protection, natural resource development and long-lasting productivity.
PART FOUR

OBLIGATIONS EMANATED FROM RURAL LAND HOLDING AND UTILIZATION.

16. Obligations of the Land Users

1. A person who has acquired rural land holding or the use rights on this shall, pursuant to the proclamation and this regulation hereof, have obligations indicated hereunder:

A. to properly protect the land granted to him either in holding or in a rent and where there is land use plan beforehand prepared, use his land in accordance with this plan;

B. to protect the crops he has developed on his land from weeds which may cause severe damage in the area and same anti-crop pests;

C. with the details to be determined by a directive, to plant trees which do not cause harm on the crop or his land as well as on the plots of neighboring land surrounding his land and take care of them;

D. not deliberately to do violence to wild animals which do not cause damage on human beings or property and sheltered themselves in the area; but to those wild animals which may cause damage, before an action that enable to prevent this is to be taken, to request a permit from an appropriate body;
E. not to cross the borderline which may be shared with the nearby holdings;

F. not to cross the borderlines of communal lands;

G. not to close roads demarcated by an appropriate body;

H. take and to cause downward passage of water which may flow following its natural course by starting from higher area due to its topography;

I. where the water that may flow on his land cause to pass downward, not to cause the lie of water load on the land below it by improper diversion of the direction of natural course of the water;

J. where an irrigation development activity is being undertaken by any body and it is known that the irrigation line may pass through his land thereon, not to forbid this;

K. to take an appropriate safety measure not to break out fire on his land;

L. to closely cooperate where he is asked by a pertinent body with the view to measuring his land or undertaking a surveying activity.

M. to allow sufficient and wide passageway, as deemed necessary, on the border of his land or through it with the view to helping the use of himself, his family as well as other holders;
N. wherever he passes through other holdings’ borderline, to take care of their property not to be harmed;

O. where land holding certificate book is issued, to pursue and take such a certificate.

2. The responsibility of land protection indicated under the provision of sub. Art.1 (A) of this Article hereof, shall comprise the following specific duties:

A. to plow his land in accordance with customary local practice and as regards modern land use method, use a professional counseling service given to him;

B. to undertake activities of soil and water protection and;

C. to abstain from cutting trees which do not cause harm on the crops and the environment thereon, Without having a permit.

3. Any holder whose lands is found near to a bank of a river or gully area, shall have an obligation to plow his land far away form the river or the gully a distance determined by a directive that may be issued by the Authority subsequent to this regulation and, having made the untilled area of river bank land under his holding, grow a tree that he may use in substitute.
4. የመሬት ተጠቃሚ ድርጅቶችም ሆኑ አልሚ ያለሀብቶች በዚህ አንቀጽ ንዑስ አንቀጽ 1 የመሬት አጠቃቀም ፕላን በማዘጋጀትና ሁለስልጣኑ አቅርበው የማስፀደቅ ሀላፊነት ልላቸው።

17. የመሬት ሁለስልጣኑ ውስጥ ይሰጠው የቀን ግዴታን አለመፈፀም ውስጥ ይሰጠው ውስጥ ያለበት ያለችል ያስህተት እንደሆነ እንደጥፋት ከዚህ በታች የተመለከቱት እርምጃዎች ሊወሰዱበት ይችላሉ:

A. በአንድ አይነት ጥፋት የመጨረሻ ሁለስልጣኑ ውስጥ ያስህተ በሚቆጠሩት ሁለት ዓመታት ውስጥ ያንኑ ጥፋቱ በተመሣሣይ ሁኔታ ደግሞ የተገኝ እንደሆነ መሬቱን ደንቷና የመጠቀም መብቱ ለአምስት ዓመታት ይህል ታግዶ የመንከባከብ ግዴታን ወለሚገባ ለሌላ ወው በኪራይ እንዲሰጥና የማረም ላይ እንዲውል በሚመለከተው የባለስልጣኑ ወረዳ ይተጠሪ ጽ/ቤት ሊወስን ይችላል።

4. Land user organizations and developers shall, besides the obligations stipulated under sub. Art 1 of this Article hereof, have the duty to prepare and submit land use plan to the Authority and have got its approval.

17. Effects of Non-performance of Obligation

1. Any land holder who has failed to respect any obligation provided under sub-Art 16 of this regulation shall, with the details to be determined by a directive, be given oral or written notice respectively.

2. Where the offender might not be corrected from his fault, in accordance with the oral or written notice given to him, administrative measures indicated herein under may be taken up on him, as the type and level of his offence.

A. where he is found that he has committed again such an offence in a similar condition within two years since he has received a final notice in one type of offence, his land is taken away and his use right is deprived of for five years, it may be determined by the pertinent Authority’s woreda representative office that the land to be given in rent and used to another person who may enter into an obligation of protection the land.
B. after the measure provided under letter no. A herein above has been applied to him, where the offender is ascertained that he has committed again such an offence within two years since he has regained the land from the lessee, his rights of land and obtaining an income shall be deprived of for consecutive five years. If it is known that he is not corrected by this, besides he never acquires surrogate land, having been beforehand paid commensurate compensation for the permanent improvement he has made and property he has developed on is land until then, it may be decided up on him to be expropriated from his holding forever by the pertinent Authority’s woreda representative office; of Provided, however, that any person to whom such a decision is made his right of appeal to the woreda court within thirty days from the date of receiving the decision in writing shall be respected.

3. Where any land user who has failed to cooperate in protecting communal land, but has the capacity to do so, he shall, pursuant to the provision of sub. Art 1 of this Article hereof, be given oral or written notice respectively.

4. Where the offender has committed again such an offence in the same way within five years since he has received a final written notice, having been deprived of his right not to use the
If he did not correct his mistakes upon this penalty, and consecutively committed offence for the third time, it may be decided upon him totally not to use the communal land forever.

18. Procedures of Giving Oral and Written Warnings

1. A preliminary written warning may be communicated to any land holder who has failed to discharge his obligations pursuant to this regulation hereof, after he has been given oral warning, shall be at least in a different harvesting year.

2. Pursuant to this regulation hereof, the written warning is to be given totally three times and each warning shall have to be given in a different harvesting year.

3. Oral warning and preliminary written warning are to be given by the appropriate kebele Land Administrative and use committee, but second and third level written warnings shall be given through the pertinent Authority’s woreda representative office.

4. Any person whose use right on the land is temporarily suspended may, pursuant to the provisions of sub. Art.2, letter no. A and B of
Art. 17 of this regulation hereof, having been entered into an obligation that he may conserve his land if the ban is reinstated, apply to the office of the Authority who gives the decision for the reinstatement of the ban after 1 year duration since his right has been suspended.

PART FIVE
MEASURING LAND AND HOLDING CERTIFICATE BOOK

19. Measuring Land

1. Each rural land which is granted to users in holding, communally held by the community or non-governmental organizations, pursuant to the proclamation and this regulation hereof, having been measured by the Authority in traditional or modern tools, a landmark indicating the boundary shall be put up thereon.

2. The land which is measured, in accordance with the provision of sub. Art. 1 of this Article hereof, to such an extent that allows a capacity, a map which identifies and indicates the boundary of each holder shall be prepared thereof.

3. Any land holder whose land may be measured is made to be told in public meeting or in person, as it is favorable, with the view to appearing therein where the work of measuring
4. መሬቱ ሲለካ እና የተገኝ በአግባቡ ጥሪ የደርሶት ለመገኘት ፈቃድኛ ያልሆነ ሰው የድንበር መለካቱ ይካሄድ ይቆጠራል።

5. ምወጣት መሬቶች ድንበር በተቻለ መጠን ባለይዞታዎች የጋራ ስምምነት መወሰን ይኖርበታል። በድንበሩን ባለይዞታዎች ስምምነት መወሰን ያልተቻለ እንደሆነ አግባብ ያለው ቀበሌ መሬት ሰለስጥና አጠቃቀም ኮሚቴ በአካባቢው የስማግሌዎች አስተያየት ተደግፎ ለጉዳዩ ይሰጣል።

6. በዚህ አንቀጽ ንዑስ አንቀጽ 5 እር የሚሆሉ ድንጋጌ ቢኖርም በመሬት አለካኩም ሆነ በድንበሩ አወሳሰን ቅር የተሰኝ ማንኛውም ባለይዞታ የቅሬታውን ምክንያት በዝርዝር ገልፆ ልኬታው እንደገና እንዲከናወንለትና ድንበሩ እንዲወሰንለት መሬቱ ከተለካበት ቀን ከጥሎ ባሉት 15 ቀናት ውስጥ ለባለስልጣኑ ይችላል። ሊቤቱታው የቀረበለት የባለስልጣኑ የወረዳ ተጠሪ ጽ/ቤት ሊያመለክት ከንወላል።

7. መሬቱ ካትል እንጂ ዓላማ እወን ያመርጆት።

is being undertaking.

4. Any person who properly receives a call to be shown up when his land is being measured and failed to appear therein, it shall be regarded as he fully consents that the boundary measuring work is to be undertaken in his absence.

5. The boundary of adjacent lands shall be, as much as possible, demarcated in common consent of adjacent holders. Where it is impossible to decide the boundary in the agreement of adjacent holders, the pertinent kebele land administration and use committee shall, being supported by the recommendation of local elders, give final resolution.

6. Notwithstanding the provision stipulated under sub. Art. 5 of this Article hereof, any holder who complains regarding the land measurement and demarcation of the boundary may, stating reasons of his complaints in detail, apply to the Authority’s woreda representative office in order to be undertaken the measurement again and then be demarcated the boundary within 15 days after the land is measured. The Authority representative office of woreda shall, deciding the matter within 15 days, reply the answer to the complainer in writing.

7. After the land has been measured, where there
is tangible information that indicates the area of land is highly changed due to eroded by water, washed away by flood or by any other reason or it is redistributed to various persons and occurred a change of numbers of holders, the land may be re-measured and a new map is prepared thereof.

20. Land Holding Certificate Book

1. Any rural land holder shall request and issue land holding certificate may be prepared in his name and attached a photo thereon in accordance with time table the Authority’s woreda representative office may set out.

2. Where it is ascertained that the land is held together by spouses or by other persons in common, the holding certificate shall be prepared in both common holders.

3. The land which is used by a husband and a wife shall, unless a contradictory written document is submitted, be regarded as it may be equally shared holding.

4. Any person who is granted land holding certificated book having been prepared in his name shall, unless the evidence which contradicts this is submitted pursuant to the proclamation and this regulation hereof, be considered as an appropriate apposite legal holder.
5. As regards the land a husband and a wife held together, issuing the holding certificated book only in the name of one spouse by submitting a false document to the Authority and depriving of right of the spouse whose name is not listed in the certificate book but he was present during registration shall be invalid.

6. Where a marriage is concluded after the land holding certificate book has been prepared and granted in the name of one spouse, the spouses may apply to the respective Kebele Land Administration and Use Committee, timely stating this core of matter with the view to granting to them the holding certificate book having been amended and prepared in the name of both of them.

7. Where the land holding is transferred from one person to another in any legal holding, it shall be an obligatory to issue substitute holding certificate book in the name new holder by applying in person to the respective kebele land administration and use committee forthwith.

8. Where the land holding certificate book is lost, torn or spoiled, it shall be necessary to reissue same, having paid the service charge determined by a directive may be issued subsequent to this regulation by applying to the pertinent Kebele Land Administration and Use Committee as soon as such an incidence is known.
21. **Details that The Land Holding Certificate book Contains**

The land holding certificate book prepared and granted pursuant to the proclamation and this regulation hereof, shall contain particulars/information indicated herein under:

A. full name, principal address and short photo of holder(s) of the land;

B. major rights and obligations of the holder/holders;

C. identification number of the land and the area of holding;

D. roll-number of the certificate book;

E. type of service the land is used for;

F. fertility standard of the land;

G. day, month and year of granting the certificate book and;

H. full name and signature of personnel who prepares the document and Head who approves it and seal.

22. **Responsibilities of Using Rural Land without Permission**

1. Administrative measures indicated herein under shall be taken on any person who is encountered to use the rural land without issuing land holding certificate book from the Authority.
A. in the first six months, he shall be told that he has to issue a holding certificate book along with oral warning;

B. if he does not perform inline with the oral warning, he shall be given preliminary written warning intensifying such an oral warning through the Kebele Land Administration and Use Committee where the holding is found.

C. Unless he is corrected with this warning, he shall be given second level written warning in the second year of first six months and third level written warning in the following six months through the agent of the Authority’s woreda representative of office.

D. in the third year, suspending his use right for not more than one year on the basis of decision of the representative office, the Kebele Land and Administration and Use Committee may rent the land to another user during this suspension.

E. in the fourth year, the representative office may decide on him to expropriate and snatch away his land in an appeal lodged by the appropriate land administration and use committee.

2. Notwithstanding the provision of sub. Art. 1 letter No. F of this Article hereof, where it is ascertained that the subject person is failed to issue holding certificate book requested in
accordance with the proclamation and the regulation due to the capacity of beyond one’s ability as it is interpreted in civil code the decision of taking away the land shall not be executed on the subject person.

23. Area of Minimum Holding of which Holding Certificate Book May be Granted

1. Area of minimum rural land holding that the holding certificate book may be granted may not be less than 0.25 hectares cultivatable by rain and 0.11 hectares cultivatable by irrigation as of the date effective date of this regulation in the Regional State.

2. The provision of sub. Art. 1 of this Article hereof, shall not be applicable to former holdings exist prior to the coming into force of the regulation

24. Land Registration and handling of Documents

1. A record containing documents which accounts for any land that how it is acquired, under whose holding it is found, to whose land it is bordered, what kind its standard is, for, what service is used and what kind of obligations it is imposed, shall be organized and kept in each kebele land administration and use committee office.
2. The original record be in the hands of concerned kebele Administration and Use Committee and one copy of it shall be kept in the hand of the Authority’s woreda representative office. The summary of the record shall be sent to the Head Office of the Authority. Where a controversy or opposition is aroused over various copies of the record, a record which is kept under the hands of the kebele Land Administration and Use Committee shall have the acceptance over them.

3. Wherever persons who could explain that they may have legal rights or use on a certain land, they shall be permitted to look over the record.

4. Where the land has an obligation with regard to rent, bequeath, or gift in land recording book, such an obligation shall be recorded. Wherever the obligation is to be amended or terminated, the document shall be corrected in line with this alteration.

5. Any task regarding rural land holding or its use rights and obligations unless it is listed in recording book of a document, pursuant to the provisions of the proclamation and this regulation hereof, it may not be submitted on them as an objection on third parties.

6. The registrar of the document, prior to receiving and registering the agreements, shall ensure that each document has been correctly
ወገኖች መፈረማቸውን ማረጋገጥ አለበት። በመዝገቡ ውስጥ የተደረገ ማንኛውም ስርዝ ለማንኛውም ይግባኝ ለማንኛውም ከፈፀም ወይም ጭማሪ በመዝጋቢው ፊርማ ዯልተረጋገጠ በስተቀር ተቀባይነት እያወለም።

prepared and concerned bodies have signed the document. Any cancellation or inclusion shall not be valid unless it is approved by the registrar’s signature thereon.

7. Rural land registration undertaken on the basis of false information shall not have legal effect in accordance with the proclamation and this regulation hereof.

8. Where loss is caused on any person due to registration fault made by the registrar, the Authority shall be responsible for with regard to paying the loss compensation; provided, however, that its right to ask of, in civil law, personnel who committed the fault to repay the loss compensation it has paid to the victim shall be respected.

PART SIX

DUTIES AND RESPONSIBILITIES
OF HIERARCHICAL LOWER RURAL LAND ADMINISTRATION AND USE BODIES

25. Duties and Responsibilities of The Authority’s Woreda representative Office
The Authority’s representative office organized at any Woreda in the Regional State shall, pursuant to the proclamation and this regulation hereof, have the following specific duties and responsibilities:

1. Establish rural land administration and use committees in majority vote in kebeles and sub-kebeles of the Woreda; closely follow up; supervise over the accomplishment of their responsibilities;

2. Having submitted semi-annual reports indicating the activities of these committees, cause the evaluation of same by the entire people;

3. Provide training to the members of the committee regarding their duties and responsibilities; thereby build their capacities;

4. With the details to be determined by a directive, properly record and keep documents concerning rural land administration and use;

5. follow up whether or not land holders and users discharge the obligation legally entrusted upon them; and thereby take administrative measure on those who fail to discharge their obligations;
6. Review complaints of holders and users against preliminary administrative decisions given by kebele land administration and use committee; revise, approve and annul decisions of imprisonment;

7. Record and keep lands being under the government holding in the woreda; follow up their administration and management;

8. Record rent, mortgage, donation and similar agreements in relation to rural land during the time and on condition that there is no an established body to carry out such a duty in the woreda;

9. Wherever it finds it necessary, he may delegate part of his duties and responsibilities to appropriate land administration and use committees.

26. Selection and Term of Office of Land Administration and Use Committee members

1. The kebele and sub-kebele land administration and use committees shall be selected by local residing people every three-year;
2. Where it is found necessary, the members may be selected for second time of one additional term of office and provided, however, that where they commit offence, having presented them to the people and criticized, they may be disposed of from their responsibilities before the termination of their term of office;

3. Specific conditions of which each committee members’ number and their selection may be undergone as well as they carry out their work shall be provided by a directive may be issued subsequent to this regulation,

4. The kebele and sub-kebele land administration and use committees shall submit to the people who selected them reports of activities they have carried out every six month. They hold woreda wide land administration and use conference which they have met and may exchange their working experiences and deliberated over other common matters through the agent of their representatives once year. Calling and implementation of the conference shall be determined by a directive may be issued by the Authority.

27. Duties and Responsibilities of Land Administration and Use committees

The kebele land administration and use committees shall, in respect to implement this regulation, have specific duties and responsibilities indicated herein below:

1. Manage the kebele land, pursuant to the
proclamation and this regulation hereof; record and keep unoccupied extra land found therein and determine its utilization in collaboration with the Authority’s Woreda representative office.

2. Having received and arranged in order land-related requests may be submitted to them from kebele residents, organizations and other persons who are legally permitted with the view to acquiring rural land, give appropriate reply thereof;

3. Record land holders available in the kebele; carefully keep and save documents;

4. having received land holding, rent, mortgage, donation and similar copies of agreements registered through the Authority’s woreda representative office, record and save same;

5. Give oral and preliminary written warnings to those users who do not properly handle their land; unless they correct themselves in this warning, report it to the concerned Authority’s woreda representative office with the view to be taken the next administrative measure on them;

6. Decide upon regarding administration and development of communal holding lands found in the kebele in consultation with kebele administrations and the Authority’s of Woreda representative office.
7. Create favorable conditions through which the kebele resident people may get sufficient and continuing awareness raising education in relation to land related rights and obligations of the kebele resident people. Implement this in communicating with the Authority’s Woreda representative office.

28. Duties and Responsibilities of sub-kebele Land Administration and Use Committees

The sub-kebele land administration and use committees shall, with respect to the implementation of this regulation, have the following duties and responsibilities:

1. represent the sub kebele residing people with regard to affairs of rural land administration and use;

2. Cause the sub kebele residing people to have proper awareness with respect to land administration and use affairs;

3. Record and keep lists of land users found in the sub kebele and then transfer same to the kebele land administration and use committee to which it has been embraced;

4. Collect new land holding requests; arrange them in their order of time together with sub-kebele people and then submit same to the kebele land administration and use committee;
5. Provide an advisory service to those users who do not manage their land properly; report those who failed to put in practice the advice to the kebele land administration and use committee.

**PART SEVEN**

**CONDITIONS OF EXPROPRIATING RURAL LAND HOLDING FOR PUBLIC SERVICE AND DISBURSING OF COMPENSATION FOR PROPERTY**

29. Expropriating Land for Public Service

1. Wherever the Authority finds it necessary to use rural land for public service, causing beforehand to be paid for him reasonable property compensation depending on the estimation of current market cost, the Authority may take away or decide to be expropriated the land holding of any person.

2. Where it is found that the purpose of expropriating the land is directly interrelated with development of local community or where the community itself is being a payer of compensation for the land that may be expropriated, prior to a decision is given to be expropriated such a land, the issue shall, submitted to the kebele resident people in which the land is confined, be recommended.
3. Prior to any decision is given to expropriate rural land for public service, the prerequisites indicated herein below shall be satisfied:

A. where the request shall be submitted to the Authority representative office accompanying with the statement indicating the place where the required land is found and the task of its use is related to public service, as it is interpreted in the proclamation, ahead of one year that the proposed activity on the land is begun;

B. where there is no another land in the area which is more suitable for the task to which the request is submitted:

C. unless it is ascertained that it may not be possible to find another alternative, where the request of land expropriation may not to be submitted and decided up on the holdings of orphans, incapable disable persons or women;

D. Whereas it is necessary that a holder or user of the land to which a request is submitted to be supported by a majority vote.
The Authority’s woreda representative office that has made a decision of land expropriation shall notify the decision in writing to the woreda administration. The woreda administration to which the decision is communicated shall, having stated the time of expropriating land and the amount of fixed compensation, give an expropriating instruction in written to the holder or user of the land based on a directive that may be issued for the implementation of this regulation. A copy of this expropriating instruction shall be sent to the Authority’s woreda representative office.

5. Where a land holder or user who may concern the matter has legal ground of his rejecting the request of land expropriation, he may submit his complains to the Authority government office next to the body who has given the decision within 15 days from the date of his communication of the notice in writing. The decision may be given by the Authority
government office shall be final.

30. Determination of Compensation

1. A compensation that may be paid to any holder or user who is forced to be permanently expropriated from his land or user for public service shall include the followings:

   A. An estimate of cost of asset he has produced on his land and could not lift up and take away from the land;

   B. An estimate of money he has spent on his land for permanent improvement made and cost of labor invested in order to undertake the activity;

   C. An estimate of cost of crop calculated on the basis of average annual income he has obtained before the years that the land holder or user is made to expropriate his land;

2. Any land holder who is made to expropriate permanently his land for public service shall be paid a compensation of expropriation that an average annual income he has obtained in five years before he is made to expropriate this land is multiplied by ten in addition to the compensation provided under sub. Art.1 of this Article hereof,

3. Where the land holding is expropriated or terminated his utilization temporarily, he shall be paid, until the period of time the land is returned, an average annual income of product
እስኪመለስ ድረስ ባለው ጊዜ ይከፈለዋል። የይሁን እንጂ አንድ መሬት በጊዚያዊነት እንደለቀቅ በቋሚነት እንደለቀቀ ይቆጠራል።

4. መሬቱ ለሕዝብ አገልግሎት ሲለቀቅ እንዲለቀቀው መሬት ለገል መሬት እንደገና ለሚተከልና ከቀድሞው ያልተለየአገልግሎት መስጠት ለሚችል ንብረት የሚጠና ወጪ የሚተካ ካለመት ባለይዞታው ወይም ተጠቃሚው ይከፈለዋል።

5. ላክ ለታመ የልማት ፍላጎት መሠረት መሬቱን እንዲለቅ የተደረገ ባለይዞታ በምትክነት ያስለጠው የሚችለው በመጠኑም ሆነ የሚርጫማነት እንዲ የህም ከመኖሪያ ቦታው ርቀት ተመጣጣኝና ተመሳሳይ መሬት የተገኝለት መሆንን የባለሥልጣኑ ወረዳ ተጠሪ ὐ/ቤት ያረጋገጠ እንደሆነ ምትክ መሬቱ የተሰጥቶት በዚህ አንቀጽ ንዑስ አንቀጽ 1(ሀ) እና ንዑስ አንቀጽ 4 በተደነገገው መሠረት መሬቱ እንዲለቀቅ ከመደረጉ በፊት ካሣ እንዲከፈል ይደረጋል።

6. መንግሥት በሚያካሂደው የልማት ፍላጎት ይሆን ለሕዝብ አገልግሎት የሚለቀቀው መሬት ሲለቀቅ እንዲአካ ከወን ለስር ይመልከት ከሆነ እንደ ለማን đu ወጪ ያለክ ከት/ብ ንዑስ አንቀጽ 1(ሀ)፣(ለ) እና ንዑስ አንቀጽ 4 በተደነገገው መሠረት መሬቱ እንዲለቀቅ ከመደረጉ በፊት ካሣ እንዲከፈል ይደረጋል።

obtained in five years before the land is made to be expropriated; provided, however, that where a plot of land is made to be expropriated temporarily for more than five years, it shall be regarded as he permanently expropriates.

4. Where the land is expropriated for public service, compensation that may recompense the necessary expenditure for lifting, transporting and replanting the property which may be replanted by transferring it from the expropriated land to another land and may render service not different from the previous one.

5. A holder who is made to expropriate his land, on the basis of the kebele development interest, where the Authority representative office of woreda ascertained that a plot of land that may be granted to him as a replacement and is roughly equivalent and similar to in its area, its fertility as well as its distance away from his residing area having been granted the substitute land to him, prior to the land is made to be expropriated, cause the payment of compensation to him in accordance with the provisions of sub. Art. 1(A) and sub. Art. 4 of this Article hereof.

6. Where the land that may be expropriated for public service in development activity undertaking by government is given to an investor in lease and its term of lease is not terminated, in addition to the compensation may be paid to him in accordance with the
provisions of sub. Art. 1 (A), (B) and sub. Art. 4 of this Article hereof, the choice of the lessee, he shall be granted equivalent replacement land he may be used for the rest of term of the lease or the amount of payment of the rest lease term is calculated and then deducted or given back to him.

7. Where the land which is held in private or common and has been granted in lease is made to be expropriated so as to employ for public service, prior to he is made to expropriate his land the land holder shall be paid a compensation pursuant to the provisions of sub. Art. 1, 2, 3 and 4 of this Article hereof. The holder who is paid a compensation shall have an obligation to pay compensation for the lessee and, having calculated the payment of the rest term of rent deduct or give it back for him

8. specific working which may enable it to fix the general amount of compensation shall be determined by a directive

31. Payment of Compensation and Handing Over of the Land

1. After it has been decided on that a land is to be expropriated for public service, prior to hand over land is made, the compensation which is determined in accordance with the provision of this regulation hereof shall be fully paid.
2. መሬቱን እንዲለቅ የተወሰነበት ውስጥ መሬቱን ወይም ተጠቃሚ ካሣውን ከተቀበለ በበት ማስረከብ አለበት፣

3. መሬቱን እንዲለቅ የተወሰነበት ውስጥ መሬቱን ወይም ተጠቃሚ ካሣውን ባለመስማማት ወይም ባለሌላ በማናቸውም ምክንያት ከተቀበልም ያለ እንደሆን የባለሥልጣኑ የወረዳ ተጠሪ ግ/ቤት የሚከፈለውን ካሣ በራሱ ስም በዝግ የባንክ ሂሣብ በማስቀመጥ ገንዘቡን የሚስቀመጠበትን ማስረጃ ቅጂ አያይዞ መሬቱ እንዲለቀቅለት በጽሑፍ የወረዳውን አስተዳደር ይጠይቅ ይችላል።

4. መሬቱን እንዲለቅ የተወሰነበት ውስጥ መሬቱን ወይም ተጠቃሚ ካሣውን ባለመስማማት ወይም ባለሌላ በማናቸውም ምክንያት ከተቀበልም ያለ እንደሆን የባለሥልتجا የወረዳ ተጠሪ ግ/ቤት የሚከፈለውን ካሣ በራሱ ስም በዝግ የባንክ ሂሣብ በማስቀመጥ ገንዘбуን የሚስቀመጠበትን ማስረጃ ቅጂ አያይዞ መሬቱ እንዲለቀቅለት በጽሑፍ የወረዳውን አስተዳደር ይጠይቅ ይችላል።

A. መሬቱን እንዲለቅ የተወሰነበት ውስጥ መሬቱን ወይም ተጠቃሚ ካሣውን ባለመስማማት ወይም ባለሌላ በማናቸውም ምክንያት ከተቀበልም ያለ እንደሆን የባለሥልጣኑ የወረዳ ተጠሪ ግ/ቤት የሚከፈለውን ካሣ በራሱ ስም በዝግ የባንክ ሂሣብ በማስቀመጥ ገንዘቡን የሚስቀመጠበትን ማስረጃ ቅጂ አያይዞ መሬቱ እንዲለቀቅለት በጽሑፍ የወረዳውን አስተዳደር ይጠይቅ ይችላል።

2. A holder or user to whom it is determined to expropriate his land shall, after he has received the compensation, hand his land over to concerned body within definite time stated to him in accordance with the provision of sub. At. 4 of this Article hereof.

3. Where a land holder or user to whom it is determined to expropriate his land refuses to accept the compensation due to his disagreement against the amount of compensation determined for him or any other reason, the Authority representative office of woreda shall, having put aside the money in its name in closed bank account and attached together with copy of evidence therewith, request the woreda administration in writing to be expropriated the land. The woreda administration shall give warning instruction based the request submitted to it.

4. Any land holder or user who has been paid compensation pursuant to sub. Art. 1 of this Article hereof, or given warning instruction from the woreda administration shall hand his land over within:

A. sixty days form the date he has communicated warning of land expropriating if there is crop, perennial plant or another asset on the land may be expropriated;
A. The power of determining payable general compensation shall, having assessed the estimate of asset found on the expropriating land and other compensation, be vested to the Authority by this regulation hereof.

B. thirty days from the date he has communicated warning of land expropriating if there is no crop, perennial plant or another asset on the land may be expropriated.

5. Any holder or user to whom it is determined to expropriate his land after he has been paid compensation in accordance with sub. Art. 1 of this Article or land expropriating instruction is reached him, in accordance with sub. Art. 3 of this article, where he is not willing to hand his land over, the woreda administration shall, without additional procedure, having deployed law and order maintaining bodies; expropriate the land.

32. Property Assessment

1. The power of determining payable general compensation shall, having assessed the estimate of asset found on the expropriating land and other compensation, be vested to the Authority by this regulation hereof.

2. The Authority may cause the submission of general amount of payable compensation assessed pursuant to the provisions of this regulation hereof, by designating a committee of not less than three but not more than five members comprising from its existing professionals as well as among government offices which concern the case with the advisory of certified private or government institution.
3. Notwithstanding the provision of sub. Art. 2 of this Article hereof, Where it is found that it requires special knowledge and experience to assess the property which is available on the expropriating land, the Authority may designate valuer of property in special condition and cause the assessment of same.

33. Submission of Complaints about fixing and payment of compensation

1. Any land holder or user who complains about the amount of fixed compensation or the conditions of compensation payment may, pursuant to the provisions of sub. Art. 4 of Art. 29 of this regulation hereof, lodge his complaint to compensation grievance review committee within thirty days form the date of his receipt of warning instruction.

2. The Authority shall establish compensation grievance review committee, not less than three, but not more than five members which comprise professionals thereon.

3. The power of compensation grievance review committee shall, having communicated with the parties and reviewed the petition, be to give decision on the case within the period of limitation may be specified by a directive issued to implement this regulation.

4. The committee shall notify the decision it has given to the complainer and the Authority’s woreda representative office in writing.
5. In accordance with the provision of sub. Art 4 of this Article hereof, any party who has been aggrieved by the decision of the compensation grievance review committee may submit his appeal to the high court within thirty days from the date of his communication of the decision.

6. In accordance with sub. Art. 5 of this Article hereof, the decision which the high court has given on the appeal submitted to it shall be final.

7. Submission of a petition or appeal being aggrieved at the amount of fixed compensation or compensation payment shall not cause to be suspended from handing over of the land determined to be expropriated for public service.

PART EIGHT
MISCELLANEOUS PROVISIONS

34. Public Participation

Prior to any decision that may suspend or deprive of land holding rights is given, any land redistribution, granting of holding certificate book, decision of sharing out the communal land to private use, decision of making the use of plot of land for communal task from another service, unless the intension of rural land to use for public service, the kebele residing people shall be caused to deliberate and proposed over it. Such kind of deliberation may, having been
submitted to only the village people that the holder resides, cause the deliberation over the case if it is believed in its capability to give fair decision and favorability for the work.

35. Conditions of Resolving Disputes

1. Any civil code dispute arising in related to land holding and use rights, first of all, shall be made every endeavor to be resolved on the base of consent of parties. In order to put in place the working of resolving disputes in agreement which may be happened among land holders or users, local arbitrators assembly whose members are comprising from each sub-kebele of the kebele land administration and use committee shall be established.

2. The selection of arbitrators and negotiating bargaining process of the reconciliation shall be executed on the basis of customary of each surrounding.

3. A new civil charge as well as an appeal shall not be brought on the disputes resolved by arbitrary assembly on the basis of agreement of the parties.

4. Notwithstanding the provision under sub. Art. 3 of this Article hereof, Where the dispute is not resolved at this level, it may be possible to bring a petition to the respective woreda court
within thirty days from the date of termination of resolving effort in agreement.

36. Submission of Appeal Against Administrative Decisions

1. Any rural land holder or user who is aggrieved at the decision of land administration and use committees may appeal his petition, by supporting it with evidence, to the respective Authority of representative office of woreda and may get reviewed thereof.

2. Without prejudice to the provision of sub. Art. 5 of At. 33 of this regulation hereof, any party who is aggrieved at the decision made by the Authority of representative office of woreda may submit his appeal to woreda court within thirty days from the date of his communicating the decision.

3. Any party who is aggrieved at the decision of the woreda court shall, in accordance with appropriate law, as it may be proper, submit his appeal or his broken petition to the high court.

37. Application of Customary Rules

1. Notwithstanding the provision stipulated under sub. Art. 1 of Art. 35 herein above, where it is known that the kebele residing people, having decided by deliberating over the issue disputes that may arise among land holders or users,
with regard to rural land holding and use, to be resolved based on the customary rules of the surrounding and made such a rule to be kept in writing, it shall be caused any dispute to be resolved on the basis of these customary rules.

2. Notwithstanding the provision stipulated under sub. Art. 1 of this Article hereof, if the customary rules come into conflict with the proper laws of the Region and Federal, they shall not be applicable.

38. Incentives

The Authority government office shall, to the extent its capacity permits, grant encouraging reward to those land holders or users who have performed exemplary task of taking care of, developing, using on the basis of plan of his land, protecting his surrounding, planting and growing trees which are useful and suitable for the surrounding, in irrigation utilization, in plowing up fields, in animal husbandry method and similar ones. Particulars shall be determined by a directive may be issued following this regulation.
39. **Effectiveness of Rights and obligations sourced from previous laws**

Rights and obligations connected with rural land holding and use which are established under former laws before the coming into force of this regulation shall continue their application in accordance with their established laws unless they come into conflict the fundamental provisions of this regulation therein.

40. **Collaboration Obligation and Criminal Responsibility**

1. Any person shall have an obligation to cooperate with concerned bodies with respect to implementing this regulation.

2. Any person who violates or obstructs the execution of this regulation shall be accountable in accordance with provisions of criminal law.

41. **Inapplicable Laws**

Any other regulation, directive, customary practice which contradicts this regulation may not apply with regard to matters provided for therein.

42. **Power to Issue Directive**

The Authority may issue directives necessary in order to fully implement this regulation.
43. የሚላጣ ጊዜ ከፋወ የሚቻላል።

43. Effective Date

This regulation shall come into force as of the date of its publication in the Zikre-Hig Gazette of the Regional State

Done at Bahir Dar,
This 11th day of May, 2007
Ayalew Gobeze
Council of the Amhara National Regional Government