

DRAFTING NOTE

INTERPRETATION AND GENERAL PROVISIONS ACT

1. Status and purpose of this note

This drafting note is explanatory and is not part of the proposed Assembly Act. It identifies the legislative need, the relationship with earlier Eritrean law, the principal matters retained, the modernization choices made and the place of the draft within the emerging constitutional statute book. The instrument remains a consultation draft and should be finalized only after legal, institutional, fiscal and public review.

2. Legislative need and prior law

The draft consolidates the narrow earlier proclamation on days, weeks and months and fills the absence of a general modern interpretation statute for the entire Eritrean statute book.

3. What the draft retains

It retains ordinary rules on time, offices, gender and number, commencement, repeal, service, delegation and continuity of rights and proceedings.

4. What the draft updates and modernizes

It modernizes publication, electronic records and signatures, statutory instruments, constitutional and rights-consistent interpretation, emergency rules, Assembly scrutiny, penalty delegations and standardized savings without allowing interpretation to create legislative power.

5. Constitutional, code and treaty fit

The draft is framed under the Constitution of Eritrea 1997 and must be read with the Civil Code, Penal Code, Civil Procedure Code and Criminal Procedure Code of Eritrea 2015 where those Codes govern. It is also coordinated with the other institutional, financial, commercial, land, labour, administrative and sectoral drafts in this collection. References to international or regional standards guide compatibility and implementation; they do not bypass the Treaty-Making Act or convert an unincorporated instrument into domestic law.

6. Scope and organization

The principal divisions address preliminary provisions; enactment, publication and commencement; principles of statutory interpretation; time, distance, age and service; public offices, powers and appointments; subordinate legislation; electronic records, signatures and services; repeal, amendment and transitional effect; documents, forms and evidence; miscellaneous and final provisions.

7. Transition, implementation and consultation

The draft preserves lawful accrued rights, completed transactions, pending proceedings and institutional continuity where appropriate, while preventing temporary savings from preserving unconstitutional coercion or indefinite executive discretion. Before enactment or issuance, authentic predecessor instruments and amendments should be verified, cross-references and fiscal capacity confirmed, implementing regulations and digital systems prepared, and affected institutions, professions, communities and the public given a practical opportunity to comment.

CONSULTATION DRAFT — NOT ENACTED LAW

ACT NO. ____ OF 2026

INTERPRETATION AND GENERAL PROVISIONS ACT

(ASSEMBLY ACT)

AN ACT TO PROVIDE UNIFORM RULES FOR INTERPRETING, PUBLISHING, COMMENCING, APPLYING AND REPEALING ERITREAN LEGISLATION; TO GOVERN STATUTORY POWERS AND SUBORDINATE LEGISLATION; TO RECOGNIZE ELECTRONIC RECORDS AND SERVICES; AND TO PROVIDE FOR RELATED MATTERS.

PREAMBLE

WHEREAS under Article 32(1) of the Constitution of Eritrea, the National Assembly is the supreme legislative body, and no person or organization may make a decision having the force of law except as authorized by the Constitution or an Assembly Act;

WHEREAS clear and uniform rules of interpretation reduce uncertainty, make legislation accessible, protect constitutional rights and prevent public bodies from enlarging their powers by implication;

WHEREAS modern government requires reliable electronic laws, records and services together with accessible alternatives;

NOW, THEREFORE, the National Assembly, acting under Article 32 of the Constitution of Eritrea, enacts as follows:

CHAPTER I
PRELIMINARY PROVISIONS

Article 1 — Short title

This Act may be cited as the “Interpretation and General Provisions Act 2026.”

Article 2 — Purposes

1. to provide consistent rules for understanding and administering Eritrean legislation;
2. to make the exercise of public power traceable to lawful authority;
3. to establish uniform rules for publication, commencement, time, service, repeal and transitional continuity;
4. to facilitate technology-neutral electronic government while preserving accessibility and fairness; and
5. to improve the clarity, stability and public availability of the law.

Article 3 — Application

1. This Act applies to every Assembly Act and to every regulation, rule, legal notice, order, bylaw or other instrument made under an Assembly Act, unless a contrary intention appears expressly or by necessary implication.
2. This Act applies to legislation enacted before its commencement so far as application does not alter an accrued right, impose a new liability or contradict the text or purpose of that legislation.
3. This Act does not govern interpretation of the Constitution where the context, structure or supremacy of the Constitution requires a different approach.
4. A specific provision in another Act prevails over an inconsistent general provision of this Act to the extent of the inconsistency.

Article 4 — Constitutional conformity

1. Every public institution shall exercise a power under legislation consistently with the Constitution.
2. Where legislation is reasonably capable of more than one interpretation, the interpretation consistent with the Constitution and preservation of rights shall be preferred.
3. This Article does not authorize a court or public body to rewrite clear legislation or to validate an unconstitutional law.

Article 5 — General definitions

In every enactment, unless the context requires otherwise—

1. “Act” means an Act enacted by the National Assembly;
2. “business day” means a day other than Saturday, Sunday or a public holiday;
3. “commencement” means the time at which legislation begins to have legal effect;
4. “document” includes information recorded in writing, electronically, visually, audibly or by another retrievable means;
5. “electronic” includes digital, magnetic, optical, biometric and comparable technology;
6. “enactment” means an Act or subordinate legislation;
7. “Gazette” means the official Gazette of Eritrea in printed or authenticated electronic form;
8. “Government” means the executive government of Eritrea and does not include the National Assembly or the judiciary;
9. “month” means a calendar month;
10. “oath” includes an affirmation permitted by law;
11. “person” includes a natural person and a legal person;
12. “prescribed” means prescribed by regulations or rules lawfully made under the enactment in which the expression appears;
13. “public body” includes a ministry, agency, commission, authority, public corporation, local government or other body exercising a public function;
14. “record” includes a document and the metadata reasonably necessary to establish its origin, integrity, date and legal context;
15. “sign” includes applying a legally reliable electronic signature;

16. “subordinate legislation” means an instrument having the force of law made under authority delegated by the Constitution or an Assembly Act;
17. “writing” includes an electronic record that is accessible for subsequent reference; and
18. “year” means a calendar year.

CHAPTER II ENACTMENT, PUBLICATION AND COMMENCEMENT

Article 6 — Date of enactment

1. An Act is enacted when it has been approved by the National Assembly in accordance with the Constitution and the Assembly’s lawful procedure.
2. The official record shall state the date of enactment and the date of publication.
3. A clerical delay in publication does not alter the date of enactment but may affect commencement under Article 8.

Article 7 — Publication required

1. Every Act and every item of subordinate legislation shall be published promptly in the Gazette and in the official electronic statute book.
2. Legislation imposing a duty, liability, penalty, restriction or procedural burden shall not be enforced against a person before it has been reasonably made public.
3. Failure to publish does not confer authority on a public body to apply an unpublished instrument through internal practice.
4. An emergency instrument shall be published as soon as practicable and remains subject to Article 33.

Article 8 — Default commencement

1. An Act that states a commencement date commences at the beginning of that date.
2. An Act that does not state a commencement date commences thirty days after publication in the Gazette.
3. Subordinate legislation that does not state a commencement date commences thirty days after publication unless its enabling Act lawfully provides otherwise.
4. A commencement provision shall be construed to avoid imposing an obligation before a person could reasonably know of it.

Article 9 — Commencement by notice

1. Where an Act authorizes commencement by notice, the notice shall identify the provisions commenced and the commencement date.
2. The authority shall publish reasons and an implementation timetable if different provisions commence at different times.
3. A commencement power shall not be used to frustrate the will of the National Assembly by indefinite delay.

4. Unless the Act expressly provides otherwise, every uncommenced provision must be commenced within twelve months or the responsible minister shall report the reasons to the National Assembly every six months.

Article 10 — Exercise of powers before commencement

1. After enactment but before commencement, an appointment, regulation, form, system or administrative preparation may be made where necessary to bring the Act into effective operation.
2. An action under paragraph 1 has no substantive effect before commencement and shall not impose a duty, penalty, fee or restriction on the public.
3. Preparation under this Article shall remain within the authority and limits of the enacted Act.

Article 11 — Prospective operation

1. An enactment operates prospectively unless it expressly provides otherwise.
2. A provision shall not be interpreted to create a retrospective offence, increase a past penalty, remove a completed defence or disturb a final judgment.
3. Retrospective civil legislation affecting property, contracts or accrued rights requires clear language and remains subject to the Constitution.

CHAPTER III PRINCIPLES OF STATUTORY INTERPRETATION

Article 12 — Text, context and purpose

1. An enactment shall be interpreted from its text, read in its whole context and in light of its lawful purpose.
2. A court may consider the Constitution, the structure of the enactment, definitions, schedules, legislative history and publicly issued explanatory materials.
3. An explanatory note, heading or drafting note may assist interpretation but does not override enacted text.
4. An interpretation producing an absurd, unconstitutional or unworkable result shall be avoided where the text reasonably permits another interpretation.

Article 13 — Rights-consistent interpretation

1. Ambiguous legislation shall be interpreted, so far as reasonably possible, consistently with constitutional rights and Eritrea's applicable international obligations.
2. A restriction on a right shall not be extended by analogy or by broad administrative convenience.
3. A power affecting liberty, property, privacy, movement, expression, association, religion, livelihood or equality requires clear lawful authority and shall be exercised proportionately.

Article 14 — Headings, examples, notes and schedules

1. The long title, Chapters, Titles, headings and schedules form part of an enactment.
2. An example illustrates but does not limit a provision.
3. A footnote, source note, editorial note, table of contents or marginal note is not enacted text unless the enactment expressly provides otherwise.
4. A schedule has the same force as the provision that gives it effect, subject to any stated limitation.

Article 15 — Defined terms

1. A defined term carries its defined meaning throughout the enactment unless the context requires otherwise.
2. A grammatical variation of a defined term has a corresponding meaning.
3. A definition does not enlarge the scope of an enactment beyond its text and purpose.
4. Where two definitions conflict, the definition in the more specific or later provision controls for that subject.

Article 16 — Gender, number and legal persons

1. Words referring to one gender include every gender unless the subject requires otherwise.
2. The singular includes the plural and the plural includes the singular unless the context requires otherwise.
3. A reference to a person includes a legal person only where consistent with the nature of the right, duty, offence or function.
4. A reference to a child or natural characteristic shall not be applied to a legal person.

Article 17 — Mandatory and discretionary language

1. “Shall” imposes a duty and “may” confers a discretion unless the context clearly requires otherwise.
2. A discretion shall be exercised lawfully, reasonably, for the authorized purpose and upon relevant considerations.
3. A power coupled with a duty to protect a right or public interest shall not be treated as permission to refuse action arbitrarily.
4. “May not” and “shall not” express a prohibition.

Article 18 — Inclusive and exclusive expressions

1. “Includes” and “including” are not limiting unless followed by words clearly showing an exhaustive list.
2. “Means” ordinarily introduces an exhaustive definition.
3. “And” and “or” shall be read according to grammar, context and purpose and shall not be mechanically interchanged.
4. A reference to all members of a class does not include a person plainly outside the class.

Article 19 — References to legislation and institutions

1. A reference to an enactment includes amendments and lawful replacement provisions addressing the same subject, unless the context requires the historical version.
2. A reference to an Article, regulation, section or schedule is a reference within the same enactment unless otherwise stated.
3. A reference to an office includes its lawful successor where legislation transfers the function.
4. A change of institutional name does not transfer a function without lawful authority.

Article 20 — Territorial application

1. An Act applies throughout Eritrea unless it expressly provides otherwise.
2. Territorial application includes Eritrea's territory and any maritime or other jurisdiction recognized by the Constitution and international law to the extent relevant to the Act.
3. An enactment shall not be interpreted to regulate conduct outside Eritrea without clear language and a lawful jurisdictional basis.

CHAPTER IV TIME, DISTANCE, AGE AND SERVICE

Article 21 — Computation of time

1. The day on which an event occurs is excluded and the final day is included when computing a period from the event.
2. A period expressed to begin on a specified day includes that day.
3. If the final day is not a business day, the period ends at the close of the next business day.
4. A period ending at a specified hour ends at that hour according to the official time observed in Eritrea.

Article 22 — Months and years

1. A period of months or years ends on the corresponding calendar date in the final month or year.
2. If the final month has no corresponding date, the period ends on its last day.
3. A person reaches a specified age at the beginning of the anniversary of the person's birth.

Article 23 — Public holidays and office closure

1. A statutory act required on a public holiday or a day when the responsible office is officially closed may be completed on the next business day.
2. Unplanned technical failure or closure may justify a reasonable extension where the person acted diligently and suffered no fault.
3. A public body shall publish closure and extension information promptly and apply it equally.

Article 24 — Distance and location

1. Distance shall be measured in a straight line unless road, maritime, navigational or other distance is expressly specified.
2. A location described by geographic coordinates controls over an inconsistent informal description, unless the coordinates contain an obvious verified error.
3. An electronic act occurs at the place determined under the law governing the transaction or, absent such law, at the sender's principal place of business.

Article 25 — Methods of service

1. A document may be served personally, by registered post or courier, through an authorized electronic address or by another method authorized by law.
2. Service is effective when received, except that a law may establish a rebuttable presumption of receipt after a stated period.
3. Electronic service requires prior consent, a legal duty to maintain the address, or another lawful basis reasonably ensuring receipt.
4. A person shall not lose a right because a public body used an address it knew or reasonably should have known was unreliable.

Article 26 — Proof of service

1. Service may be proved by acknowledgment, delivery record, affidavit, reliable electronic log or other admissible evidence.
2. A technical record proves only what it reliably records and may be challenged for error, identity, integrity or non-receipt.
3. A court or decision-maker may excuse defective service where actual notice and fairness are established, but may not excuse prejudice caused by the defect.

CHAPTER V PUBLIC OFFICES, POWERS AND APPOINTMENTS

Article 27 — Powers attached to office

1. A statutory power conferred on an office may be exercised by the lawful holder or a lawful acting holder.
2. A reference to a minister means the minister assigned responsibility for the subject under lawful executive organization.
3. A public body shall publish the current allocation of statutory responsibilities.
4. Internal allocation does not expand, transfer or extinguish a statutory power.

Article 28 — Appointment powers

1. A power to appoint includes power to appoint on merit, fill a vacancy temporarily and remove or suspend only in accordance with applicable law.

2. An appointment shall satisfy every qualification, consultation, approval, independence and publication requirement.
3. A power to appoint does not imply power to control an independent officeholder contrary to law.
4. A person acting in an office shall not serve beyond the period or conditions authorized by law.

Article 29 — Delegation

1. A statutory function may be delegated only where the Constitution or an Assembly Act authorizes delegation expressly or by necessary implication.
2. A delegation shall be written, published where it affects the public, and identify the delegate, function, conditions and duration.
3. A delegate shall exercise the function in the delegate's own lawful judgment and remains subject to the same duties and safeguards as the delegator.
4. Delegation does not relieve the delegator of responsibility for supervision and may be revoked prospectively.
5. A legislative, judicial or personally entrusted function shall not be delegated without express authority.

Article 30 — Ancillary powers and limits

1. A statutory power includes only powers reasonably necessary to perform the authorized function effectively.
2. An ancillary power shall not be used to create a tax, offence, penalty, compulsory acquisition, detention, search, licensing barrier or restriction of a constitutional right without clear legislative authority.
3. Administrative convenience alone does not establish necessity.
4. A power to regulate does not include a power to prohibit the entire lawful activity unless the Act clearly provides otherwise.

Article 31 — Boards, commissions and collective bodies

1. A vacancy does not invalidate an act of a collective body if a lawful quorum remains and the vacancy was not deliberately maintained to affect the decision.
2. A majority of members lawfully entitled to participate constitutes a quorum unless another law provides otherwise.
3. A decision is made by a majority of members present and voting, and a tie results in no decision unless a lawful casting vote exists.
4. A member with a material conflict shall disclose it and shall not participate except as lawfully permitted.
5. Minutes shall record attendance, recusals, material deliberation and the decision.

Article 32 — Fees and charges

1. A public body may impose a fee or charge only under clear legal authority.

2. A delegated fee shall bear a reasonable relationship to the service or regulatory cost unless an Assembly Act expressly authorizes another basis.
3. A fee shall be published before enforcement and shall provide waiver or reduction where required by law.
4. A fee functioning substantially as a tax requires enactment by the National Assembly.

CHAPTER VI SUBORDINATE LEGISLATION

Article 33 — Requirement of enabling authority

1. Subordinate legislation may be made only by the person or body authorized by the Constitution or an Assembly Act.
2. The instrument shall cite its enabling provision and remain within its subject, purpose, limits and procedure.
3. A general administrative or executive power does not authorize rules having the force of law outside the delegated field.
4. Subordinate legislation inconsistent with superior law is invalid to the extent of the inconsistency.

Article 34 — Essential legislative matters

1. Subordinate legislation shall not determine an essential legislative policy that the enabling Act has left unresolved.
2. Unless expressly and constitutionally authorized, subordinate legislation shall not—
 - a. define a criminal offence or determine its Penal Code classification;
 - b. impose a tax or authorize public borrowing;
 - c. authorize compulsory acquisition or deprivation of property;
 - d. establish a court or remove judicial jurisdiction;
 - e. restrict a constitutional right beyond standards stated in the enabling Act; or
 - f. amend or repeal an Assembly Act.
3. A delegation shall be interpreted narrowly where it affects a matter listed in paragraph 2.

Article 35 — Consultation and regulatory analysis

1. Before making materially significant subordinate legislation, the rule-maker shall publish the draft, legal authority, purpose and reasonable consultation period.
2. The rule-maker shall assess constitutional rights, competition, small enterprises, public expenditure, implementation capacity and relevant treaty obligations.
3. Consultation may be shortened for a genuine emergency, but reasons and post-adoption review shall be published.
4. A failure materially affecting legality or fairness may invalidate the instrument.

Article 36 — Form and publication

1. Subordinate legislation shall state its title, maker, authority, date, commencement, application and any amendment or repeal.
2. It shall use the legislative hierarchy, automatic numbering and numbering symmetry required by the official drafting standards.
3. It shall be published in the Gazette and official statute book before enforcement, subject only to a lawful emergency rule.
4. Forms, schedules and incorporated standards necessary to comply shall be publicly accessible.

Article 37 — Incorporation by reference

1. An instrument may incorporate an external technical standard only where the enabling Act permits it and the standard is identified precisely.
2. The incorporated material shall be reasonably accessible without discriminatory cost and shall be preserved in the version legally applicable.
3. A later amendment of external material does not automatically change Eritrean law unless the enabling Act expressly and constitutionally authorizes dynamic incorporation.
4. Policy, offences, taxes and material rights restrictions shall not be incorporated from a private or foreign document.

Article 38 — Emergency subordinate legislation

1. Emergency subordinate legislation requires express enabling authority, a stated emergency, reasons and a defined duration.
2. It shall be necessary, proportionate, geographically and temporally limited, and consistent with constitutional emergency provisions where applicable.
3. It expires after thirty days unless an Assembly Act authorizes a longer stated period or the National Assembly approves continuation.
4. Expiry does not prevent review of actions taken or liability for unlawful conduct.

Article 39 — Assembly scrutiny

1. Every item of subordinate legislation shall be transmitted to the National Assembly promptly after publication.
2. The National Assembly may annul or require amendment of an instrument according to law without affecting a final judicial decision.
3. An instrument materially affecting rights, taxation, public expenditure or national economic regulation may be made subject to prior Assembly approval by its enabling Act.

Article 40 — Penalties in subordinate legislation

1. A regulation may prescribe the amount or procedure for a civil or administrative penalty only where an Assembly Act defines the contravention, liable person, applicable maximum, criteria and review.

2. A penalty shall be proportionate, certain and subject to a fair hearing and judicial review.
3. A regulation shall not define a criminal offence, determine its Penal Code classification or authorize imprisonment.

Article 41 — Amendment, repeal and expiry

1. The power to make subordinate legislation includes power to amend or repeal it through the same lawful procedure.
2. A temporary instrument shall state its expiry date.
3. Repeal or expiry remains subject to the savings rules in Chapter VIII.
4. The official statute book shall identify the current and historical versions.

CHAPTER VII ELECTRONIC RECORDS, SIGNATURES AND SERVICES

Article 42 — Functional equivalence

1. A legal requirement for writing is satisfied by an electronic record accessible for subsequent reference.
2. A requirement for signature is satisfied by a method that identifies the signer, indicates intention and is sufficiently reliable for the purpose.
3. A requirement to produce an original is satisfied where the integrity of the information is reliably maintained and it can be displayed to the person entitled to receive it.
4. Technology shall not be rejected solely because it is electronic.

Article 43 — Reliability and attribution

1. Reliability shall be assessed from the purpose, security, identity controls, integrity, audit trail, surrounding agreement and other circumstances.
2. An electronic act is attributed to a person only where the evidence supports authorization by that person or a lawful agent.
3. Possession of a password, device or identifier does not by itself conclusively prove identity or consent.
4. A person may challenge fraud, mistake, coercion, system failure or unauthorized use.

Article 44 — Electronic public services

1. A public body shall provide electronic access and submission where reasonably practicable.
2. Electronic service shall not become the exclusive channel where doing so would deny meaningful access because of disability, location, poverty, literacy, connectivity or another substantial barrier.
3. A public body shall publish procedures, processing times, fees, responsible offices and review rights.
4. An automated system shall not make a legally significant adverse decision without lawful authority, explainable reasons and meaningful human review.

Article 45 — Electronic payments and receipts

1. A public body accepting payment shall provide secure lawful payment methods and an electronic or printed receipt.
2. The receipt shall identify the payer, amount, purpose, date, transaction reference and receiving authority.
3. A system error shall not deprive a payer of credit where reliable evidence proves timely payment.
4. Public money remains subject to audit, procurement, financial-management and anti-corruption laws.

Article 46 — Data protection and cybersecurity

1. Electronic administration shall collect and use personal data only for a lawful and necessary purpose.
2. A public body shall apply reasonable security, access control, retention, correction, breach response and accountability measures.
3. A digitalization power does not authorize surveillance, disclosure or data sharing beyond law.
4. Sector legislation shall provide additional safeguards for sensitive health, financial, biometric, child, communications and security information.

Article 47 — Electronic Gazette and authenticity

1. An electronic Gazette is official when authenticated and preserved under the Statute Law Revision, Repeals and Transitional Continuity Act.
2. The publication system shall display the official status, date, version and verifiable integrity of each enactment.
3. A temporary service interruption does not alter enacted law but shall be remedied promptly and publicized.

CHAPTER VIII REPEAL, AMENDMENT AND TRANSITIONAL EFFECT

Article 48 — Effect of repeal

1. Repeal ends the future operation of the repealed enactment from the effective date.
2. Unless a contrary intention appears, repeal does not—
 - a. revive anything not in force when the repeal took effect;
 - b. affect the previous operation of the repealed enactment;
 - c. affect an accrued right, privilege, obligation or liability;
 - d. affect a penalty or consequence incurred for a prior offence; or
 - e. prevent continuation of a lawful investigation, proceeding or remedy.
3. A continued matter may proceed as if the repealing enactment had not been enacted, subject to the Constitution and any more favorable criminal rule made applicable by law.

Article 49 — Repeal and replacement

1. Where an enactment is repealed and substantially replaced, references to the repealed provision shall, where consistent with purpose and fairness, be read as references to the corresponding replacement.
2. An appointment, form, licence or procedure may continue only to the extent saved expressly or necessarily for orderly transition.
3. A replacement does not enlarge a prior power or preserve a rule inconsistent with the new enactment.

Article 50 — Amendment

1. An amendment forms part of the amended enactment from its commencement.
2. A reference to an enactment ordinarily includes its amendments applicable at the relevant time.
3. Historical rights and conduct shall be determined under the version legally applicable when they arose, unless valid legislation provides otherwise.

Article 51 — Expiry

1. Expiry of a temporary enactment has the same general effect as repeal.
2. Expiry does not validate action exceeding the temporary power or duration.
3. A temporary power shall not be continued through repeated instruments intended to evade a statutory or constitutional time limit.

Article 52 — Subordinate legislation after repeal

1. Repeal of an enabling Act revokes subordinate legislation made under it unless the replacement Act expressly saves it.
2. A saving shall identify the continued instruments and shall not exceed eighteen months unless extended by an Assembly Act.
3. Continued subordinate legislation remains subordinate to the Constitution and replacement Act and shall be reviewed promptly.

Article 53 — References to repealed enactments

1. A reference in another enactment to a repealed provision shall be corrected by express consequential amendment where legal effect may be uncertain.
2. Until corrected, a court may apply the corresponding replacement provision where the subject and legal effect are substantially the same.
3. This Article shall not be used to create an offence, penalty, tax or power absent from the replacement law.

CHAPTER IX DOCUMENTS, FORMS AND EVIDENCE

Article 54 — Prescribed forms

1. Where legislation prescribes a form, substantial compliance is sufficient unless the omitted requirement is essential to validity or fairness.
2. A public body shall not reject a submission for a harmless formatting defect that can reasonably be corrected.
3. A person shall be given a reasonable opportunity to correct a curable defect.
4. An electronic and printed version of a form shall require equivalent substantive information.

Article 55 — Certified copies and extracts

1. A copy or extract certified by the lawful custodian is admissible to the same extent as the original, subject to challenge for authenticity or accuracy.
2. Certification may be electronic and shall identify the custodian, date and source record.
3. A person is entitled to inspect or obtain a copy of a public record except where a lawful and proportionate restriction applies.

Article 56 — Official seals and signatures

1. A requirement for an official seal may be satisfied by a secure electronic authentication method authorized by law.
2. A reproduced signature or seal shall not be represented as a personal act if it was applied automatically.
3. Misuse of an official authentication method is subject to applicable civil, disciplinary and criminal law.

Article 57 — Errors in public information

1. A public body shall correct materially inaccurate legal or procedural information promptly.
2. A person who reasonably relied on official misinformation may receive an extension, reconsideration or other lawful relief necessary to prevent unfairness.
3. Misinformation does not authorize an official to dispense with a mandatory constitutional or statutory requirement.

CHAPTER X MISCELLANEOUS AND FINAL PROVISIONS

Article 58 — Public authority to be identified

1. A public notice, form, decision and item of subordinate legislation shall identify the legal authority under which it is issued.

2. A person may request the responsible public body to identify the source and scope of a claimed power.
3. Failure to identify authority does not invalidate a lawful act automatically but may support review where legality, notice or fairness was affected.

Article 59 — Reasons and review information

1. A written adverse administrative decision shall state intelligible reasons unless another Act lawfully provides a narrow exception.
2. The decision shall identify any internal review, appeal or judicial-review procedure and applicable time limit.
3. A failure to provide required reasons or review information may justify extension, reconsideration or other lawful relief.

Article 60 — No contracting out of public law

1. A public body shall not avoid a statutory duty or constitutional safeguard by contract, corporate form, automation or delegation to a private person.
2. A contractor exercising a public function is subject to the legal standards applicable to that function.
3. Commercial confidentiality does not conceal the source of public power, public expenditure or reasons for a public decision except as lawfully and narrowly protected.

Article 61 — Regulations and Assembly rules

1. The President may issue regulations solely for executive implementation of electronic service, records, forms and reporting under this Act.
2. Regulations shall not alter an interpretive rule governing the Constitution or Assembly Acts, enlarge executive power or restrict a right beyond an Assembly Act.
3. The National Assembly may adopt rules governing legislative publication, parliamentary records and scrutiny of subordinate legislation.
4. The Clerk may issue non-binding technical standards for formatting, metadata, accessibility and authentication.

Article 62 — Consequential review

1. Within twelve months after commencement, the Legislative Revision Unit shall identify enactments requiring consequential amendment to conform to this Act.
2. The Unit shall prioritize conflicting commencement, repeal, delegation, publication, electronic-record and time-computation provisions.
3. A recommendation does not amend law until enacted by the constitutionally authorized lawmaker.

Article 63 — Transitional provision

1. A lawful computation, service, appointment, delegation or publication completed before commencement remains effective according to the former law.
2. An ongoing period shall continue under the former rule if applying this Act would shorten the period or cause unfair loss of a right.
3. A public body shall update its forms, notices and electronic systems within six months after commencement.

Article 64 — Repeal

1. The proclamation concerning the statutory meaning of “day,” “week” and “month,” as identified and verified in the official statute-law revision schedule, is repealed upon commencement of the schedule.
2. No repeal under paragraph 1 shall be published with an uncertain number, title or source citation.
3. Any other enactment is repealed only to the extent expressly identified in a later verified repeal schedule enacted by the National Assembly.

Article 65 — Commencement

1. This Act enters into force thirty days after publication in the Gazette.
2. Chapter VII shall be implemented progressively, but every public body shall accept legally valid electronic records no later than 1 January 2027 unless another Assembly Act requires an earlier date.
3. A temporary technical inability shall be publicly explained and shall not justify denial of an available non-electronic service.

Made at Asmara, this ____ day of _____ 2026.

THE NATIONAL ASSEMBLY OF ERITREA