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Interim Secretariat of the Preferential Trade Area
for Eastern and Southern Africa (PTA)

Second Meeting of the Authority of the Preferential
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Lusaka, Zambia, 16-17 December 1982

DRAFT RULES OF PROCEDURE OF THE AUTHORITY OF THE
PREFERENTIAL TRADE AREA FOR EASTERN AND SOUTHERN
AFRICAN STATES

THE TREATY FOR THE ESTABLISHMENT OF THE PREFERENTIAL
TRADE AREA FOR EASTERN AND SOUTHERN AFRICAN STATES

IN EXERCISE of the powers conferred on the Authority of the Preferential Trade Area for Eastern and Southern African States by paragraph 4 of Article 6 of the Treaty for the Establishment of the Preferential Trade Area for Eastern and Southern African States, the following Rules are hereby made:

RULES OF PROCEDURE OF THE AUTHORITY OF THE PREFERENTIAL
TRADE AREA FOR EASTERN AND SOUTHERN AFRICAN STATES

Rule 1. These Rules may be cited as the Rules of Procedure of the Authority of Preferential Trade Area for Eastern and Southern African States.

Rule 2. In these Rules the expression:

"the Authority" means the Authority of the Preferential Trade Area established by Article 6 of the Treaty;

"Council" means the Council of Ministers established by Article 7 of the Treaty;

"Member State" means a Member State of the Preferential Trade Area;

"Preferential Trade Area" means the Preferential Trade Area for Eastern and Southern African States established by Article 2 of the Treaty;

"Secretary-General" means the Secretary-General of the Preferential Trade Area provided for by Article 9 of the Treaty;

"Treaty" means the Treaty for the Establishment of the Preferential Trade Area for Eastern and Southern African States and shall include all Protocols thereto.

Composition

Rule 3. A meeting of the Authority shall consist of the Heads of State and Government of the Member States as provided for in paragraph 1 of Article 6 of the Treaty.

Rule 4. If a member of the Authority is unable to attend a meeting of the Authority and it is not convenient to postpone the meeting, he shall after consultation with the Chairman of the meeting of the Authority, appoint a person holding office as a Minister of his Government to represent him at such meeting only, and a person so appointed shall, subject to these Rules, and for the purpose of that meeting have the powers, duties and responsibilities of the member of the Authority for whom he is acting.

Chairman of the meetings of the Authority

Rule 5. The Authority shall elect in rotation according to an order to be determined by it, one of its members to be its Chairman who shall hold office for a term of one year.

Rule 6. If the person holding the office of Chairman is absent from a meeting of the Authority, there shall preside at that meeting such member of the Authority as the members present may elect for that purpose.

Rule 7. If the term of office of any member of the Authority as Chairman is due to expire at any time when a meeting of the Authority is being held, that member shall continue in office until the conclusion of the meeting. For the purpose of this Rule, a meeting of the Authority shall be concluded when it is adjourned sine die or is adjourned for a period exceeding three days.

Rule 8. The Chairman shall open and close the meetings of the Authority, present the minutes of meetings for approval, direct discussions, give speakers the floor in the order in which it is requested, submit matters under discussion for decision and announce the decision and rule on questions of procedure in accordance with these Rules.

Rule 9. A person attending a meeting of the Authority by virtue of the provisions of Rule 4 of these Rules shall not be eligible to hold office as Chairman.

Place and time of meeting

Rule 10. The Authority shall normally meet once every year and may hold extraordinary meetings at the request of any member of the Authority provided that such a request is supported by one-third of the members of the Authority or upon the proposal of the Council addressed to the Secretary-General.

Rule 11. The meetings of the Authority shall be held at the headquarter of the Preferential Trade Area unless convened elsewhere in pursuance of the provisions of Rule 12 of these Rules.

Rule 12. Where at the request of a Member State, the Authority shall decide to hold its meeting in a place other than the headquarters of the Preferential Trade Area, that Member State shall refund to the Preferential Trade Area such amount in excess of what it would have cost the Preferential Trade Area had the meeting been held at its headquarters.

Rule 13. The Authority may at a meeting decide the date of its next meeting:

Provided that in cases where it is desirable that a meeting of the Authority should be held prior to the date set down for its next meeting, a meeting of the Authority may be held after consultations between the Chairman and the other members of the Authority.

Rule 14. All meetings of the Authority shall be convened by the Secretary-General by order of the Chairman after two months' notice of a meeting has been given or such period as the Authority may determine.

Decisions and quorum

Rule 15. The decisions of the Authority which shall be styled "Acts", shall be taken by consensus.

Rule 16. Unless otherwise specifically provided for by the Authority, all Acts of the Authority shall enter into force on the date of their publication in the official Gazette of the Preferential Trade Area.

Rule 17. The quorum for a meeting of the Authority shall be a majority of the members of the Authority.

Secretariat of the meetings of the Authority

Rule 18. The secretarial services of the meetings of the Authority shall be provided by the Secretary-General; he shall keep the minutes of the meetings of the Authority and shall as soon as possible, transmit copies thereof to the members of the Authority and to the Member States.

Rule 19. The Secretary-General shall prepare, in consultation with the Council, the provisional agenda of the meetings of the Authority and shall ensure their receipt by the members of the Authority and the Member States at least two months before the meetings to which they relate.

Dispatch of business at meetings of the Authority

Rule 20. Proposals or draft resolutions for consideration at a meeting of the Authority shall be submitted in writing and circulated by the Secretary-General in advance of the meeting to the members of the Authority:

Provided, however, that the Authority may, if it deems it expedient or desirable, consider at a meeting a proposal or draft resolution in respect of which no text has been circulated in advance of a meeting.

Rule 21. A proposal or draft resolution may be withdrawn by the person by whom it is sponsored.

Rule 22. During the consideration of any matter at a meeting of the Authority, any member of the Authority may raise a point of order and the Chairman shall make his ruling immediately upon the point of order raised. An appeal from the ruling of the Chairman shall be decided by the meeting of the Authority.

Rule 23. During the consideration of any matter at a meeting of the Authority, the Chairman may read out a list of speakers and with the consent of the meeting, declare the list closed. The Chairman may, however, grant any member of the Authority the right of reply if a speech made after the list of speakers is closed, justifies it.

Rule 24. When a matter has been adequately considered, any member of the Authority may move that the consideration of the matter be closed whereupon the meeting of the Authority shall immediately take a decision on the motion.

Rule 25. During the consideration of any matter, a member of the Authority may move that the consideration of the matter be postponed. One member of the Authority may speak in support of the proposal and another against it whereupon the meeting of the Authority shall immediately take a decision on the motion.

Rule 26. During the consideration of any matter at a meeting of the Authority, any member of the Authority may move that the meeting be suspended or adjourned whereupon the meeting of the Authority shall immediately take a decision on the motion.

Rule 27. The following motions shall take precedence in the order in which they are set out hereunder over any other proposals or motions that may be made or moved at a meeting of the Authority:

- (a) to suspend the meeting,
- (b) to adjourn the meeting,
- (c) to postpone consideration of a matter, and
- (d) to end the consideration of a matter.

Dispatch of business at times when the Authority is not meeting

Rule 28. The Authority may make provisions for the dispatch of business at times when it is not meeting.

Rule 29. The provisions that the Authority may make under Rule 28 of these Rules for the dispatch of business at times when the Authority is not meeting may, if it so determines, include arrangements under which the exercise of any function of the Authority under the Treaty which may be properly delegated, is delegated, subject to such conditions as the Authority may specify, to the Chairman or a member of the Authority, to the Council or to the Secretary-General.

Miscellaneous

Rule 30. If there is any doubt as to the procedure to be followed in any particular case, or if no procedure is prescribed by or under the Treaty or these Rules, the procedure to be followed may be determined by the Authority.

Rule 31. These Rules may be amended at a meeting of the Authority.