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Interim Secretariat of the Preferential
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Second Meeting of the Intergovernmental
Commission of Experts of the Preferential
Trade Area for Eastern and Southern Africa

9-11 December 1982
Lusaka, Zambia

DRAFT RULES OF PROCEDURE OF THE INTERGOVERNMENTAL
COMMISSION OF EXPERTS 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 Intergovernmental Commission of Experts of the Preferential Trade Area for Eastern and Southern African States by paragraph 7 of Article 11 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 INTERGOVERNMENTAL COMMISSION OF
EXPERTS 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 Intergovernmental Commission of Experts of the 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;

"Commission" means the Intergovernmental Commission of Experts established by Article 11 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 Commission shall consist of the representatives of the Member States as provided for in paragraph 3 of Article 11 of the Treaty.
- Rule 4. Members of the Commission may be accompanied to meetings of the Commission by advisers.

Chairman of the meetings of the Commission

- Rule 5. The Commission 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 Commission there shall preside at that meeting such member of the Commission as the members present may elect for that purpose.
- Rule 7. If the term of office of any member of the Commission as Chairman is due to expire at any time when a meeting of the Commission 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 Commission shall be concluded when it is adjourned sine die or is adjourned for a period exceeding seven days.
- Rule 8. The Chairman shall open and close the meetings of the Commission, present the minutes of meetings for approval,

direct discussion, 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.

Place and time of meetings

Rule 9. Subject to any directives which may be given by the Council, the Commission shall meet as often as possible for the proper discharge of its functions.

Rule 10. Meetings of the Commission shall be held at the headquarters of the Preferential Trade Area unless convened elsewhere in pursuance of the provisions of Rule 11 of these Rules.

Rule 11. Where at the request of a Member State, the Commission shall decide to hold a 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 costed the Preferential Trade Area had the meeting been held at its headquarters.

Rule 12. The Commission may at a meeting decide the date of its next meeting:

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

Rule 13. All meetings of the Commission shall be convened by the Secretary-General on the direction of the Chairman after two months' notice of a meeting has been given or such period as the Commission may determine.

Rule 14. Every member of the Commission shall have only one vote.

Rule 15. Unless otherwise provided for in the Treaty, the decisions of the Commission shall be by a majority of the members of the Commission present and voting.

Rule 16. The quorum for a meeting of the Commission shall be a majority of the members of the Commission.

Secretariat of the meetings of the Commission

Rule 17. The secretarial services of the meetings of the Commission shall be provided by the Secretary-General; he shall cause minutes of the meetings of the Commission to be kept and shall as soon as possible, transmit copies thereof to the members of the Commission and to the Member States.

Rule 18. The Secretary-General shall, in consultation with the Chairman of the Commission, prepare the provisional agenda of the meetings of the Commission and shall ensure their receipt by the members of the Commission and the Member States at least two months before the meetings to which they relate.

Rule 19. The Secretary-General or his representative shall participate in the meetings of the Commission but without the right to vote.

Dispatch of business at meetings of the Commission

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

Provide, however, that the Commission 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 Commission, any member of the Commission 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 Commission.
- Rule 23. During the consideration of any matter at a meeting of the Commission, 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 Commission 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 Commission may move that the consideration of the matter be closed whereupon the meeting of the Commission shall immediately take a decision on the motion.
- Rule 25. During the consideration of any matter, a member of the Commission may move that the consideration of the matter be postponed. One member of the Commission may speak in support of the proposal and another against it whereupon the meeting of the Commission shall immediately take a decision on the motion.
- Rule 26. During the consideration of any matter at a meeting of the Commission, any member of the Commission may move that the meeting be suspended or adjourned whereupon the meeting of the Commission 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 Commission:

- 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 Commission is not meeting

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

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

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