

**REGULATION C/REG. 3/7/96 RELATING TO THE PROCEDURE FOR EVALUATION OF ECOWAS STATUTORY APPOINTEES**

**THE COUNCIL OF MINISTERS,**

MINDFUL of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Article 19(1) of the Revised Treaty which stipulates that the Executive Secretary shall be the chief executive officer of the Community and its institutions;

MINDFUL of Decision A/DEC. 3/7/91 on the selection and evaluation of statutory appointees;

CONSIDERING that there is no specific definition of the functions of individual statutory officers;

CONSIDERING that the procedure adopted by the Council of Ministers in 1991 is inappropriate;

CONSIDERING that there is no precedent for the evaluation of statutory appointees in ECOWAS or in any other similar organisation;

CONVINCED that it is not realistic to carry out an evaluation of the statutory appointees on the basis of information provided by the officers themselves;

AWARE that the offices of statutory appointees, particularly the office of Executive Secretary, is more political than technical in nature;

DESIROUS of adopting an effective but objective procedure for the evaluation of statutory appointees;

On the RECOMMENDATION of the Ad Hoc Ministerial Sub-Committee on Selection and Evaluation of Statutory Appointees which met in Abuja on 22nd July, 1996;

**ENACTS**

**Article 1**

The evaluation procedure shall replicate the

hierarchy of the statutory appointees;

- i) The Executive Secretary shall assess the other statutory appointees, including the Managing Director and the Deputy Managing Director of the Fund, according to established procedure which requires that his remarks shall be discussed with the interested parties;
- ii) Successive chairmen of the Board of Directors shall give their observations on the performance of the Managing Director of the Fund, commencing from the date of his assumption of duty;
- iii) Successive chairmen of the Council of Ministers shall give their observations on the performance of the Executive Secretary, commencing from the date of his assumption of office.

**Article 2**

The Member States on the ad hoc ministerial sub-committee for the selection and evaluation of statutory appointees shall assist in defining the evaluation criteria and procedure for statutory appointees on the basis of the observations provided for in Article 1 paragraph 1, 2 and 3 of this Regulation. These observations shall previously have been transmitted as privileged information to member Ministers of the sub-committee.

**Article 3**

- i) A meeting of the sub-committee of experts shall be convened in October, 1996, a few days prior to the statutory budget meetings, to define evaluation criteria and procedure for submission to the Council of Ministers for approval.
- ii) The transportation costs of participating experts shall be borne by Member States and their per diem paid by the Executive Secretariat for the duration of the meeting on the definition of the evaluation criteria and procedure for statutory appointees.

**Article 4**

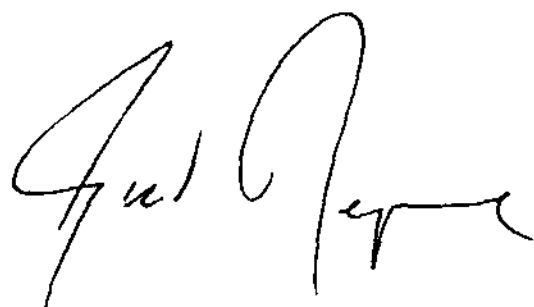
Member Ministers of the ad hoc ministerial committee for the selection and evaluation of statutory appointees shall present the evaluation report prepared during the second quarter of 1997 to the June/July, 1997 session of the Council of Ministers.

**Article 5**

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers.

It shall also be published in the National Gazette of each Member State by the same deadline.

**DONE AT ABUJA,  
THIS 25TH DAY OF JULY, 1996**



**HON. KWAME PEPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**

**REGULATION C/REG. 4/7/96 ON THE LIST OF INDUSTRIAL ENTERPRISES AND PRODUCTS APPROVED TO BENEFIT FROM THE ECOWAS TRADE LIBERALISATION SCHEME**

**THE COUNCIL OF MINISTERS,**

MINDFUL of Articles 10, 11 and 12 of the Revised Treaty of the Economic Community of West African States (ECOWAS) establishing the Council of Ministers and defining its composition and functions;

MINDFUL of the Protocol dated 5th November, 1976 defining the concept of products originating from ECOWAS Member States and its subsequent amendments acts;

MINDFUL of Decisions C/DEC. 3/6/88 and C/DEC. 4/7/92 dated 21st June, 1988 and 25th July, 1992 of the Council of Ministers defining the procedure for approval of industrial enterprises and products under the ECOWAS Trade Liberalisation Scheme;

MINDFUL of Decision A/DEC. 6/7/92 dated 29th July, 1992 of the Authority of Heads of State and Government of ECOWAS on the adoption and implementation of a single trade liberalisation scheme for products originating from Member States of the Community;

On the RECOMMENDATION of the thirty-sixth meeting of the Trade, Customs, Immigration, Money and Payments Commission, held in Lagos from 22nd to 24th May, 1996;

**ENACTS**

**Article 1**

Industrial enterprises and products fulfilling the ECOWAS rules of origin and approved as being eligible for preferential treatment under the ECOWAS Trade Liberalisation Scheme are those contained in the list attached as an annex to this Regulation.

**Article 2**

The Executive Secretariat shall give each enterprise concerned, an approval number which must feature on the certificate of origin and on the

ECOWAS customs declaration form and inform Member States accordingly.

### **Article 3**

Member States and the Executive Secretariat shall take all necessary measures to ensure the implementation of this Regulation.

### **Article 4**

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers.

It shall also be published within the same time-frame in the National Gazette of each Member State.

**DONE AT ABUJA,  
THIS 25TH DAY OF JULY, 1996**

A handwritten signature in black ink, appearing to read 'Kwame Peprah', written in a cursive style.

**HON. KWAME PEPRAH  
CHAIRMAN,  
FOR COUNCIL OF MINISTERS.**