



**STATUTES AND RULES OF PROCEDURE OF THE AFRICAN  
ELECTROTECHNICAL STANDARDISATION COMMISSION,  
A SUBSIDIARY BODY OF THE AFRICAN ENERGY COMMISSION**

# **STATUTES AND RULES OF PROCEDURE**

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General Assembly,  
Nairobi, Kenya  
on 29 August 2013)**

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# STATUTES AND RULES OF PROCEDURE

Edition 1.1 August 2013

## ARTICLE 1: ESTABLISHMENT OF THE AFRICAN ELECTROTECHNICAL STANDARDISATION COMMISSION

In accordance with the declaration of the First Conference of African Ministers responsible for electrical Energy, 20-24 March 2006, as recorded by the African Union in *Declaration on "The common vision and strategic framework for a continental policy of the African electricity sector"* [AU/MIN/EI.En/Decl.(I)], and specifically item 11 of the Plan of Action recorded in AU/MIN/EI.En/PI.Ac.(I), and in accordance with the declaration of the Conference of African Ministers of Energy, 17 February 2008:

**The African Electrotechnical Standardisation Commission (AFSEC)** is established as a subsidiary body under the auspices of the African Energy Commission and designated in the present Statutes by its abbreviated name "**AFSEC**".

AFSEC constitutes a corporately organised association and enjoys legal status in accordance with Article 24 of the Convention of the African Energy Commission.

The matters that are not provided for in the present Statutes are governed by the laws of the country where the headquarters of AFSEC are based.

## Article 2 : FIELD OF APPLICATION

The provisions of this edition of the statutes and rules of procedure shall apply to the policies and activities that the Members have agreed upon to further harmonisation, concerning in particular the standards, the technical regulations, the procedures for assessing conformity to standards, and the procedures in the fields of electricity, electronics and associated technologies aimed at promoting international harmony.

The fields of competence cover electronics, magnetism and electromagnetism, electroacoustics, multimedia, telecommunications, the generation, transmission, distribution and consumption of electrical energy, as well as general related subjects, such as terminology and symbols, electromagnetic compatibility, metrology and the aptitude for the function, operating safety, studies and development, safety and the environment.

## Article 3 : OBJECTIVES AND TASKS

The African Electrotechnical Standardisation Commission (AFSEC) has as objectives:

- to improve the wellbeing of the African populations, mainly by the promotion, development and application of harmonised standards on the entire continent in order to improve access to electricity;
- to meet the needs of the African continental market with competence;
- to ensure the pre-eminence and the maximum use of harmonized standards and conformity assessment methods on the African continent;
- to further international cooperation for all matters of standardisation and related subjects such as the verification of conformity with standards, in the

- fields of electricity, electronics and associated technologies aimed at promoting international harmony;
- to assess and improve the quality of the products and services covered by its standards;
  - to create the conditions guaranteeing the interactivity of the complex systems;
  - to increase the efficiency of the industrial processes;
  - to facilitate the trade on the African continent by removing the different technical obstacles, thus opening new markets and furthering economic integration and economic growth;
  - to offer to the industry and users a framework of dialogue making it possible to achieve considerable savings in the design, quality products and services;
  - to contribute to the improvement of the health and safety of persons;
  - to contribute to the protection of the environment by offering to the parties concerned an efficient infrastructure for the improvement, maintenance, and distribution of a coherent set of standards.

To achieve its objective, AFSEC has the following tasks:

- To identify the existing standards and prioritize the needs with regard to standardisation;
- To harmonise the existing standards, by adopting international standards, or in case of need, adapting them to the African conditions;
- To identify, in case of need, the draft standards to be conceived by the members of AFSEC for the purpose of adopting them;
- To make recommendations on the harmonised standards for the purpose of implementation by the appropriate bodies of the African Union.

#### **Article 4 : HEADQUARTERS OF AFSEC**

The headquarters of AFSEC are determined by the Council.

#### **Article 5 : MEMBERS**

Any country wishing to participate in the work of AFSEC forms a National Electrotechnical Committee (NEC). There is only one National Electrotechnical Committee per country. **Only the national committees of the countries belonging to the African continent can join AFSEC as statutory members.** The National Electrotechnical Committee must be fully representative of the national interests in the fields of activity of AFSEC.

The members of the African Electrotechnical Standardisation Commission (AFSEC) that have accepted to comply with the Statutes and Rules of Procedure are:

##### **1. The statutory members**

- the National Electrotechnical Committees (NECs) at a rate of one (1) per structure

##### **2. The affiliate members**

- the Regional Electrotechnical Committees (RECs), at a rate of one (1) per structure
- UPDEA : two (2) representatives;
- the representative of the African Energy Commission (AFREC);
- the representative of the AU Commission;

- countries from other continents who wish to participate in the work of AFSEC;
- professional electrotechnical organizations;
- Other African organisations in the power sector

The members of AFSEC undertake to:

- promote the objectives of AFSEC;
- sustain the work;
- implement the decisions of AFSEC;
- apply the African and international electrotechnical standards in a transparent manner.

The members can establish a network of contacts within the community of manufacturers, users, consumers, technical experts and representatives of the AU.

Moreover, the members must play a key role at all levels of decision-making of the bodies of AFSEC so as to obtain a broad consensus during the work.

According to the Rules of Procedure, there are two forms of participation in the work of AFSEC:

- The **status of statutory member**, giving the possibility to the members to participate fully in the work of all the bodies of AFSEC. The statutory members have voting rights.
- The **status of affiliate member**, giving the possibility to the members to participate in the work of all bodies of AFSEC. These members do not have voting rights.

#### **Article 6 : CONDITIONS TO BECOME MEMBER OF AFSEC**

Any national committee of a country on the African continent or any organization, in accordance with Article 5 of the Statutes that wishes to become a member of AFSEC, addresses an application in writing to the Secretariat of AFSEC who submits it to the vote of the Council, in accordance with Article 9 of the Rules of Procedure.

In the case of statutory membership, this application for admission must mention the intention of the new member to comply with the Statutes and Rules of Procedure and supply proof that the National Electrotechnical Committee has been constituted according to the provisions of Article 5.

The National Committee of each country on the African continent may become a **Statutory Member**. It has the duty to pay its membership fees calculated according to the method approved by the Council.

**Affiliate Members** do not pay membership fees, but may make voluntary financial contributions.

#### **Article 7 : AUTHORITY**

In a meeting as well as by correspondence, a decision taken by vote of the Council, or by vote of the Management Committee when the decision-making authority has been delegated to the latter by the Council, constitutes the decision of AFSEC. It is distributed according to the provisions defined in articles 20 and 21.

#### **Article 8 : ORGANISATION OF AFSEC**

The African Electrotechnical Standardisation Commission (AFSEC) is organised around the Council of AFSEC, the Management Committee; the Secretariat, the Technical Committees, the Conformity Assessment Committee (Articles 9 to 20).

The Directors of AFSEC are the President, the Vice-Presidents, and the Executive Secretary.

## **Article 9 : COUNCIL**

The supreme authority of AFSEC is the Council, consisting of the Members (see article 5) in session in accordance with article 6.

The AFSEC Council has, among other duties (see annexe 1), the role of:

1. defining the policy of AFSEC and the long-term strategic and financial objectives;
2. electing the directors of AFSEC, as well as the members and presidents of the Management Committee, of the Technical Committees, and of the Conformity Assessment Committee;
3. being responsible for the review of the Statutes and Rules of Procedure of AFSEC and for the settling of appeals emanating from the Management Committee;
4. approving the accounts and the budget of AFSEC and appointing the Auditor upon proposal of the Management Committee;
5. approving the standards in the fields of electricity, electronics and associated technologies.

The Council delegates the management of all activities of AFSEC to the Management Committee, certain management responsibilities in the field of standards and Conformity assessment being devolved upon the Technical Committees (TCs), the Conformity Assessment Committee (CAC) and/or the Secretariat respectively.

**The Council shall meet at least once every two years.**

The Council designates in accordance with the statutes and internal regulations, the President, the Vice-Presidents in order of seniority, the Executive Secretary, the Chairmen of the Technical Committees, the 10 delegate members of the Management Committee, the Treasurer and the Auditor, see articles 15 to 19.

The Affiliate Members are members of the Council; they attend the meetings of the Council.

### **9.1 Meetings**

It is the Council who fixes the dates and venues of its meetings.

The Council meets at least once a year, but may be convened in the meantime upon request of the President or one fifth of the total number of Statutory Members.

The notification to attend is distributed by the Secretariat to all members at least three months before the meeting based on the annual activity plan. The President may, either upon written request of a Statutory Member received at least two months before the meeting, or on his own initiative, invite observers.

The responsibilities of the Council are listed in **Annexe 1** of the Rules of Procedure.

The draft agenda and the documents requiring that a decision be taken in a meeting, are distributed at least six weeks before the meeting. The other documents and the remarks are distributed at least three weeks before the meeting.

The documents that have not been distributed according to the above provisions, or any other subject not appearing on the agenda, may only be examined by the Council if none of the members present object to it.

The members who wish to submit proposals to the Council must address them to the Executive Secretary at least two months before the meeting. During the meeting, it is the Executive Secretary who presents these proposals for examination.

The presence of half of the members plus one (+1) of the Council constitutes the required quorum.

The minutes of the Council and the attendance register are kept by the Secretariat and distributed to all members.

## **9.2 Vote**

The decisions of the Council may be taken according to two procedures: Procedure 1 applies to the admission of new members.

According to **Procedure 1**:

The proposal to be put to the vote is distributed to all voting members by the Secretariat. The Statutory Members are invited to respond within two months counting from the date of dispatch of the communication by the Secretariat. They must know whether or not they are in favour of the proposal that has been submitted to them.

The proposal is adopted unless fifty percent (50%) or more of the members of the Council have issued a negative vote.

Procedure 2 applies to all decisions of the Council, except those covered by Procedure 1, by Article 23 "Modification to the Statutes and Regulations" and by Article 24: "Dissolution of AFSEC".

According to **Procedure 2**:

At a meeting of the Council, a proposal is adopted by a simple majority of the Statutory Members present and voting.

Voting by proxy is not allowed. Abstention, although authorised, is not counted as a vote when counting the votes.

By correspondence, with a voting period of two months, the proposal is adopted by a simple majority of the votes of the Statutory Members received by the Secretariat.

The deadline for receipt of the votes by the Secretariat in accordance with the Statutes is recorded on the ballot paper which the Secretariat addresses to the Statutory Members by any means guaranteeing that they will receive it within fifteen days counting from their dispatch.

## **Article 10 : MANAGEMENT COMMITTEE (MC)**

The Council delegates the management of all the activities of AFSEC to the Management Committee (MC) which is invested with the authority and responsibility related to the particular tasks listed in Annexe 1 of the Rules of Procedure.

The Management Committee (MC) implements the policy of the Council and makes policy recommendations to the latter. It ratifies the agendas of the Council meetings and prepares the associated documents, receives and examines the reports of the Technical Committees, and of the Conformity Assessment Committee.

MC also has the task of creating advisory bodies, according to the needs, and of proposing the Presidents and the members of these advisory bodies to the Council.

Certain managerial responsibilities in the fields of standards and Conformity assessment are delegated to the Technical Committees and the Conformity Assessment Committee respectively by MC.

The Management Committee is composed as follows:

- the President of AFSEC;
- the Vice-Presidents;
- the Executive Secretary;
- the 10 delegated members elected by the Council;
- the Chairmen of the Technical Committees;
- the Treasurer (without voting rights);
- the Executive Director of AFREC, or his nominee;
- the Secretary General of UPDEA or his nominee.

All decisions of the Management Committee must be accounted for to the Council.

### **10.1 Composition**

The 10 members elected by the Council have a term of three years renewable by a third each year.

The members of the Management Committee act in the interest of AFSEC and its members. They are elected based on their personal qualifications and, consequently, have no substitute.

### **10.2 Election Procedure**

Six months before the meeting of the Management Committee preceding the end of the term of the outgoing members of the Management Committee, the Secretariat invites all Statutory Members to propose, within two months, those of them which they wish to see designated as candidate.

The Secretariat then asks each country if it wishes to designate a candidate for the election and, if affirmative, the name and the qualifications of the person.

The list of the countries having accepted to present candidates, the names and qualifications of the latter, as well as any other relevant information, are distributed by the Secretariat to all members.

The vote takes place by secret ballot at the next meeting of the Council.

Any change of an elected member requires the agreement of the Council. This agreement is deemed to have been given if the distribution of the qualifications of the substitute member has not led to any objection.



The term of the newly elected members takes effect on 1 January of the year following their election.

### **10.3. Meetings**

The presence of eight voting members constitutes the required quorum. The Management Committee meets as often as necessary, **but at least once a year**, upon invitation of the President.

The preliminary agenda and the documents requiring that a decision be taken in a meeting are distributed at least one month before the meeting.

A recording of all the meetings is kept by the Secretariat and a report on the meetings is addressed to the members of the Management Committee.

### **10.4 Vote**

In a meeting or by correspondence, the decisions are adopted by a two third (2/3) majority of the voting members, provided that at least eight of them have voted, failing which the decision is postponed until the next meeting.

An abstention is not considered as the expression of a vote. Voting by certified written proxy is authorised.

Routine decisions are taken and distributed by electronic communication.

## **Article 11 : SECRETARIAT**

The Secretariat is responsible for applying the decisions of the Council and of the Management Committee. It must prepare the agendas and the documents intended for the Management Committee.

Furthermore, it has the role of:

- supervising the administrative operation of AFSEC;
- coordinating and supporting the activities of the Technical Committees and of the Conformity Assessment Committee;
- ensuring on a daily basis the distribution of the work, the decisions of AFSEC and the publication of the final texts of the standards at the level of the members and the bodies of the AU;
- making available the resources necessary for their operation to the different committees;
- reporting back on its activities to the Management Committee;
- realising the promotion and distribution of the electrotechnical standards and strengthening the capabilities of the members and the National Electrotechnical Committees so as to guarantee that the product or service is realised and has undergone the tests in Conformity with the standards in force;
- drawing up the procedures, work instructions, mission and job sheets of the different bodies of AFSEC to be submitted to MC and to the Council.

The composition of the staff of the Secretariat which takes into account the volume of activities and budget constraints is determined after the agreement of MC and of the Council, in accordance with the staff regulations and rules adopted by the Council, and with the approval of the Executive Director of the African Energy Commission.

## **Article 12 : TECHNICAL COMMITTEES (TCs)**

Upon proposal of the Management Committee, the Council delegates to the Technical Committees (TC) the technical standardisation activities of AFSEC in the fields of electricity, electronics and associated technologies.

Each TC takes all measures it deems necessary to ensure the proper and prompt execution of the normative work (see Annexe 1 to the Rules of Procedure).

The Technical Committees are responsible for identifying and harmonising the standards at the appropriate time in liaison with other international organisations and in accordance with the market of the standards. They give advice on the priorities in the choice of the standards to be studied. They carry out the monitoring or the experience feedback with regard to the applicable standards. They work out the planning of their activities which they submit for Approval to the Management Committee (MC). They report back to the Management Committee on all their decisions.

### **12.1 Establishment of a Technical Committee**

A Standardisation Technical Committee can be created if the following conditions are met:

- a) it is proposed in accordance with the Directives of the Council;
- b) all Statutory Members have been consulted by the Secretariat;
- c) a majority representing two thirds (2/3) of the voting Statutory Members of the Council, approves the proposal;
- d) at least five Statutory Members have expressed their intention to play an active part in the work;
- e) the field of activity has been clearly defined and approved by the Council.

### **12.2 Field of activity**

The field of activities of a Technical Committee can only be modified or broadened with the agreement of the Management Committee.

### **12.3 Participation**

The Statutory Members have the right to participate in the activities of all the Technical Committees, as Permanent Members (P-) or Observers (O-).

All Affiliate Members have the right to have access to the documents of all study committees and sub-committees, and to submit comments related thereto. Upon request to the Executive Secretary, the Affiliate Members may participate as Members O- without voting rights, in the work of the Technical Committees.

Any request for a change in the choice of the Technical Committee(s) must be addressed to the Executive Secretary for approval by the Management Committee.

### **12.4 Composition**

Each TC is composed as follows:

- one President
- one rapporteur (chosen from the 8 members elected by the Council);
- eight (8) members (and their substitutes);
- the Executive Secretary or his representative (without voting rights);
- the Vice-President of AFSEC responsible for the coordination of the activities of the Technical Committees (article 17).

The Chairman of the Technical Committee is elected by the Council for a term of three years, in accordance with the provisions of articles 9 and 10. He is re-eligible for a second term.

The eight members (and their substitutes) are elected by the Council upon proposal of all Statutory Members, taking into account their personal qualifications, **with a balanced geographic representation and number of seats held by the member at the level of AFSEC** in accordance with the provisions of Articles 9, 10 and 12.5.

The TC accounts for all its decisions to the Management Committee.

These members (and their substitutes) may not serve more than two successive terms, in either one of these functions. If the members from which they come continue to meet the conditions required at the end of their second term, these members must designate new members (and substitutes) and submit their candidatures to the Council for ratification.

The members (and their substitutes) are elected for a term of three years, and are renewed by a third (1/3) each year. They are immediately re-eligible for a second term.

The term of the elected members (and their substitutes) takes effect on 1 January of the year following their nomination or their election.

Any replacement, during his term, of a member or his substitute, by the national Committee which has designated him, requires the approval of the Management Committee.

### **12.5 Election Procedure**

Six months before the election of the members of the TC, the Secretariat invites all Statutory Members to propose, within two months, the candidates which they wish to see present themselves for the election.

The Secretariat then asks each country of which a candidate has been proposed if it wishes to be represented in a TC, if affirmative, the qualifications of the candidate as well as the name and the qualifications of his substitute are given.

The names and qualifications of the candidates having accepted to stand for election, as well as any other relevant information, are distributed by the Secretariat to all the Statutory Members.

Voting takes place by secret ballot at the next meeting of the Council which precedes the end of the term of the outgoing members of the TC.

### **12.6 Tasks and responsibilities**

The standardisation work of AFSEC is performed by the Technical Committees dealing with a particular subject in conformity with the task defined in article 3.

Taking into account the complexity of the subjects to be dealt with and in order to be efficient, the Technical Committee can be led to organise themselves into sub-committees.

A member of a TC who accepts to assume the secretariat of a committee (rapporteur) undertakes to see to it that the work is conducted actively and that it is rapidly brought to a successful conclusion.

## **12.7 Meetings**

The presence of four members in each TC constitutes the quorum required to hold the meeting.

The TC meets at least three times a year, one of the meetings must be held simultaneously with a meeting of the Management Committee, but it may also be convened upon request of its president or one third of its elected members.

The preliminary agenda is distributed by the rapporteur in collaboration with the Secretariat to the members of its TC and their substitutes, as well as all members of AFSEC, at least one month before the meeting.

The documents requiring that a decision be taken in a meeting are distributed to the members and substitutes of the TCs, as well as all members of AFSEC, at least six weeks before the meeting.

The documents that have not been distributed according to the above provisions, or any other subject not appearing on the agenda, may only be examined by the TC if none of the members present oppose it.

Only the members of the TC or their substitute (and an expert who may be the substitute) are authorised to sit in a meeting. However, the Chairman of the TC may, in agreement with the Executive Secretary, invite certain experts whose contribution may prove useful for the examination of particular subjects.

If, for whatever reason, neither a member nor his substitute can attend a meeting, a replacement is designated by the body of the absent member.

The Affiliate Members who have to submit proposals to the TC must communicate them to the Executive Secretary at least two months before the meeting. During the meeting, with the agreement of the Chairman of the TC, the rapporteur presents the proposals for examination.

The President of the TC may invite the representatives of the Affiliate Members to take part in the discussion of their proposals.

The attendance list and the minutes of the meetings of the TCs are kept by the Secretariat and the provisional report of the meeting is submitted to the members of the TCs for comments within one month counting from its distribution.

Any remarks received on the provisional report are dealt with by the Chairman of the TCs and the rapporteur. In the absence of remarks or after they have been taken into account, the report is considered to be approved and is distributed for information to all members of AFSEC.

## **12.8 Vote**

Only the eight elected members and the Chairman of the TC, who may be represented by their substitute, have voting rights.

In a meeting or by correspondence, the decisions are adopted by a two third (2/3) majority of the voting members, provided that at least four members are present, failing which, the decision is postponed until the next meeting.

An abstention is not considered as the expression of a vote. Voting by proxy is not allowed.

The decisions that are considered as having an important influence on the finances or policy of AFSEC are submitted to the Management Committee for confirmation.

### **Article 13 : CONFORMITY ASSESSMENT COMMITTEE (CAC)**

Upon proposal of the Management Committee, the Council delegates the management of the Conformity assessment activities of AFSEC to the Conformity Assessment Committee (CAC).

The CAC has the task of assessing and modifying the Conformity assessment activities of the products or services in accordance with the regulations of AFSEC and in liaison with other international bodies for matters of Conformity assessment.

The CAC takes all the measures it deems necessary to promote and facilitate the activities of AFSEC in the field of Conformity assessment (see Annexe 1 to the Rules of Procedure).

The CAC manages the Conformity assessment system and verifies the compliance with the rules and procedures. It verifies that the Conformity certificates are well recognised at the level of the members. In this regard, within the limits defined by the Management Committee, the participation in the AFSEC Conformity assessment systems is open to countries that are not members of AFSEC.

The Conformity Assessment Committee is composed as follows:

- one President;
- one rapporteur (chosen from the 10 members elected by the Council);
- ten (10) members (and their substitutes) elected by the Council in accordance with the provisions of Article 13.2;
- one representative (without voting rights) of each individual Conformity assessment system of AFSEC;
- the Executive Secretary or his representative (without voting rights).

The Chairman of the Conformity Assessment Committee is appointed by the Council for a term of three years, according to the provisions of articles 9 and 10 of the present Statutes and Regulations. He is immediately re-eligible for a second term.

For the duration of his term, the Chairman of the Conformity Assessment Committee is one of the Vice-Presidents of AFSEC.

The Conformity Assessment Committee accounts for all its decisions to the Management Committee.

#### **13.1 Composition**

The ten (10) elected members of the Conformity Assessment Committee (and their substitutes) are elected by the Council upon proposal of the Management Committee, taking into account **their personal qualifications, with a balanced geographic spread and the level of participation of the members in the activities of AFSEC.**

These persons are proposed on the basis of their extensive experience and capability in the field of Conformity assessment.

The ten (10) members are elected for a term of six years, one third (1/3) being elected at the end of each period of two years. They are immediately re-eligible for a second term.

The term of the members (and of their substitutes) takes effect on 1 January of the year following the election.

Any replacement, during his term, of a member or his substitute by the Statutory Member who designated him, requires the approval of the Management Committee.

### **13.2 Election Procedure**

Six months before the election of the members of the Conformity Assessment Committee (CAC), the Secretariat invites all Statutory Members to propose, within two months, those of them which they wish to see designated as candidates for the election.

The Secretariat then asks each Statutory Member if it wishes to be represented on the Conformity Assessment Committee and, if affirmative, the name and the qualifications of the person (and his substitute) that it wishes to propose.

The list of the Statutory Members who have accepted to propose candidates (and substitutes), as well as the names and qualifications of the latter, are distributed to all Statutory Members, without mentioning the origin of the proposals.

Voting takes place by secret ballot at the meeting of the Council which precedes the end of the term of the outgoing members of the Conformity Assessment Committee.

### **13.3 Meetings**

The presence of half plus one (+1) of the voting members constitutes the required quorum. The Conformity Assessment Committee meets at least once a year. It may be convened upon request of its Chairman or one third of its elected members.

The preliminary agenda is distributed by the Secretariat to the members and substitutes of the Conformity Assessment Committee, as well as to all members, at least one month before the meeting.

The documents requiring that a decision be taken in a meeting are distributed to the members and substitutes of the Conformity Assessment Committee and to the members, at least six weeks before the meeting.

The documents that have not been distributed according to the above provisions, or any other subject not appearing on the agenda, may only be examined by the Conformity Assessment Committee if none of the members present oppose it.

Only the members of the Conformity Assessment Committee or their substitute (and an expert who may be the substitute) are authorised to sit in a meeting. However, the Chairman of the Conformity Assessment Committee may, in agreement with the Executive Secretary, invite certain persons whose contribution may prove useful for the examination of certain subjects.

At the Conformity Assessment Committee meetings that are held together with a meeting of the Council, any member may be represented by a person designated beforehand.

A recording of the meetings of the Conformity Assessment Committee is kept by the Secretariat. The provisional report of the meeting is submitted to the members of the Conformity Assessment Committee for remarks, within one month counting from its distribution.

Any remarks received on the provisional report are dealt with by the Chairman of the Conformity Assessment Committee and by the rapporteur. In the absence of remarks or

after they have been taken into account, the report is considered as approved and is distributed for information to all members.

The Chairman of the Conformity Assessment Committee may, *ex officio*, attend all the meetings of the systems committees.

#### **13.4 Vote**

Only the ten elected members of the Conformity Assessment Committee, who may be represented by their substitute, have voting rights.

In a meeting or by correspondence, the decisions are adopted by a two third (2/3) majority of the voting members, provided that at least half of the members have voted, failing which the decision is postponed until the next meeting.

An abstention is not considered as the expression of a vote. Voting by proxy is not allowed.

The decisions that are considered to have a significant impact on the finances or the policy of AFSEC are submitted to the Management Committee and/or the Council for confirmation.

#### **Article 14 : CONFORMITY ASSESSMENT SYSTEMS**

The Conformity assessment work of the Committee is conducted by the Systems, each of them having its own field of activity. The Systems report to the Conformity Assessment Committee (CAC) and are managed by the Conformity Assessment Study Committee. A non-member country of AFSEC may participate in a System after agreement of the Management Committee.

The systems are created, modified or dissolved by the Conformity Assessment Committee. The Systems may create and delegate responsibilities to bodies such as test laboratory committees, in accordance with the Rules of Procedure, approved for each System by the CAC.

The Statutory Members are authorised to participate in the activities of all the Systems. A body which is not a member of AFSEC may be admitted to a System, subject to the agreement of the Management Committee and subject to meeting the particular requirements for admission as member of the System concerned.

Each System has at least one President, one Secretary. These directors are appointed by the Conformity Assessment Committee upon proposal of the System Committee.

The budget of the Systems is managed by the secretariat in consultation with the Conformity Assessment Committee.

A System is officially created when these Rules of Procedure have been validated by the Conformity Assessment Committee and approved by the Management Committee.

A System wishing to modify these Rules of Procedure submit the text of the modifications proposed to the Conformity Assessment Committee, then to the Management Committee and the modifications only come into effect once they have been approved by them.

Each System draws up its own Rules of Procedure, in accordance with its Rules of Procedure and operates according to their provisions.

Each System communicates its Rules of Procedure to the Conformity Assessment Committee and to the Secretariat.

## **MISSION OF THE MEMBERS OF AFSEC**

### **Article 15 : PRESIDENT**

The President of AFSEC is elected by vote, in accordance with the provisions of Article 9.2. His election takes place in the course of the **third** year of the term of the President in office.

The duration of the term of the President is **four** years, renewable only once.

The functions of the President are as follows:

- a) represent AFSEC;
- b) preside over the Council, the Management Committee and the Secretariat;
- c) issue the decisive vote in session of the Council (if necessary);
- d) take decisions on the subjects entrusted to him by the Council;
- e) take, if need be, any measure necessary between the meetings of the Council, of the Management Committee or of the Secretariat.

The President may delegate part of his functions to any other Director.

The President may sit in any meetings, without voting rights, except in the case of point c) above.

In case of death, incapacity or resignation of the President, it is the First Vice-President who acts as President of AFSEC.

### **Article 16 : ELECTION PROCEDURE OF THE PRESIDENT**

Six months before the meeting of the Council of the second year of the term of the President, the Secretariat invites the Statutory Members to propose candidatures within the following two months, in view of the election of the future President of AFSEC.

After confirmation of their candidature by the persons proposed, the names and qualifications of the latter are distributed by the Secretariat to all Statutory Members, without mentioning the origin of the proposals, in view of a vote according to the provisions of Article 9.

If several candidates have been proposed, voting takes place by secret ballot at the next meeting of the Council.

In case of death, incapacity or resignation of the President during the first **three** years of his term, the Secretariat immediately invites the Statutory Members to present candidatures within two months in view of the election of a successor.

If the death, incapacity or resignation of the President occurs during the third year of his term, the First Vice-President Elect immediately accedes to the presidency and completes the term.

### **Article 17 : VICE-PRESIDENTS**

The number of Vice-Presidents is fixed by the Council. It must not exceed the number of three.



The President responsible for coordinating the activities of the Technical Committees and of the Chairman of the Conformity Assessment Committee are, *ex officio*, Vice-Presidents of AFSEC for the duration of their term.

The Council may decide to elect a third Vice-President to entrust him with special and defined tasks.

The Vice-Presidents are elected for **four** years in order of seniority (First, Second, Third). They are re-eligible for a single successive term.

The Vice-Presidents of AFSEC are, *ex officio*, members of the Council, of the Management Committee and may participate in the meetings of the Secretariat and all the Committees of AFSEC.

If necessary, in addition to their functions of President responsible for coordinating the activities of the Technical Committees or of Chairman of the Conformity Assessment Committee or, if applicable, of third Vice-President, the Vice-Presidents act in the name of the President or assume any other function entrusted by the President.

Six months, at least, before the meeting of the Council preceding the end of the term of the Vice-Presidents, the Secretariat invites the Statutory Members to propose candidatures within two months.

The names and qualifications of the persons proposed are distributed by the Secretariat to all Statutory Members, without mentioning the origin of the proposals.

As regards the Vice-President, President responsible for coordinating the activities of the Technical Committees, if several candidates have been proposed, a vote by secret ballot takes place at the next meeting of the Council.

This Vice-President assumes his functions on 1 January of the year following his election.

As regards the Vice-President, Chairman of the Conformity Assessment Committee, if several candidates have been proposed, upon proposal of the Management Committee, the Council elects its Chairman of the Conformity Assessment Committee by secret ballot at its next meeting.

If, for whatever reason, a Vice-President is not able to complete his term, a new Vice-President is elected without delay for the remaining duration of the term and he is re-eligible for a normal term of **four** years.

#### **Article 18 : EXECUTIVE SECRETARY**

The appointment of the Executive Secretary is in accordance with the staff regulations and rules as adopted by the Council. The Executive Secretary has a mandate to act as representative and legal signatory of the Secretariat.

The duration of the term of the Executive Secretary is four years, renewable once.

The Executive Secretary participates, without voting rights, in the work of the Council and of the Management Committee. He draws up the reports. Being the person in charge, he executes the instructions (implementation or follow-up of the recommendations) of the Council and of the Management Committee under the supervision of the President of AFSEC and of the Vice-Presidents.

The Executive Secretary may sit in all meetings of the committees without voting right. He also acts to facilitate the work of the different Committees of AFSEC.

For the financial liabilities, he acts as cosignatory, according to the provisions of Article 19.

### **Article 19 : TREASURER**

The Treasurer of AFSEC under the responsibility of the SECRETARIAT is designated by the Council upon proposal of the Management Committee.

The duration of his term is defined by the Council upon proposal of the Management Committee.

The functions of the Treasurer are as follows:

- a) guide AFSEC for all financial matters;
- b) submit for approval to the Management Committee and the Council, the budget established on the basis of the indications supplied by the Executive Secretary;
- c) present to the Management Committee and the Council his duly verified annual financial report;
- d) report to the Management Committee and the Council on any other financial matter.

The treasurer is supported by a qualified financial officer employed in the secretariat.

Six months before the Council meeting which precedes the end of the term of the Treasurer, the Secretariat invites the Statutory Members to present candidatures within two months.

After confirmation of their candidature by the persons proposed, the names and qualifications of the latter are distributed by the Secretariat to all Statutory Members, without mentioning the origin of the proposals.

If more than one candidature has been received, a vote by secret ballot takes place at the next meeting of the Council.

In case of death, incapacity or resignation of the Treasurer, MC immediately designates another Director to act as Treasurer until a successor is elected.

### **19.1 Resources of AFSEC**

The resources of AFSEC come from the contributions of the African Energy Commission and the AU, annual membership fees paid by the statutory Members fixed according to the provisions adopted by the Council, voluntary contributions, donations, bequests, and investment income of AFSEC.

The debts and liabilities of AFSEC are guaranteed solely and exclusively by the property of AFSEC.

In principle, a member must pay his entire membership fee to the Secretariat during the first six months of the year. However, if they wish, the members may settle their membership fee in two equal payments, carried out during the first and third quarters of the year.

The members in arrears with the payment of their membership fee are, in accordance with the decisions of the Council, obliged to pay arrears interest on the amount of their arrears.

## **19.2 Budget and accounts of AFSEC**

The financial management of AFSEC shall be in accordance with the financial regulations of the African Energy Commission.

Each year at a time advised by the African Union Commission (AUC), the Executive Secretary, guided by the management committee, submits to the Commission [AFREC] and for subsequent approval by the AUC, the budget for programmes required to implement the current three-year action plan as approved by the Council.

The annual membership fee structure shall be approved by the AFSEC Council.

Each year, before 1 April, the Executive Secretary sends to all members, the accounts of AFSEC for the previous year, duly certified by the Auditors (professional chartered accountant) and signed by the President and by the Treasurer.

AFSEC assumes responsibility for the travelling and subsistence expenses related to their functions, only for the President, the Vice-Presidents, the members of the Secretariat, the Treasurer, the Chairmen and rapporteurs of all AFSEC committees.

The cheques or bank transfers intended for settlement of the expenses of AFSEC must be authorised in writing by two persons, among which the Executive Secretary, the President, the Vice-Presidents, or the Treasurer, and by one staff member of the Secretariat, or its appointed agent, duly accredited to this effect by the Management Committee.

## **Article 20 : LANGUAGES**

The languages of AFSEC are English, French, Arabic and Portuguese in conformity with article 25 of the charter of the AU.

All four official languages of AFSEC may be used by the delegates in meetings (Council, Management Committee, Technical Committee and Conformity Assessment Committee).

The International Standards are published by AFSEC in English, French, Arabic and Portuguese.

The edition of documents in the language of another country is established and published by the member of the country which must supply, free of charge, the agreed number of hardcopies or an electronic version to the Secretariat.

Translations of the standards of AFSEC in languages other than those mentioned above may be established at their expense by the members of the countries where they are officially in use.

In these cases, the members which undertake the translation must obtain the prior authorisation of the Executive Secretary and supply to the Secretariat a copy of the translation accompanied by a certificate certifying the correctness of the translation and indicating that an official version of the standard has served as reference text for the translation.

The documents or publications in which these translations appear must mention that they have been established with the agreement of AFSEC.

The Secretariat may publish translations of formal documentation of AFSEC in languages other than the official languages, subject to the agreement of the Management Committee.

The documents and correspondence relating to the work of the study committees, sub-committees or work groups, as well as the minutes and the final drafts must be established in accordance with the Statutes.

#### **Article 21 : PUBLICATIONS AND DOCUMENTS OF AFSEC, REPRODUCTION RIGHTS**

AFSEC may publish any publication or document which the Council or its management bodies deem useful for achieving the objective of AFSEC.

For the standardisation work of AFSEC, the publications are prepared ~~done~~ by AFSEC and the distribution is carried out by the National Electrotechnical Committees (NEC) in accordance with national requirements and agreements.

The Members receive, free of charge, printed or electronic versions of the documents, publications and any other communication of AFSEC, in accordance with the rules decreed by the Management Committee.

The right of the members to publish, in their country, for the purpose of wide distribution, the documents and publications of AFSEC, is subject to the conditions imposed by the Management Committee.

Each member shall endeavour to avoid that the publications of AFSEC are reproduced or distributed in its own country without authorisation.

#### **Article 22 : COOPERATION WITH INTERNATIONAL BODIES**

AFSEC may cooperate and participate in the work of international organisations interested in the subjects which it studies. The conditions for cooperation and distribution of responsibilities and the spheres of activity with the International Electrotechnical Commission (IEC), the International Standards Organisation (ISO), the International Telecommunication Union (ITU), the African Standardisation Organisation (ARSO), the European Committee for Electrotechnical Standardisation (CENELEC), the International Bureau for Weights and Measures (BIPM), and the International Organisation of Legal Metrology (OIML), are fixed by agreements.

#### **Article 23 : MODIFICATION OF THE STATUTES AND THE RULES OF PROCEDURE**

The Statutes are applied by means of the associated Rules of Procedure, the latter being kept in conformity with the Statutes.

The proposals for modifications to the Statutes and Rules of Procedure are the responsibility of the Council.

##### **23.1 Modifications to the Statutes**

Any proposal for a modification to the Statutes must be communicated in writing to the Secretariat who sends copies of it to all members and the Executive Director of AFREC at least two months before the Council meeting in which this proposal will be examined.

If the Council approves the proposal, either in its initial form, or after amendment in session, the text is then addressed to all Statutory Members in view of its approval by correspondence, for ratification by AFREC.

The proposals for modifications to the Statutes are adopted unless one fifth, or more, of the members of the Council issue a negative vote, or if otherwise objected to by AFREC.

The Secretariat informs all members of the result of the vote and publishes without delay an updated version of the Statutes.

### **23.2 Modifications to the Rules of Procedure**

Any proposal for a modification to the Rules of Procedure is communicated in writing to the Secretariat who addresses copies to all members at least two months before the Council meeting in which this proposal will be examined.

Irrespective whether they are examined in a meeting of the Council or by correspondence, the modifications to the Rules of Procedure are subject to a vote of the Statutory Members according to the provisions of Article 9.2.

The Secretariat informs all members of the result of the vote and publishes without delay an updated version of the Rules of Procedure.

### **Article 24 : DISSOLUTION OF AFSEC**

Any proposal to dissolve AFSEC must be supported by at least half (50%) of the Statutory Members before any decision may be put to the vote. The recommendation is taken by means of a vote by correspondence with response within three months counting from the date of distribution of the proposal.

The dissolution of AFSEC is recommended to the Executive Director of the African Energy Commission only if at least four fifths (4/5) of the total number of Statutory Members pronounce themselves in favour of the proposal.

In the event of the dissolution of AFSEC, the Management Committee designates a liquidator who proceeds to the liquidation of the goods of AFSEC, in accordance with the decisions taken by the Council and the Executive Director of the African Energy Commission.

### **Article 25 : TRANSIENT AND FINAL PROVISIONS**

As soon as the present Statutes come into force, all measures are taken to put in place the bodies of AFSEC, to make them function at full capacity and to settle all questions related to the start of the activities of the body.

Awaiting the putting in place of the bodies of AFSEC, the provisions decreed hereafter remain in force during a transient period of three (3) years or any other delay determined by the Council.

1. The bodies of AFSEC remain in place without replacement of the members for three (3) years.

2. The replacement of the bodies starts in the fourth year.

The criteria for replacement of the bodies are based on the voluntary withdrawal or by an evaluation of the members (grille de notation), the criteria of which are determined beforehand by the SECRETARIAT and adopted by the Management Committee.

The present Statutes and Rules of Procedure, drawn up in four (4) original copies in Arabic, English, French and Portuguese in conformity with article 20.

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## **ANNEX 1 : Rules of Procedure**

### **INTRODUCTION**

According to the Statutes and the Rules of Procedure, the Council defines as follows its relations with the Management Committee, the Technical Committees and the Conformity Assessment Committee, contentious issues being left for assessment by the President of AFSEC.

### **COUNCIL**

The following functions are the responsibility of the Council: definition of the policy line of AFSEC, long-term strategic and financial objectives, approval of the accounts, annual budget, national membership fees and any other financial matter, election of the Directors of AFSEC, election of the Presidents of the Technical Committees and of the Conformity Assessment Committee (it is the President of AFSEC who presides over the Management Committee), election of the members of the aforesaid bodies, admission of new members of AFSEC, revision of the Statutes and Rules of Procedure, settlement of appeals emanating from the Management Committee, including those emanating from the Technical Committees and the Conformity Assessment Committee which the Management Committee could not resolve and dissolution of AFSEC.

The Council delegates its other work allocations as follows:

<b>MANAGEMENT COMMITTEE (MC)</b>	<b>TECHNICAL COMMITTEES (TCs)</b>	<b>CONFORMITY ASSESSMENT COMMITTEE (CEC)</b>
<p><i>The Council delegates to the Management Committee the management of all activities of AFSEC and, in particular, the following:</i></p>	<p><i>The Council delegates to the Technical Committee the management of the standardisation work, including the following functions:</i></p>	<p><i>The Council delegates to the Conformity Assessment Committee the overall management of the Conformity assessment activities, including the following functions: However, the operational management of the work is the responsibility of each system.</i></p>
<ol style="list-style-type: none"> <li>1. Implementation of the policy of the Council;</li> <li>2. Recommendations of a policy nature to the Council;</li> <li>3. Ratification of the agendas of the meetings of the Council and preparation of the related documents;</li> <li>4. Receiving and examination of the reports of the Technical Committees and of the Conformity Assessment Committee;</li> <li>5. Creation of advisory bodies and technical bodies depending on the needs;</li> <li>6. Continuous revision of the optimisation of the structures of the study committees;</li> <li>7. Allocation of the standardisation work, creation of new study committees and restructuring or dissolving of the existing study committees</li> <li>8. Nomination of the Presidents and members of the bodies;</li> <li>9. Receiving of the reports and examination of the proposals emanating from these advisory bodies;</li> <li>10. Other operational decisions.</li> </ol>	<ol style="list-style-type: none"> <li>1. Running, management and supervision of the standardisation activities, including the approval of the Directives and other related rules;</li> <li>2. Examination and approval of the titles, fields of activity and strategy declarations of the study committees;</li> <li>3. Designation of the rapporteur of the Technical Committee;</li> <li>4. Ensuring that the priorities of the technical work based on the recommendations of the advisory committees and the study committees are fixed;</li> <li>5. Controlling that the work is completed timely and taking any corrective measures;</li> <li>6. Coordination of the work of the study committees by the allocation of the work to the latter;</li> <li>7. Examination of the necessity of work of the TC in new technological fields and programming of this work;</li> <li>8. Creation of action groups to advise the study committees on the subjects not dealt with by the study committees or on the improvement of the performances of the technical work;</li> <li>9. Examination of the questions raised by the members on the technical questions submitted to the members for approval according to the voting procedures applicable and of any problem resulting from the vote on the technical documents;</li> <li>10. Preparation of the revision of the Directives and other rules concerning the standardisation work;</li> </ol>	<ol style="list-style-type: none"> <li>1. Definition of the policy of AFSEC in terms of Conformity assessment, so as to better satisfy the present and future needs of the international trade;</li> <li>2. Promotion and maintaining of relations with international organisations on subjects relating to the Conformity assessment, in particular with the IEC;</li> <li>3. Proposal for the creation, modification and dissolution of the Conformity assessment systems of AFSEC;</li> <li>4. Control of the functioning of the Conformity assessment activities and take any measure necessary;</li> <li>5. Continuous verification of the appropriateness of the Conformity assessment activities of AFSEC in general and of the individual Systems in particular;</li> <li>6. Emission of recommendations to the Council for modifications to the Statutes and Rules of Procedure that concern it;</li> <li>7. Approve the Regulations of the systems;</li> <li>8. Ensure that the rules and procedures of the Systems comply with the policy of AFSEC in terms of Conformity assessment;</li> <li>9. Proposal of the Directors of the systems;</li> <li>10. Examine any Conformity assessment question of a</li> </ol>



	<p>11. Study of the degree of application of the AFSEC standards by member countries;</p> <p>12. Examination of any standardisation question of a general nature and of any particular request emanating from the President of AFSEC, the Council or the Management Committee.</p>	<p>general nature and any request emanating from the President of AFSEC, Council or the Management Board.</p>
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## **ANNEX 2 : - Definitions and abbreviations**

In the context of the present statutes and rules of procedure and for their application, the members agree to adopt the applicable international forms of the following definitions and abbreviated terms:

1. **AUC** : The African Union Commission
2. **AFSEC** : African Electrotechnical Standardization Commission
3. **AFREC** : African Energy Commission
4. **ARSO** : ARSO: African Organisation for Standardisation
5. **MC** : Management Committee
6. **TC** : Technical (Study) Committee
7. **CAC** : Conformity Assessment Committee
8. **NEC** : National Electrotechnical Committee
9. **REC** : Regional Electrotechnical Committee
10. **IEC** : International Electrotechnical Commission
11. **ISO** : International Organisation for Standardization

REVISION HISTORY of the ENGLISH TRANSLATION

Draft number	Date	remarks
Final edition 1.0	May 2008	Approved at Constitutive General Assembly 28 February 2008
Edition 1.1	August 2013	<p>Amendments to articles 5; 6; 9; 9.1; 10.3; 15; 17; 19.2; as approved by Council at the third General assembly 29 August 2013: AFSEC/GA3/19/AC</p> <p>Annex 2, <i>definitions and abbreviations</i> amended to align with those used in the text of the articles.</p>

