

ACP - EEC CONVENTION OF LOME

INSTITUTIONAL PROVISIONS

(Rules of procedure, delegation of powers,
industrial co-operation decisions)

(July 1976)

ACP - EEC CONVENTION OF LOME

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RULES OF PROCEDURE OF THE COUNCIL OF MINISTERS

Article 1

1. The Council of Ministers, hereinafter called the "Council", shall be convened by its President for the annual meeting provided for in Article 72 (1) of the Convention on a date to be fixed by the President after consulting the members of the Council.
2. The Council shall likewise meet, in special session, at the request either of the ACP States or of the Community, on a date to be fixed by the President after consulting the members of the Council.

Article 2

The Council shall meet either where the meetings of the Council of the European Communities are usually held or in a city of one of the ACP States, in accordance with the decision taken by the Council.

Article 3

1. The provisional agenda for each meeting shall be drawn up by the President. It shall be communicated to the other members of the Council 30 days before the beginning of the meeting.

The provisional agenda shall consist of those items in respect of which a request for inclusion has reached the President one month before the beginning of the meeting.

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The only items to appear on the provisional agenda shall be those in respect of which the relevant documentation has been transmitted to the Secretariat of the Council in time to be forwarded to the members of the Council and to the members of the Committee of Ambassadors, hereinafter called the "Committee", 21 days before the beginning of the meeting.

2. The agenda shall be adopted by the Council at the beginning of each meeting. In urgent cases the Council may decide, at the request of the ACP States or of the Community, to include on the agenda items in respect of which the time-limits laid down in paragraph 1 have not been observed.

Article 4

1. The members of the Council may be accompanied by officials to assist them.
2. The composition of each delegation shall be communicated to the President before the beginning of each meeting.
3. If a member of the Council is prevented from attending a meeting of the Council, he shall inform the President in writing and shall, where appropriate, indicate the person or delegation authorized to represent him.
4. A representative of the European Investment Bank shall attend the meetings of the Council when the agenda includes questions concerning the field of activities covered by the Bank.

Article 5

1. In accordance with Article 87 (5) of the Convention, representatives of Signatory States which, on the date of entry into force of the Convention, have not yet completed the procedures referred to in Article 86 thereof, shall sit on the Council as observers.
2. They may be authorized by the President to take part in Council debates.
3. These Rules of Procedure, and in particular Article 4 (1) to (3) thereof, shall also apply to such representatives.
4. This Article shall be subject to the time-limits laid down in the last two sentences of Article 87 (5) of the Convention.

Article 6

1. Unless otherwise decided, meetings of the Council shall not be public. Entry to meetings of the Council shall be subject to the showing of a pass.
2. Without prejudice to such other provisions as may apply, the deliberations of the Council shall be covered by the obligation of professional secrecy unless the Council should decide otherwise.

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Article 7

The Council may be required to reach a decision on an urgent matter by correspondence in cases where agreement is given to the use of this procedure. Agreement may be obtained either during a meeting of the Council or in the Committee.

At the same time as this procedure is decided upon, a time-limit may be fixed within which replies shall be given. On the expiry of this time-limit, the Chairman of the Committee shall decide, on the basis of a report from the two Secretaries of the Council, whether, in view of the replies received, joint agreement may be considered to have been reached.

Article 73 (1) of the Convention shall apply to the proceedings provided for in this Article.

Article 8

All communications provided for in these Rules of Procedure shall be addressed through the Secretariat of the Council to the representatives of the ACP States, to the General Secretariat of the Council of Ministers of the ACP States, to the Permanent Representatives of the Member States, to the Secretariat of the Council of the European Communities and to the General Secretariat of the Commission.

These communications shall also be addressed to the President of the European Investment Bank when they concern the Bank.

.../...

Article 9

Minutes shall be kept of each meeting, including in particular a summary of the decisions taken by the Council.

After their approval by the Committee, the minutes shall be signed by the President in office and by the two Secretaries of the Council and shall be kept in the archives of the Council. A copy of the minutes shall be forwarded to the recipients referred to in Article 8.

Article 10

Unless otherwise decided, the Council shall base its deliberations on documentation prepared in Danish, Dutch, English, French, German and Italian.

Any member of the Council may object to the discussion of a text proposed during a meeting if that text is not made available in the one of these six languages which he specifies.

Article 11

All decisions, resolutions, recommendations and opinions within the meaning of Article 74 of the Convention shall be divided into Articles.

The acts referred to in the preceding paragraph shall end with the formula "Done at,", the date to be inserted being that on which they are adopted by the Council.

.../...

Article 12

Decisions within the meaning of Article 74 (3) of the Convention shall be entitled "Decision" followed by a serial number and a description of their subject.

Decisions shall specify the date on which they are to enter into force. They shall incorporate the following sentence: "The ACP States, the Member States and the Community shall be required, each for its own part, to take the necessary steps to implement this Decision".

Article 13

Resolutions, recommendations and opinions within the meaning of Article 74 (4) of the Convention shall be entitled "Resolution", "Recommendation" or "Opinion" followed by a serial number and a description of their subject.

Article 14

Acts adopted by the Council shall be signed by the President and shall be kept in the archives of the Council.

A copy of each of these acts, signed by the two Secretaries of the Council and bearing at its head the phrase "certified copy of the Decision (or of the Resolution, of the Recommendation or of the Opinion) adopted by the Council on ...", shall be transmitted to the recipients referred to in Article 8.

.../...

Article 15

The office of President of the Council shall be held alternately as follows:

- from 1 April to 30 September by a member of the Government of an ACP State,
- from 1 October to 31 March by a member of the Council of the European Communities.

Article 16

The Council may delegate to the Committee any of the powers which it exercises pursuant to Article 81 of the Convention.

Article 17

1. The conditions under which the Committee meets shall be laid down in its Rules of Procedure.
2. The Committee shall be responsible for preparing the meetings of the Council and for carrying out any mandate which the Council may entrust to it.
3. The Convention, and in particular Article 73(1) thereof, as well as Articles 11 to 14 of these Rules of Procedure, shall apply to acts adopted by the Committee pursuant to the preceding paragraph.

.../...

Article 18

When the Council approaches the Consultative Assembly in accordance with Article 80(4) of the Convention, it shall delegate its President and, where appropriate, any other of its members. Should the President be unable to attend, he shall designate the member who is to take his place.

Article 19

1. For the application of Article 74(8) of the Convention, the ACP States and the Community shall notify each other of the measures they propose to take in the cases provided for in the Convention.
2. The Contracting Parties may request consultation at any time from the date of notification. This shall take place as soon as possible and not later than twenty-one days from the date of request.
3. Should consultation give rise to a divergent assessment of the extent of the measures proposed or taken in an urgent case, the Contracting Party concerned shall reconsider those measures.
4. Consultations shall take place according to the form which is the most appropriate for the matter involved.
5. The competent body may be the Council, the Committee or an ad hoc group.

.../...

Article 20

Regional economic groupings of the ACP States may be represented at meetings of the Council as observers subject to a prior decision of the Council in accordance with Annex V to the Final Act of the Convention.

Article 21

The Secretariat of the Council and of the Committee shall be run jointly by two Secretaries.

These two Secretaries shall be appointed after joint consultation, one by the ACP States and the other by the Community.

The Secretaries shall perform their duties in complete independence, with a view solely to the interests of the Convention, and shall neither seek nor take instructions from any Government, organization or authority other than the Council and the Committee.

Correspondence intended for the Council shall be sent to the President of the Council at the address of the Secretariat.

Done at Brussels, 14 July 1976
for the ACP-EEC Council of Ministers

The President

RULES OF PROCEDURE OF THE COMMITTEE OF AMBASSADORS

Article 1

The Committee of Ambassadors, hereinafter called the "Committee", shall meet on a date to be fixed by it by joint agreement between the ACP States and the Community.

The Committee may, in urgent cases, meet on another date at the request either of the ACP States or of the Community. The Chairman shall decide on the new date after consulting the other members of the Committee.

Article 2

The Committee shall meet at the places where the meetings of the Council of the European Communities are usually held. However, it may, by special decision, meet in the territory of an ACP State.

.../...

Article 3

1. The provisional agenda for each meeting shall be drawn up by the Chairman. It shall be communicated to the other members of the Committee at least eight days before the date of the meeting.

The provisional agenda shall consist of those items in respect of which a request for inclusion has reached the Chairman ten days before the date of the meeting.

The only items to appear on the provisional agenda shall be those in respect of which the relevant documentation has been transmitted to the Secretariat of the Council of Ministers in time to be forwarded to the members of the Committee eight days before the date of the meeting.

2. The agenda shall be adopted by the Committee at the beginning of each meeting. In urgent cases, the Committee may decide, at the request of the ACP States or of the Community, to include on the agenda items in respect of which the time-limits laid down in paragraph 1 have not been observed.
3. When the Committee meets in the circumstances referred to in the second paragraph of Article 1, the time-limits laid down in paragraph 1 may be shortened.

.../...

Article 4

1. The members of the Committee may be accompanied by officials to assist them.

They may be represented by persons appointed by them.

2. A representative of the European Investment Bank shall attend meetings of the Committee when matters which concern the Bank appear on the agenda.

Article 5

1. In accordance with Article 87(5) of the Convention, representatives of Signatory States which, on the date of entry into force of the Convention, have not yet completed the procedures referred to in Article 86 thereof, shall sit on the Committee as observers.
2. They may be authorized by the Chairman to take part in Committee debates.
3. These Rules of Procedure, and in particular Article 4(1) thereof, shall also apply to such representatives.

.../...

4. This Article shall be subject to the time-limits laid down in the last two sentences of Article 87(5) of the Convention.

Article 6

1. Unless otherwise decided, meetings of the Committee shall not be public.
2. Without prejudice to such other provisions as may apply, the deliberations of the Committee shall be covered by the obligation of professional secrecy unless the Committee should decide otherwise.

Article 7

All communications provided for in these Rules of Procedure shall be addressed through the Secretariat of the Council of Ministers to the representatives of the ACP States, to the General Secretariat of the Council of Ministers of the ACP States, to the Permanent Representatives of the Member States, to the Secretariat of the Council of the European Communities and to the General Secretariat of the Commission.

Such communications shall also be addressed to the President of the European Investment Bank when they concern the Bank.

.../...

Article 8

Minutes shall be kept of each meeting, including in particular a summary of the decisions taken by the Committee.

After their approval by the Committee, the minutes shall be signed by the Chairman of the Committee and by the Secretaries of the Council of Ministers and shall be kept in the archives of the Council of Ministers. A copy of the minutes shall be forwarded to the recipients referred to in Article 7.

Article 9

The office of Chairman of the Committee shall be held alternately, for periods of six months, by the ACP States and by the Community.

Article 10

Correspondence intended for the Committee shall be sent to the Chairman of the Committee at the address of the Secretariat of the Council of Ministers.

.../...

Article 11

1. Unless otherwise decided, the Committee shall base its deliberations on documentation prepared in Danish, Dutch, English, French, German and Italian.
2. Any member of the Committee may object to the discussion of a text proposed during a meeting if that text is not made available in the one of these six languages which he specifies.

Article 12

The proceedings of the Committee shall be valid only if at least four of the Permanent Representatives of the Member States of the Community, one Commission representative and half of the members of the Committee of ACP Ambassadors are present.

Article 13

The Convention, and in particular Article 73 (1) thereof, as well as Articles 11 to 14 of the Rules of Procedure of the Council of Ministers shall apply to acts adopted by the Committee.

Article 14

Regional economic groupings of the ACP States may be represented at meetings of the Committee as observers subject to a prior decision of the Committee in accordance with Annex V to the Final Act of the Convention.

Article 15

The Committee shall be assisted by the following subcommittees, in addition to the Customs Co-operation Committee provided for in Article 28 of Protocol No 1 to the Convention, the Permanent Group on Bananas provided for in Protocol No 6 to the Convention, hereinafter referred to as the "Banana Group", and the Committee on Industrial Co-operation provided for in Article 35 of the Convention:

- (i) Subcommittee on Trade Co-operation
- (ii) Subcommittee on the Stabilization of Export Earnings
- (iii) Subcommittee on Sugar
- (iv) Subcommittee on Financial and Technical Co-operation.

The Committee may, if necessary, set up other subcommittees.

Article 16

Each Committee or Subcommittee and the Banana Group referred to in Article 15 shall be composed of at least five ACP Ambassadors or their representatives and, as regards the Community, of at least one Permanent Representative of the Member States of the Community and/or a representative of the Commission.

.../...

A representative of the European Investment Bank shall be present at meetings of these Committees or Subcommittees and the Banana Group when matters which concern the Bank appear on the agenda.

Article 17

Without prejudice to Article 16, any member of the Committee or his representative may participate in any meetings of the Committees or Subcommittees and the Banana Group referred to in Article 15.

Article 18

Each Committee or Subcommittee and the Banana Group referred to in Article 15 shall be presided over jointly by the Chairmen of both parties.

Article 19

Each Committee or Subcommittee and the Banana Group referred to in Article 15 shall meet at the request of either of the parties and after consultation between the Chairmen following a period of notice which, except in urgent cases, shall be 7 days.

.../...

Article 20

The Committees or Subcommittees and the Banana Group referred to in Article 15 shall submit reports on their work to the Committee.

Article 21

Members of the Committees or Subcommittees and the Banana Group referred to in Article 15 may be assisted by experts.

Article 22

With the approval of the Committee of Ambassadors, the Customs Co-operation Committee, the Banana Group and the Committee on Industrial Co-operation may draw up their own rules of procedure.

Article 23

Secretarial and other work required for the functioning of the Committee and of the Committees or Subcommittees and the Banana Group referred to in Article 15 (preparation of agendas and circulation of documents relating thereto, etc.) shall be carried out by the Secretariat of the Council of Ministers.

.../...

Article 24

The Secretariat shall, as soon as possible after each meeting of the Committee and of the Committees or Subcommittees and the Banana Group referred to in Article 15, draw up the record of the meeting.

Done at Brussels, 14 July 1976
for the ACP-EEC Council of Ministers

The President

DECISION No 11/76 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 15 JULY 1976

on the delegation of certain powers
to the ACP-EEC Committee of Ambassadors

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975 ⁽¹⁾, and in particular Article 75 thereof,

⁽¹⁾ OJ No L 25, 30.1.1976, p. 1

Whereas the Convention makes **provision** for only one ordinary meeting of the Council of Ministers **each year**;

Whereas application of the **Convention** raises multifarious problems which must be resolved in the **interval** between two ordinary meetings;

Whereas, although the **possibility** of extraordinary meetings of the Council of Ministers is **provided for** in the Convention, it is nevertheless necessary for the sake of **simplicity** and speed for the Council to delegate certain of **its powers** to the Committee of Ambassadors in accordance with **Article 75**;

Whereas, however, in spite of **such** delegation of powers, the Council of Ministers should **itself** be able to discuss matters which have been delegated if **the Community** or the ACP States deem it necessary,

HAS DECIDED AS FOLLOWS:

Article 1

1. Without prejudice to **any other** delegations of powers granted in individual cases, **the Council** shall delegate to the Committee of Ambassadors **the powers** referred to in Article 2(2)(b), Articles 5, 6, 8, 10, 11 **and 12**, Article 17(4), Article 23(1), Article 48(3), Articles **57, 64 and 68**, Article 74(9) and Article 88 of the Convention, **Article 27** of Protocol No 1, Article 8 of Protocol No 3, Article 3 of **Protocol No 4**, Article 9 of Protocol No 5, paragraph 2(d) of Protocol No 7, and Annex II and the first sentence of **Annex V** to the Final Act.

.../...

2. The Convention, and in particular Article 70(2) and (3) and Article 73(1) thereof, and Articles 11 to 14 of the Rules of Procedure of the Council of Ministers shall apply to acts adopted by the Committee of Ambassadors on the basis of this Article.
3. At the request of the Community or of the ACP States, any item concerning an issue in respect of which power was delegated to the Committee of Ambassadors by the Council of Ministers pursuant to paragraph 1 and which is placed on the provisional agenda of a meeting of the Committee may be struck off that agenda and included on the agenda of the Council of Ministers.
4. The Council of Ministers may, if the Community or the ACP States deem it necessary, decide to discuss matters which have been the subject of a delegation of powers.

Article 2

The ACP States, the Member States and the Community shall each take the measures necessary to implement this Decision.

Done ~~at~~ Brussels, 15 July 1976
The President of the ~~ACP-EEC~~ Council of Ministers

DECISION No 1/76 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 JULY 1976

on the composition of the Committee on Industrial Co-operation
and its rules of operation

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975 (hereinafter referred to as "the Convention"),
and in particular Article 35 thereof,

Having regard to the proposal from the Committee of Ambassadors,

.../...

Anxious to ensure the fulfilment of the objectives which the ACP States and the Community have set themselves under Title III of the Convention,

Having regard to the contribution that effective industrial co-operation between the ACP States and the Community can make to the industrial development of the former,

HAS ADOPTED the following composition for and rules of operation of the Committee on Industrial Co-operation,

Article 1

1. The Committee on Industrial Co-operation set up by Article 35 of the Convention (hereinafter referred to as "the Committee") shall be composed, on the one hand, of representatives of the nine Member States of the European Economic Community, a representative of the Commission of the European Communities and a representative of the European Investment Bank and, on the other hand, of fifteen representatives of the ACP States.
2. The term of office of the representatives of the ACP States shall be one year and shall be renewable.

Article 2

As set out in Article 35(2) of the Convention, the Committee shall:

- (a) see to the implementation of Title III of the Convention;

.../...

- (b) examine the problems in the field of industrial co-operation submitted to it by the ACP States and/or by the Community, and suggest appropriate solutions;
- (c) guide, supervise and control the activities of the Centre for Industrial Development referred to in Article 36 of the Convention and report to the Committee of Ambassadors and, through it, to the Council of Ministers;
- (d) submit from time to time reports and recommendations which it considers appropriate to the Committee of Ambassadors;
- (e) perform such other functions as may be assigned to it by the Committee of Ambassadors.

The Committee shall also carry out such other tasks as may be entrusted to it by the Council of Ministers, pursuant, in particular, to Decision No 2/76 laying down the statutes and rules of operation of the Centre for Industrial Development.

Article 3

The office of Chairman of the Committee shall be held alternately, for periods of six months, by the ACP States and the Community.

Article 4

Meetings of the Committee shall be convened by the Chairman under the conditions set out in the rules of procedure provided for in Article 7.

Article 5

Without prejudice to Article 1, any ACP State which is not a member of the Committee may participate in meetings of the Committee as an observer.

Article 6

Within the framework of its duties, the Committee shall act by mutual agreement between the ACP States on the one hand and the Community on the other.

Article 7

The Committee shall adopt its own rules of procedure.

Article 8

The regional economic groupings of the ACP States referred to in Annex V to the Final Act of the Convention as well as such other regional economic groupings between ACP States as may be approved by the Council of Ministers may be represented at meetings of the Committee as observers.

Article 9

The Centre for Industrial Development shall be represented at the meetings of the Committee at which the latter lays down guidelines and defines the periodic reviews of the activities of the Centre.

Article 10

The Committee shall lay down detailed arrangements for the regular consultation of the economic and social sectors of the ACP States and of the Community.

Article 11

The ACP States, the Member States and the Community shall, each for their own part, take the measures necessary to implement this Decision.

Article 12

This Decision shall enter into force on 16 July 1976.

Done at Brussels, 14 July 1976

The President of the Council of Ministers

DECISION No 2/76 of the ACP-EEC COUNCIL OF MINISTERS

OF 14 JULY 1976

laying down the statutes
and rules of operation of
the Centre for Industrial Development

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975 (hereinafter referred to as "the Convention"),
and in particular Article 36 thereof,

Having regard to the proposal from the Committee of Ambassadors,

.../...

Anxious to ensure the fulfilment of the objectives which the ACP States and the Community have set themselves,

Having regard to the contribution that effective industrial co-operation between the ACP States and the Community can make to the industrial development of the former and, amongst others, the need for information, promotion and technical co-operation in the industrial field,

HAS ADOPTED the following statutes and rules of operation of the Centre for Industrial Development:

Article 1

1. The Centre for Industrial Development set up by Article 36 of the Convention (hereinafter referred to as "the Centre") shall enjoy in each of the States which are Parties to the Convention the most extensive legal capacity accorded to legal persons.
2. The Centre shall be non-profit-making. It shall have its seat in Brussels.
3. The functions of the Centre, as set out in Article 36 of the Convention, are as follows:
 - (a) to gather and disseminate in the Community and the ACP States all relevant information on the conditions of and opportunities for industrial co-operation;

- (b) to have, at the request of the Community and the ACP States, studies carried out on the possibilities and potential for industrial development of the ACP States, bearing in mind the necessity for adaptation of technology to their needs and requirements, and to ensure their follow-up;
- (c) to organize and facilitate contacts and meetings of all kinds between Community and ACP States' industrial policy-makers, promoters and firms and financial institutions;
- (d) to provide specific industrial information and support services;
- (e) to help to identify, on the basis of needs indicated by the ACP States, the opportunities for industrial training and applied research in the Community and in the ACP States, and to provide relevant information and recommendations.

Article 2

The activities of the Centre shall be guided, supervised and controlled by the Committee on Industrial Co-operation (hereinafter referred to as "the Committee") in accordance with Article 35 of the Convention.

Article 3

1. The Centre shall be headed by a Director appointed by the Committee.
2. The Director shall be assisted by a Deputy Director appointed by the Committee.

.../...

3. The Director shall be the legal representative of the Centre.

Article 4

1. An Advisory Council (hereinafter referred to as "the Council") shall be established to advise the Director.

The Council shall assist the Director and be consulted by him on all matters of major importance deriving from the work programme of the Centre. It may also, on its own initiative, raise such matters and any other matters relating thereto with the Director. In the event of disagreement between the Director and the Council, the Committee shall be informed of the views of the Council.

2. The Council shall be composed of 12 members with industrial experience, chosen on an individual basis from nationals of the States which are parties to the Convention on the grounds of their qualifications and experience.

They shall be appointed by the Committee.

3. Members of the Council shall be appointed for a period of two years. Their term of office may be extended.
4. Members of the Council shall select from among their number a Chairman who shall hold office for one year.

5. The Council shall lay down the number of meetings it shall hold each year. It shall also meet whenever necessary for the execution of its tasks, either at the request of the Director or on its own initiative when so requested by at least 2/3 of its members.
6. The Director or his representative shall take part in the proceedings of the Council. The Centre shall prepare the Council's meetings and provide the secretariat thereof.
7. The Council may invite experts from outside the Centre to give opinions on specific questions.
8. The Council shall adopt its own rules of procedure and submit them to the Committee for approval.

Article 5

1. The Director, after consulting the Council, shall submit the annual work programme of the Centre to the Committee for approval together with the opinion of the Council.
2. The Director shall regularly inform the Committee of the activities of the Centre.
3. The Director shall each year draw up a general report on the activities of the Centre and, after consulting the Council, shall submit it to the Committee.

4. The Director shall be responsible for the management of the Centre.
5. The Committee shall adopt the staff regulations.

Article 6

1. The Director shall, on the basis of the work programme referred to in Article 5 (1) and after consulting the Council, draw up a preliminary annual draft budget for the Centre which he shall submit, together with the opinion of the Council, to the Committee.
2. All expenditure and all revenue to cover such expenditure shall be the subject of detailed estimates for each financial year and must be entered in the budget.

The estimates of the expenditure shall include its recurrent and capital expenditure.

The estimates of the revenue shall include the contribution expected from the European Development Fund and from any other sources.

3. The draft budget finalized by the Committee shall be forwarded to the Commission of the European Communities, which shall initiate the Community procedures in force as regards the contribution requested from the European Development Fund. The budget shall be finally approved by the Committee in the light of the decision taken on the contribution from the Fund.

.../...

4. The financial year shall in principle run from 1 January to 31 December of each year.

Expenditure entered in the budget shall be authorized for a period of one financial year. However, the Director shall be authorized to carry forward appropriations which have not been used up at the end of a financial year to the following financial year only.

5. If, at the beginning of a financial year, the budget has not yet been adopted, the Director may incur current expenditure monthly, provided that such expenditure does not exceed one-twelfth of the appropriations entered under this heading in the budget for the previous financial year and that this arrangement does not have the effect of placing at his disposal appropriations in excess of one-twelfth of those provided for in the draft budget.
6. The Director shall ensure that the budget is implemented on his own responsibility and within the limit of the appropriations allocated. He shall report to the Committee on the administration of the budget.
7. The expenditure of the Centre shall be effected in accordance with the provisions of the Financial Regulations adopted by the Committee.
8. The Committee shall appoint an auditor.

The task of the auditor shall be to audit the books and the cash of the Centre, to verify that the inventories and balance sheets have been drawn up in a regular manner and in good faith and to ensure that the information given regarding the accounts of the Centre is correct.

.../...

The purpose of the audit, which shall be based on records and, if necessary, performed on the spot, shall be to establish that all revenue has been received and all expenditure incurred in a lawful and regular manner and that the financial management has been sound.

After the close of each financial year the auditor shall draw up a report to the Committee on the manner in which he has carried out his task.

On the basis of this report and the balance sheet for the financial year, the Committee shall give the Director a discharge in respect of the implementation of the budget.

Article 7

Members of the Council, the Director, the staff and all other persons participating in the activities of the Centre shall be bound, even after their duties have ceased, not to disclose information of the kind covered by the obligation of professional secrecy.

Article 8

Protocol No 5 on Privileges and Immunities annexed to the Convention shall apply to the staff of the Centre as provided for in Article 1 of the said Protocol.

Article 9

These statutes may be amended by the Council of Ministers on the recommendation of the Committee of Ambassadors.

Article 10

Article 91 of the Convention shall apply to the Centre.

Article 11

The ACP States, the Member States and the Community shall, each for their own part, take the measures necessary to implement this Decision.

Article 12

This Decision shall enter into force on 16 July 1976.

Done at Brussels, 14 July 1976
The President of the Council of Ministers
