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REGULATION C/REG.1/07/06 DEFINING THE LIST OF EXCEPTIONS TO THE CRITERION FOR CHANGING TARIFF CLASSIFICATION

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10,11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Protocol A/P.1/01/03 of 31 Jan 2003 relating to the definition of the concept of goods originating from ECOWAS Member States, particularly in its Article 4;

BEARING IN MIND the directives of the session of the Authority of Heads of State and Government held in Dakar on 31 January 2003 on the need to strengthen cooperation between ECOWAS and UEMOA so as to ensure effective harmonization of the customs instruments of the two institutions;

DESIRING to ensure strict and objective application of the conditions for determining originating products;

ON THE RECOMMENDATION of the forty-seventh meeting of the Trade, Customs, Taxation, Money and Payments Commission held in Abuja on 8th and 9th July 2004;

ENACTS

ARTICLE 1

The attached list of exceptions indicating cases where a product cannot be considered as originating in Member States on the basis of a change in tariff classification is hereby adopted.

ARTICLE 2

The list includes the tariff numbers under the ECOWAS nomenclature, the designation of the finished products, and the degree of transformation or processing not conferring originating status.

ARTICLE 3

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ABUJA,
THIS 17TH DAY OF JULY 2004



HON. (DR.) KOFI KONADU APRAKU
CHAIRMAN,
FOR COUNCIL

REGULATION C/REC.2/07/04 ON THE ECOWAS CONFIGURATION FOR CUSTOMS AUTOMATION

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decision C/DEC.3/5/80 on the proof and verification of ECOWAS origin and procedures relating to the movement of goods within the ECOWAS Community;

RECALLING Decision C/DEC.3/11/82 dated 17 November 1982, on ECOWAS rules and regulations governing the coding of customs, statistical and tax regimes;

MINDFUL of Decision C/DEC.2/6/86, dated 30 June 1986, establishing the Community Computer Centre;

MINDFUL of Regulation C/REG.4/8/99, dated 20 August 1999, adopting the single ECOWAS customs declaration;

CONSIDERING the need for an ECOWAS configuration for the automation of customs data and external trade statistics of ECOWAS Member States;

ON THE RECOMMENDATION of the forty-seventh meeting of the Trade, Customs, Taxation, Statistics, Money and Payments Commission held in Abuja on 8 and 9 July 2004;

ENACTS:

ARTICLE 1

The attached ECOWAS Configuration for Customs Automation for use in the Member States is hereby adopted.

ARTICLE 2

The Configuration consists of the ECOWAS customs, statistical and tax codes and the codes of the Single Customs Declaration (SCD) data used in the calculation of compensation and the preparation of external trade statistics.

ARTICLE 3

Decision C/DEC.3/11/82 adopted by this Council on 17th November, 1982 which relates to Community Rules and Regulations on the Coding of Customs, Statistical and Tax regimes is hereby revoked.

ARTICLE 4

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

ARTICLE 5

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its national gazette within the same time frame.

DONE AT ABUJA,
THIS 17TH DAY OF JULY 2004

.....

HON. (DR.) KOFI KONADU APRAKU
CHAIRMAN,
FOR COUNCIL

Alphabetic Code for the Representation of Currencies

[illegible]

1. [illegible]
2. [illegible]
3. [illegible]

AFGHANISTAN	AF	AFA
ALBANIA	AL	ALL
ALGERIA	DZ	DZD
AMERICAN SAMOA	AS	USD/EUR
ANDORRA	AD	FRF/ESP
ANGOLA	AO	AOR
ANGUILLA	AI	XCD
ANTARCTICA	AQ	
ANTIGUA AND BARBUDA	AG	XCD
ARGENTINA	AR	ARS
ARMENIA	AM	AMD
ARUBA	AW	AWG
AUSTRALIA	AU	AUD
AUSTRIA	AT	ATS
AZERBAIJAN	AZ	AZM
BAHAMAS	BS	BSD
BAHRAIN	BH	BHD
BANGLADESH	BD	BDT
BARBADOS	BB	BBD
BELARUS	BY	BYB
BELGIUM	BE	BEF
BELIZE	BZ	BZD
BENIN	BJ	XOF
BERMUDA	BM	BMD
BHUTAN	BT	INR/BTN
BOLIVIA	BO	BOB/BOV
BOSNIA AND HERZEGOVINA	BA	
BOTSWANA	BW	BWP
BOUVET ISLAND	BV	NOK
BRAZIL	BR	BRL
BRITISH INDIAN OCEAN TERRITORY	IO	USD
BRUNEI DARUSSALAM	BN	BND
BULGARIA	BG	BGL
BURKINA FASO	BF	XOF
BURUNDI	BI	BIF
CAMBODIA	KH	KHR
CAMEROON	CM	XAF
CANADA	CA	CAD
CAPE VERDE	CV	CVE
CAYMAN ISLANDS	KY	KYD

CHRISTMAS ISLAND	CX	AUD
COCOS (KEELING) ISLANDS	CC	AUD
COLOMBIA	CO	COP
COMOROS	KM	KMF
CONGO	CG	XAF
COOK ISLANDS	CK	NZD
COSTA RICA	CR	CRC
COTE D'IVOIRE	CI	XOF
CROATIA	HR	HRD
CUBA	CU	CUP
CYPRUS	CY	CYP
CZECH REPUBLIC	CZ	CZK
DENMARK	DK	DKK
DJIBOUTI	DJ	DJF
DOMINICA	DM	XCD
DOMINICAN REPUBLIC	DO	DOP
EAST TIMOR	TP	TPE[1]
ECUADOR	EC	ECS/E
EGYPT	EG	EGP
EL SALVADOR	SV	SVC
EQUATORIAL GUINEA	GQ	XAF
ERITREA	ER	
ESTONIA	EE	EEK
ETHIOPIA	ET	ETB
EUROPEAN MONETARY COOPERATION FUND (EMCF)		XEU
FALKLAND ISLANDS (MALVINAS)	FK	FKP
FAROE ISLANDS	FO	DKK
FIJI	FJ	FJD
FINLAND	FI	FIM
FRANCE	FR	FRF
FRANCE, METROPOLITAN	FX	FRF
FRENCH GUIANA	GF	FRF
FRENCH POLYNESIA	PF	XPF
FRENCH SOUTHERN TERRITORIES	TF	FRF
GABON	GA	XAF
GAMBIA	GM	GMD

Alphabetic Code for the Representation of Currencies

GREENLAND	GL	DKK
GRENADA	GD	XCD
GUADELOUPE	GP	FRF
GUAM	GU	USD
GUATEMALA	GT	GTQ
GUINEA	GN	GNF
GUINEA-BISSAU	GW	GWP
GUYANA	GY	GYD
HAITI	HT	HTG USD
HEARD ISLAND AND MCDONALD ISLANDS	HM	AUD
HONDURAS	HN	HNL
HONG KONG	HK	HKD
HUNGARY	HU	HUF
ICELAND	IS	ISK
INDIA	IN	INR
INDONESIA	ID	IDR
INTERNATIONAL MONETARY FUND (IMF)		XDR
IRAN ISLAMIC REPUBLIC OF	IR	IRR
IRAQ	IQ	IQD
IRELAND	IE	IEP
ISRAEL	IL	ILS
ITALY	IT	ITL
JAMAICA	JM	JMD
JAPAN	JP	JPY
JORDAN	JO	JOD
KAMPUCHEA, see CAMBODIA		
KAZAKHSTAN	KZ	KZT
KENYA	KE	KES
KIRIBATI	KI	AUD
KOREA, DEMOCRATIC PEOPLE'S REPUBLIC OF	KP	KPW
KOREA, REPUBLIC OF	KR	KRW
KUWAIT	KW	KWD
KYRGYZSTAN	KG	KGS
LAO PEOPLE'S DEMOCRATIC REPUBLIC	LA	LAK
LATVIA	LV	LVL
LEBANON	LB	LBP
LESOTHO	LS	ZAR ZAL LSL
LIBERIA	LR	LRD
LIBYAN ARAB JAMAHIRIYA	LY	LYD
LIECHTENSTEIN	LI	CHF
LITHUANIA	LT	LTL
LUXEMBOURG	LU	CLF
MACAU	MO	MOP
MADAGASCAR	MG	MGF
MALAWI	MW	MWK
MALAYSIA	MY	MYR
MALDIVES	MV	MVR
MALI	ML	XOF
MALTA	MT	MTL
MAYOTTE	YT	FRF
MEXICO	MX	MXN
MICRONESIA (FEDERATED STATES OF)	FM	USD
MOLDOVA, REPUBLIC OF	MD	MDL
MONACO	MC	FRF
MONGOLIA	MN	MNT
MONTSERRAT	MS	XCD
MOROCCO	MA	MAD
MOZAMBIQUE	MZ	MZM
MYANMAR	MM	MMK
NAMIBIA	NA	ZAR NAD
NAURU	NR	AUD
NEPAL	NP	NPR
NETHERLANDS	NL	NLG
NETHERLANDS ANTILLES	AN	ANG
NEW CALEDONIA	NC	XPF
NEW ZEALAND	NZ	NZD
NICARAGUA	NI	NIO
NIGER	NE	XOF
NIGERIA	NG	NGN
NIUE	NU	NZD
NORFOLK ISLAND	NF	AUD
NORTHERN MARIANA ISLANDS	MP	USD
NORWAY	NO	NOK
OMAN	OM	OMR
PAKISTAN	PK	PKR
PALAU	PW	USD
PANAMA	PA	PAB USD
PAPUA NEW GUINEA	PG	PGK
PARAGUAY	PY	PYG
PERU	PE	PEN
PHILIPPINES	PH	PHP
PITCAIRN	PN	NZD
POLAND	PL	PLN PLZ
PORTUGAL	PT	PTE
PUERTO RICO	PR	USD
QATAR	QA	QAR
REUNION	RE	FRF
ROMANIA	RO	ROL
RUSSIAN FEDERATION	RU	RUR
RWANDA	RW	RWF
SAINT HELENA	SH	SHP
SAINT KITTS AND NEVIS	KN	XCD
SAINT LUCIA	LC	XCD
SAINT PIERRE AND MIQUELON	PM	FRF
SAINT VINCENT AND THE GRENADINES	VC	XCD
SAMOA	WS	WST
SAN MARINO	SM	ITL
SAO TOME AND PRINCIPE	ST	STD
SAUDI ARABIA	SA	SAR
SENEGAL	SN	XOF
	SC	SCR

Alphabetic Code for the Representation of Currencies

SLOVENIA	SI	SIT
SOLOMON ISLANDS	SB	SBD
SOMALIA	SO	SOS
SOUTH AFRICA	ZA	ZAR
SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS	GS	
SPAIN	ES	ESP
SRI LANKA	LK	LKR
SUDAN	SD	SDP/SDD
SURINAME	SR	SRG
SVALBARD AND JAN MAYEN	SJ	NOK
SWAZILAND	SZ	SZL
SWEDEN	SE	SEK
SWITZERLAND	CH	CHF
SYRIAN ARAB REPUBLIC	SY	SYP
TAIWAN, PROVINCE OF CHINA	TW	TWD
TAJIKISTAN	TJ	TJR
TANZANIA, UNITED REPUBLIC OF	TZ	TZS
THAILAND	TH	THB
THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA	MK	MKD
TOGO	TG	XOF
TOKELAU	TK	NZD
TONGA	TO	TOP
TRINIDAD AND TOBAGO	TT	TTD
TUNISIA	TN	TND
TURKEY	TR	TRL
TURKMENISTAN	TM	TMM
TURKS AND CAICOS ISLANDS	TC	USD
TUVALU	TV	AUD
UGANDA	UG	UGX
UKRAINE	UA	UAK
UNITED ARAB EMIRATES	AE	AED
UNITED KINGDOM	GB	GBP
UNITED STATES	US	USD/USS/USN
UNITED STATES MINOR OUTLYING ISLANDS	UM	USD
URUGUAY	UY	UYU
UZBEKISTAN	UZ	UZS
VANUATU	VU	VUV
VATICAN CITY STATE (HOLY SEE)	VA	ITL
VENEZUELA	VE	VEB
VIET NAM	VN	VND
VIRGIN ISLANDS (BRITISH)	VG	USD
VIRGIN ISLANDS (U.S.)	VI	USD
WALLIS AND FUTUNA ISLANDS	WF	XPF
WESTERN SAHARA	EH	MAD
YEMEN	YE	YER
YUGOSLAVIA	YU	YUM
ZAIRE	ZR	ZRN
ZAMBIA	ZM	ZMK
ZIMBABWE	ZW	ZWD

CODIFICATION MODES ET TITRES DE TRANSPORTS

Code	Mode of Transport	Mode de transport
1	Sea Transport	Transport maritime
2	Rail Transport	Transport par chemin de fer
3	Road Transport	Transport par route
4	Air Transport	Transport par air
5	Mail	Envois postaux
6	Multimodal Transport	Transport mixte
7	Fixed Transport	Installations de transport fixes
8	Inland waterway	Transport par navigation intérieure
9	Other Transport	Autres-moyens de transport

REGIME CODES

General Procedure

0 Reserves
1 Direct export
2 Temporary export
3 Re-exportation
4 Home use
5 Temporary admission and Importation
6 Re-importation
7 Warehousing
8 Transit
9 Other procedures

MODEL OF DECLARATION

MODEL	DESCRIPTION
COM 1	Export within the community
COM 2	Temporary export within the Community
COM 3	Re-exportation within the community
COM 4	Entry for Homer consumption
COM 5	Temporary admission/import within the community
COM 6	Entry for warehousing within the community
EX 1	Exportation
EX 2	Temporary export
EX 3	Re-export
EX 8	Transit to export
EX 9	Other export procedure
IM 4	Entry for home use
IM 5	Temporary importation
IM 6	Re-importation
IM 7	Entry for warehousing
IM 8	Import transit
IM 9	Other import procedure

REQUESTED PROCEDURE	
10	Permanent export
19	Other permanent export procedure
20	TE to be returned in unaltered state
21	TE for special project to be returned in unaltered state
22	TE for outward processing
30	Re-export
39	Other re-export procedures
40	Home consumption
49	Other Home consumption procedures
50	TA to be returned in unaltered state
51	TA for special projects to returned in unilateral state
52	TA for outward processing
53	Temporary import TI
60	Re-importation
70	Warehousing procedure
71	Industrial warehousing
30	National transit
31	Transnational transit
90	Coastwise procedure
91	Simplified suspense regimes
92	Commercial free zone
93	Industrial free zone

Previous procedure	
00	Direct
20	Following TE to be returned in unaltered states
21	Following TE for special projects
22	Following TE for outward processing
50	Following TA to be returned in unaltered state
51	Following TA for special projects
52	Following TA for inward processing
53	Following TI
70	Following warehousing
71	Following industrial warehousing
92	Following commercial tree zone procedure
93	Following industrial free zone procedure

Extended Procedures	
Codes	**Description**
1000	Direct permanent export
1021	Permanent export after TE for return in an unaltered state
1022	Permanent export after TE for outward processing
1900	Other permanent export procedure
2000	TE export to be returned in unaltered state
2100	TE for special projects to be returned in unaltered state
2200	TE for outward processing
3050	Re-export following TA
3051	Re-export following TA for special projects
3052	Re-export following TA for inward processing
3053	Re-exportation following temporary importation
3070	Re-importation following ware housing
3071	Re-exportation following industrial ware housing
3092	Other re-exportation following commercial free zone
3093	Other re-exportation following industrial free zone
4000	Direct home consumption
4050	Home consumption following temporary admission
4051	Home use after TA for return in an unaltered state
4052	Home use after TA for inward processing
4053	Home consumption following temporary importation
4070	Home consumption following warehousing
4071	Home consumption following industrial warehousing
4100	Direct import under drawback procedure
4900	Other cases Home consumption
4992	Other cases of home consumption following commercial free zone
4993	Other cases of home consumption following industrial free zone
5000	Temporary admission
5070	Temporary admission following warehousing
5100	Temporary admission (special)
5300	Temporary importation
5353	Transfer of temporary importation
5370	Temporary importation following warehousing
6020	Re-importation following temporary exportation
6021	Re-importation after TE for return in an unaltered state
7000	Entry into warehouse
7050	Entry into warehouse following TA
7053	Entry into warehouse following TI
7070	Change of warehouse
7100	Entry into industrial warehouse
8000	Direct Transit
8100	Transshipment
9000	Coastwise procedures
9100	Suspense procedures
9200	Entry into commercial free zone

CODIFICATION DES INCOTERMS

EX WORKS ... named place) A L'USINE ... lieu convenu)	EXW	CARRIAGE AND INSURANCE PAID TO (... named place of destination) PORT PAYE, ASSURANCE COMPRISE, JUSQU'AU (... port de destination convenu)	C
FREE CARRIER (... named place) FRANCO TRANSPORTEUR (... lieu convenu)	FCA	DELIVERED AT FRONTIER (... named place) RENDU FRONTIERE (... lieu convenu)	D
FREE ALONG SHIP (... named port of shipment) FRANCO LE LONG DU NAVIRE (... port d'embarquement convenu)	FAS	DELIVERED EX SHIP (... named port of destination) RENDU EX SHIP (... port de destination convenu)	D
FREE ON BOARD (... named port of shipment) FRANCO BORD (... port d'embarquement convenu)	FOB	DELIVERED EX QUAY (DUTY PAID) (... named port of destination) RENDU A QUAI (DROITS ACQUITES) (... port de destination convenu)	D
COST AND FREIGHT (... named port of destination) COUT ET FRET (... port de destination convenu)	CFR	DELIVERED DUTY UNPAID (... named place of destination) RENDU DROITS NON ACQUITTES (... lieu de destination convenu)	D
COST, INSURANCE AND FREIGHT (... named port of destination) COUT, ASSURANCE ET FRET (... port de destination convenu)	CIF	DELIVERED DUTY PAID (... named place of destination) RENDU DROITS ACQUITTES (lieu de destination convenu)	D
CARRIAGE PAID TO (... named place of destination) PORT PAYE JUSQU'A (... lieu de destination convenu)	CPT	DELIVERED TERMS OTHER THAN THOSE LISTED ABOVE (... narrative description of delivery terms) CONDITIONS DE LIVRAISON AUTRES QUE CELLES LISTEES CI-DESSUS (... description des conditions de livraison)	X

ADDITIONAL CODES

0	Common Regime	
1	Diplomatic Privileges	Diplomatic privileges Institutions and school (Florence Convention) International and regional organization
2	Removals and personal effects	Removals Personal Effect Exemptions to travelers
3	Investment Incentives	Investment code Mining and other sectors codes B.O.T. (Build Operate Transfer) Registered Companies
4.	External Financing	Public Contracts Agreements and projects
5.	Grants and Aid	Gifts to Charities and development association Gifts to Red Cross Social and Cultural gifts
6.	Non-governmental Organizations	
7.	Conditional Exemption	Trade samples Religious artifacts Coffins containing corpses Documents of no commercial value
8.	ECOWAS Originating products	Wholly obtained products. Products sufficiently worked or processed (change of tariff classification; percentage of value added)
9.	UEMOA Originating products	Wholly obtained products; products sufficiently worked or processed (change of tariff classification; percentage of value added)

DUTIES AND TAXES

Codes	Labels
001	Import Duty
002	Community Levy
003	VAT

Unités complémentaires / Complementary Units

Code	Unité complémentaire	Unit of measurement
01	Gramme	Gramme
02	Kilo net	Kilo net
03	Quintal	Quintal
04	Tonne nette	Tonne net
05	Tonne brute	Tonne gross
06	Kilo ½ brut	Kilo half gross
07	Kilo brut	Kilo gross
08	Mètre	Metre
09	Centimètre	Centimetre
10	Litre	Litre
11	Demi-litre	Half litre
12	Litre d'alcool pur	Litre of pure alcohol
13	Hectolitre	Hectolitre
14	Hectolitre d'alcool pur	Hectolitre of pure alcohol
15	Mètre cube	Cubic metre
16	Kilowatt	Kilowatt
17	Kilowatt/heure	Kilowatt/hour
18	Cylindrée:cm3	Cylinder:cm3
19	Cylindrée:puissance fiscale	Cylinder:horse power
20	Paire	Pair
21	Nombre ou unité	Number or unit
22	Carat	Carat
23	boite	Box
24	CAF	CIF value
25	FOB	FOB

REGULATION C/REG.3/07/04 ON THE APPOINTMENT OP THE ADMINISTRATIVE SECRETARY AND THE DEPUTY ADMINISTRATIVE SECRETARY OF THE INTER-GOVERNMENTAL ACTION GROUP AGAINST MONEY LAUNDERING IN WEST AFRICA (GIABA)

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decision A/DEC.9/12/99 dated 10 December 1999 establishing an Inter-Governmental Action Group against Money Laundering in West Africa (GIABA);

MINDFUL of Decision A/DEC.6/12/00 dated 16 December 2000 adopting the Statutes of GIABA;

CONSIDERING that the delay in the appointment of the GIABA Administrative Secretary and Deputy Administrative Secretary has impeded smooth and efficient functioning of GIABA;

AWARE that any prolonged delay in the appointment of the officers referred to above may be perceived as a sign of lack of dynamism on the part of ECOWAS in the fight against money laundering and may adversely affect its interests and those of the Member States;

TAKING NOTE of the information provided by the Executive Secretary on the names of candidates officially transmitted to him by the Federal Republic of Nigeria and the Republic of Senegal for the posts of Administrative Secretary and Deputy Administrative Secretary respectively and on the initiatives taken by the ECOWAS Chairman concerning the appointment of these officers;

DESIRING to put an end to the temporary arrangements that have been made to coordinate GIABA activities;

ON THE RECOMMENDATION of the second statutory meeting of the GIABA ad hoc Ministerial Committee held in Dakar on 25th June, 2004;

ENACTS:

ARTICLE 1

The candidates selected by the Member States to which the post were allocated by the Authority of Heads of State and Government shall exceptionally be appointed as GIABA Administrative Secretary and Deputy Administrative Secretary.

ARTICLE 2

The Chairman of the Council of Ministers shall, on behalf of Council, appoint the officers referred to in Article 1 above for a period of four (4) years, starting from the date they assume duty.

ARTICLE 3

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty [30] days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ABUJA,
THIS 17TH DAY OF JULY 2004

.....

HON. (DR.) KOFI KONADU APRAKU
CHAIRMAN,
FOR COUNCIL

REGULATION C/REG.4/07/04 ADOPTING THE ORGANISATIONAL CHART OF THE INTER-GOVERNMENTAL ACTION GROUP AGAINST MONEY LAUNDERING IN WEST AFRICA (GIABA)

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL in particular Article 10 paragraph 3 (f) of the Treaty which authorises the Council of Ministers to approve the organisational structure of the institutions of the Community;

MINDFUL of Decision A/DEC.9/12/99 dated 10 December 1999 establishing an Inter-Governmental Action Group against Money Laundering in West Africa [GIABA);

MINDFUL of Decision A/DEC.B/12/00 dated 16 December 2000 adopting the Statutes of GIABA;

DETERMINED to endow GIABA with the necessary institutional capacity to enable it effectively combat money laundering and financing of terrorism;

DESIRING to assist the GIABA Administrative Secretariat to realise the objectives set out in its Plan of Action and, to this end, to establish an efficient and operational structure for the organisation;

ON THE RECOMMENDATION of the second statutory meeting of the ad hoc Ministerial Committee on the Inter-Governmental Action Group against Money Laundering in West Africa (GIABA] held in Dakar on 25 June 2004;

ENACTS

ARTICLE 1

The attached organisational chart of GIABA is hereby adopted.

ARTICLE 2

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ABUJA,
THIS 17TH DAY OF JULY 2004



HON. (DR.) KOFI KONADU APRAKU
CHAIRMAN,
FOR COUNCIL

REGULATION C/REC.5/07/04 AUTHORISING THE RECRUITMENT OF STAFF FOR THE ADMINISTRATIVE SECRETARIAT OF THE INTER-GOVERNMENTAL ACTION GROUP AGAINST MONEY LAUNDERING IN WEST AFRICA (GIABA)

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL in particular of Article 10 paragraph 3 (f) of the Treaty which authorises the Council of Ministers to approve the organisational structure of the institutions of the Community;

MINDFUL of Article 18 paragraph 5 of the Treaty on the appointment of professional staff, and the relevant provisions of the Staff Rules and Regulations on the appointment of staff for the institutions of the Community;

MINDFUL of Decision A/DEC.9/12/99 dated 10 December 1999 establishing an Inter-Governmental Action Group against Money Laundering in West Africa [GIABA];

MINDFUL of Decision A/DEC.6/12/00 dated 16 December, 2000 adopting the Statutes of GIABA;

CONSIDERING the need to ensure that GIABA is in a position to effectively combat money laundering and financing of terrorism and that it is therefore necessary to take urgent measures to make the Administrative Secretariat fully operational;

DESIRING therefore to fill certain posts as soon as the GIABA Administrative Secretary and Deputy Administrative Secretary are appointed;

ON THE RECOMMENDATION of the second statutory meeting of the ad hoc Ministerial Committee on the Inter-Governmental Action Group against Money Laundering in West Africa (GIABA) held in Dakar on 25 June 2004;

ENACTS

ARTICLE 1

The appointment of the following officers to serve in the GIABA Administrative Secretariat is hereby authorised:

- Programme Officer (Training)
  - on salary grade P-5
- Head of Division (Administration and Finance)
  - on salary grade P-5
- Bilingual Secretary
  but preferably a Trilingual Secretary (English, French, Portuguese)

ARTICLE 2

The staff referred to above shall be appointed immediately after the appointment of the GIABA Administrative Secretary and Deputy Administrative Secretary.

ARTICLE 3

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ABUJA,
THIS 17TH DAY OF JULY 2004

.....

HON. (DR.) KOFI KONADU APRAKU
CHAIRMAN,
FOR COUNCIL

REGULATION C/REC.6/07/04 ADOPTING THE 2004-2006 ACTION PLAN OF THE INTER-GOVERNMENTAL ACTION GROUP AGAINST MONEY LAUNDERING IN WEST AFRICA (GIABA)

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decision A/DEC.9/12/99 of 10 December 1999 establishing the Intergovernmental Group against Money Laundering in West Africa (GIABA);

MINDFUL of Decision A/DEC.6/12/00 of 16 December 2000 adopting the Statutes of GIABA;

RESOLUTELY committed to taking firm action against money laundering and the financing of terrorism;

AWARE of the need for concerted actions with a view to finding appropriate solutions to these phenomena;

DESIROUS, in this context, to revitalize GIABA through the adoption of an action plan for the period 2004-2006;

ON THE RECOMMENDATION of the second statutory meeting of the Ad Hoc Ministerial Committee on the Intergovernmental Action Group against Money Laundering in West Africa (GIABA], held in Dakar on 25 June 2004;

ENACTS

ARTICLE 1

GIABA's Action Plan for 2004-2006 as attached hereto is hereby adopted.

ARTICLE 2

The Administrative Secretary of GIABA shall submit to each Council session, a status report on the Action Plan and on the constraints encountered, if any.

ARTICLE 3

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty [30] days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ABUJA,
THIS 17TH DAY OF JULY 2004



HON. (DR.) KOFI KONADU APRAKU
CHAIRMAN,
FOR COUNCIL

REGULATION CREC.7/07/04 GRANTING THE SUM OF EIGHTY THOUSAND UNITS OF ACCOUNT TO THE INTER-GOVERNMENTAL ACTION GROUP AGAINST MONEY LAUNDERING IN WEST AFRICA (GIABA)

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Decision A/DEC.9/12/99 of 10 December 1999 establishing the Intergovernmental Group against Money Laundering in West Africa (GIABA);

MINDFUL of Decision A/DEC.6/12/00 of 16 December 2000 adopting the Statutes of GIABA;

RESOLUTELY committed to taking firm action against money laundering and the financing of terrorism;

AWARE of the need for concerted actions with a view to finding appropriate solutions to these phenomena;

CONVINCED of the need to finance the activities contained in GIABA's 2004 Action Plan in order to enable it execute its assignments for the period 2004-2006 and to attain the set objectives of controlling money laundering and terrorism financing within ECOWAS;

DESIROUS of granting, in this context, financial resources to GIABA as an exceptional measure;

ON THE PROPOSAL of the second statutory meeting of the Ad Hoc Ministerial Committee on the Intergovernmental Action Group against Money Laundering in West Africa (GIABA], held in Dakar on 25 June 2004;

ON THE RECOMMENDATION of the thirty-first meeting of the Administration and Finance Commission held in Abuja from 12 to 14 July 2004 ;

ENACTS

ARTICLE 1

A sum of eighty thousand units of account (UA 80, 000) is hereby granted to GIABA to enable it to carry out its activities until the end of 2004.

ARTICLE 2

The amount referred to in Article 1 above shall be sourced from the resources of the Community Levy.

ARTICLE 3

The Administrative Secretariat of GIABA shall prepare for 2005 and the years ahead, a draft budget for adoption in line with the provisions of Article 69, paragraph 3, of the Treaty.

ARTICLE 4

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) days of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its National Gazette within the same time-frame.

DONE AT ABUJA,
THIS 17TH DAY OF JULY 2004



HON. (DR.) KOFI KONADU APRAKU
CHAIRMAN,
FOR COUNCIL

REGULATION C/REG.8/07/04 RENEWING THE TERMS OF OFFICE OF THE DIRECTOR-GENERAL AND THE DEPUTY DIRECTOR-GENERAL OF THE WEST AFRICAN HEALTH ORGANISATION (WAHO)

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Protocol A/P.2/7/87 establishing the West African Health Organisation (WAHO) as a specialized Institution of ECOWAS and as the single health organization of the sub-region;

MINDFUL of Article 1 paragraphs 2 and 4 of the said Protocol on the appointment of the Director-General and Deputy Director-General of WAHO by the Council of Ministers on the recommendation of the Assembly of Ministers of Health of WAHO;

RECALLING Regulations C/Reg.6/8/99 and Regulation C/Reg. 10/12/99 appointing Dr. Kabba Joiner as Director-General and Professor Moussa Adama Maiga as Deputy Director-General for a period of 4 years respectively;

CONSIDERING that the tenure of the Director-General and the Deputy Director-General have expired on 24th February 2004 and 1st March 2004 respectively;

MINDFUL of Decision A/Dec.3/7/91 on the Evaluation and performance of Statutory Appointees of the Community which directs that the evaluation of Statutory Appointees with the exception of the External Auditors, shall be done annually;

CONSIDERING the indication from the meeting of the Ministers of Health held in Banjul 17 - 18 July 2003 on the satisfactory performance of the Director-General and Deputy Director-General of WAHO;

NOTING that Statutory Appointees of the WAHO should ordinarily be evaluated by the appropriate performance evaluation body;

DESIRING to ensure that the Management of WAHO and the implementation of its programmes are not interrupted or compromised due to vacancies at the management level;

ENACTS

ARTICLE 1

The terms of office of the Director-General and Deputy Director-General are hereby renewed for a 2nd term of 4 years commencing from 25th February, 2004 and 2nd March, 2004 respectively.

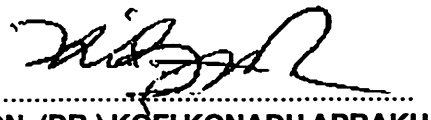
ARTICLE 2

Regulation C/Reg.26/12/03 authorizing the temporary retention in office of the Director-General and Deputy Director-General of WAHO is hereby revoked.

ARTICLE 3

This Regulation shall be published in the Official Journal of the Community by the Executive Secretariat within thirty (30) days after signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in it's National Gazette within the same time frame.

DONE AT ABUJA,
THIS 17TH DAY OF JULY 2004



HON. (DR.) KOFI KONADU APRAKU
CHAIRMAN,
FOR COUNCIL

REGULATION C/REG.9/07/04 AMENDING THE ENGLISH VERSION OF REGULATION C/REG.1/9/03, ARTICLE 2, ADOPTING MEASURES TO FACILITATE AND ACCELERATE EFFECTIVE IMPLEMENTATION OF THE COMMUNITY LEVY

THE COUNCIL OF MINISTERS,
MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of article 70 of the Treaty which stipulates that the regular budgets of the Community and its institutions shall be funded from the Community levy;

MINDFUL of Protocol A/P1/7/96 on the conditions governing the application of the Community levy;

MINDFUL of Regulation C/REG.1/9/03 adopting measures to facilitate and accelerate effective implementation of the Community levy,

CONSIDERING that the Community levy is aimed, amongst others, at reducing the financial burden imposed on the Member States by the payment of contributions into the budgets of the ECOWAS institutions;

CONSIDERING that in Regulation C/REG.1/9/03 above, the Council of Ministers seeks to take into account both the need to endow the ECOWAS institutions with adequate financial resources to ensure their smooth functioning and the need to assist the Member States to overcome their temporary financial difficulties;

CONSIDERING the disparity in meaning between the French and English versions in article 2 of the Regulation referred to above will better ensure the attainment of the above-mentioned objectives;

CONSIDERING that in order to ensure proper implementation of Regulation C/REG. 1/9/03 in all the Member States, it will be necessary to align the English version of article 2 of this text with the French version;

DESIROUS of aligning article 2 of the English version of Regulation C/REG.1/9/03 with the French version and amending the English version for this purpose;

ON THE RECOMMENDATION of the thirty-first meeting of the Administration and Finance Commission held in Abuja from 12 to 14 July 2004;

EDICTS

ARTICLE 1

Article 2 of the English version of Regulation C/REG.1/9/03, dated 2 September 2003, adopting measures to facilitate and accelerate effective implementation of the Community levy is hereby amended and aligned with the French version of the same text, and shall now read as follows:

"1. The Executive Secretariat shall refund whatever amounts may be outstanding in favour of those Member States which were up to date in their contributions, including contributions to the capital base of the ECOWAS Bank for Investment and Development (EBID), as at 1st July 2003.

2. Member States which, between 1st January and 20th June 2003, have paid their contributions for the current financial year, inclusive, shall be entitled to a refund of the total amount contributed, from the amount collected as Community Levy and transferred into the ECOWAS account at the Central Bank between 1st July and 31st December 2003. "

ARTICLE 2

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its national gazette within the same time frame.

DONE AT ABUJA,
THIS 17TH DAY OF JULY 2004

.....
HON. (DR.) KOFI KONADU APRAKU
CHAIRMAN,
FOR COUNCIL

REGULATION C/REC.10/07/04 RELATING TO THE EXTENSION OF THE TERM OF OFFICE OF COOPERS, LYBRAND & DIEYE AS EXTERNAL AUDITORS TO THE COMMUNITY INSTITUTIONS BEYOND THEIR TENURE OP 30TH JUNE 2004

THE COUNCIL OF MINISTERS,

MINDFUL of Articles 10, 11 and 12 of the ECOWAS Treaty establishing the Council of Ministers and defining its composition and functions;

MINDFUL of Article 75 of the Treaty relating to the appointment of an External Auditor to the Institutions of the Community;

MINDFUL of Decision A/DEC.6/12/99 relating to the appointment of Coopers, Lybrand & Dieye as External Auditors to the Community Institutions;

MINDFUL of Decision C/AHSG/DEC. 1/2/2000 dated 26th February 2000 confirming the appointment of Coopers, Lybrand & Dieye as External Auditors to the Community Institutions;

MINDFUL of the contract between ECOWAS and Coopers, Lybrand & Dieye, dated 26 February 2000 relating to the conditions of service of the External Auditors to the Community Institutions;

CONSIDERING that under the provisions of Article 75 of the Treaty, the appointment of the External Auditors is for a two-year period renewable twice only for a two-year period each time;

MINDFUL of Regulation C/REG.27/12/03 extending the tenure of Coopers, Lybrand and Dieye beyond 31st December, 2003;

CONSIDERING that the External Auditors' present appointment shall expire on 30th June 2004;

ON THE RECOMMENDATION of the Executive Secretariat;

ENACTS

ARTICLE 1

The External Auditors of the Institutions of the Community, Messrs. Coopers, Lybrand and Dieye shall retain their appointments after the official expiration of their tenure of office on 30th June, 2004, pending a recommendation from the Council of Ministers for the Renewal of their Appointment.

ARTICLE 2

This Regulation shall be published by the Executive Secretariat in the Official Journal of the Community within thirty (30) of its signature by the Chairman of the Council of Ministers. It shall also be published by each Member State in its national gazette within the same time frame.

DONE AT ABUJA,
THIS 17TH DAY OF JULY 2004

.....

DR. KOFI KONADU APRAKU
CHAIRMAN,
FOR COUNCIL

Kolawole Olabode
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