

AMENDMENTS TO THE COMMISSION RULES OF PROCEDURE

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PART II TAKING OF DECISIONS

RULE 4

The Chairman shall put to all Members of the Commission questions and proposals requiring decisions. Decisions shall be taken according to the following provisions:

- (a) Decisions of the Commission on matters of substance shall be taken by consensus. The question of whether a matter is one of substance shall be treated as a matter of substance.
- (b) Decisions on matters other than those referred to in paragraph (a) above shall be taken by a simple majority of the Members of the Commission present and voting.
- (c) In Commission consideration of any item requiring a decision, it shall be made clear whether a regional economic integration organisation will participate in the taking of the decision and, if so, whether any of its member States will also participate. The number of Contracting Parties so participating shall not exceed the number of member States of the regional economic integration organisation which are Members of the Commission.
- (d) In the taking of decisions pursuant to this Rule, a regional economic integration organisation shall have only one vote.

RULE 5

At a meeting of the Commission, votes shall be taken by a show of hands. However, a roll call or a secret ballot vote shall be taken at the request of a Member of the Commission. In the case of conflicting requests as between a roll call or a secret ballot vote, a secret ballot vote shall be used. A roll call vote shall be taken by calling the names of the members of the Commission entitled to vote in alphabetical order of the language of the country in which the meeting is held, beginning with the Member which has been chosen by lot.

RULE 6

At a meeting of the Commission, unless **it** decides otherwise, the Commission shall not discuss or take a decision on any item which has not been included in the provisional agenda for the meeting in accordance with Part IV of these Rules.

RULE 7

When necessary, the taking of decisions and votes **on any proposal made** during the period between meetings may be carried out by post or by other means of textual communication.

- (a) The Chairman or a Member which requests the application of the procedure laid down by this Rule shall convey with the proposal a recommendation as to whether the decision should be taken in accordance with Rule 4 (a) or Rule 4 (b). Any disagreement of this matter shall be resolved in accordance with the provisions of Rule 4, and the following provisions.**
- (b) The Executive Secretary shall distribute copies of the proposal to all Members.**
- (c) The Executive Secretary shall enquire of a regional economic integration organisation whether it will participate in the taking of the decision. If such organisation intends to participate in the taking of the decision, in view of Rule 4 (c), it and the member or members of that organisation not so participating shall inform the Executive Secretary accordingly.**
- (d) If the decision is to be taken in accordance with Rule 4 (a):**
 - (i) Members shall immediately acknowledge receipt of the Executive Secretary's communication and respond within 45 days of the date of acknowledgement of the proposal, indicating whether they wish to support it, reject it, abstain on it, refrain from participating in the taking of the decision, or whether they require additional time to consider it, or whether they consider that it is not necessary for the decision to be taken during the period between meetings. In the latter case the Chairman shall direct the Executive Secretary to inform all Members accordingly and the decision shall be remitted to the next meeting.**

- (ii) If there are no rejections and if no Member either seeks additional time or objects to the decision being taken between meetings, the Chairman shall direct the Executive Secretary to inform all Members that the proposal has been adopted.
 - (iii) If the responses include a rejection of the proposal, the Chairman shall direct the Executive Secretary to inform all Members that the proposal has been rejected, and provide them with a brief description of all individual responses.
 - (iv) If the initial responses do not include a rejection of the proposal or an objection to the decision being taken between meetings, but a Member requests additional time to consider it, a further 30 days shall be allowed. The Executive Secretary shall inform all Members of the final date by which responses must be lodged. Members who have not responded by that date shall be deemed to be in support of the proposal. After the final date, the Chairman shall direct the Executive Secretary to proceed in accordance with subparagraphs (ii) or (iii), as the case may be.
- (e) If the decision is to be taken in accordance with Rule 4 (b):
- (i) Members shall immediately acknowledge receipt of the Executive Secretary's communication and respond within 45 days of the date of acknowledgement of the proposal, indicating whether they wish to support it, reject it, abstain on it or refrain from participating in the taking of the decision.
 - (ii) At the end of the 45-day period, the Chairman shall count the votes and direct the Executive Secretary to inform all Members of the result.
- (f) A proposal which has been rejected may not be reconsidered by way of postal voting until after the following meeting of the Commission, but may be considered at that meeting.

RULE 18

The Executive Secretary shall:

- (a) make all necessary arrangements for meetings of the Commission and its subsidiary bodies;
- (b) issue invitations to all such meetings to Members of the Commission and to such states and organisations as are to be invited in accordance with Rule 30;
- (c) **take all the necessary steps to carry out the instructions and directions given to him by the Chairman.**

PART V CONDUCT OF BUSINESS AT MEETINGS

RULE 31

- (a) The Executive Secretary may, when preparing with the Chairman the preliminary agenda for a meeting of the Commission, draw to the attention of Members of the Commission his view that the work of the Commission would be facilitated by the attendance at its next meeting of an observer referred to in Rule 30, an invitation to which was not considered at the previous meeting. The Executive Secretary shall so inform members of the Commission when transmitting to them the preliminary agenda under Rule 15;
- (b) **The Chairman shall request** the Commission **to** take a decision on the Executive Secretary's suggestion in accordance with Rule 7 and **the Executive Secretary** shall so inform Members of the Commission when transmitting to them the provisional agenda under Rule 17.