

African Union, African Regional Bodies

African Civil Aviation Commission Constitution (AFCAC)

Legislation as at 17 January 1969

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African Union

African Civil Aviation Commission Constitution (AFCAC)**Published****Commenced on 15 March 1972***[This is the version of this document at 17 January 1969.]*

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Came into force provisionally on 17 January 1969 in respect of the following States, on behalf of which it had been signed on that date, in accordance with article 14:

Central African Republic	Mali	Sierra Leone
Congo	Mauritania	Togo
Egypt	Mauritius	United Republic of Cameroon
Ethiopia	Morocco	United Republic of Tanzania
Ghana	Nigeria	Upper Volta
Ivory Coast	Senegal	Zambia
Libyan Arab Republic		

Subsequently, the Convention came into force in respect of the following States, with provisional effect from the date of signature, in accordance with article 14:

State	Date of signature	State	Date of signature
Algeria	3 March 1971	Malawi	25 June 1969
Benin	17 February 1972	Niger	8 July 1969
Lesotho	27 March 1973	Rwanda	9 December 1970
Liberia	17 January 1969	Swaziland	23 June 1970

The Convention came into force definitively on 12 January 1972 in respect of the following 20 Member States of the Organization of African Unity, on behalf of which an instrument of ratification had been deposited with the Secretariat of the Organization of African Unity, in accordance with article 14:

State	Date of deposit of the instrument of ratification	State	Date of deposit of the instrument of ratification
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1. The African Civil Aviation Commission (AFCAC) is an autonomous body and membership shall be open to African States members of ECA or OAU.
2. AFCAC is a consultative body and its conclusions and recommendations shall be subject to acceptance by each of the governments.

Algeria	8 October 1971	Nigeria	14 December 1970
Chad	10 March 1971	Senegal	13 April 1971
Egypt	28 July 1969	Sudan	8 July 1971
Ghana	10 December 1970	Swaziland	23 June 1971
Ivory Coast	16 November 1970	Togo	1 July 1971
Kenya	16 May 1969	Uganda	18 November 1969
Malawi	7 August 1969	United Republic of Cameroon	12 January 1972
Mali	16 April 1970	United Republic of Tanzania	26 September 1969
Morocco	15 March 1971	Upper Volta	12 March 1971
Niger	22 June 1970	Zambia	10 December 1971

Subsequently, the Convention came into force in respect of the following Member States of the Organization of African Unity, on the date of deposit of their instruments of ratification with the Secretariat of the Organization of African Unity, in accordance with article 14:

State	Date of deposit of the instrument of ratification	State	Date of deposit of the instrument of ratification
Benin	31 January 1973	Liberia	16 September 1974
Burundi	19 April 1973	Libyan Arab Republic	29 August 1973
Congo	2 April 1973	Rwanda	8 April 1974
Ethiopia	8 January 1975	Sierra Leone	17 August 1973
Gabon	17 April 1972	Somalia	5 April 1972
Guinea	2 June 1975	Zaire	12 December 1973
Lesotho	27 August 1973		

Objectives

3. The objectives of AFCAC are:
 - (a) to provide the civil aviation authorities in the member States with a framework within which to discuss and plan all the required measures of co-ordination and co-operation for all their civil aviation activities;
 - (b) to promote co-ordination, better utilization and orderly development of African air transport systems.

Functions

- 4.1 The functions of AFCAC shall, in particular, include:
 - (a) formulating plans at the regional and sub-regional levels for the operation of air services within and outside Africa;
 - (b) carrying out studies of the feasibility of standardization of flying equipment and ground units servicing aircraft;
 - (c) carrying out studies of the possibility of integration of the policies of governments regarding commercial aspects of air transport;
 - (d) carrying out studies of intra-African fares and rates with a view to adopting a structure conducive to the rapid growth of traffic in Africa;
 - (e) carrying out studies of regional or sub-regional air transport economic questions other than those mentioned in (b), (c) and (d) above;
 - (f) encouraging the application of ICAO standards and recommendations on facilitation and supplementing them by further measures aimed at greater facilitation of the movement by air of passengers, cargo and mail;
 - (g) fostering arrangements between States whenever this will contribute to the implementation of
 - (i) ICAO regional plans for air navigation facilities and services, and
 - (ii) ICAO specifications in the fields of airworthiness, maintenance and operation of aircraft, licensing of personnel and aircraft accident investigation;
 - (h) fostering and co-ordinating programmes for the development of existing and future training facilities to cope with the present and future regional and sub-regional requirements for personnel in all fields of civil aviation;
 - (i) studying the need for collective arrangements for technical assistance in Africa with a view to obtaining the best possible use of all available resources, particularly those provided within the framework of the United Nations Development Programme.
- 4.2 AFCAC shall, in the exercise of its functions, work in close consultation and co-operation with OAU, ECA, ICAO and any other governmental or non-governmental international organization concerned with civil aviation.

Organization and working arrangements

5. AFCAC shall meet in ordinary plenary session once every two years.
6. At each ordinary plenary session, AFCAC shall elect its President and four Vice Presidents, one for each sub-region, who will constitute the Bureau of AFCAC.

7. Extraordinary plenary meetings may be convened by the Bureau and must be convened if the Bureau received a request from two-thirds of the AFCAC members.
8. At each ordinary plenary session, AFCAC shall establish its work programme for the period until the following ordinary plenary session.
9. The direction, co-ordination and steering of the work programme between ordinary plenary sessions shall be the responsibility of the Bureau of AFCAC.
10. AFCAC shall determine its own internal organization, arrangements and procedures, including the formation of committees to study special aspects of civil aviation in Africa.
11. Member States should be represented at meetings of AFCAC by delegates senior in rank and competent in the field to be discussed for the authoritative handling of the problems.
12. There shall be established by AFCAC a Secretariat for organizing studies, meetings, maintenance of records and the like. The rules governing the recruitment and conditions of service of the staff shall be determined by AFCAC, ICAO, during the initial period to be determined by AFCAC, shall have the following responsibilities:
 - (i) to provide staff to carry out studies, organize meetings and undertake related activities;
 - (ii) to handle minutes, correspondence, etc.

AFCAC shall make full use of the experience and assistance of ICAO in conformity with the practice followed by the latter with similar international organizations.

Financial matters

13. At each ordinary plenary session, AFCAC shall prepare and approve a budget of the direct costs of its activities, as indicated in the work programme for the ensuing years. AFCAC shall establish its own financial rules for the assessment of members' contributions and control of expenditure. As regards the indirect costs, these shall be the responsibility of ICAO in accordance with the practice followed by ICAO in the joint financing field under Chapter XV of the Chicago Convention.

Signature, ratification and withdrawal

14. The present constitution is open to signature by all States attending the Constitutive Conference of AFCAC and by all other independent African States members of the OAU or ECA.

The instruments of ratification shall be deposited with the Secretariat of the OAU which shall give notice of the date of deposit to AFCAC and all member States of AFCAC.

The present Constitution shall be open for the signature of African States as of 17 January 1969 at the Headquarters of the OAU in Addis Ababa.

The Constitution shall come into force provisionally as of 17 January 1969 and shall come into force definitively after ratification by twenty member States.
15. To withdraw from AFCAC, a State shall address a notification to that effect to the Secretariat of OAU which shall immediately notify AFCAC and all other members.

Withdrawal shall take effect one year from receipt of the notification.

Amendment

16. This Constitution may be amended by a two-thirds majority of all members.