

East African Community, African Regional Bodies

## Protocol on Decision Making by the Council of the East African Community

Legislation as at 21 April 2001

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East African Community

# Protocol on Decision Making by the Council of the East African Community

Not commenced

*[This is the version of this document at 21 April 2001.]*

Protocol on Decision Making by the Council of the East African Community pursuant to the provisions of Article 15 (4) of the Treaty for the establishment of the East African Community, this procedure for Decision Making by the Council is hereby-set forth:

## Article 1 – Definitions

All terms and phrases defined in the Treaty and in the Rules of Procedure of the Council of Ministers shall have the respective meanings set forth therein as if the same were transposed herein and reproduced verbatim; save, for the following additional terms that shall have the meaning set forth herein.

"**Decision**" means a decision of the Council and includes decisions to make recommendation to the Summit

"**Protocol**" means this Protocol.

## Article 2 – Decisions

- 1 The decisions of the Council on the following matters shall be by consensus:
  - (a) granting of observer status to an inter-governmental organization or civil society organization;
  - (b) making of the financial rules and regulations of the Community;
  - (c) submission of the annual budget of the Community to the Legislative Assembly;
  - (d) approval of the expenditures of the Community;
  - (e) establishment of any sectoral council or committee under the Treaty;
  - (f) submission of Bills to the East African Legislative Assembly;
  - (g) policy decisions made pursuant to Article 14 (3)(a) of the Treaty;
  - (h) decisions on what should be recommended to the summit on:
    - (i) amendment of the Treaty;
    - (ii) approval or amendment of any protocol;
    - (iii) admission of new members;
    - (iv) granting of observer status to foreign countries;
    - (v) imposition of sanctions;
    - (vi) suspension of a member;
    - (vii) transformation into a political federation; and
    - (viii) expansion of areas of co-operation.
- 2 All other decisions of the Council shall be by simple majority
- 3 All decisions of the Council shall be in writing.

4 The decisions of the Council shall be binding on each Partner State.

### **Article 3 – Conflict of provisions**

In the event of a conflict between this Protocol, and the Rules of Procedure, this Protocol shall prevail, to the extent that the conflict relates to the manner of decision making by the Council.

### **Article 4 – Entry into force**

This Protocol shall enter into force upon signature and ratification.

Done at Arusha, Tanzania this 21<sup>st</sup> day of April 2001.

**IN WITNESS WHEREOF** the undersigned have appended their signatures thereto.