

Economic Community of West African States, African Regional Bodies

Regulation C/REG.1/05/08 Relating to the Reorganization of the Departments under the Supervision of the Commissioner for Trade, Customs, Industry, Mines, Tourism, and Free Movement of Persons and Additional Staffing

Legislation as at 18 May 2008

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Economic Community of West African States

Regulation C/REG.1/05/08 Relating to the Reorganization of the Departments under the Supervision of the Commissioner for Trade, Customs, Industry, Mines, Tourism, and Free Movement of Persons and Additional Staffing

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Commenced

[This is the version of this document at 18 May 2008.]

The Council of Ministers,

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

MINDFUL of Regulation C/REG.7/06/07 approving the organizational structure of the Commission of the Economic Community of West African States;

MINDFUL of Article 4 of the said Regulation giving competence to the President of the ECOWAS Commission to recommend to the Council of Ministers the creation of a new Department when the need arises;

MINDFUL of Decision A/DEC.17/12/06 relating to the ECOWAS Common External Tariff;

MINDFUL of the Regulation C/REG.1/12/07 approving the Budget of the ECOWAS Commission, its agencies and offices for the 2008 Financial year;

CONSIDERING that the thirty-third (33rd) ordinary session of the Authority of Heads of State and Government stressed the need for the establishment of the common external tariff as a matter of priority;

CONSIDERING that custom issues are of paramount importance to the Economic Community of West African States in its efforts to rise up to the current challenges of the Economic Partnership Agreement (EPA) negotiations and of the realization of a free trade zone within the Community;

NOTING that there is no department in charge of custom issues within the ECOWAS Commission;

CONSIDERING also the need to reorganize judiciously the Department of Free Movement of Persons;

DESIROUS of establishing a new department within the Commission, to manage the custom issues, on one hand and on the other hand, relocate the division of Tourism to Department of Free Movement of Persons;

ON THE RECOMMENDATION of the third meeting of the Administration and Finance Committee, held in Abuja from 21 to 23 April 2008;

ENACTS

Article 1

1. A Department of Customs is hereby created within the ECOWAS Commission.
2. The Department of Customs is under the supervision of the Commissioner for Trade, Customs, Industry, Mines, Tourism and Free Movement of Persons

Article 2

1. The Division of Tourism is hereby re-located to the Department of Free Movement of Persons.
2. The reorganized department referred to under Paragraph (1) of this article is called "Department of Free Movement of Persons and Tourism". This department is under the supervision of the Commissioner for Trade, Customs, Industry, Mines, Tourism and the Free Movement of Persons.

Article 3

The underlisted Departments under the Commissioner in charge of Trade, Customs, Industry and Mines, Tourism, Free Movement of Persons are charged with the following functions:

i) **The Department of Trade**

The Department will be in charge of issues related to the harmonization of Trade Policy, the Creation of the regulatory Framework for Competition, Informal Trade, Multilateral and Bilateral Negotiations, as well as the pursuit of the Economic Partnership Agreement Negotiations between West Africa and the European Union and the monitoring of its implementation after it has been signed.

ii) **The Department of Customs**

This Department will be in charge of issues related to the creation of the Common Market through Liberalization of intra-community trade (Free Trade Area), the establishment of a Common External Tariff, the removal of obstacles to the free movement of goods and the harmonization of domestic taxation.

iii) **The Department of Industry and Mines**

This Department will be in charge of formulating and implementing the regional policies on Industries and Mines.

iv) **The Department of Free Movement of Persons and Tourism**

This Department will be in charge of issues related to the free movement of persons, Tourism Development, Immigration and Cross-border issues

Article 4

1. The Commission shall ensure that staff is recruited for the efficient functioning of the four (4) departments mentioned in Article 3 of this Regulation in line with the approved Staff requirement as contained in the Appendix attached to this Regulation.
2. The Commission will take necessary measures to ensure that staff recruitment is carried out within the limits of the existing, budget allocation for 2008.

Article 5

This Regulation shall be published in the Official Journal of the Community by the Commission within thirty (30) days of its signature by the Chairperson 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 18th day of May 2008.

H.E. Mrs. Minata Samate Cessouma

Chairperson for Council