

SECOND ACP-EEC CONVENTION OF LOMÉ

(signed on 31 October 1979)

**TEXTS RELATING TO INDUSTRIAL
COOPERATION**

Volume V

1 January 1984 — 31 December 1984



**ACP-EEC Council of Ministers
Brussels**



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(CID)

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DECISION No 5/84
OF THE ACP-EEC COUNCIL OF MINISTERS
of 2 May 1984

amending Decision No 6/81
laying down the Statutes and rules of operation
of the Centre for Industrial Development

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Second ACP-EEC Convention signed at Lomé on
31 October 1979 (hereinafter referred to as "the Convention") and
in particular Article 81(7) thereof,

Having regard to the proposal from the Committee of Ambassadors,

Whereas Article 6(2) of Decision No 6/81 of the ACP-EEC Council of Ministers of 10 April 1981 laying down the Statutes and rules of operation of the Centre for Industrial Development fixes the number of members of the Advisory Council established in accordance with Article 81(3) and (4) of the Convention;

Whereas the number of members of the Advisory Council, currently set at 16, should be increased to 20 in order to take account in particular of the increase in the number of States party to the Convention, and whereas the new members should be chosen, as were those already in office, half by the ACP States and half by the Community,

HAS DECIDED AS FOLLOWS:

Article 1

The first paragraph of Article 6(2) of Decision No 6/81 shall be replaced by the following:

"The Council shall be composed of 20 members with considerable industrial experience, especially in the manufacturing sector. They shall be chosen in a personal capacity, and on the basis of their qualifications, from nationals of the States party to the Convention."

Article 2

The ACP States, the Member States and the Community shall, each to the extent to which it is concerned, take the measures necessary to implement this Decision.

Article 3

This Decision shall enter into force on the day on which it is adopted.

Done at Suva, 2 May 1984

For the ACP-EEC Council of Ministers
The President
Hugh L. SHEARER

DECISION No 1/84/CIC
OF THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION
of 30 March 1984

giving a discharge to the Director of the Centre
for Industrial Development in respect of the implementation of the
Centre's budget for the financial years 1981 and 1982

THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the second ACP-EEC Convention, signed at Lomé
on 31 October 1979, and in particular Articles 78 and 81 thereof,

Having regard to Decision No 6/81 of the ACP-EEC Council of
Ministers of 10 April 1981 laying down the statutes and rules
of operation of the Centre for Industrial Development, hereinafter
referred to as the "Centre",

Having regard to Decision No 3/81/CIC of the Committee on
Industrial Co-operation adopting the Financial Regulation of
the Centre,

Having regard to the Centre's balance sheet for the financial
year 1981 drawn up at 31 December 1981,

Having regard to the Auditor's Report on the accounts for the
financial year 1981,

Having regard to the Centre's balance sheet for the financial year 1982, drawn up at 31 December 1982,

Having regard to the Auditors' Report on the accounts for the financial year 1982,

Having noted the replies given by the Director to the comments made by the Auditors,

Whereas it is for the Committee to give a discharge to the Director in respect of the implementation of the Centre's budget;

Whereas revenue for the financial year 1981 consisted principally of a contribution from the European Development Fund amounting to 4 273 149 ECU; whereas the revenue for the financial year 1982 consisted principally of a contribution from the European Development Fund amounting to 5 332 077 ECU;

Whereas the Director's overall implementation of the Centre's budgets during the financial years 1981 and 1982 was such that he should be given a discharge in respect of the implementation of those budgets,

HAS DECIDED AS FOLLOWS:

Article 1

The Committee on Industrial Co-operation hereby adopts the balance sheet of the Centre as at 31 December 1981, showing the amount of 10 914 668,19 ECU for both revenue and expenditure.

Article 2

The Committee hereby adopts the balance sheet of the Centre as at 31 December 1982, showing the amount of 7 794 090,89 ECU for both revenue and expenditure.

Article 3

The Committee hereby states its position on the comments contained in the Auditors' Report on the accounts for the financial years 1981 and 1982 as indicated in the Annex.

Article 4

The Committee hereby gives a discharge to the Director of the Centre in respect of the implementation of the Centre's budget for the financial year 1981.

Article 5

The Committee hereby gives a discharge to the Director of the Centre in respect of the implementation of the Centre's budget for the financial year 1982.

Done at Brussels, 30 March 1984

For the Committee on
Industrial Co-operation

The Chairman

J. LEPRETTE

1. The ACP-EEC Committee on Industrial Co-operation notes that the appropriations entered, on a proposal by the Director, in the annual CID budgets were, during the financial year 1981 and, to a lesser extent, the financial year 1982, considerably higher than the expenditure committed during those financial years.

while acknowledging that some of the Centre's activities result directly from requests from the relevant departments and from firms in the ACP States or the Member States which it is difficult to foresee accurately, it would like annual expenditure estimates to correspond more closely to the Centre's actual intervention capacity in future.

2. As the over-estimate of appropriations referred to in the preceding paragraph largely concerned intervention expenditure, the result was an imbalance between operating expenditure and intervention expenditure to the detriment of the latter, which is the *raison d'être* of the Centre. The Committee feels that this imbalance should be reduced in future, in particular by stepping up the activities of the Centre with the help of existing staff.

3. Another consequence of this situation has been considerable carry-overs of appropriations from one financial year to another, especially as regards intervention appropriations. Transparency in the financial management of the Centre could have been affected, especially when carry-overs of appropriations were accompanied by transfers between chapters. In such cases in future, consideration should be given, where appropriate, more to cancellations of part of non-committed appropriations at the end of the financial year than to carry-overs to the following financial year, especially when the budget for the said financial year is already deemed to contain adequate appropriations for the chapters in question.

4. The Committee considers that the Centre should organize a coherent procedure for calls for tenders comprising tender specifications which detail all the clauses in the contract to be concluded. It requests the Centre to send it the revised version of the standard contract drawn up by the Centre and agrees to examine it. It takes note of the Centre's intention to review the procedure for signing contracts with a view to avoiding any repetition of outside contractors unilaterally amending the terms of contracts. It would also like recourse to be had to the derogation procedure provided for in Article 21(c) of the Financial Regulation of the Centre only exceptionally and in appropriate cases.

5. The Committee shares the Auditors' desire for greater stringency in staff management. It invites the Centre to forward to it all the provisions implementing the conditions of employment of staff decided on by the Director and currently in force.

6. The Committee asks the Centre to ensure that the accounting documents offer all the necessary guarantees of accuracy.

7. The Committee notes that, further to the Auditors' recommendations, the Centre has taken steps to improve its financial management in accordance with the Financial Regulation. It welcomes in particular the measures taken on a trial basis with a view to carrying out an internal audit of the Centre's accounts. It asks the Director in due course to inform it, and the Auditors, of the outcome of this audit.

8. Finally, the Committee considers it would be desirable in future if each year it could receive the Auditors' report on the previous financial year in time for the examination of the preliminary draft budget submitted by the Director of the Centre for the following year.

DECISION No 2/84/CIC
OF THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION
of 30 March 1984
on an adjustment to the reimbursement
of staff members of the Centre in respect of
the education expenses of their dependent children

THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the second ACP-EEC Convention signed at Lomé on 31 October 1979, and in particular Article 81(7) thereof,

Having regard to Decision No 6/81 of the ACP-EEC Council of Ministers of 10 April 1981 laying down the Statutes and rules of operation of the Centre for Industrial Development, hereinafter referred to as "the Centre", and in particular Article 7(5) thereof,

Having regard to Decision No 2/81/CIC of the Committee on Industrial Co-operation of 2 September 1981 laying down the conditions of employment of the Staff of the Centre, and in particular Article 28 thereof,

Whereas the conditions governing reimbursement of expenses incurred by staff members of the Centre in the course of or in connection with the performance of their duties shall be determined by the Director within the framework of the measures adopted on the subject by the Committee on Industrial Co-operation,

Having regard to the Director's proposal (letter of 25 November 1983) that the ceiling for the reimbursement of staff of the Centre for the education expenses of their dependent children be adjusted to take account of rising costs and increased from 60 000 BF to 78 000 BF per year per child,

Having regard to the agreement of the Community and of the ACP States, recorded at the meeting of the Committee on Industrial Co-operation on 30 March 1984,

HAS DECIDED AS FOLLOWS:

Article 1

The Director of the Centre is hereby authorized to adjust the reimbursement of staff of the Centre in respect of education expenses of their dependent children on the basis of the average increase in these expenses and up to a maximum of 78 000 BF per child per year.

Article 2

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 30 March 1984

**For the ACP-EEC Committee on Industrial Co-operation
The Chairman**

(s.) J. LEPRETTE

DECISION No 3/84/CIC
OF THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION
of 25 July 1984

on the salaries of the Director
and Deputy Director of the Centre

THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the second ACP-EEC Convention signed at Lomé on 31 October 1979, and in particular Article 81(7) thereof,

having regard to Decision No 6/81 of the ACP-EEC Council of Ministers of 10 April 1981 laying down the Statutes and rules of operation of the Centre for Industrial Development, hereinafter referred to as "the Centre", and in particular Article 7(5) thereof,

Having regard to Decision No 2/81/CIC of the ACP-EEC Committee on Industrial Co-operation of 2 September 1981, laying down the conditions of employment of the staff of the Centre, and in particular Article 27, second paragraph, and Article 33(2) thereof,

Whereas staff members who have two years' seniority may, by decision of the Director, receive an increase of up to 6% of their initial salaries during the period covered by the Convention, and whereas the Director has decided to increase by 6%, as from 1 January 1983, the salary of the staff concerned;

Whereas where, in the context of the conditions of employment provided for by the aforementioned Decision No 2/81/CIC, it is provided that the Director shall take decisions with respect to the staff, the Committee shall take such decisions with respect to the Director and Deputy Director;

Whereas the Director and Deputy Director fulfil the conditions provided for in the second paragraph of Article 27 of Decision No 2/81/CIC and whereas it is appropriate to take, as far as they are concerned, the same decision as that provided for by the Director in respect of the staff concerned,

HAS DECIDED AS FOLLOWS:

Article 1

The initial salaries, under the second ACP-EEC Convention, of the Director and Deputy Director of the Centre shall be increased by 6% as from 1 January 1983.

Article 2

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 25 July 1984

For the ACP-EEC Committee
on Industrial Co-operation
The Chairman

(s.) G.R.E. BULLEN

DECISION No 4/84/CIC
OF THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION
of 28 November 1984

giving a discharge to the Director of the Centre
for Industrial Development in respect of the implementation of the
Centre's budget for the financial year 1983

THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the Second ACP-EEC Convention, signed at Lomé
on 31 October 1979, and in particular Articles 78 and 81 thereof,

Having regard to Decision No 6/81 of the ACP-EEC Council of
Ministers of 10 April 1981 laying down the statutes and rules of
operation of the Centre for Industrial Development, hereinafter
referred to as the "Centre", as amended by Decision No 5/84,

Having regard to Decision No 3/81/CIC of the Committee on Industrial
Co-operation adopting the Financial Regulation of the Centre,

Having regard to the Centre's balance sheet for the financial year 1983 drawn up on 31 December 1983,

Having regard to the Auditors' Report on the accounts for the financial year 1983,

Having noted the replies given by the Director to the comments made by the Auditors,

Whereas it is for the Committee to give a discharge to the Director in respect of the implementation of the Centre's budget;

Whereas revenue for the financial year 1983 consisted principally of a contribution from the European Development Fund amounting to 5 568 153 ECU;

Whereas the Director's overall implementation of the Centre's budget during the financial year 1983 was such that he should be given a discharge in respect of the implementation of this budget,

HAS DECIDED AS FOLLOWS:

Article 1

The Committee on Industrial Co-operation hereby adopts the balance sheet of the Centre as at 31 December 1981, showing the amount of 12 826 072,27 ECU for both revenue and expenditure.

Article 2

The Committee hereby gives a discharge to the Director of the Centre in respect of the implementation of the Centre's budget for the financial year 1983.

Done at Brussels, 28 November 1984

For the ACP-EEC Committee on
Industrial Co-operation
The Chairman

(s.) A. O'ROURKE

DECISION No 5/84/CIC
OF THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION
of 28 November 1984

on the adjustment of the remuneration
laid down in Article 3 of Decision No 2/81/CIC
laying down the conditions of employment of the staff
of the Centre for Industrial Development

THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the Second ACP-EEC Convention, signed at Lomé
on 31 October 1979, and in particular Article 81(2) thereof,

Having regard to Decision No 6/81 of the ACP-EEC Council of
Ministers of 10 April 1981 laying down the statutes and rules of
operation of the Centre for Industrial Development, hereinafter
referred to as the "Centre", as amended by Decision No 5/84,
and in particular Article 7 thereof,

Having regard to Decision No 2/81/CIC of the ACP-EEC Committee
on Industrial Co-operation of 2 September 1981 laying down the
conditions of employment of the staff of the Centre for Industrial
Development, and in particular the third subparagraph of
Article 27 thereof,

Whereas under the third subparagraph of Article 27 of Decision No 2/81/CIC the Committee may decide, on a proposal from the Director of the Centre, to adjust the remuneration laid down in Article 3 thereof in order to take account of trends in the cost of living and in purchasing power;

Whereas the Director has submitted proposals for adjustments to take account of the trend in the cost of living in Brussels during the period 1 January 1983 to 30 June 1983 and during the period 1 July 1983 to 31 December 1983;

Whereas, in order to take account of trends both in the cost of living and in purchasing power in Brussels, which is the seat of the Centre, the remuneration of the staff of the Centre should be adjusted by 2,86% with effect from the end of the first of the abovementioned periods and further adjusted by 2,84% with effect from the end of the second of the abovementioned periods,

HAS DECIDED AS FOLLOWS:

Article 1

With effect from 1 July 1983 the remuneration laid down in Article 3 of Decision No 2/81/CIC shall be increased by 17,59%.

Article 2

With effect from 1 January 1984 the remuneration laid down in Article 3 of Decision No 2/81/CIC shall be increased by 20,93%.

Article 3

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 28 November 1984

For the ACP-EEC Committee on
Industrial Co-operation
The Chairman

(s.) A. O'ROURKE

DECISION No 6/84/CIC
OF THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION
of 28 November 1984

on the appointment of members
of the Advisory Council of the
Centre for Industrial Development

THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the Second ACP-EEC Convention, signed at Lomé
on 31 October 1979, and in particular Article 81(4) thereof,

Having regard to Decision No 6/81 of the ACP-EEC Council of
Ministers of 10 April 1981 laying down the statutes and rules of
operation of the Centre for Industrial Development, as amended
by Decision No 5/84, and in particular Article 6(2) thereof,

Whereas the Convention provides in Article 81(3) and (4) for an Advisory Council whose task is to advise and assist the Centre in the programming and development of its industrial activities and which is composed of persons with considerable industrial experience, especially in the manufacturing sector, who are chosen, in a personal capacity and on the basis of their qualifications, from nationals of the States party to the Convention;

Whereas it falls to the Committee to appoint the members of the Advisory Council; whereas to that end the Committee in the last instance adopted Decision No 1/83/CIC; whereas Mr Angelo TRONTI, member of the abovementioned Council, has deceased and has to be replaced; whereas the Committee has submitted a nomination to that effect; whereas the number of members has been increased from 16 to 20 and the Community has nominated two new members,

HAS DECIDED AS FOLLOWS:

Sole Article

The following are hereby appointed members of the Advisory Council of the Centre for Industrial Development until the date of expiry of the Convention:

Mr Gastone BOLLINO

Mrs Marina FLANGA

Mr Joern B. JENSEN

Done at Brussels, 28 November 1984

For the ACP-EEC Committee on
Industrial Co-operation
The Chairman

(s.) A. O'ROURKE

DECISION No 8/84/CIC
OF THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION
of 28 November 1984

authorizing a transfer of appropriations from one chapter to another
of the 1984 budget of the Centre for Industrial Development

THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the Second ACP-EEC Convention, signed at Lomé on
31 October 1979, and in particular Article 81(5) thereof,

Having regard to Decision No 6/81 of the ACP-EEC Council of Ministers
of 10 April 1981 laying down the statutes and rules of operation of
the Centre for Industrial Development, hereinafter referred to as the
"Centre", and in particular Article 8 thereof,

Having regard to Decision No 3/81/CIC of the ACP-EEC Committee on
Industrial Co-operation adopting the Financial Regulation of the
Centre, and particularly the first paragraph of Article 10 thereof,

Whereas the budget for the Centre for the financial year 1984 was adopted by Decision No 2/83/CIC;

Whereas the Director of the Centre submitted a request on 19 September 1984 for the transfer of an appropriation from one chapter to another within the said budget, together with the reasons for this request; whereas it is for the Committee on Industrial Co-operation to take a decision on the matter,

HAS DECIDED AS FOLLOWS:

Sole Article

A transfer of 20 000 ECU shall be made from Chapter 34, Article 341 (travel expenses) to Chapter 23, Article 232 (postal charges and telecommunications) within the 1984 budget for the Centre.

The Director of the Centre is hereby instructed to implement this Decision.

Done at Brussels, 28 November 1984

For the
ACP-EEC Committee on Industrial Co-operation
The President

(s.) A. O'ROURKE

European Communities — Council

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