

Assented to in Her Majesty's name this 5th day of
November, 1970.

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BANJA TEJAN-SIE;
Governor-General.

LS

No. 20

1970



Sierra Leone

The African Civil Aviation Commission Constitution Short title.
(Ratification) Act, 1970

[5th November, 1970.] Date of com-
mencement.

WHEREAS—

- (a) a Constitution entitled the African Civil Aviation Commission Constitution (hereinafter referred to as "the Constitution") was on the 17th day of January, 1969 signed at Addis Ababa by members of the African Civil Aviation Commission (AFCAC) of which the Government of Sierra Leone is a member and which Constitution is set out in the Schedule to this Act; and

(b) The Government of Sierra Leone desires to ratify and confirm the said Constitution.

NOW, THEREFORE, BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the House of Representatives in this present Parliament assembled and by the authority of the same, as follows:—

Confirmation of Constitution and conferment of powers.

1. The Constitution set out in the Schedule hereto is hereby ratified and confirmed and all rights and obligations and immunities or privileges purported to be conferred or imposed thereby, are hereby declared valid any law to the contrary notwithstanding, and notwithstanding anything in any law contained any person shall have power to do on behalf of the Government any act which the Constitution may require or allow in the name of the Government.

Appropriation and authority to Accountant-General.

2. There shall be paid as and when required out of the Consolidated Revenue Fund without further appropriation than this Act, all such sums as shall be necessary for the implementation of the Constitution, and the Accountant-General is hereby authorised to pay such sums on the certificate of the Minister of Finance stating that the money is required for the implementation of the Constitution.

THE SCHEDULE

AFRICAN CIVIL AVIATION COMMISSION CONSTITUTION

- 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.

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 air worthiness, 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 receives 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 Africa 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 17th January, 1969 at the Headquarters of the OAU in Addis Ababa.

The constitution shall come into force provisionally as of 17th 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.

Passed in the House of Representatives this 21st day of July, in the year of our Lord one thousand nine hundred and seventy.

J. W. E. DAVIES,
Clerk of the House of Representatives.

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill which has passed the House of Representatives and found by me to be a true and correctly printed copy of the said Bill.

J. W. E. DAVIES,
Clerk of the House of Representatives.