

DECISION OF THE JOINT COMMITTEE

No. 1 of 2011

(Adopted on 1 July 2011)

ESTABLISHING THE RULES OF PROCEDURE OF THE  
JOINT COMMITTEE

THE JOINT COMMITTEE,

Having regard to the Free Trade Agreement between the European Free Trade Association (EFTA) States and the Southern African Customs Union (SACU) States (hereinafter each individual state referred to as “a Party” or collectively referred to as “the Parties”) that entered into force on 1 May 2008 (hereinafter referred to as “the Agreement”),

Confirming that, wherever the term “Party” or “Parties” is used in this decision, it refers to the terms as defined in the Free Trade Agreement between the EFTA States and the SACU States,

Noting that Paragraph 4 of Article 34 of the Agreement provides that the Joint Committee between the EFTA States and the SACU States (hereinafter referred to as the “Joint EFTA-SACU Committee”) shall establish its rules of procedure,

DECIDES:

**Article 1**

The Rules of Procedure of the Joint EFTA-SACU Committee are established as set out in the Annex to this Decision.

**Article 2**

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

## **ANNEX**

### **RULES OF PROCEDURE OF THE JOINT EFTA-SACU COMMITTEE**

#### **Article 1**

##### **Chair**

1. The Joint EFTA-SACU Committee (hereinafter referred to as “the Joint Committee”) shall be jointly chaired by a representative of an EFTA State and a representative of a SACU State.
2. Before each Joint Committee meeting, the EFTA delegation shall appoint the Chair representing the EFTA States, and the SACU delegation shall appoint the Chair representing the SACU States.

#### **Article 2**

##### **Secretariat of the Joint Committee**

An official of the EFTA Secretariat and an official of the SACU Secretariat shall act jointly as the Secretariat of the Joint Committee.

#### **Article 3**

##### **Meetings**

1. The Joint Committee shall meet whenever necessary upon request of a Party, but at least once every two years. Upon request of a Party, a meeting should be held within 30 days of receipt of the request, unless the Parties agree otherwise.
2. Each meeting of the Joint Committee shall be held in a place and on a date mutually agreed by the Parties. The location of the meetings shall, unless the Parties agree otherwise, alternate between the EFTA Headquarters in Geneva and a SACU State. Where the Parties agree, the meeting of the Joint Committee may take place by video- or teleconference.
3. Before each meeting of the Joint Committee, the Secretariat of the Joint Committee shall submit to the Parties the names and titles of the delegates from both sides.
4. Unless the Joint Committee decides otherwise, its meetings shall not be open to the public.

5. The Secretary-General of EFTA and the Executive Secretary of SACU, and their representatives, may attend the meetings of the Joint Committee.

#### Article 4

##### **Agenda**

A provisional agenda for each meeting shall be drawn up by the Secretariat of the Joint Committee after consultation with the Parties and shall be circulated to the Parties no later than 14 days before the date of the meeting. The Agenda shall be adopted by the Joint Committee at the beginning of each meeting. Additional items may be included in the agenda if the Parties so agree.

#### Article 5

##### **Documents**

Written documents constituting the basis for the deliberations of the Joint Committee shall be referenced by numbers and circulated as documents of the Joint Committee by the Secretariat of the Joint Committee.

#### Article 6

##### **Correspondence**

All exchange of correspondence between the Parties shall be carried out through the Secretariat of the Joint Committee.

#### Article 7

##### **Official language**

The working language of the Joint Committee shall be English.

#### Article 8

##### **Joint Minutes**

1. The Secretariat of the Joint Committee shall draft the Joint Minutes of the meeting held by the Joint Committee. The Joint Minutes shall, as a general rule, contain the following:

- (a) a summary of the statements made by the Parties, in particular those whose inclusion in the Joint Minutes have been especially requested;

- (b) the decisions, recommendations and declarations agreed by the Joint Committee, as well as other conclusions reached on specific issues;
- (c) all documentation formally presented by a Party and agreed to be included as annexes to the Joint Minutes; and
- (d) a list of the officials that participated in the Joint Committee meeting, specifying the Head of Delegation of each Party.

2. The Joint Minutes shall be circulated to the representatives of the Parties for written approval. They should be approved no later than three months after the date of the meeting.

### Article 9

#### **Decisions and recommendations**

1. Decisions and recommendations of the Joint Committee shall bear a number, date of adoption and a title referring to their subject matter.
2. Each Party may publish in its respective official publications the decisions and recommendations adopted by the Joint Committee.
3. Where a matter is urgent and a meeting cannot be convened, the Joint Committee may adopt its decisions or make its recommendations by written procedure, if so agreed by the Parties. In such an event, the Secretariat of the Joint Committee shall circulate the proposed draft decisions or recommendations for approval, followed by an exchange of diplomatic notes between the EFTA Secretariat and the SACU Secretariat.
4. Decisions taken by the Joint Committee shall be subject to the fulfilment of internal procedures of the Parties.

### Article 10

#### **Expenses**

Expenses in connection with the organisation of meetings shall be borne by the Party that hosts the meeting.<sup>1</sup>

---

<sup>1</sup> These expenses relate to venue, secretariat facilities and refreshments served. All other expenses shall be at the discretion of the hosting Party.

Article 11

**Notifications**

Notifications addressed to the Joint Committee in accordance with the provisions of the Agreement shall be made through the Secretariat of the Joint Committee.