

# STATUTES



*and*



**REGULATIONS**

*ADOPTED MAY 2013*

AFRICAN ORGANISATION OF ENGLISH SPEAKING SUPREME AUDIT INSTITUTIONS

## PREAMBLE

(Adopted on 10 May 2013)

In accordance with the purposes and principles of the United Nations, the heads of the Supreme Audit Institutions (SAIs) in Africa that were members of the Assembly of English-speaking African Supreme Audit Institutions and the Southern African Development Community Organisation of Supreme Audit Institutions (SADCOSAI), convinced of the necessity of effective public audit and with a view to:

- improving relations among the member countries in the field of public audit, in spite of differing political, economic and social systems;
  - meeting the need of the SAIs to work together, in view of the broad spectrum of increasingly close cooperation among the member countries;
  - contributing to narrowing the gap among the differing systems, procedures and methods of public audit by encouraging the exchange of experience within the institutions and thereby bearing fruit for their own work;
  - making a contribution to the objectives of the International Organisation of Supreme Audit Institutions (INTOSAI) and the African Organisation of Supreme Audit Institutions (AFROSAI) by drawing experience from the member countries;
  - promoting the ideals and objectives of the African Union;
- A. met in Budapest, Hungary on 11 October 2004 where it was resolved to regroup to form a new organisation with effect from 1 January 2005 called the African Organisation of English-speaking Supreme Audit Institutions (AFROSAI-E), hereinafter referred to as “the organisation”, for which a set of statutes was adopted, and
- B. met again in Mauritius on 10 May 2013 to accept the present text as the amended statutes of the organisation.

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# REGULATIONS

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# STATUTES

## NAME AND PURPOSE

### 1. NAME

AFROSAI-E is an autonomous, independent and non-political organisation established as a permanent institution with links to AFROSAI, INTOSAI and the United Nations Organisation.

### 2. OBJECTIVES

In order to enhance public accountability, the organisation will strive to achieve the following objectives:

- (1) To enhance the audit performance of its members.
- (2) To develop and share resources in the region.
- (3) To promote professional and technical development and cooperation among its members and other international and regional bodies such as AFROSAI and INTOSAI.
- (4) To promote and maintain relations with national, regional and international institutions specialising in issues affecting the audit of public resources.
- (5) To support regional institutions in promoting good governance.

### **3. PRINCIPLES**

The organisation shall recognise as a matter of principle:

- (1) The equality of all the SAIs that are members.
- (2) The right to membership of any English- or Portuguese-speaking country in Africa.
- (3) The laws by which each SAI is governed.
- (4) The laws of the African Parliament instituted by the African Union.
- (5) The international agreements, treaties and resolutions issued by international institutions.



### 4. PARTICIPATION

- (1) Participation as a member in the organisation and its organs and functions is open to all English- and Portuguese-speaking SAIs of Africa that accept and commit to the statutes of the organisation and are formally accepted as members by the governing board.
- (2) By SAI we mean such public body of a state which, however designated, constituted or organised, exercises, by virtue of a law or other formal action of the state, the highest public auditing function of that state in an independent manner, with or without jurisdictional competence.
- (3) Participation as an associate member without voting privilege is open to international, professional and other organisations that share the goals of external public sector audit. Associate members approved by the governing board may participate in the organisation's events and programmes and benefit from the organisation's deliverables.
- (4) Members shall pay the annual membership fees determined by the governing board. If a member should fail to meet its responsibilities in this regard for two years, the participation of such a member can be suspended by the governing board on the conditions that the board may determine.
- (5) Withdrawal as a member shall be effected by notification of ninety (90) days in writing to the governing board.

### 5. RESPONSIBILITIES OF MEMBERS

Members shall have the following responsibilities to the organisation:

- (1) To pay their annual membership fees.

- (2) To commit to the vision and mission of as well as the strategic direction adopted by the governing board.
- (3) To actively participate in the activities of the organisation and to share information on subjects of common professional and technical interest and to make use of the products developed.
- (4) To make subject matter experts and facilitators available as far as possible for the advancement of programmes.
- (5) To cooperate with regard to the quality assurance processes as approved by the governing board.
- (6) To commit their institutions to the highest possible level of technical advancement and management practices.
- (7) To cooperate with regard to reviews required by the governing board or donor or other related programmes providing support.
- (8) To provide information promptly when requested to do so by the executive secretariat.
- (9) To commit themselves to any other activity required by the governing board from time to time.

## **6. SUSPENSION OF MEMBERSHIP**

- (1) If a member SAI, the head of such institution or an associate member fails to comply with the statutes or behaves in an unprofessional manner which is or could become an embarrassment to the good reputation of the organisation, the membership can, on the recommendation of a disciplinary committee appointed by the governing board for this purpose, be suspended by the board on the conditions that the board may determine.

### 7. STRUCTURE

- (1) The structure of the organisation shall be as follows:
  - (a) The governing board
  - (b) The executive secretariat
- (2) The governing board may establish from among its members subcommittees to oversee certain activities of the organisation on its behalf. Such committees could include capacity building, human resources, finance and audit.
- (3) The governing board may also establish committees to accommodate specific sub-regional needs, such as language preferences, external communication and stakeholder needs.
- (4) Unless the governing board decides otherwise, committee and subcommittee members shall appoint chairpersons, vice-chairpersons and secretaries from among themselves.

### 8. COMPOSITION

- (1) The governing board shall consist of the heads of all the SAIs that are full members. The chairperson and vice-chairperson of the governing board shall be appointed by the board for a term of three (3) years and may be re-elected for another term or such shorter period as the governing board may decide.
- (2) Representatives from INTOSAI, AFROSAI and other organisations with purposes connected to those of the organisation may, with the approval of the chairperson, participate as observers at the meetings or parts of the meetings of the governing board. An observer shall not be eligible to vote at a governing board meeting.

### 9. MEETINGS

- (1) The governing board shall meet at an ordinary session at least once a year, or as agreed upon by the governing board. An extraordinary session of the governing board may be convened upon the request of at least half of the members of the governing board.
- (2) In order to be validly constituted, at least two-thirds of the members must be present or represented. A representative shall have no voting rights except where the representation is approved in writing by the head of the SAI and a proper explanation is provided.
- (3) For the adoption of decisions by the governing board, the absolute majority of the votes of the members present shall be necessary, except for the provisions of articles 10(5), 10(6) and 20, for which a two-thirds majority of all members will be required. Each member shall have one vote.

## 10. POWERS AND RESPONSIBILITIES

The governing board shall be the supreme authority of the organisation and shall have the following powers and responsibilities, in addition to those mentioned in these statutes:

- (1) To take policy decisions and provide strategic direction, review progress and establish guidelines necessary to attain the objectives of the organisation.
- (2) To approve the strategic plans and the annual work plans and budgets, including the extent to which the costs relating to scheduled events will be subsidised by the organisation.
- (3) To approve proposals submitted by one or more of its members through the chief executive officer.
- (4) To approve reports on the activities of the organisation, including the annual report, the audited financial statements, the report of the external auditor, and the annual activity report of the SAls in the region.
- (5) To approve and amend the statutes.
- (6) To approve regulations.
- (7) To appoint the external auditors.
- (8) To approve the terms of reference of subcommittees or regional committees.
- (9) To approve recommendations of subcommittees or regional committees.
- (10) To approve the appointment of institutional partners.

- (11) To foster communication and close cooperation amongst its members and stakeholders within the framework of INTOSAI.
- (12) To deal with issues not specifically provided for in these statutes to advance the activities of the organisation.
- (13) To delegate the powers in terms of these statutes, except for the powers vested in (1), (5), (6) and (12) above.

### 11. SEAT

- (1) The executive secretariat of AFROSAI-E shall be hosted in a country that complies with criteria set by the governing board. The governing board shall reconsider the seat of the executive secretariat every six (6) years.
- (2) The SAI hosting the executive secretariat shall supplement the budget and provide or finance a budget for the chief executive officer, premises and other necessary resources for the functioning of the executive secretariat.
- (3) The head of the SAI hosting the executive secretariat shall fulfil an oversight role over it as agreed to in a memorandum of understanding signed between him/her and the chairperson of the governing board. He/she shall confirm in a supplement to the annual report that the oversight responsibilities in this regard have been duly exercised and append any observations that may require the attention of the governing board.

### 12. COMPOSITION

- (1) The executive secretariat shall be headed by a chief executive officer appointed by the governing board on the terms and conditions of service determined by the governing board.
- (2) The chief executive officer shall be supported by a staff complement approved by the governing board in terms of the regulations issued by the board under article 10(6).

### **13. TASKS**

The tasks of the executive secretariat shall be as follows:

- (1) To maintain contact with and between members and with the secretariats of other organisations within INTOSAI.
- (2) To assist the governing board and its subcommittees in fulfilling their tasks and to promote the organisation and functioning of regional working groups.
- (3) To prepare and submit strategic plans and annual work plans and budgets to the governing board for approval.
- (4) To organise workshops, research and other activities promoting the aims of the organisation.
- (5) To implement the budget and to maintain the accounts and records of the organisation.
- (6) To publish an annual report containing audited financial statements for the calendar year ended and submit it to the governing board for approval.
- (7) To perform any other tasks assigned to it by the governing board.

### **14. POWERS AND RESPONSIBILITIES OF THE CHIEF EXECUTIVE OFFICER**

The chief executive officer shall have the following powers and responsibilities, in addition to those mentioned in these statutes and the regulations issued in terms thereof:

- (1) To implement the decisions necessary for the functioning of the organisation in accordance with the direction provided *inter alia* in the strategic and annual work plans approved by the governing board.



- (2) To represent the governing board in all matters pertaining to the organisation in consultation with the chairperson.
- (3) To secure donor support for the programmes of the organisation and ensure compliance with the donor agreements.
- (4) To actively engage with potential institutional partners and collaborate with institutional partners approved by the governing board in terms of article 10(10).
- (5) To appoint individuals or working groups to ensure the effective functioning of the executive secretariat.
- (6) To facilitate regional support for bilateral agreements, parallel and joint audits, etc.
- (7) To monitor the activities of the organisation and its member SAs.
- (8) To compile submissions to the governing board if requested by its members.
- (9) To compile policies and procedures as required.
- (10) To fulfil any other duties and responsibilities assigned by the governing board.
- (11) To do anything not specifically provided for and which is not in conflict with the objectives and principles mentioned in articles 2 and 3 of the statutes.

### 15. FINANCIAL PROVISIONS

- (1) The expenses of the organisation shall be covered through income from the following sources:
  - (a) Member contributions as determined by the governing board in terms of article 4(4). Members shall be notified of assessments by the chief executive officer and payment made at the beginning of each calendar year.
  - (b) Grants, donations or any other kind of contribution from individuals or public or private institutions for the achievement of the objectives of the organisation, or, subject to the approval of the governing board, for a purpose designated by the grantor or donor.
  - (c) Proceeds from the sale of publications and other activities of the organisation.
  - (d) Any other sources of income approved by the governing board.
- (2) All funds referred to in article 15(1) above shall be deposited in the bank account(s) approved by the governing board.
- (3) All agreements between the organisation and international agencies pertaining to any grants, donations or other contributions made by them towards the funding of activities shall be signed by the chief executive officer on behalf of the governing board.
- (4) The governing board shall approve the accounting policy as part of the annual financial statements. The head of the hosting SAI and the chief executive officer shall jointly sign the annual financial statements on behalf of the governing board.

- (5) The budget and financial reports of AFROSAI-E shall cover one year from 1 January to 31 December.
- (6) Further details on budgeting, accounting, financial reporting and auditing shall be provided in regulations adopted by the governing board and rules issued by the chief executive officer.

## **16. AUDITING**

- (1) The accounts and financial management of AFROSAI-E shall be audited by an audit firm appointed by the governing board in terms of article 10(7).
- (2) The executive secretariat shall supply to the auditors any information required for the performance of their duties and shall assist them in their tasks.
- (3) The auditors shall submit their audit report to the chief executive officer for inclusion in the annual report for approval by the governing board in terms of article 10(4).

## **17. REPORTING**

- (1) Recognising the direct and indirect economic, social and environmental impact of its activities, the organisation endorses the goal of the global reporting initiative to enhance the quality, rigour and utility of sustainability reporting. Whilst acknowledging the fact that it is heavily dependent on the contributions of donors, institutional partners and members for the financing and performance of its activities, the organisation shall endeavour to the extent possible to implement an integrated reporting approach.
- (2) The organisation shall issue an annual report which provides an overview of the progress made by the organisation in achieving its objectives and which includes appropriately audited performance information.

- (3) The organisation shall issue an annual activity report wherein the performance of its members is highlighted in relation to a framework adopted by the governing board, which summarises the key areas that a SAI needs to focus on in order to succeed in its operations and development.

## **18. EVALUATION**

- (1) In order to provide its stakeholders with the assurance that the organisation is fulfilling its intended value-adding role in Africa with ongoing professionalism and commitment to effective service delivery, an independent external evaluation of the organisation will be performed during each strategic cycle of five years.

### 19. LEGAL STATUS

- (1) The organisation is a voluntary association of its members in the form of a separate legal entity, having perpetual succession and the power to own and hold property (immovable, movable and incorporeal) in its own name independently of its members, as well as the power to sue and to be sued in its own name.
- (2) The organisation shall be constituted under the law of the state in which the executive secretariat is situated until such time as it is no longer situated in that country. The organisation shall be ruled by the present statutes and by the respective regulatory provisions.

### 20. DISSOLUTION

- (1) In the event of dissolution, which must be agreed by a two-thirds majority of the members of the organisation, the procedures shall be in accordance with the legislation of the state in which the executive secretariat is situated.

### 21. LANGUAGE CLAUSE

- (1) The official language of the organisation shall be English, but the Portuguese language may be used when operationally required.

### 22. ADOPTION OF THE STATUTES

- (1) The amendments to the AFROSAI-E statutes, as contained in the present text, shall come into effect from 10 May 2013.

## **23. TRANSITIONAL ARRANGEMENTS**

- (1) All agreements that were entered into and activities that were planned or commenced prior to the acceptance of the original statutes on 11 October 2004 shall be considered legal and binding until they have been reconsidered in terms of the statutes.
- (2) The chief executive officer may approve any reasonable action necessary to ensure the proper implementation of these statutes provided that it is reported to the governing board at its next meeting.

## ANNEXURE

### LIST OF MEMBER COUNTRIES AND AUDITORS-GENERAL ON 10 MAY 2013

Country	Official name of SAI	Current head of SAI
Angola	Tribunal de Contas	Mr J Antonio
Botswana	Auditor General	Mr R Sebopeng
Eritrea	Auditor General	Mr G Ghebremedhin
Ethiopia	Federal Auditor General	Mr GD Godana
Gambia	Auditor General	Mr B Sankareh
Ghana	Auditor General	Mr RQ Quartey
Kenya	Auditor General	Mr ERO Ouko
Lesotho	Auditor General	Mrs LL Liphafa
Liberia	Auditor General	Mr RL Kilby
Malawi	Auditor General	Mr RLH Chiluzi (acting)
Mauritius	Audit Department	Mr R Jugurnath
Mozambique	Tribunal Administrativo	Mr M Munguambe
Namibia	Auditor General	Mr JE Kandjeke
Nigeria	Auditor General for the Federation	Mr ST Ukura
Rwanda	Auditor General	Mr O Rwaitare Biraro
Seychelles	Auditor General	Mr M Benstrong
Sierra Leone	Auditor General	Mrs L Taylor-Pearce
South Africa	Auditor-General of South Africa	Mr TM Nombembe
South Sudan	Auditor General	Mr SK Wonda
Swaziland	Auditor General	Ms TP Nxumalo
Tanzania	Controller and Auditor General	Mr LSL Utouh
Uganda	Auditor General	Mr JFS Muwanga
Zambia	Auditor General	Mrs AO Chifungula
Zimbabwe	Comptroller and Auditor General	Mrs M Chiri

### 1. DEFINITIONS

In these regulations, unless the context indicates otherwise:

- (1) "AFROSAI-E" means the African Organisation of English-speaking Supreme Audit Institutions, hereinafter referred to as the organisation.
- (2) "chairperson" means the person appointed by the governing board in terms of article 8(1) of the statutes.
- (3) "chief executive officer" means the person appointed by the governing board in terms of article 12(1) of the statutes.
- (4) "employee" means a person appointed by the organisation or seconded to it by another organisation.
- (5) "executive officer" means the person appointed by the chief executive officer in consultation with the chairperson in accordance with article 14(5) of the statutes.
- (6) "executive secretariat" means the organ of AFROSAI-E established by article 7(1)(b) of the statutes.
- (7) "governing board" means the organ of AFROSAI-E established by article 7(1)(a) of the statutes.
- (8) "SAI" means the Supreme Audit Institution as defined in article 4(2) of the statutes.
- (9) "statutes" means the statutes of AFROSAI-E.



## **2. ADOPTION AND AMENDMENT OF REGULATIONS**

- (1) The regulations in their present text were adopted on 10 May 2013 by the governing board in terms of article 10(6) of the statutes, effective from that date.
- (2) If deemed absolutely essential and in the interests of the organisation, the chairperson may, at the request of the chief executive officer, make amendments and additions to these regulations, provided they are submitted to the governing board for consideration and approval at the earliest following opportunity.

## **3. DELEGATING**

- (1) Any power and responsibility vested in the chief executive officer in terms of these regulations may be delegated to an officer in the executive secretariat on such conditions as the chief executive officer may determine.
- (2) The chief executive officer may issue rules to govern the management and administration of the executive secretariat provided they do not contradict the statutes and regulations.
- (3) When a person is acting in a post to which, in terms of these regulations, powers and responsibilities have been conferred or delegated, such person exercises that duty or wields that power.

## **4. INTEREST IN DECISIONS**

- (1) An officer or employee or any person related to him/her within the second grade, or an acquaintance of an officer or employee who has or shall have a direct or indirect material interest in a contract with the organisation, shall declare such interest and particulars thereof in writing and may not participate in any discussion or the taking of any decision concerning it.

- (2) If the interest as referred to in paragraph (1) above is not declared, the chief executive officer may demand the benefits arising from the decision of the person concerned and/or take other appropriate steps.

## **5. NON-COMPLIANCE WITH REGULATIONS**

- (1) The chief executive officer shall report to the governing board material cases where these regulations were not complied with, stating the reasons for such non-compliance as well as the corrective steps that have been taken.

## **6. POWERS AND RESPONSIBILITIES OF THE EXECUTIVE OFFICER**

- (1) The powers and responsibilities of the executive officer shall be as follows:
- (a) To support the chief executive officer to manage and control the capacity building operations of the executive secretariat.
  - (b) To participate in technical capacity building and research projects.
  - (c) To oversee and manage the duties and responsibilities of staff entrusted with the financial and administrative affairs of the executive secretariat according to the procedures prescribed by the chief executive officer.
  - (d) To oversee the management of scheduled events to ensure that they are properly planned, organised and executed, as well as reported on in terms of logistical information, quality of presentation and value added.
  - (e) To oversee all matters pertaining to the internal and external communication of the executive secretariat to ensure that they are dealt with promptly and with the due care expected of a professional organisation.

- (f) To periodically evaluate the activities of the executive secretariat in order to identify risks and inefficient practices and advise the chief executive officer on controls and corrective steps to be taken to address these risks and inefficiencies.
- (g) To implement the approved code of conduct which puts the organisation's values into practice and determines and guides the way in which persons employed by the organisation as well as persons performing work on its behalf, should conduct themselves.
- (h) To compile an integrated annual report which provides an overview of the progress made by the organisation in achieving its objectives and which includes appropriately audited performance information.
- (i) To do anything not specifically provided for in these regulations to advance the activities of the organisation.

## **7. ASSET MANAGEMENT**

- (1) All fixed assets accruing to or acquired by the organisation that cannot be regarded as consumable as determined by the chief executive officer, shall be recorded in a fixed asset register.
- (2) The fixed assets shall be verified at least once annually and compared with the fixed asset register.
- (3) Write-offs, losses or damages of a material nature and extent shall be included in the annual report as contemplated in article 10(4) of the statutes.
- (4) No officer or employee may use the property of AFROSAI-E for personal or any non-official purposes unless authorised by the chief executive officer to do so.

### 8. FINANCIAL POLICY

- (1) Subject to the provisions of the statutes and these regulations, the chief executive officer has the power to determine the financial policy and issue directives related thereto.
- (2) The chief executive officer may:
  - (a) authorise the providing of a free service.
  - (b) authorise or condone non-compliance with an instruction or other written request, provision or stipulation prescribed by him/her.
  - (c) determine the conditions on which income due may be paid.
- (3) Where the amounts concerned do not exceed US\$ 5 000 the chief executive officer may, on behalf of the governing board:
  - (a) authorise the writing off of a loss of money or other assets.
  - (b) authorise the variation or cancellation of contracts that will be detrimental to the organisation.
  - (c) authorise the settlement of a claim by or against the organisation or waive a claim by the organisation.
  - (d) authorise the remission or writing off of money due to the organisation.
  - (e) approve payments of grace.

- (f) approve that gifts of money and other movable assets may be made.
  - (g) approve the alienation, letting of or disposal of movable and/or immovable property.
  - (h) waive the submission of a voucher where such a voucher or other proof of payment is in any respect defective, lost or destroyed.
- (4) When the separate amounts concerned in paragraph (3) above exceed US\$ 2 500, particulars thereof shall be separately specified in the annual report referred to in article 10(4) of the statutes.

## **9. BUDGETS**

- (1) The budgets contemplated in articles 10(2) and 13(3) of the statutes shall be submitted in the prescribed format for approval by the governing board. Where the annual budget cannot be approved before the beginning of the financial year which it covers, a provisional budget shall be submitted timeously for approval by the governing board.
- (2) The chief executive officer may authorise funds to be utilised to defray expenditure that was not budgeted for and cannot be postponed without serious detriment to the operations of the organisation, provided that the expenditure does not exceed 2% of the total budgeted expenditure and particulars of such authorisations are reflected in the annual report.

## **10. MEMBERSHIP FEES**

- (1) The chief executive officer shall propose the basis for the calculation of membership fees for approval by the governing board in terms of article 4(4) of the statutes.
- (2) The executive secretariat shall calculate membership fees and invoice member SAs accordingly within two (2) months before the commencement of a financial year.

- (3) The membership fees are payable not later than six (6) months after the commencement of a financial year.
- (4) The chief executive officer shall inform the governing board on the status of membership fees as at 31 March of each financial year.

## **11. EXPENDITURE CONTROL**

- (1) Payments may be made only in respect of:
  - (a) amounts payable in terms of the statutes or under these regulations.
  - (b) adherence to a contractual commitment.
  - (c) compliance with the verdict of an appropriate court.
  - (d) an advance authorised by the chief executive officer.
- (2) No payments may be made without the approval of the chief executive officer.
- (3) Payments contemplated in paragraph (2) above shall be supported by documentary evidence.
- (4) The manager responsible for the expenditure shall certify the evidence on the basis of which payment is to be made stating that the services rendered were necessary for official purposes and satisfactorily executed, that the cost is in accordance with the relevant contract or agreement and that the supplier is entitled to the payment.
- (5) If the original evidence contemplated in paragraph (3) above is not available, payment may be made against a copy thereof, provided that the responsible manager certifies on the copy that it is a copy and that the amount due has not yet been presented for payment.

- (6) Miscellaneous expenses that may more conveniently be paid in cash may be paid from a petty cash advance up to an amount determined by the chief executive officer.
- (7) Written approval shall be obtained from the chief executive officer for all expenditure that is not related to the normal functions of the organisation and such expenditure shall be included in the annual report as contemplated in article 10(4) of the statutes.
- (8) The chief executive officer may, in specific circumstances where it shall be to the benefit of the organisation, approve that a payment be made before it is due.
- (9) A progress or part payment in respect of goods or services rendered or work performed, shall not be made unless it is supported by a certificate that the amount of the payment is fully covered by goods already delivered, services already rendered or work already performed.
- (10) The chief executive officer may, under appropriate conditions, approve advances for the payment of essential expenditure.
- (11) Any expenditure relating to the chief executive officer himself/herself shall be approved by the auditor-general of the SAI hosting the executive secretariat, or a person designated by him/her.
- (12) Expenditure shall be considered unauthorised:
  - (a) if the payment is made without provision in the annual budget contemplated in article 10(2) of the statutes.
  - (b) if it is paid inconsistent with these regulations.
- (13) An unauthorised expenditure shall not form a charge against the organisation's funds until it has been authorised by the governing board.

- (14) Unauthorised expenditure that has not been authorised as contemplated in paragraph (13) above shall be recovered from the beneficiary or the person responsible.

## **12. EVENT EXPENDITURE**

- (1) All meetings of the governing board and its subcommittees shall be held at own cost at a venue determined by the members. All other meetings and training events shall be held at venues that are most convenient and economical, unless circumstances determine otherwise.
- (2) Unless otherwise agreed or indicated in these regulations, the extent to which the costs related to activities planned for a financial year will be borne by the executive secretariat shall be contained in the detail of the approved budget for that year or in an annexure thereto.
- (3) All trips shall be undertaken using the most practical and economical route. All flights shall be in the economy class unless otherwise approved by the chief executive officer or agreed upon in a memorandum of understanding.
- (4) Where a refund needs to be paid for the cost of an air ticket purchased by a member, it shall be made by swift transfer into an account indicated in writing on an official letterhead by the member concerned. If circumstances so require, a cash refund may be made to a nominated delegate on the basis of a written request from the member concerned. The executive secretariat shall accept no responsibility with regard to further accounting for the amounts so disbursed.
- (5) Unless otherwise determined by the chief executive officer, all expenses of delegates relating to visas, passports, airport taxes, taxis, tips, telephone calls, newspapers, laundry, medicines, inoculations, insurance and other travel requirements, shall be for the account of the delegate or his/her own SAI.



### 13. TENDERS AND CONTRACTS

- (1) The following regulations shall apply with regard to tenders and contracts:
  - (a) For the procurement of goods and services, with the exception of event facilities, or for the alienation of moveable and immovable property of the organisation, the chief executive officer shall, from time to time, determine interactive points or circumstances for the collection of formal tenders in the local currency by means of advertising in local newspapers or, in the case of informal tenders, written price quotations or no price quotations, by sending tender documentation to selected suppliers.
  - (b) The chief executive officer may, with due consideration for social issues such as gender, stipulate various conditions for the collection of tenders or price quotations in accordance with the requirements of a given situation, but he/she must ensure that the most beneficial transaction is obtained under the maximum possible effective competition and that the performance duly occurs.
  - (c) The organisation may, as the chief executive officer sees fit, make use of the services of institutions or persons to bargain for the collection of tenders.
  - (d) Where tenders are invited for the procurement and delivery of goods or for the rendering of services, the tender contract conditions shall apply. The chief executive officer may issue procedures for the collection, opening, recording and awarding of tenders. The chief executive officer shall record in writing the reasons for not accepting the lowest value tender.

- (e) A register shall be kept in which the financial rights and obligations are recorded in respect of each term contract entered into by the organisation. Every payment made by or to the organisation shall be entered in this register on an ongoing basis. Information regarding contractual obligations shall be recorded in the financial statements.
- (2) For the renting of accommodation, the chief executive officer shall determine the procedures and conditions to be followed in that regard.
- (3) The chief executive officer shall approve the use of external fixed-term contracts negotiated by public institutions if it is to the advantage of the organisation.

#### **14. CONTRACTING IN OF PERSONS**

- (1) The chief executive officer may approve the contracting in of persons in their personal capacity or from professional entities, provided that:
  - (a) internal capacity is not available to render the relevant service.
  - (b) the assignment is defined in terms of time and cost.
  - (c) the tariff at which the service is offered is reasonable in comparison with current market tariffs.
  - (d) funds are available for this purpose.
  - (e) all appointments are disclosed in the annual report.

## 15. EVENT MANAGEMENT SERVICES

- (1) The executive secretariat shall manage all events as cost effectively as possible and meet the following minimum requirements:
  - (a) A database of possible service providers shall be compiled for each type of event.
  - (b) Service providers that are suitable and available shall be identified for each event using the database mentioned in paragraph (a) above and applying the following criteria:
    - Price of facilities and services
    - Adequacy and condition of the facilities and/or services
    - Availability and condition of technical equipment
    - Transport and transfer facilities
    - Security arrangements
    - Location.
  - (c) Service providers that are suitable and available for the various events shall be requested to submit quotations for approval by the chief executive officer.
  - (d) For each event a declaration that there has been no conflict of interest shall be obtained from all persons who were involved in the management of the event. This includes managers from the executive secretariat, host countries and service providers.
- (2) For events hosted in countries other than where the executive secretariat is situated, the procedures in paragraph (1) above shall be considered and applied as far as possible.

## **16. TRANSPORT ARRANGEMENTS**

- (1) All transport arrangements shall be done in the most direct, practical and economic route and mode of transport possible.
- (2) As far as possible, bookings shall be done directly with airlines or other service providers subject to paragraph (1) above.
- (3) Should the services of a travel agent be required, at least two quotations shall, where possible, be obtained from agents, except where an official agent has been appointed to provide a service.
- (4) If circumstances require that delegates arrange and purchase their own air tickets at the organisation's expense, written approval of the itinerary and the cost thereof shall be obtained from the executive secretariat before purchasing the air ticket.
- (5) Where possible, road transport shall be undertaken with official vehicles made available by and subject to the existing rules of the hosting member. The chief executive officer may issue rules governing the use of private motor vehicles for official purposes.

## **17. SERVICES PROVIDED BY INSTITUTIONAL PARTNERS**

- (1) The governing principles as stipulated in memoranda of understanding with institutional partners shall be approved by the governing board in terms of article 10(10) of the statutes.
- (2) The executive secretariat shall compile, review and negotiate all agreements based on the approved principles as in paragraph (1) above.
- (3) The chief executive officer shall sign the agreements and supporting documents as required by the afore-mentioned agreements on behalf of the governing board.

### 18. ESTABLISHMENT OF THE EXECUTIVE SECRETARIAT

- (1) The executive secretariat shall consist of the chief executive officer and a staff complement determined by the governing board in terms of article 12(2) of the statutes.
- (2) The governing board shall, on recommendation of the human resource subcommittee, approve the job grading system and recommended grading of the different posts on the approved establishment of the executive secretariat.
- (3) The establishment of the executive secretariat shall be reconsidered by the governing board at least every three (3) years.
- (4) The structure of the executive secretariat shall be disclosed in the annual report.

### 19. STAFF RECRUITMENT AND APPOINTMENT

- (1) Appointments may be made in terms of a secondment arrangement or on a limited-duration contract.
- (2) Positions shall be advertised by invitation to member countries, by internal or external advertising or by means of a professional recruitment agency.
- (3) The chief executive officer shall appoint an evaluation panel that could consist of internal or external members.

## 20. CONDITIONS OF SERVICE

### (1) Secondments

- (a) Secondment contracts shall be negotiated between the executive secretariat and the relative member countries of AFROSAI-E.
- (b) Secondment agreements shall be approved by the chief executive officer or a person delegated by him/her.
- (c) In cases of secondments, the tax legislation in the country where the officer will be working shall be applicable.

### (2) Employees

- (a) A standard contract shall be compiled for approval by the governing board.
- (b) Contracts shall be negotiated between the executive secretariat and the prospective employees.
- (c) Contracts shall be approved by the chief executive officer.
- (d) Conditions of service shall be in accordance with the labour legislation applicable to the country hosting the executive secretariat.

### (3) Performance assessments

- (a) A standard performance assessment system shall be approved by the governing board.
- (b) Individual performance contracts shall be negotiated between the executive secretariat and the employees.

- (c) In addition to other service conditions, performance bonuses may be considered by the governing board.

## **21. CODE OF CONDUCT**

- (1) The governing board shall approve a code of conduct which shall be applicable to all persons employed, seconded or allocated to the executive secretariat.
- (2) The code of conduct shall be made available to all applicable persons against signature.
- (3) Non-compliance with the code of conduct shall be reported to the chief executive officer for actions deemed necessary.

## **22. CONTRACTING OUT OF PERSONS**

- (1) The chief executive officer may approve the contracting out of persons employed in the executive secretariat, provided that:
  - (a) the organisation's workload shall not be negatively affected.
  - (b) the assignment is defined in terms of time and cost.
  - (c) the tariff at which the service is offered is reasonable.
  - (d) all income generated shall be separately disclosed in the financial statements.

## **23. LABOUR LEGISLATION**

- (1) The labour legislation of the country where the secretariat is seated shall be applicable to all aspects relating to labour relations.

