

QUALITY FOR AFRICA



**TERMS OF
REFERENCE**



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1 DEFINITIONS

Unless inconsistent with the context, the words and expressions set forth below shall bear the following meanings and similar expressions shall bear corresponding meanings:

AU	African Union
AUC	African Union Commission
CAMI	Conference of African Ministers for Industry
CHAIR	shall mean the Chair of the PAQI Joint Committee (PAQI-JC)
Governing Documents	shall mean collectively these ToR and the memorandum of understanding of PAQI
Members of PAQI	shall mean nominated representatives from each of the Pan-African Quality Institutions namely AFRAC, AFSEC, AFRIMETS and ARSO
Observers	shall mean invited stakeholder representatives from stakeholders
PAQI	Pan-African Quality Infrastructure
PAQI-JC	Pan-African Quality Infrastructure Joint Committee
RECs	Regional Economic Community
Secretariat	shall mean the Secretariat/Liaison office of PAQI-JC;
Stakeholders	shall mean the observers who have been invited to participate in the PAQI-JC meeting
ToR	shall mean these Terms of Reference as amended from time to time

2 PREAMBLE

These Terms of Reference (ToR) define the formal structures and rules of procedure to be followed so that the objectives of the Pan-African Quality Infrastructure as defined in section 3 of the PAQI Memorandum of Understanding are fulfilled. They are to be interpreted at all times in such a manner as to give precedence to the Memorandum of Understanding.

3 SCOPE OF THESE ToR

These ToR shall:

- 3.1 Apply to all the Members and their representatives in the PAQI Joint Committee (PAQI-JC), PAQI Advisory Committee, committees and working groups; and govern all meetings of the PAQI-JC, PAQI Advisory Committee, committees and working groups.
- 3.2 Where necessary, PAQI-JC constituent bodies (committees and working groups) may establish their own supplementary rules of procedure, which are to be consistent with these ToR.

4 OBJECTIVES

The objectives of PAQI are to:

- 4.1 To promote the development of a coherent PAQI supporting the objectives of African integration in accordance with the Abuja Treaty;
- 4.2 To strengthen the development and implementation of African policies on Standards, Measurement, Conformity Assessment and Accreditation that supports the realization of Africa's economic integration and environmental sustainability;
- 4.3 To provide timely Standards, Measurement, Conformity Assessment and Accreditation solutions to the region whilst upholding the values of openness, transparency and consensus;
- 4.4 To develop effective relations with the AU and RECs in order to promote and reinforce the role of PAQI as a tool for supporting AU policies those enhance intra-African and global trade to improve quality of life;
- 4.5 To represent Africa on all matters pertaining to standards, metrology, conformity assessment and accreditation in close collaboration with international partner organizations

5 ESTABLISHMENT OF PAQI JOINT COMMITTEE

The PAQI-JC is established in terms of the Memorandum of Understanding concluded between the PAQI Institutions aimed at aligning the functions of the PAQI to achieve the above mentioned objectives.

5.1 Membership

- 5.1.1 Full Members should be only PAQI institutions namely AFRAC, AFSEC, AFRIMETS and ARSO (only four pillars)
 - a) The Chairpersons of the PAQI institutions
 - b) A nominated representatives of each PAQI institution;

- 5.1.2 Observers consisting of:
- a) Chairpersons of task forces established by PAQI-JC
 - b) Relevant stakeholders as approved by the PAQI-JC

- 5.1.3 Observers by invitation consisting of:

Representative from stakeholders such as:

- a) RECs responsible for Quality Infrastructure;
- b) The African Union Commission (AUC);
- c) NEPAD Planning and Coordinating Agency (NPCA); and
- d) International cooperation partners.

5.2 **Nomination to Pan-African Quality Infrastructure Joint Committee (PAQI-JC) meeting**

- 5.2.1 Each PAQI institution shall inform the Chair and Secretariat of the name of its nominated representative to the PAQI-JC and this name shall be recorded in the register of representatives;
- 5.2.2 All PAQI-JC communications shall be referred to the nominated representatives. It is the responsibility of the nominated representatives to disseminate all PAQI-JC correspondence to relevant persons in his/her Institution;
- 5.2.3 Observers as identified in 5.1.1 (ii) and (iii) above may be invited by the PAQI-JC Chairperson to be present at a meeting of the PAQI-JC, or part thereof.

5.3 **Responsibilities of PAQI-JC**

- 5.3.1 The PAQI-JC ensures that specific tasks are pursued in accordance with the objectives of PAQI.
- 5.3.2 The PAQI-JC will be responsible for all matters contained in this ToR, including:
- i) Policy on cross cutting PAQI matters;
 - ii) Election of the Chairperson;
 - iii) Define and/or approve the strategic plan of PAQI-JC;
 - iv) Seek and endorse development partners and funding as required;
 - v) Create and dissolve task forces;
 - vi) Approve the terms of reference of their working programs;
 - vii) Endorse the Chair of the task forces;
 - viii) Approve relevant Governing Documents;
 - ix) Review and approve the reports of the Chair, and task forces;
 - x) Approve PAQI-JC resolutions;
 - xi) Attend to any other matters as agreed by the PAQI-JC from time to time.

5.4 **Meetings of the PAQI-JC**

- 5.4.1 The PAQI-JC shall meet at least once each calendar year.
- 5.4.2 In consultation with the full members, the Chair shall decide the date and venue of the meetings of the PAQI-JC.
- 5.4.3 The PAQI-JC shall meet extraordinarily, in the event of exceptional circumstances, as requested by the Chair or by request of two-thirds majority of the full members;
- 5.4.4 The Secretariat, in consultation with the Chair, will prepare a provisional agenda for each meeting of the PAQI-JC, taking into account any proposals made by PAQI-JC participating bodies and its task forces. Such proposals should be sent to the Secretary at least 45 days before the meeting at which the topic is to be discussed.
- 5.4.5 The Secretariat will, where possible, send the provisional agenda and meeting documents to the delegates of the PAQI-JC and invited observers at least 30 days before the date of the meeting.

- 5.4.6 The Secretariat shall circulate draft minutes of meetings of the PAQI-JC within 60 days following the PAQI-JC meeting to the PAQI-JC full members and, where appropriate, observers in a timely manner.
- 5.4.7 Comments on the draft minutes shall be sent to the Secretariat within 30 days of circulation of the draft minutes.
- 5.4.8 The minutes shall be confirmed at the next meeting of the PAQI-JC.
- 5.4.9 Observers who were invited to attend only part of a meeting may receive at least an excerpt from the minutes covering that part of the meeting.
- 5.4.10 Meetings of the PAQI-JC may be held by means of telecommunication, electronic or other communication facilities as permits all persons participating in the meeting to communicate with others simultaneously and instantaneously.

5.5 **Quorum**

The quorum for a meeting of the PAQI-JC is three quarter (3/4) of the full members (counting only one voting member PAQI Institution).

5.6 **Voting**

The PAQI-JC will seek to reach decisions by a process of consensus. However, when consensus can't be reached, voting in the PAQI-JC will be conducted on the basis of one vote per PAQI Institute, unless otherwise specified, as follows:

- 5.6.1 Only full Members of the PAQI-JC can vote.
- 5.6.2 Before voting and wherever appropriate, JPAQI will consult with and take cognisance of the views of its nonvoting bodies/individuals in all categories of membership.
- 5.6.3 On matters related to election of officers and other matters as determined by the Chair, ballots will be by confidential voting in which the secretariat and/or scrutineers aware of the individual ballots will maintain the confidentiality of that information.
- 5.6.4 Proxies are permitted.

5.7 **Resolutions**

- 5.7.1 All Resolutions of the PAQI-JC shall be reached by consensus;
- 5.7.2 Notwithstanding any contrary provision contained in these ToR, no resolution, pertaining to any of the following matters, shall be validly passed, unless such resolution will have been approved by consensus:
 - i) The amendment of any provision of these ToR;
 - ii) The disbanding of PAQI-JC;
 - iii) Binding PAQI-JC in any way e.g. financially, to projects or interventions
- 5.7.3 A record of the PAQI-JC resolutions shall be kept by the Secretariat.
- 5.7.4 Resolution of the PAQI-JC shall be approved before the end of the actual meeting.

6 CHAIRPERSON

6.1 Election of the chair

- 6.1.1 Subject to other provisions of these ToR, the Chairperson of the Joint Committee shall be elected from the PAQI Institutions Chairpersons or its nominated representative on a two year rotational basis; renewable once
- 6.1.2 An incumbent Chairperson may forfeit his turn as Chairperson and the outgoing Chair may offer to be re-elected. Once an incumbent Chairperson forfeit his/her right to become the chair, he/she may only be elected again once a full circle has been completed;
- 6.1.3 The Chair shall not act as a delegate of any of the PAQI Institutions;

6.2 Responsibilities

The Chair shall be responsible for:

- 6.2.1 Chairing meetings of the PAQI-JC;
- 6.2.2 Supervising the day-to-day business of PAQI, in particular, the execution of RESOLUTIONS taken by the PAQI-JC;
- 6.2.3 Signing agreements approved by the PAQI-JC;
- 6.2.4 Ensuring the proper functioning of PAQI secretariat;
- 6.2.5 Representing PAQI at relevant national, regional and international organisations of interest;
- 6.2.6 Maintaining close working relationships with the leadership and technical levels of AUC organs to ensure quality infrastructure policies are submitted for consideration at the AUC relevant organs;
- 6.2.7 Inviting observers including persons or organisations as suggested by the PAQI-JC to participate in all or part of the PAQI-JC;
- 6.2.8 In consultation with the representatives of the PAQI institutions and Secretariat, deciding the date and place of meetings of the PAQI-JC; and
- 6.2.9 Delegating tasks as appropriate.

7 SECRETARIAT

7.1 The secretary

The secretariat, headed by Secretary shall be provided by the Institution hosting the Chairmanship. The Institution shall provide the necessary resources for the operations of the Joint Committee Secretariat/ Liaison office.

7.2 Responsibilities of the secretary/ liaison office

The Secretary /Liaison Officer shall be responsible for:

- 7.2.1 The day-to-day management of Secretariat;
- 7.2.2 Communication with all bodies participating in PAQI-JC;

- 7.2.3 Preparation and circulation of documents for, and minutes of meetings of the PAQI-JC, and the task forces;
- 7.2.4 Ensure access to relevant PAQI-JC documents to all those entitled to receive them and provide for their proper distribution;
- 7.2.5 Keeping records of external correspondence;
- 7.2.6 Archives of PAQI-JC;
- 7.2.7 Providing logistic and administrative services to the PAQI-JC; and
- 7.2.8 Maintain the PAQI website;
- 7.2.9 Such other duties as determined from time to time by the PAQI-JC and relevant task forces.

8 PAQI-JC TASK FORCES

The PAQI-JC is entitled to set up task forces. These task forces shall be established to assist in realizing the objectives of PAQI-JC with specific ToR.

9 ADOPTION OF PAQI-JC DOCUMENTS

- 9.1 All documents to be published as formal PAQI-JC publications shall be approved by PAQI-JC;
- 9.2 The Chairs of the task force drafting PAQI publications will forward drafts to the Secretariat for distribution to all PAQI-JC members and the Chairs of other PAQI-JC task forces.
- 9.3 Members and Chairs have to comment on the draft and forward these comments to the PAQI-JC Secretariat within the agreed time. Comments received after this period may not be considered;
- 9.4 Any comment on the draft will be forwarded by the Secretariat to the Chair of the relevant task force.
- 9.5 The PAQI joint Committee will after consultation with the task force members to collate and address these comments, forward the final draft to the PAQI-JC full members for 30 days voting period and subsequent publication in the specified format.
- 9.6 The Secretariat will allocate the appropriate publication identification code and publish the approved draft as a formal PAQI-JC document.

10 BUDGET

PAQI-JC shall be self-funded by PAQI institutions. PAQI may also raise funds through development partner's contributions. To this end, PAQI-JC's will seek developing partner's support and financial support for the individual members shall be bore by their relevant Institutions.

11 GOOD FAITH

- 11.1 The representatives shall at all times show to one another the utmost good faith in their dealings with each other, but such duty of good faith shall not constitute one Member to be the agent of another unless otherwise expressly agreed between them
- 11.2 Each representative undertakes at all times to do all such reasonable things, perform all such reasonable actions and take all such reasonable steps as may be open to it and necessary for or incidental to the implementation of the terms and conditions

12 PUBLICATIONS AND ANNOUNCEMENTS

Where practically possible, all publication by any of the members concerning PAQI and announcement shall be within the content of published PAQI material.

13 AMENDMENT AND VALIDITY OF PAQI ToR

- 13.1 A proposal for the amendment of these ToR may be made to the Secretariat by any full member of PAQI-JC at least sixty (60) days in advance of the next meeting of the PAQI-JC;
- 13.2 An amendment of these ToR shall be adopted by a resolution passed in terms of the provisions of clause 6.2j

14 COMING INTO FORCE OF THE ToR

These ToR take effect from 27 September 2013.



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www.afrimets.org



www.afsec-africa.org



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