

# STATUTES OF THE AFRICAN ROAD MAINTENANCE FUNDS ASSOCIATION (ARMFA)

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We the Signatories of these Statutes:

- *CONSIDERING* the importance of the road in the socio-economic development of countries, particularly in the fight against poverty;
- *ASSURED* of the political will of our respective Governments to make the development and maintenance of the road network a real motor for development and the fight against poverty;
- *CONSCIOUS* of the role of the road maintenance funds in the mobilisation of adequate and sustainable financial resources for the maintenance of roads;
- *CONVINCED* that cooperation between road maintenance funds contributes towards the creation of the synergy required for ensuring the best conditions for the mobilization of such resource;
- *CONSCIOUS* that a well-maintained road network contributes to domestic exchange and ensures the access of the populations to basic infrastructures (health centers, schools, etc.);
- *CONVINCED* that the road, a public utility, provides the user with appreciable service;
- *AND IN CONFORMITY* with the recommendations of the first concertation meeting of the road maintenance funds held in Yaounde, Cameroon from 27<sup>th</sup> to 28<sup>th</sup> March 2003, concerning

the establishment of a road maintenance funds association or a similar organ of African countries.

HEREBY AGREE AS FOLLOWS:

## **ARTICLE I – CREATION OF THE ASSOCIATION**

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1. To create the African Road Maintenance Fund Association, abbreviated, ARMFA, hereinafter called the Association.
2. The Association is a non profit making legal entity.
3. The Association is governed by the present Statutes.
4. For the purposes of these Statutes, the term "Road Maintenance Fund", RMF, shall designate any institution in charge of financing the maintenance of the road network, established in Africa, and which adheres to the present Statutes.
5. For clarification, the term "in order" means a fund which is up to date with its contributions to the ARMFA in respect of the current financial year.

## **ARTICLE II - MEMBERSHIP**

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Membership is open to any constituted Road Maintenance Fund (RMF) established and effectively functioning and which adheres to these present Statutes.

## **ARTICLE III – OBJECTIVES**

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The objectives of the Association are:

1. To develop a network for the exchange of experiences and information on the practices of financing road maintenance in Africa and the operation of the funds themselves;
2. To encourage the promotion and strengthening of ties between road maintenance funds in Africa;
3. To work for the strengthening of capacities of existing structures;
4. To provide support to nascent structures;
5. To promote the proper management of road maintenance funds;
6. To promote a good public/private partnership in order to provide the best conditions for the mobilization of resources for road maintenance;
7. To strengthen corporation with partners in development;
8. To ensure the sustainability and the harmonious development of road maintenance funds.

## **ARTICLE IV - ORGANIZATION OF THE ASSOCIATION**

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The Association is made up of two organs:

I. The General Assembly

## II. The Executive Committee

In addition, the Association is assisted by one or more auditors and an Executive Secretariat.

### I. The GENERAL ASSEMBLY

The General Assembly is the supreme organ of the Association. It is composed of all road maintenance funds as defined in Article II of the present Statutes, on the basis of one seat per member.

#### 1. The General Assembly:

- a) Receives and adopts the report of President of Executive Committee on the activities of the Association.
- b) Appoints among the members and dismisses the auditors.
- c) Examines all appropriate actions for achieving the objectives of the Association.
- d) Determines the rate of the contributions of the members upon the proposal of the Executive Committee, which contributions shall be expressed in US Dollars and payable to the Association's account opened to this effect in a commercial Bank.
- e) Receives and adopts the report of the auditors on the financial situation of the Association.
- f) Institutes, at any time, such commissions as it may deem necessary to undertake works or studies in connection with the Association's objectives.
- g) Examines and approves, at the request of the Executive Committee, the applications of adhesion of new members.

2. The *General Assembly* shall meet once a year in ordinary session and, wherever possible, in coordination with the yearly meetings of the *Road Managers and Partners Association (AGEPAR)*. However, in case of absolute necessity, the *General Assembly* may be convened by the *President of the Executive Committee*, either on his own initiative after consultation of the members or at the request of at list one-third of the members.
3. At all meetings of the *General Assembly*, the quorum shall be one-third of the up-to-date members.
4. The *President of the Executive Committee* shall preside at the meetings of the *General Assembly*.
5. The decisions of the *General Assembly* shall be taken by a majority of members present.
6. The deliberations of the *General Assembly* are recorded in a special register.

## **II. THE EXECUTIVE COMMITTEE**

1. The *Executive Committee*, the administrative organ of the Association is placed under the authority of a *President* and two *vice-Presidents*. The repartition of various posts shall take the geographic and linguistic differences into consideration.
2. The *Road Maintenance Fund* or member that hosts the *Presidency of the Executive Committee* holds the *Executive Secretariat*.

3. The term of office of the Executive Committee shall be two years and shall alternate between French-speaking and English-speaking countries.

4. The President of the Executive Committee is responsible for organizing meetings and preparing the agenda. He establishes the reports of the meetings.

5. The Executive Committee may carry out external consultations on any subject of interest to the Association.

6. The Executive Committee shall be responsible for keeping the accounts of the Association, which shall be submitted for the approval of the General Assembly

7. The Vice Presidents shall replace the President in case of the absence of the President in order of rank.

## **ARTICLE V - THE FINANCES OF THE ASSOCIATION**

The finances of the Association come from the contributions of members, from gifts and legacies.

1. The funds of the Association are managed by the President of the Executive Committee. The annual contributions and other resources are paid to the account of the Association.

2. The account of the Association settles expenses related to the organization of periodic seminars, the Association's publications, the running of the Executive Committee and any other activity that the General Assembly may decide to undertake, apart from travel expenses and subsistence

allowances paid to ARMFA members at the time of statutory meetings.

3. The functioning of the Executive Secretariat is assured for two years by the Road Maintenance Fund (RMF) which holds this office.

4. However, expenses relating to the travel and accommodation of the President or the vice-President replacing him in case of his absence are borne by the Association.

5. The financing of the approved budget is assured by the funds of the Association.

6. The President of the Executive Committee ensures that members pay their contributions within the time fixed for this purpose.

7. The Fund's account shall be audited by the auditors who shall submit their report to the Executive Committee for approval by the General Assembly.

## **ARTICLE VI – OBLIGATIONS OF MEMBERS**

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1. The Members of the Association shall pay their contributions within the prescribed time. Any default in payment will lead to penalties against to the defaulter. The penalties shall be determined by the General Assembly.

2. Members shall also supply the Executive Committee with all information needed for achieving the objectives referred to in article III of the Statutes.

3. Any member who decides to withdraw from ARMFA shall inform the President of the Executive Committee by registered mail.

4. The withdrawal shall take effect one month after the receipt of the registered letter by the President of the Executive Committee.

5. However, the resigning member shall pay ARMFA any contributions which may be due for payment at the date of his definitive departure.

## **ARTICLE VII - ENTRY INTO FORCE**

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These Statutes shall enter into force upon its adoption by the Constitutive Assembly of founding members who append their signature thereto. The original of the Statutes shall be deposited with the President of the Executive Committee of the Association.

The present Statutes as well as the Internal Rules of the Association may be amended by the General Assembly of Association.

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