



Rules of Procedure

for the

United Cities and Local Governments of Africa (UCLGA)

These Rules of Procedure should be read together with the Constitution

As adopted by the Executive Committee, 3 April 2009, Lilongwe, Republic of Malawi

DEFINITIONS

For the purposes of these Rules of Procedure:

- 1.1 “Executive Committee” means the Executive Committee of the UCLGA as elected at a General Assembly of the UCLGA.
- 1.2 “Alternate member” means a formally nominated political representative of a UCLGA member.
- 1.3 “Meeting” means any statutory meeting of the UCLGA.
- 1.4 “Chairman” means the President or the Committee member selected to Chair the meeting.
- 1.5 “General Assembly” means the General Assembly of the UCLGA which is held every three years.
- 1.6 “Congress” means the triennial conference and General Assembly of the UCLGA.
- 1.7 “Regional representative” means a representative from the same region as the Executive Committee member (i.e. East, West, Southern, Central and North Africa).
- 1.8 “Secretaries General Forum” means the meeting of the Secretaries General or such other officers representing national associations of local authorities in the continent.
- 1.9 “Secretariat” means the UCLGA Secretariat where the Secretary General is located.
- 1.10 “UCLGA” means the United Cities and Local Governments of Africa.
- 1.11 “Observers” means delegates invited to attend a meeting with limited rights and obligations as defined by the Executive Committee and, where applicable, in accordance with the Constitution.
- 1.12 “UCLG” means the United Cities and Local Governments.

I - THE CONGRESS (GENERAL ASSEMBLY)

NOTICE

1. A notice stating the place and date when the Congress and ordinary session of the General Assembly shall take place shall be sent to members by the Secretary General at least one month (30 days) prior to the Congress and General Assembly, except under exceptional circumstances, the reasons for which shall be justified. Such a notice shall be accompanied by a draft agenda and/or a programme stating the business to be transacted at such meeting.
2. Notices shall be sent electronically or fax on the contact details provided on the membership register by members.
3. No meeting shall be invalid merely because a member or members did not receive notice thereof. The Secretary General may be requested to produce proof that the notice was sent.

DELEGATIONS AND CREDENTIALS

4. Each member, in good standing, taking part in the Congress/General Assembly shall submit to the Secretary General a list of names of its delegates designating the head of its delegation.
5. A delegation shall not include more than three delegates; it may be accompanied by a reasonable number of observers as per Article 10.8 of the Constitution.
6. Each delegation will be entitled to one vote. The vote shall be cast by the head of the delegation or, in his or her absence, by one of the other delegates in the order in which their names appear on the list.
7. A member not represented at the Congress/General Assembly may assign its proxy, in writing, to another member in good standing.
8. The quorum, as per Article 10.4 of the Constitution, is deemed to be met, unless a member explicitly requests its verification at the opening of the meeting or in the course of the meeting. If this verification takes place in the course of the meeting, it shall not affect the validity of decisions taken previously.
9. Before and during the Congress/General Assembly, a Credentials Committee made up of the Secretary General, the Chairperson of the Legal & Constitutional Committee and the Chairperson of the Finance & Management Committee, shall review proxies and determine whether members wishing to participate directly or by proxy to decisions made by the Congress/General Assembly are in good standing. The Credentials Committee shall report continuously to the Congress/General Assembly on the number of members present or represented by proxy who are authorised to vote. The General Assembly may, at any time and for good reason, dissolve this committee and appoint a new Credentials Committee that may overrule the previous committee conclusions.

CONGRESS/GENERAL ASSEMBLY VOTING PROCEDURE

10. For the purposes of free and fair elections and as per Article 12.6 of the Constitution, the Executive Committee shall select an independent electoral body which shall conduct, supervise and declare the results of every election.
11. Votes on business shall normally be, in principle, by open vote, taken by a show of hands.
12. Unless otherwise provided for in the Constitution, voting shall be by a simple majority of votes cast by the members present or represented by proxy.
13. Abstentions shall not be counted.
14. In the event of objections or doubt, the Chairperson may proceed to take a second vote, either by a show of hands or by secret ballot.
15. Vote by secret ballot may be carried out at the initiative of the President or at the request of three Executive Committee members on specific issues such as individual nominations or exceptional matters.
16. When a motion is put by one delegation and seconded by another, a request for a secret ballot may be voted upon and resolved before the matter under discussion is actually put to the vote. A decision to take a secret vote shall be adopted by a simple majority of a show of hands.
17. The independent electoral body shall work closely with the Credentials Committee and the Legal & Constitutional Committee
18. The independent electoral body shall count votes cast by a show of hands and shall count votes cast by secret ballot.
19. In accordance with Article 6.4 of the Constitution, a member shall not be entitled to vote in General Assembly or be elected into office if they are in arrears in subscription fees.
20. If the General Assembly takes place in the first quarter of the year, the full subscription fees due that year should be paid for a member to be allowed to vote or stand for office.

NOMINATIONS INTO OFFICE

21. The General Assembly elects the Presidency and Executive Committee for a three year term of office.
22. The nomination procedure, including applicable deadlines, will be managed by the Secretary General who will send calls for nominations, in writing, to all eligible members. This will be done 90 days prior to the vote.
23. Nominations to the Presidency and Executive Committee should be submitted in writing to the Secretariat, including the written concurrence of the nominee, 30 days before the meeting in question. This deadline should be strictly respected.
24. In Accordance with Article 11.8 of the Constitution, nominations should, as far as possible, respect a geographic balance and represent the different spheres of local authorities (rural and urban).
25. In accordance with Articles 3 and 4 of the Constitution, and the commitment promoted in the UCLGA's "Charter of Commitment for the Establishment of Local Government as a Distinct but Subsidiary Sphere of Government" as well as the founding values of the

Women's Commission, the UCLGA shall aim to ensure a balanced representation, in particular between men and women, in the Executive Committee and other Ad Hoc Committees of the UCLGA.

26. Only elected, appointed or nominated representatives of local government of an active member country are eligible for nomination.
27. If more than one candidate is nominated for the same position, the candidate that receives the absolute majority of votes in the first round will be selected.
28. If there is no absolute majority, a second round will be organized in order to decide between the two candidates that obtained the most votes in the first round.
29. A member can only be elected into political office if they are present at the General Assembly.

RECORD OF PROCEEDINGS

30. The record of proceedings and all resolutions of the General Assembly shall be recorded by the Secretary General, certified by the Chairperson and kept in a minute book.
31. A complete copy of such minutes shall be forwarded by the most convenient means, including electronically, to all members within two months or sixty days of the meeting in question.
32. In addition to the above, a formal Congress Report, which captures proceedings of all technical sessions held, proceedings of the General Assembly and financial statements related to the Congress, will be produced and circulated to all members within four months of the Congress in question.

REPORTS TO GENERAL ASSEMBLY

33. At each of its triennial meetings, the General Assembly shall consider and approve:
 - (i) A triennium status report from the out-going Executive Committee, delivered by the President, which includes highlights during the term of office, political achievements, challenges, audited financial statements in respect of the previous term and a review of UCLGA's financial performance and budget proposals for the new term. This report will also include the proposed general strategic policy framework to regulate the activities of the UCLGA.
34. All reports to be presented to General Assembly shall be circulated to all members, in the relevant languages, at least two (2) weeks before the General Assembly in question, otherwise they may not be tabled for approval by the General Assembly.

PROCEDURE DURING DEBATES

35. As per Article 10.6 of the Constitution, the General Assembly shall be chaired by the President of the UCLGA or in his/her absence a Vice-President appointed by the Executive Committee from the ranks of the Vice Presidents or in the absence of them all, from the remainder of the Executive Committee.
36. The General Assembly may however at any time decide by vote to dismiss the Chairperson and to appoint a successor who shall assume the chair immediately.

37. Meetings of the General Assembly shall be conducted in accordance with these rules of procedure as may be amended from time to time..
38. All members are entitled through their representatives to participate in sessions of the General Assembly.
39. In Accordance with Article 10.9 of the Constitution, the Chairperson may, in his/her discretion, propose that time limits be set for discussions.
40. Any duly represented member may propose a motion related to the agenda item under discussion.
41. Before it may be discussed, such a motion must be seconded by another delegation.
42. The Chairperson may eject an unruly delegate from a meeting.

OBSERVERS

43. Associate and honorary members may participate in the General Assembly as observers, and shall have no vote.
44. In addition to associate and honorary members, candidate members may be represented by observers. The Chairperson shall grant reasonable speaking time to such observers when their admission to full membership is being discussed.
45. The observers referred to in 43 and 44 above shall receive the same documents as members.
46. The Executive Committee may invite observers to a General Assembly, indicating the items on the agenda for which such observers may be admitted.

AUTHORITY AND DUTIES OF THE GENERAL ASSEMBLY

47. The political management and administration of the UCLGA shall be vested in the General Assembly.
48. The General Assembly may exercise all powers and perform all such acts as may be lawfully done and performed by the UCLGA within the scope of its Constitution and these Rules of Procedure.
49. Without prejudice to the general powers of the General Assembly, it is expressly declared that the General Assembly be the highest decision-making body of the UCLGA and shall be entitled to resolve on all matters relating to the objectives and activities of the organization.
50. The General Assembly shall have the following special powers and/or obligations:
 - (a) To determine the strategic policy framework to regulate the activities of the UCLGA.
 - (b) To elect the President and endorse the Vice Presidents and other members of the Executive Committee
 - (c) To consider and approve proposed amendments to the Constitution and Rules of Procedure.
 - (d) To consider and approve a proposal for the dissolution of the UCLGA in accordance with Article 16 of the Constitution.

- (e) To institute, conduct, defend, assist in or abandon any legal proceedings by or against the UCLGA or its officers or members, or otherwise concerning the Constitution or interests of the UCLGA.

II - THE EXECUTIVE COMMITTEE

MEETINGS

- 51. The Executive Committee will meet twice a year (first quarter and last quarter of the year).
- 52. Meetings shall be convened by the President or as per Article 11.10 of the Constitution.
- 53. Meetings of the Executive Committee are chaired by the President, or in his/her absence, a person elected from amongst the Vice Presidents by the Executive Committee.
- 54. The first meeting of the newly elected Executive Committee shall take place immediately after the General Assembly. The outgoing President chairs the opening of the meeting and immediately formally hands over to the new President.
- 55. The out-going President remains a member of the Executive Committee for the full term of office as its immediate past-President.
- 56. The Secretary General, the co-President of the United Cities and Local Governments (UCLG), and the Chairpersons of Committees and Commissions established by the Executive Committee and General Assembly may attend and speak as ex-officio members of the Executive Committee but shall not vote.
- 57. The Executive Committee may invite other observers.
- 58. As per Article 11.9 of the Constitution, a member of the Executive Committee shall cease to be a member if:
 - (i) he/she misses three consecutive meetings of the Executive Committee without written explanation to the President
 - (ii) he/she ceases to be an elected representative of local government.
- 59. Any vacancy on the Executive Committee shall be filled by the concerned region within a period of 60 days after the departure of an Executive Committee member.
- 60. The Regional Secretary General will formally inform the Secretariat, in writing, of the new Executive Committee member giving full names and contact details of the new member.
- 61. Attendance by 33% of the members of the Executive Committee shall constitute a quorum.
- 62. All meetings shall be convened by 30 days' notice which shall reflect the date, venue and proposed agenda
- 63. Minutes of Executive Committee meetings shall be circulated, by the Secretary General who is the Secretary of the Executive Committee, within 30 days (1 month) of the meeting in question.

ALTERNATES, EXPERTS AND OBSERVERS

64. An Executive Committee member is required to formally appoint, within 60 days of his/her election, one alternate member.
65. The alternate member should be an elected or appointed local government representative from the same region as the Executive Committee member but not necessarily from the same country.
66. Nomination of alternate members shall be done in writing by means of a letter addressed to the Secretary General, indicating full names and contact details of the alternate member.
67. Alternate members must be in good standing with the organization at the time of the nomination.

EXECUTIVE COMMITTEE VOTING PROCEDURE

68. Credentials will be verified at the beginning of each Executive Committee meeting.
69. As per Article 11.1 of the Constitution, the Executive Committee does not have the power to reverse or overrule any decisions made by the General Assembly. The Executive Committee implements the directives and resolutions of the General Assembly.
70. Resolutions shall be taken by simple majority of the members present or represented by an alternate.
71. As per Article 11.4 of the Constitution, in the event of an equality of votes, the President will have the casting vote.
72. Except for the co-option of Executive Committee members, decisions shall be taken by consensus or, when necessary, by a show of hands and recorded by name.
73. On the motion of a member, the Executive Committee may however decide to use a secret ballot.
74. At any time between Executive Committee meetings, the President, on his or her own initiative, may consult other Executive Committee members by correspondence.
75. Alternate members will have the right to represent the Executive Committee member in meetings that the Executive committee member is unable to attend, and will have the right to vote on behalf of the Executive Committee member.
76. However, at the discretion of the Executive Committee member, the alternate member may participate as an observer in meetings where the Executive Committee member is present, and will not have the right to vote in these meetings.
77. The Executive Committee may, by resolution, delegate powers and authorities to Committees and Commissions established by it, or to the Presidency or to the Secretary General.

AUTHORITY AND DUTIES OF THE EXECUTIVE COMMITTEE

78. Subject to the Constitution and to ratification at the subsequent meeting of the General Assembly, the Executive Committee shall have the following powers:

- (a) To carry out such functions and duties as may be delegated or referred to it by the General Assembly or Congress, and to carry on the routine business of the UCLGA in accordance with standing or prior instructions.
- (b) To appoint and, at its sole discretion, to remove or suspend any Secretary General to or from permanent, temporary or special employment or service, in conformity with their contract of employment, and to determine their duties and fix their salaries or emoluments, as the case may be.
- (c) To authorize annual budgets and action plans incidental to the development of the UCLGA.
- (e) To refer to the General Assembly all contentious matters of political nature or for which specific political instructions have not been received. In an emergency, the Executive Committee may act on its own initiative, but within the set guidelines and principles of General Assembly resolutions or in order to fulfil mandates as required in terms of the constitution, and inform the General Assembly at its next meeting of what it has done.
- (f) To recommend rules of procedure to be followed by the General Assembly and the Executive Committee.
- (g) To appoint auditors to audit the UCLGA.

79. The Executive Committee shall keep minutes of all meetings. Once the minutes are approved, they shall be released to all member associations and organisations.

III - THE PRESIDENT AND VICE-PRESIDENTS

80. The President shall be the highest ranking officer and spokesperson for the UCLGA.

81. As per Article 21.1 of the Constitution, the President shall:

- (i) Chair the General Assembly as well as Executive Committee meetings. He or she shall be an ex officio member of all committees.
- (ii) Represent the UCLGA at continental and international for a, and Vice Presidents shall assist the President in his/her absence.
- (iii) Be the custodian of the decisions taken by the General Assembly and Executive Committee.
- (iv) Enforce observance of the Constitution and Rules of Procedure by members, delegates and executive Committee members.
- (v) Delegate, where necessary, to the Vice Presidents, members of the Executive Committee or the Secretary General.
- (vi) Sign minutes of meetings.
- (vii) Preside over differences between members of the Executive Committee by arbitrating disputes and ensuring that timeous decisions are taken.
- (viii) Monitor the implementation of policies, strategies, budget and the achievement of the objectives.
- (ix) Report on the above to the General Assembly.

82. The Vice-Presidents shall chair Regional General Assemblies and Regional Executive Committee meetings.
83. Should the President be prevented from discharging his or her duties, such functions shall be taken over by the Vice-President appointed by the Executive Committee at its discretion and without delay.
84. The President shall not institute, conduct, defend, assist in or abandon any legal proceedings by or against the UCLGA or its officers or members, or otherwise concerning the Constitution or interests of the UCLGA.

IV - THE SECRETARY GENERAL

85. The Secretary General shall be responsible for organising General Assembly and Executive Committee meetings and seeing to it that the notices of meetings, proposed agendas and relevant documents are received in time by those concerned.
86. The Secretary General shall be responsible for keeping the minutes of the General Assembly and of the Executive Committee meetings.
87. The Secretary General shall arrange for the custody and preservation of working documents and resolutions of meetings in the archives of the organization.
88. Correspondence shall be received and dispatched by the Secretary General, the President being constantly kept informed.
89. If the Secretary General is unable to attend a meeting, his or her functions shall be taken over by an official so delegated.

V – SUB-COMMITTEES, COMMISSIONS AND WORKING GROUPS

90. The formal committees and working structures of the UCLGA shall be set up by the Executive Committee as per Article 11.3 of the Constitution. They will include, but not limited to:
 - (i) The Secretaries General Forum
 - (ii) The Women’s Commission
 - (iii) The Finance and Administration sub-Committee
 - (iv) The Constitutional and Legal sub-Committee
 - (v) The Credentials Committee
 - (vi) The Social and Economic Development sub-Committee
91. These sub-Committees will be established in order to deal with political and technical or other matters of major importance for the Organisation.

92. These shall be made up of local elected representatives and officials who are in good standing, based on proposals of the national associations or sections, and may include officers or experts proposed by the associations or sections.
93. The Executive Committee retains the right to restrict a given committee to elected representatives only.
94. With the exception of the Secretaries General Forum which is chaired by the Secretary General of the UCLGA, the Executive Committee shall appoint and remove Committee Chairpersons.
95. The Chairperson shall submit to the Executive Committee for endorsement a list of Committee members.
96. Chairpersons and other Committee members shall not be appointed to a Committee for more than three consecutive terms of office.
97. A resolution to set up a Committee shall be based on a specific project or programme and specify the terms of reference and the time frame for the project or programme.
98. The Chairpersons of committees shall report to the Executive Committee according to their terms of reference.
99. Chairpersons and Committee members will be funded by the UCLGA should they need to participate in international meetings where they will be representing the UCLGA.
100. Position papers proposed by the formal committees and working structures are submitted for approval or ratification to the Executive Committee.

VI - ADMISSIONS, SUSPENSIONS, AND TERMINATIONS OF MEMBERSHIP

101. Before being submitted to the Executive Committee for approval pursuant to Articles 7.3 and 7.4 of the Constitution, duly completed applications for membership shall be submitted to the Secretary General, together with the relevant documentation that shall necessarily include the total number of members in the association.
102. The Secretary General acting alone or with the assistance of persons appointed for that purpose shall examine the acceptability of applications and submit them to the Executive Committee together with recommendations for a decision. In the course of its examination, the Executive Committee may consult member organisations likely to provide informed advice on the acceptability of the application. However, the Executive Committee shall not be bound by such advice.
103. The Secretary General shall notify the applicant as soon as possible of the decision taken, in accordance with Articles 7.5 and 7.6 of the Constitution.
104. A list of candidate members recommended to the Executive Committee for admission to full membership shall be sent to the Executive Committee members at least two months prior to the Executive Committee meeting.

105. A member suspended pursuant to Articles 7.6, 7.7, 7.8, 7.9 and 7.10 of the Constitution shall be immediately informed of such decision by the Secretary General by way of a registered letter sent to the last known address of the member. The letter shall specify the conditions to be met for the suspension to be reversed and shall remind the member of the provisions for termination of membership in Articles 7.6 – 7.10 of the Constitution.
106. Decisions of Executive Committee on the admission of a candidate member or an observer member, or on the suspension of a regular associate member or on the striking off of an observer member shall be taken behind closed doors and in the absence of the member whose case is under consideration.
107. Decisions of Executive Committee on the admission to full membership of a candidate member or on the expulsion of an active or associate member shall be taken behind closed doors and in the absence of the member whose case is under consideration.
108. Newly admitted members may be recognised as voting members right away; they may not vote however on the admission of other members.
109. A policy regulating subscription fees and joining fees shall be formulated by the Executive Committee and may be amended as and when the Executive Committee sees fit.
110. The Executive Committee shall determine subscription fees due by each member annually.
111. Calls for subscription fees will be sent out to each member no later than the last day of December of the year prior to that for which the fees are due.
112. All fees and arrears should be paid in full before the 1st day of May in each year.

ASSOCIATE MEMBERS

113. In addition to the right to send observers to the General Assembly, associate members may participate in any activities that the UCLGA may undertake. They can send observers to the General Assembly meetings upon written invitation.
114. Associate members shall invite the UCLGA to be represented by observers at their own meetings and activities to the extent they judge appropriate.

VII - LANGUAGES

115. The official languages of the UCLGA shall be English, French and Portuguese. Other languages may be admitted as working languages on an ad hoc basis.
116. It will be the responsibility of the Secretariat to provide interpretation.