

CHAPTER 1 DEFINITIONS

Article 1

For the purpose of this Treaty

- (a) ***“Treaty”*** shall mean the present Treaty;
- (b) ***“Protocol”*** shall mean an instrument of implementation of the Treaty having the same legal force as the latter;
- (c) ***“Community”*** shall mean the organic structure for economic integration established under Article 2 of this Treaty and constituting an integral part of the OAU;
- (d) ***“Region”*** shall mean an OAU region as defined by Resolution CM/Res.464 QCXVI) of the OAU Council of Ministers concerning the Division of Africa into five (5) regions namely North Africa, West Africa, Central Africa, East Africa and Southern Africa;
- (e) ***“Sub-region”*** shall mean at least three (3) States of one or more regions as defined in paragraph 1(d) of this Article;
- (f) ***“Member States”*** shall mean a Member State of the Community;
- (g) ***“Third State”*** shall mean any State other than a Member State;
- (h) ***“Assembly”*** shall mean the Assembly of Heads of State and Government of the OAU as provided for in Articles 7 and 8 of this Treaty,
- (i) ***“Council”*** shall mean the Council of Ministers of the OAU as provided for in Articles 7 and 11 of this Treaty;
- (j) ***“Pan-African Parliament”*** shall mean the parliamentary assembly established under Articles 7 and 14 of this Treaty;
- (k) ***“Commission”*** shall mean the Economic and Social Commission of the OAU as provided for under Articles 7 and 15 of this Treaty;
- (l) ***“Committee”*** shall mean any specialised technical committee established under Articles 7 and 25 of this Treaty or in pursuance thereof;
- (m) ***“Court of Justice”*** shall mean the Court of Justice of the Community constituted under Articles 7 and 18 of this Treaty;
- (n) ***“Secretariat”*** shall mean the General Secretariat of the OAU provided for in Articles 7 and 21 of this Treaty;
- (o) ***“Secretary-General”*** shall mean the Secretary-General of the OAU as provided for in Article 23 of this Treaty;
- (p) ***“Customs Duty”*** shall mean protective customs duties and charges having

equivalent effect, levied on goods for their importation;

- (q) *“Export Duties and Taxes”* shall mean export duties and charges having equivalent effect, levied on goods for their exportation;
- (r) *“Customs Duties and Taxes”* shall mean all duties and taxes as defined in paragraphs (p) and (q) of this Article;
- (s) *“Non-Tariff Barriers”* shall mean barriers which hamper trade and which are caused by obstacles other than fiscal obstacles;
- (t) *“Intra-Community Trade System”* shall mean the system under which advantages are accorded to the goods referred to in Paragraph 1, Article 33 of this Treaty;
- (u) *“Goods in Transit”* shall mean goods being transported between two Member States or between a Member State and a third State and passing through one or more Member States;
- (v) *“Barter Agreement”* or *“Compensatory Exchanges”* shall mean any agreement under which goods and services imported into a Member State may be paid for in full or in part by direct exchange of goods and services;
- (w) *“Fund”* shall mean the Solidarity, Development and Compensation Fund of the Community established pursuant to Article 80 of this Treaty; and
- (x) *“Person”* shall mean a natural or legal person.