

CHAPTER 1
DEFINITIONS

第一章 定义

Article 1

第一条

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

为本条约之目的

- (a) “条约”系指本条约；
- (b) “议定书”系指与条约具有同等法律效力的条约实施文书；
- (c) “共同体”系指根据本条约第2条建立的经济一体化有机结构，并构成非统组织的组成部分；
- (d) “区域”系指非统组织部长理事会第CM/Res.464 QCXVI)号决议所定义的非洲五个区域之一，即北非、西非、中非、东非和南部非洲；
- (e) “次区域”系指本条1(d)款定义的一个或多个区域中至少三个(3)国家；
- (f) “成员国”系指共同体的成员国；
- (g) “第三国”系指除成员国以外的任何国家；
- (h) “大会”系指本条约第7条和第8条规定的非统组织国家元首和政府首脑大会；
- (i) “理事会”系指本条约第7条和第11条规定的非统组织部长理事会；
- (j) “泛非议会”系指根据本条约第7条和第14条设立的议会机构；
- (k) “委员会”系指本条约第7条和第15条规定的非统组织经济和社会委员会；
- (l) “专门委员会”系指根据本条约第7条和第25条或据此设立的任何专门技术委员会；
- (m) “法院”系指根据本条约第7条和第18条设立的共同体法院；
- (n) “秘书处”系指本条约第7条和第21条规定的非统组织总秘书处；
- (o) “秘书长”系指本条约第23条规定的非统组织秘书长；
- (p) “关税”系指对进口货物征收的保护性关税及具有

- 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.**

等效效应的税费；

(q) “出口关税和税收”系指对出口货物征收的出口关税及具有等效效应的税费；(r) “关税和税收”系指本条(p)项和(q)项定义的所有关税及税费；(s) “非关税壁垒”系指由财政障碍以外的障碍造成的阻碍贸易的壁垒；(t) “共同体内部贸易体系”系指对本条约第33条第1款所述货物给予优惠的体系；(u) “过境货物”系指在两个成员国之间或一个成员国与第三国之间运输且途经一个或多个成员国的货物；(v) “易货协议”或“补偿性交换”系指允许通过直接交换货物和服务全额或部分支付输入成员国货物和服务款项的任何协议；(w) “基金”系指根据本条约第80条设立的共同体团结、发展与补偿基金；(x) “人”系指自然人或法人。