

**No. 21415**

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**SENEGAL  
and  
GAMBIA**

**Protocol on the financial regulations of the Confederation.  
Signed at Banjul on 2 July 1982**

*Authentic texts: English and French.*

*Registered by the Confederation of Senegambia, acting on behalf of the Parties  
on 2 December 1982.*

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**SÉNÉGAL  
et  
GAMBIE**

**Protocole relatif au règlement financier de la Confédération.  
Signé à Banjul le 2 juillet 1982**

*Textes authentiques : anglais et français.*

*Enregistré par la Confédération de la Sénégalie, agissant au nom des Parties,  
le 2 décembre 1982.*

## PROTOCOL<sup>1</sup> ON THE FINANCIAL REGULATIONS OF THE CONFEDERATION

The Republic of The Gambia and the Republic of Senegal,

Recalling the Agreement between the Republic of The Gambia and the Republic of Senegal establishing the Senegambia Confederation, signed at Dakar, on 17th December 1981,<sup>2</sup>

Conscious of the financial implications of the operation of the institution established by the Confederation and the need for efficient management of the resources of the Confederation,

Referring, in particular, to the provisions of Clauses 2, 3, 5, 15 and 16 of the Agreement, Have agreed as follows:

### PART I. THE BUDGET OF THE CONFEDERATION

#### *Article 1.* THE BUDGET

The budget of the Confederation shall comprise the resources and expenditures of the Confederation.

#### *Article 2.* PROVISIONS OF THE BUDGET

The Confederal Budget shall comprise:

A) Resources:

- (i) Contributions of Member States;
- (ii) Gifts, subsidies, legacies made directly to the Confederation;
- (iii) Royalties for services rendered by a Confederal Administration;
- (iv) Interests on loans and guarantees, proceeds from loans and investments or financial shares resulting from subscribed deeds of covenants signed on behalf of the Confederation;
- (v) Miscellaneous revenues.

B) Expenditures:

- (i) Recurrent expenditure shall include expenditures on public debt, allocations to Confederal Institutions, expenditures on emoluments and equipment required for operating the various departments of the Confederation, as well as allocations in support of activities in the economic, social and cultural fields, in particular;
- (ii) Capital expenditure shall include expenditures on capital, equipment and machinery and expenditures on physical infrastructure and investment grants.

#### *Article 3.* ASSESSMENT AND PAYMENT OF CONTRIBUTIONS TO THE CONFEDERAL BUDGET

In determining contributions to the budget of the Confederation, the President and Vice-President shall agree on a formula which shall take into consideration the relative economic position and financial capability of each Confederated State.

<sup>1</sup> Came into force on 13 September 1982 by the exchange of the instruments of ratification, which took place at Dakar, in accordance with article 17.

<sup>2</sup> United Nations, *Treaty Series*, vol. 1261, No. I-20735.

The currencies in which contributions shall be paid to the Confederal Budget shall be determined by the President, in agreement with the Vice-President.

The total contribution of each Confederated State shall be paid into the budget of the Confederation, not later than the end of the first quarter of the financial year.

#### *Article 4.* PREPARATION OF THE BUDGET

In accordance with the directive of the President and the Vice-President of the Confederation, the Minister responsible for Confederal Finance shall prepare the draft budget for submission to the Council of Ministers for consideration and, thereafter, to the Confederal Parliament for advice.

#### *Article 5.* APPROVAL OF THE BUDGET

On the recommendation of the Confederal Parliament, the President shall, in agreement with the Vice-President, approve the budget.

#### *Article 6.* ALLOCATION OF FUNDS

The provisions in the budget shall be allocated under heads and subheads of expenditure, according to their nature and the purposes for which they are intended.

Provisions in the budget of the Confederation shall be either estimated budgetary provisions or fixed budgetary provisions.

The budget shall be prepared in accordance with the Financial Regulations and the Budget Nomenclature which shall be established by an Act of the President, in agreement with the Vice-President.

### PART II. IMPLEMENTATION OF THE BUDGET

#### *Article 7.* FINANCIAL YEAR OF THE CONFEDERATION

The financial year shall commence on the 1st of July of each year and end on the 30th of June of the following year. Estimates of receipts and expenditures shall be prepared for the financial year to which they relate.

The receipts shall be taken into account in respect of the year to which they relate.

The expenditures shall be taken into account as soon as they are made. They shall be disbursed from the votes of the current financial year.

#### *Article 8.* RESPONSIBILITY FOR THE IMPLEMENTATION OF THE BUDGET

The implementation of the budget of the Confederation shall be the responsibility of the President of the Confederation.

The President may delegate this power, in accordance with Articles 9 and 10 of this Protocol.

#### *Article 9.* POWER TO AUTHORISE COLLECTION OF REVENUES AND DISBURSEMENT OF EXPENDITURES

The President of the Confederation shall authorise the collection of revenues and the disbursement of budgetary allocations.

The President may delegate such powers to the Minister responsible for Confederal Finance.

*Article 10.* THE FINANCIAL ADMINISTRATION

The President may delegate his powers to each Minister of the Confederation as regards the financial administration in the section of the budget corresponding to his portfolio.

*Article 11.* FUNCTIONS OF ACCOUNTANTS

The Accountant responsible for the implementation of the budget of the Confederation shall be the Principal Accountant who shall be directly answerable to the Minister responsible for Confederal Finance.

The Principal Accountant shall be responsible for the implementation of revenue and expenditure of the Confederal Budget.

The Principal Accountant shall present to the Council of Ministers half-yearly statements on the receipts and expenditures incurred, and on other matters relating to the management of the financial resources of the Confederation.

At the end of the financial year, the Principal Accountant shall present to the Council of Ministers an annual report on the financial accounts of the Confederation.

*Article 12.* AWARD AND EXECUTION OF CONTRACTS

In agreement with the Vice-President, the President of the Confederation shall, by an Act, prescribe the conditions for the award and execution of contracts within the Confederation.

PART III. CONTROL OF THE BUDGET

*Article 13.* METHODS OF CONTROL

The implementation of the budget of the Confederation shall be subject to both internal and external controls.

An Act of the President of the Confederation shall prescribe the modalities for internal control.

External control shall be entrusted to a Board of Auditors appointed by the President of the Confederation, in agreement with the Vice-President.

*Article 14.* BOARD OF AUDITORS AND AUDITING OF THE ACCOUNTS  
OF THE CONFEDERATION

The Board of Auditors shall consist of three nationals of the Confederated States appointed by the President of the Confederation, in agreement with the Vice-President, from amongst persons qualified as auditors in each Confederated State.

The Board of Auditors shall audit the accounts of the Confederation relating to each financial year in the following year and submit its audit report to the President and Vice-President, within three months following the end of the financial year to which the accounts relate.

The Board of Auditors shall determine its own procedure.

The Board of Auditors shall not be subject to any person or authority in the exercise of its duties.

The Board of Auditors shall have access to all the books of accounts and other documents necessary for the proper performance of its duties.

The Minister responsible for Confederal Finance shall present the report of the Board of Auditors to the Confederal Parliament for consideration.

## PART IV. FINAL PROVISIONS

*Article 15.* SETTLEMENT OF DIFFERENCES

Differences arising from the interpretation or implementation of this Protocol shall be settled in accordance with Clause 15 of the Agreement and as provided for in Clause 22.

*Article 16.* RATIFICATION

This Protocol shall be ratified by the parties concerned in accordance with their constitutions.

*Article 17.* ENTRY INTO FORCE

This Protocol shall come into force upon the exchange of the instruments of ratification.

*Article 18.* AMENDMENT

Each Confederated State may submit draft amendments to the depositories of the Protocol.

Any amendment shall come into force upon agreement between the two Confederated States.

*Article 19.* AUTHENTIC TEXTS; REGISTRATION

The original text of the Protocol, done in the English and French languages, the two texts being equally authentic, shall be deposited with the Secretary-General of the United Nations for registration.

*Article 20.* DEPOSITORIES

The President and the Vice-President of the Confederation shall be the depositories of this Protocol and any amendment made thereto.

DONE in Banjul on [2 July 1982].

[Signed]<sup>1</sup>

For the Republic of the Gambia

[Signed]<sup>2</sup>

For the Republic of Senegal

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<sup>1</sup> Signed by Alhaji Lamin Kiti Jabang.

<sup>2</sup> Signed by Moustapha Niasse.