



**THE DRAFT MINUTES OF THE 43RD MEETING OF THE EXECUTIVE COMMITTEE OF THE AFRICAN FORUM FOR UTILITY REGULATORS (AFUR), HELD ON 24<sup>TH</sup> NOVEMBER 2019 AT THE GRAND NILE TOWER HOTEL, CAIRO, EGYPT**

**ITEM 1**  
**WELCOME AND APOLOGIES**

- 1.1 The 43rd Meeting of the Executive Committee (ExCo) was held on the 24<sup>th</sup> November 2019 at the Grand Nile Tower Hotel, Cairo. The following is an account of the minutes of the meeting proceedings. The AFUR Chairperson, Adv Motlatsi Ramafole, LEWA, Lesotho, introduced himself, declared the meeting open.
- 1.2 The Executive Secretary, Mrs. Debbie Roets confirmed that the quorum had been reached and the meeting, having been duly convened in accordance with the constitution, was therefore ready to proceed with the business of the day. An official attendance list was circulated.
- 1.3 The Chairperson welcomed all the members present. Each member was given the opportunity of introducing themselves.
- 1.4 **Members present: (Registered according to the Attendance Sheet)**
- |                           |          |               |                  |
|---------------------------|----------|---------------|------------------|
| Adv Motlatsi Ramafole     | LEWA     | Lesotho       | Vice Chairperson |
| Mr. Francois Robinson     | ECB      | Namibia       | Member           |
| Dr. Honoré Demenou Tapamo | ARSEL    | Cameroon      | Member           |
| Eng. Ziria Waako          | ERA      | Uganda        | Member           |
| Mr. John Ntende           | ERA      | Uganda        | Member           |
| Mr. Francis AKA           | ANARE-CI | Cote d'Ivoire | Member           |
| Mr. Paseku Khetsi         | LEWA     | Lesotho       | Member           |
| Mr. Monti Ntlopo          | LEWA     | Lesotho       | Member           |
| Mr. Lee Okombe            | EPRA     | Kenya         | Member           |
- 1.5 **Others Present:**
- 1.6 **AFUR Secretariat:**
- |                   |      |              |                     |
|-------------------|------|--------------|---------------------|
| Mrs. Debbie Roets | AFUR | South Africa | Executive Secretary |
| Mr. James Manda   | AFUR | South Africa | Technical Manager   |
| Mr. Moses Kadenge | AFUR | South Africa | IT Specialist       |
- 1.7 **Apologies:**
- |                  |       |              |                  |
|------------------|-------|--------------|------------------|
| Mr. Chris Forlee | NERSA | South Africa | Member           |
| Mr. Oumar Berthe | CREE  | Mali         | Vice Chairperson |

<b>ITEM 2 ADOPTION OF THE DRAFT AGENDA</b>			
2.1	<p>The Executive Secretary presented the Draft Agenda to the 43<sup>rd</sup> Executive Committee Meeting and the members were invited to consider twelve (12) items of the Agenda, after adding two items under AOB – Tele Conferencing and the Secretariat moving. (2_AFUR_43rdExCo_DraftAgenda_doc1_24112019)</p>	<p>The Draft Agenda of the 43<sup>rd</sup> Executive Committee Meeting was adopted. (2_AFUR_43rdExCo_DraftAgenda_doc1_24112019) Adopted: Mr. Francois Robinson, ECB, Namibia Seconded: Mr. Lee Okombe, EPRA, Kenya</p>	Chairperson
<b>ITEM 3 ADOPTION OF THE DRAFT MINUTES OF THE 42<sup>ND</sup> EXECUTIVE COMMITTEE MEETING HELD ON 7<sup>TH</sup> JULY 2019, PRETORIA, SOUTH AFRICA</b>			
3.1	<p>The minutes of the 42<sup>nd</sup> ExCo (3_AFUR_43rdExCo_DraftMinutes42ndExCo_doc2_24112019) held on 7<sup>th</sup> July 2019 at the Pretoria, South Africa was presented to the meeting. The minutes were circulated to the executive members on the 24<sup>th</sup> August for comments and corrections. The minutes were approved as a true record of the proceedings subject to the following corrections:</p> <p>The number sequencing in the French version is incorrect.</p> <p>Mr. Paseku Khetsi, LEWA, asked if the minutes should be personalized, with the name of the representative. Dr. Honoré Tapamo, ARSEL, recommended that the minutes be recorded as they are.</p> <p>.</p>	<p>The minutes of the 42<sup>nd</sup> ExCo were moved for adoption by Mr. Francois Robinson, ECB, Namibia and seconded by Mr. John Ntende, ERA, Uganda. The minutes of the 42<sup>nd</sup> ExCo were approved by the meeting after taking the corrections into consideration.</p>	Secretariat
<b>ITEM 4 MATTERS ARISING FROM PREVIOUS MINUTES</b>			
<p>The responses to matters arising from the previous minutes are prepared separately and presented as a separate item.</p> <p>Mr. Paseku Khetsi, LEWA, suggested that timelines be added to monitor progress.</p> <p>Mr. Francois Robinson, ECB, said the Terms of References for projects need to be shared with the Exco members. Actions need to clear and updated.</p>			

<b>ITEM 5</b>			
<b>ADOPTION OF THE DRAFT AGENDA FOR THE 16<sup>TH</sup> ANNUAL GENERAL ASSEMBLY</b>			
5.1	The Executive Secretary presented the Draft Agenda to the 16 <sup>th</sup> Annual General Assembly, the members were invited to consider twelve (12) items of the Agenda (2_AFUR_16 <sup>th</sup> AGA_DraftAgenda_doc1_28112019)	The Draft Agenda of the 16 <sup>th</sup> Annual General Assembly was approved. (2_AFUR_16 <sup>th</sup> AGA_DraftAgenda_doc1_28112019)	Executive Secretary
5.2	Mr. Francois Robinson, ECB, proposed that the discussion to move the Secretariat be placed on the Agenda. The Chairman stated that the Exco was the “clearing house” for all such issues and that the proposals should be tabled at the AGA. Dr. Honoré Tapamo, ARSEL, stated that there were financial implications to moving the Secretariat and suggested that a serious study needed to be done. The Chairman added that the Strategic Plan should consider the due diligence of the Secretariat and should include the growth of AFUR as well as strengthening the Secretariat.		
5.3	The Executive Committee approved the draft agenda, with the suggested changes, for consideration by the AGA including changes to the order of the Agenda.		
<b>ITEM 6</b>			
<b>ADOPTION OF THE DRAFT MINUTES OF THE 15<sup>TH</sup> ANNUAL GENERAL ASSEMBLY</b>			
6.1	The minutes of the 15 <sup>th</sup> Annual General Assembly (3_AFUR_16 <sup>th</sup> AGA_DraftMinutes15thAGA_doc2_28112019) held on 28 <sup>th</sup> November 2018 at the Elephant Hills Hotel, Victoria Falls, Zimbabwe, was presented to the meeting. The minutes were circulated to all members on the 24 <sup>th</sup> August for comments and corrections. The minutes were approved as a true record of the proceedings for consideration by the General Assembly.	The Draft Minutes of the 15 <sup>th</sup> Annual General Assembly was approved. (2_AFUR_16 <sup>th</sup> AGA_DraftMinutes15AGA_doc2_28112019)	Executive Secretary

**ITEM 7**  
**RESOLUTIONS OF THE 15<sup>TH</sup> ANNUAL GENERAL ASSEMBLY**

7.1	The Resolutions of the 15 <sup>th</sup> Annual General Assembly (3_AFUR_16 <sup>th</sup> AGA_Resolutions_15thAGA_doc3_28112019) held on 28 <sup>th</sup> November 2018 at the Elephant Hills Hotel, Victoria Falls, Zimbabwe, were presented to the meeting.	The Resolutions of the 15 <sup>th</sup> Annual General Assembly was approved. (3_AFUR_16 <sup>th</sup> AGA_Resolutions15AGA_doc3_28112019)	Executive Secretary
7.2	The Resolutions were approved for presentation to the AGA after the document was numbered correctly and the following comments noted		
7.3	Dr Tapamo, ARSEL, suggested that the Secretariat request hosts 3 to 4 years in advance, this was supported by Mr. Lee Okombe, EPRA, who added that members also belonged to other organizations with financial obligations.		
7.4	It was resolved that the ES sends a request to members for the hosting of the Annual Conference and AGA for 2021,2022 and 2023		
7.5	Mr. Lee Okombe, EPRA, asked the ES to explain why there was a bias toward Energy Regulators when approaching new members. The ES stated that new regulators in Africa were either multi-sectoral or energy and that in most African countries transport and water and sanitation was dealt within Ministries.		

**ITEM 8**  
**THE SECRETARIAT'S REPORT**

8.1	The Executive Secretary presented the Secretariat's Report as per document (5_AFUR_43rdExCo_SecretariatReport_doc4_24112019) to the meeting.	The Secretariat's Report (5_AFUR_43rdExCo_SecretariatReport_doc5_24112019) was adopted by the meeting after considering the Management Report. Adopted: Mr. Francis AKA, ANARE, Code d'Ivoire Seconded: Mr. Lee Okombe, EPRA, Kenya	Executive Secretary
8.2	There were no comments, questions or amendments.		

<b>ITEM 9</b>			
<b>MANAGEMENT REPORT / FINANCIAL STATEMENT FOR YEAR ENDED 31 DECEMBER 2018</b>			
9.1	The Executive Secretary presented the Management Report for the period ending 20 <sup>th</sup> November 2019, stating that the biggest challenge was the unpaid membership fees. The Draft Financial Statement for 2018 was also presented for consideration.	The Management Report (6_AFUR_43rdExCo_ManagementReport_doc6_24112019) was adopted by the meeting in conjunction with the Secretariat's Report. Adopted: Mr. Francis AKA, ANARE, Code d'Ivoire Seconded: Mr. Lee Okombe, EPRA, Kenya	Executive Secretary
9.2	Mr. Francois Robinson, ECB, requested that the budget be presented to the AGA, he also noted that some of the presenters travel costs were paid, even though a resolution was taken in 2018 stating that all costs of presenters were to be covered by the relevant member organizations. The ES explained that initially the African Development Bank had undertaken to sponsor the Content Development of the 16 <sup>th</sup> AFUR Conference. In October this changed to only presenters from the energy sector leaving the Secretariat in a predicament after informing potential presenters that their travel costs would be covered under the AFDB sponsorship.		
9.3	The Chairman stated that in future the ES inform the Exco and Chairman of any changes to resolutions.		
9.4	It was resolved that the ES should not take any decisions that are in contrast to any resolutions made. Any issues need to be raised with the Chairman who can, through consultation with the Exco, override the resolution.		
<b>ITEM 10</b>			
<b>SIXTEENTH (16<sup>TH</sup>) AFUR ANNUAL CONFERENCE</b>			
10.1	The ES gave feedback on the progress of the 16 <sup>th</sup> Conference and AGA.	The Executive Committee took note	Executive Secretary
10.2	The Chairman thanked Dr Mohamed AbdelRahman, Chairman of Egyptian Electric Utility and Consumer Protection Regulatory Agency (EgyptEra), for their support and assistance with the Conference and for hosting the Exco meeting.		
10.3	It was noted that the 17 <sup>th</sup> Annual Conference would be hosted by MERA, Malawi.		

	Dr Tapamo, ARSEL, referred to Item 7 of the Agenda where letters are to be sent to members asking for volunteers to host the AGA for 2021, 2022 and 2023.		
<b>ITEM 11 ANY OTHER BUSINESS</b>			
11.1	The Chairperson stated that there were two items to be added that were not dealt with on the Agenda. The first was the Tele Conferencing for meetings and the second was the hosting of the Secretariat.		
11.2	The Chairman provided the following background to the first issue of Tele Conferencing. NERSA, in their absence had requested that they join the AGA via video conferencing. It was noted that they had not received the necessary permission from the Ministry in time for them to travel to Cairo.		
11.2.1	Mr. Francois Robinson, ECB, suggested that the provisions of the Constitution be abided by but suggested that the feasibility of tele conferencing be investigated and rules or guidelines be established.		
11.2.2	Eng. Ziria Waako stated that there was nothing stopping the Exco from presenting the idea to the AGA for guidance.		
11.2.3	Mr. Lee Okombe, EPRA, stated that he had concerns regarding the operational aspects of tele conferencing and supported the suggestion that a feasibility study be undertaken. He was concerned that a precedent would be set and that no one would physically come to the meetings.		
11.2.4	The Chairman stated that the Constitution and Electoral Procedures should determine the proceedings of the meeting. He also asked if other members were given such an opportunity.		
11.3	The Chairman asked the ES to provide the background to the issue of hosting the Secretariat. The ES stated that based on the minutes of the 42 <sup>nd</sup> Executive Meeting and the stringent labour laws in South Africa members had approached the ES regarding the requirements to host the Secretariat.		
11.3.1	Dr Tapamo stated that this had serious financial implications and due diligence needs to be carried out.		

11.3.2	The Chairman suggested that this issue be dealt with in the Strategic Plan, and the outcomes of the due diligence be presented at the next Exco meeting.		
<b>ITEM 12 DATE OF NEXT MEETING AND CLOSURE</b>			
12.1  12.2  12.3	<p>The ES proposed the following dates for the Executive Committee Meetings in 2020. The venues will be decided at a later stage.</p> <p>44<sup>th</sup> Executive Meeting – 21<sup>st</sup> and 22<sup>nd</sup> April 45<sup>th</sup> Executive Meeting – 14<sup>th</sup> and 15<sup>th</sup> July 46<sup>th</sup> Executive Meeting – 17<sup>th</sup> and 18<sup>th</sup> November</p> <p>Mr. Lee Okombe, EPRA, suggested using technologies for the Sectoral meetings.</p> <p>There being no further business to discuss, it was resolved that, all the items and documents had been examined by all ExCo members present, and were approved and adopted, and that all actions taken were ratified and approved by the ExCo members present.</p> <p>With no further business to discuss the Chairman thanked everyone for their participation and wished them safe travels. The Chairman then closed the meeting.</p>	The meeting was closed by the Chairperson on Sunday, 24 <sup>th</sup> November at 13h45	

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**THE EXECUTIVE SECRETARY**

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**THE CHAIRPERSON**