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Twenty-Fourth Meeting of the Council of Bureaux on the
Regional Third Party Motor Vehicle Insurance Scheme

Djibouti
25-27 October 2010

**REPORT OF THE TWENTY-FOURTH MEETING OF THE COUNCIL OF BUREAUX
ON THE REGIONAL THIRD PARTY MOTOR VEHICLE INSURANCE (YELLOW
CARD) SCHEME**

I. INTRODUCTION

1. The Twenty-Fourth Meeting of the Council of Bureaux of the Yellow Card Scheme was held from the 25th to the 27th of October, 2010, in Djibouti, at Kempinski Hotel.

II. ATTENDANCE, OPENING OF THE MEETING, ADOPTION OF THE AGENDA AND ORGANISATION OF WORK

Attendance

2. Representatives from the National Bureaux of Burundi, Djibouti, DR Congo, Ethiopia, Kenya, Malawi, Sudan, Tanzania, Uganda, Zambia and Zimbabwe attended the Meeting. Also in attendance were representatives from ZEP-RE (PTA Reinsurance Company), Insurance Supervisory Authorities from Djibouti, Kenya, Uganda Insurers Association, Motor Vehicle Accident (MVA) Funds of Botswana and Namibia, the Road Transport and Safety Agency (RTSA) of Zambia, Transit Transport Coordination Authority of the Northern Corridor (TTCA-NC) and the Tanzania Insurance Regulatory Authority. The list of participants is attached as Annex V to this report.

Opening of the Meeting (*Agenda item 1*)

3. Honorable, Ali Farah Assoweh, the Minister of Economy, Finance, Planning and Privatisation of the Government of the Sovereign State of Djibouti officially opened the Meeting. In his opening remarks, he welcomed all delegates to Djibouti and wished them a pleasant stay in the country.

4. Honorable Assoweh expressed his gratitude for the honour given to Djibouti to host the Council of Bureaux Meeting at a time when the Yellow Card Scheme was developing further against all the challenges and thanked members of the Council of Bureaux for the trust they had shown in the capacity of the National Bureau to host the Meeting.

5. He also reiterated that the government and the people of Djibouti remained committed and will continue to provide necessary support whenever they are called upon to do so to ensure that the Yellow Card surpasses its current achievements.

6. Regarding the COMESA Regional Customs Transit Guarantee (RCTG) Scheme, the Minister acknowledged that if the Scheme is fully implemented, it will go a long way in reducing transit costs and enhance competitiveness of exports from the region. He told delegates that his government was mindful of the geographical importance of Djibouti in the chain of movement of goods from within and outside the continent and as a result they were looking at the development of the Scheme with interest.

7. Earlier on, the Secretary General Mr. Sindiso Ngwenya, in a speech read on his behalf by Dr Francis Mangeni, Director of Trade, Customs and Monetary Affairs of the COMESA Secretariat, thanked Honourable Minister, Ali Farah Assoweh for having found time in his busy schedule to come and officially open the meeting. He also acknowledged the strong support the government and the People of Djibouti continued to give to the ideals and objectives COMESA. He joined the Minister and the Chairperson in welcoming all the delegates to the meeting.

Vote of thanks

8. The Yellow Card Co-ordinator of the National Bureau of Zambia, Mr. Sitali Nasilele gave a vote of thanks on behalf of participants. He thanked the Minister and the Government of Djibouti for the warm welcome and the excellent facilities made available to delegates from the time of their arrival.

Election of the Bureau (Agenda item 2)

9. The meeting elected the following Bureau for a tenure of one year

Chairperson : Djibouti

Vice Chairperson : Malawi

Rapporteur : DR Congo

Adoption of the Agenda and Organisation of Work (Agenda item 3)

10. The meeting adopted the following Agenda:

1. Opening of the Meeting
2. Election of Officers
3. Adoption of the Agenda and Organisation of Work
4. Report of the Outgoing Chairperson on the Operations of the Yellow Card Scheme
5. Country Report by National Bureaux on the Operations of the Yellow Card Scheme in their countries
6. Report of the Twenty-Eighth Meeting of the Technical Management Committee (TMC) on the Yellow Card Reinsurance Pool
7. Report of the Twenty-Ninth Meeting of the Technical Management Committee (TMC) on the Yellow Card Reinsurance Pool
8. Annual Report and Accounts of the Yellow Card Reinsurance Pool for the year ended 31st December, 2009
9. Reinsurance Pool Financial Highlights as at 30th September, 2010
10. Yellow Card Scheme-Management Information System (YC-MIS)
11. Progress Report on the Implementation of the RCTG Scheme

12. Report on the Workshop for National Coordinators' to Review the Yellow Card Scheme Instruments
 13. Renewal of Contract of Professional and General Service Staff
 14. Proposed Budget for the Year 2010/11
 15. Date and Venue of Next Meeting
 16. Any Other Business
 17. Adoption of the Report and Closure of the meeting
11. The meeting agreed on the following working hours:

Monday, 25th October, 2010

09.00 hours - 13.00 hours - Morning
15.00 hours – 18.30 hours - Afternoon

Tuesday, 26th October 2010

08.30 hours - 13.00 hours - Morning
15.00 hours – 17 hours – Afternoon

Wednesday, 27th October, 2010

Free morning for delegates
17.00 – 1800 hours – Adoption of the Report and Closure of the Meeting

ACCOUNT OF PROCEEDINGS

Report of the Outgoing Chairperson on the Operations of the Yellow Card Scheme (Agenda item 4)

12. The Outgoing Chairperson of the Council of Bureaux, Mrs Dorothy Chapeyama, Managing Director of Reunion Insurance Company of Malawi and the Yellow Card Co-ordinator of the National Bureau of Malawi, presented document No. CS/YCRCTG/CB/XXIV/2, Report of the Outgoing Chairperson on the Operations of the Yellow Card Scheme for the period 1st July 2009, to 30th June 2010. In her presentation, she outlined the activities carried out by the Council of Bureaux during the period stated and developments on the operations of the Yellow Card Scheme for the year. She also informed the meeting that as is usually the case the Outgoing Chairperson report was a summary of activities carried out and detailed reports were going to be presented by individual National Bureaux on the operations of the Scheme in their respective countries. The highlights of her presentation were as follows.

Status of the Yellow Card Production

13. The outgoing Chairperson informed the meeting that 91,574 Yellow Cards were issued and a gross premium income of US\$5,178,586 recorded during the period under review; compared to 80,782 Yellow Cards and an annual premium of US\$4,057,494 million registered in the preceding period as shown as Annex I. She drew the attention of the meeting to the fact

that some of the National Bureaux had not submitted their reports by the time of compilation of the Chairperson's Report.

14. The Chairperson expressed her concern regarding the late submission of returns and Country Reports by National Bureaux. She emphasised the importance and the role that information submitted by National Bureaux plays in the decisions that the Council of Bureaux makes for each year's activities. In this regard, she urged all National Bureaux to present their statistics and returns in good time. She reiterated the point that the delay in the submission of both statistics and country reports which normally have more detailed information was affecting the quality of the reports presented for the meeting and at the same time making it difficult for the Pool Managers to come up with correct statistics for them to negotiate with underwriters participating on the Yellow Card Reinsurance Treaty Programme.

15. The outgoing Chairperson also informed the meeting that she was convinced that the the Yellow Card still had great potential and greater strides could still be made if the administration and promotion of the scheme could be enhanced, both at National Bureaux level and even at the Secretariat level where human resource levels may need to be revamped.

Decisions

16. Having discussed the issues raised by the Chairperson, the Council of Bureaux decided that:

- a) All National Bureaux should constantly review the premium levels or the cost of the Card to the motoring public and make it readily available at a competitive price without undermining the capacity to pay claims whenever they occur;
- b) Review the delivery systems of Yellow Card books to member insurance companies to ensure transparency and ease of accountability;
- c) Convene regular meetings with members of the Bureau to update them on developments on the Scheme;
- d) Design strategies which are accepted within the respective markets to effectively market the Yellow Card for Bureaux to realize increased volumes of Yellow Cards sold;
- e) Make available necessary information on the operations of the Yellow Scheme to all stakeholders especially the Police, Customs Authorities and other government institutions that are involved in the movement of traffic across borders for them to be able to provide the necessary support and assistance whenever they are called upon to do so;
- f) Have credible statistics all the time on the Yellow Cards sold, premium generated, claims paid and outstanding from members and ensure that only legitimate claims are paid and the amounts are consistent with the limits provided for by the laws of the country where the respective claim would have occurred.

Status/Yellow Claims Activities

17. The Chairperson informed the meeting that from the submissions made by National Bureaux 164 claims were reported, 77 paid and 188 were reported as outstanding as shown in the summary Annex II. The meeting was informed that some National Bureaux had not

submitted their claims statistics. Reports of yellow card returns and claim statistics submitted by some National Bureaux during the meeting were reflected in the above figures.

Long outstanding claims between the National Bureaux of Tanzania and Kenya

18. The meeting was informed that the position had not changed since the last Technical Management Committee meeting held in Harare, Zimbabwe, in September 2011.

19. In the discussion that ensued, the National Bureau of Tanzania advised the meeting on the progress made and details were captured in their country report.

Yellow Card Accidents Notification Period

20. The meeting was informed that in an effort to minimize the delays in the reporting period for Yellow Card Claims, the Secretariat as directed by the Council of Bureaux was gathering information from member States to establish the minimum reporting periods obtaining in each member State and come up with a proposal on how these periods can be rationalized. The meeting was informed that the exercise was ongoing and a report was going to be submitted to the 30th Technical Management Committee meeting scheduled for the first quarter of 2011.

Capacity Improvements for the Yellow Card Secretariat

21. The Outgoing Chairperson informed the meeting that the Secretariat, following up on the decision of the 23rd Meeting of the Council of Bureaux of the Yellow Card Scheme, held from 28 to 30 October, 2009, regarding the recruitment of a Senior Finance Assistant to improve the capacity of the Secretariat, the position had been filled.

22. She however, informed the meeting that the recruitment of an Insurance Expert, a position approved by the Council of Bureaux for the 2010/2011 period was still outstanding and the position was going to be filled on approval by the Council of Bureaux of the proposed 2010/2011 budget.

Decision

23. The Council of Bureaux deliberated on the issue and approved the recruitment of an Insurance Expert together with the proposed budget presented by the Secretariat.

COMESA/MVA Co-operation on the Motor Vehicle Third Party Insurance System

24. The Chairperson informed the meeting that a meeting on COMESA-SADC joint task team on the harmonization of the COMESA Yellow Card and SADC (SACU) Fuel Levy System, organized by SADC was held from 16 – 17 March, 2010, in Gaborone, Botswana. The meeting was attended by the Chairperson of the Council of Bureaux and representatives from Zimbabwe, South Africa, and Botswana, COMESA and SADC Secretariat and a representative from FESARTA. The meeting having considered the different systems, namely the Yellow Card Scheme, the Fuel Levy System and the Cash System and taking into account the deliberations and understanding reached in the meetings held earlier in 2002 and 2001 agreed on the following:

- a) the Yellow Card and Fuel Levy Systems both have merits and there would be no attempt to adopt one system over the other but the two systems would be interfaced;
- b) National workshops to be held in Botswana, Lesotho, Namibia, South Africa, Swaziland, Mozambique and Angola;
- c) Hold a regional workshop to take the process forward from the national workshops and finalize the implementation plan;
- d) Submit the workshop reports to SADC and COMESA and implement the interface of the Yellow Card and Fuel Levy systems; and
- e) Implementation of the Yellow Card system in the BLNS countries planned to be completed in 2011.

Review of Draft Model Legislation on the Third Party Motor Vehicle Insurance

25. The meeting was informed that no progress had been made since the last Council of Bureaux meeting because of financial constraints. However, the Secretariat was urged to continue to look for funds to have the issue finalized.

Management Information System for the Yellow Card

26. The Outgoing Chairperson informed the meeting that a number of activities had been carried out by the Secretariat and the Pilot Tests were conducted. She further advised the Council of Bureaux that the process was ongoing and the system was to be finalized soon.

Workshops on the Yellow Card Scheme

g. The meeting was informed that following up on the decision of Council of Bureaux, a National Yellow Card Co-ordinators workshop was held in Nairobi, Kenya, from the 12th to the 14th of May 2010, to review among other things, the general operations of the Yellow Card and the instruments that are used by National Bureaux in the day to day administration of the Scheme.

Promotional Materials

27. Regarding Yellow Card promotional materials, the outgoing Chairperson emphasized the need for National Bureaux to order additional materials whenever they are required from the printer through the Secretariat to support the Yellow Card sensitization programmes they were carrying out with stakeholders.

Programme on the Co-operation and Integration of the Insurance Services in the COMESA Region

28. The Council of Bureaux was informed that there had not been progress since the last Council of Bureaux meeting. However, efforts were underway to hire a Consultant to carry out a study on the Structure, Conduct and Performance of the Insurance Industry in the COMESA region and propose the way forward on the liberalization of the industry among other issues.

Conclusion

29. In her concluding remarks the Outgoing Chairperson thanked all the National Bureaux for their individual and collective efforts in keeping the Scheme going.

Country Report by National Bureaux (Agenda item 5)

30. Pursuant to the decision of the 24th Meeting of the Council of Bureaux, National Bureaux presented their Country Reports on the operations of the Yellow Card Scheme for the period from 1st July, 2009 to 30th June , 2010 as summarized here below:

The National Bureau of Burundi

31. The National Bureau of Burundi reported as follows:

- a) Issued 7,553 cards and collected US\$95,931 premium income;
- b) Reported 48 claims, paid 25 and 46 were outstanding;
- c) pointed out the following challenges:
 - i) communication problems with the NIC of Tanzania over the confirmation of handling claims; and
 - ii) noticed a lot of vehicles with number plates from DRC which are moving with fake Yellow Cards.

The National Bureau of Djibouti

32. The National Bureau of Djibouti reported as follows:

- a) 655 cards were issued and UD\$213,113 premium income was collected;
- b) Claims amounting to 37 942 023 DFR (213 157 USD) were paid during the period under review. There was therefore a 25% decrease compared to the same period the previous year.
- c) Outstanding claims amounting to 386 720 186 (USD 2172785) were recorded as outstanding as at 30th of June 2010 showing an increase of 27% compared to the previous period.

33. The National Bureaux reiterated the need for a claims register to be included in the Yellow Card Procedures Manual.

Decision

34. The Pool Managers in consultation with the Secretariat should look into the issue and make recommendations to the next TMC for consideration and approval.

The National Bureau of D R Congo

35. The National Bureau of D R Congo reported as follows:

- a) issued Yellow 5,300 Cards and collected a total premium income of USD369,379;
- b) challenges include the following:
 - i) Having a problem of reimbursement
 - ii) The recent accident has also been a major problem for the Bureaux.

36. With regard to the tragic accident in the Eastern DRC Congo involving a Kenya fuel tanker happened on 3rd July, 2010, the National Bureau of DR Congo informed the meeting that the number of persons who died in the accident had now reached 400 and explained the seriousness of the issue on the families of the victims and community at large and its political implication and underscored the need to urgently settle the claims.

37. During the discussions on the issue, the meeting concurred with the National Bureau of DR Congo on the importance to settle the claims as quickly as possible. The meeting noted that the proposed claim settlement limit was on the high side and emphasized the importance to adhere to the standard claims handling practices and procedures as provided in the Yellow Card Manual.

Decisions

38. The meeting decided that:

- a) in order to speed up the settlement of the claims, the Pool Managers, the Secretariat and the National Bureau of DR Congo should meet to discuss and resolve the issues of the handling and settlement of the claims at the earlier possible time; and
- b) the Secretariat should use the expertise of national bureaux in carrying out activities which required special skills.

The National Bureau of Ethiopia

39. The National Bureau of Ethiopia reported as follows:

- a) eleven member insurance companies;
- b) Issued 23,699 cards and recorded a premium of US \$ 1,117,882.11(5% increase from the premium recorded in the previous year)
- c) Settled its budget contribution for the preceding year
- d) Held bilateral meetings with the National Bureau of Djibouti
- e) 12 claims were reported, 3 were paid and 9 are outstanding
- f) pointed out the following challenges:
 - i) Delays in authorization regarding claims from other Bureaux
 - ii) Awareness of the Yellow Card Scheme in the country
 - iii) Late reimbursements of Yellow Card Claims by member National Bureaux
 - iv) Dealing with High claim limits in other countries

The National Bureau of Eritrea

40. The National Bureau of Eritrea reported that it had issued three cards, had no claims reported and had prepared a premium bordereaux and sent to the pool managers accordingly.

The National Bureau of Kenya

41. The National Bureau of Kenya reported as follows:

- a) 35 member insurance companies of the National Bureau issued 8,521 Yellow Card and collected a total premium of USD932,944;

- b) 17 claims (estimated USD120,226) reported, fourteen, (amounting to US\$20,392) paid and forty five, estimated (US\$120,124) were outstanding as at 30 June 2010;
- c) Carried out the following activities:
 - i) Organized a YC- MIS workshop in conjunction with the Secretariat for the member companies;
 - ii) Carried out a number of marketing activities in effort to increase sale of Yellow cards.
- d) Challenges faced by the Bureau were as follows:
 - i) Delays in obtaining claims handling authorization from some National Bureaus
 - ii) Delays in getting reimbursements from the issuing bureau.
 - iii) Observed cases where summons are not acted upon resulting to a default judgment.
- e) Presented the following recommendations:
 - i) The COMESA Secretariat should assist the National Bureau in enforcing the COMESA Yellow Card Protocol; and
 - ii) The COMESA Secretariat should assist the Bureau in marketing the Yellow card.

The National Bureau of Malawi

42. The National Bureau of Malawi reported as follows:

- a) It has eight insurance companies;
- b) 527 Yellow Cards had been issued and a total premium of 3 508 982.40 MKW realized during the 2009/2001 period, an increase of 1.62% and 1.41% was therefore realized in terms of premiums and the number of Yellow Cards issued respectively compared to the previous period.
- c) 4 claims estimated at 10 630 000 MKW were reported as outstanding and 3 with an estimated amount of 2 800 000 MKW were still to be confirmed by the National Bureaux of Tanzania and Zambia.
- d) The transition from the old to the new generation of yellow cards was done smoothly; and
- e) Challenges: The non membership of Mozambique remained a challenge since most motorists from Malawi pass through Mozambique which does not recognize the Yellow card.
- f) Recommended that the efforts T to harmonize the COMESA/SADC and SACU instruments must be intensified.

The National Bureau of Rwanda

43. The National Bureau of Rwanda did not submit any report and the Bureaux was not represented during the Meeting.

The National Bureau of Sudan

44. The National Bureau of Sudan informed the meeting that ;
- d) It had nine member companies and;
 - e) Had issued 126 Yellow generating a premium of US \$ 32627.60;
 - f) It had paid all outstanding claims to ZEP-RE.

The National Bureau of Tanzania

45. The National Bureau of Tanzania reported as follows:
- a) seventeen member insurance companies issued 7,685 cards and collected US\$342,272 premium income;
 - b) paid premium cessions without waiting for debit notes;
 - c) 17 Claims were reported 4 paid amounting to 14 600 000 TSH
 - d) the Pool Managers should rectify their records on claims paid and O/S claims and premium cessions the Bureau had made to the Pool;
 - e) pointed out the following challenges:
 - i) unable to submit returns to the reinsurance pool on time
 - ii) fake Yellow Cards poses serious challenges to the National Bureau
46. The National Bureau requested other National Bureaux to send them the rates that they were using in their respective countries for Yellow Cards to enable the bureau to effectively rate the cost of the Yellow Card without undermining its competitiveness.

The National Bureau of Uganda

47. The National Bureau of Uganda reported as follows:
- a) Issued 11,850 Yellow Cards and collected US\$ 793,490
 - b) 45 claims were reported, 24 settled and 61 were outstanding
 - c) Successfully introduced the new Yellow Card
 - d) Piloted the Yellow Card MIS
 - e) Continued in the sensitization of stakeholders
 - f) Reported the following challenges faced:
 - i) Forgeries of Yellow Cards;
 - ii) Delays in confirmation, authorization and settlement of claims;
 - iii) Late reporting of claims
 - g) Recommended the following:
 - i) Reimbursement should be done as soon as possible
 - ii) The TMC should review the issue of reporting period for COMESA claims
 - iii) The issuing bureaux should accelerate the process of confirmation of cover and authorization of settlement.

The National Bureau of Zambia

48. The National Bureau of Zambia reported as follows:

- a) Eight member insurance companies collected a premium income of ZKW 2,202,955,528.00
- b) Paid a cession to the pool amounting to ZMK 660,886,658.40.
- c) Had eleven claims from which five were settled leaving six and one partially outstanding.
- d) The following activities were carried out:
 - i) Carried out a consultative meeting with the National Bureaux of DRC to discuss claim related issues
 - ii) Carried out a stake holder meeting with NIC Tanzania at Nakonde border post
 - iii) Carried out a sensitization meeting on proper issuance of Yellow cards with one member
- e) Challenges faced include the following:
 - i) Delays by some Bureaux to respond to queries or confirm validity of Yellow cards
 - ii) Low level of awareness of the Yellow card by the public
 - iii) Frequent changes of staff designated to handle Yellow cards before proper orientation of those taking over such tasks

49. The National Bureau of Zimbabwe reported as follows:

- a) It had 23 member insurers who transact motor insurance business.
- b) 7035 Yellow Cards had been issued and a premium income of USD 479 198.10 realised during the period under review
- c) Reported that it was up to date with the premium cessions to Zep-Re
- d) It had carried out two training sessions in Harare and Bulawayo on the administration of the Yellow Card Scheme
- e) The National Bureau informed Council that they had a successful bilateral Meeting with the National Bureau of Zambia on long outstanding claims and a resolution on the way forward was reached by the two National Bureaux. Most of the claims earlier reported as outstanding were no longer pending but had been cancelled.
- f) Regarding the introduction of The New Generation of Yellow Cards, the Bureau informed the meeting that it was done successfully.
- g) New premium rates were introduced on 1st July 2010 and these were implemented successfully.
- h) Regarding claims, the National Bureau of Zimbabwe informed the Meeting that they had made requests from all National Bureaux to provide them with details on outstanding claims paid on their behalf and no outstanding were reported except with the National Bureau of Zambia and details are attached to this report as Annex III.
- i) Pointed out the following challenges:
 - i) Member National Bureaux had not been responding to the Bureau's request to have information on claims that were outstanding, claims which required the National Bureau of Zimbabwe to settle, in spite of a number of reminders; and

- ii) The position was making it difficult for the Bureau to come up with an effective plan to meet their obligations on the operations of the Yellow Card Scheme.

Reports of the Twenty-Eighth and Twenty-Ninth Meetings of the Technical Management Committee (TMC) on the Yellow Card Reinsurance Pool (Agenda 6 & 7)

50. A representative of the COMESA Secretariat presented reports of the 28th and the 29th Meetings of Technical Management Committee, held from the 22nd to 23rd April 2010, in Blantyre, Malawi and the 9th to the 10th of September 2010, in Harare, Zimbabwe, respectively. The Secretariat presented documents No CS/CB/TMC/XXVIII/6 and CS/CB/TMC/XXIX/10 Reports for the two meetings held respectively. The reports provided Council of Bureaux with details on the deliberations of the two meetings and the main highlights were presented as follows:

Yellow Card Manual

51. Regarding the review of the Yellow Card Manual, specifically on the wording of section 2.2.3(b) relating to the limit of liability under Medical Expenses, the Council of Bureaux considered the wording

Decision

52. The meeting endorsed the following recommendations of the 29th Technical Management Committee as follows:

Section 2.2.3 (b) should be replaced and read as follows:

1. "The standard sum insured for medical expenses cover shall be COM \$150 per any one person any one accident and is provided free of additional premium. However, motorists can on request have the limit increased up to COM USD 1000, and pay additional premium for the increase".

Progress on the Withdrawal of unused old Yellow Cards by National Bureaux

53. Concerning the issue of unused old cards, Council of Bureaux noted that some National Bureaux had put up measures to ensure that all unused Yellow Card books were withdrawn specifically the National Bureaux of Malawi and Zimbabwe. It was also noted that the process was underway in Uganda.

Decisions

54. The meeting endorsed the following recommendations of the 28th Technical Management Committee:

- a) retrieve all unused old Yellow Card Pads from their member insurance companies;
- b) carry out a thorough stock reconciliation of the issued and declared cards on the yellow card monthly returns in comparison to the distributed and unused yellow card books given to each member insurance company; and

- c) continue with the marketing activities to popularize the Yellow Card Scheme to the general public.

Long Outstanding Claims between National Bureaux

55. Regarding long outstanding claims between National Bureaux, the Council of Bureaux noted from the 29th TMC Report that there were still long outstanding claims between the National Bureaux of: Uganda and Kenya; Tanzania and Kenya; Uganda and Burundi; Burundi and Kenya; Burundi and Tanzania and Rwanda.

Decision

56. The Council of Bureaux having deliberated on the long outstanding claims between the mentioned National Bureaux adopted the following recommendations of the 29th Technical Management Committee Meeting that:

- a) The Secretariat should continue making follow ups on the settlement of the long outstanding claims with the concerned National Bureaux and report on the progress made to the next TMC meeting;
- b) Pool Managers should quickly reimburse the handling bureau for claims settled on behalf of another bureau once all the necessary documents and approvals are made available to them and seek reimbursement from the issuing bureau as stipulated in the Yellow Card Manual;
- c) National Bureaux should improve on communication amongst themselves to reduce unnecessary delays and ensure the smooth operation of the scheme; and
- d) National Bureaux with long outstanding claims should endeavour to have bilateral discussions to ensure that any outstanding issues are quickly resolved and seek the assistance of the Secretariat and or the Pool Managers when a resolution is not found.

Comparison of Yellow Card Rates and Nationally Issued Motor Vehicle Cover

57. Following up on the decision of the Council of Bureaux to establish the competitiveness of the Yellow Card against the nationally issued Third Party Covers the Secretariat informed the Council of Bureaux that reminders for information had been sent to National Bureaux however a number of them had not responded.

Decision

58. The Council of Bureaux endorsed the following recommendations of the 29th Technical Management Committee.

59. The Secretariat should send reminders to all National Bureaux for them to provide the required information and all National Bureaux which have not made their submissions to the Secretariat should urgently do so before the end of December 2010.

Suspected Forged Yellow Cards Presented by the National Bureau of the DRC

60. On the forged Yellow Cards alleged to have originated from Tanzania and presented to the 28th TMC by the National Bureau of Congo, and the case of Uganda where six forged Yellow

Cards allegedly issued by the National Bureau of Rwanda were reported to the 29th TMC Meeting.

Decisions

61. The Council of Bureaux endorsed the recommendations of the 29th Meeting of the Technical Management Committee as follows:

- a) The National Bureau of Tanzania should urgently follow up on the forgeries and ensure that the issues notified are addressed by the National Courts and take other measures to ensure that the phenomenon is quickly arrested;
- b) The National Bureau of Rwanda should immediately respond to the requests made by the National Bureau of Uganda on the validity of the Yellow Cards involved and copy their response to the Secretariat before the end of November 2010; and
- c) All National Bureaux should step up their efforts to sensitise stakeholders on the Security features of the Yellow Card to minimize cases of forgery.

Capacity Subscription to the Pool

62. The Council of Bureaux noted that the payment of Capacity Subscription had not changed since the position reported during 29th TMC held in Harare from the 9th to the 10th of September 2010. The National Bureaux of Malawi, Burundi and the Sudan were still to settle their outstanding amounts.

63. The meeting further noted that consultations had continued with the National Bureau of Malawi and the Ministry of Trade & Private Sector Development to have the outstanding balance settled but no progress had been achieved by the time of the meeting. The National Bureau of Malawi however informed the meeting that they were as a National Bureau making follow ups on the issue to ensure that it is quickly resolved.

64. It was also noted that follow ups were continuing with the National Bureaux of Burundi and Sudan to have a final settlement on the outstanding amounts.

Decisions

65. The Council of Bureaux endorsed the recommendations of the 29th Technical Management Committee as follows:

- a) The National Bureaux of Burundi, Malawi and Sudan should pay their share of capacity subscription to the pool without further delays; and
- b) The Secretariat should take up the issue of payment of Capacity Subscription with the top management of the National Bureaux named above and report its findings to the next meeting of the TMC.

Progress Report of the Pool Managers on the operations of the Yellow Card Reinsurance Pool

66. The Council of Bureaux noted the highlights of the progress reports of the activities of the Pool Managers on the operations of the Yellow Card Reinsurance Pool submitted to the 28th

and 29th Meeting of the Technical Management Committee for the period ended 30th June 2010, as follows:

i. Common Account of Excess of Loss Treaty Programme -Placement of the 2010 Program

Decision

67. The Council of Bureaux endorsed the recommendations of the 29th Technical Management Committee as follows:

- a) The Pool should come up with a paper to review the payment of the Excess of Loss programme and present it to the Next TMC meeting; and
- b) Pool Managers should provide a breakdown of the amounts that are owed by individual members to each National Bureau for the previous periods.

ii. Pool Financial highlights as at 31st July 2010

68. The Council of Bureaux endorsed the recommendations of the 29th Technical Management Committee as follows:

- a) provide National Bureaux with a breakdown of outstanding premium balance due by members on yearly basis preferably from inception in order to enable members to reconcile their figures and also collect the premium due from their member primary insurance companies;
- b) provide to the National Bureau of Zimbabwe details of the \$3.423 claims settled through the clearing house on its behalf by the National Bureau of Zambia;
- c) mount a mission in September and October 2010 to National Bureaux with high outstanding premiums payable to the Pool and report the progress made to the 24th Meeting of the Council of Bureaux, which will be held on 25 - 27 October 2010 in Djibouti;
- d) correct the rate of IBNR provisions applied on outstanding claims at the end of the period to be 12.22% and not 10%; and
- e) provide comparison of figures in the various tables for the performance of similar periods.

iii. Pool's Annual Report and Account as at 31st December, 2009

Decisions

69. The Council of Bureaux noted the observations made by the TMC on the draft external auditors report and endorsed the recommendations of the 29th Technical Management Committee as follows:

- a) make the corrections observed by the TMC before the signing of independent auditors report for year ended 31st December 2009; and
- b) the audited accounts be submitted for consideration and approval of the Council of Bureaux as provided in Article 6 item 4 (d) and (f) of the Constitution of the COMESA Yellow Card Reinsurance Pool.

iv. Diversification of the COMESA Yellow Card Reinsurance Pool Investment Portfolio

70. The Council of Bureaux noted the observations made by the TMC on the diversification of the COMESA Yellow Card Reinsurance Pool Investment Portfolio, as follows:

- a) The interest rates established through the survey indicated that they had not recovered from the effect of the global financial crisis;
- b) The US \$ Libor rates were below 1% and Banks within the region were offering rates slightly above Libor;
- c) Yield on Treasury Bills issued by various countries had steadily reduced with the 182 days issued by the Kenya Government, for example reducing from 8% at the end of 2009 to 2% as at August 2010;
- d) The US Dollar interest rates currently earned by Pool investment funds were well above the interest rate on offer by the various banks in the region;
- e) The currencies with the highest volatility during the period 01.01.2009 to 10.08.2010 starting with most volatile were the Zambian Kwacha, Tanzanian Shilling, Kenya shilling and Rwandese Franc, however the Rwandese Franc was a controlled currency; and
- f) Treasury Bills offered by the Government of Rwanda was relatively stable currency against US Dollar and offer an attractive yield.

Decisions

71. The Council of Bureaux endorsed the recommendations of the 29th Technical Management Committee as follows:

- a) Proceed with their exercise of investing in Treasury Bills offered by the Government for three months and invest an initial amount not exceeding US\$100,000 and report the progress made to the 24th Meeting of the Council of Bureaux;
- b) Liaise with National Bureaux to identify investment opportunities in the member countries;
- c) Contact the COMESA Secretariat for detailed investment data or information on member States;
- d) Continue to explore and identify other assets that are a source of revenue.; and
- e) diversify the investment portfolio in other COMESA member States in compliance with the directives of the Council of Bureaux and report the action taken to the 30th Meeting of the TMC.

v. Draft Dividend Policy of the Reinsurance Pool of the Yellow Card Scheme

Decision

72. The Council of Bureaux noted the presentation and observation on the draft dividend Policy and endorsed the recommendations of the 29th Technical Management Committee as follows:

- i) the TMC observed that there was need to come up with a basis for allocation of dividend to members and recommended that the Pool managers should review the dividend policy to include, among others, a criteria that defined the basis for allocation of dividend to member National Bureaux and present the document to the 30th Meeting of the TMC.

vi. Study Report on High Number of Claims between the National Bureaux of Ethiopia and Djibouti

73. The Council of Bureaux noted the findings of the study, as follows:

a. National Traffic Accident

74. Statistical reports of annual motor traffic accidents for the period from 2004 to 2008, obtained from the relevant authorities in Djibouti and Ethiopia, were analyzed and the following was observed:

- i. Negligence (careless driving) accounted for over 70% of the traffic accidents in Djibouti;
- ii. High number accidents reported in Djibouti accounted for personal injuries;
- iii. Negligence acts (careless driving) was the main cause for a high number of road traffic accidents in Ethiopia;
- iv. Negligence acts included the following:
 - careless driving
 - over speeding
 - sudden change of direction
 - no respect of traffic signs and
 - no respect to people with the right of way

b. Yellow Card Traffic Accidents

75. About, 60 claim files randomly selected were thoroughly reviewed and the following was observed:

- i) Negligence accounted for over 50% of the reported claims followed by lack of visible road signs which accounted for about 18%.
- ii) In all the claims files reviewed, statement of accidents were obtained from the Ethiopian drivers only.
- iii) Ethiopian drivers were reported to have been at fault in all claim files.
- iv) In few claim cases, settlements were noted for damages on road asphalts.

Observations

- a) Views and opinions gathered through questionnaires, interviews and meetings, careless driving was attributed as the main cause of accidents, the influence of drugs (chat drug) was also considered as one of the causes of accidents; however this could not be verified;
- b) During a visit to the border post between Ethiopia and Djibouti it was observed that there were no road traffic signs to guide drivers; and

- c) The annual traffic movement/turnover from Ethiopia increased from 127,199 in 2003 to 175,343 in 2009 and the number of trucks from 1398 in 2003 to 1927 in 2009 and the number of accident from 57 to 104. Thus the increase in claims number was not as high as the increase in the traffic turnover.

c. Earned premiums against claims quantum

76. On premium earned by the National Bureau of Ethiopia compared to the claims paid to the National Bureau of Djibouti the following was observed:

- a) Claim below \$10,000 and handled by the National Bureaux:
 - i) Premium earned increased from \$215,630 in 2003 to \$503,838 in 2009; and
 - ii) Claims paid increased from \$40,268 in 2003 to \$416,030, 2009.
- b) Claim above \$10,000 handled by the Pool:
 - i) Premium ceded to the pool increased from \$92,413 in 2003 to \$254,502 in 2009;
 - ii) Claims paid by the pool increased from \$33,820 in 2003 to \$208,708 in 2009.

77. The above shows there was a significant increase in claims in both below and above \$10,000 claims especially compared with claims made by other National Bureaux. Claims statistics obtained from the Pool Manager also confirm that claims involving the National Bureaux of Ethiopia and Djibouti accounts to about 50% of the total claims of the Pool.

Decision

78. Having considered the different views of the two National Bureaux on the correctness of the figures captured in the report Council decided that the two National Bureaux should provide the correct figures to the Secretariat and present them to the next TMC.

d. Measures adopted by National Bureaux

79. The report also identified measures taken by National Bureaux of Ethiopia and Djibouti with a view to reducing the number of traffic in Djibouti.

80. Measures put in place by the National Bureau of Ethiopia included:
- i) proposed transport operators introduce vehicle tracking systems to monitor their vehicles and also produced a resting place for vehicles and drivers;
 - ii) Introduced a drivers' training centre for training drivers and driving licenses issuance;
 - iii) Insurers to introduced a no claim bonus for drivers; and
 - iv) Introduced a re-training system of all drivers on renewal of their Driving licenses.

81. Measures put in place by the National Bureau of Ethiopia included the following:
- i) introduced traffic patrol in the main corridors;
 - ii) introduced heavy duty cranes to remove vehicle(s) that tends to block the traffic flow;
 - iii) introduced penalty fees for those drivers that do not observe traffic rules; and
 - iv) introduced monthly stakeholders' meetings in order to sensitize each other on the need to reduce traffic accidents.

82. The study established that the claim amount awarded for road traffic accident victims was very high and should be addressed at the earliest possible time.

Discussions

83. During the ensuing discussions, the TMC member from the National Bureau of Djibouti explained on the observation made on claims files process by the National Bureau as follows:

- a) the statements of accidents in claims files reviewed were not only from the Ethiopian drivers but also from other drivers. The claim files also contain police reports;
- b) in all claims files the Ethiopian drivers were reported to be at fault because there was no need to open files for drivers who were not at fault or responsible for the accidents; and
- c) about 50% of claims were accident on pedestrians, animals and properties.

84. In addition, he reported that:

- a) The construction of a new and wide corridor road with road traffic signs was completed and put to service;
- b) The claims amount payable was high because the minimum claim amount payable for death, which is limited by law is a minimum of 2.2m Dji Franc which is about US\$15,000;
- a) With regard to the findings of the study on earned premiums against claims quantum, the National Bureaux of Djibouti and Ethiopia argued that the figures were not correct;
- b) The National Bureau of Djibouti indicated that recommendation Par 79 (e) was not corrected and should be deleted from the report; and
- c) The National Bureau of Ethiopia pointed out that on measures put in place by the National Bureau par 75 (iii) should be replaced by the following "the National Bureaux had revised and increased the premium rates for Yellow Card Cover.

85. In response to the issue raised by the National Bureaux of Ethiopia and Djibouti, the Secretariat informed the meeting that it was not proper to remove and replace the findings and recommendations of the study without supporting evidence and at this stage after the draft study report was submitted for views and comments made by the National Bureaux involved was presented and considered by the TMC meetings and recommendations made to the Council of Bureaux.

86. During the meeting the Head of delegation of the National Bureau of Ethiopia strongly protested on the decision to delete par 79(e) finding of the report of the study.

Decisions

87. The Council of Bureaux endorsed the recommendations of the 29th Technical Management Committee, with the changes indicated in par 80 (a) and (b) above as follows:

- i) embark on nationwide road traffic education and training programmes to drivers and the general public;
- ii) deploy visible highway road signs in the main highway from Djibouti port to the border post of Dawaanle;
- iii) intensified high way road patrols along the main corridor;
- iv) National Bureaux should participate in the bilateral meeting between the two countries and draw the attention of authorities to take measures to reduced the number of road traffic accidents;
- v) the National Bureaux of Ethiopia and Djibouti should meet regularly to address Claims issues; and
- vi) Traffic Officers and insurers should take accident statements from both drivers involved in the accident (and not from the visiting driver only) to establish the responsible party for the accident.

vii. Report on the Plan/Measures to be put in place on claims handled on behalf of the National Bureau of Zimbabwe should its 30% Premium Cession be written off

88. The Council of Bureaux endorsed the recommendations of the 29th Meeting of the Technical Management Committee as follows:

- a) Pool Managers should assist the National Bureau of Zimbabwe by providing outstanding claims statistics, latest by the 1st of December 2010;
- b) National Bureaux who have any claims against the National Bureau of Zimbabwe (NBZ) should inform the National Bureau by 31st December 2010; National Bureaux who have claims against the NBZ should provide documentation pertaining to the claims to the Bureau by 31st March 2011;
- c) The National Bureau of Zimbabwe should effect claims payment to National Bureaux who have claims against it and provided the pertaining claims documents between 31st March to June 2011;
- d) The Secretariat should send reminders to all National Bureaux to provide the relevant information to the National Bureau of Zimbabwe before the 24th Council of Bureaux Meeting; and
- e) The National Bureau of Zimbabwe should submit to the next meeting of the TMC a revised presentation after getting the relevant outstanding claims statistics from all National Bureaux and the Pool Managers for them to come up with a plan on how to have them settled.

viii. Report on the Pilot Test of the Yellow Card Management Information System (YC-MIS) in the Northern Corridor Countries

89. The Council of Bureaux endorsed the recommendations of the 29th Meeting of the Technical Management Committee as follows:

- a) The initial proposed date of implementation of the YC-MIS 1st January 2011 should be adhered to; and
- b) The implementation should be done on corridor approach basis as follows:

- i) Northern Corridor Countries: Kenya, Uganda, Rwanda and Burundi, on 1st January 2011;
- ii) North-South Corridor: Zimbabwe, Malawi, Zambia, DR Congo and Tanzania; on 1st July 2011;
- iii) Horn counties: Djibouti, Ethiopia, Eritrea and Sudan on September 2011.

Annual Report and Account of the Yellow Card Reinsurance Pool for the year ended 31st December, 2009 (Agenda item 8)

90. The representative of the Pool Managers presented the audited Annual Report and Accounts of the Yellow Card Scheme for the year ended 31st December 2009, in line with Article 6, item 4(d) of the Constitution of the COMESA Yellow Card Reinsurance Pool. He then gave the highlights of the Manager's Report and Financial Statement for the Year ended 31st December 2009. In doing so, the Pool Managers informed the meeting that the recommendations of the 29th Meeting of the Technical Management Committee of the Yellow Card Reinsurance Pool had been reflected in the report. He then presented the Managers and Independent Auditors Report item by item. He pointed out that the profit for the year, namely: \$129,214 was lower than the profit for the period 2008, \$ 527,745 due to increase in provision for bad debts. The Pool Managers proposed that the current External Auditors; namely: Deloitte & Touche, Certified Public Accountants (Kenya) be reappointed for 2010 period at fee not exceeding \$5,000.

91. In the discussion that ensued, the National Bureau of Ethiopia informed the meeting that the Bureau had made payments of premium cessions and excess of loss premiums and effected several reimbursements on claims paid through the Clearing House for the period 2009 and that the figures indicated in the Pool Managers and Independent Auditors Report does not reflect the payments made and expressed concern on the accuracy of the report. In responding to the issue raised by the National Bureau of Ethiopia, it was explained that the report was presented following the consideration and recommendation by the TMC and thus would not be proper for members of the Council of Bureaux to make reservation at this point in time on a report which followed due process.

Decision

92. In order to address the issues raised above, the Council of Bureaux decided that Draft Pool Managers and Independent Auditors Reports should be circulated to all National Bureaux in good time for their views and comments, before the report is presented for consideration and adoption of the Council of Bureaux.

93. The Council of Bureaux considered the Annual Report and Account of the Pool for the Year ended 31st December, 2009, and:

- a) approved the audited accounts in line with Article 6 item 4 (d) and (f) of the Constitution of the COMESA Yellow Card Reinsurance Pool; and
- b) re-appointed Deloitte & Touche, Nairobi, Kenya, as Pool External Auditors for the period 2010 at a fee not exceeding \$5000.

Reinsurance Pool Financial Highlights as at 31st August, 2010 (Agenda item 9)

94. The Pool Managers presented the Financial Highlights for the eight months beginning January 2010 to the 31st August 2010. The Pool Managers informed the Council of Bureaux that the gross premium written was US\$625,703 for the first eight months of 2010, showing an increase of 2.76% compared to US\$608,597 for the same period in the previous year. The meeting was also informed that the report presented was up to 31st August 2010 in line with the recommendation of the 29th Meeting of the TMC that a supplementary/development report up to the time of the meeting be included to enable comparison of the period under review and provide an update respectively for the benefit of the meeting.

95. The financial highlights were as shown below:

	August 2010	Growth	2009 August
	US\$	%	US\$
Gross premium income	625,703	2.76	608,895
Reserve fund	4,553,526	1.55	4,625,162
Total assets	7,166,498	18.53	6,046,147
Capacity subscription	300,000	9.09	275,000
Short-term investments	3,809,807	24.55	3,048,646

96. In the discussion that followed, it was underscored that the report was presented for information and to update members of the Council of Bureaux on the financial status of the Reinsurance pool.

Decisions

97. The Council of Bureaux decided that:

- a) National Bureaux should study the Manager's Report and Financial statement and submit their comments, if they have any, to the Pool Managers, with a copy to the Secretariat as soon as possible and before the end of 2010; and
- a) The fund of US\$100,000 transferred to the COMESA Secretariat for the development and implementation of the YC-MIS shown under other operating expenses should be reflected under appropriate budget line.

Report on the Pilot Test of the Yellow Card Management Information System (YC-MIS) in the Northern Corridor Countries (Agenda item 10)

98. A representative from the Secretariat presented Document No. CS/YCRCTG/CB/XXIV/4 Report on the Yellow Card Management Information System–YC-MIS Pilot Test. He recalled the decision of the 23rd Meeting of the Council of Bureaux that pilot test of the system should be carried out in the Northern Corridor Countries, namely: Kenya, Uganda, Rwanda and Burundi.

99. On the preparatory activities made, the Council of Bureaux was informed that from 7th to 21st May 2010, selected experts from insurance companies and the National Bureaux of Kenya, Uganda, Rwanda and Burundi were trained and equipped with skills of the YC-MIS application. The Council of Bureaux was further informed that following the completion of the preparatory activities, a second mission was mounted in June 2010 in the northern corridor countries and the pilot test was conducted.

100. The meeting was informed that during the pilot test primary Insurance Companies in Kenya processed 69 entries, in Uganda processed 296 entries, in Rwanda processed 27 entries and in Burundi processed 347 entries and in total 739 entries were processed. The findings of the pilot test, shown in Annex I were compiled and submitted to the developers for them to review and prepare the system for the full rollout. The Council of Bureaux was further informed that the improved YC-MIS will be completed and deployed at the Secretariat before the end of November 2010, in preparation for the implementation of the system in member States.

101. On the full rollout/implementation of the system, the Council of Bureaux was requested to consider the revised activities work plan for the period from October 2010 to September 2011 attached to the report.

102. In the discussions that followed the meeting underscored the importance of printing facilities of yellow cards and strengthening the security features of the YC-MIS system

Decisions

103. With regard to implementation of the YC-MIS, the Council of Bureaux:

- g) endorsed the recommendations of the 29th Meeting of the TMC and adopted the revised detailed work plan for the implementation of the YC-MIS in all National Bureaux States, Annex II.
- h) decided that the system should include printing facilities of Yellow Card pads; and its security features be enhance before the system is rolled out in the Northern Corridor.

Report of the Workshop for Coordinators of the Yellow Card Scheme (Agenda item 11)

104. The Secretariat presented document no. CS/CB/YCC/WKS/II- Report of the Workshop for Coordinators of the Yellow Card Scheme. In doing so, he informed meeting the recommendations made by the coordinators on the various Yellow Card Instruments.

Decisions

105. The Council of Bureaux adopted the recommendations of the Workshop for Coordinators of the Yellow Card scheme, as contained in the document CS/CB/YCC/WKS/11, Annex III.

106. The Council of Bureaux decided that the changes adopted in the above document Annex III be implemented with effect from 1st April 2011.

Progress Report on the implementation of the Regional Customs Transit Guarantee (RCTG) Scheme (Agenda item 12)

107. The Secretariat presented document no. CS/YCRCTG/CB/XXIV/5, Progress Report of the Implementation of the Regional Customs Transit Guarantee (RCTG) Scheme. The meeting was informed that the scheme was officially rolled out during the meeting of Heads of Customs of the Northern Corridor countries held on 25th March 2010 in Mombasa, Kenya. During the official launch of the rollout of the RCTG CARNET to stakeholders who participated in the successful pilot tests were awarded certificates of appreciation for their commitments and support. The meeting was also informed of the progress made towards the implementation of the scheme in the South-North and Horn corridors countries.

108. The meeting was informed that ZEP-RE (PTA Reinsurance Company) was appointed as Managers for the Reinsurance Pool of the RCTG scheme and that the Secretariat will soon establish a Corporate Body to administer and manage the RCTG scheme.

Decision

109. The meeting noted with appreciation the launching of the RCTG Scheme and decided that in order to bridge the information gap between members of the Council of Bureaux of Bureaux, the Secretariat should prepare a report explaining among others, the background, developments, the current status and the way forward in the implementation and operations of the RCTG scheme and circulate to members. However issues pertaining to the RCTG should not come as Agenda items during Council Meetings as they were covered and deliberated upon in the RCTG Council of Surety Meetings.

Renewal of Contract of Professional and General Staff Staffs (Agenda 13)

110. The Secretariat presented Document No. CS/YCRCTG/CB/XXIV/ - Contract Renewal for Chief Programme Officer (CPO) and Administrative Assistant. The Council of Bureaux considered the recommendation of the Secretary General of COMESA to renew the Contract of Mr. Berhane Giday (P5) for four years, with effect from 6th April 2011 and the recommendation of the Assistant Secretary General (Programmes), to renew the Contract of Mrs Brenda Chizyuka GS 10 for four years, with effect from 1st October 2011.

Decision

111. In the ensuing discussion, it was noted that the renewal of contracts was not presented through the Technical Management Committee of the Yellow Card Reinsurance Pool. In response to the point raised, it was pointed out that the Technical Management Committee was mandated to consider technical issues and that renewals of contracts of staff members were presented directly to the Council of Bureaux. It was also pointed out that under certain exceptional circumstances renewals of contracts were presented for consideration by the TMC.

112. The Council of Bureaux renewed the contract of Mr Berhane Giday, Chief Programme Officer and Mrs Brenda Chizyuka for a period of four (4) years with effect from 6th April 2011 and 1st October 2011 respectively.

113. The Council of Bureaux decided that renewals of contract of staff members of the Council of Bureaux should be first presented to the TMC for consideration and recommendation to the meeting of the Council of Bureaux.

External Auditors Report on the Accounts of Council of Bureaux 30th June 2010 *(Agenda item 14)*

114. The meeting was informed that external auditors for the Council of Bureaux account, namely De Chazal Du Mée (DCDM) had recently closed their office before carrying out the audit and that the Secretariat had appointed new external auditors, namely; Deloitte and Touche. The meeting was further informed that new external auditors were in the process of examining the Council of Bureaux Account and that the Management Account and Financial Statement would be presented to the 30th Meeting of the TMC for consideration and recommendation to the next meeting of the Council of Bureaux.

Decision

115. The Council of Bureaux decided that the External Auditors Annual Report and Accounts of the Council of Bureaux Account for the year ended 30th June 2010 should be presented to the 30th Meeting of the TMC for consideration and recommendation to the 25th Meeting of the Council of Bureaux.

Proposed Budget for the Year 2010/11 *(Agenda item 15)*

116. The Secretariat presented Document No CS/YCRCTG/CB/XXIV/8, Proposed Budget for the Council of Bureaux for the year 2010/11 as follows:

Status of Income in 2009/10

117. The meeting was informed that all National Bureaux, except Malawi, Rwanda, DR Congo and Sudan had paid their budget contributions for the period under review. The National Bureau of Eritrea was given exemption. A total amount of US\$284,424 including arrears was recorded during the 2009/10 fiscal year.

Budget 2010/11

118. The meeting was informed that the budget assessment for the year 2010/11 was US\$371,040 representing an increase of 7.5% from the 2009/010 budget which stood at US\$345,940. The meeting was further informed that the increase was mainly due to the additional budget for the recruitment of the Senior Finance Assistant who took up his post in May 2010, just one month before the end of the fiscal period.

Administrative matters

119. The meeting was informed that in accordance with the decision of the 22nd Meeting of the Council of Bureaux supplementary budget for the recruitment of Insurance expert was presented in line with the decision of the 23rd Meeting of the Council of Bureaux.

Work Programme for 2010/11

120. The meeting was informed that the Work Programme for the 2010/11 included the following major activities:

- a) Oversee the implementation of decisions of the Council of Bureaux and the Technical Management Committee (TMC) on the Yellow Card;
- b) Undertake studies, among others, on:
 - i) the competitiveness of the YC premium rates;
 - ii) the impact of the YC scheme in reducing transport and transit costs;
 - iii) the standardization of Yellow Card premium rates for the COMESA Region;
 - iv) Structure, Conduct and Performance (SCP) of the insurance market in the region and propose a framework for cooperation and integration of the Industry; and
 - v) the possibility of establishing an independent Secretariat of the Council of Bureaux of Bureaux.
- c) Commencements of operations of the IT Management Information System for the Yellow Card Scheme (MIS-YC) in all Northern Corridor countries followed by the South–North and Horn Corridor countries;
- d) Convene a meeting of Insurance Supervisory Authorities and Chief Executives of Insurance and Reinsurance companies to consider a study in b) (iv) above and propose a framework for trade in Insurance Services in the COMESA region;
- e) Prepare technical papers, working documents and reports;
- f) Prepare project proposals and mobilize extra budgetary resources;
- g) Organize national stakeholders workshops on the Yellow Card;
- h) Organise and service the Council of Bureaux and TMC Meetings;
- i) Carry out the annual work programme of the Regional Customs Transit Guarantee (RCTG) Scheme;
- j) Produce promotional materials and publications to promote the Yellow Card Scheme; and
- k) Carry out the day-to-day functions of the Yellow Card Office at the Secretariat.

Development Budget (Extra-Budgetary Resources)

121. The meeting was informed of the extra budgetary resources mobilised by the Secretariat to carry out specific activities during the year under review was as follows:

- a) Regional Customs Transit Guarantee Scheme:

Secured \$270,000 for the 2009/10 period from USAID East Africa and a total funding of US\$2million since 2002. USAID was expected to continue its financial support for the implementation of the RCTG activities for the 2011 period
- b) Capacity support to the office of the Council of Bureaux of Bureaux:
 - i) COMESA Secretariat allocated US\$32,000 from RISP–EU-COMESA Contribution Agreement allocated funds for the recruitment of a short term Insurance Expert for a period of six months. The expert was recruited in September 2009 and his contract came to an end July 2010;
 - ii) COMESA Secretariat would be requested to continue its support and allocate funds for the Trade in Insurance Services Programme and y for the services of the short term Insurance Expert.
- c) Yellow Card Managements Information System (YC-MIS)

Following the 23rd Council of Bureaux decision, the Pool Managers transferred US\$100,000 for the Pilot test and implementation of the Yellow Card Managements Information System (YC-MIS) and a breakdown of the expense and balance available was attached as Annex I to the proposed budget.

Contributions Payable by National Bureaux for 2010/11

122. During the discussion, the National Bureau of Sudan advised that it was not able to transfer the funds to settle its arrears due to the economic sanction imposed on the country. The National Bureau of Malawi informed the meeting that it had continued its discussion with the engaged Ministry of Industry and Trade to pay the contribution of the National Bureau to the budget of the Council of Bureaux and pointed out that indications were that the government would settle the arrears soon. The National Bureau of DR Congo informed the meeting that it had paid \$26,000 and would submitted documentary evidence for the payments made and its arrears should be corrected accordingly

Decisions

123. On the annual budget for 2010/11, the Council of Bureaux:
- approved the annual budget of US\$371,340 for the year 2010/11;
 - approved the supplementary budget of US\$ 91,911 for the recruitment of the Insurance Expert during the period 2011, as shown in Table 1 below;
 - approved the work programme for 2010/11; and
 - decided that each National Bureau should pay US\$30,995 as its contribution to the Budget of the Council of Bureaux for the financial year 2010/11, as shown in Table 2 below.

Table 1- Supplementary Budget for the recruitment of an Insurance Expert

Budget line	Description		For the year
1	Basic Salary (Professional Staff- P3(l))		33,791
2	Housing Allowance	US\$1224X12 months	14,688
3	Dependency Allowance	Spouse at annual rate of US\$413 and four children at US\$300 per child	1,613
4	Gratuity	15% of the Basic Annual Salary	5,069
5	Medical allowance	US\$3750 PER ANNUM (CLAIMABLE)	3750
6	Education allowance	Per annum per child US\$4500 X 4 (CLAIMABLE)	18,000
7	Installation allowance	\$15,000	15,000
TOTAL	TOTAL		91,911

The 2010/11 Annual budget and contribution required from each National Bureau including arrears.

Table 2

NATIONAL BUREAUX	2010/11 ANNUAL BUDGET CONTRIBUTION US\$	ARREARS ON 30/09/10 US\$	TOTAL AMOUNT REQUIRED FROM EACH NATIONAL BUREAU US\$
Burundi	30,995	(18,824)	30,995
Djibouti	30,995	(15,126)	30,995
DR Congo	30,995	76,009	107,004
Eritrea	Exempted	18,824	18,824
Ethiopia	30,995	35	30,995
Kenya	30,995		30,995
Malawi	30,995	136,936	167,931
Rwanda	30,995	55,737	86,732
Sudan	30,995	86,090	117,045
Tanzania	30,995	(18,536)	30,995
Uganda	30,995	30	30,995
Zambia	30,995	---	30,995
Zimbabwe	30,995	---	30,995
Total	371,940	321,175	745,496

Date and Venue of the Next Meeting (Agenda Item 16)

124. The National Bureau of Kenya offered to host the 25th Meeting of the Council of Bureaux and informed the meeting that it would confirm its final position and the proposed dates and venue of the meeting to the Secretariat after consultations. The meeting accepted the offer with appreciation.

Any Other Business (Agenda item 17)

125. Under this agenda item, the meeting was informed as follows:

a) Motor Vehicle Accident Fund (MVA Fund)

126. The participant from the Motor Vehicle Accident Fund (MVA Fund) of Botswana, Ms Mpule T Ditirwa, GM-Customer Service, thanked the COMESA Secretariat and the Council of Bureaux, on behalf of MVA Funds of Botswana and Namibia, for invitation to the meeting. She highlighted the similarities and challenges of both the Yellow Card Scheme and Fuel Levy systems and underscored the need to work together to address issues of common interest. She recalled the agreement reached during the meeting of COMESA-SADC joint task team on the harmonization of the COMESA Yellow Card and SADC(SACU) Fuel Levy System, held from 16- 17 March 2010, in Gaborone, Botswana and urged COMESA and SADC to expedite the implementation of the agreements reached.

b) Transit Transport Coordination Authority of the Northern Corridor (TTCA-NC)

127. The participant from Transit Transport Coordination Authority of the Northern Corridor (TTCA-NC), Mr Lisumbu Eliombo, Acting Executive Secretary, thanked the COMESA Secretariat for the invitation. He indicated the close working relationship between COMESA

and TTCA in line with the MOA signed between the two institutions and informed the meeting the efforts made by TTCA to promote and support the use of COMESA instruments in the Northern Corridor. He further informed the meeting the efforts made by TTCA to engage the authorities in DR Congo on the ratification of the RCTG and was hopeful that the ratification would be finalized soon and urged COMESA Secretariat to carry out the activities for the implementation of the RCTG CARNET in DR Congo. He also underscored the importance of the implementation of the scheme and requested member States who have not yet ratified the RCTG agreement and established their National Surety to do so without further delay. He also mentioned that TTCA was working with ADB to secure funds for the promotion of the Yellow Card scheme in NC in the Corridor. Finally, he invited members of the Council of Bureaux to the TTCA executive meeting which will be held from 22 – 26 November 2010 in Mombasa, Kenya.

c) Road Transport and Safety Agency (RTSA) –Zambia

128. The participant from Road Transport and Safety Agency–Zambia, Mr Pumi Mfwankila, Principal Licensing Officer, also thanked COMESA for the invitation and assured the continued support of the Agency to the Yellow Card scheme. He explained the role of RTSA in regulating road traffic and road safety and emphasised the need to strengthen the working relationship between RTSA and COMESA member States and the Yellow Card scheme in road traffic accidents.

d) The National Bureau of Tanzania

129. The National Bureau of Tanzania informed the meeting:

- a. That there have been complaints made by some National Bureaux on lack of response from the Bureau on communication and pointed out that communication was not received as the Bureaux were using the email address which was no longer in use and advised to use the new email address namely: immaculate.morro@nictanzania.co.tz;
- b. that a flier produced by the National Bureau during the International Trade fair to promote the Yellow Card Scheme has been circulated during the meeting and National Bureaux to do so as the exercise had produced a positive result; and
- c. that the Bureau had settled its arrears of cost of printing and delivery of Yellow Card Pads and also paid for new orders but however, had not yet received the pads ordered and the Bureau was at risk of running out of stock. The National Bureau indicated that the current practice of processing of orders, making advance payments, printing and delivery of Yellow Cards through the COMESA Secretariat was cumbersome and takes time and urged the Secretariat to liaise with the Printers to enable National Bureau to directly deal with the Printer.

Decision

130. The Secretariat was directed to engage the Printer and work out modalities for National Bureau to be able to make direct orders from the Printer to reduce the delays realized in the current system.

Adoption of the Report and closure of the Meeting (*Agenda item 18*)

131. The Council of Bureaux considered the report paragraph by paragraph and adopted the report with amendments.

132. A representative from the National Bureau of Djibouti moved the motion to adopt the report and was seconded by the National Bureau of Tanzania.

133. A representative from the National Bureau of Burundi in giving the vote of thanks on behalf of the delegates, thanked the government and people of Djibouti for the warm hospitality and the effort put by the National Bureau of Djibouti in hosting the meeting and making the necessary arrangements to ensure that all delegates were safely taken to their respective hotels from the airport even when it was late. He also expressed his gratitude to the representatives of SACU for their presence throughout the meeting.

Annex I

Summary of Yellow Cards Issued and Premium Income realized per Country

Table I

Country Issued	No. of cards		Premium collected in local currency		Premium collected in US\$	
	2008/09	2009/10	2008/09	2009/10	2008/09	2009/10
Sudan	46	126	41,831.79	76838	16,309.33	32,628.00
Ethiopia	24,478	23689	15,928,332.83	16725271	733,000.00	1,117,882.00
Uganda	6852	11850	1,285,911.52	1765516287	676,795.53	793,490.00
DR Congo	6512	5414			322,540.31	369440
Tanzania	5,340	7685	299320000	513408000	199547	342,272.00
Malawi	365	527	2488105.56	3508982	17 452.	23,273.00
Djibouti	428	655		28425075	95853	159843
Eritrea	nil	3	nil	2835	nil	190.00
Kenya	11018	8521	102,631,858.67	74635527	1,368,424.79	968,428.00
Rwanda	4,970		96081439		165998	
Burundi	5279	7553	92,062,852.00	118952135	74,244.00	95,931.00
Zimbabwe	8,782	7035			137 248.50	479,198.00
Zambia	11682	18642	1,125,366,936.00	2202955528	250,081.54	44,0591.00
Total	857524	91,574			4,057,494.00	434373

Annex II

National Bureaux	Claims Summary for the period July 2009 to June 2010						Claims for the period July 2008 to June 2009					
	Claims Reported		Claims Paid		Claims Outstanding		Claims Reported		Claims Paid		Claims Outstanding	
	No	Amount	No	Amount	No	Amount	No	Amount	No	Amount	No	Amount
Burundi	48	(BIF) 192,622,499	25	(BIF) 82,745,718	46	(BIF) 187,293,434	60	(BIF) 194,987,380	6	(BIF) 15,464,820	62	(BIF) 195,937,380
Djibouti	101			213157		2172785	104			285736		
DR Congo	28		6	(USD) 9,255	12	(USD) 13,000	26		5	(USD) 22,797	23	(USD) 150,550
Eritrea	nil	nil	nil	nil	nil	nil	nil	nil	nil	nil	nil	nil
Ethiopia	12		3		9		47		17	151.675	12	
Kenya	17	(USD) 120,226	14	(USD) 20,392	45	(USD) 102,124	10	(USD) 16,000	12	(USD) 53,700	12	(USD) 100,266
Malawi	3	2800000MK W			4	(MKW) 10630000	6	(MKW) 11,584,780	2	(MKW) 954,780,63	2	(MKW) 10,630,000
Rwanda							82	187,030,372	16	47,485,322	25 1	303.618
Sudan	1	TBA			2		3		2	10773.3 usd	1	TBA
Tanzania	17		4	USD9032.25					2	23376000		
Uganda	45		24	116 749 usd	61		57		1 4	120 079 USD	44	
Zambia	11	(ZMK) 643,300,000	5	(ZMK) 241,200,000	6	(ZMK) 402,100,000			1	10000000	13	137200000
Zimbabwe												
Total	214		81		188		335		74		428	

Claims for Zimbabwe please REFER TO Annex iii below.

ANNEX III

Proposed activities work plan for the rollout/implementation of the YC-MIS: October 2010 – September July 2011

	Activities	Objectives	Expected output	Time frame	Responsible Parties	Estimated budget
1	<p>Prepare Report on the outcome of the pilot test.</p> <p>Review the YC-MIS on basis of findings and feedback of the pilot test carried out in the Northern Corridor Countries</p>	<ul style="list-style-type: none"> To assess the outcome pilot test and revise the YC-MIS 	<ul style="list-style-type: none"> Pilot test performance assessed YC-MIS improved 	Aug-Sep 2010	Consultant & Secretariat	
2	to present a report on the outcome of the Pilot test of the YC-MIS and proposed work plan for the full rollout to the 29 th Meeting of the TMC and 24 th Meeting of the Council of Bureaux for consideration and approval	<ul style="list-style-type: none"> To review the outcome of the pilot test and consider and approve the proposed work plan for the implementation of the YC-MIS 	<ul style="list-style-type: none"> Pilot test outcome and improved YC-MIS reviewed and YC-MIS implementation work plan approved 	Sep- Oct 2010	Consultant & Secretariat	

3	Carry out the YC-MIS Implementation work plan	<ul style="list-style-type: none"> Revised YC-MIS installed at the Secretariat 	<ul style="list-style-type: none"> Improved YC-MIS operational at the COMESA Secretariat 	September 2010	Consultant & Secretariat	30 th September 2010 end of maintenance contract with the Consultant of the YC-MIS
		<ul style="list-style-type: none"> Develop a detailed activities work plan for the implementation of the YC-MIS in the Northern Corridor, South-North Corridor and Horn Corridor Countries in consultation with the National Bureaux (NBx) 	<ul style="list-style-type: none"> Implementation work plan adopted by all National Bureaux 	Oct-Nov 2010	Secretariat and NBx	
		<ul style="list-style-type: none"> Prepare working documents for training of the Primary Insurance companies in the Northern Corridor Countries 	<ul style="list-style-type: none"> Working documents produced (including users and administrative manual) and circulated to NBx 	Nov 2010	Secretariat & Consultant	
		<ul style="list-style-type: none"> Organize and conduct, jointly with the NBx, training of Primary Insurance companies in Northern Corridor Countries on the application and rollout of the YC-MIS 	<ul style="list-style-type: none"> Primary Insurance companies and NBx equipped with skill of the YC-MIS and ready to roll out the system by January 2011 	Nov-Dec 2010	Secretariat; Consultant and NBx	\$15,000 (\$4000 for each mission)
		<ul style="list-style-type: none"> Review and finalize the preparations for the full roll out of the YC-MIS based on the outcome of trainings conducted in Northern Corridor and Launch the member States 	<ul style="list-style-type: none"> YC-MIS reviewed and ready for implementation 	Dec 2010	Secretariat/ Consultant	
		<ul style="list-style-type: none"> Launch the official implementation of the YC-MIS in Kenya, Uganda, Rwanda and Burundi and Pool Managers (ZEP-RE) 	<ul style="list-style-type: none"> YC-MIS implemented in the Northern Corridor 	Jan 2011	Secretariat, Consultant and National Bureaux	

		<ul style="list-style-type: none"> Organize and conduct, jointly with the NBx, training of Primary Insurance companies in South – North and Horn member Counties on the application and rollout of the YC-MIS 	<ul style="list-style-type: none"> Primary Insurance companies and NBx equipped with skill of the YC-MIS and ready to roll out the system by July and September 2011 respectively 	Feb- July	Secretariat, Consultant and National Bureaux	\$35,000 (\$4000 for each mission)
		<ul style="list-style-type: none"> Prepare and submit a progress report on activities carried out to the 30th and 31st TMC meetings 	<ul style="list-style-type: none"> Progress reviewed and official launch approved 	April 2011	Secretariat	
		<ul style="list-style-type: none"> Review and finalize the preparations for the full roll out of the YC-MIS based on the outcome of trainings conducted in Northern Corridor and Launch the member States 	<ul style="list-style-type: none"> YC-MIS reviewed and ready for implementation 	June 2011	Secretariat/ Consultant, National Bureaux	Consultants' fee and Expenses \$20,000- \$30,000
		<ul style="list-style-type: none"> <ul style="list-style-type: none"> Launch the official implementation of the YC-MIS in Zimbabwe, Zambia, Malawi, DR Congo, Tanzania, Djibouti, Ethiopia, Sudan and Eritrea 	<ul style="list-style-type: none"> <ul style="list-style-type: none"> YC-MIS implemented in South – North and Horn Corridors 	July–Sep 2011	Secretariat, Consultant and National Bureaux	

Annex IV

YELLOW CARD CLAIMS IN ZAMBIA ON CARDS ISSUED BY ZIMBABWE (in Zambian claim number order)

Name of Insured	Zambian Claim No	Zim Claim No	DOL	YC Number	o/s Estimate ZKwacha	Paid ZKwacha	Comments
Claims being handled by Zambia on behalf of Zimbabwe							
2004							
Whelson Transport	41/04/373/0001	ZYC 11/2003	30/11/2003	47655		20,300,000.00	Zambia sending details for reimbursement
2005							
Larcon Enterprises	41/05/373/0003	ZYC 06/2004	2/11/2004	38507		3,055,000.00	Zambia sending details for reimbursement
2007							
Tsitsi Ndiweni	41/07/373/0005	ZYC 05/2007	19/2/2007	80064		3,900,000.00	Zambia sending reimbursement request
Concrete Structures	41/07/373/0006	ZYC 11/2007	1/8/2007	76320/76328		4,171,250.00	Zambia sending reimbursement request
Cargo Carriers	41/07/373/0010	ZYC 07/2007	19/11/2007	98132/97345/46		15,585,285.00	Zambia sending reimbursement request
Dryswitch Transport	41/07/373/0011	ZYC 04/2007	6/12/2007	85511/84864		3,593,620.00	Zambia sending reimbursement request
2008							
Cross Country Containers	41/08/373/0007	ZYC 10/2008	31/3/2008	100481/85215		2,200,000.00	Zambia sending reimbursement request
J & J Transport	41/08/373/0015	ZYC 4/2008	22/5/2008	109113	5,000,000.00		o/s Zim to follow up with client
S Bwanya Transport	41/08/373/0017		29/6/2008	61904/109500	27,000,000.00		o/s copy papers handed to Zim
Tauya Coach Services	41/08/373/0018	ZYC 14/2008	9/7/2008	109719/109728		36,503,778.00	Zim in process of paying
Leopack Marketing	41/08/373/0019	ZYC 4/2009	6/8/2008	104551/104601	4,800,000.00		Zambia can't trace file
Raysen Commodities	41/08/373/0021		12/9/2008	106639/106676	5,400,000.00		o/s Zim to open file
2009							
Tranne Hauliers	41/09/373/0001	ZYC 3/2009	20/11/2008	116792		5,916,000.00	Zambia sending reimbursement request
Cargo Carriers	41/09/373/0007		22/6/2009	123910/11 & 115130	37,300,000.00		o/s to be reviewed 31/12/10
Evergreech	41/09/373/0008	ZYC 5/2009	12/5/2009	90378	3,800,000.00		o/s Zim to remind Eagle Ins
Greysky Investments	41/09/373/0010	ZYC 1/2010	22/5/2009	104366		18,000,000.00	Zambia sending reimbursement request
2010							
Dayfast Investments	41/10/373/0002	ZYC 7/2010	22/2/2010	47194/47195	27,000,000.00		o/s Zim to follow up
Mastdon Services T/as	41/10/373/0005	ZYC 3/2010	27/11/2009	126022/128150		11,200,000.00	Zambia sending reimbursement request
Witbest International							
Alro Shipping	41/10/373/0006	ZYC 5/2010	14/6/2010	002917/006979	4,200,000.00		o/s review 2011

Trilon Logistics	41/10/373/0014	ZYC 6/2010	16/8/2010	009108	12,810,000.00		o/s in hands of assessor
					127,310,000.00	124,424,933.00	
					Converted to US\$ at ZKw 4800 to One		
					26,522.92	25,921.86	
YELLOW CARD CLAIMS IN ZIMBABWE ON CARDS ISSUED BY ZAMBIA (in Zim claim number order)							
					o/s	PAID - US\$	
2009							
CR Holdings		EYC 1/2009	9/10/2008	142722		1,650.00	Agreed - remind Zambia for reimbursement
Heywood Investment		EYC 2/2009	27/7/2009		0		Review for closure 31/12/10
Modern Maintenance Products		EYC 3/2009	5/11/2009	77926	0		Review for closure 31/12/10
2010							
Mwanza Demo		EYC 1/2010	2/1/2010		0		Review for closure 31/12/10
Elkajosha		EYC 2/2010	25/1/2010			1,026.00	Agreed - remind Zambia for reimbursement
Trinepon Technologies		EYC 3/2010	26/5/2010	24855		498.00	Agreed - send scanned docs to Zambia
Freight & Passenger Services		EYC 4/2010	16/7/2010	787		630.00	Agreed - send scanned docs to Zambia
						<u>3,804.00</u>	

Annex V

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