

MÉDECINS PROMOTION 2003

“MP3/ ASBL”

Head Office: Avenue des huileries, on the premises of the centre for the physically handicapped

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Logo

MP3

Médecins Promotion 2003

ASBL

Love Unity Work

STATUTES

January 2017

CHAPTER I: NAME, HEAD OFFICE, DURATION, OBJECTIVES AND ACTIVITIES

SECTION I: DENOMINATION

Article 1:

In Kinshasa, capital of the Democratic Republic of Congo, was created a non-profit association, named "Médecins Promotion 2003", acronym "MP3", ASBL.

SECTION II: HEAD OFFICE

Article 2:

The Head Office of the Association is in the Democratic Republic of Congo in the city of Kinshasa in Avenue des huileries, on the premises of the centre for the physically handicapped in the municipality of la Gombe.

It can only be relocated to another address at the request of 2/3 of its members at a General Meeting

SECTION III: DURATION

Article 3:

Without prejudice to the provisions of article 40 of this Statute, MP3 has been created for an indefinite period.

SECTION IV: OBJECTIVES

Article 4:

MP3 being a mainly social and scientific association, intends to:

1. Strengthen friendship and brotherhood bonds among its members;
2. promote the global development of its members;
3. perpetuate scientific values through conferences, seminars, publications, ...;
4. start development projects for the Faculty of Medicine of UNIKIN and the people of the Democratic Republic of Congo.

SECTION V: ACTIVITIES

Article 5:

The main area of operations of MP3 is in the Democratic Republic of Congo and stretches beyond the borders of the country where its branches are and this, according to the legislation of each state concerned.

CHAPTER II: MEMBERS

SECTION I: CATEGORY OF MEMBERS

Article 6:

MP3 include four categories of members, namely:

1. Founding members;
2. Full members;
3. Sympathising members;
4. Honorary members.

Article 7:

A Founding member is a someone which took part in the first meeting in which the name MP3 was adopted.

Article 8:

A full member is:

1. Any Doctor who completed his studies at the University of Kinshasa (UNIKIN) in the 2002-2003 academic year;
2. Anyone (Doctor or not) who, in his academic career spent at least one academic year with those who completed the 2002-2003 academic year;
3. Anyone who does not meet paragraphs 1 and 2, but who has a distinguished record of service for MP3, and makes a request which will be examined by the Management Committee and approved by 2/3 of the members during the Ordinary General Meeting. However, he will not be able to run for chairman or vice-chairman in the Management Committee.

Article 9:

A sympathising members is any other person than those already mentioned in articles 7, 8 and 10 of this Statute, who agrees with the ideas or adopts the objectives of the association, but who is not a full member.

He must make a request which will be examined by the Management Committee and approved by 2/3 of the members during the Ordinary General Meeting

Article 10:

An honorary member is any natural or legal person identified by the Management Committee, and approved by 2/3 of the Members of the General Meeting as having given his moral, financial or material support and who voluntarily accepts.

SECTION II: ACQUIRING AND LOSING MEMBERSHIP

2.1 PARAGRAPH I: ACQUIRING MEMBERSHIP

Article 11:

Without prejudice to the regulations set forth in articles 7 to 10 of this Statute, full membership can be acquired after:

1. signing a membership form, established by the Management Committee;
2. paying the membership fees for the operating costs of the Association, amounting to US\$5 at the rate of the day;
3. being notified by the Chairman.

Nevertheless, for new members, to the above-mentioned criteria should be added the payment of two thirds of previous monthly fees the duration of which will be determined by the International Management Committee.

2.2 PARAGRAPH 2: LOSING MEMBERSHIP

Article 12:

Membership can be lost by:

1. voluntary withdrawal;
2. permanent impediment;
3. permanent exclusion;
4. dissolution of MP3;
5. non-compliance with resolutions (Statute, internal regulations, ...)

Article 13:

Any member is free to leave the Association. Therefore, it has no right on the property of the Association which is in fact distinct from that of its members.

CHAPTER III. ORGANISATION AND OPERATION

SECTION I: BODIES

Article 14:

MP3 has three bodies, namely:

1. the General Assembly;
2. the Management Committee;
3. the Commissions:
 - the Commission of Wise Persons;
 - the Disciplinary Commission;
 - the Audit and Control Commission;
 - the Sociocultural Commission;
 - the Scientific and Research Commission;
 - the Development Commission.

SECTION II: OPERATION AND POWERS OF BODIES

1. THE GENERAL ASSEMBLY

Article 15:

The General Assembly is the supreme organ of the association.

In this capacity, its role is to:

1. adopt and amend, if need be, the Statute and Internal Regulations;
2. Examine and adopt the annual budget;
3. Approve the annual activity report;
4. Elect the members of the Management Committee;
5. Approve or reject the report of the Disciplinary and Audit Commission;
6. Deliberate and take decisions on any issue related to the proper functioning of the association;

The General Assembly is made up of full members.

The other categories of members may also be invited to participate but without voting rights.

The General Assembly meets four times annually in an ordinary session (January, April, July and October).

If need be, the Chairman or Vice-chairman, if the former is unable to attend, may convene an extraordinary session.

When the Managing Committee does not convene a General Assembly for two consecutive terms, the Commission of Wise Persons may convene an extraordinary session.

The General Assembly's decisions are valid only when they are taken by an absolute majority of its members.

The General Assembly may convene whatever the number of members present.

2. THE INTERNATIONAL MANAGEMENT COMMITTEE

Article 16:

The Management Committee is the organ responsible for the implementation of decisions and for the follow up of recommendations of the General Assembly. Its functions are:

- A. to manage daily the Association;
- B. to emit an opinion on the appointment or dismissal of members of the branches of representation of the association;
- C. to present the activity programme and the annual report to the General Assembly.

The Management Committee meets once a month upon the summons of the Chairman or the Vice-chairman, if the chairman is unable to attend.

If need be, the Commission of Wise Persons may convene an extraordinary session.

The members of the Management Committee are elected for two years, which may be renewed once.

Article 17:

The Management Committee comprises:

1. One Chairman;
2. Several Vice-chairmen;
3. Two secretaries; one general secretary and one assistant general secretary or reporter
4. Two treasurers; one general treasurer and its assistant;
5. Two Public Relations, Communication and Press Officers,
6. the college of advisors.

2.1. THE CHAIRMAN**Article 18:**

The Chairman is responsible for:

1. coordinating all the activities and resources of the association.
2. ordering all the expenses of the Association in accordance with the legislation in this area;
3. representing the association in court and commit the association vis-à-vis third parties;
4. Convening the General Assembly and the meetings of the Management Committee;
5. endorsing the election of members of the branches of representation of the association in agreement with the Management Committee;
6. notifying the decision to dismiss a member of one of the branches following a report from the Disciplinary Commission, after approval by the General Assembly.

2.2 THE VICE-CHAIRMANS**Article 19:**

The Vice-Chairmen are the chairmen of the branches; Kinshasa (Congo) being the Head office, its chairman is automatically the first Vice-chairman.

The Vice-chairmen assist the Chairman in the performance of his duties.

They replace him, in case of absence or incapacity.

They deal with administration and finance.

As such, they prepare a preliminary draft of the budget of the association with the help of the Treasurer which will be approved by the Management Committee before being examined and adopted by the General Assembly.

They must also:

- Manage the computer network and motor fleet;
- Settle expenses;

- Make semester inventories of all movable and immovable property of the association under their daily management.

2.3 THE GENERAL SECRETARY

Article 20:

The General Secretary writes the quarterly and annual reports of the association under the supervision of the Chairman.

He manages accounts

He countersigns with the Chairman all the minutes, release of funds and all the documents requiring his intervention.

He monitors all current administrative follow-ups of the association, without prejudice to his functions already recognised.

He manages the website and social networks daily.

He carries out all tasks entrusted to him by the Management Committee.

2.4 THE ASSISTANT GENERAL SECRETARY OR REPORTER

Article 21:

He replaces the incumbent in its functions if the latter is absent or incapacitated.

He writes the monthly minutes of the meetings;

He provides the secretariat for all the meetings of the General Assembly and of the Management Committee.

2.5 THE GENERAL TREASURER

Article 22:

He must:

1. Draw up with the help of the Vice-chairman the annual budget draft of the association which will be submitted to the General Assembly;
2. elaborate the financial reports of the association;
3. Countersign with the Chairman the payment orders of the association or of the fund;
4. ensure daily the funds operations;
5. ensure the correct budget attribution and the settle expenses;
6. ensure the regular updating of all financial documents.

2.6. THE PUBLIC RELATIONS, COMMUNICATION AND PRESS OFFICERS

Article 23:

They are the focal points of communication between MP3 and the partners. As such, they are the spokespersons of the Association.

They also carry out, without prejudice to the powers conferred to the other members, all the duties traditionally attributed to his function;

They facilitate collaboration between the present association and the mutual companies or other structures;

They make a directory of it.

They act as Commissioner of festivities.

There is one incumbent and one assistant.

2.7 THE COLLEGE OF ADVISERS

Article 24:

These are people with a moral probity acceptable to all.

They are appointed by the international committee after consulting with members.

3. COMMISSIONS

3.1 Commission of wise persons

Article 25:

It comprises:

- The Founding members;
- The Former chairmen.

Article 26:

The mission of the Commission of Wise Persons is:

- To manage important conflicts and disputes between members and /or between branches which may weaken the smooth running of the association;
- To convene the extraordinary general assembly and the electoral body when the managing committee cannot do it for various reasons.

3.2 Scientific and research commission

Article 27:

Its mission is:

- To give scientific advice for all the deeds submitted to it by the Management Committee as well as the General Assembly;

- To prepare and organise scientific activities;

3.3 Sociocultural Commission

Article 28:

Its mission is:

- To plan and implement, with the assistance of the Vice-chairman, sociocultural activities;
- To carry out all the tasks relating to its functions requested by the Management Committee or the General Assembly.

3.4 Development Commission

Article 29:

Its mission is:

- Initiate projects related to development and improvement;
- Carry out all duties related to its functions at the request of the Management Committee or the General Assembly.

3.5 Audit and control Commission

Article 30:

Its mission is to audit internally the assets of the association.

3.6 Disciplinary Commission

Article 31:

Its mission is to monitor the discipline and respect of the association's members as well as the statutes that govern it.

SECTION III: OPERATION OF BRANCHES

PARAGRAPH I: MANAGING BODIES

Article 32:

A branch represents the association outside the national territory (DR Congo) or Kinshasa when it meets the criteria of article 32 of the Statute.

As such, it is not independent from Head Office and regularly reports its activities to the internal committee that supervises it.

Article 33:

A branch can be created and considered as such when:

- It has at least 20 full members;
- It can gather at least half its members in the General Assembly.

Article 34:

A branch has two bodies:

- The Management Committee and,
- The Assembly of branches.

The Management Committee gathers once a month and the plenary assembly once a quarter.

Article 35:

The Management Committee comprises:

1. one Chairman;
2. one Vice-chairman;
3. one Secretary and his assistant;
4. one Treasurer and his assistant;
5. One Public Relations, Communication and Press Officer;
6. a college of advisers.

This committee has the same functions as those of the International Management Committee, but they are limited to the branch.

It presents each month its report to the International Management Committee.

Article 36:

The Assembly of the branches is comparable to the General Assembly and operates in the same manner.

It exercises all the functions of the association except the modification of the statutes and internal regulations which are the prerogatives of the of the General Assembly.

The reports of the Assembly of the branches are sent to the International Management Committee in Kinshasa.

CHAPTER IV: RESOURCES

Article 37:

The association's resources are both internal and external.

1. Internal resources include:

- members' fees;
- subscriptions fees;
- the revenues generated by association's projects.

2. External resources include:

- gifts and bequests;
- subventions or financing from state or non-state partners.

Article 38:

The association's funds will be put into bank accounts the accounting of which will be carried out in accordance with accounting norms of the Democratic Republic of Congo and of the countries where the branches are.

The statutes of the association can only be modified with a majority of 2/3 of full paid-up members, by written vote as such as defined by the internal rules.

SECTION II: DISSOLUTION

Article 40:

The dissolution can only be ordered with a majority of ¾ of full paid-up members, by written vote during an extraordinary General Assembly.

Article 41:

If the Association is dissolved, the Commission of Wise Persons will choose a liquidator to share the assets among the full members.

The liquidator's profile is defined by the internal regulations.

CHAPTER VI: TRANSITORY AND FINAL PROVISIONS

Article 42:

All items not covered in the present statutes are settled in the Internal Regulations.

However, where nothing is mentioned in the statutes and Internal Regulations, the Management Committee will refer to the General Assembly, the customs and traditions as well as the laws of the country.

Article 43:

Disputes arising from the interpretation of the present statutes during their implementation will be resolved amicably. Otherwise, subject to the law, only the competent Congolese court in the matter has jurisdiction over all disputes.

Article 44:

These statutes shall take effect from the moment they are signed.

Done in Kinshasa, on

The Chairman

Certified an accurate translation of the submitted document in French,

12th of September 2017

H DU PREEZ

Sworn translator

Pretoria (RSA)

0723415557

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INTERNAL REGULATIONS

January 2017

CHAPTER I: THE GENERAL ASSEMBLY

SECTION I: COMPOSITION AND ORGANISATION OF MEETINGS

Paragraph I: COMPOSITION

Article 1:

The General Assembly is made up of all the full members.

Nevertheless, the Managing Committee may invite any natural or moral person whose participation may be useful. The latter will be able to participate without any voting rights.

Paragraph II: ORGANISATION OF MEETINGS

Article 2:

The General Assembly meets four times per annum in an ordinary session. However, if necessary, the Chairman may convene the General Assembly for an extraordinary session.

The notice of meeting indicates the agenda.

The session closes when the items on the agenda have been dealt with.

The Management Committee chooses the most reliable and convenient manner to send the invitations.

Article 3:

The chairman of the session polices the discussions.

Any intervention requires prior authorisation by the Chairman.

Requests are made by show of hands.

Silence and discipline are required during interventions, at the risk of being evicted from the meeting place.

Interventions should not digress from the subject under discussion, or the speaking right will be withdrawn.

This provision applies mutatis mutandis to the Management Committee's meetings.

Article 4:

The decisions of the General Assembly are made with an absolute majority of its members.

CHAPTER II: THE MANAGING COMMITTEE

Section I: COMPOSITION AND ORGANISATION OF MEETINGS

Paragraph I: COMPOSITION

Article 5:

The Management Committee includes all members in charge of the daily administration of the association as defined in articles 17 and 34 of the statutes.

However, the Management Committee may invite any natural or moral person whose participation may be useful. Nevertheless, the latter will be able to participate without any voting rights.

Paragraph II: ORGANISATION OF MEETINGS

Article 6:

The Management Committee meets once a month, convened by the Chairman.

However, if need be, the Chairman may convene a meeting.

CHAPTER III: ELECTIONS

SECTION I: APPLICATIONS

Article 7:

The application to fill one of the positions in the Management Committee is sent ad hoc by letter to the President of the Electoral Commission, otherwise it will be rejected. It is delivered individually, or by hand, with acknowledgement of receipt, to the address indicated by MP3.

Article 8:

To be a candidate you must:

1. be a full and active member in accordance with article 8, and have spent at least twelve months in the association.;
2. have paid your fees;
3. reside at the international head office of the association for the posts of chairman, secretary and treasurer.
4. reside at the Head Office of the branch of representation for the branch committee;
5. be of good character.

Article 9:

The electors are convened by the managing committee three months before the end of the mandates and at the same time the ad hoc Electoral Commission is set up.

If the Management Committee does not respect the previous paragraph, the Commission of Wise Persons will decide about it with an absolute majority.

Article 10:

The Electoral Commission comprises:

- For the international committee, members of the commission of wise men and two members per branch appointed in a meeting by each branch.
- For a branch, full members and members of the Commission of Wise Persons if they reside there.

Article 11:

The Electoral Commission will disclose the electoral calendar within 15 days of the decision to establish it.

SECTION II: REVIEW AND PUBLICATION OF APPLICATIONS

Article 12:

Applications are reviewed by the ad hoc Electoral Commission. This commission is made up of credible persons, who are not part of the Management Committee nor candidates for the seats to be filled, but are full members of the association.

Article 13:

The applications approved will be published by the Chairman of the ad hoc Electoral Commission.

SECTION III: THE ELECTORAL CAMPAIGN

Article 14:

The campaign lasts seven days.

It starts from the publication date of the final list until on the eve of the elections.

Before the vote, each candidate will present his action plan.

SECTION IV: ORGANISATION OF THE VOTE AND PUBLICATION OF RESULTS

Article 15:

Members of the Managing Committee are elected by direct secret suffrage, by simple majority of the validly cast votes.

In the event of a tie, a second round will take place within 48 hours for the two candidates who came first in the first round.

Article 16:

The candidate chosen by the ad hoc Electoral Commission is appointed by acclamation.

If there is no candidate for a vacant position, the mandate of the incumbent is extended after being approved by the General Assembly

However, if the incumbent of the vacant position is elected to another position, the ad hoc Electoral Commission shall call at once for applications.

The elected member must comply with the abovementioned conditions before the surrender and takeover, otherwise he will be invalidated

CHAPTER IV: MANDATE OF A COMMITTEE

Article 17:

The mandate of a committee lasts 3years and may be renewed once.

Article 18:

No member may combine functions in the same committee.

Article 19:

When the incumbent of a position is required to hold another position outside or inside the association and leaves a vacancy, his assistant or direct subordinate will replace him until the Electoral Commission organises within fourteen days an election for this position.

CHAPTER V: FINANCIAL MANAGEMENT

SECTION: THE TREASURY

Article 20:

The monthly contribution rate amounts to US\$20 (twenty American dollars).

It is paid cash to the branch's treasurer.

Article 21:

Each branch will repay 25% of all the monthly contributions to the international committee for its operations.

Article 22:

Without prejudice to statutory provisions, the Treasurer manages a fund of no more than US\$300 (three hundred American dollars) for the current operations of the association according to the rules laid down by Management Committee.

The relating fund is held in a bank account of MP3.

Article 23:

Any money withdrawal from the Bank must be authorised by the Chairman and countersigned by the Secretary or the Treasurer of the Association.

Proof of deposit or credit transfer for the association will be made through the presentation of the electronic bank counterfoil or, failing that, the duly signed deposit or withdrawal slip.

Article 24:

Any withdrawal of funds from the Treasurer (purchases, repayment, ...) will be authorised by the Chairman.

The secretary will draw up a cash outflow order which will be signed by the Chairman, the beneficiary and the Treasurer.

Article 25:

No member may receive the contributions, except the Treasurer of the association.

However, if the Treasurer is unable to fulfil his duty, the Management Committee will appoint one of its members.

Article 26:

Any person or member of the association accused of financial wrongdoing or misappropriation of assets belonging to the association, will have to repay within 7 days, otherwise he will be sent to the Disciplinary committee.

If need be, the association may make a complaint to the legal authorities of the country.

CHAPTER VI : SOCIAL ASSISTANCE

Article 27 :

MP3 advocates special contributions for the social assistance in the following cases:

Death of a member, each living member will give at least US\$50.

Death of a first-degree relative: the individual contribution will amount to US\$30.

In the event of a member's serious illness: the contribution will amount to US\$50.

Article 28:

The special contributions are managed and centralised by the International Management Committee.

The International Management Committee will, if need be, decide to draw from the organisation's fund (of the branches and its fund) to supplement the special contribution.

Article 29:

MP3 also recommends special contributions in case of social, scientific, professional promotions and other events such as: birth, marriage, disasters, ... the amount of which will be set by the international managing committee.

Article 30:

In case of assistance, MP3 recommends giving:

- US\$1000 to any member who lost a first-degree relative,
- A lump sum decided by the international managing committee and according to the contributions collected.

Article 31:

Only a full member who has paid 75% of his fees may benefit from the benefits and social assistance listed in article 27, 28 and 29.

Nevertheless, for a new member, his activity in the association will be added to the above-mentioned conditions, and he will have to wait six months to profit from the said benefits and social assistance.

CHAPTER VII: DISCIPLINARY SYSTEM:

SECTION I: FAULTS

Article 32:

According to these regulations, is considered as a fault:

- a) any action contrary to the Internal Regulations;
- b) any damage to the interests of the association and any deviation from its objectives;
- c) failure to comply with the bodies of the association;
- d) any offensive declaration and rebellious act towards the association or a member of the Management Committee;

- e) a lack of courtesy in the relations between members of the association or between the latter and third parties the association's activities;
- f) a three-month delay in a row of monthly contributions;
- g) any unjustified absence in more than 3 sessions of the assembly.

SECTION II: DISCIPLINARY AND AUDIT COMMISSION:

Article 33:

This article defines the powers and operation of the Disciplinary and Audit Commission, in accordance with articles 29 and 30 of the statutes of MP3.

Article 34:

The Disciplinary Commission is the permanent and independent body responsible for ensuring discipline in the Association.

It alone has the power to take decisions against defaulting members, and this, in application of the provisions of the statutes and regulations.

It is made up of members elected in conjunction with the Management Committee by the General Assembly for a three-year mandate renewable once.

Article 35:

A 3/5 quorum of members is required to sit on the commission.

The Disciplinary Commission meets after being convened by its Chairman.

It is convened either automatically or on request by the Management Committee or the General Assembly.

The incriminated member of the Disciplinary and Audit Commission is automatically rejected.

The Disciplinary Commission's decisions are taken with a 2/3 majority of full members and transmitted to the Management Committee for taking steps.

Members from the Disciplinary Commission may, if invited by the chairman of the association, take part in the meetings of the Management Committee.

Article 36:

The Disciplinary and Audit Commission comprises:

1. one Chairman
2. one Vice-chairman
3. one Secretary
4. one assistant Secretary
5. one member.

SECTION III: SANCTIONS

Article 37:

The sanctions that will be inflicted to members who committed one of the faults listed above are:

- a) a warning
- b) a blame
- c) temporary exclusion for a period of less than a month with or without deprivation of rights, and this, according to the seriousness of the offence;
- d) permanent exclusion.

Article 38 :

Any permanent exclusion is preceded by a temporary exclusion as described in article 37 paragraph C while waiting for the outcome of the initiated procedure.

However, when it is a co-founding member or from the Management Committee, the decision to expel taken by the Disciplinary and Audit Commission is submitted to the General Assembly, failing which it shall be invalid.

LOSS OF FULL MEMBERSHIP

Article 39:

Membership can be lost through:

1. voluntary cancellation;
2. inactivity in the association;
3. permanent disability;
4. permanent exclusion;
5. dissolution of MP3;
6. Non-respect of regulations (Statutes, internal regulations, ...).

Article 40:

Any member can withdraw from the association. Hence, he has no right on the property of the Association which is distinct from that of its members.

LOSS OF BENEFITS AND SOCIAL ASSISTANCE

Article 41:

Being a Non-profit Association and existing mainly from the membership fees,

- Any member who is three months late with his monthly fees shall lose all the benefits and social assistance after being reminded.
- Any member who is six months late with his monthly fees shall lose his membership after a disciplinary hearing.

SECTION IV: PROCEDURE AND RECOURSE

Article 42:

Any exclusion shall be notified to the defaulting member within 72 hours following the pronouncement of the sanction by the Disciplinary Commission.

Article 43:

The disciplinary sanction is pronounced automatically when the member, who has been notified of the charges against him, refuses or fails to explain his conduct or when he refuses without a valid reason to respond to the summons of the Commission.

Article 44 :

Any member of the Management Committee who does not comply with his responsibilities shall be excluded from the body on a proposal by the Chairman and after approval by the General Assembly.

However, this decision will only take place if there was a formal demand followed by a request for an explanation.

Article 45:

Any disciplined member is allowed an appeal that he will lodge to the International Management Committee, the Commission of Wise Persons and the Disciplinary Commission within 72 hours following the pronouncement of his sanction.

The International Management Committee, the Commission of Wise Persons and the Disciplinary Commission will sit and present the case in a special mixed commission.

When it is a member of the International Committee the appeal is lodged with the Commission of Wise Persons and the Disciplinary Commission.

CHAPTER VIII : FINAL PROVISIONS

Article 46 :

These Internal Regulations shall be modified in accordance with the conditions set in article 38 of the Statutes.

Article 47:

If nothing is mentioned in the Statutes and Internal Regulations, the Management Committee shall refer to the General Assembly, the customs and traditions as well as the laws of the country.

Article 48:

Disputes arising from the interpretation of the present statutes during their implementation will be resolved amicably. Otherwise, subject to the law, only the competent Congolese court in the matter has jurisdiction over all disputes.

Article 49:

These internal regulations shall take effect on the date of their adoption.

Done in Kinshasa, on

THE CHAIRMAN

Certified an accurate translation of the submitted document in French,

12th of September 2017

H DU PREEZ

Sworn translator

Pretoria (RSA)

0723415557