Constitution of the
SAARC Chamber of Commerce and Industry
(Amendment proposed in September, 2011)

PREAMBLE:

WHEREAS the business community of the SAARC Member Countries are unanimous in their
desire to promote and foster economic cooperation among themselves;

1. AND whereas this desire has been expressed in the Memorandum of Understanding signed
in New Delhi on 20th December 1988 (Copy attached).

2. AND whereas the SAARC Study on "Trade, Manufacturers and Services" endorsed in
principle by the Council of Ministers made the recommendation that "the Federation of
Chambers of Commerce and Industries of Member Countries may be requested to consider
setting up a "SAARC Chamber of Commerce and Industries" / "Association of the Federations
of Chambers of Commerce & Industries" of Member Countries. The venue, modalities, articles
of association, election of office bearers, financing etc. of such a Chamber/Association may be
best left to the national Federations themselves to decide. The national chambers will provide
SAARC Chamber/Association with information regarding the business environment, potential
tradable goods and possibility of joint ventures for dissemination with the region and that
"there should be close interaction between the SAARC Divisions/Cells in the Commerce
Ministries and the "SAARC Chamber of Commerce and Industries/Associations" in the
dissemination of information on trade matters. They must also work together closely in
identifying and resolving various bottlenecks to trade, viz., tariff and non-tariff barriers,
inadequate production capacity, lack of information, absence of standardization, poor quality
control etc."

3. NOW therefore, we, the Federations of Chambers of Commerce & Industry or the National
apex bodies in the SAARC region, gathered in conference, convinced of our obligation to
contribute towards fulfillment of the said desire to this end, decide to establish the "SAARC
Chamber of Commerce and Industry", "which shall closely coordinate the achievements of the
objectives, as hereinafter specified, in close cooperation with the South Asian Association for
Regional Cooperation SAARC".
CHAPTER 1

ARTICLE – 1

NAME & PLACE:

a. A permanent organization is hereby established under the name of "SAARC Chamber of Commerce & Industry" hereinafter to be called the "SAARC Chamber" or "SAARC CCI".
b. The permanent headquarters of the SAARC Chamber shall be located at Islamabad and sub offices may be established, where and when deemed necessary.

ARTICLE – 2

OBJECTIVES

The objectives of the "SAARC Chamber" are:

a- To encourage Member Countries to accord preferential terms of trade to each other and finally strive towards the gradual realization of the SAARC Economic and Monetary Union.
b- To encourage Trade, Service, Industry, Small & Medium Enterprise, Agriculture, Intra-Regional Tourism and Handicrafts, to promote collective self-reliance based on the harnessing of complementarities, to propose economic policies mutually advantageous to all SAARC member countries and create avenues for collaboration amongst its members and similar organisations throughout the SAARC region in their efforts for economic development.
c- To make recommendations to safeguard the economic and business interests of the SAARC Countries, with special consideration to Land-Locked and Least Developed Countries.
d- To develop cooperation among its members and other similar institutions in the SAARC countries.
e- To promote cooperation between SAARC CCI on the one hand and other international and inter-regional commercial, industrial and agricultural organisations/agencies on the other.
f- To promote investment opportunities and joint ventures among the SAARC Member Countries.
g- To act for Trade Facilitation of the region, such as issuance of Certificate of Origin and other documentation as may be necessary for the execution of delegated duties.
h- To provide for Arbitration in the settlements of disputes arising out of commercial and industrial transactions between parties who are willing to abide by the judgment of the SAARC CCI.
i- To organize trade fairs, joint display centers, exhibitions, seminars, lectures and publicity campaigns as and where may be thought advisable.
j- To promote the exchange of commercial, technical, industrial management and scientific information, education and know-how amongst its members.
k- To collate, collect and disseminate statistical data of SAARC Member Countries.
l- To promote joint research and development among the SAARC Member Countries.
m- To do all other things those are likely to promote the aims and objectives of the SAARC Chamber.
ARTICLE – 3

MEMBERSHIP

a. The SAARC Chamber shall be composed of the following National Member Bodies representing each SAARC Country:
   a) Afghanistan Chamber of Commerce & Industry.
   b) Federation of Bangladesh Chambers of Commerce and Industry.
   c) Bhutan Chamber of Commerce and Industry.
   d) Federation of Indian Chambers of Commerce and Industry.
   e) Maldives National Chambers of Commerce and Industry.
   f) Federation of Nepalese Chambers of Commerce and Industry.
   g) Federation of Pakistan Chambers of Commerce and Industry.
   h) Federation of Chambers of Commerce and Industry of Sri Lanka.

b. The membership of the SAARC Chamber shall be limited to one National Body from each Member Country hereby referred as “Primary Members” as specified above under 3(a).

c. Patron Members shall be individuals/corporate bodies donating a minimum fee of US Dollars 7,000. They shall be invited to attend meetings of the EC & General Assembly as observers.

d. Life Members shall be individuals donating a minimum fee of US Dollar 5,000. They shall be invited to attend meetings of the EC & General Assembly as observers.

e. Annual Members shall be as follows from SAARC Member Countries donating a minimum annual fee of US Dollars 1000.
   a) Corporate Bodies
   b) Individual members

   They shall be invited to attend meetings of the General Assembly as observers.

f. Associate Members: Associate Members referred as “Members” shall be National Level Chambers/Confederations/Federations and Specialized Trade Associations other than National Member Bodies of SAARC CCI as specified in Article 3(a) from SAARC member countries donating 50% of Subscription Fee contributed by Primary Members of the respective countries. They shall be invited to attend meeting of the EC & GA.

g. Membership fees shall be amended by the Executive Committee as and when deemed necessary.

h. The amount of membership fee received from Patron Members and Life Members shall be put into a fund / corpus to finance activities of the SAARC CCI, as may be decided by the EC.
ARTICLE – 4

APPLICATION FOR MEMBERSHIP

a. Application by the National Bodies of a country (other than those specified in Article 3(a) for institutional membership shall be put to Executive Committee for consideration, approval and recommendation to the General Assembly of the SAARC Chamber for approval.

b. Proposals for membership of Patron Members, Life Members and Annual Members will be made by the National Body of a country and shall after consideration, accepted by the Executive Committee.

c. For Associate Membership:

Nomination shall be considered before the initiation of the term of the Executive Committee of the SAARC CCI. Incase more than two applications for Associate Members from any member country are received, election shall be organized by National Members Body of the SAARC CCI. Elected Associate Members from respective countries shall be given representation (Two representatives from each Associate Member) on the Executive Committee and General Assembly of the SAARC CCI identical to EC/GA members nominated from Primary members.

ARTICLE – 5

WITHDRAWAL OF MEMBERSHIP

No member may withdraw from the SAARC Chamber without giving notice, in writing, to the General Secretary of its intention to do so. Such notice shall be considered by the Executive Committee at its next meeting, unless it is withdrawn, and shall be submitted to the next General Assembly. The resignation shall be effective from the date of adoption of the decision by the General Assembly.

ARTICLE – 6

SUSPENSION OF MEMBERSHIP

The SAARC Chamber has the right to suspend the membership of any member in case of violation of the provisions of the constitution, or, for activities prejudicial and detrimental to the interest and objectives of the SAARC Chamber, or for the non-payment of subscription for two consecutive years to the SAARC Chamber. Suspension of the membership shall be subject to a decision by the General Assembly on the recommendation of the Executive Committee.
ARTICLE – 7

ORGANS

The SAARC Chamber shall comprise the following organs:

a. The General Assembly (also to be known as GA)
b. The Executive Committee (also to be known as EC)
c. The General Secretariat

ARTICLE – 8

GENERAL ASSEMBLY

a. The General Assembly shall be the SUPREME Authority of the SAARC Chamber.
b. It shall be composed of maximum 224 members having 28 members nominated by each National Body, including 12 nominations on the Executive Committee, 04 Associate Members (two each on EC & GA), and 11 direct nominations on GA as provided for hereinafter in the Article 16(a). The sitting President (01) of the National Body will be ex-officio member of Executive Committee.

The new composition of General Assembly shall be as follows:

| Direct nominations on GA | = 11 |
| Direct Nominations on EC | = 12 (existing) |
| Associate Members        | = 04 |
| President National Chamber | = 01 |
| **Total**                | = 28x8= 224 |

c. The leader of the National Delegation of EC and GA meetings will be the Vice President of SAARC CCI representing National Member Body of that country.

d. The Secretary General of the South Asian Association for Regional Cooperation or his representative shall be a permanent invitee to the General Assembly meetings.

ARTICLE – 9

DUTIES AND RESPONSIBILITY OF THE GENERAL ASSEMBLY

a. Elect the first President of SAARC Chamber. Thereafter, the Presidency shall rotate from among the nominees of the Member Bodies of Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Sri Lanka and Pakistan respectively. In case, the member opt not to nominate President, the term will automatically go to the next country on the rotation.
b. Determine the general policy and the programme of work of the SAARC Chamber.
c. Amend the constitution upon presentation by the Executive Committee as per Article 30.
d. Approve the bylaws and rules of procedure of the SAARC CCI including those of
Councils, Committees and Sub-Committees.
e. Approve sectors for the formation of Sectoral Councils.
f. Decide on the admission of new members and suspension of membership.
g. Approve the annual budget, accounts and adopt the annual report.
h. Such other matters as may be recommended by the Executive Committee duly defined hereinafter in this Constitution.

ARTICLE – 10

GENERAL ASSEMBLY MEETING

a. The General Assembly of the SAARC Chamber shall meet at least once every year at such place and time as is recommend by the Executive Committee and notified by the General Secretary to the members. The General Assembly meeting shall take place in different SAARC Countries.
b. The President shall preside over the General Assembly Meeting. In his absence, Senior Vice President / one of the Vice Presidents shall preside.

ARTICLE – 11

EXTRAORDINARY MEETING(S) OF GENERAL ASSEMBLY

Extra-ordinary meeting(s) of the General Assembly of the SAARC Chamber shall be convened by the Executive Committee of the SAARC Chamber at the request to do so by at least one third of the total number of Member Bodies. The place of the meeting shall be decided by the Executive Committee and extra-ordinary meeting of the General Assembly shall discuss only those items on the agenda for which the meeting has been specifically convened.

ARTICLE – 12

NOTICE OF THE MEETING

A notice of at least 45 (fourtty five) clear days must be given for all meetings of the General Assembly. Extra-ordinary meetings of the General Assembly can be called at a notice of at least 15 (fifteen) days before the meeting.
ARTICLE – 13
PARTICIPATION

No National Body which has failed to pay its dues for two consecutive years shall be entitled to participate in the meetings of the SAARC CCI provided however that the General Assembly may permit such a Member to participate if it is satisfied that the failure to pay its dues is due to conditions beyond the control of the Member.

ARTICLE – 14
QUORUM

a. At all ordinary and extra-ordinary meetings of the Executive Committee or General Assembly of the SAARC Chamber, the quorum shall be a simple majority (i.e. 5 out of 8) of the member bodies. The presence of even one nominee from a National Body shall constitute its representation.

b. If a quorum is not reached at the first session, an adjournment of 24 hours shall be allowed. At the adjourned session, quorum shall be completed when at least one third of the Member Bodies are present.

ARTICLE – 15
RESOLUTIONS OF THE GENERAL ASSEMBLY

Resolution of the General Assembly shall be deemed to be have been adopted if it has been unanimously accepted by the members.

ARTICLE – 16
COMPOSITION OF THE EXECUTIVE COMMITTEE

a) The Executive Committee shall consist of up to 120 members. Each National Body shall have the right to nominate 15 members, in following denominations:
   - 12 EC Members including 1 Vice President
   - 02 Associate Members
   - 01 President of NMB as ex-officio member in addition

b) Composition of 12 direct nominated EC members shall include at least one female member to EC.

c) The National Member Body (in chair) shall not initiate any move to replace the President or Vice President during their term in office until unless he/she is declared
mentally and physically unfit to perform his/her services, involves in misconduct at any level, which may defame/damage the image of the institution or resigns him/her (self)

ARTICLE – 17

POWER OF THE PRESIDENT

The President shall be the Chief Executive of the SAARC Chamber. In this capacity the President shall:

a) Make representations and lead all deputation and delegations on behalf of the SAARC Chamber in accordance with the policy decision of the General Assembly and the directives of the Executive Committee.

b) Have the authority to sign all documents on behalf of the SAARC Chamber, as well as the power to delegate this authority to Senior Vice President or to other Vice Presidents in case of need.

c) Generally perform any other functions incidental to the office of the President, and take decisions in matters of urgency in agreement with Senior Vice President and two Vice-Presidents provided that he shall report such decisions to the next meeting of the Executive Committee for endorsement.

d) Shall have the right to appoint observers to attend EC/GA meetings.

e) Shall have the right to appoint Advisor/s for SAARC CCI within the framework of the constitution of SAARC CCI.

ARTICLE – 18

TERM OF OFFICE

a. The Office of the President of the SAARC Chamber shall rotate amongst the Member Bodies in the alphabetical order. However, a Member Body can opt to skip their turn in a certain rotation.

b. The term of office of President shall be for a period of two years.

c. The Vice Presidents and other members of the EC/GA shall also be for a period of two years. They shall be eligible for re-nomination subject to the approval of their respective National Member Bodies.

d. A member once nominated to the EC shall only be withdrawn if member fails to attend three consecutive meetings. However the leave / absence are acceptable.

e. The Secretary General shall request the Member Bodies in writing for nominations to the General Assembly and Executive Committee and for the Senior/Vice President at least 60 (Sixty) days prior to the expiry of their term of office and the Member bodies must send their nominations in writing so as to reach the Secretariat not later than 30 (Thirty) days after receipt of such request.

f. Should a National Body fail to submit nominations as per (c) above, the existing Vice President, Executive Committee members and/or General Assembly members shall be deemed and/or General Assembly member, as the case may be, representing that National Body.
ARTICLE - 19

MEETINGS

a. The President shall call at least two meetings of the Executive Committee every year. A notice of at least 30 (thirty) clear days must be given for all such meetings.
b. The President shall also call meetings of the Executive Committee at the request of at least three Member Bodies giving notice of at least 15 (fifteen) clear days.
c. The President may call Emergency Meetings of the Executive Committee giving notice of at least 10 (ten) clear days after consultation with at least 3 Vice Presidents.
d. The President shall preside over the meetings of the Executive Committee and may also preside over the other Committee meetings of the SAARC CCI. In his absence, Senior Vice President shall preside. If Senior Vice President is also not present, then one of the Vice-Presidents shall preside.
e. The venue of the Executive Committee meetings may rotate.

ARTICLE – 20

QUORUM

The provision of the Article 14 shall apply mutatis mutandis to the Executive Committee.

ARTICLE – 21

RESOLUTIONS

A resolution of the Executive Committee shall be deemed to have been adopted when it is unanimously accepted by the members present

ARTICLE – 22

FUNCTIONS

The Executive Committee shall:

a) Implement the decisions of the General Assembly and take such other steps as may be necessary to further the objectives of the SAARC Chamber;
b) Prepare the draft Agenda for the General Assembly.
c) Supervise the work of the General Secretariat.
d) Examine and consider various subjects that come within the purview of the programmed of work of the SAARC Chamber.
e) Approve the annual budget.
f) Fulfill other functions delegated to it by the General Assembly.
g) Prepare and recommend, for adoption of the General Assembly, the bylaws and the rules of procedure of the SAARC Chamber and their modifications.
h) Consider applications for membership and submit them to the General Assembly with its recommendations.

i) Recommend the time and place of meetings of the General Assembly of the SAARC Chamber.

j) Appoint Councils, Committees and Sub-Committees.

k) Appoint General Secretary as provided for in Article 23 and fix the terms and conditions of appointment.

ARTICLE – 23

ADVISORY PANEL

a) The Parameters of the Advisory Panel shall be set by the Executive Committee and endorsed by General Assembly Meeting as and when deemed necessary.

b) The formation of the Advisory Panel shall be done by the Executive Committee as per the parameters set by the General Assembly Meeting.

ARTICLE – 24

GENERAL SECRETARY

There shall be a General Secretary of the SAARC Chamber.

ARTICLE – 25

THE GENERAL SECRETARIAT

1. There shall be a General Secretariat of the SAARC Chamber headed by the General Secretary and composed of such other staff as may be appointed in accordance with the bylaws of the SAARC CCI.

2. Subject to the general direction and supervision of the Executive Committee through the President, the General Secretary:

3. Shall be responsible for the work of the General Secretariat and shall appoint necessary staff and fix their emoluments in accordance with the bylaws.

   i) May, in the performance of his duties, communicate, with Government authorities, national and international organizations and institutions in all matters falling within the competence of the SAARC CCI.

   ii) May consult experts for the study and discussions of questions falling within the competence of the SAARC CCI.

4. May invite national or international organizations to participate consultatively in the study of any question to which its economic interest may bear relation and may also accept the invitation of any such organisation for the same purpose and under the same
5. Shall publish periodically an Economic Review which will contain studies, information and statistical data on SAARC Countries and may also issue publications dealing with the subjects of interests to the General Assembly.

6. Shall circulate the preliminary agenda of the ordinary session of the General Assembly to all members, at least 30 (thirty) days before the date fixed for any such meetings.

7. Shall circulate the draft agenda of all Executive Meetings to all members of the SAARC Chamber at least 30 (thirty) days before the date fixed for any such meetings.

8. Shall prepare and circulate to all members summary records of the proceedings of all meetings of the General Assembly and the Executive Committee.

9. Shall draw up and circulate the annual report and audited accounts to the members after approval by the Executive Committee.

10. The right to attend all meetings of the General Assembly, the Executive Committee and such other Committees as may be appointed from time to time.

11. The relation between the General Secretariat and the host Government shall be determined by an agreement to be negotiated.
CHAPTER – 2

ARTICLE – 26

BUDGET AND ACCOUNTS

a. The financial year of the SAARC Chamber shall be the calendar year.

b. The Executive Committee shall prepare the budget and accounts of the SAARC Chamber for each year and submit it to the General Assembly for approval.

ARTICLE – 27

PERMANENT SUBSCRIPTION FOR MEMBERSHIP

The amount of the total annual subscription for membership of the SAARC Chamber shall be fixed by the General Assembly and it will be contributed to by each National Body payable as per following formula:

<table>
<thead>
<tr>
<th>National Body</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>1. India &amp; Pakistan</td>
<td>25% each</td>
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<tr>
<td>2. Bangladesh, Nepal &amp; Sri Lanka</td>
<td>11.91% each</td>
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<tr>
<td>3. Afghanistan, Bhutan &amp; Maldives</td>
<td>4.76% each</td>
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</tbody>
</table>

The subscription shall be payable in internationally convertible currencies, and shall become due on the 1st day of January every year, and shall be paid by the Member by the 30th June of that calendar year.

ARTICLE - 28

SPECIAL SUBSCRIPTIONS AND DONATIONS

a. The SAARC Chamber may accept special subscriptions, donations and subsidies.

b. The SAARC Chamber may charge a fee in any form for any service rendered.
CHAPTER – 3

ARTICLE – 29

OFFICIAL LANGUAGE
The official languages of the SAARC Chamber shall be English.

ARTICLE – 30

AMENDMENTS TO THE CONSTITUTION

a. Amendments to the Constitution of the SAARC Chamber whether proposed by the Executive Committee or by any National Body shall be included in the agenda of the next meeting of the General Assembly. Amendment shall be said to have been carried when it is adopted unanimously by the members present.

b. Any proposals for amendments should be notified to the Secretariat of the SAARC Chamber for circulation among the Member Bodies at least 90 (ninety) days prior to the next General Assembly session.

c. Should the proposal for amendment not reach the Secretariat within the period specified above, the General Assembly session may discuss the proposal if consented by all Member Bodies.

We the respective member bodies have unanimously adopted the amended constitution of the SAARC Chamber of Commerce & Industry on September 23, 2011 in Kathmandu, Nepal and have set their hands as under;

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<table>
<thead>
<tr>
<th>COUNTRY SIGNATORIES</th>
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<tbody>
<tr>
<td>AFGHANISTAN</td>
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<td>BANGLADESH</td>
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<td>BHUTAN</td>
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<td>INDIA</td>
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<td>MALDIVES</td>
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<td>NEPAL</td>
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<td>PAKISTAN</td>
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<td>SRI LANKA</td>
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### Glossary

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<thead>
<tr>
<th><strong>SAARC Member Countries</strong></th>
<th>Afghanistan, Bangladesh, Bhutan, India, Nepal, Maldives, Pakistan and Sri Lanka</th>
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<tbody>
<tr>
<td><strong>SAARC</strong></td>
<td>South Asian Association for Regional Cooperation</td>
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<tr>
<td><strong>SAARC CCI</strong></td>
<td>SAARC Chamber of Commerce &amp; Industry</td>
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<td><strong>LDC</strong></td>
<td>Least Developed Countries</td>
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<tr>
<td><strong>NMBs</strong></td>
<td>National Member Bodies</td>
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<tr>
<td><strong>ACCI</strong></td>
<td>Afghanistan Chamber of Commerce &amp; Industry</td>
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<td><strong>FBCCI</strong></td>
<td>Federation of Bangladesh Chambers of Commerce and Industry</td>
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<td><strong>BCCI</strong></td>
<td>Bhutan Chamber of Commerce and Industry</td>
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<td><strong>FICCI</strong></td>
<td>Federation of Indian Chambers of Commerce and Industry</td>
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<td><strong>MNCCI</strong></td>
<td>Maldives National Chambers of Commerce and Industry</td>
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<td><strong>FNCCI</strong></td>
<td>Federation of Nepalese Chambers of Commerce and Industry</td>
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<td><strong>FPCCI</strong></td>
<td>Federation of Pakistan Chambers of Commerce and Industry</td>
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<td><strong>FCCISL</strong></td>
<td>Federation of Chambers of Commerce and Industry of Sri Lanka</td>
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<tr>
<td><strong>Patron Member</strong></td>
<td>Individuals/corporate bodies of SAARC Member Countries</td>
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<td><strong>Life Members</strong></td>
<td>Individuals Members from SAARC Member Countries</td>
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<tr>
<td><strong>Annual Members</strong></td>
<td>Both Corporate and Individual Members of SAARC Member Countries</td>
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<tr>
<td><strong>Associate Members</strong></td>
<td>National Level Chambers/Confederation/Federation and Trade Association other than NLMBs</td>
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<td><strong>GA</strong></td>
<td>General Assembly</td>
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<tr>
<td><strong>EC</strong></td>
<td>Executive Committee</td>
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**Note:** Wherever there is a definition missing, the definition of SAARC Charter/WTO would be applicable.