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Thirtieth Meeting of the Council of Bureaux on the Regional Third Party Motor Vehicle Insurance Scheme

Blantyre, Malawi 3 - 5 October 2016

REPORT OF

THE THIRTIETH MEETING OF THE COUNCIL OF BUREAUX OF THE REGIONAL THIRD PARTY MOTOR VEHICLE INSURANCE (YELLOW CARD) SCHEME

16(BG/DT/KC-vnm,lm)

I. INTRODUCTION

1. The Thirtieth Meeting of the Council of Bureaux of the Regional Third Party Motor Vehicle Insurance (Yellow Card) Scheme was held from 3rd to 5th October 2016, in Blantyre, Malawi, at the Protea Hotel Ryalls.

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

Attendance

2. The meeting was attended by delegates from the National Bureaux of Burundi, Djibouti, DR Congo, Ethiopia, Malawi, Sudan, Tanzania, Uganda, Zambia and Zimbabwe. Also in attendance were ZEP-RE (PTA Reinsurance Company), Insurance Supervisory Authorities of Djibouti and Kenya, Motor Vehicle Accident (MVA) Funds of Botswana, Swaziland and South Africa, Angola, South Sudan and key stakeholders from Malawi attended the meeting as observers. The list of participants is attached as Annex III to this report.

Opening of the Meeting (Agenda item 1)

- 3. The meeting was officially opened by Honorable Mr. Joseph Mwanamveka, Minister of Industry, Trade and Tourism of the Government of Malawi. The Minister welcomed the delegates to Malawi on behalf of the Government and people of Malawi and wished them a pleasant stay in Blantyre.
- 4. Honorable Mwanamveka informed the meeting that the important elements in the design of COMESA was that economic integration was expected to foster the role of the private sector and business community in general, in shaping the destiny of the Common Market thus the COMESA Treaty was about creating a favorable legal, economic, political and social environment, which would open up tremendous opportunities for businesses. The Honorable Minister emphasized the important role the private sector play in Region Integration as the engine of growth, which should hasten the pace of economic development and called for providing of incentives, particularly in the service sector to enable business community facilitate trade within the member states.
- 5. The Minister expressed satisfaction in the successful implementation of the Yellow Card Scheme by the insurance Industry in the region. He stated that the widely acceptance of the Yellow Card Scheme by motorists in the region as a regional Insurance cover of choice had greatly contributed to the facilitation of cross—border movement of vehicles, good and persons and contributing to increased intra-COMESA trade and tourism.
- 6. Finally, Honorable Mr. Mwanamveka recalled the launch of the COMESA-SADC-EAC Tripartite Free Trade Area in June 2015 in Sharm El Sheikh, Egypt which was aimed at harmonizing Regional programmes and informed the Meeting that it was the desire of the Malawi Government and other Governments in the region, to see COMESA-SADC-EAC working together for the benefit of member countries.
- 7. Earlier, Mr. Dev Haman, Director of Budget and Finance Division of the COMESA Secretariat, made a statement on behalf of Mr. Sindiso Ngwenya, Secretary General of COMESA. The Director welcomed the delegates to the 30th Meeting of the Council of Bureaux and thanked the Guest of Honour, Honorable Joseph Mwanamveka, Minister of Industry, Trade and Tourism for finding time from his busy schedule to come and open the meeting. He informed the Meeting that the focus of the second phase of negotiation of the COMESA- EAC-SADC; Tripartite FTA, which was launched in June 2015 in Egypt was on

trade in services. Mr Haman pointed out that the objective of the trade in services negotiation was to create a single large market and underscored that this would enable Insurance and Reinsurance Companies in the region to take full advantage of the market. He then urged Insurers, Reinsurers and Regulatory Authorities to act collectively and strengthen the insurance market to enable the industry contribute towards developing the economies of the region. In concluding his statement, he highlighted some of the agenda items to be tabled before the meeting and requested the Council of Bureaux to thoroughly consider the issues and make decisions to take the Yellow Card scheme to new heights.

Vote of Thanks

- 8. On behalf of the delegates, Mr. Sammy Makove, Chief Executive Officer of the Insurance Regulatory Authority of Kenya moved a vote of thanks to the Guest of Honor. In so doing, he joined the Secretary General in thanking the Honorable Minister for finding time from his busy schedule to come and open the meeting and for his statement. He also expressed gratitude to the National Bureau of Malawi for hosting the meeting and for the hospitality accorded to all the delegates since their arrival in Blantyre.
- 9. The 30th Meeting of the Council of Bureaux was chaired by Mrs. Dorothy Chapeyama, Managing Director of Reunion Insurance Company of Malawi.

Election of the Bureau (Agenda item 2)

10. The meeting elected the following Bureaux for a tenure of one year:

Chairperson : Malawi

Vice Chairperson : Rwanda

Rapporteur : Djibouti

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

- 11. The meeting adopted the following Agenda:
 - 1. Opening of the Meeting
 - 2. Election of the Bureau
 - 3. Adoption of the Agenda and Organisation of Work
 - 4. Report of the Outgoing Chairperson on the Operations of the Yellow Card Scheme
 - 5. National Bureaux's report on the Operations of the Yellow Card Scheme in their respective countries
 - 6. Report of the Fortieth Meeting of the Management Committee (MC) of the Yellow Card Scheme
 - 7. Report of the Forty-First Meeting of the Management Committee (MC) of the Yellow Card Scheme

- 8. Annual Report and Accounts of the Yellow Card Reinsurance Pool for the year ended 31st December, 2015
- 9. Reinsurance Pool Financial Highlights as at 31st August 2016
- 10. Draft Bad debt policy for the Yellow Card Reinsurance Pool
- 11. Pool Managers' draft Annual Work Programme 2016/17
- 12. Progress report on the implementation of the enhanced YC-MIS
- 13. Proposal to upgrade the YC-MIS and make Yellow Card computer generated/printable
- 14. Revised study report on low limits of liabilities and other issues affecting the operation of the Yellow Card Scheme- with Secretariat input
- 15. Report of the 10th Meeting of the Council of RCTG on the Regional Customs Transit Guarantee (RCTG –CARNET) Scheme
- 16. External Auditors' Report on the Accounts of the Council of Bureaux as at 30 June 2016 (Closed session)
- 17. Administrative matters (Closed Session)
 - a) Contract renewal of the Senior Insurance Expert (P4)
 - b) Contract renewal of the Senior Finance Assistance (IC2); and
 - c) Recruitment of An IT Expert (P3)
- 18. Proposed Budget and Annual Work Programme for the Year 2016/17 (Closed session)
- 19. Date and Venue of Next Meeting
- 20. Any Other Business
- 21. Adoption of the Report and Closure of the meeting
- 12. The meeting agreed on the following working hours:

Monday, 3rd October, 2016

09.00 hours - 13.00 hours - Morning 14.30 hours - 17.00 hours - Afternoon

Tuesday, 4th October 2016

09.00 hours - 14.00 hours - Morning 14.00 hours - 16.30 hours - Afternoon

Wednesday, 5th October 2016

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

III. ACCOUNT OF PROCEEDINGS

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

13. The Outgoing Chairperson of the Council of Bureaux presented the report ref. CS/YCRCTG/CB/XXX/2: Report of the Outgoing Chairperson on the Operations of the Yellow Card Scheme for the period 1st July 2015 to 30th June 2016. He pointed out that the Report provided an overview of the activities carried out during the period stated and developments on the operations of the Yellow Card Scheme for the year. The highlights of the presentation were as follows:

Status of the Yellow Card Production

14. The meeting was informed that about 162, 204 Yellow Cards were issued and a gross premium income of US\$9,742,045 was recorded during the period under review; compared to 157,528 Yellow Cards issued and an annual premium of US\$10,473,662 registered in the preceding period. This shows an increase of 3% in the total number of cards issues and 7% decrease in the total premium income. The decline in premium income was mainly attributed to depreciations of National currencies against the US Dollar. The meeting was further informed that the figure would have been higher, considering that some National Bureaux had not submitted complete reports. The Meeting was also informed that the National Bureau of Kenya had the highest premium income generated of \$2,989,398.65, followed by Tanzania with \$1,539,512.93, Ethiopia in third with \$1,294,750.28 and Uganda in fourth position with \$1,190,491.25. Annex I to this report provides a summary of the Cards issued and the premiums realized.

Status of Yellow Card Claims Activities

15. On Yellow Card claims activities, the meeting was informed that 669 claims were reported, 452 paid and 456 were reported as outstanding. The Meeting was further informed that the National Bureau of Djibouti recorded the highest number of claims reported of 334 followed by Rwanda with 169 claims and Uganda was in third with 48 claims. The meeting was further informed that some National Bureaux had not submitted their claims statistics. The summary of the claims is in Annex II of this report.

Issues of long outstanding Claims reimbursement

- 16. The meeting was informed that encouraging progress had been made by National Bureaux in resolving issues of outstanding claims reimbursements as follows:
 - a) The National Bureau of Zambia made a partial payment of US\$45,000 to the National Bureau of DR Congo in August 2016 and the balance of \$70,503 to be paid before the end of 2016;
 - b) The claims reimbursement outstanding to DR Congo on account of the National Bureau of Tanzania was agreed to be settled through the clearing house facility and that National Bureau of Tanzania to provide to the Pool Managers authorization to effect the reimbursement; and
 - c) The National Bureau of Zimbabwe was processing the reimbursement of Zambian Kwacha 500,000 to the National Bureau of Zambia as it had secured approval to pay from the Central Bank of Zimbabwe.

Decision

17. The Council of Bureaux having noted the progress made in settlement of claims reimbursement by some National Bureaux, adopted the recommendation of the 41st Meeting of the Management Committee that National Bureaux should resolve claims issues through bilateral meetings.

Progress on the Implementation of Activities

- 18. The Council of Bureaux was informed that the Secretariat in line with its annual work programme made progress in the implementation of various annual activities and separate reports were presented on the activities carried out by both the Secretariat and the Pool Managers. The Meeting noted some of the highlights of the activities carried out as follows:
 - a) Pursuant to the 29th Meeting of the Council of Bureaux, the enhanced YC-MIS had been hosted on dedicated cloud server with SSL certification on an initial three (3) years contract costing \$8,977.44. The YC-MIS had been implemented in most of the member Countries except in Eritrea, Malawi and Sudan despite users facing challenges of Printing Yellow Cards through the YC-MIS;
 - b) Pursuant to the recommendations of the 41st Meeting of the Management Committee, the Pool Managers had submitted to Secretariat the draft joint investment agreement for review by the Secretariat and that the draft agreement was subsequently submitted to the Legal Division of the Secretariat for review :
 - c) Taws Security printer was communicated on the renewal of the printing agreement on the existing Terms and Conditions effective 1st January 2016. There had been change in the ownership of the company from Taws Security Printers to **Prints Arts Co. Ltd** and that the printing agreement with COMESA Secretariat would continue with the new owners on the same terms and conditions;
 - d) The 3rd Edition of the Yellow Card Compendium had been finalized and uploaded onto the YCMIS website and that it could be accessed by National Bureaux and member Primary Insurance Companies for reference in their day to day administration of the Yellow Card Scheme;
 - e) the National Bureau of Tanzania with the support of the Regulatory Authority and the Police had conducted random inspections at Kibaha and Namanga and that a number of fake Yellow Cards were confiscated. It was established that in most cases the people behind the issuance and circulation of fake cards were some unscrupulous business people from the neighbouring Countries;
 - the Secretariat mounted a mission to Malawi and engaged the National Bureau of Malawi and held discussions with the Ministry of Industry, Trade and Tourism (Coordinating ministry); the Insurance Association of Malawi, the Reserve Bank (Insurance Supervisory Authority) and the Ministry of Finance on the operational and administration challenges of the Yellow Card Scheme in Malawi;
 - g) The Secretariat held consultative meetings with the Government delegations of South Sudan in Juba and Lusaka on the implementation of the Yellow Card Scheme in South Sudan. Following the consultative meetings held. Speed Insurance Company of South Sudan was designated as the National Bureau;
 - h) The Secretariat attended a workshop organized by the Angolan Insurance Regulatory Authority in May 2016 to raise awareness and build consensus on the implementation and operations of the Yellow Card Scheme;
 - i) The Secretariat had been consulting the government of Swaziland on the implementation of the Yellow Card scheme;
 - j) the National Bureaux of Rwanda, DR Congo, Zambia, Uganda, Zimbabwe, Ethiopia and Djibouti organized and conducted workshops for their

- stakeholders during the period under review to raise awareness on the benefits and operations of the Yellow Card Scheme: and
- k) the Loan Agreement of US\$1,000,000 from the Yellow Card Reinsurance Fund to the COMESA Virtual Trade Facilitation System (CVTFS) was finalized in April 2016 and the funds was transferred based on the Terms and Conditions approved by the 28th Meeting of the Council of Bureaux.

Country Report by National Bureaux (Agenda item 5)

19. Pursuant to the decision of the 19th Meeting of the Council of Bureaux, held from 29-30 August, 2005, in Harare, Zimbabwe, National Bureaux presented their reports on the operations of the Yellow Card Scheme in their respective countries for the period July 2015 to June 2016. The reports of National Bureaux on the status of the Yellow Card production and claims activities are shown in the summaries attached as Annex I and II. The highlights of activities carried out during the period under review and issues raised, proposals and recommendations made by National Bureaux were as follows:

The National Bureau of Burundi

- 20. The National Bureau reported as follows:
 - a) Issued 9,150 cards and collected US\$206,310 premium income;
 - b) Had 37 claims reported with a reserve amount of \$115,708.56;
 - c) Settled 20 claims amounting to US\$48,457;
 - d) Pointed out the following issues:
 - i) Lack of confirmation of validity of Yellow Card by issuing Bureaux;
 - ii) Delay in claims reimbursement by the Pool of claims settled by the National Bureau on behalf of other Bureaux; and
 - iii) Delay in settling an old Yellow Card claim on which the asset of the National Bureau has been placed under seizure by the courts of Law.

The National Bureau of Djibouti

- 21. The National Bureau reported as follows:
 - a). Issued 2.033 cards and collected US\$402,328 premium income:
 - b). Had 334 claims reported:
 - c). Settled 140 Claims amounting to \$509,854
 - d). Outstanding claims were 289;
 - e). Convened two bilateral meetings with the National Bureau of Ethiopia to address claim pending issues;
 - f). the National Bureau of Djibouti jointly with the National Bureau of Ethiopia organized a seminar for Ethiopian Truck Drivers on road safety;
 - g) Pointed out the following issues:
 - Increase in the number of claims being handle by the National Bureau; and
 - ii. Lack of response from the Pool Managers on their request to use the cash call provisions for partial claims settlement.

The National Bureau of D R Congo

- 22. The National Bureau reported as follows:
 - a) issued 5,533 Yellow Cards and collected US\$ 372,804 premium

- b) 2 claims reported amounting to USD205,000 and 55 settled amounting to USD1,417,057;
- c) Has ten Yellow Card issuance outlets in the border areas namely: Kasumbalesa, Uvira, Goma, Mahagi, Butembo, Bunia, Beni, Aru, Bukavu and Watsa.
- d) Conducted a stakeholders' sensitization workshop jointly with COMESA Secretariat in the Northern Kivu in Goma attended by Magistrates, Police, Transporters and SONAS agents in September 2016.

The National Bureau of Ethiopia

- 23. The National Bureau reported as follows:
 - a) Has a membership of 17 insurance companies;
 - b) Issued 38,254 cards and recorded a premium income of US\$1,294,750;
 - c) 21 claims were reported; 15 paid and 6 were outstanding.
 - d) Conducted jointly with the NB of Djibouti, a two days workshop for transporters and drivers working along the Ethiopia Djibouti Corridor to raise awareness on the operation of the Yellow Card Scheme and Djiboutian traffic laws to combat increasing rate of accidents in Djibouti.
- 24. Pointed out the following issues:
 - a) Delay in submission and remittances of returns by some members;
 - b) Reluctance by some member insurance companies to reimburse the National Bureau of claims payments made on their behalf through the clearing house facility despite having authorized settlement of the claims; and
 - c) Delays by some member Primary Insurance Companies to pay their share of budget contribution to the Yellow Card Council of Bureaux;
 - d) Registered users of YC-MIS able to view records in the system posted by other companies and those of companies from other Countries;
 - e) The system allowing company IT focal points creating organization accounts in the system, a function which should be preserve of the National Bureau IT Focal point;
 - f) They system allowing underwriters to issue Yellow Cards even when they do not have stock but just picking available stock from other members;
 - g) The fleet feature is not allowing for addition of vehicles to the policy; and
 - h) Lack of conversion of policy from single card to fleet when the policyholder wants to add another vehicle to his initial single card policy.
- 25. The National Bureau of Ethiopia plan to continue conducting annual workshops for transporters and drivers operating along the Ethiopia Djibouti corridor and also conduct sensitization workshops on the operation of the Yellow Card Scheme

The National Bureau of Eritrea

26. The National Bureau is not operational.

The National Bureau of Kenya

- 27. The National Bureau reported as follows:
 - a) Has a membership of 34 insurance companies,
 - b) issued 28,382 Yellow Cards and collected a total premium income of US\$2,989,398;

- c) 9 claims (with an estimated quantum of US\$113,134) were reported, 7 (amounting to US\$68,287) were paid and 8 (with a total estimated quantum of US\$117,436) were outstanding as at 30 June 2016;
- d) Has submitted a total of \$385,829 claims to the Pool for reimbursement;
- 28. The National Bureau plans to carry out a training and awareness campaign in the month of November 2016, to sensitize insurance companies, the Traffic police and transporters on the operations and importance of the COMESA Yellow Card Scheme in border post such as Busia, Malaba and Namanga and the port city of Mombasa.
- 29. The National Bureau reported the following issues:
 - a) Printing problem with the YC-MIS
 - b) Late confirmation of validity of Yellow Cards by some NB Bureaux; and
 - c) The problem of fake Yellow Card from Tanzania.

The National Bureau of Malawi

- 30. The National Bureau reported as follows:
 - a) Has a membership of Eight (8) Insurance Companies;
 - b) Had issued 1,166 Yellow cards and generated a premium income of US\$81,135
- 31. The National Bureau reported the following issues:
 - a) Lack of awareness from transporters and travelers going outside the country on the existence of the Yellow Card Scheme;
 - b) None involvement of Mozambique in the Yellow Card scheme operations; and
 - c) The erratic internet connectivity makes it difficult for companies to issue Yellow Cards through the YC MIS hence resorted to manual.
- 32. The National Bureau reported having taken the following measures:
 - Negotiated partnership with Road Transport Operators Association (RTOA) on sales of the Yellow Card where the RTOA will act as agents and the two to carry out joint training sessions and advertisements to increase awareness;
 - b) On course of restructuring its operations to another Model such that it sent representatives to learn from the National Bureau of Zimbabwe on how they carry out their operations. The new model to entail active involvement of the Malawi Revenue Authority, the Ministry of Industry and Trade and the Police;
 - c) Assured the Meeting that the National Bureau of Malawi through its member Insurance companies would settle the 2016 budget contributions and seek assistance from the member states to have its accumulated debt written off;
 - d) With the restructuring taking place the National Bureau was confident that it would be self-sustaining going forward; and
 - e) The National Bureau managed to remit about MK12 million to the pool in July 2016.
- 33. In the discussion that ensued, the Meeting noted with appreciation the progress made by the National Bureau of Malawi and commended them for improving the operation of the Yellow Card Scheme in Malawi and the planned measures put in place to make the Bureau self-sustaining.

The National Bureau of Rwanda

- 34. The National Bureau reported as follows:
 - a) Has a membership of Eight (8) Insurance Companies;
 - b) Had issued 6,395 Yellow cards and generated a premium income of US\$118,208.96;
 - c) Had 169 claims reported and 132 paid;
 - d) Conducted a training workshop on the operation of the enhanced YC-MIS and popularization of the Yellow Card Scheme.
- 35. The National Bureau reported of having connectivity issues in use of the YC-MIS.

The National Bureau of Sudan

- 36. The National Bureau reported as follows:
 - a) Has a membership of ten (10) insurance companies;
 - b) issued 1,061 Yellow cards and collected a total premium income of US\$123,933;
 - Had 2 claims reported with a quantum of US\$15,833; Settled 1 claim amounting to \$2,333 and outstanding claims of 14 with reserves of \$61,000; and
 - d) No promotion activities were carried out.
- 37. The National Bureau reported the following issues:
 - a) Lack of commitment from member primary insurance companies;
 - b) Poor internet connectivity;
 - c) Delays in payment by members of their share of contribution to the budget of the Council of Bureaux:
 - d) Lack of training on the operation of the YC-MIS; and
 - e) Lack of sensitization programmes to raise awareness on the operation of the Yellow Card Scheme in Sudan.
- 38. The National Bureau proposed for the need to involve the Insurance Regulatory Authority to get full commitment of the member Insurance Companies on the operation of the Yellow Card Scheme.

The National Bureau of Tanzania

- 39. The National Bureau reported as follows:
 - a) Issued 26,881 cards and collected a total premium income of US\$1,539,512.93;
 - b) 33 claims were reported; Settled 13 claims; 28 were outstanding and settled claims reimbursed to Rwanda on 3 claims amounting to \$70,789;
 - c) Did not conduct any promotional activities during the year under review;
- 40. Reported the issues of member Primary Insurance companies not utilizing the YC-MIS as a double work as they were not using it for printing of Yellow Cards at issuance.

The National Bureau of Uganda

41. The National Bureau reported as follows:

- a) Has a membership of 21 member insurance companies;
- b) Issued 12,960 Yellow Cards and collected a premium income of US\$ 1,190,491.25;
- c) Had 48 claims reported; 64 paid and 110 claims were outstanding;
- d) Ordered additional 500 Yellow Card books during the period under review;
- e) Activities conducted were as follows:
 - i. Conducted an awareness workshop with Ministry of Trade for the Northern region; and
 - ii. Conducted an awareness training for Traffic officers in Kampala Area
- f) Reported the following issues:

a) Internal Challenges:

- i) Delayed submission of Pool Returns by member Primary Insurance companies;
- ii) Premium under cutting by some players especially those at Boarder points;
- iii) Lack of responses by some Primary Insurance companies on reimbursement obligations for claims settled by other National Bureaux on their behalf:
- iv) YC-MIS slow in processing and shuts down for long period; and
- v) Issuance of Yellow Cards for fleet policies being a challenge.

b) External Challenges:

- (i) Low limits of compensation resulting in most bodily injury/death claims settled through Courts of Law;
- (ii) Delayed reimbursement of Inter-Bureaux claims settled by the National Bureau on behalf of other Bureaux resulting into long outstanding Inter-Bureaux claim reimbursement of USD 368,971.96;
- (iii) A few cards were established fake during accidents and at Police posts; and
- (iv) Motor Vehicle detention by Law enforcement agencies.
- 42. The National Bureau made the following proposal on the way forward in order to address the challenges faced:

a) On Internal Issues:

- i. Continue with conducting regular sensitization workshops for stakeholders; and
- ii. Continue engaging with the Primary Insurance companies on need for prompt reimbursement of claims handled on their behalf.

b) On External Issues:

- Engage other National Bureaux on claim reimbursements;
- ii. Continue engaging other National Bureaux on submission of claim supporting documents; and
- iii. Engage Secretariat, Coordinating Ministry, Police and Judiciary to find lasting solution to vehicle detentions.

The National Bureau of Zambia

43. The National Bureau reported as follows:

- a) Has a membership of 21 Insurance companies:
- b) Issued 21,794 Yellow cards and collected a premium income of US\$572,938;
- c) Had 37 claims reported; 13 settled and 24 were outstanding;
- d) Conducted a stakeholders' sensitization workshop jointly with COMESA Secretariat on the operation of the Yellow Card Scheme in Lusaka which was attended by member Primary insurance Companies, Traffic police and Insurance Regulatory Authority;
- e) Also conducted two workshops to train YC-MIS users on the operations and functionalities of the enhanced YC-MIS;
- f) The National Bureau reported the following challenges:
 - i. Lack of promotional materials i.e. calendars, diaries, stickers etc for use during sensitization programmes;
 - ii. Lack of media advertising for increased awareness of the yellow card scheme operation;
 - iii. Late submission of returns and remittance of payments by some of our member Insurance Companies; and
 - iv. The Yellow Card Management Information System (YCMIS) challenges and observations.

The National Bureau of Zimbabwe

- 44. The National Bureau reported as follows:
 - a) Has 21 member insurers who transact motor insurance business:
 - b) Issued 8,595 Yellow Cards and collected premium of USD850,233.39;
 - c) 19 claims were reported; 5 settled amounting to \$15,868 and had 3 claims outstanding with a claim reserve of \$15,000;
 - d) Planning to conduct marketing sensitization programmes to focus on among others the following:
 - i. Product knowledge and associated benefits;
 - ii. Places where cover can be purchased;
 - iii. Objective of Yellow Card Scheme;
 - iv. Encourage the sale of the product to existing insurance clients who require such cover; and
 - v. Conveniences associated with purchasing of Yellow Card covers within Zimbabwe
 - e) The National Bureau recommended the use of the following marketing tools to raise awareness:
 - i. Press adverts;
 - ii. Radio announcements and adverts;
 - iii. Distribution of flyers and display of posters; and
 - iv. Office visitations to promote the selling of the Yellow Card covers.

45. In the discussion that followed:

- a. The National Bureau of Sudan informed the meeting that with effect from 1st January 2017 the limit of liability for bodily injury would be increased from UD\$5,000 to US\$56,000
- b. The National Bureau of Uganda and Ethiopia requested the Secretariat to engage concerned government authorities to address the issue of detention of visiting motor vehicles with Yellow Cards involved in accident.

Decisions

- 46. The Council of Bureaux having noted the operational issues raised by National Bureaux decided as follows:
 - a) the Secretariat should develop training and awareness work plan in consultation with National Bureaux and provide technical support in conducting training and awareness workshops;
 - b) The Secretariat should engage the Insurance Supervisory Authorities of member states to solicit their support to ensure compliance by primary insurance companies and ensure the smooth operations of the Yellow Card; and
 - c) The Secretariat to report to the Meetings of the Management Committee the performance of National Bureaux in the implementation of the decisions of the Council of Bureau and recommendation of the Management Committee.
- 47. The Council of Bureaux further decided that National Bureaux should prepare and submit detailed annual work programme for the period 2016/17 to the Secretariat by end of October 2016, using the format that would be circulated by the Secretariat by 15th October 2016.

Reports of the Fortieth and Forty-First Meetings of the Management Committee (MC) of the Yellow Card Scheme (Agenda item 6 & 7)

48. The COMESA Secretariat presented document No CS/YCRCTG/CB//XXXI/4 and CS/YCRCTG/CB//XXXI/5: Reports of the 40th and the 41st Meetings of the Management Committee (MC) of the Yellow Card Scheme. The Meeting was informed that the 40th and 41st Meetings of the MC were held from 21st to 22nd April 2016, in Livingstone, Zambia and 30th to 31st August 2016, in Goma, DR Congo respectively. The Secretariat highlighted the progress made on the operations of the Reinsurance Pool and various activities carried out in accordance with the decisions of the Council of Bureaux as follows:

Capacity Subscription

Decision

49. The Council of Bureaux noted that the position regarding the Capacity Subscription had not changed and endorsed the 41st Meeting of the MC recommendation that the Secretariat should continue its engagement with National Bureaux of Sudan and Malawi and report the progress to the 30th Meeting of the Council of Bureaux.

Claims Issues

50. Regarding reimbursement of Inter-Bureaux claims between the Pool, National Bureaux of Kenya, Rwanda, Tanzania, and Uganda, the Council of Bureaux noted the limited progress made.

Decisions

51. The Council of Bureaux endorsed the following 40th MC Meeting recommendations:

- a) National Bureaux of Rwanda, Tanzania and Uganda should implement the outcomes of the reconciliation exercise and settle their outstanding amounts owed to the Pool;
- b) National Bureaux with disparities on the figures should indicate their concerns so that concerned parties should re-conduct the reconciliation exercise and agree on the figures of outstanding dues; and
- c) National Bureau of Tanzania should submit to the Secretariat and the concerned National Bureaux claims matrix indicating the outstanding issues they had with the National Bureaux of Rwanda, Kenya, and Uganda and the proposed way forward to address the issues before 30th May 2016.

DR Congo vs. Tanzania, Zimbabwe and Pool

52. With regards to claims reimbursement to DR Congo by the National Bureaux of Tanzania, Zimbabwe and the Pool, the Council of Bureaux noted the encouraging progress made in resolving their issues.

Decisions

- 53. The Council of Bureaux endorsed the following 41st MC Meeting recommendations:
 - a) the National Bureaux of Tanzania and Zimbabwe should hold bilateral meetings with the National Bureau of DR Congo and resolve their claims issues;
 - b) The National Bureau of Tanzania should provide authorization to the Pool Managers to reimburse the National Bureau of DR Congo the outstanding claims reimbursement of \$23,471; and
 - c) The Pool Managers should provide the necessary claim supporting documents received from the handling Bureau (Burundi) to enable Tanzania process the payment to the Pool Managers.

ARU Claim

54. The Council of Bureaux noted the progress made in the handling of the ARU claim. The Council of Bureaux further noted that the National Bureau of DR Congo had its financial resources exhausted due to delayed reimbursement on claims it had settled on behalf of other National Bureaux and requested the Pool to settle the ARU claim on cash call provisions from the Reinsurance Treaty.

Decisions

- 55. The Council of Bureaux endorsed the following 41st Meeting of the MC recommendations:
 - a) the Pool Managers should provide to SONAS a cash call of US\$90,000 to settle the ARU Claim. The SONAS case should be considered as an exceptional circumstance and the cash call payment should not be considered as precedence; and

b) The Pool Managers and DR Congo should discuss and find an optimal way of disposing off the salvage taking into account the value of the salvage as assessed by the professional assessor and the proceeds should be remitted to the Pool Managers.

Kasumbalesa Claim

56. The Council of Bureaux noted the delay in the assessment and handling of the Kasumbalesa claim and the raising of the claim reserve amount to \$1,600,000 by the Pool Managers as guided by the handling Bureau (SONAS) that there were possibilities of litigation by the claimants.

Decisions

57. The Council of Bureaux endorsed the 40th MC Meeting recommendation that the National Bureau of DR Congo should assign a reputable assessor to evaluate the loss and provide the assessment report to the Pool at the earliest possible time for their appropriate action.

WFP Claim

58. The Council of Bureaux noted the limited progress made in WFP claim and endorsed the 41st Meeting of the MC recommendation that the Pool Managers should make follow ups with the Reinsurance broker and indicate its final position on the settlement of the claim as soon as possible and by 30th September 2016 at the latest.

Claims reimbursement to Rwanda

- 59. Regarding reimbursement of Inter Bureaux claims to Rwanda, the Council of Bureaux noted that Kenya and Tanzania had fully paid Rwanda, Burundi made a partial payment while Uganda had not paid the offset amount owed to Rwanda.
- 60. In the ensuing discussion, the National Bureau of Burundi expressed concern on the correctness of the figures reported by Rwanda and called for the need to reconcile and review the Inter-Bureaux claim account between Burundi and Rwanda.

Decision

61. The Council of Bureaux endorsed the 40th Meeting of the MC recommendation that the National Bureaux of Burundi and Uganda should reimburse the outstanding amounts they owe to the national Bureau of Rwanda as soon as possible and before the next MC meeting.

Ethiopia vs. Pool

62. The Council of Bureaux noted that the disparities in the reconciled figures for reimbursement between the Pool and the National Bureau of Ethiopia had not been ironed out.

Decision

63. The Council of Bureaux endorsed the 40th Meeting of the MC recommendation that reconciliation exercise between the Pool and the National Bureau of Ethiopia should be finalized as soon as possible and before the end of May 2017.

Measures on Primary Insurance Companies failing to meet their Yellow Card obligations

64. The Council of Bureaux noted the measures to be taken on Primary Insurance Companies who would fail to meet their obligations of settlement of cessions, claims reimbursement, submission of returns, remittances of booked premium returns, payment of outstanding excess of loss premiums and payment of their share of budget contributions among others.

Decisions

- 65. On the issue of operational challenges of the Reinsurance Pool, the Council of Bureaux endorsed the following 40th Meeting of the MC recommendations:
 - a) National Bureaux should cease supplying Yellow Card books to Primary Insurance Companies that fail to meet their obligations on submission of returns, settlement of cessions, reimbursement of claims paid on their behalf and payment of outstanding XL premiums with immediate effect; and report the progress made to the Secretariat; and
 - b) the Secretariat should assist those National Bureaux that have capacity limitations in organizing workshop/training to enhance their capacity and familiarize them with the operations of the Yellow Card Scheme.

Strategic planning Session on the Yellow Card scheme

Decision

66. The Council of Bureaux noted with concern on the delays in conducting the strategic planning session and decided that the Secretariat should conduct the session as soon as possible and by 42nd Meeting of the Management Committee at the latest.

The Issue of Forgery Yellow Cards originating from Tanzania

Decisions

- 67. The Council of Bureaux noted the effort made by the National Bureau of Tanzania to tackle the issues and endorsed the following 40th and 41st Meetings MC recommendations:
 - a) The National Bureau of Tanzania should intensify random inspections at border posts being suspected to be the origins of fake Yellow Cards in collaboration with the National Bureaux of Kenya and Zambia;
 - b) The National Bureaux of Kenya and Zambia should work closely with the National Bureau of Tanzania to address the challenges of issuance of forged Yellow Cards;
 - c) The Printer should submit a proposal on the enhancement of Security features of the Yellow Cards preferably to the next Management Committee; and
 - d) The Printer should provide report to the Secretariat on its findings on the alleged fake Yellow Cards from Tanzania

Printing and delivery of additional Yellow Card books

Decisions

- 68. The Council of Bureaux noted the change of ownership of the printing company from TAWS to M/s Prints Art Ltd. P.O. Box 38092 00623 Nairobi, effective from 1st September 2016, had endorsed the following 40th and 41st Meetings MC recommendations:
 - a) The Secretariat should continue the printing work of the Yellow Cards with the New owners of the Printing company on the same terms and conditions; and
 - b) The Secretariat should establish good working relations with the new owners of the Printing Company, namely; Prints Art Ltd.

Implementation of the Yellow Card Scheme in non-COMESA Member States

Decision

69. The Council of Bureaux noted the progress made on the engagement with Angola, South Sudan and Swaziland and endorsed the 40th MC meeting recommendation that the Secretariat should continue its efforts with Angola, Botswana, South Sudan and Swaziland to assist the countries to join and implement the Yellow Card scheme at the earliest possible time.

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

- 70. The Council of Bureaux noted the highlights of the report of the Pool Managers on the operations of the Yellow Card Reinsurance Pool, particularly on Premium returns, Inter-Bureaux claims and Excess of Loss Premiums due from members as at 31st July 2015.
- 71. The Council of Bureaux noted the recommendations made by the 40th Meeting of the MC to address the issues of outstanding Inter-Bureaux claims between Zambia and DR Congo, the Pool Managers and Rwanda
- 72. The Council of Bureaux further noted the concerns expressed by the 40th Meeting of the MC among others on the following:
 - a) Fluctuations of the local currencies of the underwriting Bureaux due to economic instability attributed to the reduction in booked premium;
 - b) The lack of utilization of the implemented Yellow Card Management Information System (YC-MIS) by National Bureaux and member Primary Insurance Companies in the issuance of Yellow Cards; and
 - c) There was a need for urgent implementation of the Council of Bureaux decision which directed on the need to audit National Bureaux to avoid abuse of the Scheme funds and also ensure National Bureaux maintain USD accounts.
- 73. In the discussion that followed, the representative from the National Bureau of Uganda informed the meeting that the indicated outstanding premium amount of US\$ 765,207.61 due from Uganda as at 31st July, 2016 was not correct and requested the Pool Manager to review and reflect the correct figure.

Decisions

- 74. The Council of Bureaux endorsed the following 40th MC Meeting recommendations:
 - a) National Bureaux should evoke the decision of the Council of Bureaux and cease supply of Yellow Card books to Primary Insurance Companies that were not submitting their monthly returns and remittances; and
 - b) In order to minimize losses suffered by the Pool due to exchange rate fluctuations, National Bureaux who have not yet opened foreign currency account should do so as soon as possible and advice the status to the Secretariat.

Proposal on investment of the Yellow Card Reinsurance Pool funds in Zep-Re, Lusaka Zambia building project

- 75. The Council of Bureaux noted that the 41st Meeting of the MC had considered in detail the Proposal on investment of the Yellow Card Reinsurance Pool funds in Zep-Re, Lusaka Zambia building project.
- 76. The Council of Bureaux further noted that the 41st Meeting of the Management Committee, having considered the proposed investment, approved the proposed investment and directed the Secretariat to proceed and conclude the partnering arrangement with Zep-Re at the possible favorable terms. The Council of Bureaux further noted that the detailed discussion with Zep-Re would be held once an approval on the proposed investment is given.
- 77. The Meeting noted the draft legal agreement on the join investment prepared by Zep-Re.
- 78. In the ensuing discussion that followed, the meeting made the following observations:
 - a) There was no summary of basic facts on the proposed investment;
 - b) Need to consider the possibility of conflict of interest as the Pool Managers are the initiator of the project and the fund managers of the YC Reinsurance Pool;
 - c) The consultancy fee for the investment project should be part of the overall cost of the project:
 - d) The Secretariat should thoroughly review the draft agreement and ensure among others that, it provides for the following:
 - i) the interest of the Yellow Card scheme would be protected or secured, and
 - ii) the Council of Bureaux of the Yellow Card scheme should be fully involved and represented in the decision making of the project.
- 79. In response to the issues and concerns raised, the representative of Zep-Re informed the meeting the following:
 - a) Zep-re acquired the land in 2009 and initiated the project in 2011 and had incurred expenses in the process to date;
 - b) the project design, consultation, bidding and other activities were carried out by reputable international professional firms such as Tectura international of South Africa and Adam Wood consulting:
 - c) all essential documents of the project including the business plan were submitted to the board of director of Zep-Re for consideration and

- authorization. Some of the members of the Council of Bureaux are members of the Zep-Re board of Directors and the essential documents would be made available to the Council of Bureaux; and
- d) Zep-Re has been granted a Diplomatic status and exemption by the Government of the Republic of Zambia and all imported project materials would be tax exempt.

Decisions

- 80. The Council of Bureaux noted the proposed investment with appreciation and endorsed the following 41st MC Meeting recommendations:
 - a) The limit of Investment in Real Estate within COMESA Region be increased from 20% to 50% during the project period : 2016 to 2018;
 - b) The total investment or partnering arrangement with Zep-Re should not exceed 50% of the total value of the project;
 - c) The Secretariat should take the necessary action required to ensure the efficiency and success of the joint venture between the Council of Bureaux and Zep-Re;
 - d) The Secretariat should negotiate with Zep-re on long term payment of the cost of the land with an area of 0.9920 hectare or 24512 acres; and
 - e) The Secretariat should submit progress report of the joint venture to MC and Council of Bureaux meetings.
- 81. The Council of Bureaux further endorsed the MC recommendation that in order to minimize investment risk in the Pool funds, the Pool Managers should:
 - a) Put in Place a clear investment policies and guidelines; and
 - b) Conduct an investment health checkup periodical.
- 82. The Council of Bureaux decided that the Secretariat should thoroughly review the draft joint investment agreement taking into account the observations and comments made and negotiate and conclude the agreement with Zep-Re

Progress report on the implementation of the Yellow Card Management Information System (YC-MIS)

83. The Council of Bureaux noted the progress made on the implementation of the enhanced YC-MIS and the activities carried out which included among others training of trainers for the Yellow Card Administrators and IT focal persons, incorporation of some of the proposed enhancement features made by stakeholders during the training of trainers conducted by COMESA Secretariat in Lusaka.

Decisions

- 84. The Council of Bureaux having noted the progress made in the implementation of the enhanced YC-MIS endorsed the 41st meeting MC recommendations:
 - a) The Secretariat should resolve the remaining unresolved issues raised during the training of trainers and during further engagements with stakeholders as attached in the annex of this report by 15th October 2016 at the latest;

- b) The Secretariat should correct the literal translation of the YC-MIS French Language Files by 15th October 2016;
- c) National Bureaux should enforce the decision of the 29th Council of Bureaux which states that "National Bureaux should cease to supply Yellow Card books to Primary Insurance companies who are not willing or ready to implement the YC-MIS" and this should be done by carrying out an audit to compare the number of cards issued through the system against the cards dispatched to the PICs before executing any request for supply of books to PIC;
- d) The Secretariat should engage the National Bureaux of Malawi and Sudan in order to implement the YC-MIS; and
- e) The Secretariat should speed up the enhancement of the printing solution that is compatible with all types of printers and have it deployed on the live system by 15th October 2016 at the latest.
- 85. The Council of Bureaux noted the concern expressed by 41st Meeting of the MC on the challenges associated with the issuance and printing of the Yellow Cards and the need for the system to move away from the issuance of Yellow Card using hard copy to computer generated/printable system. The Council of Bureaux further noted that a computer printable card system would compel the Primary Insurance Companies to fully embrace the YC-MIS system.

Decision

86. The Council of Bureaux endorsed the 41st MC meeting recommendation that the COMESA Secretariat should come up with a proposal to make the issues of Yellow Card a computer generated document to the 30th meeting of the Council of Bureaux to be held in Malawi.

Experience of the iceCASH –E-commerce- system of Zimbabwe

- 87. The Council of Bureaux noted that the Secretariat mounted a mission to Zimbabwe to share experience of the E-commerce platform (iceCASH) that had just been implemented by the Insurance industry in Zimbabwe that was able to distribute the Government levies and Insurance commissions to all concerned parties automatically and in real time.
- 88. The Council of Bureaux further noted that the 41st MC meeting had recommended that Secretariat should liaise with developers of the iceCASH system of Zimbabwe and that they should submit a proposal to address the challenges of the YC-MIS particularly issue of printing the Yellow Card.

Proposal on the possibility of insurance Associations becoming National Bureaux

89. The Council of Bureaux noted that following the recommendation of the 41st Meeting of the MC the draft proposal was circulated to initiate discussion and solicit views from the National Bureaux and primary insurance companies and proceed with the study if there was a positive feedback on the suggestion.

Annual Report and Accounts of the Yellow Card Reinsurance Pool for the Year ended 31st December 2015 (Agenda item 8)

90. The Pool Managers presented the audited Annual Report and Accounts for the year 2015, in line with Article 6, item 4(d) of the Constitution of the COMESA Yellow Card Reinsurance Pool. In doing so, they gave the highlights of the Manager's Report and Financial Statement for the Year ended 31st December 2015.

91. The Council of Bureaux noted that the 41st Meeting of the Management Committee considered the Annual report and accounts and the Management letter of the External Auditors: Deloitte and Touche, addressed to the Management Committee. The Council of Bureaux further noted the issues raised by the external Auditors included underwriting income completeness, unallocated receipts in receivables, long outstanding balance and bad debts provisional policy.

Decisions

- 92. The Council of Bureaux endorsed the following 41st MC Meeting recommendations:
 - i) The Secretariat should come with lasting measures to address the challenge in the implementation and operation of the YC-MIS
 - ii) The Pool Manager should include the issue of unallocated receipts in receivables in their annual work plan and show how and when they would resolve the issues
- 93. The Council of Bureaux further endorsed the following 41st Meeting recommendations to address the issue of long outstanding unpaid balance of (a) excess of loss of premium, (b) inter-bureau debts, (c) retro debts and (d) Long outstanding balance and (d) premium cession due from member:
 - a) National Bureau should issue 30days Notice of suspension to primary Insurance companies to fulfill their commitment on the above issues in line with the provisions of the Yellow Card instrument
 - b) National Bureaux should suspend Primary Insurance companies who fail to comply with the notice of suspension
 - c) The Pool Manager should strictly adhere to the operations manual with regard to the handing , payment and reimbursement of inter-bureau clams.
 - d) National Bureaux who fail to take measures/action on their member insurance companies who have not fulfilled their commitment in accordance with the Yellow Card instrument would be suspended from receiving setting allowance when participation in the management Committee, until they demonstrate the actions they took and result achieved
 - e) National Bureaux should submit detail activity report as part of their country report to the Council of Bureau on the issues of long outstanding unpaid balance listed above under item 93
- 94. The Council of Bureaux considered the Annual Report and Account of the Pool for the Year ended 31st December, 2015, 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) the Pool Managers in consultation with the Secretariat to appoint External Auditors for the period 2017 at a negotiated fee.

Reinsurance Pool Financial Highlights as at 31st August 2016 (Agenda item 9)

95. A representative of the Pool Managers presented document No. CS/YCRCTG/XXX/7: Reinsurance Pool Financial Highlights as at 31st August 2016. In his presentation, he informed the meeting that the Pool recorded a gross premium income of

US\$ 1,334,164 during the period ended 31st August 2016 compared to US\$2,880,607 recorded last as at 30th September 2015, representing a decrease of 54%. The Meeting noted the financial highlights, as shown below:

	Aug 2016	Growth	Sept 2015	Growth	Sept	
	US\$	%	US\$	%	US\$	
Gross premium income	1,334,164	(54.7)	2,880,607	28.6	2,239,200	
Reserve fund	7,270,282	8.3	6,712,692	15.2	5,829,296	
Total assets	13,035,999	13.8	11,455,696	12.3	10,204,300	
Capacity subscription	150,000	0	150,000	(45)	275,000	
Short-term investments	10,613,440	9.4	9,699,937	14	8,495,410	

96. The Council of Bureaux noted that the decrease in the investment earnings was due to the US\$1million loan given to the COMESA Secretariat –CVTFS-which had reduced the investment volume accordingly.

Decision

97. The Council of Bureaux further noted the significant decrease in the gross premium income during the period and decided that the Pool Managers and the Secretariat to work closely with the National Bureaux through conducting awareness campaigns to popularize the Scheme and increase revenue generation.

Draft policy for provision for doubtful debts and bad debts write off (Agenda item 10)

- 98. A representative of the Pool Managers (Zep-Re) presented document number CS/YCRCTG/XXX/8: Draft policy for provision for doubtful debts and bad debts write off.
- 99. In the discussion that ensued, the Meeting questioned the relevance of the items listed as credit risk for the Pool exposure and the relevance of the conditions prescribed for bad and doubtful debts and write off.

Decisions

100. The Council of Bureaux decided that the Pool Manager should review the draft bad debts policy taking into account the observations made and considering best international practices and the peculiar nature of the Yellow Card scheme arrangement and submit the revised draft policy to the next meeting of the Management Committee.

Pool Managers' Annual Work plan for 2016/17 (Agenda item 11)

101. A representative of the Pool Managers (Zep-Re) presented document number CS/YCRTCG/CB/XXX/9: Proposed Annual Work plan for the Pool Managers for the Year 2016/17. In doing so, he recalled the decision of the 29th Meeting of the Council of Bureaux and subsequent recommendation of the 41st Meeting of the Management Committee and

informed the meeting that pursuant to directives of the 41st Meeting of the MC, the Pool Managers' annual work plan for 2016/17 had been revised. The meeting noted the highlighted of the activities and the main focus of the' Annual Work Plan for 2016/17.

Decision

102. The meeting noted that the work plan was too general and decided that the Pool Managers jointly with the Secretariat should review the annual work programme to indicate the specific objective and activities, give time frame and measurable output and targets.

Implementation of the enhanced YC-MIS (*Agenda item 12*)

- 103. A representative of the COMESA Secretariat presented document No. CS/YCRCTG/CB/XXX/10: Progress Report on the Implementation of the Yellow Card Management Information System (YC-MIS). He recalled that the 29th Meeting of the Council of Bureaux of the Regional Third Party Motor Vehicle Insurance (Yellow Card) Scheme held in Kigali, Rwanda from 28th to 30th October,2016 having considered progress made in the implementation of the enhanced YC-MIS decided among others that all National Bureaux should implement the enhanced YC-MIS latest by 15th November, 2015.
- 104. The meeting was informed that pursuant to the recommendations of the 40th and the 41st Meetings of the Management Committee, the Secretariat carried out several activities and thus the status of implementation of the YC-MIS resulting from those activities include among others the increase in number of insurance companies issuing yellow cards through the system to 82 out of 149 registered in the system and the number of cards issued through the system to 28,480. The meeting was also informed that several views and comments of the stakeholders were reflected in the system. The meeting was further informed that the Secretariat held a consultative meeting with a representative from iceCASH on 21st September, 2016 in Lusaka, Zambia in order to resolve the printing issue and that the meeting made several observations which include among others changing the size of the card to A4 perforated paper, getting rid of the pre-printed labels while maintaining the security features on the card and having the system print both the labels and data on the card.
- 105. In the discussions that ensued the meeting made the following observations:
 - a) The security issues raised by the National Bureau of Ethiopia was an isolated case caused by data migration and had since been resolved; and
 - b) The outstanding technical issues submitted by National Bureaux should be addressed without further delays.

Decisions

106. The Council of Bureaux noted the progress made in the implementation and operation of the YC-MIS and decided that:

- a) The Secretariat should implement the computer generated yellow card in order to resolve the issue of printing and non-utilization of the system;
- b) The Secretariat should finalize incorporating the remaining views and comments from stakeholders;
- c) The Secretariat should further enhance the system to generate appropriate reports for premiums sharing among stakeholders; and

d) The Secretariat should finalize correcting errors on the French YC-MIS.

Proposal to upgrade the YC-MIS and make Yellow Card computer generated/printable (Agenda item 13)

- 107. A representative of the iceCASH IT Solution of Zimbabwe made a presentation on the Proposal to upgrade the YC-MIS and make Yellow Card computer generated/printable. He informed the meeting that iceCASH's electronic cover note solution was a centralized web-based solution that offers real-time financial settlement/reporting among all stakeholders with the highest level of security.
- 108. He pointed out the challenges being faced by the YC-MIS which include manual issuance of yellow cards leading to fake yellow cards, problem of printing yellow card discouraging user from using the system and lack of transparency and accountability for financial settlement.
- 109. The representative further outlined the proposed solution meant to address the challenges of the YC-MIS where the cover note would be printed on blank face value document and entering serial number of face value document completes the transaction. He further informed the meeting that there would be daily reporting of all transactions together with financial splits to all stakeholders and therefore providing total transparency. The meeting was further informed that system generated cover note on face value paper was prima facie proof of authenticity.
- 110. In the discussion that ensued, the meeting made the following observations:
 - a) Underscored the urgent need to address the issues of the YC-MIS system and come up with a detailed proposal to resolve the issues, and ;
 - b) Decision to either upgrade the current YC-MIS system or abandon the current system and develop a new system should be made on the basis of value for money.

Decisions:

- 111. The meeting noted with appreciation the proposed solution presentation and decided as follows:
 - a) The Secretariat to engage the iceCash IT Solution of Zimbabwe and come up with a detail proposal which include requirements, time frame for development ,testing and rolling out and cost , to the next meeting of the Management Committee of the Yellow Card scheme; and
 - b) The Secretariat in consultation with IceCash should present a proto type demo using a real sample data to the next meeting of the MC of the YC.

Revised Study Report on low limits of liability and other issues affecting the operation of the Yellow Card Scheme with Secretariat's input (Agenda item 14)

112. The Secretariat presented document CS/YCRCTG/CB/XXX/12; Revised Study Report on the issues of low limits of liability and other issues affecting the operation of the Yellow Card Scheme with Secretariat's input. In their presentation, the Secretariat recalled the decision of the 29th Meeting of the Council of Bureaux and informed the Meeting that pursuant to the Council of Bureaux decision, the revised study report with Secretariat's input on the findings and recommendations of the Consultants was presented to the 41st Meeting of the Management Committee which subsequently recommended that the revised study

report with Secretariat's inputs be circulated to all the National Bureaux for consultations with their member Primary Insurance Companies.

- 113. In the discussions that followed, the meeting made the following observation:
 - a) Unlimited liability would provide unlimited exposure to the Yellow Card scheme
 - b) Harmonization of the member states laws governing the compulsory third party motor vehicle insurance was the logical way to address the issues;
 - c) Providing adequate cover would build the confidence that the travelling motorist and road accident victims have on the Yellow Card scheme
 - d) The COMESA Secretariat should work closely with the Insurance Regulatory Authorities in order to:
 - i. ensure compliance
 - ii. provide training and awareness; and
 - iii. consumer protection
 - e) Insurance Regulatory Authorities in some member states ensure the smooth operations of the yellow card scheme by taking the following measures;
 - I. Demanding yearly audit report of the National Bureau
 - ii. getting letter of clearance for the Primary insurance company from the National Bureaux; and
 - iii. carrying out inspection of the National Bureaux for renewal of operating licence
 - f) Article 2 of the Yellow Card scheme allows the Yellow Card cover to provide a higher limit of compensation beyond the limit set by the ACT cover. Hence the is need to get a clear legal interpretation of Article 2
 - g) the meeting commended the Secretariat for the analysis of the study report recommendations and for providing its views and recommendations which made it simple for member to consider the finding of the study

Decisions

- 114. The Meeting taking into account the observations made and the position on the interpretation of Article 2 of the protocol decided as follows:
 - c. The consideration of the revised study report on low limit of liability be deferred for the next meeting of the Council of Bureaux;
 - d. The Secretariat to present a legal interpretation of the Article 2 of the protocol; and
 - e. Member states should adhere to the Protocol of the Yellow card scheme on limits of payments of compensations to third party liabilities.

Report of the 10th Meeting of the Council of RCTG on the Regional Customs Transit Guarantee (RCTG -CARNET) Scheme (Agenda Item 15)

115. The representative of the Secretariat presented document no. CS/YC-RCTG/CS/X/13: Report of the 10^{th h} Meeting of the Council of the Regional Customs Transit Guarantee (RCTG) Scheme which was held from 28-30 September 2014 in Kinshasa, DR Congo. The meeting was informed that that the RCTG CARNET had been rolled out in 2012 and was fully operational in the Northern and Central Corridors. The Council of Bureaux

noted that since inception 869RCTG Bonds, worth US\$460millioin guarantee amount had been executed and over 75,000 Carnets had been issued and 5 claims have been reported. The meeting noted that the number of Clearing, Forwarding and Sureties has reached over 599 and of which 90% were SMEs. The meeting further noted that the asset of the RCTG Reinsurance Pool has reached over US\$1million and short term investment funds was US\$229,554.

116. The Council of Bureaux noted that South Sudan had been accepted as full member o of the Council of RCTG bringing the number of member countries that are party to the scheme to thirteen (13). The National Bureaux who are also member of the RCTG Carnet were requested to continue their support and meet their commitment to the scheme.

External Auditors' Report on the Accounts of the Council of Bureaux as at 30th June, 2016 (*Agenda Item 16*)

Secretariat 117. The representative of the COMESA presented document NOCS/YCRCTG/CB/XXX/14: The audited report and accounts of the Council of Bureaux for the year ended 30th June 2016. In doing so, he informed the meeting that the audit report was in the final stage (with the partner for signature) and hence contained no audit opinion. He further informed the meeting that the report would be signed by the Secretary General and Assistance Secretary General -Administration and Finance. He provided highlights on the income and expenditure statement, statement of financial position, cash flow statement, notes to the financial statements and a comparison of the budgeted and actual expenditure for the year ended 30th June 2016.

Decision

118. The Council of Bureaux received the Audited Annual Report and Accounts of the Council of Bureaux of the Yellow Card Scheme for the year ended 30th June 2016, and approved the Audited Annual Report.

Report on Administrative Matters (Agenda item 17)

119. The representative of the Secretariat presented document no. CS/YCRCTG/CB/XXX/15(a) and (b): Report on the Administrative Matters. In so doing, he informed the Council of Bureaux as follows:

a) Renewal of the Contract for the Senior Insurance Expert (P4)

- 120. The Secretariat recalled the decisions of the 26th Meeting of the Council of Bureaux that appointed Mr. Debebe Tamene Kassa as Senior Insurance Expert and informed the meeting that the contract of Mr. Debebe Tamene Kassa would expire on 7th February 2017. The Meeting was further informed that renewal of contract for professional staff was determined on the basis of Performance Appraisal Report of the staff member and on the recommendation of the Secretariat General to the Council of Bureaux.
- 121. The meeting noted the satisfactory performance of Mr. Debebe Tamene Kassa and the recommendation of the Secretary General to renew the contract for a further period of four (4) years effective 8th February 2017.

Decision

122. The Council of Bureaux endorsed the recommendation of the Secretary General and renewed the contract of Mr. Debebe Tamene Kassa, Senior Insurance Expert for a further period of four (4) Years with effect from 8th February 2017.

b) Renewal of the Contract for the Senior Finance Assistant (IC)

- 123. In presenting the renewal of the contract for the Senior Finance Assistant, the Secretariat recalled the decision of the 24th Meeting of the Council of Bureaux that appointed Mr. Yamba Chotela as Senior Finance Assistant and informed the meeting that Mr. Chotela's contract would expire on 31st April 2017. The Meeting was further informed that the renewal of general service staff was determined on the basis of Performance Appraisal Report of the staff members and on the recommendation of the Director of Finance to the Council of Bureaux.
- 124. The Meeting noted the satisfactory performance of Mr. Chotela and the recommendations of the Director Finance of COMESA Secretariat to renew the contract for a further period of four (4) Years effective 1st May 2017.

Decision

125. The Council of Bureaux endorsed the recommendation of the Director of Finance of COMESA Secretariat and renewed the contract of Mr. Yamba Chotela, Senior Finance Assistant for a further period of four (4) years with effect from 1st May 2017.

c) Recruitment of the IT Expert

- 126. The Secretariat also made a verbal presentation on the progress made in the recruitment of the IT Expert. In doing so, the Secretariat recalled the decision of the 28th Meeting of the Council of Bureaux and informed the Meeting that pursuant to the decision, the Secretariat advertised the post of IT Expert in all the member Countries through the National Bureaux and 15 applications were received. The Meeting was further informed that four (4) candidates from Burundi, Ethiopia, Kenya and Zambia were shortlisted. The meeting was also informed that an interviewing panel chaired by the Assistant Secretary General-Programmes, with a representative from Insurance Council of Zimbabwe, Senior IT Manager from Zimbabwe, the interview and written exam were conducted on 22nd September 2016 and a candidate was selected and report of the panel was presented to the Secretary General for approval.
- 127. The Meeting was informed that the Secretary General has authority mandate to approve recruitment of professional staff of level P2 and P3.

Decisions

- 128. The Meeting having considered the verbal presentation on the progress made on the recruitment of the IT Expert, decided as follows:
 - a) Endorse the Secretariat General approval of the successful candidate selected; and

b) The Secretariat should submit the performance appraisal report of the first year of probation period of the recruited IT Expert for consideration by the 31st Meeting of the Council of Bureaux.

Proposed Budget and Annual Work Programme for the Year 2016/17 (Agenda item 18)

129. The Secretariat presented Document No CS/YCRCTG/CB/XXX/16- Proposed Budget and Annual Work Plan for the Council of Bureaux for the year 2016/2017 as follows:

Status of Income in 2015/2016

130. The Council of Bureaux was informed that all National Bureaux, except Burundi, Rwanda, Malawi, Ethiopia, and Sudan had paid their budget contributions with Uganda making partial settlements for the period under review while the National Bureau of Eritrea was given an exemption. The Pool Managers (Zep-Re) transferred their share of 20% of total annual budget contribution allocated to the Reinsurance Pool. The Council of Bureaux was further informed that a total amount of US\$ 489,049.00 including arrears was recorded during the 2015/2016 fiscal year.

Budget 2016/2017

131. The Council of Bureaux was informed that the budget assessment for the year 2016/2017 was US\$672,751 representing an increase of 4% from the 2015/2016 budget which stood at US\$645, 732. The Council of Bureaux was further informed that the increase was mainly due to the increase in staff emoluments.

Administrative matters

- 132. Regarding Administrative Matters, the Council of Bureaux was informed as follows:
 - a) Pursuant to the recommendation of the 40th MC meeting, the Secretariat renewed the contract of the short term IT Expert for the YC-MIS, namely: Mr. Musa Tondolo for a period of six months effective from 1st July, 2016 to 30th December, 2016 on expiry terms and conditions; and
 - b) The Secretariat issued a contract to Mrs Valerie Ngeleka Masengu, administrative assistant for an initial period of three years.

Work Programme for 2016/2017

- 133. The Meeting was informed that the Work Programme for 2016/2017 included the following major activities:
 - a) Oversee the implementation of the decisions of the Council of Bureaux and the Management Committee (MC) on the Yellow Card;
 - b) To carry-out studies on;
 - I. competitiveness of the Yellow Card premium rates applied by National Bureaux;
 - II. Review of claims handling and management of the Yellow Card Scheme; and
 - III. Possible option of institutions to become a National Bureau in countries where designated National Bureaux have challenges in the management of the Yellow Card Scheme;
 - c) To upgrade the Yellow Card Management Information System (YC-MIS) and make YC computer printable/generated;

- d) To provide technical services to National Bureaux and assist Member States in implementation of the Yellow Card scheme;
- e) Prepare technical papers, working documents and reports;
- f) Prepare project proposals and mobilize extra budgetary resources;
- g) Organize and service the Council of Bureaux and MC Meetings;
- h) Carry out the annual work programme of the Regional Customs Transit Guarantee (RCTG) Scheme and Trade in Insurance Services; and
- i) Carry out the day-to-day functions of the Secretariat of the Council of Bureaux (Yellow Card Office) at the COMESA Secretariat.
- 134. In the discussion that followed the meeting observed the following:
 - a) The National Bureau of Ethiopia reiterated its earlier position that it had paid its contribution to the annual budget of the Council of Bureau in February 2016 and has no arrears and presented bank transfer advise to the Secretariat as evidence: and
 - b) The National Bureau of Uganda assured the meeting that US\$30, 045 arrear would be paid soon.
- 135. In the discussion that followed the National Bureaux of Malawi recalled the position of the 28th Meeting of the Council of Bureaux to the request submitted by the Bureau to lift sanction imposed and wave arrears of budget contribution, that the meeting indicated its desire to consider the request of the National Bureau of Malawi provided it demonstrated some commitment and come up with a plan or proposal on the way forward in addressing the issues.
- 136. The National Bureau of Malawi informed the meeting that following the engagement with National stakeholders, the Secretariat and the visit made to the Insurance Council of Zimbabwe to share experience, the National Bureau:
 - a) had reviewed the structure of the National Bureau to enhance its capacity to efficiently manage the operation and administration of the Yellow Card Scheme in Malawi:
 - b) committed to pay US\$44,850, its contribution to the annual budget of the Council of Bureaux for the period 2016/17 and future contributions;
 - c) paid 12 million Malawian kwacha to the Pool for premium cessions:
 - d) hosted the 30th Meeting of the Council of Bureaux to demonstrate its commitment and the National Bureau submitted its request for wavier of the accumulated arrear of budget contribution of US\$366,038 and the sanction on the National Bureau from participation at the Management Committee be lifted.
- 137. Following the request for guidance on how such issue of waiver is handled or treated, the Secretariat explained the following COMESA Secretariat policies on waiver:
 - a) to warehouse the arrears, until the member is in position to pay; and
 - b) to agree on re-payment plan that would not affect the operation of the member.

Decisions

- 138. After some discussion on the issue, the Council of Bureaux decided as follows:
 - a. the US\$366,039 annual budget contribution arrear due to the Council of Bureaux be waived after the National Bureau of Malawi effect a payment

- of its contribution to 2016/17 annual budget of the Council of Bureaux, and
- b. lift the sanction imposed on the National Bureau from participation at the Management committee meeting with effect from 2017.

139. On the annual budget for 2016/17, the Council of Bureaux:

- a) Approved the annual budget of US\$672, 751 for the year 2016/2017;
- b) Approved the Work Programme for 2016/2017;
- c) Decided that each National Bureau should pay US\$44,850 as its contribution to the Budget of the Council of Bureaux for the financial year 2016/2017:
- d) The Pool Managers (Zep-Re) should pay US\$134,550 being the 20% of the total assessed budget to the Council of Bureaux; and
- e) The Secretariat should fill the post of IT Expert (P3) at the earliest possible time.

Table IV: Proposed Budget Contribution to the Council of Bureaux 2016/17

INCOME	
NATIONAL BUREAUX	Assessment 2016/17
(80% of the total annual budget)	
Burundi	44,850.00
Djibouti	44,850.00
DR Congo	44,850.00
Eritrea	Exempted
Ethiopia	44,850.00
Kenya	44,850.00
Malawi	44,850.00
Rwanda	44,850.00
Sudan	44,850.00
Tanzania	44,850.00
Uganda	44,850.00
Zambia	44,850.00
Zimbabwe	44,850.00
Sub-Total	538,200.00
Reinsurance Pool 20% share	134,550.00
Total (100%)	672,751.00

Table V: Total amount of contribution required from each National Bureau, including arrears

NATIONAL BUREAUX	2016/17 ANNUAL BUDGET CONTRIBUTION US\$	ARREARS 30/07/2016 US\$	TOTAL AMOUNT REQUIRED FROM EACH NATIONAL BUREAU US\$		
Burundi	44,850.00	43,049.00	87,899.00		
Djibouti	44,850.00	-	44,850.00		
DR Congo	44,850.00	3,000.00	47,850.00		
Eritrea	Exempted	18,824.00	18,824.00		
Ethiopia	44,850.00	43,049.00	87,899.00		
Kenya	44,850.00	-	44,850.00		
Malawi	44,850.00	366,038.00	410,888.00		

Rwanda	44,850.00	46,661.00	91,511.00
Sudan	44,850.00	315,193.00	360,043.00
Tanzania	44,850.00	-	44,850.00
Uganda	44,850.00	30,045.00	74,895.00
Zambia	44,850.00	-	44,850.00
Zimbabwe	44,850.00	-	44,850.00
Reinsurance Pool	134,550.00	-	134,550.00
20% share			
Total	672,751.00	865,859.00	1,538,610.00

Date and Venue of Next Meeting (Agenda Item 19)

140. The National Bureau of Sudan offered to host the 31st Meeting Council of Bureaux. The meeting accepted the offer with appreciation and advised the Secretariat to liaise with the National Bureau of Sudan and inform members on the actual dates and venue of the meeting.

Any Other Business (Agenda Item 20)

- 141. Under this agenda item the meeting observed the following:
 - a) The Commissioner of insurance of Djibouti pointed out that the COMESA Secretariat should invited all Insurance Regulatory Authorities to the meeting of the Council of Bureaux in order to mobilize support for their involvement in the smooth operations of the Yellow Card Scheme;
 - b) The Insurance Regulatory Authority of Kenya emphasized on the need to conduct consumer education and public awareness on the operations of the Yellow Card Scheme:
 - c) The National Bureau of Zimbabwe underscored the need to engage key stakeholders to promote the scheme and increase the utilization and production of the scheme; and
 - d) The National Bureau of Zimbabwe offered to host the Strategic Planning Session on the Yellow Card Scheme in Harare or Vic –falls and provide resource person(s) to facilitate the session.
- 142. The Council of Bureaux accepted the offer extended by the National Bureau of Zimbabwe with appreciation and advised the Secretariat to liaise with the National Bureau.

Adoption of the Report and Closing of the meeting (Agenda Item 21)

- 143. The Meeting considered the report paragraph by paragraph and adopted the report with amendments.
- 144. At the Closure of the meeting the delegate from Djibouti Mr. Mohamed Safi Seyadou, Contrôleur des Assurances from the Ministry of Finance on behalf of the delegates, gave a vote of thanks to the Government and people of Malawi for the warm hospitality extended to the delegates, the National Bureau of Malawi, Insurance Association of Malawi and the Insurance Industry of Malawi for hosting the meeting and the facilities that were made available to the delegates. He also expressed his gratitude to the representatives of non-COMESA countries such as Angola, South Sudan, South Africa and Botswana and the Insurance Regulatory Authorities of Kenya and Djibouti for their continued participation in the Council of Bureaux meetings. He further thanked the Chairperson for the professional

manner in which she handled the meeting deliberations and the delegates from the member Bureaux and the Pool Managers for their valuable contributions. He also thanked the COMESA Secretariat for their tireless efforts in the preparations of the documents and organization of the Meeting.

145. In closing the meeting, the Chairperson. Mrs. Dorothy Chapeyama thanked all the delegates for their valuable contributions and participations during the meeting. She also thanked the Secretariat for unfailing effort and hard work in providing the reports and the organizing committee from the Malawi Insurance Industry for their tireless effort in organizing the meeting and declared the meeting closed.

Annex I

Summary of Yellow Cards Issued and Premium Income realized per Country

Issuing Country	No. of cards		Premium collected	d in local currency	Premium collected in US\$			
iccumig country	2014/15	2015/16	2014/15	2015 / 16	2014/15	2015/16		
Sudan	154	1,061	-	-	16,808.00	123,933		
Ethiopia	32,230	38,254	23,552,017.63	28,703,467.60	1,123,370.95	1,294,750.28		
Uganda	12,960	12,960	3,898,232,153.69	4,028,735,192	1,070,064.73	1,190,491.25		
DR Congo	6,737	5,533	-	-	421,182.62	372,804.23		
Tanzania	25,202	26,881	-	3,386,928,448	1,458,632.83	1,539,512.93		
Malawi	642	1,166	-	59,228,607.42	33,316.00	81,135		
Djibouti	1,839	2,033	68 336 388	71,614,334	383,912.00	402,328		
Eritrea	1		1,200	-	114.61	-		
Kenya	22,930	28,382	-	-	3,820,694.09	2,989,398.65		
Rwanda	7,535	6,395	-	95,150,244	149,571.00	118,208.96		
Burundi	10,813	9,150	377,647,168	341,033,133	240,424.74	206,310.00		
Zimbabwe	11,592	8,595	-	- -	1,029,892.50	850,233.39		
Zambia	24,893	21,794	4,876,549.14	5,780,434.84	725,678.86	572,939.60		
Total	157,528	162, 204			10,473,662.93	9,742,045		

Annex II

Summary of Claims Activities

National												
Bureaux		ims Summary ns Reported		e period July 2 laims Paid		Claims	Claims for the period July 2015 to Claims Reported Claims Paid		•	Claims		
						utstanding				Outstanding		
	No	Amount	No	Amount	No	Amount	No	Amount	No	Amount	No	Amount
Burundi	34	36,925.03	12	24,057	14	25,251	37	115,708.56	20	48,457	tba	Tba
Djibouti	190	tba	82	326,298	173	3,385,489	334	tba	140	\$509,854	289	\$2,632,626
DR	40	168,715	40	348,802	2	28,500	2	205,000	55	\$1,417,057	-	-
Congo												
Eritrea	Nil	Nil	Nil	Nil	Nil	Nil						
Ethiopia	22	tba	12	Tba	10	tba	21	tba	15	tba	6	tba
Kenya	15	190,424.95	11	166,840.83	15	143,584.12	9	113,134	7	68,287.30	8	117,436.93
Malawi	10	95,512	3	4,751	8	90,941						
Rwanda	132	tba	122	760,206	70	307,469	169	tba	132	739,020,688	tba	686,557,381
Sudan	5	tba	1	Tba	12	tba	2	15,833	1	2,333	14	61,000
Tanzania	20	tba	8	45,108.86	tba	tba	2	tba	13	132,663,000	61	tba
Uganda	80	192,093.66	50	183,156.91	174	543,892.60	48	397,000,000	64	571,675,539	110	713,000,000
Zambia	44	70,740.34	13	33,750	26	36,990.26	37	920,600	13	167,727.60	24	tba
Zimbabwe	tba	tba	1	3,000	6	48,000	10	tba	5	\$15,868	5	\$15,000
Total	592		351		510		671		465		517	

LIST OF PARTICIPANTS/LISTE DES PARTICIPANTS

BURUNDI

Mr. Mategeko Pacelli, Yellow Card National Coordinator, SOCABU b p 2440 Bujumbura, Tel: +257 71547374, Fax: +257 7596500, Email: pmategeko@yahoo.fr, pacelli.mategeko@socubu-assurances.com

CONGO D R

M. Bushiri Ramazani, Directeur de la Région Sud/Est, Société Nationale d'Assurances, Lubumbashi, République démocratique du Congo. Tel.: +243 999932272, Email: bushirir@yahoo.fr

M. Ngwangu Mosolino Jean, Responsable des réassurances, SONAS, Kinshasa, DR Congo. Tél: +243 998401686, +243 814680694, Email: jeanmosolino1@gmail.com

DJIBOUTI

Mr. Aden Saleh Omar, Commissioner of Insurance, Ministry of Finance, BP 4352, +253 7781320, Fax: +253 21 359192, Email: adensalah@yahoo.fr

Mr. David Boucher, Sales Manager GXA Assurance, Tel: +253 77860636, Fax: +253 21 353056, Email: boucherd@intnet.dj

Mr. Mohamed Safi Seyadou, Contrôleur des Assurances, Ministry of Finance, Email: medsafi@yahoo.fr

ETHIOPIA

Mr. Netsanet Lemessa, Acting Chief Executive Officer, Ethiopian Insurance Corporation, P O Box 2545, Tel: +251 911200583, Fax: +251 11 5517499, Email: eic.md@eic-et.com

Mr. Yohannes Zewdie, A/Deputy Chief Executive Officer, National Bureaux of Ethiopia, Ethiopian Insurance Corporation, P O Box 2545, Tel: +251 911214042, Fax: +251 11 5517555, Email: jhonyohannes2014@gmail.com

KENYA

Mr. Sammy Makove , Chief Executive Officer, Insurance Regulatory Authority, (IRA) P O Box 43505, 00100, Nairobi, Tel: +254 20 499 6000, Email: smakove@ira.go.ke

Mr. Evans M O Kibagendi, Corporate Communication, , Insurance Regulatory Authority, (IRA) P O Box 43505, 00100, Nairobi, Tel: +254 722890744, Email: ekibagendi@ira.go.ke

MALAWI

Hon. Joseph Mwananveka, Minister of Industry, Trade and Tourism, P O Box 30366, Lilongwe3, Tel: +265 1 772248, Email: jmwananveka@gmail.com

Mr. Albert Mbawala, Chief Executive officer, Prime Insurance Company Ltd, P O Box 30280, Lilongwe 3, Tel: +265 999850356, ambawala@primeinsurance.mw

Mr. Eric Chapola, Chief Executive Officer, NICO General Insurance, Box 2592, Blantyre, Tel: +265 1 824898, Fax: +265 1822363, Email: echapola@nicogeneral.com

Ms Immaculate Kachapira, President, Insurance Institute of Malawi, Tel: +265 999315362 +265 888315362, Email: ikachapira@britam.com

Mr. Martin Magomero, Principal Examiner, Reserve Bank, P O Box 565 Blantyre, Tel: +265 888855387, Email: mmagomero@rbm.mw

Mr. Donbell Mandala, NICO General Insurance/Insurance Association of Malawi, Box 1021, Blantyre, Tel: +265 995846999, Fax: +265 1822363, Email: dmandala@nicogenral.com

Ms Dorothy Chapeyama, Member, Insurance Association of Malawi, P O Box 1021, Blantyre, Tel: 265 999960401, Email: dchapeyama@reunioninsurance.com

Mr. Chimwemwe Kaunda, Principal Economist, Ministry of Transport and Public Works, P/B 322, Lilongwe 3, Tel: +265 999 310 471, +265 881354751, Fax: +265 1 788409, Email: chimwemwe.kaunda@gmail.com

SUDAN

Mr. Ismail Gadain Ismail Adam, Sheikan Insurance Company, P O Box 10037, Khartoum, Tel: +249 912495665, Email: comesaycard@shiekanins.sd

SOUTH SUDAN

Mr. Jimmy Okello Kokorom, General Manager, National Bureau, Box 588, Juba, Tel: +211 955 407781, Email: jimmyokeilo.pikie@gmail.com

Ms. Racheal Achol Mark, Corporate Service Manager, Speed Insurance, Tel: +211 955 919312, +211 955 07501, Email: acgiksoeed@gmail.com

Mr. Solomon Bol Demabior, Manager, Tel: +211 911 504120/+211 956091078

Mr. Doctor Matatia Stephen, Director, General External Trade, Ministry Trade and Industry, P O Box 73, Tel: 211 954 333333, Email sjonbek@gmail.com

TANZANIA

Mr. Sam Kamanga Managing Director, National Insurance Corporation (T) P O Box 9264, Dar es Salaam, Tel: +255 784 761167, Fax: +255 222 11340, Email: sam.kamanga@nictanzania.co.tz

Mrs Immaculate J Morro, COMESA Country Coordinator, National Insurance Corporation (T) P O Box 9264, Dar Es Salaam, Tel: +255 784 405511, +255 222 11340, Email: immaculate.morro@nictanzania.co.tz

UGANDA

Mr. Bayo Folanyan, Managing Director, National Insurance Corporation, Uganda, 3 Pikilington Road, Nakasero, Tel: +256 414 341645, mdmc@mc.co.ug

Ms Ajilong Stella Marys, Coordinator, National Insurance Corporation, P O Box 7134, Kampala, +256 417 119900, +256 414 233974, Fax: +256 414 259925, Email: nic.@nic.co.ug, sajilong@nic.co.ug

SWAZILAND

Mr Helmon M Vilakati, Chief Executive Officer, Ministry of Finance, P O Box 4329, Tel: + 264 2404761, helmi@mva.org.sw

ZAMBIA

Mrs Mavis Ndumba, Assistant Manager Underwriting, Zambia State Insurance Corporation (ZSIC) General Insuraqnce, P O Box 30894, Lusaka, Tel: +260 211 229343/6, +260 977 849283, Fax: +260 211 222263, Email: mndumba@zsicgi.co.zm

ZIMBABWE

Mr. Patrick Munyaradzi Kusikwenyu, Chairman, NB Zimbabwe Tel: +263 77269366, Email: patrick@sanctuary.co.zw

Mr. David Nyabadza, N B Zimbabwe, Tel: +263 772 289 438

Mr. Barry Gerson

ZEP-RE

Mr. Shipango Muteto, Country Manager, ZEP-RE PTA Reinsurance Company, P O Box 3966, Lusaka, Tel: +260 211 252586, Email: smuteto@zep-re.com

ANGOLA

Mr. Jesus Manuel Teixeira, Director, Ministry of Finance/ARSEG, Tel: +244 925497134, Email: jesus.teixeira@arseg.ao

Mr. Armando Costa, Director Ministry of Finance, Tel: +244 924648100, Email: armando.costa@arseg.ao; armando.costa.ao; <a href="mail

BOTSWANA MVA

Mr. Phenyo Boile Mugae, Manager, Strategy, MVA Fund, P O Box 00438, Gaborone, Tel: +267 3600100, Email: pmugae@mvafund.bw

Mr. Masariro Bobby Rugara, Manager, Motor Vehicle Accident Fund, P/B 00438, Gaborone, Tel: +267 3600135, Fax: +267 3191490, Email: mrugara@mvafund.bw

Mr. Lesesa H Mtonga, Case Manager, Moto Vehicle Accident Fund, Box 0043, Tel: +267 3600100, Email: lntonga@mvafund.bw

SOUTH AFRICA

Mr. Lesedi Boihang, Advocate, Road Accident Fund, 420, Witon, Hazel Avenue, Eco Grades2, Centurion, Tel: +27 12 621 1726, +27 83 386 4007, Email: lesedi@raf.co.za

COMESA SECRETARIAT

Mr. Dev Haman, Director of Budget & Finance, COMESA Secretariat, P.O. Box 30051, Ben Bella Road, Lusaka, Zambia. Tel.: +260 211 22 95 27/32, Email: dhaman@comes.int

Mr. Berhane Giday, Chief Programme Officer, Yellow Card - RCTG Unit, COMESA Secretariat, P.O. Box 30051, Ben Bella Road, Lusaka, Zambia. Tel.: +260 211 22 95 27/32, email: bgiday@comesa.int

Mr. Debebe Tamene Kassa, Senior Insurance Expert, Yellow Card - RCTG Unit, COMESA Secretariat, P.O. Box 30051, Ben Bella Road, Lusaka, Zambia. Tel.: +260 211 22 95 27/32, email: dtamene@comesa.int

Mr. Kelvin Chisongo, Insurance Expert, Yellow Card - RCTG Unit, COMESA Secretariat, P.O. Box 30051, Ben Bella Road, Lusaka, Zambia. Tel.: +260 211 22 95 27/32, email: kchisongo@comesa.int

Mr. Musa Tondolo, IT Expert, RCTG Unit, COMESA Secretariat, P O Box 30051, Ben Bella Road, Lusaka, Zambia. Tel.: +260 211 22 95 27/32, email: mtondolo@comesa.int

Mr. Yamba Chotela, Accountant, Yellow Card - RCTG Unit, COMESA Secretariat, P.O. Box 30051, Ben Bella Road, Lusaka, Zambia. Tel.: +260 211 22 95 27/32, email: ychotela@comesa.int

Ms. Valerie N. Masengu, Administrative Assistant, Yellow Card - RCTG Unit, COMESA Secretariat, P.O Box 30051, Ben Bella Road, Lusaka, Zambia. Tel.: +260 211 22 95 27/32, email: vmasengu@comesa.int

Ms Lydia Mulenga, Administrative Assistant, Infrastructure Division, COMESA Secretariat, P O Box 30051, Ben Bella Road, Lusaka, Zambia. Tel.: +260 211 22 95 27/32, email: lmulenga@comesa.int

INTERPRETERS

Mr. Allan Lipenga, Lecturer, Ministry of Education, P O Box 280, Lilongwe, Tel: +265 991264094/+265 888899907, Fax: +265 254046, Email: alipenga@cc.ac.mw

Mr. Tente Kashobwe, Interpreter, Box 32162, Lusaka, +260 977 863410, Email: abayke@yahoo.com, tentekashobwe@yahoo.fr

TRANSLATOR

Mr. Valentine Lejima Chiluka, Translator. Tel.: +260 966 859 730, email: chihiluka@yahoo.fr