



**COLLECTION OF  
APT LEGAL INSTRUMENTS**

*Third Edition*

***Asia-Pacific Telecommunity***

***December 2020***

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## **Preface to the Third Edition**

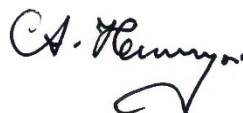
In November 2016, the first edition of “Collection of APT Legal Instruments” was published to facilitate the reference to the Constitution of the Asia-Pacific Telecommunity (APT) and other legal documents of the APT, including Rules and Regulations, Resolutions, and Guidelines adopted by the General Assembly and the Management Committee of the APT. This publication had been widely used and appreciated by APT members.

The second edition of the Collection of APT Legal Instruments was introduced in December 2018, containing revised rules and regulations, revised guidelines and two newly adopted guidelines of the Management Committee.

This third edition of the Collection of APT Legal Instruments includes key updates, i.e. two (2) revised Resolutions adopted by the 15th Session of the General Assembly of the APT held in December 2020, as well as revised Affiliate Membership Guidelines, revised APT Documents Framework, etc. adopted by the Management Committee of the APT in 2019-2020.

It is hoped, therefore, that this Collection of APT Legal Instruments will continue to serve its purpose as a definitive reference to the legal documents of the APT.

December, 2020



Areewan Haorangi  
Secretary General



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**CONSTITUTION OF  
THE ASIA-PACIFIC TELECOMMUNITY**  
*(GA-9, New Delhi, 2002, Rev. 1)*

**Source Document: Doc. No. GA-9, Annex 5**



## **CONSTITUTION OF THE ASIA-PACIFIC TELECOMMUNITY**

*(Revised at the GA-9, New Delhi, 2002)*

The Government Parties to this Constitution, being members and associate members of the United Nations Economic and Social Commission for Asia and the Pacific (hereinafter referred to as "ESCAP");

**Considering** the need for close cooperation in the development of telecommunication services and information infrastructure among the states and territories of the ESCAP region (hereinafter referred to as the "region");

**Recognizing** the contribution that can be made by a regional organization towards the balanced development of telecommunication services and information infrastructure;

**Realizing** the importance of a structure through which information can be exchanged and the rapid advances in telecommunication services and information infrastructure discussed;

**Acknowledging** that the active participation of the membership in the affairs and activities of the organization is critical to accomplishing the objectives herein set forth;

**Hereby agree** as follows:

### **Article 1**

#### **ESTABLISHMENT**

The "Asia-Pacific Telecommunity" (hereinafter referred to as the "Telecommunity") is hereby established as a regional telecommunication organization in conformity with Article 32 of the International Telecommunication Convention (Malaga Torremolinos, 1973).

### **Article 2**

#### **OBJECTIVES**

1. The objective of the Telecommunity shall be to foster the development of telecommunication services and information infrastructure throughout the region with a particular focus on the expansion thereof in less developed areas.
2. In furtherance thereof, the Telecommunity may:
  - (a) Promote the expansion of telecommunication services and information infrastructure and the maximization of the benefits of information and telecommunications technology for the welfare of the people in the region;

- (b) Develop regional cooperation in areas of common interest, including radio communications and standards development;
- (c) Undertake studies relating to developments in telecommunication and information infrastructure technology and policy and regulation in coordination with other international organizations, where pertinent;
- (d) Encourage technology transfer, human resource development and the exchange of information for the balanced development of telecommunication services and information infrastructure within the region; and
- (e) Facilitate coordination within the region with regard to major issues pertaining to telecommunication services and information infrastructure with a view to strengthening the region's international position.

### *Article 3*

### **COMPOSITION OF THE TELECOMMUNITY**

1. The Telecommunity shall comprise Members, Associate Members and Affiliate Members.
2. Membership in the Telecommunity shall be open to any State within the region which is a member of ESCAP. Any such State on becoming a party to this Constitution in accordance with the provisions of Article 17 or Article 19 shall become a Member of the Telecommunity.
3. Any State within the region which does not qualify for membership under paragraph 2 of this Article, shall become a Member after having secured the affirmative vote of two-thirds of all Members, and upon becoming a party to this Constitution in accordance with the provisions of Article 19.
4. Associate membership in the Telecommunity shall be open to any territory, part or group of territories within the region which is an associate member of ESCAP. Any such territory, part or group of territories on becoming a party to this Constitution in accordance with the provisions of Article 17 or Article 19 and the provisions of Article 20, shall become an Associate Member of the Telecommunity.
5. (a) An Affiliate Member of the Telecommunity shall be any enterprise, agency, institute, organization, association, or other undertaking, entity or participant, whether private or government owned, commercial or not-for-profit, active in telecommunication services or information infrastructure with a substantial presence in, and commitment to, the region which is prepared to participate in, and contribute to, the work and activities of the Telecommunity.

- (b) An applicant for Affiliate Membership shall be nominated by a Member or an Associate Member.
- (c) Members and Associate Members may, however, notify the Secretary General of the manner in which applications from bodies described in sub-paragraph 5(a) of this Article located in their jurisdiction may be submitted.
- (d) An applicant for Affiliate Membership may address its application directly to the Secretary General, if permitted, after notification described in sub-paragraph 5(c) of this Article.
- (e) The applicant shall become an Affiliate Member of the Telecommunity upon the acceptance of its application by the Secretary General and its agreement to conform to the terms and condition of its membership as determined by the Secretary General.
- (f) The Management Committee shall adopt guidelines establishing criteria relating to the application procedure to be followed by the prospective Affiliate Member, the review procedure to be followed by the Secretary General and the terms and conditions upon which Affiliate Membership shall be granted.

*Article 4*  
**RECOGNITION OF RIGHTS**

The Telecommunity shall respect the rights of a Member and an Associate Member to regulate their telecommunication services and information infrastructure. It shall also take into consideration the obligations of a Member, an Associate Member and an Affiliate Member to the existing international and regional telecommunication organizations.

*Article 5*  
**HEADQUARTERS**

The headquarters of the Telecommunity shall be at Bangkok unless the General Assembly decides on a different location.

*Article 6*  
**OFFICIAL LANGUAGE**

The official language of the Telecommunity shall be English.

**Article 7**  
**ORGANS**

1. The principal organs of the Telecommunity shall be:
  - (a) The General Assembly;
  - (b) The Management Committee; and
  - (c) The Secretariat.
2. The General Assembly or the Management Committee shall establish such subsidiary bodies and expert groups as they deem necessary for fulfilling the objectives of Telecommunity.
3. Whenever such bodies or groups are established, their terms of reference, period of tenure, other rules for the conduct of their activities, and budgetary provisions shall be simultaneously laid down.
4. The meetings of the General Assembly and the Management Committee shall be held at the headquarters of the Telecommunity unless the respective organs decided otherwise.

**Article 8**  
**THE GENERAL ASSEMBLY**

1. The General Assembly shall be the supreme organ of the Telecommunity and shall be composed of all the Members and Associate Members of the Telecommunity.
2. Each Member shall have one vote in the General Assembly.
3. An Associate Member shall not have the right to vote in the General Assembly.
4. An Affiliate Member may participate in the deliberations of the General Assembly as an observer.
5. The General Assembly shall meet in ordinary session every three years and in extraordinary session when circumstances require. Extraordinary sessions shall be convened by the President of the General Assembly at the request of a simple majority of the Members of the Telecommunity.
6. The General Assembly shall:
  - (a) Establish general policies and principles for the fulfilment of the objectives of the Telecommunity and for such other matters as the General Assembly may deem to be within the competence of the Telecommunity;

- (b) Establish the basis for the annual budget of the Telecommunity and determine the limits of annual expenditure until the next ordinary session of the General Assembly;
  - (c) Receive and consider the reports of the Management Committee on the activities of the Telecommunity and give directives to it in regard to matters upon which action may be deemed necessary;
  - (d) Conclude or revise, if necessary, agreements between the Telecommunity and Governments, organizations or administrations;
  - (e) Elect the Secretary General and Deputy Secretary General of the Telecommunity and define the terms and conditions of their employment;
  - (f) Consider and adopt, if appropriate, proposals that may be made to the General Assembly by Members in accordance with other provisions of this constitution;
  - (g)
    - (i) Suspend, where it deems such action appropriate with regard to all relevant circumstances, the right of a Member which is in arrears in its payments to the Telecommunity to vote in the General Assembly, the Management Committee and in the subsidiary bodies for so long as the amount of its arrears equals or exceeds the amount of regular contribution due from it for the preceding two years;
    - (ii) Suspend, where it deems such action appropriate with regard to all relevant circumstances, the right of an Associate Member which is in arrears in its payments to the Telecommunity to benefit by the Telecommunity's activities, for so long as the amount of its arrears equals or exceeds the amount of regular contribution due from it for the preceding two years; and
    - (iii) Take such action, in respect of an Affiliate Member, as it may deem appropriate with regard to all relevant circumstances, including, without limitation, the suspension of observation rights or rights to participate in, or benefit by, the Telecommunity's activities, upon its failure to fulfil any obligation, financial or otherwise, undertaken by it in accordance with this Constitution or any commitment made by it concerning its participation in the Telecommunity; and
  - (h) Adopt its own rules of procedure.
7. The General Assembly shall elect a President and two Vice-Presidents at each ordinary session from among the representatives of the Members of the Telecommunity. The President and the two Vice-Presidents shall each hold office until the next ordinary session of the General Assembly. They shall be eligible for

election for a further term to any of these offices, but no person shall be eligible for election to the same office for more than two consecutive terms.

8. The President elected by the General Assembly shall have the title of "President of the Asia-Pacific Telecommunity".
9. The session of the General Assembly shall be presided over by the President. During each session, the date and place of meeting of the next session shall be determined.
10. When the President of the General Assembly is for any reason unable to perform his functions under this Article, one of the Vice-Presidents shall perform the functions of the President.
11. Subject to the provisions of this Constitution, the decisions of the General Assembly shall be made by consensus. Where the President is unable to discern a consensus on any matter, decisions shall be made by a simple majority of the Members present and voting, with the exception that decisions on financial matters shall require a two-thirds majority of the Members present and voting. Abstentions shall not be taken into account when calculating the majority.
12. A quorum for a meeting of the General Assembly shall consist of the representatives of a simple majority of the Members of the Telecommunity.

#### *Article 9*

#### **THE MANAGEMENT COMMITTEE**

1. The Management Committee shall be composed of all the Members and Associate Members of the Telecommunity. Each Member and Associate Member shall be represented by one representative who may be accompanied by advisers.
2. Each Member shall have one vote in the Management Committee.
3. An Associate Member shall not have the right to vote in the Management Committee.
4. An Affiliate Member may participate in the deliberations of the Management Committee as an observer.
5. In the interval between General Assembly meetings, the Management Committee shall act as the governing body of the Telecommunity, on behalf of the General Assembly within the limits of the powers delegated to it by the latter. The Management Committee, pursuant to such policies and principles as the General Assembly may establish and such specific delegations of power and directives as the General Assembly may issue, shall:



- (a) Supervise the administrative functions of the Telecommunity;
  - (b) Draw up such regulations as it may consider necessary for the administrative, financial and other activities of the Telecommunity;
  - (c) Consider and approve the programme of work of the Telecommunity;
  - (d) Consider and approve the annual budget of the Telecommunity and any supplementary budget deemed necessary on the basis and within the limits of the annual expenditure established by the General Assembly;
  - (e) Review the audit and approve the accounts of the Telecommunity;
  - (f) Consider and approve the annual reports on the work of the Telecommunity and submit its report to the General Assembly;
  - (g) Keep under review, direct, control and co-ordinate all activities of the Secretariat;
  - (h) Conclude, on behalf of the Telecommunity, provisional agreements between the Telecommunity and Governments, organizations or administrations. Seek approval of the General Assembly and in the intervals between sessions of the General Assembly seek approval, by a simple majority of the Members, by correspondence for agreements thus concluded. Associate Members and Affiliate Members could also be consulted, by correspondence, if necessary;
  - (i) Request the President of the General Assembly to take necessary steps to resolve questions which are not covered by this constitution and in the intervals between sessions of the General Assembly, if necessary, seek, by correspondence, approval of a two-thirds majority of the Members, for steps to be taken to resolve such questions stated above;
  - (j) Determine how the Telecommunity ought to be represented at conferences or meetings to which the Telecommunity may be invited;
  - (k) Determine the duties of the Secretariat and define the terms and conditions of employment of the officials of the Secretariat other than the Secretary General and the Deputy Secretary General; and
  - (l) Adopt its own rules of procedure.
6. The Management Committee shall elect a Chairman and two Vice- Chairmen every two years from among the representatives of the Members of the Telecommunity. The Chairman and the two Vice-Chairmen shall each hold office until the holding of next election. They shall be eligible for election for a further term to any of these offices, but no person shall be eligible for election to the same office for more than two consecutive terms.

7. The Management Committee shall meet once a year. Additional meetings shall be convened by the Chairman of the Management Committee if:
  - (a) A simple majority of the Members request such a meeting and agree to be present; or
  - (b) The Chairman considers the holding of such a meeting necessary and a simple majority of the Members agree to be present.

The Chairman of the Management Committee shall inform the President of the General Assembly if he considers that a matter might be of particular concern to the General Assembly.

8. A quorum for a meeting of the Management Committee shall consist of the representatives of a simple majority of the Members of the Telecommunity.
9. Subject to the provisions of this Constitution, decisions of the Management Committee shall be made by consensus, where possible. Where the Chairman is unable to discern a consensus on any matter, a decision shall be made by a simple majority of Members present and voting with the exception that decisions on financial matters shall require a two-thirds majority of the Members present and voting. Abstentions shall not be taken into account when calculating the majority.

#### ***Article 10*** **THE SECRETARIAT**

1. The Secretariat of the Telecommunity shall be composed of the Secretary General of the Telecommunity, who shall be its chief administrative officer, the Deputy Secretary General and such other officials as may be deemed necessary by the Management Committee.
2. The Secretary General and the Deputy Secretary General shall hold office for a term of three years. They shall be eligible for re-appointment but shall not hold office for more than two consecutive terms.
3. Such other officials as may be deemed necessary by the Management Committee shall be appointed by the Secretary General on such terms of service as the Management Committee may determine.
4. The Secretary General, and the Deputy Secretary General, assisted by the other officials of the Secretariat, shall carry out the duties established by the Management Committee, including;

- (a) Serving as secretary of the General Assembly and of the Management Committee;
- (b) Providing secretariat services to the principal organs and the subsidiary bodies of the Telecommunity and arranging the convening of their meetings;
- (c) Keeping all records of the Telecommunity;
- (d) Performing any function that may be entrusted to them by the General Assembly or the Management Committee;
- (e) Being responsible to the Management Committee for the administration of the Telecommunity;
- (f) Implementing, where required to do so, decisions of the General Assembly and the Management Committee;
- (g) Administering the technical assistance programmes and projects of the Telecommunity;
- (h) Where necessary, and except where otherwise directed by the General Assembly or the Management Committee, representing the Telecommunity at conferences or meetings to which the Telecommunity may be invited;
- (i) Preparing the draft programme of work, budget estimates, accounts, annual reports and periodic reports of the Telecommunity for submission to the Management Committee for its consideration and approval.

### *Article 11*

### **FINANCES OF THE TELECOMMUNITY**

1. There shall be two categories of budgets of the Telecommunity:
  - (a) The General Budget; and
  - (b) Special Budgets.
2. The expenses of the General Budget shall include the costs of:
  - (a) The General Assembly;
  - (b) The Management Committee;

- (c) Conferences, meetings or other activities summoned by the Telecommunity for which the expense is approved by the General Assembly or Management Committee;
  - (d) The Secretariat and its activities;
  - (e) Technical Assistance activities of the Telecommunity; and
  - (f) Any other items as the General Assembly or the Management Committee may approve.
3. The expenses of the Special Budgets shall include the costs of:
- (a) Activities for which the General Assembly or Management Committee approves the expenses to be covered by a Special Budget; and
  - (b) Conferences or meetings convened by the Telecommunity for which the expense is not covered in the General Budget.
4. The expenses of the Telecommunity shall be met from the following sources:
- (a) Regular contributions of the Members and Associate Members which shall be a sum proportional to the number of units in the class of contribution voluntarily chosen upon becoming the Members and Associate Members from the following scale of unit classes:  
  
*60, 50, 40, 30, 25, 20, 18, 16, 14, 12, 10, 9, 8, 7, 6, 5, 4, 3, 2, 1, 0.5.*  
  
No reduction in a unit classification established in accordance with this Constitution shall take effect between sessions of the General Assembly.
  - (b) Extra-budgetary contributions either in cash or in some other form which may be voluntarily made by Members, Associate Members and other sources;
  - (c) The annual regular and extra-budgetary contributions made by the Affiliate Members in accordance with their terms of affiliate membership; and
  - (d) Any other income earned by the Telecommunity.
5. The Members, Associate Members and Affiliate Members shall pay in advance their annual contributory shares, calculated on the basis of the annual budget approved by the Management Committee.
6. Each Member, Associate Member and Affiliate Member shall bear the expenses of its delegations to the General Assembly, to the Management Committee and to any other bodies on which it may be represented.

*Article 12*  
**LEGAL CAPACITY, PRIVILEGES AND IMMUNITIES**

1. The Telecommunity shall possess juridical personality. It shall have the capacity to:
  - (a) Contract;
  - (b) Acquire and dispose of immovable and movable property;
  - (c) Institute legal proceedings.
2. The Telecommunity shall conclude a headquarters agreement with its host government.
3. The Telecommunity and the officials thereof may enjoy, in the territory of each of the Members and Associate Members of the Telecommunity, such privileges and immunities as may be necessary for the exercise of its functions and fulfillment of its objective as are accorded to the United Nations and the officials thereof under the Convention on the Privileges and Immunities of the United Nations, 1946, or, at the option of any Member or Associate Member such privileges and immunities as may be defined by agreements concluded between it and the Telecommunity.

*Article 13*  
**RELATIONSHIP WITH THE UNITED NATIONS AND WITH  
INTERNATIONAL AND REGIONAL ORGANIZATIONS**

The Telecommunity shall establish and maintain close relations with the appropriate United Nations bodies and specialized agencies and other appropriate international and regional organizations.

*Article 14*  
**WITHDRAWAL FROM THE TELECOMMUNITY**

1. Any Member, Associate Member or Affiliate Member of the Telecommunity may withdraw from the Telecommunity by a notification of withdrawal, addressed to the Secretary General.
2. The Secretary General shall inform all other Members, Associate Members and Affiliate Members of his receipt of the notification, and transmit the notification to the Depository under Article 16 of this Constitution.

3. A notification of withdrawal shall take effect on the last day of the same fiscal year if it is received by the Secretary General within the first six months of the fiscal year and one year after the receipt of notification if it is received later.
4. Any Member, Associate Member or Affiliate Member withdrawing from the Telecommunity shall continue to be responsible for the obligations incurred for the period of its membership.

#### *Article 15*

#### **DISSOLUTION OF THE TELECOMMUNITY**

1. The General Assembly of the Telecommunity may, by a two-thirds majority of the Members present and voting, resolve that the Telecommunity be dissolved.
2. On the approval of such a resolution by two-thirds of the Members of the Telecommunity, in notifications addressed to the Secretary General, the necessary steps shall be taken by the General Assembly for dissolution of the Telecommunity. These steps shall include establishment by the General Assembly of a committee to liquidate the assets of the Telecommunity.
3. The General Assembly shall, at the appropriate stage, adopt a final declaration stating that the Telecommunity is dissolved. The declaration shall be communicated by the Secretary General to the Depositary under Article 16 of this Constitution.

#### *Article 16*

#### **DEPOSITARY OF THE CONSTITUTION**

This Constitution shall be deposited with the Secretary General of the United Nations (referred to as the "Depositary").

#### *Article 17*

#### **SIGNATURE, RATIFICATION OR ACCEPTANCE**

1. This Constitution shall until its entry into force be open for signature by all those eligible for membership or associate membership of the Telecommunity under paragraph 2 or 4 respectively of Article 3.
2. This Constitution shall remain open for signature at the Headquarters of the United Nations, New York, where it will remain in deposit.
3. The Depositary shall send certified copies of this Constitution to all States and all associate members of ESCAP eligible for membership in the Telecommunity under paragraph 2 or 4 of Article 3.

4. This Constitution shall be subject to ratification or acceptance by the signatories. The instruments of ratification or acceptance shall be deposited with the Depository who shall notify the other signatories of each deposit and the date thereof.
5. Any signatory whose instrument of ratification or acceptance is deposited before the date on which this Constitution enters into force, shall become a Member or Associate Member of the Telecommunity on the date of entry into force of this Constitution. Any other signatory who complies with the provisions of the preceding paragraph, shall become a Member or Associate Member of the Telecommunity on the thirtieth day after the date on which its instrument of ratification or acceptance is deposited.

*Article 18*  
**ENTRY INTO FORCE**

This Constitution shall enter into force on the thirtieth day after the deposit of instruments of ratification or acceptance with the Depository, by seven signatory States that are eligible for membership in the Telecommunity under paragraph 2 of Article 3, including Thailand, the country in which the headquarters of the Telecommunity shall be.

*Article 19*  
**ACCESSION**

1. Any State eligible for membership in the Telecommunity under paragraph 2 of Article 3 or any territory, part or group of territories eligible for associate membership under paragraph 4 of Article 3, may accede to this Constitution by deposit of an instrument of accession with the Depository.
2. The instrument of accession shall become effective on the thirtieth day after the date of its deposit. The Depository shall notify the Members, Associate Members and Affiliate Members of each accession when it is received.

*Article 20*  
**ASSOCIATE MEMBERS OF ESCAP**

If any territory, part or group of territories eligible for associate membership in the Telecommunity under paragraph 4 of Article 3, is not fully responsible for the conduct of its international relations and if the Government of the State responsible for the conduct of the international relations of that associate member, does not accede to or is not eligible to accede to this Constitution on the associate member's behalf, the associate member shall at the time of acceding to this Constitution present an instrument issued by the Government of the State responsible for the conduct of the international relations

of the associate member confirming that the associate member has authority to be a party to, and to assume rights and obligations under, this Constitution.

*Article 21*

**AMENDMENT OF THE CONSTITUTION**

1. Any Member may propose amendments to this Constitution.
2. Adoption of an amendment to this Constitution shall require a two-thirds majority of the Members present and voting in the General Assembly.
3. The amendments shall enter into force on the thirtieth day after the deposit with the Depository of instruments of ratification or acceptance of such amendments by two-thirds of the Members.
4. Any amendments to this Constitution shall be applied provisionally from the date of their adoption where such is expressly provided therein pending their entry into force in accordance with paragraph 3 of this Article 21.



**RULES OF PROCEDURE OF THE GENERAL ASSEMBLY  
OF THE ASIA-PACIFIC TELECOMMUNITY**

**Source Document: GA-14/OUT-04**

*(Revised at the GA-14, Bangkok, 2017)*



**RULES OF PROCEDURE OF THE GENERAL ASSEMBLY  
OF THE ASIA-PACIFIC TELECOMMUNITY**

***Preamble***

1. The Rules of Procedure of the General Assembly was adopted pursuant to Article 8, of the Constitution of the Asia-Pacific Telecommunity.
2. Should situations not provided for in these rules arise the appropriate provisions of the Constitution shall be applied and where the Constitution is silent, the General Assembly shall adopt such rules as may be appropriate in the circumstances.

***CHAPTER I      Sessions***

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***Rule 1***

1. The Secretary General shall at least three months before the commencement of an ordinary session notify the Members, Associate Members and Affiliate Members of the opening date of the session and of the provisional agenda.
2. Documents for the session shall be distributed at least six weeks prior to the opening of the session.
3. Under the instruction of the President, the Secretary General shall arrange in conformity with Article 8 paragraph 5 of the Constitution for extra-ordinary sessions to be held as soon as possible but not sooner than 45 days after the date on which a request has been received.
4. Each session of the General Assembly shall comprise of several meetings.

***Rule 2***

1. Where necessary and with the concurrence of the President, the Secretary General may invite appropriate United Nations bodies and specialized agencies to participate in the General Assembly in an advisory capacity on the basis of reciprocity.
2. Where necessary and with the concurrence of the President, the Secretary General may also invite other appropriate international and regional organizations to participate as observers in matters the Telecommunity considers are of concern to them.

***Rule 3***

At the meetings of the General Assembly, delegations of the Members and Associate Members of the Telecommunity shall each be seated as a group in the alphabetical order of the English names of the Members and Associate Members represented. The seating for Affiliate Members may be arranged to be as close as possible to the delegations of their respective Members or Associate Members.

***Rule 4***

Subject to Rule 2, all meetings of the General Assembly shall be held in private with the exception of the formal opening and closing, unless the General Assembly decides otherwise.

***Rule 5***

The provisional agenda for each session shall be drawn up by the Secretary General in consultation with the President.

***Rule 6***

The provisional agenda for any ordinary session shall include, but not limited to:

- (a) Election of a President and two Vice-Presidents of the Telecommunity;
- (b) Adoption of the agenda;
- (c) Report of the Management Committee on the activities of the Asia-Pacific Telecommunity;
- (d) Items arising from the previous session of the General Assembly as appropriate;
- (e) Items proposed by the Management Committee as appropriate;
- (f) Limits of annual expenditure provided for in the General Budget or in Special Budgets until the next ordinary session of the General Assembly;
- (g) Electing the Secretary General and the Deputy Secretary General and when necessary, defining the terms and conditions of their employment;
- (h) Referring matters to the Management Committee and delegating such powers to it as may be required to deal with such matters;
- (i) Any other items proposed by the Members and the Associate Members of the Telecommunity;
- (j) Any other items which the President or the Secretary General sees fit to include;

- (k) Place and date of the next ordinary session.

***Rule 7***

The agenda of an extra-ordinary session shall comprise only items submitted for consideration in the request for convening the extra-ordinary session.

***Rule 8***

The General Assembly may amend the agenda at any time.

***CHAPTER II Representation and Credentials***

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***Rule 9***

Each Member and Associate Member at the General Assembly shall be represented by an accredited representative. For participation in the General Assembly, representatives should be authorized by a letter of credentials signed by a competent Government authority.

***Rule 10***

A representative may be accompanied to the session of the General Assembly by alternate representatives/advisers and, when absent, the representative may be replaced by an alternate representative.

***Rule 11***

The credentials of each representative to the General Assembly, together with the designation of alternate representatives, shall be deposited with the Secretary General without delay.

***Rule 12***

The President and the two Vice-Presidents shall examine the credentials and report to the General Assembly.

***CHAPTER III Secretariat***

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***Rule 13***

In the event that the Secretary General is unable to attend any of the meetings, he may nominate the Deputy Secretary General or any member of the staff to take his place.

***Rule 14***

The Secretary General or his representative may at any meeting make either oral or written statements concerning any question under consideration.

***Rule 15***

1. The President shall organize the work of the General Assembly and shall act as its Chairman. In the absence of the President, the General Assembly shall select one of the Vice-Presidents to act as its Chairman. In the interval between General Assemblies, the President may be called upon to take the necessary measures for the convening of extra-ordinary sessions.
2. The Chairman, in addition to any other prerogatives conferred under these rules of procedure, shall open and close the meetings of the Assembly, direct the deliberations, ensure that the rules of procedure are applied, give the floor to speakers, put questions to the vote, and announce the decisions adopted.
3. The Chairman shall be responsible for the general direction of all the work of the Assembly, shall ensure that order is maintained at meetings and shall be empowered to rule on motions of order and points of order and, in particular, to propose that discussion on a question be postponed or closed, or that a meeting be suspended or closed, or that a meeting be suspended or adjourned. The Chairman may also decide to postpone the convening of a meeting should it be considered necessary.
4. It shall be the duty of the Chairman to protect the right of each delegation to express its opinion freely and fully on the point at issue.
5. The Chairman shall ensure that discussion is limited to the point at issue, and he may interrupt any speaker who departs therefrom and request such speaker to confine his or her remarks to the subject under discussion.

***Rule 16***

Any Member who wishes to introduce a new proposal during the session should provide a written proposal to the meeting through the Secretary General at least 24 hours before the discussion, unless the General Assembly decides otherwise.

***Rule 17***

During the discussions on any matter, a Member may, when it thinks fit, submit a motion of order or raise a point of order which shall at once be settled by the Chairman in accordance with these rules of procedure. Any Member may appeal against the Chairman's ruling, which shall, however, stand unless a majority of the Members present and voting are against it.

***Rule 18***

A Member submitting a motion of order shall not, during its speech, discuss the substance of the matter in question.

**Rule 19**

The motions and points of order mentioned in rule 17 and rule 18 shall be dealt with in the following order:

- (a) Any point of order regarding the application of these rules of procedure;
- (b) Suspension of a meeting;
- (c) Adjournment of a meeting;
- (d) Postponement of debate on the matter under discussion;
- (e) Closure of debate on the matter under discussion.

**Rule 20**

During the discussion of any matter, a Member may move that the meeting be suspended or adjourned, giving reasons for its proposal. If the proposal is seconded, the opportunity shall be given to two Members to oppose the suspension of adjournment and solely for that purpose, after which the motion shall be put to the vote.

**Rule 21**

During the discussion of any matter, a Member may move the postponement for a stated period of the debate on the item under discussion. In addition to the proposer of the motion, one Member may speak in favour and two against the motion, after which the motion shall be put to the vote.

**Rule 22**

A Member may at any time move that the discussion on the point of issue be closed. In such cases the floor may be given to not more than two Members opposing the motion, after which the motion shall be put to the vote.

**Rule 23**

The General Assembly may, if necessary, limit the time allowed to each speaker. As regards questions of procedure, the Chairman may limit the time allowed for a speech to a maximum of five minutes.

**Rule 24**

The author of a motion may withdraw it before it is put to a vote. Any motion, whether it be amended or not, which has been withdrawn from debate, may be resubmitted or taken up by the author of the amendment or by another Member.

## **CHAPTER V      *Quorum***

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### ***Rule 25***

A quorum for a meeting of the General Assembly shall consist of the accredited representatives of a simple majority of the Members of the Telecommunity.

## **CHAPTER VI      *Voting***

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### ***Rule 26***

As a general rule, the General Assembly shall endeavour to reach decisions which take into account the views expressed by all Members so that it is unnecessary to take a vote.

### ***Rule 27***

If, however, agreement is not reached on a proposal, a vote shall be taken, the results of which shall be recorded in the summary record of the meeting.

### ***Rule 28***

1. Voting shall normally take place by a show of hands.
2. At the request of one or more of the representative present, a roll-call vote shall be taken.
3. In case of more than one contestant for election, voting shall be by secret ballot.
4. At the request of a representative, supported by at least two other representatives, voting shall be by secret ballot. The necessary steps shall then be taken to ensure the secrecy of the vote.

### ***Rule 29***

In the decisions of the General Assembly where Chairman is unable to discern a consensus on any matter, decisions shall be made by a simple majority of Members present and voting with the exception of decisions on financial matters, or other matters that, under the Constitution, require a two-thirds majority of the Members present and voting. In case of a tie, the proposals shall be considered rejected. In computing a majority, abstentions shall not be taken into account.

### ***Rule 30***

Any matter which has been voted upon or otherwise formally dealt with by the General Assembly may not be reconsidered at the same session unless the majority of Members decide otherwise.



***Rule 31***

A Member may give to another Member an authority to cast its vote at any or all meetings at which it is unable to be present. In such a case the Member shall in good time so notify the President. However, a Member may not exercise more than one proxy vote.

***CHAPTER VII Summary Records***

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***Rule 32***

A summary record of the session of the General Assembly shall be prepared by the Secretariat and shall be submitted for adoption by the General Assembly before the conclusion of the session. Where unavoidable, the draft summary record of the session which could not be so adopted should be sent to Members and Associate Members at the earliest possible date after the General Assembly for comments and adoption by consensus ad referendum. Such draft summary record will also be sent to Affiliate Members who should submit comments, if any, through their respective Members or Associate Members.

***Rule 33***

Any representative shall have the right to require the insertion in the summary record of any statements he or she has made during the debates either fully or in summary. In such an event, however, the representative should announce his or her intention in this respect at the meeting and must hand in the text to the Secretary General without delay after the end of the meeting. It is expected that this right shall be used in all cases with discretion.

***CHAPTER VIII Amendments***

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***Rule 34***

These rules may be revised or amended as the need arises in accordance with the Constitution.



**RULES OF PROCEDURE OF THE MANAGEMENT COMMITTEE  
OF THE ASIA-PACIFIC TELECOMMUNITY**

**Source Document: Summary Record of MC-35, Annex 4**

*(Revised at the MC-35, Cheju, 2011)*



## **RULES OF PROCEDURE OF THE MANAGEMENT COMMITTEE OF THE ASIA-PACIFIC TELECOMMUNITY**

### *Preamble*

1. The Rules of Procedure of the Management Committee was adopted pursuant to Article 9 of the Constitution of the Asia-Pacific Telecommunity.
2. Should situations not provided for in these rules arise the appropriate provisions of the Constitution shall be applied and where the Constitution is silent, the Management Committee shall adopt such rules as may be appropriate in the circumstances.

### *Chapter I Sessions*

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#### *Rule 1*

1. The Secretary General shall at least two months before the commencement of an ordinary session notify the Members, Associate Members and Affiliate Members of the opening date of the session and of the provisional agenda.
2. Documents for the session shall be distributed at least six weeks prior to the opening of the session.
3. Under the instruction of the Chairman, the Secretary General shall arrange in conformity with Article 9 paragraph 7 of the Constitution for extra-ordinary sessions to be held as soon as possible but not sooner than 30 days after the date on which a request has been received.
4. Each session of the Management Committee may comprise of several meetings.

#### *Rule 2*

Where necessary and with the concurrence of the Chairman, the Secretary General may invite to participate as observers in the meeting of the Management Committee the following organizations or guests:

- (a) any appropriate United Nations bodies and specialized agencies on basis of reciprocity;
- (b) any appropriate international and regional organizations in matters of mutual concern;
- (c) a non-member who is eligible for membership of the APT; and

- (d) Subject to notification to members and in the absence of any objection from a member being received within two weeks, any telecommunication administrations or entities and any qualified persons or guests in matters of the Telecommunity's interest.

***Rule 3***

At the meetings of the Management Committee, delegations of the Members and Associate Members of the Telecommunity shall each be seated as a group in the alphabetical order of the English names of the Members, and Associate Members represented. The seating for Affiliate Members may be arranged to be as close as possible to the delegation of their respective Members or Associate Members.

***Rule 4***

The provisional agenda for each session shall be drawn up by the Secretary General in consultation with the Chairman.

***Rule 5***

1. The provisional agenda for each session shall include, but not limited to:
  - (a) The election of a Chairman and two Vice-Chairmen where it is appropriate in accordance with Article 9, paragraph 6, of the Constitution;
  - (b) The report of the Secretary General;
  - (c) The reports of the work programme, as appropriate;
  - (d) Items arising from the previous meetings of the Management Committee, as appropriate;
  - (e) Items which have been proposed by any Member or Associate Member of Telecommunity;
  - (f) Items requiring action pursuant to Article 9, paragraph 5(h) of the Constitution;
  - (g) The drafts of the annual work programme and budget;
  - (h) The accounts of the Telecommunity and any financial report;
  - (i) Any other items which the Chairman of the Management Committee or the Secretary General sees fit to include;
  - (j) Place and Date and venue of the next ordinary session of the Management Committee.
  
2. The Management Committee may amend the agenda at any time appropriate.

***CHAPTER II Representation***

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***Rule 6***

Each Member and Associate Member shall be represented at the Management Committee by a nominated representative. The nomination shall be made in writing to the Secretary General by an official at an appropriate level representing a Member or an Associate Member.

**Rule 7**

The representative may be accompanied to the meeting by alternate representatives and advisers and when absent he may be replaced by an alternate representative.

**Rule 8**

The letter of nomination of representative should be deposited with the Secretary General without delay.

**Rule 9**

The Chairman and the two Vice-Chairmen shall examine the letter of nomination and report to the Management Committee.

**CHAPTER III Secretariat**

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**Rule 10**

In the event that the Secretary General is unable to attend any of the meetings, he may nominate the Deputy Secretary General or any member of the staff to take his place.

**Rule 11**

The Secretary General or his representative may at any meeting make either oral or written statements concerning any question under consideration.

**Rule 12**

Where any proposals involving expenditure are concerned, the Secretary General shall prepare and circulate to members of the meeting an estimate of the costs involved in such proposals with possible indications of how such expenditure could be met. It shall be the duty of the Chairman to draw the attention of the meeting to such estimates and invite discussions on them before the proposals are approved.

**CHAPTER IV Conduct of Business**

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**Rule 13**

1. The Chairman shall organize the work of the Management Committee during the meetings. In the absence of the Chairman, the Management Committee shall select one of the Vice-Chairmen to act as its Chairman. In the interval between sessions, the Chairman may be called upon to take the necessary measures for the convening of additional sessions.
2. The Chairman, in addition to any other prerogatives conferred under these rules of procedure, shall open and close the meetings of the Committee, direct the deliberations, ensure that the rules of procedure are applied, give the floor to speakers, put questions to the vote, and announce the decisions adopted.

3. The Chairman shall be responsible for the general direction of all the work of the Management Committee, shall ensure that order is maintained at meetings and shall be empowered to rule on motions of order and points of order and, in particular, to propose that discussion on a question be postponed or closed, or that a meeting be suspended or adjourned. The Chairman may also decide to postpone the convening of a meeting should he consider it necessary.
4. It shall be the duty of the Chairman to protect the right of each delegation to express its opinion freely and fully on the point at issue.
5. The Chairman shall ensure that discussion is limited to the point at issue, and may interrupt any speaker who departs there from and request such speaker to confine his or her remarks to the subject under discussion.

***Rule 14***

Any Member who wishes to introduce a new proposal during the session should provide a written proposal to the meeting through the Secretary General at least 24 hours before the discussion, unless the Management Committee decides otherwise.

***Rule 15***

During the discussions on any matter, a Member may, when it thinks fit, submit a motion of order or raise a point of order which shall at once be settled by the Chairman in accordance with these rules of procedure. Any Member may appeal against the Chairman's ruling, which shall, however, stand unless a majority of Members present and voting are against it.

***Rule 16***

A Member submitting a motion of order shall not, during its speech, discuss the substance of the matter in question.

***Rule 17***

The motions and points of order mentioned in Rule 15 and Rule 16 shall be dealt with in the following order:

- (a) Any point of order regarding the application of these rules of procedure;
- (b) Suspension of a meeting;
- (c) Adjournment of a meeting;
- (d) Postponement of debate on the matter under discussion;
- (e) Closure of debate on the matter under discussion.

***Rule 18***

During the discussion on any matter, a Member may move that the meeting be suspended or adjourned, giving reasons for his or her proposal. If the proposal is seconded, opportunity shall be given to two speakers to oppose the suspension or adjournment and solely for that purpose, after which the motion shall be put to the vote.



***Rule 19***

During the discussion on any matter, a Member may move the postponement, for a stated period, of the debate on the item under discussion. In addition to the proposer of the motion, one Member may speak in favour and two against the motion, after which the motion shall be put to the vote.

***Rule 20***

A Member may at any time move the discussion on the point at issue to be closed. In such cases opportunity may be given to not more than two Members to oppose the motion, after which the motion shall be put to the vote.

***Rule 21***

The author of a motion may withdraw it before it is put to a vote. Any motion, whether it be amended or not, which has been withdrawn from debate, may be resubmitted or taken up by the author of the amendment or by another Member.

***Rule 22***

The Management Committee may set up sub-committees, study groups, working groups or other subordinate bodies to consider matters of concern to it.

***Rule 23***

Participation in such sub-committees, study groups, working groups or other subordinate bodies will be open to Members and Associate Members. Affiliate Members and other relevant parties may also be invited by the Management Committee to participate in such bodies as observers.

***Rule 24***

Such sub-committees, study groups, working groups and other subordinate bodies shall have their own Chairman appointed by the Management Committee and which will also decide upon the dates and venues of their meetings in consultation with the Secretariat.

***CHAPTER V      Quorum***

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***Rule 25***

A quorum for a meeting of the Management Committee shall consist of the nominated representatives of a simple majority of the Members of the Telecommunity.

***CHAPTER VI      Voting***

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***Rule 26***

As a general rule, the Management Committee shall endeavour to reach co-ordinated decisions which take into account the views expressed by all Members so that it is unnecessary to take a vote.

***Rule 27***

If, however, agreement is not reached on a proposal, a vote shall be taken, the results of which shall be recorded in the summary record of the meeting.

***Rule 28***

1. Voting shall normally take place by a show of hands.
2. At the request of one or more of the representative present, a roll-call vote shall be taken.
3. In case of more than one contestant for election, voting shall be by secret ballot.
4. At the request of a representative, supported by at least two other representatives, voting shall be by secret ballot. The necessary steps shall then be taken to ensure the secrecy of the vote.

***Rule 29***

In the decisions of the Management Committee where the Chairman is unable to discern a consensus on any matter, decisions shall be made by a simple majority of Members present and voting with the exception of decisions on financial matters, or other matters that, under the Constitution, require a two-thirds majority of the Members present and voting. In case of a tie, the proposals shall be considered rejected. In computing a majority, abstentions shall not be taken into account.

***Rule 30***

Any matter which has been voted upon or otherwise formally dealt with by the Management Committee may not be reconsidered at the same session unless the majority of Members decide otherwise.

***Rule 31***

A Member may give to another Member an authority to cast its vote at any or all meetings at which it is unable to be present. In such a case the Member shall in good time so notify the Chairman. However, a Member may not exercise more than one proxy vote.

***CHAPTER VII Urgent Questions Raised between Sessions***

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***Rule 32***

Urgent questions raised between sessions shall be dealt with by the Chairman consulting the Members. The Chairman shall inform the Members of the solutions adopted.

## ***CHAPTER VIII Summary Records***

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### ***Rule 33***

A summary record of the session of the Management Committee shall be prepared by the Secretariat and shall be submitted for adoption by the Management Committee before the conclusion of the session. Where unavoidable, the draft summary record of the session which could not be so adopted should be sent to Members and Associate Members at the earliest possible date after the sessions for comments and adoption by consensus ad referendum. Such draft summary record will also be sent to Affiliate Members who should submit comments, if any, through their respective Members or Associate Members.

### ***Rule 34***

Any delegation shall have the right to require the insertion in the minutes of any statement it has made during the debates either fully or in summary. In such an event, however, the delegation should announce its intention in this respect at the meeting and must hand in the text to the Secretary General without delay. It is expected that this right shall be used in all cases with discretion.

## ***CHAPTER IX Amendments***

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### ***Rule 35***

These rules may be revised or amended as the need arises in accordance with the Constitution.



**PART A**  
**RULE AND REGULATION**



**STAFF REGULATIONS AND STAFF RULES  
OF THE ASIA-PACIFIC TELECOMMUNITY**

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# **STAFF REGULATIONS AND STAFF RULES OF THE ASIA-PACIFIC TELECOMMUNITY**

## **PREAMBLE**

In conformity with the provisions of Article 9 Paragraph 5 (b) of the Constitution of the Asia-Pacific Telecommunity (hereinafter referred to as the "Telecommunity"), the Management Committee of the Asia-Pacific Telecommunity in its Thirty Seventh Session in 2013 adopted these Staff Regulations and Staff Rules.<sup>1</sup>

### **Scope and Purpose**

- (a) The Staff Regulations and Staff Rules embody the fundamental conditions of service and the basic rights, duties and obligations of the staff members of the Telecommunity. They represent the broad principles of personnel policy for the staffing and administration of the secretariat. The Secretary General, as the Chief Administrative Officer, shall provide and enforce such Staff Rules consistent with these principles as he considers necessary, taking into account as far as possible the rules and practice of the United Nations Common System.
- (b) Except where otherwise stated, these Regulations and Rules shall apply to all staff members appointed by the Secretary General except staff members specifically engaged for conferences and other short-term service and maintenance personnel.
- (c) These Regulations and Rules shall also be applicable to elected officials.

## **CHAPTER I**

### **DUTIES, OBLIGATIONS AND PRIVILEGES**

#### **Status of Staff Members**

##### **Regulation 1.1**

The staff members of the Telecommunity are international civil servants whose obligations are not national but exclusively international. By accepting appointment, they pledge themselves to discharge their functions and to regulate their conduct with only the interests of the Telecommunity in view.

<sup>1</sup> First version of Staff Regulations and Staff Rules was adopted by the inaugural session of the Management Committee in May, 1979

## **Assignment of Staff Members**

### **Regulation 1.2**

Staff members are assigned to their posts according to the needs of the Telecommunity and, as far as possible, in accordance with their qualifications.

### **Hours of Work**

### **Regulation 1.3**

While the whole time of staff members is at the service of the Telecommunity, the normal working week of full-time staff shall be 40 hours exclusive of meal times, the actual working times being determined by the Secretary General.

#### **Rule 1.3.1**

#### **Hours of Work**

The normal working week shall be worked from Monday to Friday inclusive. Staff members shall be required to work beyond the normal hours of duty whenever requested to do so.

#### **Rule 1.3.2**

#### **Official Holidays**

- (a) In addition to annual leave, staff members shall be entitled to leave on public holidays to be designated by the Secretary General in conformity with local custom. When one of these days falls on a Saturday or Sunday the following Monday shall be observed as a holiday in lieu thereof.
- (b) The following days shall be regarded as official holidays:

- New Year's Day
- Ma Kha Bucha Day
- Chakri Memorial Day
- Visakha Bucha Day
- Buddhist Lent day
- H.M. the Queen's Birthday
- H.M. the King's Birthday
- Christmas Day
- New Year's Eve

This list may be altered by an office order specifying the official holidays for the current year.

## **Conduct**

### **Regulation 1.4**

- (a) In the performance of their duties with the Telecommunity, staff members shall neither seek nor accept instructions from any government or from any other authority external to the Telecommunity.
- (b) Staff members shall conduct themselves at all times in a manner befitting their status as international civil servants. They shall not engage in any activity that is incompatible with the discharge of their duties with the Telecommunity. They shall avoid any action and in particular any kind of public pronouncement which may adversely reflect on their status, or on the integrity, independence and impartiality which are required by that status. While they are not expected to give up their national sentiments or their political and religious convictions, they shall at all times bear in mind the reserve and tact incumbent upon them by reason of their international status.

## **Performance of Staff Members**

### **Regulation 1.5**

- (a) Staff members shall be evaluated for their efficiency, competence and integrity through a performance appraisal mechanism that shall assess the staff member's compliance with the standards set out in these Regulations and Rules for purpose of accountability.
- (b) The Secretary General shall seek to ensure that appropriate learning and development programmes are available to the staff in the interest of the Telecommunity.
- (c) Performance reports shall be prepared annually for all staff members in accordance with procedures promulgated by the Secretary General.

## **Outside Activities and Interests**

### **Regulation 1.6**

- (a) Staff members shall not engage in any continuous or recurring occupation or hold any remunerated office outside the Telecommunity without the prior approval of the Secretary General.
- (b) Apart from their work for the Telecommunity, staff members shall not participate in any manner nor have financial interest whatsoever in any enterprise concerned with telecommunications. They may not accept any gratuities or favours from firms or private individuals concerned with telecommunications or having commercial relations with the Telecommunity.

- (c) A staff member who has occasion to deal in his official capacity with any matter involving a business concern in which he holds a financial interest shall disclose the measure of that interest to the Secretary General.
- (d) Staff members shall not, except in the normal course of official duties or with the prior approval of Secretary General, perform any one of the following acts, if such act relates to the purpose, activities or interests of the Telecommunity.
  - (i) issue statements to the press, radio or other agencies of public information;
  - (ii) accept speaking engagements;
  - (iii) take part in film, theatre, radio or television productions;
  - (iv) submit articles, books or other material for publication.

### **Communication of Information**

#### **Regulation 1.7**

Staff members shall exercise the utmost discretion in regard to all matters of official business. They shall not communicate to any person any information known to them by reason of their official position, which has not been made public, except in the course of their duties or by authorization of the head of department concerned. They shall not at any times use such information to private advantage. These obligations do not cease upon separation from the Telecommunity.

### **Honours and Gifts**

#### **Regulation 1.8**

No staff member shall accept any honour, decoration, favour, gift or remuneration from any source external to the Telecommunity without first obtaining the approval of the Secretary General. Approval shall be granted only where such acceptance is not incompatible with the staff member's status as an international civil servant.

### **Political Activities**

#### **Regulation 1.9**

Staff members may exercise the right to vote but shall not engage in any political activity which is inconsistent with or might reflect upon the independence and impartiality required by their status as international civil servants.

## **Privileges and Immunities**

### **Regulation 1.10**

- (a) Staff members shall enjoy the Privileges and Immunities referred to in the Constitution on the Privileges and Immunities of the Telecommunity, insofar as its Constitution has been acceded to by the Governments concerned or declared valid by analogy or by agreement of other States non-Members of the Telecommunity. Such privileges and immunities shall be codified and published by the Secretary General for the information of all concerned.
  
- (b) These privileges and immunities are conferred in the interests of the Telecommunity. They furnish no excuse to the staff members for non-performance of their private obligations or failure to observe laws and police regulations. In any case where these privileges and immunities arise, the staff member shall immediately report to the Secretary General who will decide whether they shall be waived.

## **Oath or Declaration**

### **Regulation 1.11**

Staff members on taking up their duties shall make and sign the following oath or declaration:

*"I solemnly swear (alternatively, undertake, affirm, promise) to exercise in all loyalty, discretion and conscience the functions entrusted to me as a staff member of the Asia-Pacific Telecommunity; to discharge these functions and to regulate my conduct with only the interest of the Telecommunity in view, without seeking or accepting instructions or assistance from any Government or other authority external to the Telecommunity in regards to the accomplishment of my duties."*

## CHAPTER II

### CLASSIFICATION OF POSTS

#### Regulation 2.1

- (a) The importance of the duties and responsibilities attaching to each grade shall be determined by the Secretary General on the basis of the standards of the United Nations Common System, grading standards fixing the level of duties and responsibilities as well as qualifications required shall be notified to the staff.
  
- (b) In conformity with the decisions of the Management Committee on the numbers and grading of staff of the Telecommunity, the Secretary General shall establish the place of each post in the classification set forth below:
  - (i) The elected officials category includes the following grades in descending order of difficulty and responsibility
    - D2
    - D1
  
  - (ii) Professional Category includes the following grades in descending order of difficulty and responsibility
    - P5 -
    - P4 -
    - P3 -
    - P2 -
    - P1 -
  
  - (iii) General Service Category includes the following grades in descending order of difficulty and responsibility
    - G7
    - G6
    - G5
    - G4
    - G3
    - G2
    - G1-B
    - G1-A

## CHAPTER III

### SALARIES AND ALLOWANCES

#### Salaries

##### **Regulation 3.1**

- (a) The salary scales of the Professional and higher categories and those of the General Service category applicable to Bangkok shall be those specified in the salary scales prescribed by the UN Common System which appear respectively in Annexes 1 and 2 to these Regulations.
- (b) Except where otherwise provided in these Regulations and Rules, "salary" shall mean the net salary arrived at under paragraph (a). The net salary includes deductibles such as Contributory Provident Fund (CPF) staff contribution.

#### Salaries

##### **Regulation 3.2**

Persons specifically engaged for conferences and other short-term service and maintenance personnel shall be subject to conditions of service to be determined by the Secretary General.

#### Initial Salary

##### **Regulation 3.3**

A staff member shall be appointed at the commencing salary of his grade unless the Secretary General decides that the staff member's experience and other qualifications for the duties and responsibilities attaching to his post justify a higher salary. The Secretary General shall report to the next session of the Management Committee cases where he proposes to take such a decision.

#### Advancement within Grade

##### **Regulation 3.4**

Salary increments within the levels set forth in the salary scales shown in Annex 1 (Professional and Higher categories) and Annex 2 (General Service Staff) to these Regulations and Rules shall be awarded annually to staff members on the basis of satisfactory service, except that the period of satisfactory service required for increments to step 12 in level P.2, steps 14 and 15 in level P.3, steps 13 to 15 in level P.4, steps 11 to 13 in level P.5, steps 5 to 9 in level D.1 and steps 2 to 6 in level D.2, shall be two years (Annex 1- those steps marked with an asterisk).

**Rule 3.4.1**  
**Salary Increments**

- (a) Satisfactory service for the purpose of awarding a salary increment shall be defined as satisfactory performance and conduct of staff members in their assignments as evaluated by their supervisors and approved by the Secretary General.
- (b) Salary increments shall be effective on the first day of the month in which the service requirements are completed, provided that the period of service may be shortened to meet the requirements of rule 3.4.2. If an official is granted special leave without pay, he shall not be entitled to consideration for increment during the period of his special leave, and his incremental date shall be retarded by a period equivalent to the amount of special leave.

**Rule 3.4.2**  
**Salary Policy on Promotion**

Staff members receiving promotions shall be paid in accordance with the following provisions:

- (a) During the first year following promotion, a staff member in continuous service shall receive in salary, the amount of one full step in the grade to which he has been promoted more than he would have received without promotion, except where promotion to the lowest step of the grade yields a greater amount. The step rate and date of salary increment in the higher salary grade shall be adjusted accordingly.
- (b) On promotion of a staff member from the General Service Category to the Professional Category, the step in the professional grade and the date of next salary increment are determined in such a way that the total of the new base pay plus the appropriate post adjustment at the single rate shall, during the first year following promotion, exceed by the amount of one step in the professional grade his salary in the General Service Category including the non-resident's allowance, if applicable.
- (c) Where promotion from the General Service Category to the Professional Category results in a decrease of a staff member's CPF remuneration, he shall keep his CPF remuneration at the level which it had reached immediately prior to the promotion until that level is exceeded as a result of advancement or further promotion.



## **Post Adjustment**

### **Regulation 3.5**

- (a) In order to adjust for cost-of-living variations at different duty stations and variations over time in relation to a base index, there shall be added to the net base salary of a staff member in the Professional category and above a post adjustment, the amount of which shall be determined by multiplying one per cent of that net base salary by a multiplier reflecting the number of points by which the multiplier index for the duty station concerned exceeds the base index.
- (b) The post adjustment index for Bangkok and the corresponding multiplier shall be determined at regular intervals by the UN Common System.

## **Overtime**

### **Regulation 3.6**

- (a) Staff members in the General Service Category who are required to work in excess of any normal working week shall be given compensatory time off, or may receive additional payment, under the conditions stipulated below, and practices of the UN Common System.
- (b) Should the exigencies of the service permit, and subject to the prior approval of the Secretary General, occasional compensatory time off may be granted to staff members in the Professional Category, who have been required to work substantial or recurrent periods of overtime.

### **Rule 3.6.1**

#### **Compensation of Overtime**

- (a) Overtime shall be compensated only when it is worked on the instructions of the responsible immediate supervisor. Save where unusual exigencies of the service otherwise require, a staff member will not be asked to work more than 40 hours of overtime during one month.
- (b) For General Service category staff, compensatory time off or additional payment shall be given in accordance with the following provisions:
  - (i) Overtime means time worked over and above the full-time normal working week. In computing overtime for any day, periods of less than a quarter of an hour will be disregarded. The total amount of overtime worked in excess of the working week will be computed in hours and half hours, any fraction of a half hour will be disregarded. Official holidays or any other authorized absence from duty during the course of the week will be counted as time worked towards the regularly scheduled tour of duty.

- (ii) Staff members in the General Service Category who are required to work overtime shall, as far as possible, be compensated by time off. Such compensation shall be made as soon as the exigencies of the service permit, and in no case later than eight weeks after the overtime as worked, on the basis of equal time. If a staff member's responsible immediate supervisor certifies that owing to exceptional circumstances, the necessities of the service do not permit the grant of compensatory time off within eight weeks after the overtime was worked, the overtime shall be compensated in cash in accordance with the UN Common System.
- (iii) No special compensation will be allowed for work done during the week outside regular working hours where the modification of the normal timetable is due to the adoption of a shift or roster system, except where the total time worked exceeds the full normal working week.

### **Education Grant**

#### **Regulation 3.7**

- (a) An education grant shall be available to a staff member who is not locally recruited and whose dependent child under the age of 21 years is in full-time attendance at a school, university or similar educational institution of a type which will, in the opinion of the Secretary General, facilitate the child's re-assimilation in the staff member's recognized home country. The maximum number of children for whom education grant is to be given shall be two<sup>2</sup>. Travel costs of the child may also be paid for an outward and return journey once in each scholastic year between the educational institution and Bangkok, by a route approved by the Secretary General, but not in an amount exceeding the cost of such a journey between the home country and Bangkok.
- (b) An education grant shall also be available to a staff member who is obliged to pay tuition for the teaching of his mother tongue to a dependent child attending a local school in which the instruction is given in a language other than his own.
- (c) The Secretary General may decide in each case whether the education grant shall extend to adopted children or step-children.

Education Grant benefits shall be available to staff members in conformity with the following rules.

<sup>2</sup> In line with two children under dependency allowance

## **Definitions**

- (a) For the purpose of this rule:
- (i) "Child" means a legal child of a staff member who is dependent upon the staff member for main and continuing support. "Disabled child" means a child who is unable, by reasons of physical or mental disability, to attend a normal educational institution and therefore requires special teaching or training to prepare him or her for full integration into society, or, while attending a normal educational institution, requires special teaching or training to assist him or her in overcoming the disability.
  - (ii) "Home country" means the country of home leave of the staff member under rule 5.3.1. If both parents are eligible staff members, "home country" means the country of home leave of either parent.
  - (iii) "Duty Station" means the country, or area within commuting distance notwithstanding national boundaries, where the staff member is serving.
  - (iv) "Cost of attendance" shall include the cost of enrolment, prescribed text books, courses, examinations and diplomas, and boarding fees, when applicable, but not school uniforms or optional charges. Where local conditions justify such provision, the cost of attendance may include the cost of midday meals, if these are provided by the school, and the cost of daily group transportation.
  - (v) Local transport costs for disabled children may be refunded up to double the cost of normal daily group transportation.

### **Rule 3.7.1**

#### **Eligibility to the Education Grant**

- (b) The grant shall not, be payable in respect to:
- (i) Attendance at a kindergarten or nursery school at the pre-primary level;
  - (ii) Attendance at a free school or one charging only nominal fees at the duty station;
  - (iii) Correspondence course, except those which in the opinion of the Secretary General are the best available substitute for full-time attendance at a school of a type not available at the duty station;

- (iv) Private tuition, except tuition in a language of the home country at duty stations where satisfactory school facilities for learning that language are not available;
  - (v) Vocational training or apprenticeship which does not involve full-time schooling or in which the child receives payment for services rendered.
- (c) The grant shall be payable up to the end of the school year in which the child completes 4 years of post secondary studies or is awarded the first recognized degree, whichever is the earlier. The grant shall not normally be payable beyond the school year in which the child reaches the age of 25 years. If the child's education is interrupted for at least one school year by national service, illness or other compelling reasons, the period of eligibility shall be extended by the period of interruption.

**Rule 3.7.2**  
**Amount of the Education Grant**

- (d) In the case of attendance at an educational institution outside the duty station, the amount of the grant shall be:
- (i) Where the institution provides board for the child, 75 percent of admissible expenses for attendance and of boarding expenses up to a maximum reimbursable amount as indicated in Annex 3.
  - (ii) Where the institution does not provide board, the amount of the grant per year shall be the sum of a flat sum for boarding and 75 percent of admissible expenses for attendance, up to a maximum reimbursable amount as indicated in Annex 3.
- (e) In the case of attendance at an educational institution at the duty station:
- (i) The amount of the grant shall be the sum of 75 percent of admissible expenses for attendance, up to a maximum reimbursable amount as indicated in Annex 3. The flat sum for boarding will not be paid.
  - (ii) Where such an educational institution is located beyond commuting distance from the area where the staff member is serving and, in the opinion of the Secretary General, no school in that area would be suitable for the child, the amount of the grant shall be calculated at the same rates as specified in paragraph (d) above.
- (f) Where attendance is for less than two-thirds of the scholastic year, the amount of the grant for that year shall be that proportion of the grant otherwise payable which the period of attendance bears to the full scholastic year.

- (g) Where the period of service of the staff member does not cover the full scholastic year, the amount of the grant for that year shall normally be that proportion of the grant otherwise payable which the period of service bears to the full scholastic year.

**Rule 3.7.3**

**Travel**

- (h) A staff member to whom an education grant is payable under paragraph (d) or under sub-paragraph (e) (ii) above in respect of his or her child's attendance at an educational institution shall be entitled to travel expenses for the child of one return journey each scholastic year between the educational institution and the duty station, provided that;
- (i) Such travel expenses shall not be paid if the requested journey is unreasonable, either because of its timing in relation to other authorized travel of the staff member or his or her eligible family members or because of the brevity of the visit in relation to the expense involved;
- (ii) Where attendance is for less than two thirds of the school year, travel expenses shall not normally be payable;
- (iii) Transportation expenses shall not exceed the cost of a journey between the staff member's home country and the duty station,

**Rule 3.7.4**

**Tuition of the Mother Tongue**

- (i) The Secretary General shall decide in each case whether the education grant shall be paid for tuition of the mother tongue under the Staff Regulation 3.7(b).

**Rule 3.7.5**

**Claims for Education Grant**

- (j) Claims for the education grant shall be submitted in writing and supported by evidence satisfactory to the Secretary General.

**Rule 3.7.6**

**Special Education Grant for Disabled Children**

- (k) A special education grant for disabled children shall be available to staff members of all categories, regardless of whether or not they are serving in their home country, provided that they have an appointment of one year or longer or have completed one year of continuous service.

- (l) The amount of the grant shall be 100 percent of the admissible educational expenses actually incurred, up to a maximum amount prescribed by the UN Common System. Expenses for special equipment for educational purposes shall be reimbursed, if not otherwise covered under health insurance within the overall maximum amount.
- (m) The grant shall be computed on the basis of the calendar year, if the child is unable to attend a normal educational institution, or on the basis of the school year, if the child is in full-time attendance at a normal educational institution while receiving special teaching or training. The grant shall be payable in respect of any disabled child from the date on which the special teaching or training is required up to the end of the school year or the calendar year, as appropriate, in which the child reaches the age of 25 years.
- (n) Where the period of service does not cover the full school year or calendar year, the amount of the grant shall be that proportion of the annual grant which the period of service bears to the full school or calendar year.
- (o) Claims for the grant shall be submitted annually in writing and supported by medical evidence satisfactory to the Secretary General regarding the child's disability. The staff member shall also be required to provide evidence that he or she has exhausted all other sources of benefits that may be available for the education and training of the child. The amount of educational expenses used as the basis for the calculation of the special education grant shall be reduced by the amount of any benefits so received or receivable by the staff member.

### **Dependency Allowance**

#### **Regulation 3.8**

##### Definition of dependency

For the purposes of these Regulations and Rules:

- a) A "dependent spouse" shall be a spouse whose occupational earnings, if any, do not exceed the lowest entry level of the United Nations General Service gross salary scales in force on 1 January of the year concerned for the duty station in the country of the spouse's place of work, provided that, in the case of staff in the Professional category or above, the amount shall not at any duty station be less than the equivalent of the lowest entry level at the base of the salary system (G.2, step 1 for New York).

When husband and wife have been legally separated, the Secretary-General shall decide, in each case, whether the allowance shall be paid.

- b) i) A "dependent child" shall be:
  - a) a staff member's natural or legally adopted child, or

- b) a staff member's stepchild, if residing with the staff member,

under the age of 18 years or, if the child is in full-time attendance at a school or university (or similar educational institution), under the age of 21 years, for whom the staff member provides main and continuing support.

The Secretary-General shall establish special conditions under which other children, who fulfil the age, school attendance and support requirements indicated above, may be regarded as dependent children of a staff member.

If a child over the age of 18 years is physically or mentally incapacitated for substantial gainful employment, either permanently or for a period expected to be of long duration, the requirements as to school attendance and age shall be waived.

- ii) A staff member claiming a child as dependent must certify that he has assumed responsibility for the main and continuing support of that child. Documentary evidence satisfactory to the Secretary-General, must always be produced in support of the claim in the following cases:

- a) if divorce or legal separation has occurred and the natural or legally adopted child is not residing with the staff member;
- b) where legal adoption is not possible and the child is residing with the staff member who has responsibility for him as a member of the family;
- c) if the child is married.

- c) A "secondary dependant" shall be the father, mother, brother or sister of whose financial support the staff member provides one half or more, and in any case at least twice the amount of the dependency allowance, provided that the brother or sister fulfils the same age and school attendance requirements established for a dependent child. If the brother or sister is physically or mentally incapacitated for substantial gainful employment, either permanently or for a period expected to be of long duration, the requirements as to school attendance and age shall be waived.
- d) A dependency allowance shall be paid in respect of not more than one dependent parent, brother or sister; such payment shall not be made where dependency benefit is being paid for a spouse.
- e) With a view to avoiding duplication of benefits and in order to achieve equality between staff members who receive dependency benefits under applicable laws in the form of governmental grants and staff members who do not receive such dependency benefits, the Secretary-General shall prescribe conditions under which the dependency allowance for a child specified in section A and section B of Rule 3.8.1, shall be payable only to the extent that the dependency benefits enjoyed by the staff member or his spouse under applicable laws amount to less than such a dependency allowance.

### **Rule 3.8.1**

#### **Amount of the dependency allowances**

- a) Subject to the conditions set out in Staff Regulation 3.8, dependency allowances shall be paid to eligible staff members as indicated under A and B below.
- b) The full amount of the dependency allowance provided under the Regulation in respect of a dependent child shall be payable, except where the staff member or his spouse receives a governmental grant in respect of the same child. Where such a governmental grant is made, the dependency allowance payable under the Regulation shall be approximately the difference between the amount of the governmental grant and that of the dependency allowance set out in the Regulation. In no case shall the sum of the two payments be less than the amount set out in the Regulation.

#### **A. Staff Members in the Professional Category**

A staff member in the Professional Category and higher shall be entitled to receive annual dependency allowances up to his second child as follows:

- a) the amount established as provided in Annex 4 to these Regulations and Rules for each dependent child. The allowance shall not be paid, however, in respect of the first dependent child if the staff member has no dependent spouse, in which case the staff member shall be entitled to the dependency rate under Annex 1 to these Regulations and Rules;
- b) the amount established in US\$ or twice the amount established as provided in Annex 4 to these Regulations and Rules for each disabled child. However, if the staff member has no dependent spouse and is entitled to the dependency rate under Part I of Annex to these Regulations and Rules in respect of a disabled child, the allowance for that child, shall be reduced to the amount set for a dependent child;
- c) the amount established in Annex 4 to these Regulations and Rules as a single allowance for a person who is not directly dependent where there is no dependent spouse.

#### **B. Staff Members in the General Service Category**

A staff member in the General Service Category at Bangkok shall be entitled to receive an annual allowance up to his second child as follows:

- a) the amount established in local currency as provided in Annex 4 to these Regulations and Rules for each dependent child;(ii)twice the amount established in local currency as provided in Annex 4 for each disabled child.



- b) A staff member in the General Service Category shall be paid the amount established in local currency as provided in Annex 4 to these Regulations and Rules for a dependent spouse.

**Rule 3.8.2**  
**Submission of claims**

Claims for dependency allowances shall be submitted in writing and supported by evidence satisfactory to the Secretary General. A separate claim shall be made each year and the staff member shall notify immediately to the Secretary General any change in the status of a dependant affecting the payment of this allowance.

**Salary Advances**

**Regulation 3.9**

- (a) Salary advances may be made under the following circumstances and conditions:
  - (i) in cases where new staff members take up their duties without sufficient funds
  - (ii) upon departure for extended official travel or approved leave, up to the amount that would fall due for payment during the anticipated period of absence;
  - (iii) in exceptional and compelling circumstances, and if the request of the staff member is supported by a detailed justification in writing.
- (b) Advances granted under paragraph (a) (1) and (3) may not be greater than the amount of two months' salary.
- (c) Advances must be repaid by instalments as determined at the time the advance is authorized and within a period which must not normally exceed six months. A new advance may not be granted until the previous loan has been fully repaid.

**Contributory Provident Fund Remuneration**

**Regulation 3.10**

The Secretary General shall inform the staff of the elements constituting Contributory Provident Fund (CPF) remuneration within the meaning of the Regulations of the Telecommunity's CPF (Annex 5), and of the deduction which will be made from their salary.

CPF remuneration is defined as follows:

- (a) For staff in the Professional Category, and higher, CPF remuneration shall correspond to the scale established by the UN Common System, in this instance, the rate of pensionable remuneration
- (b) For staff in General Service Category, CPF remuneration shall correspond to the scale established by the UN Common System, in this instance, the rate of gross pensionable salary.

### **Deduction from Salary**

#### **Regulation 3.11**

Deduction shall be made, each month, from the total payments due to each staff member:

- (a) for contributions to the Asia-Pacific Telecommunity's CPF based on the staff member's CPF remuneration as defined in Regulation 3.10.
- (b) for contribution to the staff health insurance scheme (Annex 6);
- (c) for indebtedness to the Telecommunity
- (d) for indebtedness to third parties when any deduction for this purpose is authorized by the Secretary General and by the staff member.

#### **Rule 3.11.1**

#### **Retroactivity of Payments**

A staff member who has not been receiving an allowance, grant or other payment to which he or she is entitled shall not receive retroactively such allowance, grant or payment unless the staff member has made written claim within one year following the date on which he would have been entitled to the initial payment.

## CHAPTER IV

### RECRUITMENT, APPOINTMENT AND PROMOTION PRINCIPLES

#### Appointment and Promotion Principles

##### **Regulation 4.1**

The paramount consideration in the appointment or promotion of staff and in the determination of the conditions of service shall be the necessity of securing for the Telecommunity the highest standards of efficiency, competence and integrity.

#### Geographical Distribution

##### **Regulation 4.2**

- (a) Due regard shall be paid to the importance of recruiting staff on as wide a geographical basis as possible within the Asia-Pacific region given, other qualifications being equal.
- (b) This principle shall not apply to posts in the General Service Category.

#### Promotions

##### **Regulation 4.3**

Without prejudice to the recruitment of fresh talent at all levels, staff in service be given reasonable promotion possibilities.

#### Local Recruitment

##### **Regulation 4.4**

- (a) A locally recruited staff member shall be defined as a staff member in the General Service Category who, at the time of recruitment, fulfills any of the following conditions:
  - (i) is a Thai national;
  - (ii) is recruited for a post which, in the opinion of the Secretary General, is normally restricted to local recruitment.
- (b) A staff member shall cease to be regarded as locally recruited:
  - (i) if he has been recruited in accordance with the provisions of paragraph a(ii) above and is subsequently promoted to the Professional category;

- (c) A staff member regarded as having been locally recruited, shall not be eligible for the allowances or benefits indicated under Regulation 4.5.

### **International Recruitment**

#### **Regulation 4.5**

Staff members other than those regarded under Regulation 4.4 as having been locally recruited shall be considered as having been internationally recruited. The allowances and benefits in general available to internationally recruited staff members include: payment of travel expenses upon initial appointment and on separation for themselves and their dependents, unaccompanied shipment or removal of personal effects and household goods according to length of contract, home leave, education grant and repatriation grant.

### **Nationality**

#### **Regulation 4.6**

- (a) In the application of these Regulations and Rules, the Telecommunity shall not recognize more than one nationality for each staff member.
- (b) When a staff member has been legally accorded nationality status by more than one State, the staff member's nationality for the purposes of these Regulations and Rules shall be the nationality of the State with which the staff member is, in the opinion of the Secretary General, most closely associated.

### **Selection**

#### **Regulation 4.7**

Selection of staff members shall be made without distinction as to race, sex or religion.

#### **Rule 4.7.1**

#### **Family Relationships**

- (a) Except where no other equally well qualified person can be recruited, appointment shall not be granted to a person who bears any of the following relationships to a staff member: husband, wife, father, mother, son, daughter, brother or sister.
- (b) A staff member who bears to another staff member any of the relationships specified in (a) above:
  - (i) Shall not be assigned to serve in a post which is superior or subordinate in the line of authority to the staff member to whom he is related;

- (ii) Shall disqualify himself from participating in the process of reaching or reviewing an administrative decision affecting the status or entitlements of the staff member to whom he or she is related.
- (c) The marriage of one staff member to another shall not affect the contractual status of either spouse but their entitlements and other benefits shall be modified as provided in the relevant these Regulations and Rules. .

### **Appointment of Staff Members**

#### **Regulation 4.8**

- (a) Appointment of staff members shall be made by the Secretary General within the limits authorized by the Management Committee.
- (b) "Selection for posts in grades P1 and above shall be made on an international competitive basis; vacancies for external recruitment shall be advertised as widely as possible and communicated to the Administrations of all the Members/Associate Members of the Telecommunity and to the staff members of the Telecommunity indicating in detail the nature of the post to be filled, the qualifications required and the terms of appointment.
- (c) For other vacancies in grades GS1 to GS7 recruitment shall be made on a competitive basis, from as near a place to Bangkok as possible.
- (d) "When vacancies are advertised, in accordance with the provisions of paragraph (c) above, all applications from outside may be submitted through an administration, in principle within a minimum period of two months, or directly to the Telecommunity on the understanding that the Secretary General would in such cases normally consult with the Administrations of the nationals involved before making a final selection.

#### **Rule 4.8.1**

#### **Promotion of Staff Members**

- (a) Unless experience or qualifications (demonstrated in another field than the one in which staff members assumed their duties until then or proven by passing an appropriate examination) justify an exception, the following periods of service in a grade shall be required before promotion to the next higher grade is considered:
  - (i) At least one year, for staff members in the Professional category;
  - (ii) At least six months for staff members in the General Service category.

## **Appointment and Promotion Board**

### **Regulation 4.9**

- (a) The Secretary General shall establish an Appointment and Promotion Board to advise him in all cases where a vacancy is advertised. The Board should consist of 3 people, the Chairman of the Board being a staff member of the Professional category or above, excluding the Secretary General.
- (b) The Secretary General shall report to the next session of the Management Committee whenever he proposes to take a decision on promotion contrary to the advice of the Appointment and Promotion Board; the final decision as approved by the Committee will be taken with retroactive effect.

## **Medical Examination**

### **Regulation 4.10**

The Secretary General shall take steps to ensure that staff members meet appropriate medical standards before appointing them and during their service with the Telecommunity.

#### **Rule 4.10.1**

### **Medical Examination**

- (a) No appointment shall be made until a doctor recognized by the United Nations has issued a certificate to the effect that the candidate is free from any disability or disease which would interfere with the proper discharge of his duties.
- (b) Staff members may be required from time to time to satisfy the Secretary General, by medical examination, that they are free from any ailment likely to impair the health of others or interfere with the proper discharge of their duties.
- (c) Staff members may also be required to undergo such medical examinations and receive such inoculations as may be required before they go on or after they return from mission.
- (d) The Secretary General may require a staff member, on leaving the service of the Telecommunity, to undergo a medical examination.

**Notification by Staff Members and  
Obligation to Supply Information**

**Regulation 4.11**

Staff members shall be responsible on appointment for supplying the Secretary General with whatever information may be required for the purpose of determining their status and entitlement under these Regulations and Rules, or of completing administrative arrangements in connection with their appointments.

**Rule 4.11.1**

**Information to be supplied by Staff Members**

- (a) Staff members shall be responsible for promptly notifying the Secretary General, in writing, of any subsequent changes affecting their status and entitlements under these Regulations and Rules.
- (b) A staff member who intends to acquire permanent residence status in any country other than that of his nationality, or who intends to change his nationality, shall notify the Secretary General of that intention before the change in his residence status or in his nationality becomes final.
- (c) A staff member who is arrested, charged with an offence other than a minor traffic violation, or summoned before a court as a defendant in a criminal proceeding, or convicted, fined or imprisoned for any offence other than a minor traffic violation, shall, as soon as possible, report the fact to the Secretary General.
- (d) A staff member may at any time be required by the Secretary General to supply information concerning facts prior to his appointment and relevant to his suitability, or concerning facts relevant to his integrity, conduct and service as a staff member.

**Letter of Appointment**

**Regulation 4.12**

- (a) Upon appointment, each staff member shall receive a letter of appointment signed by the Secretary General or by a representative of the Secretary General authorized for this purpose.
- (b) A copy of these Regulations and Rules and of the Regulations of the Asia-Pacific Telecommunity's Provident Fund shall be transmitted to the staff member with the letter of appointment. In accepting appointment the staff member shall state that he has been acquainted with and accepts the conditions laid down in these Staff Regulations and Staff Rules.

**Rule 4.12.1**  
**Letter of Appointment**

The letter of appointment shall state:

- (a) that the appointment is subject to the provisions of the Staff Regulations and Staff Rules applicable to the category of appointment in question, and to changes which may be duly made in such regulations and rules from time to time;
- (b) the nature of the appointment;
- (c) the date at which the staff member is required to take up his duties;
- (d) the period of appointment, the notice required to terminate it;
- (e) the category, grade, commencing rate of salary;
- (f) any special conditions which may be applicable.

**Re-Employment**

**Regulation 4.13**

A former staff member may be re-appointed or reinstated under the following conditions:

- (a) A former staff member on re-appointment, shall be regarded as becoming a staff member for the first time; however, former service shall be counted for the purpose of determining seniority in grade.
- (b) Exceptions may be made to this Regulation in the case of a former staff member who is re-instated within 12 months of being separated from service, or who is re-instated following retirement on disability or following termination on reduction of staff.

**Types of Appointment**

**Regulation 4.14**

- (a) General Staff members shall be granted either continuing, fixed or short-term appointments under such terms and conditions consistent with these Regulations and Rules as the Secretary General may prescribe.
- (b) Professional Staff members shall be granted either fixed term appointments of up to 3 years, which may be renewed for periods of up to 3 years, or short-term appointments under such terms and conditions consistent with these Regulations and Rules as the Secretary General may prescribe.



- (c) The Secretary General shall prescribe which General Staff members are eligible for continuing appointments. Part-time staff shall be subject to the conditions of employment fixed by the Secretary General in proportion to the time for which they are engaged.

**Rule 4.14.1**

**Continuing Appointments for General Service Staff**

- (a) A Continuing Appointment is an appointment without a time-limit which may be granted to a staff member who holds Fixed Term Appointment and who, by his qualifications, performance and conduct, has fully demonstrated his suitability as an international civil servant and has shown that he meets the highest standards of efficiency, competence and integrity.

**Rule 4.14.2**

**Fixed-term Appointments**

Fixed-term Appointments, having an expiration date specified in the letter of appointment, may be granted for a period of not less than one year and not exceeding five years to persons recruited for service prescribed duration.

**Rule 4.14.3**

**Short-term Appointments**

Short-term Appointments shall be granted for periods of less than one year as, for example, for the duration of a conference or for special work.

## **CHAPTER V**

### **ANNUAL, SPECIAL AND HOME LEAVE**

#### **Annual Leave**

##### **Regulation 5.1**

- (a) Staff members who are in-service for more than 3 years and elected officials shall be entitled to annual leave with full pay at the rate of 30 working days for 12 months' service with the Telecommunity. Other staff who are employed for less than 3 years shall be entitled to annual leave with full pay at the rate of 20 working days for 12 months' service with the Telecommunity
- (b) All arrangements as to leave shall be subject to the exigencies of the service but the personal circumstances and preferences of the individual staff member will as far as possible be considered.

##### **Rule 5.1.1**

#### **Annual Leave**

- (a) Annual leave shall accrue during the period for which a staff member is entitled to full pay subject to the provisions of the Rule governing Special Leave and provided that no leave shall accrue while a staff member is receiving compensation equivalent to salary and allowances for injury or other disability attributable to service or while he is suspended from his duties without pay.
- (b) Leave may be taken only when authorized. The exigencies of service may require that leave be taken by a staff member during a period designated by the Secretary General.
- (c) Annual leave may be taken in units of days and half days.
- (d) Not more than half the days of annual leave due in any calendar year may be carried forward from that year to the next, and the total of annual leave carried forward shall not exceed 60 days.
- (e) Any absence from duty not specifically covered by other provisions in these Rules shall be charged to the staff member's accrued annual leave if any; if he has no accrued annual leave, it shall be considered as unauthorized and pay and allowances shall cease for the period of such absence, unless the circumstances are such that the Secretary General decides to grant full or partial pay.

- (f) A staff member may, in exceptional circumstances be granted advance annual leave up to a maximum of ten working days, provided his service is expected to continue for a period beyond that necessary to accrue the leave so advanced.
- (g) A staff member shall not be recalled from annual leave without the approval of the Secretary General. If a staff member is recalled and subsequently resumes his annual leave at the place from which he was recalled, he shall be reimbursed for the expense he incurred in travelling to and from that place. If for reasons of service, the provision of paragraph (d) cannot be observed in the case of such staff member, the annual leave due to him shall be carried forward to the next year.

### **Special Leave**

#### **Regulation 5.2**

Provided that the service does not suffer thereby, special leave with full or partial pay or without pay may be granted in exceptional cases, for such periods as the Secretary General may prescribe, taking into account the interest of Telecommunity to staff members who have exhausted their annual leave and accumulated leave. Special leave is normally without pay. In very exceptional circumstances, special leave with full or partial pay may be granted only for a very limited duration.

- (a) Special leave may be granted for advanced study or research in the interest of the Telecommunity, in cases of extended illness, or for other important reasons.
- (b) Special leave without pay may be granted to a staff member for the accomplishment of their national military obligations.
- (c) Staff members shall not accrue service credits towards annual, home and maternity leave, salary increment, termination indemnity and repatriation grant during full months of special leave with partial or without pay. No contribution will be paid by the Telecommunity for the staff member's CPF or sickness insurance during such periods. Periods of less than one calendar month of such leave shall not affect the rates of accrual; nor shall continuity of service be considered broken by periods of special leave.

### **Home Leave**

#### **Regulation 5.3**

Home leave shall be granted at the expenses of the Telecommunity every two years to staff members serving outside the country of their home, except locally recruited staff members, to permit them to spend a regular period of accrued annual leave in their country with a view to maintaining contact with it.

**Rule 5.3.1**  
**Home Leave**

- (a) An eligible staff member shall be granted home leave provided that his service is expected by the Secretary General to continue at least six months beyond the date of his return from any proposed home leave. Furthermore, his expected length of service must also be at least 30 months beyond the date of appointment, in the case of the first home leave. In the case of home leave following the return from travel to visit eligible dependants under Rule 7.1.1(b), granting of home leave shall normally be subject to not less than nine months of continuous service having elapsed since departure on travel to visit eligible dependants.
- (b) Staff members whose eligibility under paragraph (a) above is established at the time of their appointment shall begin to accrue service credit toward home leave from that date. Staff members who, subsequent to appointment, acquire home leave entitlement as a result of promotion shall begin to accrue such service credit from the effective date thereof.
- (c) The country of home leave shall be country of the staff member's nationality under Regulation 4.6(b), subject to the following conditions :
  - (i) The place of home leave of the staff member within the country of the staff member's nationality under Regulation 4.6 (b) shall be, for purposes of travel and transportation entitlements, the place with which the staff member had the closest residential ties during the period of his most recent residence in that country preceding appointment;
  - (ii) The Secretary General, in exceptional and compelling circumstances may authorize as the home country for the purposes of this rule, a country other than the country of nationality under Regulation 4.6(b). A staff member requesting such authorization will be required to satisfy the Secretary General that he maintained his normal residence in such other country for a prolonged period preceding his appointment that he continues to have close family or personal ties in that country and that his taking home leave there would not be inconsistent with the purposes and intent of Staff Regulation 5.3.
- (d) The first home leave for an eligible staff member shall fall due in the second calendar year after the one in which he was appointed or in which entitlement is acquired.
- (e) Home leave may be taken, subject to the exigencies of service at any time during the calendar year in which it falls due.
- (f) In exceptional circumstances, a staff member may be granted advanced home leave provided that not less than 12 months of qualifying service have elapsed

since the date of return from his last home leave. The granting of advance home leave shall not alter the calendar year in which the next home leave falls due. The granting of advance home leave shall be subject to the conditions for the entitlement being subsequently met. If these conditions are not met, the staff member shall be required to reimburse the travel costs paid by the Telecommunity for the advance leave.

- (g) If, except as provided hereunder, a staff member delays taking his home leave beyond the calendar year in which it falls due, he shall not be entitled to take his next such leave until the second succeeding calendar year thereafter. Should, however, the Secretary General decide that exceptional circumstances, arising out of the exigencies of the service, make it necessary for a staff member's home leave to be delayed beyond the calendar year in which it falls due, such delayed leave may be taken without altering the time of his next and succeeding home leave entitlements provided that not less than 12 months of qualifying service elapse between the date of the staff member's return from the delayed home leave and the date of his next home leave departure.
- (h) A staff member may be required to take his home leave in conjunction with travel on official business, due regard being paid to the interests of the staff member and his family.
- (i) Subject to the conditions specified in Chapter VII below, a staff member shall be entitled to claim in respect of authorized travel on home leave, travel time and expenses for himself and eligible dependants for the outward and return journeys between his official duty station and the place of home leave. Except for allowable travel time, the period of home leave shall be chargeable to annual leave.
- (j) Travel of dependants shall be in conjunction with the approved home leave of the staff member; eligible exceptions may be granted, however, if the exigencies of the service or other special circumstances prevent the staff member and his eligible dependants from travelling together. Home leave of eligible dependants shall not normally be authorized unless the dependants have been at the official duty station for at least six months prior to departure on home leave
- (k) If both husband and wife are staff members eligible for home leave, they shall be granted home leave when due, with or without the other spouse, except that neither shall be entitled to more than one travel every two years. Dependent children, whose parents are staff members each of whom is entitled to home leave, may accompany either parent provided that the frequency of travel does not exceed once in every two years.
- (l) A staff member travelling on home leave shall normally be required to spend at least two weeks in his home country. The Secretary General may request a staff member, on his return from home leave, to furnish satisfactory evidence that this requirement has been fully met.

**CHAPTER VI**  
**SOCIAL SECURITY**

**Social Security**

**Regulation 6.1**

Provision shall be made for the participation of staff members in the Asia Pacific Telecommunity's Contributory Provident Fund (CPF) in accordance with the regulations of that Fund.

**Social Security**

**Regulation 6.2**

The Secretary General shall establish a scheme of social security for the staff, besides that provided under Regulation 6.1, including provisions for health protection, sick leave and maternity leave, and reasonable compensation in the event of illness, accident or death attributable to the performance of official duties on behalf of the Telecommunity.

**Rule 6.2.1**

**Staff Health Insurance Fund**

Every staff member engaged for at least six months shall participate in the group health insurance schemes arranged by the Secretary General. Staff member's family may also participate in the group health insurance schemes. Staff member's contribution and subsidies by the Telecommunity according to respective levels are shown in Annex 6.

**Rule 6.2.2**

**Sick Leave**

- (a) Staff members who are incapacitated from the performance of their duties by illness or injury or whose attendance is prevented by public health requirements shall be granted sick leave in accordance with the following provisions:
- (i) all sick leave shall be approved on behalf of the Secretary General;
  - (ii) a staff member holding a continuing or a fixed-term appointment of one year or longer shall be permitted sick leave up to three months on full salary and up to three months on half salary in any period of 12 consecutive months, provided that the amount of sick leave permitted in any four consecutive years shall not exceed 18 months, of which nine months on full salary and nine months on half salary;

- (iii) staff members shall be responsible for informing their supervisors as soon as possible of absence due to illness or injury. Where practicable they should, before absenting themselves, report to the Secretary General.
  - (iv) except with the approval of the Secretary General, no staff member may be granted sick leave without producing a certificate from a duly qualified medical practitioner, to the effect that he is unable to perform his duties and stating the probable duration of incapacity. Such certificate shall, except in circumstances beyond the control of the staff member, be produced not later than the end of the seventh day following the initial absence from duty of the staff member;
  - (v) a staff member may be required at any time to submit a medical certificate as to his condition or to undergo examination by a medical practitioner named by the Secretary General. Further sick leave may be refused or the unused portion withdrawn if the Secretary General is satisfied that the staff member is able to return to his duties, provided that if the staff member so requests that matter shall be referred to an independent practitioner or a medical board acceptable to both Secretary General and the staff member;
  - (vi) a staff member shall not, whilst on sick leave, leave the area of the duty station without the prior approval of the Secretary General.
- (b) A staff member shall immediately notify the Secretary General of any case of contagious disease occurring in his household or of any quarantine order affecting his household. A staff member who, as a result of these circumstances, is directed not to attend the office shall receive his full salary and other emoluments for the period of authorized absence.
- (c) Entitlement to sick leave shall lapse on the final date of a staff member's appointment.

**Rule 6.2.3**  
**Maternity Leave**

- (a) A staff member shall be entitled to absent herself from her duties upon producing a medical certificate acceptable to the Medical Adviser. The total duration of maternity leave shall be 16 weeks; in no case shall it commence less than two weeks before and terminate less than 10 weeks after confinement. The post-natal period may be shortened at the staff member's request to not less than six weeks.
- (b) A staff member shall receive maternity leave on full pay for the entire duration of her absence in accordance with paragraph a) above. No miscalculation on the part of the doctor or midwife as to the date of the confinement shall prevent the staff member from receiving full pay to the actual date of confinement.

- (c) Annual leave shall accrue during the period of maternity leave, provided that the staff member returns to service for at least six months after the completion of maternity leave. If leave without pay has been granted following maternity leave, the annual leave accrued during the maternity leave shall be credited only six months after return to duty.

**Rule 6.2.4**

**Compensation for Death, Injury or  
other Disability Attributable to Service**

In the event of death, injury or disability attributable to the performance of official duties on behalf of the Telecommunity, compensation may be granted to a staff member or his beneficiaries to supplement the benefits provided for in the Regulations of the Asia-Pacific Telecommunity's Contributory Provident Fund (Annex 5) as well as the Staff Health Insurance and subject to the provision of Annex 7.



## CHAPTER VII

### TRAVEL AND REMOVAL EXPENSES

#### Travel Expenses

##### **Regulation 7.1**

Subject to conditions and definitions prescribed by the Secretary General, the Telecommunity shall in appropriate cases pay the travel expenses of staff members, and their eligible dependants under Rule 7.1.3.

##### **Rule 7.1.1**

#### **Official Travel of Staff Members**

- (a) Subject to the conditions laid down in these Regulations and Rules the Telecommunity shall pay the travel expenses of a staff member under the following circumstances:
- (i) on initial appointment provided the staff member is considered to have been internationally recruited;
  - (ii) when required to travel on official business; on home leave, on separation from service, in accordance with the relevant provisions;
  - (iii) when authorized to visit dependants in accordance with the provisions of paragraph (b) below.
- (b) The Telecommunity shall pay the travel expenses of a staff member to the place from which he was recruited, to the place of his home leave or to his former duty station for the purpose of visiting his eligible dependants once every year in which his home leave does not fall due, provided that:
- (i) he has completed not less than one year of continuous service at the duty station since the initial appointment or assignment or not less than nine months since departure on his last home leave journey;
  - (ii) his service at the duty station is expected to continue at least six months beyond the date of return to the duty station;
  - (iii) during the preceding 12 months, none of his eligible dependants has been present with him at the duty station after travel at Telecommunity expense except education grant travel.

- (c) Should a staff member, on separation, wish to go to any other place, the travel expenses borne by the Telecommunity shall not exceed the maximum amount that would have been payable on the basis of return transportation to the place of recruitment or home leave.

**Rule 7.1.2**  
**Official Travel of Eligible Dependants**

- (a) Subject to the conditions laid down in these Regulations and Rules, the Telecommunity shall pay the travel expenses of a staff member's eligible dependants under the following circumstances:
  - (i) on the initial appointment of a staff member who is considered to have been internationally recruited, provided the appointment is for a period of one year or longer, and provided his services are expected by the Secretary General to continue for more than six months beyond the date on which travel of his eligible dependants commences;
  - (ii) after the appointment of such a staff member if, at the time of appointment, either the travel of the eligible dependant was not possible or the dependant was not yet recognized as dependant, and provided the services of the staff member are expected by the Secretary General to continue for more than six months beyond the date on which travel of his eligible dependants commences;
  - (iii) on home leave, in accordance with the provisions of Rule 5.3.1;
  - (iv) on separation of a staff member from service, provided his appointment was for a period of one year or longer or he had completed not less than one year of continuous service;
  - (v) on journeys approved in connection with the education of a staff member's child, in accordance with the provision of Rule 3.11.3;
  - (vi) on travel of the spouse to the duty station, in lieu of the staff member's travel to visit dependants under Rule 7.1.1 (a)(3), subject to the same conditions as specified in Rule 7.1.1 (b).
- (b) Under paragraph (a) (1) and (2) above, the Telecommunity shall pay the travel expenses of a staff member's eligible dependants either from the place of recruitment or from the place recognized as his home for the purposes of home leave. Should a staff member wish to bring any eligible dependants to his official duty station from any other place, the travel expenses borne by the Telecommunity shall not exceed the maximum amount that would have been payable on the basis of travel from place of recruitment or home leave.

- (c) Under paragraph (a)(5) above, the Telecommunity shall pay the travel expenses of a staff member's eligible dependants from his official duty station to the place to which he is entitled to be returned.

#### **Rule 7.1.3**

##### **Eligible Dependants for whom travel expenses are paid by the Telecommunity**

- (a) For the purposes of official travel, dependants shall be deemed to comprise (i) a spouse and (ii) children in respect of whom a dependency allowance is payable. A son or daughter of more than 21 years of age shall also be considered a dependant for travel purposes if totally disabled.
- (b) The Secretary General may authorize payment of the travel expenses of a child for one trip either to the staff member's duty station or to his home country beyond the age when the dependency status of the child would otherwise cease under these Regulations and Rules, either within one year or upon completion of the child's continuous full-time attendance at a university, when the attendance at the university commenced during the period of recognized dependency status.

#### **Rule 7.1.4**

##### **Loss of Entitlement to Return Travel**

- (a) A staff member who resigns before completing one year of service or within six months following the date of his return from home leave shall not normally be entitled to payment of return travel expenses for himself or his eligible dependants. The Secretary General may, however, authorize such payment if he is satisfied there are compelling reasons for so doing.
- (b) Entitlement to return travel expenses shall cease if travel has not commenced within six months after the date of separation.

#### **Rule 7.1.5**

##### **Travel Authorization**

Before travel is undertaken, it shall be authorized in writing. In exceptional cases, staff members may be authorized to travel on verbal orders but such verbal authorization shall require written confirmation. A staff member shall be personally responsible for ascertaining that he has the proper authorization before commencing travel.

**Rule 7.1.6**  
**Travel Expenses**

- (a) Travel expenses which shall be paid or reimbursed by the Telecommunity under the relevant provisions of these Regulations and Rules shall include:
  - (i) transportation expenses (i.e. carrier fare);
  - (ii) terminal expenses;
  - (iii) transit expenses;
  - (iv) travel subsistence allowance;
  - (v) necessary additional expenses incurred during travel.
- (b) Staff members shall exercise the same care in incurring expenses that a prudent person would exercise if travelling on personal business.
- (c) The staff member shall assume responsibility for the costs of living and accommodation of any eligible dependants who accompany him to the duty station.

**Rule 7.1.7**  
**Route, Mode and Standard of Transportation**

- (a) Official travel shall in all instances be by a route, mode and standard of transportation approved in advance by the Secretary General.
- (b) Travel subsistence or other entitlements, including travel time shall be limited to the amount allowable for a journey by the approved route, mode and standard. Staff members who wish to make other arrangements for personal convenience must obtain permission to do so in advance and pay all additional costs.

**Rule 7.1.8**  
**Route and Mode of Transportation**

- (a) The normal route for all official travel shall be the most direct and economical route. An alternative route may be approved when, in the opinion of the Secretary General, it is in the best interest of the Telecommunity.
- (b) The normal mode of transportation for all official travel shall be by air. An alternative mode of transportation may be approved when, in the opinion of the Secretary General, its use is in the best interest of the Telecommunity.
- (c) Unless the Secretary General should decide otherwise, if a staff member or any eligible dependents travels by a more economical mode of transportation than the

approved mode, the Telecommunity shall pay only for the mode of transportation actually used.

- (d) Unless such a mode of transportation has been approved, any extra time needed for surface travel on home leave is treated as annual leave.

**Rule 7.1.9**  
**Travel by Air**

- (a) All official travel will be by air unless specifically authorized otherwise.
- (b)
  - (i) Payment by the Telecommunity of travel expenses shall be limited to the cost of economy class travel by air or its equivalent by recognized public transportation except the Secretary General and the Deputy Secretary General and their eligible dependent members who may travel in business class or higher.
  - (ii) When circumstances warrant it, the Secretary General may, at his discretion, allow staff members to travel in higher class.
  - (iii) the Telecommunity does not reimburse excess baggage except authorized by the Secretary General for official travel.

**Rule 7.1.10**  
**Purchase of Tickets**

- (a) Unless the staff member concerned is specifically authorized to make other arrangements, all tickets for transportation involving official travel of staff members, and entitled dependants shall be purchased by the Telecommunity in advance of actual travel.

**Rule 7.1.11**  
**Terminal Expenses**

- (a) For all official travel to or from the duty station, a staff member may claim reimbursement of terminal expense incurred for each required trip by means of public conveyance between the airport or other point of arrival or departure and the hotel or other place of dwelling according to the UN Common System in respect of each family member authorized to travel at APT's expense. No expenses shall be reimbursable in respect of an intermediate stop:
  - i) which is not authorized;
  - ii) which does not involve leaving the terminal; or
  - iii) which is exclusively for the purpose of making an onward connection.

Terminal expenses shall be deemed to include all expenditures for transportation between the airport or other point of arrival or departure and the hotel or other place of dwelling, including transfer of accompanied baggage and other incidental charges, except the costs provided for under Rule 7.1.17(c).

**Rule 7.1.12**  
**Expenses while in Authorized Transit**

When the authorized mode of transportation is other than by sea, full travel subsistence allowance shall be payable for the time spent in transit, subject to the conditions laid down in Rule 7.1.14 to 7.1.16, and provided that, in the case of travel other than on official business, a maximum of three days' travel time shall be allowed in respect of any specific journey.

**Rule 7.1.13**  
**Travel Subsistence Allowance**

- (a) Except as provided in Rule 7.1.12 and in paragraph (f) below, a staff member authorized to travel at Asia-Pacific Telecommunity expense shall receive an appropriate daily subsistence allowance in accordance with a schedule of rates established from time to time by United Nations. Such established rates shall be subject to reductions in cases where the cost of lodging or meals is not borne by the staff member, by a Government or by related institution.
- (b) The Secretary General may, in exceptional and compelling circumstances, authorize a reasonable increase in the travel subsistence allowance to be paid to a staff member who is required to accompany a senior official and whose official duties while in travel status require that his or her additional living expense be established at a rate substantially higher than that contemplated in setting the allowance rate for his level.
- (c) Travel subsistence allowance shall be deemed to comprise the total contribution of the Telecommunity towards such charges as meals, lodging, gratuities, and other payments made for the personal services rendered. Except as provided in Rule 7.1.16, any expenditures incurred in excess of the allowance shall be borne by the staff member.
- (d) Travel subsistence allowance shall not be paid in respect of any period of annual or special leave.
- (e) The travel subsistence allowance shall continue to be paid during periods of sick leave while in travel status, except that, if the traveller is hospitalized, only one-third of the appropriate daily rate shall be paid.

- (f) No travel subsistence allowance shall be payable in respect of travel on home leave, family visit or education grant, provided that the allowance may be paid for stopovers actually made on such travel under conditions established by the Secretary General.

#### **Rule 7.1.14**

#### **Computation of the Travel Subsistence Allowance**

The full rate of travel subsistence allowance shall only be payable when the official has to spend a night away from home and in such a case the appropriate full rate would be the rate applicable to the place where he spends the night.

Except during travel by sea, subsistence allowance shall be paid under the conditions prescribed as follows:

- (a) for a journey of less than 24 hours:
- (i) if it involves an overnight stay away from the staff member's residence, the full rate of travel subsistence allowance shall be payable, unless the cost of lodging is not borne by the staff member, in which case the reduction shall be made in accordance with these Regulations and Rules;
  - (ii) if it did not involve a night away from home;
    - no allowance shall be paid for a journey of less than ten hours
    - 40% shall be paid for a journey of ten hours or more
- (b) for a journey exceeding 24 hours:
- (i) one full day's allowance shall be paid for the day of departure, the applicable rate being that for the place of arrival;
  - (ii) for each successive period of 24 hours from midnight to midnight (measured by local times, ignoring time-zone differences), one full day's allowance shall be paid except that:
    - (1) no allowance shall be payable for the day on which travel is ended; and
    - (2) Where the cost of meals or lodging is not borne by the staff member, the percentage deductions shall be made in accordance with these Regulations and Rules.
- (c) The rate applicable for each 24-hour period will be that for the place at which the official spends the night. If the official is travelling for all or part of a night, the appropriate rate is the rate for his place of arrival. If the traveller completes his travel on the same day as he commenced it, the rate applicable for the area of the

destination shall be paid for that day, except that no travel subsistence allowance shall be paid if his destination is his home or official duty station. No allowance shall be paid when a traveller returns to his official duty station within ten hours after departure.

- (d) When it is necessary, for the purpose of computing the amount of travel subsistence allowance payable, to specify the "hour of departure" and the "hour of arrival," these shall be considered as the time when the means of public transportation used by the traveller actually leaves or arrives at its terminal.

**Rule 7.1.15**  
**Miscellaneous Travel Expenses**

Necessary additional expenses, incurred by a staff member in connection with the transaction of official business or in the performance of authorized travel, shall be reimbursed by the Telecommunity after completion of travel provided the necessity and nature of the expenses are satisfactorily explained and supported by proper receipts which shall normally be required for any expenditures in excess of US\$6. Such expenses, for which advance authorization shall be obtained to the extent practicable, shall normally be limited to:

- (a) hire of local transportation other than that provided for under Rule 7.1.11;
- (b) telephone and facsimile messages on official business;
- (c) transfer of authorized baggage by appropriate agency;
- (d) hire of room for official use;
- (e) services in connection with the preparation of official reports or correspondence;
- (f) transportation or storage of baggage or property used on official business.
- (g) Passport and Visa Costs

**Rule 7.1.16**  
**Assignment Grant**

- (a) Subject to the conditions set forth hereunder, a staff member shall be paid, in respect of himself and his eligible dependants, an assignment grant when the staff member travels at Telecommunity's expense on initial appointment expected to be of at least one year duration. Such payment shall be the total compensation payable by the Telecommunity towards the initial extraordinary living costs incurred by the staff member and his eligible dependant immediately following their arrival at the duty station.
- (b) The amount of the assignment grant shall be the equivalent of 30 days of subsistence allowance at the appropriate daily rate applicable in respect of a staff member and at one half that rate in respect of an eligible dependant for whom travel expenses have been paid by the Telecommunity. This amount shall be



calculated on the basis of the rate prevailing on the date of arrival of the staff member or of staff member's eligible dependants, as appropriate.

- (c) In addition to any amount of grant paid at the daily rates under this rules, the payment of a lump sum may be authorized at designate duty stations under conditions established by the Secretary General. Provided that there is no entitlement to removal costs, the lump sum shall be equivalent to one month's salary at the new duty station at the staff member's grade and step.
- (d) Assignment grant shall not be payable in connection with education grant travel.
- (e) Should the staff member not complete the period of service in respect of which the assignment grant has been paid, or becomes entitled to payment of removal expenses, the grant shall be adjusted proportionately to the period of effective service and recovery made under conditions established by the Secretary General who, in exceptional circumstances, may decide to waive recovery. The travel subsistence allowance portion of the grant payable on arrival at the official duty station shall not normally be recoverable.

#### **Rule 7.1.17**

#### **Excess Baggage and Unaccompanied Shipments**

- (a) Baggage in excess of the weight or volume carried without extra charge by transportation companies shall be considered as excess baggage within the meaning of these Regulations and Rules.
- (b) Charges for excess baggage shall be reimbursable only when authorized prior to commencement of travel.
- (c) Charges for excess baggage by air shall not be reimbursable unless, in the opinion of the Secretary General, the circumstances under which the staff member is travelling are of a sufficiently exceptional and compelling nature to warrant such reimbursement. In no event shall such charges be reimbursable if incurred in connection with travel on home leave and or visit to eligible dependants.
- (d) On travel on first appointment, or separation from services, where no entitlement to removal costs exists, a staff member may be reimbursed expenses in transporting personal effects and household goods by land and/or sea up to a maximum, including the weight or volume of packing crates, etc., of:

1000 Kg. or 6.23 m <sup>3</sup>	for the staff member
500 Kg. or 3.11 m <sup>3</sup>	for the first eligible dependant (spouse or child)
300 Kg. or 1.87 m <sup>3</sup>	for each additional eligible dependant authorized to travel at the expense of the Telecommunity.

Where surface shipment is, the most economical means of transport, such surface shipment may be converted to air freight on the basis of one-half of the weight or volume of the authorized surface entitlement:

- (i) when a staff member elects to convert the whole surface entitlement to air freight, or
  - (ii) when, in the opinion of the Secretary General, the conversion to air freight of a portion of the surface shipment entitlement is necessary to meet urgent needs,
- (e) Reasonable costs of packing, crating, cartage, unpacking and uncrating of shipments within the limits of authorized weight or volume will be reimbursed, but storage charges, other than those directly incidental to the shipment, and costs for servicing of appliances, dismantling or installation of fixtures or special packing shall not be reimbursed.
- (f) On travel on first appointment, or separation, where entitlement to removal costs does exist, a staff member shall be reimbursed expenses incurred in transporting a reasonable amount of personal effects and household goods by land and/or sea up to a maximum, including the weight or volume of packing and crating, of:

450 Kg. or 2.80 m <sup>3</sup>	for the staff member
300 Kg or 1.87 m <sup>3</sup>	for the first eligible dependant (spouse and child) 150 Kg or 0.93 m <sup>3</sup> for each additional eligible dependant

The weight or volume of such shipment shall be deducted from the maximum weight or volume to which the staff member is entitled under paragraph (d) of Rule 7.5.1. The above surface shipment may be converted to air freight under the same conditions of paragraph (g) of this rule, and insured under the same conditions of Rule 7.1.20.

Shipment shall be made in one consignment unless otherwise warranted, in the opinion of Secretary General, by exceptional circumstances.

### **Rule 7.1.18**

#### **Insurance**

- (a) Staff members shall not be reimbursed for the cost of personal accident insurance or of insurance of accompanied personal baggage. However, compensation may be paid in respect of loss or damage to accompanied personal baggage, in accordance with such arrangements as may be in force under Rule 12.1.4.
- (b) In the case of unaccompanied shipments authorized under Rule 7.1. 17, insurance coverage will be provided by the Telecommunity up to the value of \$16,000 for a

staff member and \$8,000 for the first eligible dependent and \$4,800 for each additional eligible dependent Such insurance coverage shall not include articles of special value for which special premium rates are charged. The Telecommunity will not be responsible for loss or damage of unaccompanied baggage.

- (c) The cost of insurance of personal effects and household goods in transit (excluding articles of special value for which special rates of premium are charged) under Rule 7.5.1 shall be reimbursed by the Telecommunity, up to a maximum of US\$80,000 valuation for staff members alone or US\$130,000 valuation for staff members with one or more eligible dependants residing at the official duty station. The Telecommunity shall in no case be responsible for loss or damage of personal effects and household goods.
- (d) In the case of unaccompanied shipments under Rules 7.1.19 and 7.5.1, the staff member shall furnish the Telecommunity prior to shipment, with an itemized inventory in duplicate of all articles, including containers such as suitcases, and the replacement value in United States dollars of each article in the shipments. If no inventory is furnished, no insurance coverage shall be provided.

**Rule 7.1.19**  
**Travel Advances**

Staff members authorized to travel shall ensure that they have sufficient funds for all current expenses, by requesting, if necessary, an advance of funds against the estimated reimbursable travel expenses.

**Illness or Accident During Travel on Official Business**

**Regulation 7.2**

The Telecommunity shall pay or reimburse reasonable hospital and medical expenses, insofar as these are not covered by other arrangements, which may be incurred by staff members who become ill or are injured while in travel status on official business.

**Reimbursement of Travel Expenses**

**Regulation 7.3**

The Secretary General shall reject any claim for payment or reimbursement of travel or removal expenses which are incurred by a staff member in contravention of any provision of these Regulations and Rules.

**Transportation of the Remains of Deceased Staff  
or of their eligible Dependants**

**Regulation 7.4**

Upon the death of a staff member or his eligible dependant, the Telecommunity shall pay the expenses of transportation of the body from Bangkok or, in the event of death having occurred while on official business away from Bangkok, from the place of death, to a place to which the staff member or his eligible dependant was entitled to return transportation. These expenses shall include reasonable costs for preparation of the body.

**Removal Expenses**

**Regulation 7.5**

Subject to conditions and definitions prescribed by the Secretary General, the Telecommunity shall pay removal expenses for staff members.

**Rule 7.5.1**

**Removal Costs**

- (a) Subject to the conditions laid down in these Regulations and Rules, the Telecommunity shall pay expenses in connection with the removal of an internationally recruited staff member's personal effects and household goods, under the following circumstances:
- (i) on initial appointment provided the appointment is for a period of two years or longer;
  - (ii) upon completion of two years of continuous service;
  - (iii) upon separation from service, provided the staff member had an appointment for a period of two years or longer or had completed not less than two years of continuous service.
- (b) Under paragraph (a)(1) and (2) above, the Telecommunity shall pay the expenses of removing a staff member's household goods and personal effects either from the place of recruitment or from the place recognized as his home for purposes of home leave provided that the goods and effects were in his possession at the time of appointment and are being transported for his own use. Payment of removal expenses from a place other than those specified may be authorized by the Secretary General in exceptional cases, on such terms and conditions as he deems appropriate.

- (c) Under paragraph (a) (3) above, the Telecommunity shall pay the expenses of removing a staff member's household goods and personal effects from Bangkok to any one place to which he is entitled to be returned, or any other one place authorized by the Secretary General in exceptional cases on such terms and conditions as he deems appropriate, provided the goods and effects were in the staff member's possession at the time of separation and are being transported for his own use.
- (d) Payment by the Telecommunity of removal expenses shall be subject to the following conditions:
  - (i) the maximum weight and volume for which entitlement to removal at Telecommunity expense exists shall be 4,890 Kg in weight or 30.58 m<sup>3</sup> in volume (1,080 cubic feet), inclusive of packing but excluding crates and lift vans, for staff members without eligible dependants, and 8,150 Kg. in weight or 50.97 m<sup>3</sup> in volume (1,800 cubic feet) for a staff member with one or more eligible dependants residing at the official duty station. A higher maximum may be set, however, in the case of a staff member with one or more dependants residing with him at his official duty station, if the staff member presents convincing evidence that his normal and necessary household effects to be removed exceed the maximum entitlement;
  - (ii) for the purposes of unaccompanied shipments and removal, personal effects and household goods shall include all effects and goods normally required for personal or household use, provided that animals, boats, automobiles, motorcycles, trailers and other power-assisted conveyances shall in no case be considered as such effects and goods.
  - (iii) shipments under this Rule shall normally be made in one consignment. Reasonable costs of packing, crating, cartage, unpacking, uncrating and insurance shall be allowed for shipments within the limits of authorized weight or volume, except that costs for servicing of appliances, dismantling or installation of fixtures or special packing shall not be borne by the Telecommunity. Storage and demurrage charges shall not be reimbursed unless, in the opinion of the Secretary General, they are directly incidental to the transportation of the consignment;
  - (iv) transportation of personal effects and household goods shall be by the most economical means as determined by the Secretary General, on the basis of estimates from three different firms, taking into account costs allowable under paragraph (d) (3) above;
- (e) Removal costs shall not be payable under this Rule in the case of official travel.

- (f) Where both husband and wife are staff members, and each is entitled to removal of personal effects and household goods, the maximum weight and volume that may be removed at Telecommunity's expense for both of them shall be that provided for a staff member with dependants residing with him at the duty station.

#### **Rule 7.5.2**

##### **Loss of Entitlement to unaccompanied shipment or to Removal Expenses**

- (a) A staff member who resigns before completing two years of service shall not normally be entitled to payment of removal expenses.
- (b) Entitlement to removal expenses shall normally cease if removal has not commenced within two years after the date on which the staff member became entitled to removal expenses or if the staff member's services are not expected by the Secretary General to continue for more than six months beyond the proposed date of arrival of the personal effects and household goods.
- (c) Upon separation from service, entitlement to unaccompanied shipment expenses, or removal expenses, shall cease if shipment or removal has not commenced within six months or one year respectively after the date of separation.
- (d) The Secretary General may reject any claim for payment or reimbursement of expenses for unaccompanied shipment or removal expenses which are incurred by a staff member in contravention of any provisions of these Regulations and Rules.

## **CHAPTER VIII**

### **STAFF RELATIONS**

#### **Joint Advisory Committee**

##### **Regulation 8.1**

The Secretary General shall establish joint administrative machinery with staff participation to advise him regarding personnel policies and general questions of staff welfare or any administrative matter which he may refer to it, and to make to him such proposals as it may desire for amendment of these Regulations and Rules.

##### **Rule 8.1.1**

#### **Composition and Convocation of the Joint Advisory Committee**

- (a) The joint administrative machinery provided for in Regulation 8.1 shall consist of a Joint Advisory Committee composed as follows:
  - (i) a Chairman designated by the Secretary General , from among elected or other high-ranking officials;
  - (ii) two members representing the staff;
  - (iii) a member designated by the Secretary General;
  - (iv) ex-officio, as a non-voting member and as Secretary of the Committee, the Administrative Officer;
  
- (b) Meetings of the Committee shall be convened as occasion requires either by decision of the Secretary General, or by the Chairman, or at the request of at least two members.

##### **Rule 8.1.2**

#### **Rules of Procedure of the Joint Advisory Committee**

The Joint Advisory Committee shall adopt its own Rules of Procedure, which must be consistent with the provisions of these Regulations and Rules.

## CHAPTER IX

### SEPARATION FROM SERVICE

#### Termination

##### **Regulation 9.1**

- (a) The Secretary General, giving his reasons therefore, may terminate the appointment of a staff member who holds a continuing appointment, or a fixed term appointment before the date of expiry thereof, for any of the following reasons:
- (i) if the necessities of the service require abolition of the post or reduction of the staff;
  - (ii) if the staff member concerned is, for reasons of health, incapacitated for further service;
  - (iii) if the staff's services or conduct prove unsatisfactory;
  - (iv) if, in the Secretary General's opinion, such action would be in the interest of the Telecommunity; or
  - (v) for such other reasons as may be specified in the letter of appointment.
- (b) If the necessities of the service require abolition of a post or reduction of the staff and subject to the availability of suitable posts in which their services can be effectively utilized, staff members with Continuing Appointments shall be retained in preference to those on all other types of appointment.
- (c) Appointments shall be terminated with due regard to the competence, efficiency and official conduct, to length of service and to the factor of geographical distribution; all else being equal, appointments of staff members with the least family responsibilities shall be the first to be terminated.
- (d) Before terminating any appointment, the Secretary General shall obtain the advice of the Joint Advisory Committee.
- (e) The Secretary General shall report all cases of termination to the Management Committee.

#### **Termination for Reasons of Health**

##### **Regulation 9.2**

The services of a staff member may be terminated when he is unable to perform his duties or other duties which might reasonably be assigned to him, as a result of infirmity, illness or the weakening of his physical or mental faculties.



## **Resignation**

### **Regulation 9.3**

Staff members may resign from the Telecommunity upon giving the Secretary General the notice require under the terms of their appointment.

## **Notice of Resignation**

### **Regulation 9.4**

Unless otherwise specified in their letters of appointment, three months' written notice of resignation shall be given by the staff members having continuing appointments and sixty days' written notice by staff members having fixed-term appointment. The Secretary General may, however, accept resignations on shorter notice.

## **Notice of Termination**

### **Regulation 9.5**

- (a) If the Secretary General terminates an appointment, the staff member shall be given such notice as is specified in his letter of appointment or contract and such indemnity as may be applicable under these Staff Regulations and Staff Rules.
- (b)
  - (i) A staff member whose continuing appointment is to be terminated shall be given not less than three months' written notice of such termination.
  - (ii) A staff member whose fixed-term appointment is to be terminated shall be given not less than 60 days' written notice of such termination or such notice as may otherwise be stipulated in his letter of appointment.
  - (iii) In lieu of these notice periods, the Secretary General may authorize payment of an indemnity calculated on the basis of the salary and allowances which the staff member would have received had the date of termination been at the end of the notice period.
- (c) The Secretary General shall not, however, in principle give any notice to a staff member who has been dismissed.

**Termination Indemnity**

**Regulation 9.6**

- (a) Staff members whose appointments are terminated on account of the abolition of the post or reduction of the staff shall be paid an indemnity in accordance with the following schedule.

Completed Years of Service	Months of salary, as applicable (a) (b)	
	Continuing Appointments	Temporary Appointments for a fixed term
Less than 1	Not applicable	One week for each month for uncompleted service, subject to a minimum of six weeks, and a maximum of three months' indemnity pay
1	Not applicable	
2	Not applicable	
3	Not applicable	
4	Not applicable	
5	Not applicable	
6	6	3
7	7	5
8	8	7
9	9	9
10	9.5	9.5
11	10	10
12	10.5	10.5
13	11	11
14	11.5	11.5
15 or more	12	12

(a) For staff in Professional and higher categories.

(b) For staff in the General Service category.

- (b) A staff member whose appointment is terminated for reasons of health, shall receive an indemnity equal to that provided under paragraph (a) above,
- (c) If a staff member whose appointment is terminated for reasons of unsatisfactory service or who is dismissed, may be paid, at the Secretary General's discretion, an indemnity not exceeding one half of the indemnity provided under paragraph (a) above.

- (d) If a staff member's appointment is terminated in the interest of the good administration of the Telecommunity and is agreed upon by the staff member, the Secretary General may, if he considers it justified in the particular circumstances of the termination, pay to the staff member an indemnity of up to one half more than the amount set out in the schedule in (a) above.
- (e) No termination indemnity shall be paid to a staff member:
  - (i) who resigns;
  - (ii) who has a fixed-term appointment that is completed on the expiry date specified in the letter of appointment;
  - (iii) whose appointment is terminated for reasons of unsatisfactory service or who is dismissed, subject to the provisions of paragraph c) above;
  - (iv) who abandons his post;
  - (v) who is retired under these Regulations and Rules.
- (f) Length of service shall be deemed to comprise the total period of a staff member's full-time continuous service with the Telecommunity, regardless of types of appointment. Continuity of such service shall not be considered as broken by periods of special leave without pay or on partial pay but full months of such periods exceeding one calendar month shall not be credited as service for indemnity purposes; periods of less than one calendar month shall not affect the ordinary rates of accrual.

### **Repatriation Grant**

#### **Regulation 9.7**

- (1) A repatriation grant shall be payable to staff members whom the Telecommunity is obligated to repatriate. The repatriation grant shall not, however, be paid to a staff member who is summarily dismissed. Detailed conditions and definitions relating to eligibility shall be determined by the Secretary General. The amount of the grant shall be proportional to the length of service with the Telecommunity, as follows:

Years of continuous service away from home country	Weeks of salary, as applicable (a)(b)		
	Staff member with a spouse or eligible dependent child at time of separation	Staff member with neither a spouse nor a dependent child at time of separation	
		Professional and higher categories	General Service Category
1	4	3	2
2	8	5	4
3	10	6	5
4	12	7	6
5	14	8	7
6	16	9	8
7	18	10	9
8	20	11	10
9	22	13	11
10	24	14	12
11	26	15	13
12 or more	28	16	14

(a) For staff in the Professional and higher categories

(b) For staff in the general service category

#### **Rule 9.7.1**

#### **Payment of repatriation grant**

(2) Payment of repatriation grants shall be subject to the following conditions and definitions:

(a) "obligation to repatriate" as used in the present Regulation shall mean obligation to return of a staff member and his dependents, upon separation, at the expense of the Telecommunity, to a place outside Thailand;

(b) "home country" as used in the present Regulation shall mean the country of home leave entitlement, or such other country as the Secretary General may determine at the request of the staff member;

- (c) continuous service away from the staff member's home country shall, for the purposes of this Rule, exclude periods spent on short-term appointment status. If at any time the staff member was considered to have acquired permanent residence in Bangkok and subsequently changed from such status, his continuous service will be deemed to have commenced at the time the change was made. Continuity of such service shall not be considered as broken by periods of special leave without pay or in partial pay, but full months of any such periods shall not be credited as service for the purpose of calculating the amount of the grant payable; periods of less than one calendar month shall not affect the ordinary rates of accrual;
- (d) No payment of repatriation grants shall be made to locally recruited staff, to a staff member who abandons his post, to a staff member who has been dismissed or to any staff member who is residing at the time of separation in his home country while performing his official duties;
- (e) Eligible dependants, within the meaning of this Rule, shall consist of a spouse or children in respect of whom a staff member, at the time of separation, is receiving dependency allowances. The repatriation grant shall be paid at the dependency rate to staff members with eligible dependants regardless of the place of residence of the dependants;
- (f) Loss of entitlement to payment of return travel expenses under Rule 7.1.4 shall not affect a staff member's eligibility for payment of the repatriation grant;
- (g) In the event of the death of an eligible staff member, no payment shall be made unless there is a surviving spouse or one or more dependent children whom the Telecommunity is obligated to return to their home country. If there is one such surviving dependant, payment shall be made at the single rate; if there are two or more such surviving dependants, payment shall be made at the dependency rate.

## **Retirement**

### **Regulation 9.8**

The retirement age for staff members shall be 65 years; except in the case of the Secretary General and Deputy Secretary General.

The Secretary General in the interest of the Telecommunity and in exceptional cases, may re-employ a retired staff on a short term basis. The total duration of such re-employment shall not exceed a cumulative total of 2 years.

### **Expiry of Fixed-Term Appointment**

#### **Regulation 9.9**

- (a) A fixed-term appointment shall expire automatically and without prior notice on the expiry date specified in the letter of appointment.
- (b) Separation as a result of the expiry of any such appointment shall not be regarded as a termination within the meaning of these Regulations and Rules.

### **Grant on Death**

#### **Regulation 9.10**

- (1) In the event of the death of a staff member , a single grant computed in accordance with the following schedule shall be paid to the spouse if any, and if none, to any eligible dependent children:

<b>Completed years of service in the Telecommunity (as defined in Regulation 9.6)</b>	<b>Months of salary</b>
3 years or less	3
4 years	4
5 years	5
6 years	6
7 years	7
8 years	8
9 years or more	9

- (2)
  - (a) Where service exceeds three years, the grant shall be paid proportionately in respect of completed months of service over three years.
  - (b) For the purposes of this Regulation, "eligible dependant" means either a spouse or a child in respect of whom a dependency allowance is payable. If there is no such surviving dependant, no payment shall be made.

### **Procedure of Separation**

#### **Regulation 9.11**

The Secretary General shall provide appropriate rules as regards the procedure of separation.

## **Last Day for Pay Purposes**

### **Regulation 9.12**

- (a) When a staff member is separated from service, the date on which entitlement to salary, allowances and benefits shall cease for the staff member, his beneficiaries or persons entitled shall be determined according to the following provisions:

#### **Rule 9.12.1**

##### **Determination of the last day for pay purposes**

- (1) In the case of resignation, the date shall be either the date of expiry of the notice period or such other date as the Secretary General accepts. Staff members shall be expected to perform their duties during the period of notice of resignation, except when the resignation takes effect upon the completion of maternity leave or following sick or special leave. Annual leave will be granted during the notice of resignation only for brief periods and for purposes not inconsistent with the provisions of Regulation 9.13.
- (2) upon expiry of a fixed-term appointment, the date shall be the date specified in the letter of appointment;
- (3) upon termination, the date shall be the date provided in the notice of termination;
- (4) upon retirement, the date shall be the date approved by the Secretary General for retirement, either end of June or end of December corresponding to the date of birth of the staff member concerned;
- (5) in the case of dismissal, the date shall be the date of dismissal.
- (6) In the case of death, the date shall be that of death, subject to the relevant provisions of Regulation 9.10.

#### **Rule 9.12.2**

##### **Last Day for Travel Purposes**

- (b) When an internationally recruited staff member is exercising an entitlement to return travel, the last day for pay purposes shall be the date established under paragraph (1), (2) or (3) above, or the estimated date of arrival at the place of entitlement, whichever is later. The estimated date of arrival shall be determined on the basis of the time it would take to travel without interruption by an approved route and mode of direct travel from Bangkok to the place of entitlement, the travel commencing no later than the day following the date established under Rule 9.12.1.

## **Commutation of Accrued Annual Leave**

### **Regulation 9.13**

If upon separation a staff member has accrued annual leave, he shall be paid in lieu thereof a sum of money for the period of such accrued leave up to a maximum of 60 working days. The payment shall be calculated as follows:

#### **Rule 9.13.1**

##### **Calculation of the payment of accrued leave**

- (i) For staff in the Professional and higher categories, on the basis of the staff member's last net base salary and the post adjustment;
- (ii) For staff in the General Service category, on the basis of the staff member's net salary, according to the schedule of rates set forth in Staff Regulation 3.1.

#### **Rule 9.13.2**

##### **Payment of accrued leave in case of death**

In the event of the death of a staff member, a sum proportionate to the number of days of annual leave he has accumulated shall be paid to his estate.

##### **Restitution of Advance Annual Leave**

### **Regulation 9.14**

Upon separation, a staff member who has taken advance annual leave beyond that which he has subsequently accrued, shall make restitution for such advance leave by means of a cash refund or an offset against monies due to him from the Telecommunity, equivalent to the remuneration received, including allowances and other payments, in respect of the advance leave period. The Secretary General may waive this requirement if he is satisfied that there are exceptional or compelling reasons for so doing.

##### **Certification of Service**

### **Regulation 9.15**

Any staff member who so requests shall, on leaving the service of the Telecommunity, be given a statement relating to the nature of his duties and the length of his service. On his written request, the statement shall also refer to the quality of his work and his official conduct.



## CHAPTER X

### DISCIPLINARY MEASURES

#### Disciplinary Measures

##### **Regulation 10.1**

- (a) A staff member, who is deemed to be guilty of misconduct may incur sanctions. The Secretary-General may dismiss a staff member for serious misconduct. The Secretary General may consult the Joint Advisory Committee in disciplinary cases.

##### **Rule 10.1.1**

##### **Misconduct**

Failure by a staff member to comply with his obligations under these Regulations and Rules or other relevant administrative issuances, or to observe the standards of conduct expected of an international civil servant, may amount to unsatisfactory conduct within the meaning of Regulation 10.1, leading to disciplinary proceedings and disciplinary measures for misconduct.

##### **Rule 10.1.2**

##### **Sanctions**

- (a) The following are the sanctions applicable to the staff:
- (1) verbal reprimand;
  - (2) written censure of which a copy must be placed in the file of the person concerned;
  - (3) delayed advancement to the next salary step;
  - (4) reduction in salary step within the same grade
  - (5) temporary removal from duty without pay;
  - (6) demotion to a lower grade;
  - (7) dismissal
- (b) Reprimands shall be given by the responsible supervisor and censures shall be given by the Deputy Secretary General.
- (c) All other sanctions shall be applied by the Secretary General after referring the matter for advice to the Joint Advisory Committee.

**Rule 10.1.3**  
**Provisional Suspension from Duty**

- (a) When a charge of serious misconduct is made against a staff member, and if his immediate Supervisor is of the opinion that the charge is well-founded and that the official's continuance in office pending an investigation of the charge would be prejudicial to the service, he may be suspended from duty by the Secretary General with or without pay, pending investigation, without prejudice to his rights. Such suspension shall not constitute a sanction in the meaning of Rule 10.1.2.
- (b) A staff member suspended pursuant to paragraph a) above shall be given a written statement of the reason for the suspension and its probable duration. Suspension should normally not exceed three months.
- (c) Suspension shall be with pay unless, in exceptional circumstances, the Secretary General decides that suspension without pay is appropriate. If a suspension pursuant to paragraph a) above is without pay and the charge of misconduct is subsequently not sustained, any salary withheld shall be restored.

**Rule 10.1.4**  
**Right of Defence**

No disciplinary action shall be taken against a staff member until he has been given an opportunity to present his defence.

## **CHAPTER XI**

### **APPEALS**

#### **Appeals**

#### **Regulation 11.1**

The Secretary General shall establish administrative machinery with staff participation to advise him in case of any appeal by staff members against an administrative decision alleging the non-observance of their terms of appointment, including all pertinent Staff Regulations and Staff Rules, or against disciplinary sanctions.

#### **Rule 11.1.1**

##### **Appeal Board**

1. The administrative machinery provided under Regulation 11.1 shall consist of an Appeal Board.
2.
  - (a) A staff member who, under the terms of Regulation 11.1 wishes to appeal against an administrative decision, shall as a first step address a letter to the Secretary General with a copy to the officer under whom he serves, requesting that the administrative decision be reviewed. Such a letter must be sent within six weeks from the time the staff member received notification of the decision in writing.
  - (b) If the staff member wishes to make an appeal against the answer received from the Secretary General, he shall submit his appeal in writing to the Chairman of the Appeal Board within three months from the date of receipt of the answer. If no reply has been received from the Secretary General within six weeks of the date the letter referred to in paragraph (a) above was sent to him, the staff member shall, within the six following weeks, submit his appeal in writing to the Chairman of the Appeal Board.
  - (c) An appeal shall not be receivable by the Appeal Board unless the above time limits have been met, provided that the Board may waive the time limits in exceptional circumstances.
3. The opinions and recommendations of the Appeal Board are advisory in character. The Secretary General shall give due consideration to such opinion of recommendations in making decisions on cases of appeal.

4. The Appeal Board shall consist of three members:
  - (a) A Chairman chosen by the from among elected or other high-ranking officials.
  - (b) A member chosen by the Secretary General from among the staff members;
  - (c) A member representing the staff members elected by them.
  
5. The procedure of the Appeal Board shall be as follows:
  - (a) A staff member wishing to appeal shall set down his complaints in writing and send them to the Chairman of the Appeal Board, who shall submit this document to the Secretary General for a written reply. The Secretary General shall send his reply to the Chairman of the Board, with a copy to the appellant, within four weeks of the date on which the written appeal was submitted to the Secretary General. A copy of his reply must be delivered to the appellant at least 48 hours prior to the deliberations of the Board;
  - (b) A staff member who submits an appeal shall at all times be entitled to request assistance by any person he chooses;
  - (c) The deliberations of the Appeal Board shall begin, at the latest, seven weeks from the date on which the written appeal was submitted;
  - (d) The report of the Appeal Board shall be sent in writing to the Secretary General within ten weeks of the date on which the written appeal is submitted; a copy shall be transmitted immediately to the appellant.

## **CHAPTER XII**

### **FINAL PROVISIONS**

#### **General Provisions**

##### **Regulation 12.1**

These Regulations may be supplement or amended by the Management Committee, without prejudice to any conditions of service quoted in the letters of appointment or contract of individual staff members and provided that, up to the date of amending the Regulations in force, there shall be no interference with the applications of the said Regulations to a staff member and that the amended Regulations shall have no retrospective effect.

##### **Rule 12.1.1**

#### **Gender of Terms**

In these Regulations and Rules reference to staff members in the masculine gender shall apply equally to men and women, unless clearly inappropriate from the context.

##### **Rule 12.1.2**

#### **Amendment of, and Exceptions to, Staff Rules**

- (a) These Rules may be supplemented or amended by the Secretary General, without prejudice to any condition of service quoted in the letter of appointment or contract of individual staff members and provided that up to the date of amending the Rules in force, there shall be no interference with the application of the said Rules to a staff member and that the amended Rules shall have no retrospective effect.
- (b) Exceptions to the Staff Rules may be made by the Secretary General provided that such exception is not inconsistent with any Staff Regulation or other decision of the Management Committee, and provided further that it is agreed to by the staff member directly affected and is, in the opinion of the Secretary General, not prejudicial to the interest of the Telecommunity or of any other staff member or group of staff members.

##### **Rule 12.1.3**

#### **Liability**

Staff members shall not be required to use their own cars on official business; should they do so, it will be at their own risks without involving the Telecommunity's liability in any way.

**Rule 12.1.4**  
**Proprietary Rights**

Rights to inventions made by Telecommunity staff members during the course of their official duties shall be vested in the Telecommunity, which will normally ensure publication of the inventions for the benefit of all its Members. The inventor shall be entitled to have his name associated with the publication or with the patent, if any.

**Rule 12.1.5**  
**Entry into Force**

These Staff Regulations and Staff Rules replace 2014 edition of the Staff Regulations and Staff Rules and shall enter into force on the 1<sup>st</sup> January, 2021.

**General Provisions**

**Regulation 12.2**

The Secretary General shall report to the Management Committee such Staff Rules and amendments thereto as he may make to implement these Regulations.

**Appointed staff member of the Telecommunity standing for election  
or elected to an elected official post**

**Regulation 12.3**

Definition of appointed staff member and elected official  
For the purposes of these Regulations and Rules:

An “appointed staff member” is a staff recruited according to the recruitment, appointment and promotion principles pursuant to Chapter IV.

1. (a) An appointed staff member of the Telecommunity standing for election to one of the elected official posts referred to, respectively, in Article 8 Paragraph 6(e) of the Constitution of the Telecommunity shall be placed on special leave without pay by the Secretary General, in accordance with Regulation 5.2 of the Staff Regulations and Staff Rules, with effect from the day following the date of submission of his candidature to the Secretary General.
- (b) If the appointed staff member is not elected, the period of his special leave without pay shall come to an end on the date determined by the Secretary General no later than 30 days after the completion of the election in order to enable him to resume his duties at the Telecommunity in Bangkok, Thailand upon expiry of his special leave.

- (c) If the appointed staff member is elected;
    - i) the period of his special leave without pay shall end on the date determined by the Secretary General,
    - ii) he must resign from his post as an appointed staff member. The date of his resignation is to be mutually agreed between the staff member and the Secretary General. In such an instance, the Secretary General shall accept a shorter period of notice from the staff member who has been elected,
    - iii) both dates shall be no later than the date of taking office as an elected official.
  - (d) Taking into consideration that the appointed staff member who has been elected is already resident in Thailand, the relevant provisions on the appointment and resignation of staff as provided for in the Staff Regulations and Staff Rules including but not limited to; repatriation and assignment grants, commutation of accrued annual leave and CPF remuneration, shall not apply in this instance.
2. As regards the contractual status of an elected official who had been an appointed staff member immediately prior to being elected, periods of service as an appointed staff member and periods of service as an elected official shall be taken into account in calculating length of service for the purposes of sick leave, annual leave, home leave, maternity leave, compensation for death, termination indemnity and repatriation grant. Length of service shall be understood to be the total period during which such an official has been in continuous and full-time service with the Telecommunity.

### **Application of the Staff Regulations and Staff Rules**

#### **Regulation 12.4**

In case of doubt as regards the interpretation or application of the Staff Regulations and Staff Rules, the Secretary General shall be guided by the United Nations practice.

**Salary scale for the Professional and higher categories showing annual gross salaries  
and net equivalents after application of staff assessment  
(in United States dollars)**

Annex 1

Effective 1 January 2019

Level	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII
USG	Gross 188,315 Net 148,388												
ASG	Gross 179,048 Net 134,266												
D-2	Gross 143,813 Net 110,189	Gross 146,043 Net 112,360	Gross 150,079 Net 114,562	Gross 153,402 Net 116,745	Gross 156,728 Net 118,939	Gross 160,048 Net 121,132	Gross 163,369 Net 123,323	Gross 166,691 Net 125,516	Gross 170,012 Net 127,708	Gross 173,332 Net 129,899			
D-1	Gross 128,707 Net 96,595	Gross 131,457 Net 101,520	Gross 134,210 Net 103,447	Gross 136,963 Net 105,374	Gross 139,706 Net 107,304	Gross 142,450 Net 109,221	Gross 145,200 Net 111,146	Gross 147,956 Net 113,069	Gross 150,753 Net 114,997	Gross 153,667 Net 116,920	Gross 156,563 Net 118,845	Gross 159,457 Net 120,768	Gross 162,415 Net 122,694
P-6	Gross 87,108 Net 72,637	Gross 110,869 Net 88,746	Gross 113,209 Net 90,385	Gross 115,550 Net 92,021	Gross 117,887 Net 93,660	Gross 120,229 Net 95,296	Gross 124,909 Net 98,936	Gross 127,246 Net 98,572	Gross 129,588 Net 100,210	Gross 131,924 Net 101,847	Gross 134,266 Net 103,486	Gross 136,601 Net 105,121	Gross 138,944 Net 106,781
P-4	Gross 72,637 Net 60,233	Gross 90,670 Net 74,218	Gross 95,129 Net 75,798	Gross 99,209 Net 77,379	Gross 99,288 Net 78,959	Gross 101,483 Net 80,538	Gross 103,744 Net 82,121	Gross 106,001 Net 83,701	Gross 108,259 Net 85,281	Gross 110,514 Net 86,860	Gross 112,776 Net 88,443	Gross 115,029 Net 90,020	Gross 117,287 Net 91,601
P-3	Gross 60,233 Net 51,066	Gross 74,649 Net 61,666	Gross 78,489 Net 65,156	Gross 80,421 Net 66,064	Gross 82,347 Net 67,546	Gross 84,271 Net 69,008	Gross 86,195 Net 70,473	Gross 88,122 Net 71,935	Gross 90,046 Net 73,897	Gross 91,970 Net 75,862	Gross 93,897 Net 77,788	Gross 95,821 Net 79,700	Gross 97,747 Net 81,554
P-2	Gross 47,322 Net 40,838	Gross 57,661 Net 48,631	Gross 61,103 Net 49,838	Gross 62,824 Net 51,246	Gross 64,546 Net 52,656	Gross 66,270 Net 53,865	Gross 67,993 Net 55,175	Gross 69,711 Net 56,480	Gross 71,434 Net 57,700	Gross 73,154 Net 58,927	Gross 74,875 Net 60,405	Gross 76,599 Net 61,715	Gross 78,318 Net 63,022
P-1	Gross 37,012 Net 31,123	Gross 44,593 Net 38,123	Gross 47,269 Net 39,233	Gross 48,607 Net 40,344	Gross 49,943 Net 41,453	Gross 51,401 Net 42,565	Gross 52,862 Net 43,675	Gross 54,324 Net 44,786	Gross 55,784 Net 45,896	Gross 57,246 Net 47,007	Gross 58,707 Net 48,117	Gross 60,166 Net 49,228	Gross 61,628 Net 50,337

<sup>1</sup> = The normal qualifying period for in-grade movement between consecutive steps is one year up to step VII, starting with step VIII a two-year period at the preceding step is required, with the exception of the D-1 and D-2 levels. For the D-1 level a two-year period at the preceding step is required starting with step V. For the D-2 level all steps are biennial.

<sup>2</sup> Pay protection measure, also referred to as PP1 or PP2, is applicable to staff whose salary levels before conversion were higher than those at the maximum steps of their grade on the unified salary scale.

	(PP1) Z/	(PP2) Z/
P-4 Gross	119,547	121,806
P-4 Net	93,183	94,764
P-3 Gross	96,670	101,730
P-3 Net	79,249	80,711
P-2 Gross	80,041	84,331
P-2 Net	64,331	68,088
P-1 Gross	63,088	67,447
P-1 Net	51,447	54,896

Source: United Nations  
Note: This scale is subject to the revisions by the UN from time to time





Bangkok (Thailand)

General Service Category - Annual Salaries and Allowances  
(in Baht a/)

Effective 1 August 2010

Applicable only to eligible staff already on board prior to 1 March 2012

Level	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	XIV b/
1-A	(Gross)	334150	351920	369630	387370	405110	422850	440590	458330	476070	493810	511550	529290	547030
	(Gross Pen.)	318140	335910	353680	371450	389220	406990	424760	442530	460300	478070	495840	513610	531380
	(Total Net)	258210	270680	285110	299560	314010	328460	342910	357360	371810	386260	400710	415160	429610
	(Net Pens.)	258210	270680	285110	299560	314010	328460	342910	357360	371810	386260	400710	415160	429610
1-B	(Gross)	414070	437890	461700	485520	509330	533150	556960	580780	604590	628410	652220	676030	726340
	(Gross Pen.)	398060	421880	445690	469510	493320	517140	540950	564770	588580	612390	636200	659990	683800
	(Total Net)	315160	327630	342060	356490	370920	385350	399780	414210	428640	443070	457500	471930	486360
	(Net Pens.)	315160	327630	342060	356490	370920	385350	399780	414210	428640	443070	457500	471930	486360
2	(Gross)	546700	578120	609540	640960	672380	703800	735220	766650	798070	829500	860930	892360	923790
	(Gross Pen.)	546630	578050	609470	640890	672310	703730	735150	766570	797990	829410	860830	892250	923670
	(Total Net)	442830	468280	493730	519180	544630	570080	595530	620980	646430	671880	697330	722780	748230
	(Net Pens.)	442830	468280	493730	519180	544630	570080	595530	620980	646430	671880	697330	722780	748230
3	(Gross)	712680	756650	799630	841600	884570	927550	970520	1013500	1056440	1142420	1185390	1228370	1271340
	(Gross Pen.)	710630	754590	797570	839540	882510	925480	968450	1011420	1054390	1140370	1183340	1226310	1269280
	(Total Net)	579550	608740	641830	674920	708010	741100	774190	807280	840370	873460	906550	939640	972730
	(Net Pens.)	579550	608740	641830	674920	708010	741100	774190	807280	840370	873460	906550	939640	972730
4	(Gross)	933050	988730	1044410	1100090	1155770	1211450	1267130	1322810	1378490	1434170	1490700	1553640	1611570
	(Gross Pen.)	920230	973170	1026110	1079050	1131990	1184930	1237870	1290810	1343750	1396690	1449630	1502570	1555510
	(Total Net)	745340	788210	831080	873950	916820	959690	1002560	1045430	1088300	1131170	1174040	1216910	1259780
	(Net Pens.)	745340	788210	831080	873950	916820	959690	1002560	1045430	1088300	1131170	1174040	1216910	1259780
5	(Gross)	1184770	1254910	1325050	1395200	1470240	1543220	1616200	1689200	1762190	1835180	1908170	1981160	2054150
	(Gross Pen.)	1159570	1226220	1292870	1359520	1426220	1492870	1559520	1626220	1692870	1759520	1826220	1892870	1959520
	(Total Net)	939160	993170	1047180	1101190	1155200	1209210	1263220	1317230	1371240	1425250	1479260	1533270	1587280
	(Net Pens.)	939160	993170	1047180	1101190	1155200	1209210	1263220	1317230	1371240	1425250	1479260	1533270	1587280
6	(Gross)	1401800	1493900	1586000	1678100	1764800	1856900	1949000	2039300	2130700	2420810	2527410	2635000	2732600
	(Gross Pen.)	1445910	1528060	1610210	1692360	1774510	1856660	1938810	2020960	2103110	2393220	2499820	2606420	2703020
	(Total Net)	1171220	1238550	1305900	1373240	1440580	1507920	1575260	1642600	1709940	1777280	1844620	1911960	1979300
	(Net Pens.)	1171220	1238550	1305900	1373240	1440580	1507920	1575260	1642600	1709940	1777280	1844620	1911960	1979300
7	(Gross)	1876430	1998550	2120670	2242790	2364910	2487030	2609150	2731270	2853390	2975510	3097630	3219750	3341870
	(Gross Pen.)	1811440	1928560	2045680	2162800	2279920	2397040	2514160	2631280	2748400	2865520	2982640	3099760	3216880
	(Total Net)	1455780	1523000	1590220	1657440	1724660	1791880	1859100	1926320	1993540	2060760	2127980	2195200	2262420
	(Net Pens.)	1455780	1523000	1590220	1657440	1724660	1791880	1859100	1926320	1993540	2060760	2127980	2195200	2262420

Revision 42, Amend. 2  
Jun-15

**Education grant entitlements applicable  
in cases where educational expenses are incurred in currencies stated below**

(Effective as from the school year in progress on 1 January 2011)

Currency	(1) <i>Maximum amount admissible educational expenses and maximum grant for disabled children</i>	(2) <i>Maximum education grant</i>	(3) <i>Normal flat rate when boarding not provided</i>	(4) <i>Additional flat rate for boarding (at designated duty stations)</i>	(5) <i>Maximum grant for staff members serving at designated duty stations</i>	(6) <i>Calculation for maximum admissible educational expenses (attendance only)</i>
<b>Euro</b>						
Austria	18 240	13 680	3 882	5 824	19 504	13 064
<del>Belgium<sup>a</sup></del>	16 014	12 011	3 647	5 470	17 481	11 151
<del>France<sup>b</sup></del>	11 497	8 623	3 127	4 691	13 314	7 328
Germany	20 130	15 098	4 322	6 484	21 582	14 367
Ireland	17 045	12 784	3 147	4 721	17 505	12 849
Italy	21 601	16 201	3 223	4 836	21 037	17 304
Netherlands	18 037	13 528	3 993	5 990	19 518	12 713
Spain	17 153	12 864	3 198	4 797	17 661	12 889
Danish krone	122 525	91 894	28 089	42 134	134 028	85 073
Japanese yen	2 324 131	1 743 098	609 526	914 290	2 657 388	1 511 430
Swedish krona	157 950	118 462	26 219	39 328	157 790	122 991
Swiss franc	32 932	24 699	5 540	8 310	33 009	25 545
Pound sterling	25 864	19 398	3 821	5 731	25 129	20 769
United States dollar (in the United States of <del>America</del> <sup>c</sup> )	45 586	34 190	6 265	9 399	43 589	37 233
United States dollar (outside the United States of America)	21 428	16 071	3 823	5 735	21 806	16 331

<sup>a</sup> Except for the following schools, where the United States dollar (in the United States) level will be applied: ~~the International School of Brussels, the British School of Brussels and St. John's International School.~~

<sup>b</sup> Except for the following schools, where the United States dollar (in the United States) level will be applied: ~~American School of Paris, American University of Paris, British School of Paris, European Management School of Lyon, International School of Paris, Marymount School of Paris, École Active Bilingue Victor Hugo and École Active Bilingue Jeannine Manuel.~~

<sup>c</sup> Also applies, as a special measure, for China, Hungary, Indonesia, the Russian Federation and Thailand; the American Cooperative School in Tunis (Tunisia); and the American International School of Johannesburg (South Africa).

### Dependency and Secondary Dependency Allowances

**A. Applicable to staff in Professional and Higher Categories in Bangkok.  
Effective 1 January 2011**

	US\$ net per year	US\$ net per month
I. Dependent Child	2,929	244
II. Secondary Dependency Allowances	1,025	85

**B. Applicable to staff in the General Service Category in Bangkok.  
Effective 1 August 2010**

	Thai Baht net per year	Thai Baht net per month
I. Dependent Spouse	6,000	500
II. Dependent Child	35,004	2,917

Source: United Nations

Note: The figures are subject to the revisions of the UN from time to time.

**REGULATIONS OF THE ASIA-PACIFIC TELECOMMUNITY'S  
CONTRIBUTORY PROVIDENT FUND**

1. The Contributory Provident Fund (CPF) Scheme of the Asia-Pacific Telecommunity is to provide benefits for the Staff of the Telecommunity on their retirement or on separation from the organization.
2. Every member of the Staff except those on short-term appointments (becomes a participant in the Fund upon commencing employment under an appointment by the Telecommunity for one year or more.
3. Contribution at the rate of 7.9 percent of his CPF remuneration by the participant and 15.8 percent of his CPF remuneration by the Telecommunity shall be payable to the Fund from the date of employment of the participant till the date of his separation from the Telecommunity.
4. A fixed deposit account will be opened in favour of each participant and the contributions shall be deposited in his account on every pay day. Interest accrued on the Fund and the deposit during the year shall be made known to the participant in the form of a statement in January every year. On separation of the participant from the Telecommunity, the entire amount of deposit in the account of the participant shall be paid to him in lump sum except in the following cases;
  - a. If the participant is summarily dismissed from the service of the Telecommunity on disciplinary grounds; in such a case the participant may receive only the contribution made by him to the Fund if the Secretary General so decides;
  - b. If the participant resigns before the expiry of his term of appointment; in such a case, the Secretary General may allow him to draw the entire amount of deposit in his account provided there is compelling circumstances for such resignation. Otherwise the participant would receive only the contribution made by him plus the interest accrued on his contribution.
  - c. If a participant is removed from the services of the Telecommunity due to reduction of Staff or any other reasons, except as described in a) above, the participant shall receive, on removal, the entire amount of deposit in his account at the time of his removal.
5. In the case of death of a participant during his tenure of service with the Telecommunity his legal heirs will receive the entire amount of deposit in his CPF account on the date of his death.
6. In the case of International recruits the CPF account will be maintained in US\$ and in the case of locally recruited staff, the account will be maintained in Thai Baht.
7. If a participant is on leave without pay, no contribution will be made by the Telecommunity for the period of such leave.
8. The Secretary General may frame rules for the operation of the CPF benefits, but the rules so framed should not be contrary to the provisions of these Regulations and all other instruments of the Telecommunity.

**PENSIONABLE REMUNERATION FOR STAFF IN THE PROFESSIONAL AND HIGHER CATEGORIES**  
(in United States dollars)

**Effective 1 February 2013**

Level	S T E P S														
	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	XIV	XV
<b>USG</b>	301,443														
<b>ASG</b>	278,617														
<b>D-2</b>	231,676	236,943	242,208	247,468	252,732	257,995									
<b>D-1</b>	210,577	214,896	219,215	223,524	227,842	232,374	237,003	241,629	246,248						
<b>P-5</b>	175,226	178,897	182,568	186,245	189,915	193,588	197,258	200,934	204,605	208,278	211,951	215,632	219,569		
<b>P-4</b>	143,031	146,571	150,103	153,637	157,180	160,711	164,248	167,788	171,321	174,854	178,387	181,935	185,465	189,002	192,540
<b>P-3</b>	117,554	120,559	123,558	126,554	129,559	132,557	135,557	138,562	141,702	144,985	148,264	151,543	154,825	158,104	161,384
<b>P-2</b>	96,441	99,131	101,810	104,495	107,179	109,862	112,545	115,226	117,913	120,597	123,276	125,962			
<b>P-1</b>	75,099	77,684	80,261	82,838	85,419	87,995	90,580	93,155	95,735	98,313					

Source: United Nations

Note: This scale is subject to the revision of the UN from time to time

**STAFF MEMBER'S CONTRIBUTION AND SUBSIDIES**  
**BY THE TELECOMMUNITY (In percentage)**

GRADE	STAFF MEMBER		SPOUSE		EACH CHILD	
	CONT.	SUBS.	CONT.	SUBS.	CONT.	SUBS.
G 1	20	80	17	83	18.33	81.67
G 2	26.67	73.33	23	77	28.33	71.67
G 3	34.17	65.83	29.50	70.50	37.50	62.50
G 4	41.67	58.33	37	63	45	55
G 5	46.67	53.33	43	57	53.33	46.67
G 6	53.33	46.67	49	51	58.33	41.67
G 7	60	40	56	44	63.33	36.67
P 1	75	25	64	36	83.33	16.67
P 2	80.	20	71	29	86.67	13.33
P 3	86.67	13.33	78	22	90	10
P 4	92.50	7.50	84	16	93.33	6.67
P5	98.33	1.67	90	10	96.67	3.33
D-UP	100	0	96	4	96.67	3.33

Source: United Nations

**RULES GOVERNING COMPENSATION IN THE EVENT OF DEATH, INJURY OR ILLNESS ATTRIBUTABLE TO THE PERFORMANCE OF OFFICIAL DUTIES ON BEHALF OF THE ASIA-PACIFIC TELECOMMUNITY**

**Section I. Applicability**

**Article 1. Applicability**

- (a) These rules shall apply to all staff members of APT including the Secretary General and Deputy Secretary General except as provided in paragraph b) of this article. In the case of Secretary General the discretionary decisions will be taken by the Chairman of the Management Committee.
- (b) These rules shall not apply to interns nor to persons under contract with the APT by special service agreement unless otherwise expressly provided by the terms of their appointments.

**Section II. Principles of award and general provisions**

**Article 2. Principles of award**

The following principles and definitions shall govern the operation of these rules:

- (a) Compensation shall be awarded in the event of death, injury or illness of a staff member which is attributable to the performance of official duties on behalf of the APT, except that no compensation shall be awarded when such death, injury or illness has been occasioned by :
  - i) The wilful misconduct of any such staff member; or
  - ii) Any such staff member's wilful intent to bring about the death, injury or illness of himself or another;
- (b) Without restricting the generality of paragraph a), death, injury or illness of a staff member shall be deemed to be attributable to the performance of official duties on behalf of the APT in the absence of any wilful misconduct or wilful intent when:
  - i) The death, injury or illness resulted as a natural incident or performing official duties on behalf of the APT; or
  - ii) The death, injury or illness was directly due to the presence of the staff member, in accordance with an assignment by the APT, in an area involving special hazards to the staff member's health or security, and occurred as the result of such hazards; or

- iii) The death, injury or illness occurred as a direct result of travelling by means of transportation furnished by or at the expense or direction of the APT in connection with the performance of official duties; provided that the provisions of this sub-paragraph shall not extend to private motor vehicle transportation sanctioned or authorized by the APT solely on the request and for the convenience of the staff member;
- (c) Compensation with respect to a child shall be paid until the end of the month in which the child reaches eighteen years of age; provided that if the child is in full-time attendance at a school or university (or similar educational institution) or is totally disabled, compensation shall be continued until the end of the month in which the child reaches twenty-one years. The Secretary General may extend these age limits in the case of a child whose disability is total and where failure to grant an extension would work a severe hardship;
- (d) "Dependants" shall mean and include only: a wife, dependent husband, dependent child, dependent parent, dependent brother or dependent sister, who is entitled to a dependency allowance under Regulation 3.11;
- (e) "C.P.F. remuneration" shall have the meaning assigned thereto under Regulation 3.11 of the APT's Staff Regulations and Staff Rules.

### **Article 3. Sole Compensation**

The compensation payable under these rules shall be the sole compensation to which any staff member or his dependants shall be entitled in respect of any claim falling within the provisions of these rules.

### **Article 4. Relation to benefits under the APT's Contributory Provident Fund**

Compensation awarded under these rules is intended to supplement benefits awarded under the Regulations of the C.P.F in Annex 6 of the Staff Regulations.

### **Article 5. Relation to non-APT compensation Payments or entitlements**

In determining the amount of compensation under these rules, the Secretary General may take into account any compensation payment or benefits under governmental, institutional or industrial schemes for which the staff member or his dependants may qualify; provided that this article shall not operate to reduce compensation payments under these rules below the level prescribed therein. No account shall be taken in determining the amount of compensation of commercial insurance carried by the staff member and of which he or his dependants may be the beneficiaries.



## **Article 6. Claims against third parties**

- (a) If a death, injury or illness for which compensation may be awarded under these rules is caused in circumstances which, in the opinion of the Secretary General, create a legal liability in a third person to pay damages therefor, either to the staff member or to another person who is entitled to compensation under these rules in respect of the death, injury or illness, the Secretary General may, as a condition to granting such compensation, require the member of the staff or such person to assign to the APT any right of action to enforce such liability, or to participate with the APT in prosecuting such action;
- (b) The staff member or such person shall furnish the APT with such data and evidence as may be available to him for prosecuting such action and render the APT all other assistance which may be required for prosecuting such action. The staff member or such person shall not settle any claim or action against such third person without the consent of the APT, but the APT shall be entitled to settle or require the staff member or such person to settle any claim or action against such third person upon such terms as seem reasonable to the APT;
- (c) If the staff member or such person, or the staff member or such person and the APT prosecute to judgement or settle any claim against such third person or make any settlement of such claim, the proceeds derived therefrom shall be used i) to defray the costs of the suit or settlement, including reasonable attorney fees, and ii) to reimburse the APT for any compensation including expenses of medical services provided under these rules with respect to the death, injury or illness. The balance, if any, shall be paid over to the staff member or such person and the APT liability under these rules shall to the extent be reduced.

## **Article 7. Non-assignment**

A person who may be entitled to compensation under these rules may not assign his rights under these rules to another person.

## **Article 8. Minors**

All awards of compensation required to be made to minors under these rules shall be paid to or for the benefits of such minors. The Secretary General may require the appointment of a guardian in any such case.

## **Article 9. Reopening of cases**

The Secretary General, on his own initiative or upon the request of a person entitled to or claiming to be entitled to compensation under these rules, may reopen any case under these rules, and may, where the circumstances so warrant, amend in accordance with these rules any previous award with respect to future payments.

### **Section III. Compensation payments**

#### **Article 10. Death**

In the event of the death of a staff member, which is attributable to the performance of official duties on behalf of the APT, the following provisions shall apply:

##### Article 10.1

In addition to any compensation payable under article 10.2, the APT shall pay:

- (a) A reasonable amount for the preparation of the remains and funeral expenses:
- (b) The expenses of return transportation of the deceased staff member and his dependants either:
  - i) To the place where the Organization would have had an obligation to return the staff member on separation; or
  - ii) In cases where the staff member was serving on an official assignment away from his duty station at the date of his death, to the place of his official duty station; or
  - iii) To another place provided that the maximum expense borne by the APT shall not exceed the amount under sub- paragraph i);
- (c) All reasonable medical, hospital and directly related costs.

##### Article 10.2

- (a) The APT shall pay to the deceased staff member's widow and/or other dependants the compensation specified hereunder, provided that the total annual compensation so payable shall not exceed two-thirds of the final C.P.F. remuneration of the staff member plus the annual dependency allowances to which he was entitled at the date of his death;

- (b) There shall be paid to the deceased staff member's widow (or disabled widower) an annual compensation until death or re-marriage equal to two-fifths of the staff member's final annual C.P.F. remuneration, provided that:
- i) If the amount so calculated is less than US\$ 2,200 per annum, it shall be increased to either US\$2,200 per annum or to twice amount first calculated, whichever is the smaller;
  - ii) If the deceased staff member leaves more than one widow, the annual compensation payable under this paragraph shall be divided equally among the widows. Upon the death or re-marriage of one such widow, her share shall be divided among the remainder;
  - iii) Upon re-marriage of the widow (or widower in receipt of compensation under this paragraph) a lump sum equivalent to two year's compensation under this paragraph shall be paid to her (or him) except in cases where compensation was paid under Article 10.2 b) ii);
- (c) There shall be paid to each unmarried child of the deceased staff member, during such time as he or she qualifies for a child's compensation under article 2 c) the following annual compensation:
- i) If there is a surviving widow or widower of the staff member, an annual compensation equal to one-third of the compensation which would have been payable to the staff member under article 11.1 (c) had he been totally incapacitated, provided that the compensation for each child shall not be less than US\$300 per annum and shall not exceed US\$1,000 per annum and that the total compensation payable in respect of the children of one staff member not exceed US\$3,000 per annum;
  - ii) If, or at such time as, there is no surviving widow or widower of the staff member, the annual child's compensation under article 10.2 (c) i) shall be increased by an amount equivalent to one-half of the widow's compensation under Article 10.2 b) where there is only one child qualifying for compensation, and by the full amount of the widow's compensation under Article 10.2 b) where there are two or more children qualifying for compensation, provided always that the total children's compensation payable under this provision shall be divided in equal shares among all the children entitled, and shall be recalculated at such times as any one of such children ceases to qualify under Article 2 c);
- (d) If there is no surviving widow, widower or child of the deceased staff member to whom compensation is payable under Article 10.2 b) or c) but the staff member is survived by a dependent mother or father or brother or sister in respect of whom a dependency allowance was being paid at the date of the death of the staff member, then subject to the provision of Article 10.2 f), annual compensation shall be payable as follows:

- i) A dependent mother or dependent father shall receive a widow's compensation in the same amount and subject to the same conditions as provided for under Article 10.2 b), except only that in the event of the remarriage of the dependent mother or father, the Secretary General may, if he deems fit, continue the payment of the compensation;
  - ii) A dependent brother or dependent sister shall receive, during such time as he or she is a child within the meaning of Article 2 c), a child's compensation in the same amount and subject to the same conditions as provided for under Article 10.2 c) i);
- (e) Where the annual compensation payable under the preceding provisions of Article 10.2 is less than two-thirds of the staff member's final annual C.P.F. remuneration, plus the dependency allowances which were paid by the APT at the cessation of the staff member's employment, and the staff member had other dependants (as defined in Article 2 d) at the date of his death in respect of who no compensation is payable under the preceding provisions of Article 10.2, then subject to the provision of Article 10.2 f), such dependants may be awarded a lump-sum payment, the amount of which shall be determined by the Secretary General and shall not exceed the equivalent of twice the staff member's final annual C.P.F. remuneration of US\$10,000 whichever is smaller. Where two or more dependants qualify under this sub-paragraph, the Secretary General may allocate compensation between them in such manner as appears to him fair and equitable;
- (f) Where a dependent parent or dependent brother or dependent sister is awarded compensation under Article 10.2 d), and an additional parent or one or more additional dependent brother and/or dependent sisters are awarded compensation under Article 10.2 e), the total compensation so awarded under both paragraphs, when added together (on the basis of such conversion tables as may be established by the Secretary General for this purpose), shall be subject to the maximum limitation set out in Article 10.2 a) above, and may, if the Secretary General so decides, be divided between the dependants to whom such compensation is payable in such manner as he deems fair and equitable, and in the form of either annual or lump-sum payments.

### **Article 11. Injury or illness**

In the event of an injury or illness of a staff member, which is attributable to the performance of official duties on behalf of the APT, the following provisions shall apply:

## Article 11.1

In the case of injury or illness resulting in disability which is determined by the Secretary General to be total.

- (a) The APT shall pay all reasonable medical, hospital and directly related costs;
- (b) Without prejudice to the staff member's entitlements under other provisions of the Staff Regulations and Rules, the salary and allowances which the staff member was receiving at the date on which he last attended at duty shall continue to be paid to the staff member until either:
  - i) He returns to duty; or
  - ii) If, by reason of his disability, he does not return to duty, then until the date of the termination of his appointment or the expiry of one calendar year from the first day of absence resulting from the injury or illness, whichever is the later, provided, however, that if the staff member dies before the expiry of such period, the payments shall cease on the date of death;
- (c) Immediately following the date on which salary and allowances cease to be payable under the Staff Regulations and Rules applicable, including paragraph b) of this article, and for the duration of the staff member's total disability, he shall receive annual compensation payments equivalent to two-thirds of his final C.P.F. remuneration plus one-third of such annual rate in respect of each unmarried child of the staff member qualifying under article 2 c), subject always to the successive application of the three limitations set out below:
  - i) Payments in respect of each such child shall not be less than US\$300 per annum and shall not exceed US\$1,000 per annum and the total compensation payable in respect of the children of one staff member shall not exceed US\$3,000 per annum;
  - ii) The total annual compensation payments under article 11.1 c) shall not be less than the smaller of the following two amounts:

The C.P.F. remuneration applicable to the salary level of GS1, step 1, or its equivalent in the General Service category at the last permanent duty station of the staff member, plus US\$300 per each of his dependants in respect of whom a dependency allowance was payable; or The maximum amount specified in article 11.1 c) iii);
  - iii) The total annual compensation payments under article 11.1 c) shall not exceed the amount of the final annual C.P.F. remuneration of the staff member plus the annual dependency allowances to which he was entitled at the date of the cessation of his employment.

## Article 11.2

In the case of injury or illness resulting in disability which is determined by the Secretary General to be partial:

- (a) The APT shall pay all reasonable medical, hospital and directly related costs, whether or not the staff member remains in the employment of the APT:
- (b) The provisions of article 11.1 b) shall apply:
  - i) During such time as the staff member is incapacitated by the injury or illness from the performance of his official duties; and
  - ii) Whenever the disability of the staff member results in the termination of his appointment on the ground that he is for reasons of health incapacitated for further service;
- (c) Where, as a result of his partial disability, a staff member who remains in the employment of the APT is reassigned to a post at a lower salary level than that which he held prior to the injury or illness;
  - i. Compensation shall be paid at an annual rate equal to two-thirds of the difference between his gross salary rate before reassignment and the gross salary rate at which he is reassigned. This compensation shall be added to the latter gross salary, and the whole shall be subject to staff assessment under Staff Regulation 3.1, and shall be included in the salary element of C.P.F. remuneration under Staff Rule 3.15;
  - ii. The payment of compensation under article 11.2 c) shall not affect the salary increments applicable to the lower salary level at which the staff member is reassigned, provided, however, that where the amount of the salary, including increments, payable to the staff member subsequently rises to an amount which, when added to the compensation payable under article 11.2 c) i), exceeds the level of salary, including increments, which the staff member would have received had he remained in the grade which he held at the time of the injury or illness, then the Secretary General may make appropriate reduction or reductions in the compensation payable;

## Article 11.3

- (a) In the case of injury or illness resulting in permanent disfigurement or permanent loss of a member or function, there shall be paid to the staff member a lump-sum, the amount of which shall be determined by the Secretary General on the basis of the schedule set out in paragraph c) below, and in accordance with the principles of assessment set out in paragraph d) below, and applying, where necessary, proportionate and corresponding amounts in those cases of permanent disfigurement or loss of member or function not specifically referred to in the schedule;

- (b) The payment of lump-sum compensation under paragraph a) shall be made in addition to any other compensation payable under article 11, whether or not the staff member remains in the employment of the APT, and whether or not the permanent disfigurement or loss of member or function affects the staff member's earning capacity;
- (c) SCHEDULE (PERMANENT DISFIGUREMENT OR PERMANENT LOSS OF MEMBER OR FUNCTION)

<i>Loss or total loss of use</i>	<i>Amount</i>
(i) Both arms or both hands, or both legs or both feet, or sight of both eyes	Twice the annual amount of the pensionable remuneration at grade P-4, step V
(ii) Arm (at shoulder)	60% of (i)
(at or below elbow)	57% of (i)
(iii) Hand (at or below wrist)	54% of (i)
(iv) Thumb	22% of (i)
(v) Fingers	
First (index)	14% of (i)
Second (middle)	11% of (i)
Third (ring)	5% of (i)
Fourth (little)	3% of (i)
(vi) Leg (with short thigh stump)	40% of (i)
(at or below knee)	36% of (i)
Foot (at or below ankle)	28% of (i)
Great toe	5% of (i)
any other toe	1% of (i)
Loss of sight, one eye	24% of (i)
Loss of hearing,	35% of (i)

In the case of General Service personnel, manual workers and locally recruited mission personnel whose salaries or wages are fixed in accordance with Staff Regulations 3.1, appropriate adjustments in the amounts of compensation provided for in this schedule may be made by the Secretary General, taking into account the proportion which the staff members' salary or wage bears to Headquarters rates;

- (d) Compensation under the immediately preceding provisions shall be determined in accordance with the following principle of assessment, where these are applicable:
  - i) The assessment for the loss, or loss of use, of two or more digits, or of one or more phalanxes of each of two or more digits, of a hand or foot, shall be proportioned to the loss of the use of the hand or foot occasioned thereby;
  - ii) The assessment of permanent total loss of use of a member shall be the same as for the loss of the member;
  - iii) The assessment for permanent partial loss, or loss of use, of a member shall be proportionate to the degree of loss or loss of use of the member;

#### Article 11.4

Notwithstanding any other provisions of Article 11, the Secretary General may award additional compensation as follows:

- (a) Where the injury or illness of a staff member has resulted in total disability of such a nature that the staff member is obliged to depend, for his essential personal needs, on the attendance of another person, either constantly or occasionally, and such attendance entails expense, additional compensation may be paid, in such amount as may be determined by the Secretary General, not exceeding the reasonable cost of such attendance;
- (b) In any case of permanent partial disability, where the staff member's earning capacity has been affected by an injury or illness attributable to the performance of official duties on behalf of the APT, an additional allowance may be authorized, in such amount as may be determined by the Secretary General, to assist in financing the cost of an appropriate course of vocational rehabilitation approved in advance by the Secretary General.

#### Article 11.5

In any case where annual compensation has been awarded under article 11.2, the Secretary General may, if the staff member agrees, commute all or part of the annual compensation award to a lump-sum payment which is the actuarial equivalent of such award, using conversion tables established by the Secretary General for this purpose.



## **Section IV. Administration and procedures**

### **Article 12. Time limit for entering claims**

Claim for compensation under these rules shall be submitted within four months of the death of the staff member or the injury or onset of the illness; provided, however, that in exceptional circumstances the Secretary General may accept for consideration a claim made at a later date.

### **Article 13. Type and degree of disability**

The determination of the injury or illness and of the type and degree of disability shall be made on the basis of reports obtained from a qualified medical practitioner or practitioners.

### **Article 14. Medical examination**

The Secretary General may require the medical examination of any person claiming or in receipt of a compensation for injury or illness under these rules. In case of refusal or failure of a claimant or beneficiary to undergo such examination at such time or times as, in the opinion of the Secretary General, may be reasonably necessary, the Secretary General may bar the claimant or beneficiary from receiving compensation in full or in part.

### **Article 15. Documentary evidence**

Every person claiming under these rules or in receipt of a compensation under these rules shall furnish such documentary evidence as may be required by the Secretary General for the purpose of determination of entitlements under these rules.

In all matters above the Secretary General shall have the discretion if necessary in consultation with the Chair of the Management Committee.

Note: UN Common System will be referred to whenever it is necessary and the applicable rate will be revised from time to time.



**FINANCIAL REGULATIONS  
OF THE ASIA-PACIFIC TELECOMMUNITY**

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*(Revised at the MC-42, Ulaanbaatar, 2018)*



## **FINANCIAL REGULATIONS OF THE ASIA-PACIFIC TELECOMMUNITY \***

### **PREAMBLE**

1. The Management Committee, of the Asia-Pacific Telecommunity (hereinafter referred to as "Telecommunity") in its Thirty Sixth Session in 2012 adopted these Financial Regulations (hereinafter referred to as "these Regulations"), on the basis of Article 9, Paragraph 5 (b) of the Constitution of the Telecommunity.
2. The finances of the Telecommunity are governed by the provisions of the Constitution, Resolutions adopted and the decisions taken by the General Assembly or the Management Committee in accordance with such provisions.
3. These Regulations apply to all the financial activities and financial operations of the Telecommunity.

### **SECTION I GENERAL PROVISIONS**

#### **Article 1 Organization of Financial Control and Administration of the Finance of the Telecommunity**

1. The Secretary General shall be responsible to the General Assembly and Management Committee for the administration of the finances of the Telecommunity. Any delegation of authority shall be based on that principle. The Secretary General may delegate to the Deputy Secretary General and other officials of the Telecommunity such authority as he considers necessary for the efficient and effective implementation of these Regulations and any administrative procedures issued there under.
2. In order to permit the Secretary General to carry out his responsibilities in financial matters, the financial services shall be centralized in the Secretariat and shall be so organized as to ensure :-
  - (a) the keeping of clear and full accounts for all the financial operations of the Telecommunity;
  - (b) the supervision of all budgetary operations and in particular commitments to expenditure;
  - (c) the application of all the provisions of these Regulations and ;
  - (d) the administration of the Contributory Provident Fund in accordance with these Regulations.

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3. The Secretary General shall, with the assistance of the Deputy Secretary General and the Accountant, maintain and control the accounts in the name of the Telecommunity.

Negotiable documents drawn on behalf of the Telecommunity shall be signed by both the Secretary General and the Deputy Secretary General.

In the absence of either the Secretary General or the Deputy Secretary General, the official or officials designated by the Secretary General may sign on behalf of only one of them.

4. The Secretary General with the assistance of the Deputy Secretary General shall establish the necessary administrative procedures to implement these Regulations for smooth operation and effective internal control of the financial transactions in the Secretariat.

## **SECTION II BUDGET**

### **Article 2 Definition**

1. The Budget of the Telecommunity is as defined in Article 11 of the Constitution of the Telecommunity.
2. In these Regulations, "Budget" means General Budget as defined in the Constitution of the Telecommunity.
3. The Budget of the Telecommunity shall comprise :-
  - (a) Expenditure as defined in Article 5
  - (b) Income as defined in Article 6
4. Other than the General Budget, "Special Budgets" and "supplementary budget" are defined as follows.
  - (a) "Special Budgets": the budget to cover expenses as stipulated in the Article 11 para 3 of the Constitution;
  - (b) "supplementary budget": A form of a Special Budget which aims to facilitate to cover any exceptional expenses under specific circumstances. It can be formulated when the Management Committee deemed it necessary on the basis and within the limits of the annual expenditure established by the General Assembly.

5. Income and expenses not included in the Budget, such as those related to a Special Budget and Extra Budgetary Contributions (hereinafter referred to as EBCs) as mentioned in Annex II, are also governed by the relevant provisions contained in these Regulations.
6. The Budget shall be generally established for one financial year.

**Article 3**  
**Limits of Expenditure**

1. Expenditure must not exceed the limits set by the General Assembly, provided that in exceptional cases, when the Management Committee considers it unavoidable to exceed the limits, such limits could be exceeded after obtaining concurrence of at least a two thirds majority of the Members. For this purpose, with the assistance of the Secretariat, the Chairman of the Management Committee should consult the Members through the President of the Telecommunity.

**Article 4**  
**Financial Year**

1. The Financial Year shall be the period from 1 January to 31 December.

**Article 5**  
**Expenditure**

1. As regards expenditure, the Budget shall be divided into three sections :-
  - A – Staff
  - B – Administration
  - C – Work Programme
2. The sections may be divided into sub-heads as follows :-

**Section A: Staff**

- A.1 Staff of Professional Category  
Salary and allowances  
  
Other staff costs (e.g. contributory provident fund, health insurance, etc.)
- A.2 Staff of General Service Category  
Salary and allowances

Other staff costs (e.g. contributory provident fund, overtime, health insurance, etc.)

### **Section B: Administration**

- B.1 General Office Expenditure (including Building Maintenance)
- B.2 Office Supplies
- B.3 Auditor's Fees
- B.4 Legal Advisor's Fees
- B.5 Information System (operation and maintenance)
- B.6 Promotional Activities
- B.7 Other Expenditure

### **Section C: Work Programme**

- C.1 Meetings, Workshops, Seminars including General Assembly and Management Committee Meetings
  - C.2 Training/Study Visits
  - C.3 Consultancies/Expert Missions
  - C.4 Office Travel
  - C.5 Other Work Programme Expenditure
- 3 Expenditure shall be separately assessed for each of the sections mentioned in paragraph 1 above.
- 4 The Budget shall contain all useful information about the estimates of expenditure, in particular
- (a) it shall mention for each item the corresponding figures of the current budget and of the accounts of the previous year;
  - (b) The report concerning its presentation shall show, for each sub-head of expenditure, the difference compared with the previous budget and shall contain all necessary information justifying that difference.
- 5 Doubtful Debts & Bad Debts Expenses
- (a) Doubtful debt is the contribution receivable of the member which is in arrears in its payment to the Telecommunity for so long as the amount of its arrears equals or exceeds the amount of regular contribution due from the member for the preceding two years or more. The corresponding amount shall be set up as the allowance for doubtful debts which may be recovered in future.
  - (b) When such a receivable, which is being set up as the allowance for doubtful debt, is collected, it shall be considered as other income.



- (c) Bad debt is the contribution receivable of a withdrawn or terminated member which is in arrears in its payment to the Telecommunity during the period of its membership. The corresponding amount may be written off directly from the contribution receivable which may not be recovered for a minimum period of two years.
- (d) Provisions for doubtful debts and bad debts shall be approved by the Management Committee for consideration as expenses in the current year.

### **Article 6 Income**

1. The Income of the Telecommunity shall comprise all items provided for in paragraph 4 of Article 11 in the Constitution of the Telecommunity.
2. The income of the Budget shall comprise :-
  - (a) regular contributions of Members, Associate Members and Affiliate Members
  - (b) EBCs of Members, Associate Members and Affiliate Members and other sources (but not EBCs solely intended for work program, see Annex II)
  - (c) income from interests
  - (d) any other income
3. In each Budget, the number of contributory units pledged, the amount paid and the amount outstanding should be indicated.
4. Before the beginning of each calendar year, the Secretary General shall :-
  - (a) inform Members, Associate Members and Affiliate Members of their obligations in respect of annual contributions to the budget;
  - (b) request Members, Associate Members and Affiliate Members to remit all contributions due;
  - (c) contributions shall be due and payable in full within 30 days of the receipt of the communication from the Secretary General, or as of the first day of the calendar year to which they relate, whichever is the later. As of 1 January of the following calendar year, the unpaid balance of such contributions and advances shall be considered to be one year in arrears.
5. The pledged annual contributions should be paid in United States dollars, with the exception of the contribution of the host Government which may be paid in local currency.

6. EBCs in cash can be made in any convertible currency at any time.

**Article 7**  
**Preparation of the Budget**

1. The Budgets of the Telecommunity shall be prepared in terms of United States dollars subject to ceilings prescribed and shall comprise :
  - (a) Sources and extent of income
  - (b) Items of expenditure with details of such expenditure where the objective is not clear from the wording of the item as expressed in the Budget
2. The Secretary General shall submit a statement of budget expenditure for the current year to the Management Committee indicating budget, actual expenditure, obligation and balance.

Variances between budgets and actual should be explained and justified.

3. The Secretary General shall prepare the draft annual budget of the Telecommunity and any supplementary budget deemed necessary for consideration and approval by the Management Committee. The annual budget will normally be prepared for the year following that in which it is brought up for consideration by the meeting of the Management Committee.
4. The Secretary General shall also prepare a draft indicative budget for the year next to the year for which draft annual budget is prepared.
5. The Secretary General shall circulate the draft Budgets to the Members, Associate Members and Affiliate Members at least six weeks prior to the opening of the meeting of the Management Committee.

**Article 8**  
**Approval of the Budget**

1. In accordance with Article 9, Paragraph 5 (d) of the Constitution, the Management Committee shall examine and approve the annual budget of the Telecommunity ensuring strict economy.
2. In the unusual event of there being no meeting of the Management Committee within the year preceding the fiscal year for which the annual budget has been prepared, the budget with all supporting documents as may be necessary shall be circulated to all members of the Telecommunity within a period of two weeks after it is known that there will be no meeting of the Management Committee.

All members of the Management Committee shall be called upon to give their views and comments on the annual budget within a period of two months after the budget is circulated and on receipt of such views and comments, the Secretary General shall act in accordance with the two-third majority of Members on any issue after obtaining concurrence in writing of the Chairman of the Management Committee.

**Article 9**  
**Implementation of Budget**  
**Duties of the Secretary General**

1. The proper implementation of the Budget of the Telecommunity shall be the responsibility of the Secretary General who shall ensure that the most effective and economical use is made of the Telecommunity's resources. By approving the Budget, the Management Committee authorizes the Secretary General to incur the necessary expenditure provided for therein. To this end, the Secretary General, in consultation with the Deputy Secretary General, shall take such action as he may judge appropriate.
2. In all operations relating to the implementation of the Budget, the Secretary General or, where appropriate, the designated officials shall ensure that credits are not exceeded and that they are rationally used in a spirit of the strictest economy.
3. The Secretary General may effect transfer of allocated Budget from one sub-head to another within Sections A (Staff) or B (Administration) or C (Work Programme), and from Section A and Section B sub-heads to Section C sub-heads, but not from Section C to either Section A or Section B sub-heads.
4. The Secretary General shall take all necessary action for the supervision of all budgetary operations and, in particular, the amount of expenditure for which commitments are incurred with respect to the authorized budget credits, so as to show at any time, the balance of the credits still available for each budget section.
5. No expenditure can be incurred without the signed approval of the Secretary General or of an official duly designated by him in writing for this purpose.

**Article 10**  
**Closing of Budgetary Operations**

1. No commitments to expenditure may be incurred after the close of the financial year for the relevant budget, subject to the provision of Paragraph 2 of this Article.

2. When, for special reasons, it has proved impossible to pay certain expenses before the close of the financial year, appropriations shall remain available for twelve months following the end of the financial year to which they relate for the purpose of discharging obligations in respect of goods supplied and services rendered in the financial year and liquidating any other outstanding legal obligation of the year. The corresponding credits shall be transferred to the "Account for credits granted for previous years", and the expenditures when subsequently incurred shall be charged to this account.
3. Credits transferred to the "Account for credits granted for previous years" shall be shown in the balance sheet of the Accounts of the Telecommunity. In no case may they be used to cover expenditure other than that for which they have been brought forward. Should the credits brought forward be inadequate to cover the relevant expenditure, the difference shall be charged to the appropriate item in the budget of the current year.
4. On expiry of the period of twelve months mentioned in Paragraph 3 above, credits brought forward but not used shall be cancelled and an equivalent amount shall be returned to the fund available for expenditure for next year.

**SECTION III  
CASH RESOURCES OF THE TELECOMMUNITY**

**Article 11  
Cash Required to Implement the Budget**

1. The cash funds required to implement the budget shall be drawn from the income derived from various sources listed in Article 6 of the Regulations.

**Article 12  
Investment of Funds**

1. The Secretary General shall designate the bank (s) and other investment institution(s) in which the funds of the Telecommunity shall be kept in such a manner as to meet the best interest of the Telecommunity.

In this respect, the Secretary General shall ensure that funds are invested in such a way as to place primary emphasis on minimizing the risk to principal funds while ensuring the liquidity necessary to meet the Telecommunity's cash-flow requirements. In addition to these criteria, investments shall be selected on the basis of achieving the highest reasonable rate of return.

2. The funds of the Telecommunity may be kept in fixed deposits, saving and current accounts in United States dollars and local currency of the host country as appropriate.
3. The Annual Report of the External Auditors shall contain a statement of the investments made during the financial year.

## **SECTION IV ACCOUNTS**

### **Article 13 Keeping of Accounts**

1. The accounting system shall adopt the accrual basis for accounts and Budget of the Telecommunity and include in the most practical form all principle and accessory books, files or statements needed for the systematic recording of all income and expenditure and for all the other financial operations of the Telecommunity.
2. The following special accounts shall be kept separately and shall be reported to each session of the Management Committee and the General Assembly :-

- (a) Contributory Provident Fund, which shall be kept in accordance with the Regulations, Rules and Agreement in force;

The accounts of this fund shall show;

- (i) On the credit side,
  - the amount corresponding to the percentage, as stipulated in the Staff Regulations and Staff Rules of Telecommunity, of the CPF remuneration by the staff,
  - the amount corresponding to the percentage, as stipulated in the Staff Regulations and Staff Rules of Telecommunity, on the CPF remuneration by the Telecommunity
- (ii) On the debit side,
  - the payment made to the Staff upon retirement or separation from the Telecommunity.

- (b) Sinking Fund for fixed assets;

The accounts of this fund shall show as expenditure;

- (i) the costs of replacement of equipment/official vehicles/office automation, etc.

- (c) Headquarters Building Support Fund;

The accounts of this fund shall show as expenditure;

- (i) the costs of major repair works on the buildings as well as renovation of the building
  - (ii) the costs of procurement of fixed furniture, electric, and water system, etc. attached to the building.
- (d) APT Yearbook Fund  
The accounts of this fund shall show;
- (i) as income, the amounts paid by the publisher, advertisers or purchasers of the book
  - (ii) as expenditure, the amount used for publishing the book.
- (e) Recruitment and Repatriation/Separation Fund; and
- The accounts of this fund shall show as expenditure;
- (i) the allowances payable to the staff member upon appointment by or repatriation/separation from the Telecommunity, as stipulated in the Staff Regulations and Staff Rules of Telecommunity
  - (ii) the cost of travel necessary for the staff member upon appointment by or repatriation/separation from the Telecommunity, as stipulated in the Staff Regulations and Staff Rules of Telecommunity
- (f) Any other funds or activities requiring justification which may be established by the Management Committee

The purpose and limits of the funds shall be clearly defined by the Management Committee.

Transactions of the Funds and transfers between any of the Funds and the Budget of Telecommunity shall be reported in the annual accounts. The balances of the above Funds except the Contributory Provident Fund shall be included in the balance sheet of the Telecommunity's annual accounts.

#### **Article 14**

##### **Accounting for Income and Expenditure**

1. Accounts shall be drawn up every month. They shall indicate statement of income, expenditure for each budget sub-head, the total expenditure incurred, total commitments to expenditure and the balance of credits available.
2. The annual accounts for each fiscal year with explanatory notes as necessary shall be prepared to properly show the Telecommunity's :-
  - (i) income;
  - (ii) expenditure and obligation;

- (iii) utilization of budgetary allocations including any transfer (Article 9 paragraph 3 of these Regulations) :
- (iv) cash operations and funds carried forward at the end of the year
- (v) financial position, the balance sheet showing assets and liabilities of the Telecommunity

**Article 15**  
**Cash Accounts**

1. All cash operations (payments in and out) shall be recorded in an appropriate document.
2. Cash accounts shall be prepared every month and at the end of every year.
3. The official responsible for cash accounting must at all times have in his cashbox an amount in cash or documents of title tallying with his entries for income and expenditure.

**Article 16**  
**Cash Accounts for Advance**

1. Cash advance may be paid when strictly necessary.
2. Such advances may be authorized only by the Secretary General.

**Article 17**  
**Vouchers**

1. All accounting operations must be supported by numbered vouchers.

**Article 18**  
**Conservation of Accounting Documents**

1. Accounting records and other supporting documents shall be kept for at least 10 years.

**Article 19**  
**Currency of Accounts**

1. All accounts shall be kept in United States Dollars.
2. Financial transactions in currencies other than United States Dollars shall be recorded in the accounts at the United Nations operational rate of exchange at the date of the transaction. Any difference between the United Nations

operational rate of exchange and the actual rate received from the paying agent or financial institution shall be treated as income if a gain, or expenses if a loss.

**Article 20**  
**Inventories, Library**

1. The Secretary General shall determine consumable items purchases and fixed assets purchases for the Telecommunity.
2. The Secretary General shall establish the procedures governing the inventories of the Telecommunity.
3. inventory shall be kept for consumable items.
4. A list of fixed assets shall be submitted to the Management Committee as information for budget purposes
5. Replacement of the items listed above may be drawn from the account specifically created for that purpose; provided, however that said replacement should have been previously approved by the Management Committee.

Any item replaced shall be sold/disposed of for an amount not lower than the fair market value, and reflected as income.

**Article 21**  
**APT Buildings Maintenance**

1. The buildings maintenance expenditure shall be included in the general office expenditure.

**SECTION V**  
**CONTROL OF THE FINANCES OF THE TELECOMMUNITY**

**Article 22**  
**External Audit of the Telecommunity's Accounts**

1. The Management Committee shall arrange for the annual audit of the accounts of the Telecommunity prepared by the Secretary General.
2. The Management Committee shall appoint an External Auditor that is registered and belongs to one of the countries within the region, for the audit of accounts of the Telecommunity. The Secretary General may recommend competent External Auditor(s) to the Management Committee.



3. The audit shall be conducted in conformity with generally accepted common auditing standards and, subject to any special directions of the Management Committee in accordance with the Additional Terms of Reference set out in Annex I to these Regulations.
4. The annual accounts shall be submitted to the External Auditor mentioned in Paragraph 2 above, not later than 31 March following the end of the financial year.
5. The External Auditor may make observations with respect to the efficiency of the financial procedures, the accounting system, the internal financial controls and, in general, the administration and management of the Organization.
6. The Secretary General shall provide the External Auditor with the documents and the facilities he may require in the performance of the audit.
7. The External Auditor shall be completely independent and solely responsible for the conduct of the audit.
8. The Management Committee may request the External Auditor to perform certain specific examinations and issue separate reports on the results.
9. Any case of fraud or suspected fraud shall be submitted by the Secretary General to the External Auditor without delay.
10. The External Auditor shall issue reports on the audit of the financial statements and associated tables, which shall include such information as he deems necessary in regard to matters referred to in paragraph 5 above and in the Additional Terms of Reference governing External Audit (Annex I to these regulations).
11. The report of the External Auditor shall be communicated to the Members, Associate Members, and Affiliate Members at least 6 weeks prior to the opening of the meeting of the Management Committee.

**Article 23**  
**Final Approval of Accounts**

1. It is reserved for the Management Committee to examine the accounts of the Telecommunity and finally approve them, if appropriate on the basis of the External Auditor's Report (Article 9, Paragraph 5 (e) of the Constitution).
2. In the unusual event of there being no meeting of the Management Committee within the year following the financial year for which the Auditor's Report has been prepared, the report with all supporting documents as may be necessary shall be circulated to all members of the Telecommunity within a period of two

weeks after it is known that there will be no meeting of the Management Committee.

3. The Members of the Telecommunity shall be called upon to examine the Auditor's Report and if appropriate indicate approval to the Secretary General within one month, after the receipt of the Auditor's Report.
4. The Secretary General shall circulate to the Chairman and all members of the Management Committee, the concurrence in writing of two-thirds majority of Members on their approval of the Auditor's Report.

**SECTION VI  
FINAL PROVISION**

**Article 24  
Effective Date**

1. These Financial Regulations shall come into force on 1 January 2019.

## **ANNEX I**

### **ADDITIONAL TERMS OF REFERENCE GOVERNING EXTERNAL AUDIT**

1. The External Auditor shall perform such audit of the accounts of the Telecommunity, including all special accounts, as he deems necessary in order to satisfy himself :-
  - (a) that the financial statements are consistent with the books and records of the Telecommunity;
  - (b) that the financial transactions reflected in the statements have been in accordance with the rules and regulations, the budgetary provisions and other applicable directives;
  - (c) that monies on deposit and on hand have been verified by certificate received direct from the Telecommunity's depositories or by actual count;
  - (d) that procedures satisfactory to the External Auditor have been applied to the recording of all assets, liabilities, surpluses and deficits.
  
2. The External Auditor shall be the sole judge as to the acceptance in whole or in part of certifications and representations by the Secretary General and may proceed to such detailed examination and verification as he chooses, of all financial records including those relating to supplies and equipment.
  
3. The External Auditor and his staff shall have free access at all convenient times to all books, records and other documentation which are, in the opinion of the External Auditor, necessary for the performance of the audit. Information classified as privileged and which the Secretary General (or his designated senior official) agrees is required by the External Auditor for the purposes of the audit and information classified confidential shall be made available on application. The External Auditor and his staff shall respect the privileged and confidential nature of any information so classified which has been made available and shall not make use of it except in direct connection with the performance of the audit. The External Auditor may draw the attention of the Management Committee to any denial of information classified as privileged which in his opinion, was required for the purposes of the audit.
  
4. The External Auditor shall have no power to disallow items in the accounts but shall draw to the attention of the Secretary General for appropriate action any transaction concerning which he entertains doubt as to legality or propriety. Audit objections to these or any other transactions arising during the examination of the accounts shall be immediately communicated to the Secretary General.

5. The External Auditor shall issue and sign an opinion on the financial statements. The opinion shall include the following elements:
- (a) the identification of the financial statements audited;
  - (b) a reference to the responsibility of the Secretary-General and the responsibility of the External Auditor;
  - (c) a reference to the audit standards followed;
  - (d) a description of the work performed;
  - (e) an expression of opinion on the financial statements as to whether:
    - (i) the financial statements present fairly the financial position as at the end of the period and the results of its operations for the period;
    - (ii) the financial statements were prepared in accordance with generally accepted common auditing standards ;
    - (iii) the generally accepted common auditing standards were applied on a basis consistent with that of the preceding financial period;
  - (f) an expression of opinion on the compliance of transactions with the Financial Regulations and legislative authority;
  - (g) the date of the opinion;
  - (h) the External Auditor's name and position;
  - (i) should it be necessary, a reference to the report of the External Auditor on the financial statements.

6. The Report of the External Auditor on the financial statements should mention :-

- (a) the type and scope of his examination
- (b) matters affecting the completeness or accuracy of the accounts, including where appropriate :-
  - (i) information necessary to the correct interpretation of the accounts;
  - (ii) any amounts which ought to have been received but which have not been brought to account;
  - (iii) any amounts for which a legal or contingent obligation exists and which have not been recorded or reflected in the financial statements;
  - (iv) expenditures not properly substantiated;
  - (v) whether proper books of accounts have been kept. Where, in the presentation of statements, there are deviations of a material nature from the generally accepted accounting principles applied on a consistent basis, these should be disclosed.
- (c) other matters which should be brought to the notice of the Management Committee such as :-

- (i) cases of fraud or presumptive fraud;
  - (ii) wasteful or improper expenditure of the Telecommunity's money or other assets (notwithstanding that the accounting for the transaction may be correct);
  - (iii) expenditure likely to commit the Organization to further outlay on a large scale;
  - (iv) any defect in the general system or detailed regulations governing the control of receipts and disbursements or of supplies and equipment;
  - (v) expenditure not in accordance with the intention of the Management Committee after making allowance for duly authorized transfers within the budget;
  - (vi) expenditure in excess of appropriations as amended by duly authorized transfers within the budget;
  - (vii) expenditure not in conformity with the authority which governs it
- (d) the accuracy or otherwise of the supplies and equipment records as determined by stock-taking and examination of the records

In addition, the reports may contain reference to :-

- (e) transactions accounted for in a previous year concerning which further information has been obtained or transactions in a later year concerning which it seems desirable that the Management Committee should have early knowledge.
7. The External Auditor may make such observations with respect to his findings resulting from the audit and such comments on the Secretary General's financial report as he deems appropriate to the Management Committee.
  8. Whenever the External Auditor's scope of audit is restricted, or is unable to obtain sufficient evidence, the External Auditor shall refer to the matter in his report, making clear the reasons for his comments and the effect on the financial position and the financial transactions as recorded.
  9. In no case shall the External Auditor include objections in his Report without first affording the Secretary General an adequate opportunity of explanation on the matter under observation.

## **ANNEX II**

### **PROCEDURES AND FINANCIAL ARRANGEMENTS FOR EXTRA-BUDGETARY CONTRIBUTIONS (EBCs) SOLELY INTENDED FOR THE WORK PROGRAMME OF THE TELECOMMUNITY**

#### **1. Applicability**

The procedures and financial arrangements in this Annex shall apply to the EBCs which are voluntarily made by Members, Associate Members, Affiliate Members and other sources, and which are solely intended for specific activities in the Work Programme of the Telecommunity.

#### **2. Acceptance of EBCs**

1. The Secretary General may accept EBCs in cash and/or in kind provided that the conditions attached to such contributions are consistent with the objectives of the Telecommunity and in conformity with these regulations, as well as relevant decisions of the Management Committee of the APT.
2. When accepting the EBCs, the Secretary General must bear in mind that the Budget of the Telecommunity which is stipulated in Article 2 of these regulations may not include the cost for follow-up of any activities executed under the present Annex.
3. Contributions in cash or in kind may include funding of meetings and seminars, as well as expert missions, training courses, study visits, research, pilot projects, equipment or any other similar services.
4. EBCs must not be used in place of the income in the budget of the Telecommunity as enumerated in Article 6 of these regulations, with the exception of the income foreseen to cover wholly or partly the support costs related to the implementation of programmes. This exception includes the enlargement of the scope of the activities concerned which are already covered by the budget of the Telecommunity.
5. EBCs in cash shall be paid in convertible currencies. They shall be shown in the relevant accounts.

#### **3. Relations between contributors and Telecommunity**

6. Potential contributors of EBCs shall inform the Secretary General of their intention to do so.
7. The precise terms and conditions (the arrangement) governing EBCs shall be

arranged between the contributors and the Telecommunity.

8. Any such arrangement may take the form of a contract or an exchange of letters, and shall be signed by the parties concerned.

#### **4. Execution of Activities**

9. The Telecommunity shall not assume any commitments for, or continue the execution of, any activity, unless its full financing has been secured (apart from exceptional and duly documented cases, subject to prior written approval by the Secretary General) and the funds have been deposited in accordance with the payment schedule laid down in the arrangement (see paragraph 8 above).
10. Any arrangement as referred to in paragraph 8 above may contain provisions relating to the case of late payment or non-payment of a contribution or part thereof. In such a case, the Secretary General is also authorized to stop immediately any further execution of the programme, with any damages to the Telecommunity to be borne by the party in default.
11. The decision on implementing any activity under an EBC rests with the Secretary General.
12. When an activity falling within the framework of the present Annex requires administrative and operational services to be provided by the Telecommunity, the cost of these necessary support services shall, as provided in the arrangement, form part of the programme expenditure. The arrangement shall specify that part, if any, of the contribution which the parties agree shall be used to defray support costs. This amount shall be credited to the accounts of the Telecommunity in accordance with Article 6 of these regulations.

#### **5. Accounts for EBC**

13. A separate account for each EBC shall be opened in a special account of the Telecommunity, showing:
  - a) as income: cash contributions from all sources, as well as miscellaneous income such as interest accrued from contributions advanced or the sale of items purchased under such funding;
  - b) as expenditure: programme implementation expenditure, costs for support services foreseen in the respective arrangement as well as any interest charged for payments overdue.
14. Any separate account shall be kept in United States dollars in accordance with Article 19 of these regulations.

15. Any fund remaining unused when an activity is terminated may be used by the decision of the Secretary General himself for other purposes unless otherwise stipulated in the respective arrangement.
16. Accounts kept in conformity with the present Annex shall be audited in accordance with the relevant provisions in Section V and in Annex I of these regulations.
17. If so stipulated in the respective arrangement, the Telecommunity shall provide a statement of accounts certified by its External Auditor.



**PART B**  
**RESOLUTION**



**RESOLUTION ON CONTRIBUTION IN ARREARS  
BY THE REPUBLIC OF NAURU**

*Resolution 9 (GA-11, Kuala Lumpur, 2008)*

**Source: GA-11-Report, Annex 7**



**RESOLUTION ON CONTRIBUTION IN ARREARS  
BY THE REPUBLIC OF NAURU**

*Resolution 9 (GA-11, Kuala Lumpur, 2008)*

The General Assembly of the Asia-Pacific Telecommunity (Kuala Lumpur, Malaysia, 2008),

*considering*

that at the 31st Session of the Management Committee of the APT held from 27 to 30 November, 2007 in Seoul, Republic of Korea, authorized the Secretary-General of the APT to negotiate with the Government of the Republic of Nauru for repayment schedules for the settlement of arrears,

*recognizing*

that the amount due to APT at the date of 11th December 2008 is 101,006 United States dollars (one hundred one thousand six US dollars), owed in respect of contributions for the period 1995 to 2008 except for 1997.

*noting*

- a) that Nauru requested the waiver of its outstanding membership contributions accumulated during the past 12 years from 1995 to 2008 except for 1997,
- b) that Nauru has sought a reduction of its number of contribution from one unit to one half unit during the 11th session of the General Assembly,
- c) that Nauru pledged a contribution of one half unit each year from 2009.

*taking into account*

- a) that Nauru is one of the Small Island Developing States(SIDS);
- b) that Nauru is facing economic difficulties of unprecedented scale arising from depletion of its natural mineral resources;
- c) that Nauru did not receive any benefit from APT during that period;
- d) that Nauru requests for the restoration of its rights to benefit from the service which APT provides to its members;
- e) that Nauru is ready to start payment of its annual contributions at one unit level for the year 2008 and one half unit from the year 2009,

*resolves*

- 1 that the full contribution of Nauru is payable for each financial year from 2009 onwards,
- 2 that the existing arrears from 1995 to 2007 amounting to 92,660 US dollars shall be frozen for the period of 10 years starting from the year of the first payment on the condition that Nauru pays its membership contribution for the year 2008 and from 2009 onwards every year on time.
- 3 that the first payment in application of this resolution, amounting to US \$ 8,346 (eight thousand three hundred forty six US dollars), shall be paid by Nauru not later than 31st of March, 2009.
- 4 that upon receipt of the first payment referred to in resolve 3 above, Nauru shall have restored its right to enjoy full privileges as Member of the APT, including the right to vote,
- 5 that if Nauru fails to meet its financial obligation in any single year, the full amount of the arrears frozen according to the resolve 2 above shall be treated as a current debt to APT and the membership shall be considered terminated and accordingly the Secretary General shall seek the formal withdrawal of Nauru's membership under Article 14 of the APT Constitution.
- 6 that if Nauru withdraws from the APT at any time during the ten years period and subsequently makes a fresh accession to APT, it can be admitted as a Member by paying the full amount of arrears.
- 7 that after ten years of continuous membership by Nauru the amount payable to the APT shall be considered fully waived and written off by the APT,

*instructs the Secretary General*

- 1 to follow up the payment and report to the MC at its annual session,
- 2 to assist the MC to execute the relevant instrument to implement this resolution.

**RESOLUTION ON THE TERMS AND CONDITIONS OF  
EMPLOYMENT OF THE SECRETARY GENERAL AND THE DEPUTY  
SECRETARY GENERAL OF THE ASIA-PACIFIC TELECOMMUNITY**

*Resolution 11 (GA-13, Yangon, 2014, Rev.1)*

**Source Document: GA-13/OUT-02**





**RESOLUTION ON THE TERMS AND CONDITIONS OF EMPLOYMENT OF  
THE SECRETARY GENERAL AND THE DEPUTY SECRETARY GENERAL  
OF THE ASIA-PACIFIC TELECOMMUNITY**

*Resolution 11 (GA-13, Yangon, 2014, Rev.1)*

The General Assembly of the Asia-Pacific Telecommunity (Yangon, Myanmar, 2014)

*considering*

that under the terms of paragraph 6 of Article 8 the Constitution of the Asia-Pacific Telecommunity, the General Assembly is to define the terms and conditions of employment of the Secretary General and the Deputy Secretary General

*noting*

- a) that since the establishment of APT in 1979, various instruments, guidelines, resolutions and documents have been developed by the General Assembly and Management Committee pursuant to the Constitution of the APT;
- b) that the Constitution of the APT was last amended in 2002 and that there has not been a review of these various instruments, etc. since then;
- c) that the 33rd Session of the Management Committee held in 2009 in Tehran, Islamic Republic of Iran called for the establishment of an Ad-Hoc Correspondence Group to review all APT documents developed by General Assembly and Management Committee pursuant to the Constitution;

*resolves*

- 1 that the Secretary General and the Deputy Secretary General shall take up their duties on the dates determined by the General Assembly at the time of their election, in general to be 1 February of the following year; they shall normally remain in office until dates determined by the following General Assembly;
- 2 that the Secretary General shall act as the legal representative of the APT;
- 3 that the Deputy Secretary General shall assist the Secretary General in the performance of his duties and undertake such specific tasks as may be entrusted to him by the Secretary General;
- 4 that the Deputy Secretary General shall perform the duties of the Secretary General in the absence of the latter;

- 5 that the Deputy Secretary General shall assume the duties of the Secretary General if the post of the Secretary General falls vacant until the new Secretary General has been elected at an election held at a date to be determined in accordance with paragraph 5 of Article 8 of the Constitution of the APT.
- 6 that the Secretary General shall assume the duties of the Deputy Secretary General if the post of the Deputy Secretary General falls vacant until the new Deputy Secretary General has been elected at an election held on a date to be determined in accordance with paragraph 5 of Article 8 of the Constitution of the APT.

*resolves further*

- 1 that the salaries of the Secretary General and the Deputy Secretary General shall be set at the same levels as those having the same status in the United Nations common system. The post classification and grading standards shall be as follows:

Secretary General	D-2
Deputy Secretary General	D-1

- 2 all other terms and conditions of employment of the Secretary General and the Deputy Secretary General shall be as prescribed in the Staff Regulations and Staff Rules of the APT.

**RESOLUTION ON THE PROCEDURES FOR THE ELECTION  
OF THE SECRETARY GENERAL AND THE DEPUTY SECRETARY  
GENERAL OF THE ASIA-PACIFIC TELECOMMUNITY**

*Resolution 12 (GA-15, Bangkok, 2020, Rev.1)*

**Source Document: GA-15/OUT-04**



**RESOLUTION ON THE PROCEDURES FOR THE ELECTION OF  
THE SECRETARY GENERAL AND THE DEPUTY SECRETARY GENERAL OF  
THE ASIA-PACIFIC TELECOMMUNITY**

*Resolution 12 (GA-15, Bangkok, 2020, Rev. 1)*

The General Assembly of the Asia-Pacific Telecommunity (Bangkok, Thailand, 2020)

*considering*

that pursuant to paragraph 6 (e) of Article 8 of the Constitution of the Asia-Pacific Telecommunity, the General Assembly is required to elect the Secretary General and the Deputy Secretary General of the APT,

*resolves*

1. that the procedures as provided in the Annex 1 of this resolution are to be adhered to by the General Assembly in electing the Secretary General and the Deputy Secretary General of the APT, and
2. that the position description of the Secretary General and the Deputy Secretary General will be according to Annex 2 of this resolution.

## **ANNEX 1**

### **Procedures for the Election of the Secretary General and the Deputy Secretary General of the Asia-Pacific Telecommunity**

#### **1. Election Procedures**

The election procedures shall apply to the election of the Secretary General and the Deputy Secretary General in accordance with Article 8 Paragraph 6 (e) of the Constitution of the APT.

#### **2. General rules on election procedures**

2.1 The Secretary General and the Deputy Secretary General shall be elected among the candidates proposed by Members as their nationals and shall be nationals of different Members.

2.2 The paramount consideration in the election of the Secretary General and the Deputy Secretary General shall be the necessity of securing for the APT the highest standard of efficiency, competence and integrity.

#### **3. Submission of candidature**

3.1 At least six months prior to the opening of the General Assembly, the Secretary General shall invite Members to submit candidatures.

3.2 Each candidature shall be accompanied by the curriculum vitae of the candidate.

3.3 Candidatures must be received by the Secretary General no later than 23:59 hours (Bangkok time) on the twenty-eighth day prior to the General Assembly.

3.4 Candidatures shall be published as meeting documents as soon as they have been received by the Secretary General.

#### **4. Specific rules of procedure for the election of the Secretary General and the Deputy Secretary General**

4.1 The Secretary General and the Deputy Secretary General shall be elected by secret ballot at a General Assembly.

- 4.2 The election for the post of the Secretary General shall be conducted first, followed by the election of the Deputy Secretary General. The election of the Deputy Secretary General shall not start until the election process of the Secretary General is complete. The election shall take place notwithstanding that there is only one candidate for the post of Secretary General or Deputy Secretary General.
- 4.3 The same candidate may not stand for election to more than one post.
- 4.4 Proxy votes stipulated in Rule 31 of the Rules of Procedure of the General Assembly of the Asia-Pacific Telecommunity shall be permitted.
- 4.5 Before proceeding to the elections pertaining to each stage, each delegation having the right to vote shall receive a ballot paper, bearing the names of all candidates in alphabetical order by last name, together with the names of the Member States having nominated the candidates.
- 4.6 Each delegation should indicate on its ballot paper the candidate it supports by placing an "X" in the box against the name of that candidate.
- 4.7 Blank ballot papers shall be considered as abstentions. Ballot papers with more than one box marked, or bearing any mark other than "X" inside a box, or bearing any mark whatsoever outside the boxes shall be considered as invalid and shall not be counted. In computing the majority, abstentions shall not be taken into account.
- 4.8 Any candidate obtaining a majority of votes shall be declared elected.
- 4.9 Upon completion of the voting, the Vice-Presidents shall count the votes and report to the President. The President shall announce the results of the voting as follows:
- a) number of delegations attending the Assembly and entitled to vote;
  - b) number of votes cast;
  - c) number of invalid ballot papers;
  - d) number of abstentions;
  - e) number of votes constituting the required majority of the valid votes;
  - f) number of votes obtained by each candidate, in ascending order of the number of votes;
  - g) name of the elected candidate, if any.
- 4.10 If, after the first ballot, no candidate has obtained the required majority, one or more ballots shall be taken, such ballots being separated by intervals of at least one hour from the announcement of the results of the preceding ballot.

- 4.11 When the number of abstentions exceeds half the number of all votes cast for a candidate for the post of Secretary General and/or Deputy Secretary General, the election shall be postponed to a date to be determined by the General Assembly.
- 4.12 Notwithstanding paragraph 4.2 above, in the event that the election for the post of the Secretary General is postponed in accordance with paragraph 4.11, the General Assembly may decide to conduct the election for the post of Deputy Secretary General.
- 4.13 If both the Secretary General and the Deputy Secretary General are not elected at the General Assembly, the duties of the Secretary General shall be executed by the most senior member of the Staff of the Secretariat with the directions of the Chairman of the Management Committee until the Secretary General or the Deputy Secretary General is elected in accordance with paragraph 4.11 above.



## **ANNEX 2**

### **The Position Description of the Secretary General and the Deputy Secretary General**

Pursuant to paragraph 4 of Article 10 of the APT Constitution, Secretary General and Deputy Secretary General shall:

#### **A. Secretary General**

1. Oversee the strategies and operations of the APT which includes activities in accordance with the Strategic Plan.
2. Plan and implement yearly KPIs and targets for the APT developed by the Management Committee and ensuring these goals are achieved.
3. Serve as Secretary of the APT General Assembly and the Management Committee meetings.
4. Coordinate and implement the decisions of the APT General Assembly and the Management Committee meetings.
5. Provide strategic advice and guidance to the APT General Assembly and the Management Committee meetings.
6. Liaise with international organizations, the Host government, APT members and potential members to maintain the profile of the APT in the region and promote its services and expertise.
7. Act as the legal representative of the APT.
8. Represent the APT at international conferences and meetings within the guidelines laid down by the General Assembly and/or the Management Committee.

#### **B. Deputy Secretary General**

1. Manage and ensure the day to day financial affairs of the APT are in accordance with the Financial Regulations of the APT.
2. Assist the Secretary General to plan and implement yearly KPIs and targets for the APT developed by the Management Committee and ensuring these goals are achieved.
3. Direct and manage the implementation of the activities of the APT as assigned by the Secretary General.

4. Assist the Secretary General in staffing matters within the Secretariat of the APT.
5. Provide advice and guidance to the Secretary General, where necessary.
6. Assist the Secretary General and perform the duties of the Secretary General in his/her absence.
7. Provide advice and guidance to the Director of Project Development where necessary.
8. Execute other duties as may be prescribed by the Secretary General from time to time.

**RESOLUTION ON THE MANAGEMENT AND FOLLOW-UP  
ON MEMBERSHIP IN ARREARS**

*Resolution 13 (GA-15, Bangkok, 2020, Rev.1)*

**Source Document: GA-15/OUT-05**



**RESOLUTION ON THE MANAGEMENT AND FOLLOW-UP  
ON MEMBERSHIP IN ARREARS**

*Resolution 13 (GA-15, Bangkok, 2020, Rev.1)*

The General Assembly of the Asia-Pacific Telecommunity (Bangkok, Thailand, 2020)

*considering*

that pursuant to paragraph 6 (g) of Article 8 of the Constitution of the Asia-Pacific Telecommunity, the General Assembly is required to take appropriate action with respect to a Member, an Associate Member or an Affiliate Member which is in arrears in its payments to the APT for two or more consecutive years,

*recognizing*

that the withdrawal of membership is provisioned under Article 14 of the Constitution of the Asia-Pacific Telecommunity, and such withdrawal is to be initiated by the respective member,

*recognizing further*

the efforts of the Secretary General in taking measures to encourage all members in arrears to settle all payments as quickly as possible in order for them to enjoy the benefits of membership,

*noting that*

- a) in the past, the General Assembly has provided special arrangements for a Member in arrears to restore its rights through a Resolution;
- b) the number of Affiliate Members who are in arrears is still significant and requires specific action by the General Assembly,

*further noting*

that the 29th Session of the Management Committee made the following decisions considering the provisions in the Constitution of the Asia-Pacific Telecommunity regarding arrears in its payments by members:

- a) that full members which are in arrears for two or more consecutive years are no longer able to vote according to the Constitution therefore such members should not receive fellowships or host meetings but they are able to participate in meetings by paying participation fee;

- b) that for Affiliate Members who have two or more years contribution outstanding, they are not able to participate in meetings or receive services without charge;
- c) to consider termination of membership for those Affiliate Members following a recommendation from the country members to which they belong,

*urges*

all members in arrears, to settle all payments as quickly as possible including encouraging establishment of repayment schedule, as necessary,

*resolves*

to take the following action, as appropriate, with respect to a member which fails to fulfil its financial obligation and which is in arrears of its payments to the APT for two or more consecutive years:

- a) suspension of its voting rights in the case of a Member; and
- b) suspension of its rights to participate in APT meetings and other events, except with a payment of a participation fee as determined by the Secretary General, and exclusion from the benefits of APT fellowships,

*resolves further*

to take any actions, in respect of an Affiliate Member, as it may deem appropriate with regard to all relevant circumstances, without limitation,

*invites Members and Associate Members*

- 1 to recommend that an Affiliate Member which is in arrears in its payments to the APT for two or more consecutive years to withdraw from the APT in accordance with Article 14 of the Constitution; and
- 2 to assist the Secretary General in facilitating measures taken with regard to the recovery of arrears by Affiliate Members, as appropriate,

*instructs the Management Committee*

to act between Sessions of the General Assembly to provide the necessary rules and guidelines to the Secretary General in implementing this resolution,

*instructs the Secretary General*

- 1 to implement this resolution in consultation with the Management Committee;
- 2 to negotiate with members who have difficulties on timely payment of its dues to the APT;

- 3 to report to the Management Committee on the implementation of this Resolution, highlighting any difficulty that may be encountered and proposing further improvements, as appropriate,

*urges members*

to assist the Secretary General and the Management Committee in the application of this Resolution.





**PART C**  
**GUIDELINES**



**GUIDELINE FOR SECRETARIAT TRAVEL**

*Guideline 3 (MC-37, Vientiane, 2013, Rev.1)*

**Source Document: MC-37/OUT-02 (Rev.1)**



## **GUIDELINE FOR SECRETARIAT TRAVEL**

### *Guideline 3 (MC-37, Vientiane, 2013, Rev. 1)*

#### **1. PRINCIPLES**

In deciding on Secretariat travel, the Secretary General should give due regard to the following principles:

- a) All travel should be in the interest of the APT and its members. Travel should be authorized keeping in mind the allocated budget;
- b) Maximum benefit from travel should be derived by serving more than one purpose through a travel plan where practicable;
- c) Appropriate level of representation of the mission should be kept in mind; and
- d) Both the Secretary General and the Deputy Secretary General should not be away from the Secretariat at the same time unless it is unavoidable.

#### **2. PRIORITIES**

The following lists the order of priority for official travel by the Secretariat staff:

- a) APT Work Programme activities;
- b) ITU activities, in particular the Plenipotentiary Conference, World Radiocommunication Conference, World Telecommunication Development Conference and World Telecommunication Standardization Assembly;
- c) Activities sponsored or supported by the APT;
- d) Negotiations and discussions concerning funding support to the APT;
- e) Membership promotion;
- f) In response to a formal invitation from an APT Member;
- g) Activities organized by other international organizations and organizations with whom the APT has a Memorandum of Understanding;
- h) Others.

#### **3. CONSIDERATIONS**

In setting priorities for official travel, the Secretary General shall consider the following:

- a) Invitations to international meetings and conferences should only be accepted if it is in the best interests of the APT;
- b) The emphasis should be on the outcomes of the official missions. "Consultations", "representation" or "observer status" are not necessarily sufficient reasons in themselves;
- c) Bilateral consultations should normally take place using electronic means; and

- d) Official missions should not usually be undertaken to address commercially sponsored conferences, even if the majority of the costs are to be covered by the organizers, unless the official mission is in the best interests of the APT.

#### **4. REPORTING**

- a) Staff attending international meetings on behalf of the APT should adhere to instructions provided by the Secretary General and should report back to him on their return.
- b) There should be a report to the Management Committee on the outcomes of official missions, including those paid for or subsidized by other organizations.

#### **5. IMPLEMENTATION**

- a) All travel should be governed by the APT Staff Regulations and Staff Rules. For items not mentioned in the Staff Regulations and Staff Rules, the Secretary General has the authority to decide taking into consideration practices adopted by other UN agencies as well as allocated budget.
- b) Different options from selected travel agents should be considered in order to maximize the value of the travel cost.
- c) This Guideline shall be implemented in line with the Constitution, Financial Regulations and other relevant rules and instruments of the APT.

#### **6. INTERPRETATION**

The interpretation of this Guideline is the responsibility of the Secretary General.

## **AFFILIATE MEMBERSHIP GUIDELINES**

*Guideline 4 (MC-44, Bangkok, 2020, Rev.2)*

**Source Document: MC-44/OUT-16**





## **AFFILIATE MEMBERSHIP GUIDELINES**

### *Guideline 4 (MC-44, Bangkok, 2020, Rev.2)*

#### **Objectives**

1. The Management Committee hereby adopts guidelines establishing criteria relating to the application procedure to be followed by prospective Affiliate Members, the review procedure to be followed by the Secretary General and the terms and conditions upon which Affiliate Membership shall be granted pursuant to paragraph 5 (f) of Article 3 of the Constitution of the Asia-Pacific Telecommunity (hereinafter referred as "Telecommunity").
2. These Guidelines are made in recognition of the evolution of the Telecommunity's mandate and in support of its objective to foster the development of telecommunication services and information infrastructure throughout the Telecommunity's region with a particular focus on the expansion thereof in less developed areas. These Guidelines are further made in acknowledgement of the changing nature of the participants in the provision of telecommunication services and information infrastructure and the importance of attracting such participants to the Telecommunity.
3. The Telecommunity seeks increased participation by those active in the telecommunication services and information infrastructure sector, including academia, in its activities and programmes and wishes to integrate them into the Telecommunity. Doing so will enable the Telecommunity to continually improve the variety and quality of its programmes as well as draw upon the resources and expertise that Affiliate Members can provide.
4. The Management Committee emphasizes the role the Telecommunity can play in stimulating discussion and increasing cooperation between Affiliate Members and governments. Increased Affiliate Membership and participation will help the Telecommunity achieve its goals of facilitating the sharing of information throughout the region and raising its profile. All Members, Associate Members, existing Affiliate Members and the Secretariat are encouraged to promote new Affiliate Membership and the active participation in the Telecommunity's activities.

### **Application Procedure**

5. An Affiliate Member shall be any entity described in paragraph 5 (a) of Article 3 of the Constitution, i.e. any enterprise, agency, institute, organization, association, or other undertaking, entity or participant, whether private or government owned, commercial or not-for profit, active in telecommunication services or information infrastructure with a substantial presence in, and commitment to the region which is prepared to participate in, and contribute to, the work and activities of the Telecommunity.
6. An applicant for Affiliate Membership shall be nominated by a Member or an Associate Member. Members and Associate Members may, however, notify the Secretary General of the manner in which applications from entities described in paragraph 5 (a) of Article 3 of the Constitution located in their jurisdiction may apply.
7. The Secretary General shall consult with Members and Associate Members whether they wish to provide notice of a procedure in accordance with paragraph 5 (c) of Article 3 of the Constitution in order to know how to deal with an application or how to respond to an inquiry from a prospective Affiliate Member. The Secretary General, upon receiving notification of the procedure a Member or Associate Member wishes to follow, shall follow that procedure.
8. An application for Affiliate Membership should include information considered necessary by the Secretary General to grant membership for Affiliate Membership. (A recommended format of the application form which includes terms and conditions is attached as Annex 1 to the Guidelines).
9. The application form should be web-accessible. The completed application form should be signed by an authorized representative of the applicant and nominating Member or Associate Member.
10. For an entity with a multinational presence, only the presence(s) of the entity represented in the Asia Pacific region shall be eligible to be nominated for Affiliate Membership.
11. A multinational entity with more than one presence in the region must submit a separate application for each presence according to the procedure as stated above if it wishes to become an Affiliate Member.

### **Terms and Conditions of Affiliate Membership**

12. An Affiliate Member shall conform to the Constitution of the Telecommunity and all other instruments as well as the Terms and Conditions of its membership as determined by the Secretary General in accordance with paragraph 5 (e) of Article 3 of the Constitution.
13. The Terms and Conditions of Affiliate Membership include but are not limited to the following:
  - a) The Membership shall become effective on the date of acceptance by the Secretary General of the Telecommunity;
  - b) Affiliate Member shall conform to the Constitution and all other instruments of the Telecommunity;
  - c) Affiliate Member shall have the right to participate and contribute to the programmes and activities of the Telecommunity and to get from the Telecommunity notices, documents, reports and records relating to the Telecommunity's Work Programmes and activities in which they participate;
  - d) Affiliate Member shall pay Annual Contribution/Membership Fee to the Telecommunity in full and on time, according to the number of unit(s) it has chosen and as scheduled by the Telecommunity, in accordance with Article 6 of the Financial Regulations of the APT;
  - e) The Annual Contribution/Membership Fee shall be paid every fiscal year (January to December), starting from the year of becoming a member of the Telecommunity;
  - f) An Affiliate Member remains a member of the Telecommunity until its membership terminates in accordance with Article 8 and/or Article 14 of the Constitution and/or Resolution 13 (GA-15, Bangkok, 2020, Rev.1).

### **Review Process**

14. The Secretary General shall review each application for Affiliate Membership to ensure that it is in conformity with the objectives of the Telecommunity, that the applicant has a substantial presence in, and commitment to, the region and that the applicant will contribute actively to the Telecommunity's programme and activities.
15. The Secretary General may request any further information, in addition to that provided with the application, from an applicant that may be relevant or desirable and may seek such clarifications or meetings with representatives of a prospective Affiliate Member as may be necessary to assess the application.
16. The Secretary General may make such investigations as are deemed necessary in order to verify the information provided by the prospective Affiliate Member and may establish reasonable time limits within which an applicant must provide information.

17. All prospective Affiliate Members shall be advised of the duties and obligations of membership as well as their rights and benefits.
18. The applicant in consultation with the Secretary General shall determine its annual financial contribution and the manner, time and method of its payment upon becoming an Affiliate Member. In no event shall it be less than an amount equal to one-half unit classification of annual contribution payable by a Member or Associate Member in any given year. The amount of contribution may be pro-rated where the applicant is initially an Affiliate Member for less than one year on the condition that it shall not be less than an amount equal to one-half unit.
19. In addition to the above procedure, where a Member or Associate Member has notified the Secretary General of the procedure to be followed with respect to the review of an application from an entity within its jurisdiction, or where the Secretary General and the Member or Associate Member have otherwise agreed upon the procedure, the Secretary General shall ensure that such procedure is followed.

#### **Notification of Acceptance**

20. The Secretary General shall inform his acceptance in writing to the Applicant with a copy to the nominating Member or Associate Member. The effective date of becoming the Affiliate Member will be the date on which the Secretary General accepted the application as advised in his letter.
21. The Secretary General shall notify all Members, Associate Members and existing Affiliate Members of each new Affiliate Membership.

#### **Withdrawal of Affiliate Membership**

22. An Affiliate Member may withdraw from the Telecommunity in accordance with the process stipulated in Article 14 of the Constitution of the Telecommunity.
23. An Affiliate Member withdrawing from the Telecommunity shall continue to be responsible for the obligations incurred for the period of its membership.
24. The effective date of the withdrawal shall be in accordance with Paragraph 3 of Article 14 of the Constitution of the Telecommunity, i.e. on the last day of the same fiscal year if it is received by the Secretary General within the first six months of the fiscal year and one year after the receipt of notification if it is received later.
25. In the event that an Affiliate Member is in arrears of its payment to the Telecommunity for two or more consecutive years, the Member or Associate Member to which such Affiliate Member belongs may recommend such Affiliate

Member to withdraw from the APT as stated in accordance with Resolution 13 (GA-15, Bangkok, 2020, Rev.1).

#### **Failure to Fulfil Obligations**

26. APT reserves the right to invoke Resolution 13 (GA-15, Bangkok, 2020, Rev.1) when an Affiliate Member fails to fulfil its financial obligation and is in arrears of its payment to the APT for two or more consecutive years, in which case such Affiliate Member shall be suspended from the right to participate in APT meetings and other events, except with a payment of a participation fee as determined by the Secretary General.
27. The Secretary General shall inform the relevant Member or Associate Member, to which such Affiliate Member belongs, of the suspension.
28. In the case of a suspension, such Affiliate Member may seek reconsideration at the next session of the Management Committee through the Member or Associate Member to which it belongs.
29. In the event that an Affiliate Member has been in arrears of its payment to the APT for two or more consecutive years and whose rights and benefits have been suspended as stated in the above, and in the absence of a negotiated and agreed repayment schedule, APT reserves the right to invoke Resolution 13 (GA-15, Bangkok, 2020, Rev.1) and take action, in respect of an Affiliate Member, as it may deem appropriate with regard to all relevant circumstances.
30. In the event that an Affiliate Member has not conformed to the Constitution and/or any other instruments of the Telecommunity, the Secretary General shall consult with the respective Member or Associate Member to which the Affiliate Member belongs. Following the consultation, APT may take action, as it may deem appropriate, with regard to all relevant circumstances in accordance with Article 8 and/or 14 of the Constitution and/or Resolution 13 (GA-15, Bangkok, 2020, Rev.1).

#### **Entry into Force**

31. These Guidelines shall enter into force on the 1st January 2021.



**ASIA-PACIFIC TELECOMMUNITY  
AFFILIATE MEMBERSHIP APPLICATION FORM**

<b>Name of applicant organization/company:</b> .....	
<b>Official Address:</b> .....	
.....	
Name of contact person ( <i>for correspondence</i> ): .....	
<b>Title:</b> .....	
<b>Tel.</b> .....	<b>Fax:</b> .....
<b>E-mail:</b> .....	
<b>Country of registration of organization/company :</b>	
<b>Nature of organization/company:</b> ( <i>Please indicate the appropriate box.</i> )	
<input type="checkbox"/> Public	<input type="checkbox"/> Private
<input type="checkbox"/> Others ( <i>Please specify</i> ): .....	<input type="checkbox"/> Not for profit
<input type="checkbox"/> Research	
<b>Description of activities and geographic scope of activities:</b> .....	
.....	
<b>APT activities/programmes of interest:</b> ( <i>Please indicate the appropriate box.</i> )	
<input type="checkbox"/> Policy & Regulatory	<input type="checkbox"/> Standardization
<input type="checkbox"/> Others ( <i>Please specify</i> ): .....	<input type="checkbox"/> Radiocommunication
<b>Activities/programmes in which you will participate and manner in which you will contribute to such activities/programmes</b>	
.....	
<b>Annual Contribution/Membership Fee</b> ( <i>Please identify number of units.</i> ) .....	
<b>Terms and Conditions:</b>	
The Terms and Conditions of Affiliate Membership include but are not limited to the following:	
a) The Membership shall become effective on the date of acceptance by the Secretary General of the Telecommunity;	
b) Affiliate Member shall conform to the Constitution and all other instruments of the Telecommunity;	
c) Affiliate Member shall have the right to participate and contribute to the programmes and activities of the Telecommunity and to get from the Telecommunity notices, documents, reports and records relating to the Telecommunity's Work Programmes and activities in which they participate;	
d) Affiliate Member shall pay Annual Contribution/Membership Fee to the Telecommunity in full and on time, according to the number of unit (s) it has chosen and as scheduled by the Telecommunity, in accordance with Article 6 of the Financial Regulations of the APT;	
e) The Annual Contribution/Membership Fee shall be paid in advance every fiscal year (January to December), starting from the year of becoming a member of the Telecommunity;	
f) An Affiliate Member remains a member of the Telecommunity until its membership terminates in accordance with Article 8 and/or Article 14 of the Constitution and/or Resolution 13	
By signing this Affiliate Membership Application Form, I, the authorized representative of the entity, hereby agree to conform to the above terms and conditions and the Affiliate Membership Guidelines.	
Signature of Authorized Representative: .....	Date: .....
Name of Authorized Representative: .....	Title: .....
<b>Nomination by:</b>	
Signature of Authorized Representative: .....	Date: .....
Name of Authorized Representative: .....	Title: .....
<b>Acceptance by the Secretary General of the Telecommunity:</b>	
Signature: .....	Date: .....
Name: .....	

Asia-Pacific Telecommunity: 12/49 Soi 5, Chaeng Watthana Road, Bangkok, THAILAND 10210  
Tel. +66 2 5730044 Fax. +66 2 5737479 E-mail: [aptmail@apt.int](mailto:aptmail@apt.int) Website: <http://www.apt.int>

**GUIDELINES FOR MEMORANDUM OF UNDERSTANDING  
WITH OTHER ORGANIZATIONS**

*Guideline 7 (MC-33, Tehran, 2009)*

**Source Document: MC-33-Report, Annex 7**





## **GUIDELINES FOR MEMORANDUM OF UNDERSTANDING WITH OTHER ORGANIZATIONS**

### *Guideline 7 (MC-33, Tehran, 2009)*

#### **1. Definition**

A Memorandum of Understanding (hereinafter called MOU) is a document describing a bilateral agreement between parties and usually put in place to establish a clear understanding of the level of co-operation between the parties.

The MOU records in writing, the intention of the parties so as to avoid any misunderstanding in the future and allows all involved to actually see what they are agreeing to. The MOU also is a tangible reference document that is able to be referred to during the arrangement.

#### **2. Conditions to conclude MOU with other organizations**

- (1) APT should only enter into a MOU if the following criteria are met;
  - a). The Party should be a non profit international or regional organization working for ICT promotion and development.
  - b). There must be an advantage for APT to enter into the MOU.
  - c). The MOU will enhance or promote APT's presence and image in the region and/or globally.
  - d). The MOU does not enable the Party to gain a commercial advantage.
  - e). The MOU does not give the Party any right to act as an agent of APT.
  - f). APT does not assume any responsibility for the activities of the other Party.
- (2) It is important that before any proposed MOU with APT is to enter into, it must be checked carefully to ensure that no liability to APT is either stated or implied, including any consequential liability.
- (3) The MOU is generally entered into in "good faith" and no financial commitment is given or implied.
- (4) APT can accept or decline any request for a MOU at its sole discretion.

### **3. Headings for a MOU**

The following suggested headings for a MOU are listed below. Please note that the format can vary widely.

- 1) Parties:**
  - a) A brief description of the parties involved and how they relate to each other.
  - b) The names and contact information of each party
- 2) Background**
  - a) Brief description of the arrangement
  - b) What each party is going to contribute to the arrangement.
- 3) Purpose**
  - a) Reason for the MOU
  - b) A brief description of the purpose of the MOU
- 4) Mutual Interest of the Parties**
  - a) What the parties expect to gain from the MOU.
- 5) Roles and Responsibilities of the parties**
  - a) Role of each party
  - b) No ability to represent APT or be an agent of APT
- 6) Prohibitions**
  - a) Any action that may cause harm to APT either materially or otherwise or give APT a liability
- 7) No Legal Liability**
  - a) No legal liability whatsoever for APT
  - b) No legal commitment
  - c) Disclaimer statements
- 8) No Financial liability**
  - a) Including consequential liabilities
- 9) Term of the MOU**
  - a) How the arrangement can be terminated.
- 10) Amendments**
  - a) How the MOU can be amended.

After APT has concluded the negotiation for any MoU, the result will be submitted to the MC for provisional approval in accordance with APT Constitution.

**GUIDELINES FOR THE USE OF  
THE ASIA-PACIFIC TELECOMMUNITY (APT) LOGO**

*Guideline 8 (MC-33, Tehran, 2009)*

**Source Document: MC-33-Report, Annex 7**



## **GUIDELINES FOR THE USE OF THE ASIA-PACIFIC TELECOMMUNITY (APT) LOGO**

### *Guideline 8 (MC-33, Tehran, 2009)*

These guidelines govern the use of the Asia-Pacific Telecommunity (APT) logo. The APT logo can be used within the guidelines stated below.

#### **1. The APT logo design**



The APT logo is available for download on the APT website [www.apr.int](http://www.apr.int). A detailed description of the APT logo is provided in Annex One.

#### **2. Use of the APT logo**

- 2.1 The APT's general policy is to permit APT Full Members, Associate Members and Affiliate Members to use the APT logo in the context of their activities in which the APT is taking part or those promoting the APT and its goals.
- 2.2 Other organizations may also request to use the APT logo in the context of their activities in which APT is taking part or those promoting APT and its goals. A fee or other benefit may be levied to nonmembers for the use of the APT logo.
- 2.3 Written permission must be obtained from the APT Secretariat prior to the use of the APT logo in all situations and conditions.
- 2.4 The APT logo may not be used in anyway which may imply the APT's endorsement of any product, opinion, or activity and/or in a manner prejudicial or detrimental to the interest of the APT.
- 2.5 The APT Secretary General shall inform all members via e-mail each time permission is granted to other organization to use the APT logo.

### **3. Conditions for the use of the APT logo**

- 3.1 The APT logo is not generally intended for commercial use or personal profit.
- 3.2 Authorization to use the APT logo may be granted if that organization contributes to or provide an opportunity to promote the APT and its activities.
- 3.3 The APT logo can only be used where the image, reputation and impartiality of the APT is maintained.
- 3.4 The APT logo must be used in its complete form. No part of it, including its colour scheme and its proportions, may be altered or deleted. If used in conjunction with other logos, the APT logo must be reproduced in the same size and proportions as the other logos.

### **4. Procedure for authorization to use the logo**

- 4.1 The organization must:
  - a) Contact the APT Secretariat at least thirty (30) days prior to the first date of proposed use, in writing to: APT Secretariat, 12/49 Soi 5 Chaeng Watthana Road, Bangkok, Thailand 10210, Fax: +66 2 573 7479, e-mail: [aptmail@apt.int](mailto:aptmail@apt.int).
  - b) Set forth in writing precise details of the nature and context of the use (i.e. goal, duration, nature of any association with other logos, proposed display size, etc.), and contact information for the person or persons in the organization who will be responsible for use of the logo.
- 4.2 If the APT grants such organization's request, APT will provide to the organization a written authorization to use the logo that is a solely limited capacity as stated in the request and expressly subject to the terms provided by the APT. No use of the APT logo is permitted unless and until the APT provides such written authorization.
- 4.3 The APT reserves the right to take appropriate action including claiming damages in the event of a breach of this policy.

### **5. Withdrawal and assignment of the authorization**

- 5.1 The authorization to use the APT logo is neither assignable nor transferable to a third party unless obtaining the prior written consent of the APT represented by the APT Secretariat.
- 5.2 Any authorization may be withdrawn at any time at the sole discretion of the APT and without any kind of recourse.

**6. Liability**

6.1 Any entity authorized to use the APT logo acknowledges and agrees that:

- a. the entity is responsible for ensuring that the activities are carried out in accordance with the applicable law and that appropriate insurance is maintained to cover the risks arising out of such activities; and
- b. the APT does not assume any responsibility for the activities of such entity; and
- c. the entity shall indemnify, hold harmless and defend the APT, its officials and its staff members, from and against any claim, demand or action that may be brought against them as a result of the use of the APT logo.

## ANNEX

### APT LOGO DESCRIPTION

#### Logo:



#### Colour:

The APT logo should be reproduced in colour. The green color of the APT logo translates to the following color systems:

- Pantone® solid coated: 7484C
- CMYK: C:90%, M: 38%, Y:88%, K: 37%
- RGB: R:2%, G:88%, B:55%

In the case of the colour logo, the color from the artwork provided by the APT should not be modified. To ensure clear appearance of all elements of the logo, the colour logo should always appear on a white or light coloured background.

The black on white version may be reproduced when color (spot or CMYK) is not available.





**GUIDELINES FOR AWARDING FELLOWSHIPS TO  
THE APT EVENT/ACTIVITY IN CONJUNCTION  
WITH THE MANAGEMENT COMMITTEE**

*Guideline 9 (MC-42, Ulaanbaatar, 2018, Rev.1)*

**Source Document: MC-42/OUT-08**



**GUIDELINES FOR AWARDING FELLOWSHIPS  
TO THE APT EVENT/ACTIVITY IN CONJUNCTION  
WITH THE MANAGEMENT COMMITTEE**

*Guideline 9 (MC-42, Ulaanbaatar, 2018, Rev.1)*

The following guideline applies to the fellowships awarded to delegates from APT Members requesting financial support from APT to attend APT event/activity in conjunction with Management Committee (MC) funded through the APT regular budget and having a specific budget allocated for fellowships.

In accordance with Article 11, Paragraph 6 of the Constitution of the APT, the fellowships shall not be given to delegates to attend the MC, while the delegates attend the APT event/activity which is held in conjunction with the MC are eligible to receive the fellowships (see Article 7, Paragraph 2 of the Constitution of the APT).

Within the approved budget for the event/activity, and within the stipulated deadline for the receipt of requests, the following criteria are applied:

- 1) APT Members eligible to receive the fellowships are those recognized by the United Nations as either Least Developed Countries (LDCs), Small Island Developing States (SIDS) or Landlocked Developing Countries (LLDCs) having Gross Domestic Product (GDP) per capita less than USD 4,000.
- 2) Subject to the availability of the fund as decided by MC, fellowships may be granted to eligible Members. The fellowship may comprise airfare and/or per diem (accommodation and allowance) and/or transit allowance.
- 3) The delegates granted fellowships to attend the event/activity may extend their stay in order to attend the MC at their own expenses.
- 4) Priority for fellowships will be given to those applicants submitting written contribution, where required and/or playing a role of relevance at the event/activity (such as Chairman, Vice-Chairman, speaker, panellist, etc.)
- 5) A fellowship application shall be considered valid only if submitted through an APT contact/focal point from the Members.



**APT DOCUMENTS FRAMEWORK**

*Guideline 10 (MC-43, Bangkok, 2019, Rev.1)*

**Source Document: MC-43/OUT-4**



## **APT DOCUMENTS FRAMEWORK**

### *Guideline 10 (MC-43, Bangkok, 2019, Rev.1)*

#### **1. Introduction**

- 1.1 The Management Committee (MC) of Asia-Pacific Telecommunity (APT) recognized that guidance is necessary for APT Work Programmes (WPs) to prepare outputs that are relevant and appropriate for the members of the APT. At the same time the necessary authority needed to develop such documents and the procedures for development and approval of the documents had to be provided. Therefore, the "APT Documentation Scheme" was approved by the 28th Session of the MC which was held in Kuala Lumpur, Malaysia in 2004.
- 1.2 While the APT Documentation Scheme has provided guidance to the WPs, more flexibility and clearer guidance were requested by certain WPs and members. This included the possibility for WPs to submit their output documents to technical meetings at Study Group level of ITU without a formal consultation process in order to be able to submit their contributions in a timely manner. As a result, the 34th Session of the MC decided that the APT Documentation Scheme needed to be modified to accommodate this requirement, and instructed the Ad-Hoc Correspondence Group on General Assembly (GA) Preparations and APT Rules to develop a new framework for APT documents.
- 1.3 In order to assist the work of APT, similar to the previous APT Documentation Scheme, this new APT Documents Framework should:
  - facilitate and not hinder the work of APT;
  - provide flexibility to WPs; and,
  - provide clear guidance to WPs.
- 1.4 The APT Documents Framework (Framework) identifies the documents required by the Constitution of the Asia-Pacific Telecommunity (Constitution), as well as those developed pursuant to the Constitution. At the same time, this Framework provides the various types of output documents which may be developed by the various APT activities. The Framework also details processes needed to develop such documents including procedures for the development and approval of the documents.

## 2. Document Types

- 2.1 The Constitution is the basic instrument of the APT.
- 2.2 The provisions of the Constitution are complemented by Regulations, Rules, Guidelines and other documents that are entrusted by the Constitution to the organs of the APT. (refer to <Table 1-1> and <Table 1-2> below)

**<Table 1-1> Documents/subjects required by the Constitution**

<b>Documents/subjects required by the Constitution</b>	<b>Relevant Provision(s) of the Constitution</b>
Rules of Procedure of GA	Article 8, Para 6(h)
Rules of Procedure of MC	Article 9, Para 5(l)
Affiliate Membership Guidelines	Article 3, Para 5(f)
Staff Regulations	Article 9, Para 5(b)
Financial Regulations	Article 9, Para 5(b)
Terms and Conditions of Employment of the SG and DSG	Article 8, Para 6(e)
Duties of the Secretariat	Article 9, Para 5(k)
Terms and Conditions of Employment of Officials other than SG and DSG	Article 9, Para 5(k)
Work Programme	Article 9, Para 5(b); Article 10, Para 4(i)
Annual Budget	Article 9, Para 5(d); Article 10, Para 4(i)
Annual Report on the work of the APT	Article 9, Para 5(f); Article 10, Para 4(i)
Report of Audited Accounts	Article 9, Para 5(e); Article 10, Para 4(i)

**<Table 1-2> Documents/subjects pursuant to the Constitution**

<b>Documents/subjects required by the Constitution</b>	<b>Relevant Provision(s) of the Constitution</b>
Terms of Reference	Article 7, Para 3
Working Methods of Work Programmes	Article 7, Para 3
APT Documents Framework	Article 9, Para 5(b)
Strategic Plan	Article 8, Para 6(a)
Agreement on privileges and immunities	Article 12, Para 3
Agreements between APT and Governments, organizations or administrations	Article 8, Para 6(d)



2.3 The following documents are not addressed in this Framework:

- (a) Work Programme;
- (b) Annual Budget;
- (c) Annual Report on the work of the APT;
- (d) Report of Audited Accounts;
- (e) Headquarters Agreement;
- (f) Agreements on Privileges and Immunities;
- (g) Agreements between APT and Governments, Organizations or Administrations; and
- (h) Documents for the management and administration of the Secretariat.

2.4 Documents/subjects required by or developed pursuant to the Constitution should be issued by the form of the following types of APT output documents (refer to <Table 2> below).

2.5 The types of APT output documents set forth OUTPUT documents only and not input documents (which include Contributions and Proposals to APT meetings).

2.6 While these types of APT output documents integrate most of the documents developed by APT activities, some of the document types previously used have been excluded or merged with other types of documents to improve the efficiency of the work of APT as well as providing clearer understanding.

**<Table 2> Types of APT Output Documents**

<b>Document Types</b>	<b>Description of Document</b>	<b>Notes</b>
Regulations/ Rules	An administrative document governing the processes of APT	<i>e.g. Rules of Procedure of GA / MC, Financial Regulations, Staff Regulations and Staff Rules of the APT</i>
	A document which sets out such matters as objectives, terms of reference (purpose, scope), period of tenure, structure, rules of conduct of activity (working procedures including document approval procedures, participation arrangements, treatment of contributions, etc.).	<i>e.g. Working Methods, Terms of Reference</i>
Policy Document <sup>1</sup>	A document containing policy and/or strategy of APT	<i>e.g. Strategic Plan of APT, Strategic Plan of WP</i>

<b>Document Types</b>	<b>Description of Document</b>	<b>Notes</b>
Resolution	A document containing formal decisions of the GA and MC	
	A document containing directions or instructions to the Secretariat	
Recommendation	A document providing specifications, guidance or a recommended procedure	<i>Containing "What we should do"</i>
Guideline	A document that provides operational guidance to streamline particular procedures or issues in undertaking APT activities	<i>Needs GA/MC approval</i>
	A document for use by members containing "Best practices" on generally-accepted methods or processes that have been proven to accomplish given tasks	<i>Needs Plenary approval</i>
	A document developed by a WP expressing an agreed view by participants on a particular technical or regulatory issue intended as a guideline for use by members when considered appropriate.	<i>Needs Plenary approval</i>
Report	A summary record of a meeting including summaries of discussions, decisions and conclusions. It may include proposals and other items that may require the consideration of the GA/MC	<i>e.g. Summary records, Meeting Reports</i>
	A document containing results of a study made by a WP	
Liaison Statement	A statement of communication between different WPs intending to convey important information to and/or requesting important information from other WPs	
	A document containing information or reference which is sent to external organizations	<i>A Liaison Statement should be sent to an external organization by the APT Secretary General</i>

<b>Document Types</b>	<b>Description of Document</b>	<b>Notes</b>
APT Common Proposal (ACP)	A document containing subject matter developed by a WP and endorsed by the required number of APT Members for submission by the Secretary General as a multi-country proposal to another organization	<i>Documents to international or regional Conferences/Assemblies</i>  <i>Member consultation is required</i>
APT Position	A document containing an agreed view of APT Members on certain matters to be used internally prior to or during the debate at international Conferences/Assemblies	<i>Needs Plenary approval and the name of participating Members</i>
APT View	A view approved by the plenary of WP on certain matters, which can be submitted to an international organization by the Secretary General on behalf of Members participating at that plenary	<i>Requires Plenary approval and the names of participating Members (for submission to the international organizations mainly at no higher level than ITU Study Group activities or equivalent)</i>

Note 1: In the case of inconsistency between a provision of these documents and the Constitution, the Constitution shall prevail.

### **3. Approval Process**

#### **3.1 Approval Process for output documents**

3.1.1 APT organs and WPs may develop their own documents as detailed in this Framework.

3.1.2 Besides Recommendations and APT Common Proposals (ACPs) which require Member consultation to adopt or approve (see sections 3.2 and 3.3 below respectively), the remaining APT output documents should be developed and approved as detailed in <Table 3> below.

3.1.3 All APT output documents should, as far as possible, be approved by consensus.

3.1.4 In the case where consensus cannot be reached at GA or MC, then the output documents may be approved by voting in accordance with the “Rules of Procedure of the General Assembly” and the “Rules of Procedure of the Management Committee”.

3.1.5 Procedures for the approval of output documents by WPs are to be given in the relevant working methods of each WP as approved by the MC. Such approval procedures are subject to the process described in this Framework.

**<Table 3> Development and Approval Process for APT Output Documents**

Document Types		Developed by	Approved by	Notes
Regulations/ Rules		GA, MC, WP	GA, MC	
Policy Document		GA, MC, WP	GA, MC	
Resolution		GA, MC, WP	GA, MC	
Recommendation		GA, MC, WP	GA, MC	For Recommendations developed by WPs, see section 3.2 below for the process of adoption by Members
Guideline	Procedural	GA, MC, WP	GA, MC	
	Technical	WP	WP	
Report	Technical document	WP	WP	A meeting report is approved by the meeting concerned
	Meeting report	Secretariat, WP	GA, MC, WP	
Liaison Statement		WP	WP	
APT Common Proposal (ACP)		WP	APT Members	APT Member consultation required (see Section 3.3 below)
APT Position		WP	WP	
APT View		WP	WP	

### 3.2 Criteria for APT Recommendation

3.2.1 The plenary of WP shall decide whether a draft text is ready to be circulated to APT Members in order to seek adoption as a draft Recommendation to be submitted for approval by the APT MC.

3.2.2 Immediately after the plenary of WP, the APT Secretariat shall circulate by e-mail as appropriate, to the focal point of APT Members, all draft documents proposed for adoption, copying in the Heads of Delegations present at the relevant APT WP meeting and to relevant department of that APT Member if possible.

- (a) A period of six weeks shall be allowed for responses and the Secretariat shall coordinate the responses received.
- (b) APT Secretariat will send at least two reminders before the deadline of adoption process, one four weeks prior and the other one week prior to the deadline of adoption process.
- (c) Any Member who has not responded during the consultation period will be considered to have abstained.

3.2.3 Following the consultation period, the Recommendation shall be considered adopted and will be submitted to MC for approval if each of the following conditions are met:

- (a) at least one quarter (25%) of all APT Members support the adoption of the document, as appropriate; and
- (b) adoption of the document is not opposed by two or more APT Members except if one member opposes for the reason of policy and regulatory issue in the document.

3.2.4 If, at the end of the consultation period, a document does not receive sufficient support for adoption or is opposed as defined in 3.2.3, it shall be returned to the next WP meeting for additional consideration.

3.2.5 Those APT Members who indicate in their response that they do not agree to the adoption of the draft new or revised APT Recommendation in the consultation stage, are encouraged to provide their reasons therefor.

3.2.6 Documents adopted by the WP may be proposed immediately to the Management Committee for approval.

- (a) If the Chairman and Vice-Chairmen of MC are satisfied that the agreed WP procedures have been applied, then the draft document proposed by the WP may be issued on a provisional basis.
- (b) A provisional APT Recommendation must be confirmed at the next MC meeting, or be returned to the WP for review.

### **3.3 Criteria for APT Common Proposal (ACP)**

3.3.1 A draft APT Common Proposal (ACP) is developed by the relevant APT WP and will become a Preliminary APT Common Proposal (PACP) once it is adopted by the WP. PACPs are required to be circulated to all APT Members through the APT Secretariat for endorsement. Once the PACPs meet the criteria below, the PACPs become ACPs.

3.3.2 On confirmation of a proposal as a PACP, all APT Members will be asked to consider inclusion of their country name as a signatory to that proposal. A PACP becomes an ACP provided that:

- (a) the proposal is supported by at least one quarter (25%) of all the APT Members and;
- (b) the proposal is not opposed by more than 50% of the number of Members who support it.

#### 4. Administration of the APT Documents Framework

##### 4.1 Numbering Scheme

4.1.1 The numbering scheme for APT Resolutions, Recommendations and Guidelines should, in the future, be in accordance with <Table 4> below.

**<Table 4> Numbering Scheme of APT Resolutions, Recommendations and Guidelines**

Document Types		Numbering Scheme	Notes
Resolution		Resolution <i>xx</i> (no. of meeting, city name, year, no. of revision) <ul style="list-style-type: none"> <li>• (e.g. – new Resolution) <i>Resolution 56 (GA-12, Jeju, 2011)</i></li> <li>• (e.g. – revised Resolution) <i>Resolution 12 (MC-34, Macau, 2010, Rev.2)</i></li> </ul>	<i>Followed by the title of the document</i>
Recommendation	Procedural	Recommendation <i>xx</i> (no. of meeting, city name, year, no. of revision) <ul style="list-style-type: none"> <li>• (e.g. – new Recommendation) <i>Recommendation 56 (GA-12, Jeju, 2011)</i></li> <li>• (e.g. – revised Recommendation) <i>Recommendation 12 (MC-34, Macau, 2010, Rev.2)</i></li> </ul>	
	Technical	<i>In accordance with 4.1.2</i>	
Guideline		Guideline <i>xx</i> (no. of meeting, city name, year, no. of revision) <ul style="list-style-type: none"> <li>• (e.g. – new Guideline) <i>Guideline 56 (GA-12, Jeju, 2011)</i></li> <li>• (e.g. – revised Guideline) <i>Guideline 12 (MC-34, Macau, 2010, Rev.2)</i></li> </ul>	

4.1.2 The numbering scheme including the way of describing the title for other document types which are not set out at <Table 4> above is to be developed by the relevant WP in consultation with the Secretariat based on the structure in <Table 4>.

## 4.2 Documents Structure

4.2.1 The structure for Resolutions and Recommendations is given below:

(cover page)
Title
Scope
The Asia-Pacific Telecommunity
<i>considering / noting / recognizing / ...</i>
<i>resolves / recommends / ...</i>
Annexes / Appendices

4.2.2 The structure for other document types is to be developed by the relevant WP in consultation with the Secretariat.

4.2.3 A Report for a meeting summary record contains approved decisions and/or action items which require follow up activities. These are to be indicated as follows:

*(for decisions)*

Decision no. (name of meeting / no. of the meeting)
- e.g. GA/ MC decides to...

*(for action items)*

Action Item no. (name of meeting / no. of the meeting)
- e.g. GA/MC instructs the APT Secretariat...

## 4.3 Intellectual Property Rights

4.3.1 Pursuant to the decision of the 33rd Session of the MC, the APT is to have a policy on Intellectual Property Rights. This is currently being developed and will be inserted into this Framework once it is approved by the MC.

4.3.2 The statement for the copyright of APT information to appear on the APT Web site should be as follows:

APT holds copyright in the information available on this Web site, unless otherwise stated. Copyright in any third-party materials found on this Web site must also be respected. Request for permission to reproduce the APT materials available on this Web site should be sent to *aptadmin@apt.int*. The name and logo (emblem) of the Asia-Pacific Telecommunity are legally protected and may not be used without express written permission of the APT.



**GUIDELINES FOR MEMBERS, INTERNATIONAL ORGANIZATIONS  
AND THE SECRETARIAT CONCERNING  
EXTRA-BUDGETARY CONTRIBUTIONS (EBCs)**

*Guideline 11 (MC-37, Vientiane, 2013)*

**Source Document: MC-37/OUT-03 (Rev.1)**



**GUIDELINES FOR MEMBERS, INTERNATIONAL ORGANIZATIONS  
AND THE SECRETARIAT CONCERNING  
EXTRA-BUDGETARY CONTRIBUTIONS (EBCs)**

*Guideline 11 (MC-37, Vientiane, 2013)*

In recognizing the significant role of EBCs in the execution of the Work Programme, the following should be applied by the Secretariat in relation to EBCs:

**1. DEFINITION**

- a) Pursuant to Article 11 paragraph 4 (b) of the Constitution, extra-budgetary contributions (EBCs) may be in cash or in some other form.
- b) In relation to EBCs in cash, members and international organizations may make contributions towards:
  - i) the General Budget; and/or
  - ii) specific activities in the Work Programme of the APT (Refer to Annex II of the Financial Regulations).
- c) This Guideline addresses EBCs referred to in paragraph b (ii) above.

**2. PRINCIPLES**

- a) As a general rule, the Management Committee is the body responsible for deciding the annual Work Programme including activities under the EBCs.
- b) The Secretary General may accept EBCs provided that the conditions attached to such contributions are consistent with the objectives of the APT and in conformity with these guidelines, as well as relevant decisions of the Management Committee.
- c) Every effort should be made by members to submit details of their EBCs at the Management Committee each year to assist adequate forward planning.
- d) When EBCs from members or international organizations are projected for the following year, the Secretariat should make every effort to include the plan of activities to be funded by such EBCs in the draft Work Programme to be submitted to the Management Committee.
- e) Where it is not possible to submit the details of the EBCs at the Management Committee, the Secretary General has discretionary powers to receive such EBCs and execute activities funded by such EBCs between the sessions of the Management Committee. The Secretary General shall inform the members when such EBCs are received.

- f) The Secretary General shall report the EBCs received in cash and in kind as well as the implemented activities to the next Management Committee.
- g) The Secretary General may charge administrative fees on EBCs as cost recovery of indirect costs of EBCs on mutual agreement with contributors.
- h) The Secretary General should ensure that EBCs or part of EBCs be provided towards personnel in the Secretariat who will be dedicated to work on the implementation of activities funded by these EBCs.
- i) EBCs under this Guideline may be used to cover the cost of:
  - (1) Meetings and seminars,
  - (2) Training Courses,
  - (3) Study Visits,
  - (4) Expert Missions,
  - (5) Research,
  - (6) Pilot projects,
  - (7) Equipment or any other similar services.

### **3. IMPLEMENTATION**

- a) This Guideline shall be implemented in line with the Constitution, Financial Regulations and other relevant rules and instruments of the APT.
- b) The decision on implementing any activity under an EBC rests with the Secretary General.
- c) The Secretary General may take appropriate action within the mandate provided to him in the Constitution and Financial Regulations of the APT with regard to any matter not addressed in this Guideline.

### **4. INTERPRETATION**

The interpretation of this Guideline is the responsibility of the Secretary General.

**GUIDELINES FOR ORGANIZING APT ACTIVITIES  
IN COLLABORATION WITH MEMBERS AND OTHER ORGANIZATIONS**

*Guideline 12 (MC-37, Vientiane, 2013)*

**Source Document: MC-37/OUT-04 (Rev.1)**



## **GUIDELINES FOR ORGANIZING APT ACTIVITIES IN COLLABORATION WITH MEMBERS AND OTHER ORGANIZATIONS**

### *Guideline 12 (MC-37, Vientiane, 2013)*

In order to promote maximum effectiveness of the APT in meeting the needs of its members, the APT may organize activities in collaboration with members as well as relevant international, regional and sub-regional organizations.

#### **1. DEFINITIONS**

In this Guideline, "Organizer", "Host" and "Sponsor" are defined as follows:

- (a) An Organizer is an entity responsible for the overall planning and execution of an activity.
- (b) A Host is an entity which provides the venue, meeting facilities and local support essential to the conduct of an activity.
- (c) A Sponsor is an entity which provides material support in cash or in kind to an activity.

#### **2. GENERAL PRINCIPLES**

2.1 The following general principles should be applied in organizing collaborative activities:

- (a) Collaborative activities should be mutually beneficial to the APT and partner organizations;
- (b) Collaborative activities shall not be for profit and shall not be construed as a platform for commercial advertising;
- (c) Collaborative activities with sub-regional, regional and international organizations should be implemented on a cost sharing basis;
- (d) Collaborative activities with non-governmental, commercial or private sector organizations which are not APT members may be organized by the APT either in conjunction with its Member, or in its own right, subject to its Member's agreement.
- (e) Any proposal for a collaborative activity, whose cost is covered by the General Budget, must be approved by the Management Committee or, if the proposal is received between sessions, by the Chairman and Vice-Chairmen of the Management Committee at the request of Secretary General, taking into account existing commitments, financial and human resources available.
- (f) In principle, the General Budget should be used only for meeting costs, Secretariat travel and fellowships for Members and Associate Members.

- 2.2 For the purposes of this Guideline, sub-regional, regional and international organizations may comprise the following:
- (a) Organizations which can enhance leverage of the APT in the global arena such as the UN and its agencies etc.;
  - (b) Organizations with which the APT has established MoUs;
  - (c) Organizations that are active in the field of ICT and have common membership in part or full or have potential eligible non members; and
  - (d) Funding organizations.

### **3. RECOGNITION OF PARTNERS**

- 3.1 In literature and signage associated with activities of the APT, the collaborative partners should be recognized as follows:

#### Organizers / Co-organizers

- (a) International organizations, regional organizations and sub-regional organizations may be recognized as “co-organizers” or “organizers” of equal standing to the APT if they so request and if they have made appropriate contribution to the activity.
- (b) Members and Associate Members may be recognized as “co-organizers” in cases where the Management Committee has agreed to the activity on the condition of appropriate arrangements, taking into account the particular subject of the activity.

#### Hosts

Members, Associate Members or Affiliate Members will normally be recognized as “Hosts” when the activity is substantially supported by EBCs in cash or in kind.

#### Sponsors

Where the support is given in the form of EBCs by Members, Associate Members or Affiliate Members or by supporting entities that are not APT Members, the activity may be described as “supported by” the relevant entity, and such entities are described as “Sponsor”.

- 3.2 Meeting presentations by participating commercial and private entities are permitted to include reference to products and/or services of those entities to the extent that such information is relevant to the agreed subject of their presentation, and in a form that, in the opinion of the Secretary General, does not amount to direct advertising.



- 3.3 Promotional information of co-organizers, hosts and sponsors may be made available for collection by attendees at meeting venues, but should not be distributed in the meeting halls or together with official meeting papers.
- 3.4 Logos and displays associated with an activity should recognize the different kinds of support in the following order of prominence. The APT and other Organizers first; Hosts second; and Sponsors third.

#### **4. IMPLEMENTATION**

This Guideline shall be implemented in line with the Constitution, Financial Regulations and other relevant rules and instruments of the APT.

#### **5. INTERPRETATION**

Interpretation of this Guideline is the responsibility of the Secretary General.



**APT PATENT POLICY**

*Guideline 13 (MC-37, Vientiane, 2013)*

**Source Document: MC-37/OUT-05 (Rev.1)**



## **APT PATENT POLICY<sup>1</sup>**

### ***Guideline 13 (MC-37, Vientiane, 2013)***

The following is a "code of practice" regarding patents covering, in varying degrees, the subject matters of APT Recommendations (APT Recommendations are referred to as "Recommendations"). The rules of the "code of practice" are simple and straightforward. Recommendations are drawn up by technical and not patent experts; thus, they may not necessarily be very familiar with the complex international legal situation of intellectual property rights such as patents, etc.

Recommendations are non-binding; their objective is to ensure compatibility of technologies and systems on a worldwide basis. To meet this objective, which is in the common interests of all those participating, it must be ensured that Recommendations, their applications, use, etc. are accessible to everybody.

It follows, therefore, that a patent embodied fully or partly in a Recommendation must be accessible to everybody without undue constraints. To meet this requirement in general is the sole objective of the code of practice. The detailed arrangements arising from patents (licensing, royalties, etc.) are left to the parties concerned, as these arrangements might differ from case to case.

This code of practice may be summarized as follows:

1. The APT is not in a position to give authoritative or comprehensive information about evidence, validity or scope of patents or similar rights, but it is desirable that the fullest available information should be disclosed. Therefore, any party participating in the work of the APT should, from the outset, draw the attention of the Secretary General of the APT, to any known patent or to any known pending patent application, either their own or of other organizations, although the APT is unable to verify the validity of any such information.
2. If a Recommendation is developed and such information as referred to in paragraph 1 has been disclosed, three different situations may arise:
  - 2.1 The patent holder is willing to negotiate licences free of charge with other parties on a non-discriminatory basis on reasonable terms and conditions. Such negotiations are left to the parties concerned and are performed outside the APT.

<sup>1</sup> The APT Patent Policy follows the "Common Patent Policy for ITU-T/ITU-R/ISO/IEC". The modifications were made only to the extent of adapting it to the APT context.

- 2.2 The patent holder is willing to negotiate licences with other parties on a non-discriminatory basis on reasonable terms and conditions. Such negotiations are left to the parties concerned and are performed outside the APT.
  - 2.3 The patent holder is not willing to comply with the provisions of either paragraph 2.1 or paragraph 2.2; in such case, the Recommendation shall not include provisions depending on the patent.
3. Whatever case applies (2.1, 2.2 or 2.3), the patent holder has to provide a written statement to be filed at APT Secretariat, using the appropriate "Patent Statement and Licensing Declaration" Form. This statement must not include additional provisions, conditions, or any other exclusion clauses in excess of what is provided for each case in the corresponding boxes of the form.

## **GUIDELINES FOR IMPLEMENTATION OF THE APT PATENT POLICY<sup>2</sup>**

### **1. PURPOSE**

The purpose of these guidelines is to provide in simple words practical guidance to the participants in the Technical Bodies in case patent rights matters arise.

Considering that the technical experts are normally not familiar with the complex issue of patent law, the APT Patent Policy (hereafter referred to as the "Patent Policy") was drafted in its operative part as a checklist, covering the three different cases which may arise if a Recommendation requires licenses for Patents to be practiced or implemented, fully or partly.

The Guidelines for Implementation of the APT Patent Policy (hereafter referred to as the "Guidelines") are intended to clarify and facilitate implementation of the Patent Policy, a copy of which can be found in Annex 1 and also on the web site of the APT.

The Patent Policy encourages the early disclosure and identification of Patents that may relate to Recommendations under development. In doing so, greater efficiency in standards development is possible and potential patent rights problems can be avoided.

The APT should not be involved in evaluating patent relevance or essentiality with regards to Recommendations, interfere with licensing negotiations, or engage in settling disputes on Patents; this should be left to the parties concerned.

### **2. EXPLANATION OF TERMS**

**Contribution:** Any document submitted for consideration by a Technical Body.

**Free of charge:** The words "Free of Charge" do not mean that the Patent Holder is waiving all of its rights with respect to the Patent. Rather, "Free of Charge" refers to the issue of monetary compensation; *i.e.*, that the Patent Holder will not seek any monetary compensation as part of the licensing arrangement (whether such compensation is called a royalty, a one-time licensing fee, etc.). However, while the Patent Holder in this situation is committing to not charging any monetary amount, the Patent Holder is still entitled to require that the implementer of the relevant Recommendation sign a license agreement that contains other reasonable terms and conditions such as those relating to governing law, field of use, warranties, etc.

<sup>2</sup> The Guidelines for Implementation of the APT Patent Policy follow the "Guidelines for Implementation of the Common Patent Policy for ITU-T/ITU-R/ISO/IEC" of 2012 version. The modifications were made only to the extent of adapting those to the APT context.

**Patent:** The word “Patent” means those claims contained in and identified by patents, utility models and other similar statutory rights based on inventions (including applications for any of these) solely to the extent that any such claims are essential to the implementation of a Recommendation. Essential patents are patents that would be required to implement a specific Recommendation.

**Patent Holder:** Person or entity that owns, controls and/or has the ability to license Patents.

**Reciprocity:** The word “Reciprocity” means that the Patent Holder shall only be required to license any prospective licensee if such prospective licensee will commit to license its Patent(s) for implementation of the same relevant Recommendation Free of Charge or under reasonable terms and conditions.

**Recommendations:** APT Recommendations are referred to as “Recommendations”.

**Technical Bodies:** ASTAP, AWG and other Work Programs of the APT.

### **3. PATENT DISCLOSURE**

As mandated by the Patent Policy in its paragraph 1, any party participating in the work of the APT should, from the outset, draw their attention to any known Patent or to any known pending Patent application, either its own or that of other organizations.

In this context, the words “from the outset” imply that such information should be disclosed as early as possible during the development of the Recommendation. This might not be possible when the first draft text appears since at this time, the text might be still too vague or subject to subsequent major modifications. Moreover, that information should be provided in good faith and on a best effort basis, but there is no requirement for patent searches.

In addition to the above, any party not participating in Technical Bodies may draw the attention of the APT to any known Patent, either their own and/or of any third-party.

When disclosing their own Patents, Patent Holders have to use the Patent Statement and Licensing Declaration Form (referred to as the “Declaration Form”) as stated in Section 4 of these Guidelines.

Any communication drawing the attention to any third-party Patent should be addressed to the APT in writing. The potential Patent Holder will then be requested by the APT to submit a Declaration Form, if applicable.

The Patent Policy and these Guidelines also apply to any Patent disclosed or drawn to the attention of the APT subsequent to the approval of a Recommendation.



Whether the identification of the Patent took place before or after the approval of the Recommendation, if the Patent Holder is unwilling to license under paragraph 2.1 or 2.2 of the Patent Policy, the APT will promptly advise the Technical Bodies responsible for the affected Recommendation so that appropriate action can be taken. Such action will include, but may not be limited to, a review of the Recommendation or its draft in order to remove the potential conflict or to further examine and clarify the technical considerations causing the conflict.

#### **4. PATENT STATEMENT AND LICENSING DECLARATION FORM**

##### **4.1 The purpose of the Declaration Form**

To provide clear information in the Patent Information databases of the APT, Patent Holders have to use the Declaration Form, which is available on the web site of the APT (the Declaration Form is included in Annex 2 for information purposes). They must be sent to the APT for the attention of the Secretary General of the APT. The purpose of the Declaration Form is to ensure a standardized submission to the APT of the declarations being made by Patent Holders.

The Declaration Form gives Patent Holders the means of making a licensing declaration relative to rights in Patents required for implementation of a specific Recommendation. Specifically, by submitting this Declaration Form the submitting party declares its willingness to license (by selecting option 1 or 2 on the Form) / or its unwillingness to license (by selecting option 3 on the Form), according to the Patent Policy, Patents held by it and whose license would be required to practice or implement part(s) or all of a specific Recommendation.

If a Patent Holder has selected the licensing option 3 on the Declaration Form, then, for the referenced relevant Recommendation, the APT requires the Patent Holder to provide certain additional information permitting patent identification. Multiple Declaration Forms are appropriate if the Patent Holder wishes to identify several Patents and classifies them in different options of the Declaration Form for the same Recommendation or if the Patent Holder classifies different claims of a complex patent in different options of the Declaration Form.

Information contained in a Declaration Form may be corrected in case of obvious errors, such as a typographical mistake in a standard or patent reference number. The licensing declaration contained in the Declaration Form remains in force unless it is superseded by another Declaration Form containing more favourable licensing terms and conditions from a licensee's perspective reflecting (a) a change in commitment from option 3 to either option 1 or option 2, (b) a change in commitment from option 2 to option 1 or (c) un-checking one or more sub-options contained within option 1 or 2.

## **4.2 Contact information**

In completing Declaration Forms, attention should be given to supplying contact information that will remain valid over time. Where possible, the "Name and Department" and e-mail address should be generic. Also it is preferable, where possible, that parties, particularly multinational organizations, indicate the same contact point on all Declaration Forms submitted.

With a view to maintaining up-to-date information in the Patent Information database of the APT, it is requested that the APT be informed of any change or corrections to the Declaration Form submitted in the past, especially with regard to the contact person.

## **5. CONDUCT OF MEETINGS**

Early disclosure of Patents contributes to the efficiency of the process by which Recommendations are established. Therefore, each Technical Body, in the course of the development of a proposed Recommendation, will request the disclosure of any known Patents essential to the proposed Recommendation.

Chairmen of Technical Bodies will, if appropriate, ask, at an appropriate time in each meeting, whether anyone has knowledge of patents, the use of which may be required to practice or implement the Recommendation being considered. The fact that the question was asked shall be recorded in the meeting report, along with any affirmative responses.

As long as the APT has received no indication of a Patent Holder selecting paragraph 2.3 of the Patent Policy, the Recommendation may be approved using the appropriate and respective rules of the APT. It is expected that discussions in Technical Bodies will include consideration of including patented material in a Recommendation, however the Technical Bodies may not take position regarding the essentiality, scope, validity or specific licensing terms of any claimed Patents.

## **6. PATENT INFORMATION DATABASE**

In order to facilitate both the standards-making process and the application of Recommendations, the APT makes available to the public a Patent Information database composed of information that was communicated to the APT by the means of Declaration Forms. The Patent Information database may contain information on specific patents, or may contain no such information but rather a statement about compliance with the Patent Policy for a particular Recommendation.

The Patent Information databases are not certified to be either accurate or complete, but only reflect the information that has been communicated to the APT. As such, the Patent Information databases may be viewed as simply raising a flag to alert users that they may

wish to contact the entities who have communicated Declaration Forms to the APT in order to determine if patent licenses must be obtained for use or implementation of a particular Recommendation.

## **7. ASSIGNMENT OR TRANSFER OF PATENT RIGHTS**

In the event a Patent Holder participating in the work of the APT assigns or transfers ownership or control of Patents for which the Patent Holder reasonably believes it has made a license undertaking to the APT, the Patent Holder shall make reasonable efforts to notify such assignee or transferee of the existence of such license undertaking. In addition, if the Patent Holder specifically identified patents to the APT, then the Patent Holder shall have the assignee or transferee agree to be bound by the same licensing commitment as the Patent Holder for the same patent. If the Patent Holder did not specifically identify the patents in question to the APT, then it shall use reasonable efforts (but without requiring a patent search) to have the assignee or transferee to agree to be so bound. By complying with the above, the Patent Holder has discharged in full all of its obligations and liability with regards to the licensing commitments after the transfer or assignment. This paragraph is not intended to place any duty on the Patent Holder to compel compliance with the licensing commitment by the assignee or transferee after the transfer occurs.

## **8. GENERAL PATENT STATEMENT AND LICENSING DECLARATION FORM**

Anyone may submit a General Patent Statement and Licensing Declaration Form which is available on the web sites of the APT (the form in Annex 3 is included for information purposes). The purpose of this form is to give Patent Holders the voluntary option of making a general licensing declaration relative to material protected by Patents contained in any of their Contributions. Specifically, by submitting its form, the Patent Holder declares its willingness to license its Patents owned by it in case part(s) or all of any proposals contained in its Contributions submitted to the APT are included in Recommendation(s) and the included part(s) contain items for which Patents have been filed and whose license would be required to practice or implement Recommendation(s). The General Patent Statement and Licensing Declaration Form is not a replacement for the "individual" (see clause 4) Declaration Form, which is made per Recommendation, but is expected to improve responsiveness and early disclosure of the Patent Holder's compliance with the Patent Policy. Therefore, in addition to its existing General Patent Statement and Licensing Declaration in respect of its Contributions, the Patent Holder should, when appropriate (e.g. if it becomes aware that it has a Patent for a specific Recommendation), also submit an "individual" Patent Statement and Licensing Declaration Form:

- for the Patents contained in any of its Contributions submitted to the APT which are included in a Recommendation, any such "individual" Patent Statement and Licensing Declarations may contain either the same licensing terms and conditions

- as in the General Patent Statement and Licensing Declaration Form, or more favourable licensing terms and conditions from a licensee's perspective as defined in the "individual" (see clause 4.1) Declaration Form; and
- for the Patents that the Patent Holder did not contribute to the APT which are included in a Recommendation, any such "individual" Patent Statement and Licensing Declarations may contain any of the three options available on the Form (see clause 4.1), regardless of the commitment in its existing General Patent Statement and Licensing Declaration.

The General Patent Statement and Licensing Declaration remains in force unless it is superseded by another General Patent Statement and Licensing Declaration form containing more favourable licensing terms and conditions from a licensee's perspective reflecting (a) a change in commitment from option 2 to option 1 or (b) un-checking one or more sub-options contained within option 1 or 2. The APT Patent Information database also contains a record of General Patent Statement and Licensing Declarations.

## **9. NOTIFICATION**

Text shall be added to the cover sheets of all new and revised APT Recommendations, where appropriate, urging users to consult the APT Patent Information database. The wording is:

"The APT draws attention to the possibility that the practice or implementation of this Recommendation may involve the use of a claimed Intellectual Property Right. The APT takes no position concerning the evidence, validity or applicability of claimed Intellectual Property Rights, whether asserted by the APT members or others outside of the Recommendation development process.

As of the date of approval of this Recommendation, the APT [had/had not] received notice of intellectual property, protected by patents, which may be required to implement this Recommendation. However, implementers are cautioned that this may not represent the latest information and are therefore strongly urged to consult the APT Patent Information database."

## ANNEX 1

### APT PATENT POLICY<sup>3</sup>

The following is a "code of practice" regarding patents covering, in varying degrees, the subject matters of APT Recommendations (APT Recommendations are referred to as "Recommendations"). The rules of the "code of practice" are simple and straightforward. Recommendations are drawn up by technical and not patent experts; thus, they may not necessarily be very familiar with the complex international legal situation of intellectual property rights such as patents, etc.

Recommendations are non-binding; their objective is to ensure compatibility of technologies and systems on a worldwide basis. To meet this objective, which is in the common interests of all those participating, it must be ensured that Recommendations, their applications, use, etc. are accessible to everybody.

It follows, therefore, that a patent embodied fully or partly in a Recommendation must be accessible to everybody without undue constraints. To meet this requirement in general is the sole objective of the code of practice. The detailed arrangements arising from patents (licensing, royalties, etc.) are left to the parties concerned, as these arrangements might differ from case to case.

This code of practice may be summarized as follows:

1. The APT is not in a position to give authoritative or comprehensive information about evidence, validity or scope of patents or similar rights, but it is desirable that the fullest available information should be disclosed. Therefore, any party participating in the work of the APT should, from the outset, draw the attention of the Secretary General of the APT to any known patent or to any known pending patent application, either their own or of other organizations, although the APT is unable to verify the validity of any such information.
2. If a Recommendation is developed and such information as referred to in paragraph 1 has been disclosed, three different situations may arise:
  - 2.1 The patent holder is willing to negotiate licenses free of charge with other parties on a non-discriminatory basis on reasonable terms and conditions. Such negotiations are left to the parties concerned and are performed outside the APT.
  - 2.2 The patent holder is willing to negotiate licenses with other parties on a non-discriminatory basis on reasonable terms and conditions. Such negotiations are left to the parties concerned and are performed outside the APT.

<sup>3</sup> The APT Patent Policy follows the "Common Patent Policy for ITU-T/ITU-R/ISO/IEC". The modifications were made only to the extent of adapting it to the APT context.

- 2.3 The patent holder is not willing to comply with the provisions of either paragraph 2.1 or paragraph 2.2; in such case, the Recommendation shall not include provisions depending on the patent.
3. Whatever case applies (2.1, 2.2 or 2.3), the patent holder has to provide a written statement to be filed at the APT Secretariat, using the appropriate "Patent Statement and Licensing Declaration" Form. This statement must not include additional provisions, conditions, or any other exclusion clauses in excess of what is provided for each case in the corresponding boxes of the form.

**ANNEX 2**

**PATENT STATEMENT AND LICENSING DECLARATION FORM  
FOR APT RECOMMENDATION**



**Patent Statement and Licensing Declaration  
for APT Recommendation**

*This declaration does not represent an actual grant of a license*

Please return to the following per recommendation:

Secretary General  
Asia-Pacific Telecommunity  
12/49, Soi 5 Chaeng Watthana Road, Bangkok 10210 Thailand  
Fax: +66 2 573 7479  
Email: [aptmail@apt.int](mailto:aptmail@apt.int)

**Patent Holder:**

Legal Name \_\_\_\_\_

**Contact for license application:**

Name & \_\_\_\_\_

Department \_\_\_\_\_

Address \_\_\_\_\_

Tel. \_\_\_\_\_

Fax \_\_\_\_\_

E-mail \_\_\_\_\_

URL (optional) \_\_\_\_\_

**Recommendation:**

(\*)Number \_\_\_\_\_

(\*)Title \_\_\_\_\_

**Licensing declaration:**

The Patent Holder believes that it holds granted and/or pending applications for Patents, the use of which would be required to implement the above document and hereby declares, in accordance with the APT Patent Policy, that (check one box only):

<input type="checkbox"/>	<p>1. The Patent Holder is prepared to grant a <u>Free of Charge</u> license to an unrestricted number of applicants on a worldwide, non-discriminatory basis and under other reasonable terms and conditions to make, use, and sell implementations of the above document.</p> <p>Negotiations are left to the parties concerned and are performed outside the APT.</p> <p><i>Also mark here __ if the Patent Holder's willingness to license is conditioned on <u>Reciprocity</u> for the above document.</i></p> <p><i>Also mark here __ if the Patent Holder reserves the right to license on reasonable terms and conditions (but not <u>Free of Charge</u>) to applicants who are only willing to license their Patent, whose use would be required to implement the above document, on reasonable terms and conditions (but not <u>Free of Charge</u>).</i></p>
<input type="checkbox"/>	<p>2. The Patent Holder is prepared to grant a license to an unrestricted number of applicants on a worldwide, non-discriminatory basis and on reasonable terms and conditions to make, use and sell implementations of the above document.</p> <p>Negotiations are left to the parties concerned and are performed outside the APT.</p> <p><i>Also mark here __ if the Patent Holder's willingness to license is conditioned on <u>Reciprocity</u> for the above document.</i></p>
<input type="checkbox"/>	<p>3. The Patent Holder is unwilling to grant licenses in accordance with provisions of either 1 or 2 above.</p> <p>In this case, the following information must be provided to the APT, as part of this declaration:</p> <ul style="list-style-type: none"> <li>- granted patent number or patent application number (if pending);</li> <li>- an indication of which portions of the above document are affected;</li> <li>- a description of the Patents covering the above document.</li> </ul>
<p><u>Free of Charge</u>: The words "Free of Charge" do not mean that the Patent Holder is waiving all of its rights with respect to the Patent. Rather, "Free of Charge" refers to the issue of monetary compensation; <i>i.e.</i>, that the Patent Holder will not seek any monetary compensation as part of the licensing arrangement (whether such compensation is called a royalty, a one-time licensing fee, etc.). However, while the Patent Holder in this situation is committing to not charging any monetary amount, the Patent Holder is still entitled to require that the implementer of the same above document sign a license agreement that contains other reasonable terms and conditions such as those relating to governing law, field of use, warranties, etc.</p> <p><u>Reciprocity</u>: The word "Reciprocity" means that the Patent Holder shall only be required to license any prospective licensee if such prospective licensee will commit to license its Patent(s) for implementation of the same above document Free of Charge or under reasonable terms and conditions.</p>	



Patent: The word "Patent" means those claims contained in and identified by patents, utility models and other similar statutory rights based on inventions (including applications for any of these) solely to the extent that any such claims are essential to the implementation of the same above document. Essential patents are patents that would be required to implement a specific Recommendation.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Patent Information** (desired but not required for options 1 and 2; required for option 3 (NOTE))

No.	Status [granted/ pending]	Country	Granted Patent Number or Application Number (if pending)	Title
1				
2				
3				

Check here if additional patent information is provided on additional pages.

NOTE: For option 3, the additional minimum information that shall also be provided is listed in the option 3 box above.

**Signature (include on final page only):**

Patent Holder \_\_\_\_\_

Name of authorized person \_\_\_\_\_

Title of authorized person \_\_\_\_\_

Signature \_\_\_\_\_

Place, Date \_\_\_\_\_

**ANNEX 3**

**GENERAL PATENT STATEMENT AND LICENSING DECLARATION FORM  
FOR APT RECOMMENDATION**



**General Patent Statement and Licensing Declaration  
for APT Recommendation**

*This declaration does not represent an actual grant of a license*

Please return to the following:

Secretary General  
Secretariat  
Asia-Pacific Telecommunity  
12/49, Soi 5 Chaeng Watthana Road  
Bangkok 10210 Thailand  
Fax: +66 2 573 7479  
Email: [aptnmail@apt.int](mailto:aptnmail@apt.int)

**Patent Holder:**

Legal Name \_\_\_\_\_

**Contact for license application:**

Name & Department \_\_\_\_\_

Address \_\_\_\_\_

Tel. \_\_\_\_\_

Fax \_\_\_\_\_

E-mail \_\_\_\_\_

URL (optional) \_\_\_\_\_

**Licensing declaration:**

In case part(s) or all of any proposals contained in Contributions submitted by the Patent Holder above are included in APT Recommendation(s) and the included part(s) contain items for which Patents have been filed and whose use would be required to implement APT Recommendation(s), the above Patent Holder hereby declares, in accordance with the APT Patent Policy (check one box only):

1. The Patent Holder is prepared to grant a Free of Charge license to an unrestricted number of applicants on a worldwide, non-discriminatory basis and under other reasonable terms and conditions to make, use, and sell implementations of the relevant APT Recommendation. Negotiations are left to the parties concerned and are performed outside the APT.

Also mark here    if the Patent Holder's willingness to license is conditioned on Reciprocity for the above APT Recommendation.

Also mark here    if the Patent Holder reserves the right to license on reasonable terms and conditions (but not Free of Charge) to applicants who are only willing to license their patent claims, whose use would be required to implement the above APT Recommendation, on reasonable terms and conditions (but not Free of Charge).

2. The Patent Holder is prepared to grant a license to an unrestricted number of applicants on a worldwide, non-discriminatory basis and on reasonable terms and conditions to make, use and sell implementations of the relevant APT Recommendation.

Negotiations are left to the parties concerned and are performed outside the APT.

Also mark here    if the Patent Holder's willingness to license is conditioned on Reciprocity for the above APT Recommendation.

**Free of Charge:** The words "Free of Charge" do not mean that the Patent Holder is waiving all of its rights with respect to the Patent. Rather, "Free of Charge" refers to the issue of monetary compensation; *i.e.*, that the Patent Holder will not seek any monetary compensation as part of the licensing arrangement (whether such compensation is called a royalty, a one-time licensing fee, etc.). However, while the Patent Holder in this situation is committing to not charging any monetary amount, the Patent Holder is still entitled to require that the implementer of the relevant APT Recommendation sign a license agreement that contains other reasonable terms and conditions such as those relating to governing law, field of use, warranties, etc.

**Reciprocity:** The word "Reciprocity" means that the Patent Holder shall only be required to license any prospective licensee if such prospective licensee will commit to license its Patent(s) or essential patent claim(s) for implementation of the relevant APT Recommendation Free of Charge or under reasonable terms and conditions.

**Patent:** The word "Patent" means those claims contained in and identified by patents, utility models and other similar statutory rights based on inventions (including applications for any of these) solely to the extent that any such claims are essential to the implementation of the relevant Recommendation. Essential patents are patents that would be required to implement a specific Recommendation.

**Signature:**

Patent Holder \_\_\_\_\_  
Name of authorized person \_\_\_\_\_  
Title of authorized person \_\_\_\_\_  
Signature \_\_\_\_\_  
Place, Date \_\_\_\_\_



**GUIDELINE FOR NAMING OF APT ACTIVITIES**

*Guideline 14 (MC-37, Vientiane, 2013)*

**Source Document: MC-37/OUT-07 (Rev.1)**



## GUIDELINE FOR NAMING OF APT ACTIVITIES

### *Guideline 14 (MC-37, Vientiane, 2013)*

#### 1. Introduction

The 34th Session of the Management Committee tasked the Ad-Hoc Correspondence Group for GA Preparations and APT Rules (CGMC) to prepare a draft guideline on the naming of APT activities within its Work Programme.

#### 2. Naming conventions for APT activities in the Work Programme

For consistency, activities under the Work Programme should be named as follows:

	<b>Formal / Ad hoc</b>	<b>Regular/ Series / Non recurring</b>	<b>ToR / Working Methods</b>	<b>Formal Output Docs</b>	<b>Structure/ Office bearers</b>
Workshop/Seminar	Ad hoc	Non- continuous	None	None	None
Workshop	Ad hoc	Series	None	None	Possible
Symposium	Ad hoc	Non- continuous	None	None	None
Forum	Established by MC or GA	Continuous	Yes	Dependent on Working Methods	Yes
Forum	Ad hoc	Non- Continuous	Unlikely	None	None
Group	Established by MC or GA	Continuous	Yes	Dependent on Working Methods	Yes
Programme	Established by MC or GA	Continuous	Yes	Dependent on Working Methods	Yes

#### 3. Application of these guidelines

The above list is not an exhaustive list but is meant to provide an indication on how activities may be named. It is intended to guide the Secretariat and/or Work Programmes for proposing activities for the approval of the Management Committee.

#### 4. Interpretation of these guidelines

Interpretation of these guidelines is the responsibility of the Secretary General.





**GUIDELINES ON REPRESENTATION OF THE APT  
IN OTHER REGIONS' PREPARATORY MEETINGS**

*Guideline 15 (MC-42, Ulaanbaatar, 2018)*

**Source Document: MC-42/OUT-07**



## **GUIDELINES ON REPRESENTATION OF THE APT IN OTHER REGIONS' PREPARATORY MEETINGS**

### *Guideline 15 (MC-42, Ulaanbaatar, 2018)*

This Guideline sets out the process for appointing an authorized representative(s) to represent APT in other international/ regional telecommunication organizations preparatory meetings for World Conferences/ Assemblies or inter-regional preparatory meetings organized by ITU for World Conferences/ Assemblies:

#### **1. Expression of Interest**

- 1.1 All invitations from other international/regional telecommunication organizations or ITU should be sent to the Secretary General of the APT (hereinafter "Secretary General").
- 1.2 Upon receiving an invitation from other international/regional telecommunication organizations or ITU, the APT Secretariat will circulate the invitation to the Office Bearers of the relevant Work Programme and APT Members and request expressions of interest to attend the meeting as the authorized APT representative(s).
- 1.3 If the invitation is sent directly to an Office Bearer of a Work Programme or other APT Members where the invitation seeks representatives from APT, such Office Bearer or APT Member should inform the APT Secretariat of the invitation without delay. The APT Secretariat will then circulate such invitation as per the process outlined in paragraph 1.1-1.2.
- 1.4 Any Office Bearer of the Work Programme or APT Member who has an interest to represent the APT at these meetings is required to notify the Secretary General in writing.

#### **2. Approval Process**

- 2.1 Any expressions of interest to attend meetings of other international/regional telecommunication organizations, or inter-regional meetings, will be considered and authorized by the Secretary General in consultation with the Chairman of the relevant Work Programme (hereinafter "Chairman") and other Office Bearers. Such authorization shall pertain to the meeting as specified in the written notification outlined in paragraph 1.4.
- 2.2 Representatives from the APT Secretariat may also represent the APT if authorized by the Secretary General in consultation with the Chairman and other Office Bearers.
- 2.3 All costs associated to the attendance are to be borne by the authorized APT representative(s).

2.4 The Secretary General will respond to the inviting organization in writing with details of the authorized APT representative(s).

**3. Roles and Functions of the Authorized APT Representative(s)**

3.1 The role and function of the authorized APT representative(s) will also be defined by the Secretary General in consultation with the Chairman and other Office Bearers.

3.2 The authorized APT representative(s):

- a) Shall conduct himself/herself in accordance to the roles and functions as prescribed in paragraph 3.1; and
- b) May deliver a presentation, if deemed appropriate; The aforementioned presentation will:
  - i. Include a presentation prepared by the APT Secretariat in consultation with the Chairman and other Office Bearers;
  - ii. Be informational, in nature, and is expected to inform the meeting of the status of the relevant APT's preparation for World Conferences/Assemblies; and,
  - iii. Include current views and positions which have been approved and/or agreed by the Work Programme during any of its Plenary sessions, or inter-sessionally, as appropriate.

3.3 The authorized APT representative(s) shall not negotiate or commit to decisions without prior approval by the relevant work programme.

3.4 The authorized APT representative(s) will be required to report the outcomes of the meeting to the next meeting of the Work Programme.

**GUIDELINES FOR THE USE OF APT YEARBOOK FUND**

*Guideline 16 (MC-42, Ulaanbaatar, 2018)*

**Source Document: MC-42/OUT-16**



## **GUIDELINES FOR THE USE OF APT YEARBOOK FUND**

### *Guideline 16 (MC-42, Ulaanbaatar, 2018)*

#### **1. Introduction**

- 1.1 The APT Yearbook was first published in 1994 as a comprehensive compendium on the current status of telecommunication and ICT in the Member countries and territories of the APT. The APT Yearbook is a self-financing activity and the APT Yearbook Fund (hereinafter referred as "the Fund") was established to manage the revenues earned from its sales and advertisement of the APT Yearbook and necessary cost to publish it. The Fund has been kept as a separate account for the production of the APT Yearbook.
- 1.2 This Guidelines aim to ensure that the Fund would be used effectively and efficiently for the wider scope of benefits for the APT and its members.

#### **2. Scope**

- 2.1 The main scope of the Fund is to finance the production and distribution of the APT Yearbook so as to enhance the APT's role in disseminating and sharing up-to-date information of telecommunication and ICT among its members as well as the stakeholders.
- 2.2 APT Secretariat may consider proposing the use of the Fund to support the production of other publications that meet the requirements of this Guideline taking into account the benefits to the members.

#### **3. Objectives and Targets**

- 3.1 The APT Yearbook Fund shall be used primarily to support the production and distribution of the APT Yearbook.
- 3.2 Other publications to be supported by the Fund shall have, but not limited to, the following objectives:
  - To disseminate useful information related to APT and its activities; and
  - To reinforce the APT's role in information and knowledge sharing;
- 3.3 The following publications are entitled to the use of the Fund:
  - APT Yearbook;
  - Special publications such as commemorative books, etc.; and
  - Others publications such as research reports, project results, major meeting outcomes, etc.

3.4 These publications may be in printed or electronic format, or both.

**4. Approval and Reporting Procedure**

4.1 All expenditures related to the production and distribution of the APT Yearbook shall be covered by the Fund.

4.2 For publications other than the APT Yearbook, APT Secretariat shall propose the use of the Fund to the Management Committee indicating the objectives, estimated costs and other necessary details, where applicable.

4.3 The Management Committee may consider and approve the allocation of the Fund to support, either in full or in partial, the production of the publications.

4.4 The production shall be commenced after the allocation of the Fund is approved by the Management Committee.

4.5 The expenditure to be covered by the Fund shall include those related to the design, production, distribution and other miscellaneous expenses (if any), and the expenditures should be reported to the subsequent session of Management Committee for its noting.

4.6 APT Secretariat shall maintain appropriate balance of the Fund and ensure that the utilization is carried out in a cost-effective and efficient manner.



**GUIDELINES ON THE COORDINATION OF NOMINATIONS FOR AND  
EXPECTATIONS OF OFFICE BEARERS TO ITU GROUPS**

*Guideline 17 (MC-43, Bangkok, 2019)*

**Source Document: MC-43/OUT-05**



## **GUIDELINES ON THE COORDINATION OF NOMINATIONS FOR AND EXPECTATIONS OF OFFICE BEARERS TO ITU GROUPS**

### *Guideline 17 (MC-43, Bangkok, 2019)*

These Guidelines set out the process for the coordination of nominations for office bearers from the Asia-Pacific region for ITU Council Working/Expert Groups upon request from the ITU Secretariat, and the APT's expectations of these office bearers:

#### **1. Coordination Process**

- 1.1 Upon receiving an invitation from ITU to coordinate nominations of office bearers, the Secretary General of the APT (hereinafter "Secretary General") will circulate the invitation to all APT Member Administrations and request expressions of interest for the position.
- 1.2 If more than one expression of interest is received, and more than one candidate is able to perform the role and functions associated with the position outlined in Section 2, the Secretary General will discuss the nominations with the concerned APT Member Administrations to reach consensus for one candidate to be nominated.
- 1.3 The Secretary General will inform the nomination of the office bearer's position to all APT Member Administrations in writing and provide their contact details.

#### **2. APT's Expectations of Office Bearers**

- 2.1 The APT will not cover any costs associated with an office bearer's attendance at the ITU group meeting.
- 2.2 Office bearers should be available to participate in all meetings of the relevant ITU group.
- 2.3 If required and as appropriate, office bearers that are vice-chairs of ITU groups should facilitate the information flow between the relevant ITU group, APT Member Administrations and the Secretary General, including sharing developments of the ITU group meetings.
- 2.4 If called upon to present regional views and positions during ITU group meetings, office bearers will only deliver statements that have been agreed within the relevant work programme or in consultation with APT Member Administrations or the Secretary General as appropriate.

- 2.5 During meetings of the relevant ITU group, if office bearers make an intervention to present the views of their administration, they shall make a clear statement at the beginning of the intervention indicating that they are speaking as their country representative.

**GUIDELINES FOR REMOTE PARTICIPATION TO THE APT MEETINGS**

*Guideline 18 (MC-44, Bangkok, 2020)*

**Source Document: MC-44/OUT-17**



## **GUIDELINES FOR REMOTE PARTICIPATION TO THE APT MEETINGS**

### *Guideline 18 (MC-44, Bangkok, 2020)*

These Guidelines set out general procedures on the organization and handling of meeting under APT Work Programme with remote participation.

#### **1. Scope**

APT meetings include, but not limited to, Forums, Groups, Symposiums, Correspondence Groups, Working Groups, and Ad-Hoc Groups.

APT meetings may be conducted in the following formats:

- physical meetings (face-to-face)
- physical meetings with remote observation (i.e., webcast)
- physical meetings with (active) remote participation
- e-meetings, also called virtual/online meetings.

The same format may not apply to all sessions of a given meeting. These Guidelines provide overarching procedures for physical meetings with active remote participation and e-meetings of APT Work Programme, and in case individual Work Programme requires specific guideline for remote participation, the relevant Work Programme should submit a revised working method which contains the specific guidelines to the subsequent Session of the Management Committee of the APT to get its approval. The meeting format (see clause 3.4) to be used for any given meeting or meeting session is beyond the scope of these Guidelines.

#### **2. Definitions**

##### 2.1 Meeting

Meetings include, but not limited to, Forums, Groups, Symposiums, correspondence groups, working groups, ad hoc groups or any other group created under APT Work Programme.

*NOTE – A workshop or a seminar is not considered a meeting in the context of these Guidelines.*

##### 2.2 Remote Participation

Participation in a meeting from a separate geographical location, using communication technologies.

*NOTE – Depending on the meeting, remote participation may be active or in an observing capacity (in case of webcast), but only active remote participation is considered in these Guidelines.*

### **3. Organization of a Meeting with Remote Participation**

This clause gives guidelines for the meeting chairman and APT Secretariat who are organizing a meeting with remote participation.

3.1 When scheduling the time for meetings with remote participation or for e-meetings, consideration should be given to the different time zones of the expected remote participants. Consideration should also be given to, when practical, scheduling relevant agenda items identified by a remote participant to better accommodate the remote participant's time zone.

3.2 If remote participation is to be arranged for participation in a meeting, APT Secretariat should be informed at least twelve calendar days before the meeting, to allow for enough time for logistics arrangements.

3.3 If the meeting chairman is expected to participate remotely, the meeting should identify an acting chairman in case the chairman is unable to connect.

3.4 The meeting agenda indicates the format in which the meeting will be conducted:

- physical meetings (face-to-face)
- physical meetings with remote observation (i.e., webcast)
- physical meetings with (active) remote participation (see also clause 4.1)
- e-meetings, also called virtual/online meetings (see also clause 4.1).

*NOTE – The first two formats are not covered by these Guidelines. The meeting format could be based on a variety of criteria, including, but not limited to, the nature of the meeting, whether the meeting is held inside or outside Bangkok and technical capabilities available for the meeting.*

3.5 It is recommended that the technologies used for remote participation are those available from the APT, even for meetings held outside Bangkok.

3.6 For meetings held outside Bangkok with (active) remote participation, it is recommended that hosts be supplied with guidelines in order to minimize possible technical issues related to remote participation. Those guidelines (e.g., in the form of a checklist) should be accessible for the host well in advance before the event, and should include all the technical and logistics requirements for providing the remote participation facility.



#### **4. Guidelines for the Meeting Chairman**

This clause gives guidelines for the meeting chairman to help chairing a meeting with remote participation.

4.1 Based on the remote participation tool used, the office bearers of the meeting decide the operation mode for the meeting. The modes described in clauses 4.1.1 and 4.1.2 are suggested. The decision of the office bearers is announced at the beginning of the meeting and the meeting is chaired accordingly.

4.1.1 All remote participants are muted by default and can intervene at any time. To prevent interference of background noise, the chair reminds remote participants to mute their microphones until when they wish to contribute (see also clause 4.5).

*NOTE – This may be practical for the meeting of a small sized meeting, such as a correspondence group, but probably not during the larger size meeting (if at least to avoid echo and other background noise).*

4.1.2 All remote participants are muted by default and will be unmuted by the remote participation moderator on a case-by-case basis, if they so request through the remote participation tool.

*NOTE – The remote participation moderator would then inform the meeting that a remote participant can intervene and the chairman would include the remote participant in the queue of meeting participants who want to intervene.*

4.2 In the case of physical meetings with remote participation, chairman and the remote participation moderator are encouraged to meet in the room ten minutes before the scheduled start of the meeting to check that the system is working and that chairman can display and share documents.

4.3 At the beginning of each meeting with remote participation, chairman announces that there is a remote facility and requests that all remote participants introduce themselves by mentioning their name and affiliation.

*NOTE – Remote participants who join a meeting after the initial introduction of participants are expected to announce their arrival by mentioning their name and affiliation. If the remote participation tool announces participants' arrival with a specific sound, chairman may ask new participants to introduce themselves unless it does not intervene discussion.*

4.4 Chairman encourages remote participants to announce their name and affiliation clearly before speaking (see also clause 5.3).

4.5 Where supported by the remote participation tool, the chairman or the remote participation moderator is permitted to mute remote participants with bad connections

or whose connections introduce too much noise, or may ask them to leave the meeting if the situation cannot be remedied.

## **5. Technical guidelines for remote participants**

This clause gives guidelines for remote participants.

5.1 Remote participants are encouraged to use the remote facility through a landline (when available), or to use a headset (and not the microphone and speaker of their machine). Remote participants should make sure that the loudspeaker on their machine is muted when they call from a landline.

5.2 It is recommended that remote participants connect at least five minutes before the start of a meeting to avoid disturbance. This will also allow for chairman and/or the remote participation moderator to check sound levels.

5.3 Remote participants are encouraged to announce their name and affiliation clearly before making any intervention (see also clause 4.4).

5.4 Remote participants should speak from a quiet place without background noise. They should speak slowly and clearly to allow the other participants to compensate for any audio problem. They are encouraged to end their remarks with the phrase "This concludes my intervention."

5.5 If the connection is poor, and if requested by chairman, remote participants should be prepared to type their question or comment in the chat window of the remote participation tool.

5.6 During a physical meeting with remote participation, remote participants accept that, in case of technical problems (e.g., lost connection), their participation may be interrupted (see also clause 5.8) while the physical meeting will continue, whereas in case of onsite technical issues (e.g., headphone failure), chairman may decide to suspend the meeting until the problem is solved.

*NOTE – Remote participants recognize that an important part of any meeting are the informal discussions during breaks and lunch where delegates can informally explain, understand, and forge the compromises needed for the consensus processes to work. Remote participants recognize that they will not have this type of interaction with the other participants.*

5.7 Remote participants accept that in case of technical problems (e.g., lost connection) during an e-meeting, chairman will assess whether enough participants are still connected and will decide whether to continue the meeting (see also clause 5.8) or to suspend the meeting until the problem is solved.

5.8 Remote participants may report problems to the remote participation moderator (when available) who should determine where the cause lies and should either

take direct remedial action or offer advice as appropriate. A remote participant who experiences problems in joining the meeting should preferably discuss with the remote participation moderator in a private chat window (or tab) so that the main chat window is reserved for discussions of interest to all participants.

## **6. Technical Guidelines for in-person Participants**

This clause gives guidelines for participants physically present in a meeting with remote participation.

6.1 In order to increase voice quality, only one microphone should be on (open) at a given time in the meeting room, and physically present participants shall speak close to (and in front of) the microphone.



## LIST OF APT LEGAL INSTRUMENTS

Title	Adopted	Revised	Abrogated
Rules of Procedure of the General Assembly of the Asia-Pacific Telecommunity	GA-1	GA-9 GA-12 GA-14	
Rules of Procedure of the Management Committee of the Asia-Pacific Telecommunity	MC-1	MC-26 MC-35	

### PART A: RULE AND REGULATION

Title	Adopted	Revised	Abrogated
Regulations concerning Administrative, and Financial Activities of the Telecommunity	MC-1		MC-35
Staff Regulations and Staff Rules of the Asia-Pacific Telecommunity - originally as Administrative Regulations (Attachment 1 of Regulations concerning Administrative, and Financial Activities of the Telecommunity)	MC-1	MC-38 MC-44	
Financial Regulations of the Asia-Pacific Telecommunity - originally as Financial Regulations (Attachment 2 of Regulations concerning Administrative, and Financial Activities of the Telecommunity)	MC-1	MC-38 MC-42	
Staff Rules of the Asia-Pacific Telecommunity Governing Technical Project Personnel	MC-6		MC-37

**PART B: RESOLUTION**

Document Title	Adopted	Revised	Abrogated
<b>GENERAL ASSEMBLY</b>			
Resolution Concerning the Formation of a Consultative Committee for Coordination	GA-1		GA-12
Resolution on Strengthening of the Activities of the Asia-Pacific Telecommunity	GA-1		GA-12
Resolution to Determine Succession to the Position of the Executive Director	GA-2		GA-12
Resolution on Strengthening of the Budgetary Basis and Effectiveness of the Asia-Pacific Telecommunity	GA-2		GA-12
(Resolution No. 96/1 on) Developing a Broader Funding Base for the Future of the APT	GA-7		GA-12
Resolution on Participating Companies and Organizations (other than those Eligible for Affiliate Membership) in the APT Activities	GA-8		GA-12
Resolution on Establishing a Preparatory Group to consider changes to the APT Constitution	GA-8		GA-12
Transition Rules	GA-9		GA-12
Resolution on Contribution in Arrears by the Republic of Nauru	GA-11		
Procedure for the Election of the Secretary General and the Deputy Secretary General of the Asia-Pacific Telecommunity	GA-11		GA-13
Resolution on the Terms and Conditions of Employment of the Secretary General and the Deputy Secretary General of the Asia-Pacific Telecommunity	GA-12	GA-13	
Resolution on the Procedure for the Election of the Secretary General and the Deputy Secretary General of the Asia-Pacific Telecommunity	GA-13	GA-15	
Resolution on the Management and Follow-Up on Membership in Arrears	GA-13	GA-15	

<b>Document Title</b>	<b>Adopted</b>	<b>Revised</b>	<b>Abrogated</b>
<b>MANAGEMENT COMMITTEE</b>			
Nature of the Functions and Conditions of Employment of the Executive Director, the Deputy Executive Director/Directors and Other Officials of the Secretariat of the Telecommunity	MC-1		MC-35
Resolution recommending the APT request Member Countries to Raise More Funds for Extra Budgetary Contributions	MC-15		MC-35
Resolution on Position Description and Selection Guidelines for the Posts (Other than Executive Director and the Deputy Executive Director) in the Asia-Pacific Telecommunity	MC-15		MC-35
Resolution on the Future of the APTEL Information System	MC-15		MC-35
Resolution on Participation of Companies in APT activities other than GA and MC	MC-15		MC-35
(Resolution No. 97/1) Centre of Excellence in the Telecommunications in Asia	MC-21		MC-35

**PART C: GUIDELINE**

Document Title	Adopted	Revised	Abrogated
<b>GENERAL ASSEMBLY</b>			
Guidelines to the Management Committee for the Preparation of the Programme of Work of the Telecommunity	GA-1		GA-12
Guidelines to the Management Committee for the Preparation of the Programme of Work of the Telecommunity	GA-2		GA-12
Position Description and Selection Guidelines for the Posts of the Secretary General and the Deputy Secretary General	GA-11		GA-13
<b>MANAGEMENT COMMITTEE</b>			
Guidelines for Member Countries and the APT Secretariat concerning Extra Budgetary Contributions	MC-15		MC-35
Guidelines on Sponsorship of APT Events and APT Joint Sponsorship of Events	MC-19		MC-37
Guideline for Secretariat Travel	MC-19	MC-37	
Affiliate Membership Guideline	MC-26	MC-36	
APT Documentation Scheme	MC-28		MC-35
Guiding Principles for Organising Programmes with Sub Regional, Regional and International Organisations	MC-28		MC-37
Guidelines for Memorandum of Understanding with Other Organizations	MC-33		
Guidelines for the Use of the APT Logo	MC-33		
Guideline for Awarding Fellowships to the APT Event/Activity in conjunction with the Management Committee	MC-35	MC-42	
APT Documentation Framework	MC-35		



<b>Document Title</b>	<b>Adopted</b>	<b>Revised</b>	<b>Abrogated</b>
Guideline for Members, International Organizations and the Secretariat concerning Extra-Budgetary Contributions (EBCs)	MC-37		
Guideline for Organizing APT Activities in collaboration with Members and Other Organizations	MC-37		
APT Patent Policy	MC-37		
Guideline for Naming of APT Activities	MC-37		
Guideline on Representation of the APT in Other Regions' Preparatory Meetings	MC-42		
Guidelines for the Use of APT Yearbook Fund	MC-42		
Guidelines on the Coordination of Nominations for and Expectations of Office Bearers to ITU Groups	MC-43		
Guidelines for Remote Participation to the APT Meetings	MC-44		





