

DEPARTMENT OF FOREIGN AFFAIRS AND TRADE
CANBERRA

Constitution of the Asia Pacific Telecommunity
(Bangkok, 1976) as amended (Colombo, 1991)
as amended in New Delhi in 2002

Not yet in force
[2004] ATNIF 05

**Constitution
of the Asia-Pacific Telecommunity**

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 the United Nations. 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 provision 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 of 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 regards 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 regards 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 fulfill 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 nature of the duties and conditions of employment of the officials of the Secretariat other than the Secretary General and the Deputy Secretary General;
 - (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 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 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.

Article 10 : *The Secretariat*

1. The Secretariat of the Telecommunity shall be composed of the Secretary General of the Telecommunity, who shall be the chief administrative officer of the Telecommunity, such number of 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, assisted by the Deputy Secretary General and other officials of the Secretariat, shall;

- (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 him 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 Assistant 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 of the Telecommunity 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 fulfilment 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 Depository under Article 16 of this Constitution.

Article 16 : *Depository of the Constitution*

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

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 Depository 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 Depositary 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**

Preamble

1. The present rules of procedure of the General Assembly adopted in pursuance of Article 8 of the Constitution of the Asia-Pacific Telecommunity shall enter into force on 2 December 1987.
2. Should situations not provided for in these rules arise the appropriate provisions of the Constitution shall be applied.

CHAPTER I Sessions

Rule 1

1. The Executive Director 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 two months prior to the opening of the session.
3. Under the instruction of the President, the Executive Director shall arrange 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.

Rule 2

1. Where necessary and with the concurrence of the President, the Executive Director 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 Executive Director 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 be seated in the alphabetical order of the English names of the Members and Associate Members represented.

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 Executive Director in consultation with the President.

Rule 6

The provisional agenda for any ordinary session shall include :

- (a) Election of a President and two Vice-Presidents of the General Assembly;
- (b) Adoption of the agenda;
- (c) Report of the Management Committee on the activities of the Asia-Pacific Telecommunity;
- (d) Items arising from previous session of the General Assembly;
- (e) Items proposed by the Management Committee;
- (f) Limits of annual expenditure till the next ordinary session of the General Assembly;
- (g) Any other items proposed by the Members and the Associate Members of the Asia-Pacific Telecommunity;
- (h) Any other items which the President or the Executive Director sees fit to include;

- (i) 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

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, he may be replaced by an alternate representative.

Rule 11

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

Rule 12

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

CHAPTER III Secretariat

Rule 13

The Executive Director may nominate another member of the staff to take his place at any meeting.

Rule 14

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

CHAPTER IV Conduct of Business

Rule 15

1. The President shall organize the work of the Assembly during the sessions and shall act as its Chairman. In the interval between sessions, he may be called upon to take the necessary measures for the convening of extra-ordinary sessions.
2. The Chairman, in addition to the other prerogatives conferred upon him 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. He shall be responsible for the general direction of all the work of the Assembly and shall ensure that order is maintained at meetings. He shall give his ruling on motions of order and points of order and, in particular, he shall be empowered 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. He may also decide to postpone the convening of a session 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. He shall ensure that discussion is limited to the point at issue, and he may interrupt any speaker who departs therefrom and request him to confine his remarks to the subject under discussion.

Rule 16

Proposals or amendments shall be introduced in writing and handed to the Executive Director, who shall normally circulate copies to the representatives at least 24 hours before they are discussed and voted upon, unless the General Assembly decides otherwise.

Rule 17

During the discussions on any matter, a representative may when he or she 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 representative may appeal against the Chairman's ruling, which shall, however, stand unless a majority of the representative present and voting are against it.

Rule 18

A representative submitting a motion of order shall not, during his or her 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 representative may move that the meeting be suspended or adjourned, giving reasons for his or her proposal. If the proposal is seconded, the opportunity shall be given to two speakers 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 representative 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 representative may speak in favour and two against the motion, after which the motion shall be put to the vote.

Rule 22

A representative 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 speakers 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 representative.

CHAPTER V Quorum

Rule 25

Two-thirds of the member countries represented in the General Assembly shall constitute a quorum.

CHAPTER VI Voting

Rule 26

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

Rule 27

If, however, agreement is not reached on the proposals, a vote shall be taken, the results of which shall be recorded in the 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

Decisions of the General Assembly shall be taken by a majority of members 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

If the number of abstentions exceeds one half of the number voting (for, against or abstaining), the proposal shall be considered at a subsequent meeting, at which time abstention shall not be taken into account.

Rule 31

Any decision which has been formally adopted by the General Assembly may not be reconsidered at the same session unless the majority of the representative decide otherwise.

Rule 32

A representative with the right to vote may give to another representative with the right to vote an authority to exercise his or her vote at any or all meetings at which he or she is unable to be present. In such a case he or she shall in good time so notify the President. However, a representative may not exercise more than one proxy vote.

CHAPTER VII Summary Records

Rule 33

Summary records of the session of the General Assembly shall be prepared by the Secretariat. After approval by the Chairman, the summary records shall be submitted for adoption by subsequent meetings of the General Assembly during the same session. Where unavoidable, summary records of meetings which could not be so adopted should be sent to Members, Associate Members and Affiliate Members at the earliest possible date after the session.

Rule 34

Any representative shall have the right to require the insertion in the minutes 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 Executive Director without delay after the end of the meeting. It is expected that this right shall be used in all cases with discretion.

Rule 35

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

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

Preamble

The present rules of procedure of the Management Committee adopted in pursuance of Article 9 paragraph 5(m) of the Constitution of the Asia-Pacific Telecommunity shall enter into force on 1 December 1987.

Should situations not provided for in these rules arise the appropriate provisions of the Constitution shall be applied.

Chapter I Meetings

Rule 1

1. The Executive Director shall at least two months before the commencement of an ordinary meeting notify the Members, Associate Members and Affiliate Members of the opening date of the meeting and of the provisional agenda.
2. Documents for the meeting shall be distributed at least six weeks prior to the opening of the meeting.

Rule 2

Where necessary and with the concurrence of the Chairman, the Executive Director 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, delegates of the Members and Associate Members of the Telecommunity shall be seated in the alphabetical order of the English names of the Members, Associate Members and Affiliate Members represented.

Rule 4

The provisional agenda for each meeting shall be drawn up by the Executive Director in consultation with the Chairman.

Rule 5

1. The provisional agenda for each meeting shall include:
 - (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 Executive Director;
 - (c) Items arising from previous meetings of the Committee;
 - (d) Items which have been proposed by any member or associate member of Telecommunity;
 - (e) The appointment of the Executive Director and/or Deputy Executive Director (s) where appropriate;
 - (f) The accounts of the Telecommunity any financial report;
 - (g) Draft annual budget;
 - (h) Items proposed by any specialized agencies in accordance with existing agreements and relationship concluded between the Telecommunity and such agencies;
 - (i) Any other items which the Chairman of the Committee or the Executive Director sees fit to include;
 - (j) Date and venue of the next meeting.

2. The Management Committee may amend the agenda at any time appropriate.

CHAPTER II Representation and Credentials

Rule 6

Each Member and Associate Member shall be represented at the meetings by an accredited representative.

Rule 7

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

Rule 8

The credentials of each representative as well as those of alternate representatives and advisers shall be deposited with the Executive Director without delay.

Rule 9

The Chairman and the two Vice-Chairmen shall examine the credentials and report upon them to the Management Committee.

CHAPTER III Secretariat

Rule 10

The Executive Director may nominate another member of the staff to take his place at any meeting.

Rule 11

The Executive Director 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 Executive Director 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 Quorum

Rule 13

A simple majority of the member countries represented in the Management Committee shall constitute a quorum.

CHAPTER V Conduct of Business

Rule 14

1. The Chairman shall organize the work of the Committee during the meetings. In the interval between meetings, he may be called upon to take the necessary measures for the convening of additional meetings.
2. The Chairman, in addition to the other prerogatives conferred upon him 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. He shall have the general direction of all the work of the Committee and shall ensure that order is maintained at meetings. He shall give his ruling on motions of order and points of order and, in particular, he shall be empowered to propose that discussion on a question be postponed or closed, or that a meeting be suspended or adjourned. He 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. He shall ensure that discussion is limited to the point at issue, and he may interrupt any speaker who departs therefrom and request him to confine his remarks to the subject under discussion.

Rule 15

Proposals or amendments shall be introduced in writing and handed over to the Executive Director, who shall normally circulate copies to the representatives at least twenty-four hours before they are discussed and voted upon, unless the Management Committee decides otherwise.

Rule 16

During the discussions on any matter, a representative may when he or she 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 representative may appeal against the Chairman's ruling, which shall, however, stand unless a majority of the representatives present and voting are against it.

Rule 17

A representative submitting a motion of order shall not, during his or her speech, discuss the substance of the matter in question.

Rule 18

The motions and points of order mentioned in Rule 16 and Rule 17 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 19

During the discussion on any matter, a representative 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 20

During the discussion on any matter, a representative 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 representative may speak in favour and two against the motion, after which the motion shall be put to the vote.

Rule 21

A representative 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 speakers to oppose the motion, after which the motion shall be put to the vote.

Rule 22

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 representative.

Rule 23

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

Rule 24

Participation in such sub-committees, study groups, working groups etc. will be open to Members, Associate Members and Affiliate Members. Observers may also be invited by the Management Committee to participate in such bodies.

Rule 25

Sub-committees, study groups, working groups etc. shall appoint their own Chairman and also decide upon the dates and venues of their meetings in consultation with the secretariat.

CHAPTER VI***Urgent Questions Raised between Sessions***

Rule 26

Urgent questions raised between sessions shall be dealt with by the Chairman consulting the members; he shall inform the members consulted of the solutions adopted; or by verifiable correspondence.

CHAPTER VII *Summary Records*

Rule 27

Summary records of the meetings of the Management Committee shall be prepared by the Secretariat. After approval by the Chairman, the summary records shall be submitted for adoption by the Management Committee before

the conclusion of the meetings. Where unavoidable, summary records of meetings which could not be so adopted should be sent to members, associate members, and affiliate members at the earliest possible date after the meetings.

Rule 28

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 Executive Director without delay after the end of the meeting. It is expected that this right shall be used in all cases with discretion.

Rule 29

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