# Report of the Second Ordinary Meeting of the Contracting Parties to the SPREP Convention and Related Protocols

Held in Suva, Fiji on 16-17 September 1993

> Published in Apia, Western Samoa January 1994

Copyright © South Pacific Regional Environment Programme, 1994

The South Pacific Regional Environment Programme authorises the reproduction of this material, whole or in part, in any form provided appropriate acknowledgement is given.

Original Text: English

Published in January 1994 by:

South Pacific Regional Environment Programme P.O. Box 240 **Apla**, Western Samoa

Printed by:
Commercial Printers
Apla, Western Samoa

P 2/94 - 2C

Layout: Wesley Ward

#### USP Cataloguing-in-Publication Data

South Pacific Regional Environment Programme. Ordinary Meeting of the Contracting Parties to the SPREP Convention and Related Protocols (2nd: 1993 : Suva, Fiji)

Report of the Second Meeting of the Contracting Parties to the SPREP Convention and Related Protocols held in Suva, Fiji on 16-17 September 1993. - Apia, Western Samoa: SPREP, 1994.

iv, 18p.: 29 cm.

ISBN: 982-04-0008-2

1. Environmental Protection - Oceania - Congresses 2. Conservation of natural resources - Oceania - Congresses I. SPREP Convention II. Title

TD 171.5.03S67

363.7'0995

# Contents

Meetii	ag Keport			I
A	Agenda Item	n 1:	Official Opening	1
A	Agenda Item	n 2:	Appointment of Chairperson	1
A	Agenda Item 3: Agenda Item 4:		Adoption of Agenda and Working Procedures	1
A			Report of the Extraordinary Meeting of the Contracting Parties held in Apia on 18 September 1992	2
Ā	Agenda Iten		Consideration and adoption of Financial Rules and Regulations for the Operation of the Convention	2
A	Agenda Item	n 6:	Consideration and Adoption of Budgets	3
A	Ag. Items 7-	12:	Relating to items under Article 22, Section 1 of the Convention; Article 16 of the 'Dumping' Protocol; Article 10 of the 'Pollution Emergencies' Protocol; Report by SPREP under Rule 12 of the Rules of Procedure; and other items consider	4
Å	3		Other Business	5
Å			Date and Venue of the Next Meeting	5
1	Agenda Iten	n 15:	Adoption of the Report	5
Annex	es			6
Ä			f Participants	6
Ä	Annex 2:	Agend	da	9
A	Annex 3: Fina		ncial Regulations for the SPREP Convention	
A	Annex 4 Revised Budgets of the:  Extraordinary Meeting at Apia, Western Samoa, 1992			
		Secon	d Ordinary Meeting in Suva, Fiji, 1993	17
		Third	Ordinary Meeting in Apia, Western Samoa, 1995	18

### **Meeting Report**

#### Agenda Item 1: Official Opening

- 1. An Ordinary Meeting of the Contracting Parties to the Convention for the Protection of the Natural Resources and Environment of the South Pacific Region and Related Protocols ("the SPREP Convention") was convened in Suva, Fiji, on 16 September 1993. Representatives of the following Contracting Parties attended: Australia, Fiji, France, Republic of the Marshall Islands, New Zealand, Solomon Islands, United States of America and Western Samoa. Other SPREP members represented were French Polynesia and New Caledonia. Also in attendance were Observers from A & P Development Consultants, Greenpeace, Japan International Cooperation Agency, Pacific Concerns Resource Centre, South Pacific Action Committee for Human Ecology and Environment, the United Nations Development Programme, the United Nations Environment Programme, the University of the South Pacific, and the University of Wollongong. A list of participants is attached as Annex 1.
- 2. The representative of Western Samoa, as outgoing Chairperson, called the Meeting to order and introduced the Hon. Joeli Kalou, Minister of State for Housing, Urban Development and the Environment of the Republic of Fiji, who officially opened the Meeting. In welcoming delegates to this Second Ordinary Meeting of the Contracting Parties to the SPREP Convention, the Minister referred to the importance of the SPREP Convention and its Protocols as a comprehensive umbrella agreement for the protection, management and development of the marine and coastal environment of the South Pacific region. This was one of the two most important environmental agreements affecting SPREP member countries which provided the Contracting Parties with the opportunity to co-ordinate environmental initiatives and to ensure that development activities were undertaken in an environmentally sustainable manner.
- 3. The Minister referred to the decisions taken at Rio de Janeiro on Climate Change, Biological Diversity, Statement of Principles on Forests and Agenda 21, all of which reflected concerns about environmental pressures currently experienced within the region, many of which were addressed under the SPREP Convention.
- 4. The Minister reiterated a resolution of the First Meeting of the Parties to the SPREP Convention urging eligible SPREP member countries to join the Convention. He also implored Contracting Parties to take positive action to meet their obligations under the Convention and cited examples such as the National Environment Strategy approved by his Government. This Strategy provided a broad framework for environmental management to achieve sustainable economic development and conservation of Fiji's natural and cultural heritage. The Minister wished the Meeting success in its deliberations.
- 5. The representative of the Republic of the Marshall Islands responded to the Minister's opening speech which had provided sound guidelines for the forthcoming deliberations.

#### Agenda Item 2: Appointment of Chairperson

6. The representative of Fiji was appointed as Chairperson and the representative of France as Vice-Chairperson.

#### Agenda Item 3: Adoption of Agenda and Working Procedures

7. The agenda was adopted and is attached as Annex 2. The working hours of the meeting were agreed as proposed by the Secretariat and a drafting committee, comprising representatives of Australia, Fiji, France and Western Samoa, was established to assist in preparation of the draft Meeting Report.

# Agenda Item 4: Report of the Extraordinary Meeting of the Contracting Parties held in Apia on 18 September 1992

- 8. The Extraordinary Meeting of the Contracting Parties, called at the time of the Fifth SPREP IGM in Apia in September 1992 to consider and adopt Financial Rules and Regulations for the Operation of the Convention, failed to achieve a quorum. Representatives who did attend, however, decided to use the opportunity to consider and comment on the proposed Regulations. They also agreed that adoption of the draft Report of the Extraordinary Meeting should be deferred until the next Ordinary Meeting, but that the draft should be circulated to Contracting Parties by the Secretariat. This was done by Circular 71 of 14 December 1992, no comments to which were received by the Secretariat.
- 9. The Second Ordinary Meeting of the Contracting Parties noted the Report of the Extraordinary Meeting.

# Agenda Item 5: Consideration and adoption of Financial Rules and Regulations for the Operation of the Convention

- 10. The Meeting amended and adopted the Financial Regulations for the Operation of the Convention, taking into account the informal discussions at the Extraordinary Meeting.
- 11. The following amendments were made to the Financial Rules and Regulations:

#### (a) Regulation 2: Definitions

An addition was made to the definition of "Secretariat" to include "to the extent designated by the South Pacific Commission." The definition of "Secretariat" now reads:

"Secretariat means the South Pacific Regional Environment Programme's personnel and financial resources associated with undertaking primary, project management and project implementation functions to the extent designated by the South Pacific Commission."

#### (b) Regulation 3

This Regulation was amended to read:

"The Budget estimates shall cover income and expenditure of the Convention and its auxiliary and subsidiary bodies for each fiscal year to which they relate, and shall be presented in US dollars. The fiscal year of the Convention shall be the calendar year. The Budget estimates will incorporate income and expenditure proposals for the preparation for, and convening of, Meetings of the Parties."

#### (c) Regulation 5

This Regulation was amended to read:

"The Budget estimates for the next Ordinary Meeting will be circulated at least two years in advance."

#### (d) Regulation 6(e)

This Regulation was amended to read:

"In the event of any delay in the Meetings of the Parties in adopting the Budget estimates, the Director is authorised, pending approval of the Budget estimates, to incur such obligations and meet such expenditure (as defined in Regulation 2), subject to any reservations which have been placed on any individual item."

#### (e) New Regulation between Regulation 7 and 8

"All funds shall be provided by voluntary contributions by the Contracting Parties to the Convention or by any other States or Organisations."

#### (f) Regulation 24

This Regulation was amended to read:

"The financial statements shall be submitted by the Director to the auditors, together with SPREP's own financial statements, as soon as possible following the end of each fiscal year."

#### (g) Regulation 26: External Audit

This Regulation was amended to read:

"Unless decided otherwise by the Contracting Parties, the financial accounts of the Convention shall be audited each year by the auditors appointed by the SPREP Meeting in respect of SPREP's own financial accounts."

#### (h) Regulation 31:

This Regulation was amended to read as follows:

"When the position of Director is vacant, the Director's functions and powers shall be exercised by the Deputy Director according to the instructions of the Chairperson of the Parties.

In the absence from the South Pacific Regional Environment Programme headquarters, or during the incapacity, of the Director, the functions and powers of the Director as provided in these Regulations shall, during such periods, devolve on the Deputy Director. In the event that the Director and Deputy Director are both absent, an officer of the Director's choice shall be designated Officer-in-Charge with such functions and powers as determined by the Director."

#### (i) Regulation 32

The following was inserted into Regulation 31:

"These Regulations may be amended by consensus of the Parties at any Ordinary Meeting."

The Financial Regulations as approved are attached as Annex 3.

#### Agenda Item 6: Consideration and Adoption of Budgets

- 12. The Meeting approved the Budgets for:
  - the 1992 Extraordinary Meeting, revised to take account of actual duration and attendance:
  - the 1993 Second Ordinary Meeting, revised to take account of the change of venue from Guam to Fiji; and
  - the 1995 Third Ordinary Meeting, based on the venue being Apia, but not pre-empting a decision on the venue.
- 13. The Meeting agreed to continue the practice, established by the First Meeting of the Contracting Parties, of funding travel and per diem costs for one delegate from each island member country. Further, the Meeting noted that contributions from members would be revised in the event of ratification by additional Parties.
- 14. The Secretariat urged the Contracting Parties to remit their contributions in a timely fashion. The approved Budgets are attached as Annex 4.

- Agenda Items 7-12: Relating to items under Article 22, Section 1 of the Convention; Article 16 of the 'Dumping' Protocol; Article 10 of the 'Pollution Emergencies' Protocol; Report by SPREP under Rule 12 of the Rules of Procedure; and other items considered appropriate by the Contracting Parties.
- 15. Agenda items 7-12 were considered in one consolidated working paper (WP.5).

#### Article 2 of the Convention

- 16. Under Article 2, the Director of SPEC (now the Secretary General of the Forum Secretariat) was designated as the Depositary and the South Pacific Commission (SPC) was designated as responsible for carrying out the Secretariat functions for the Convention and Protocols. The First Meeting of the Contracting Parties, held in Noumea in July 1991, noted that it would be necessary to amend the Convention once the Agreement establishing SPREP came into force, in order to give the Secretariat functions for the Convention to SPREP instead of the SPC, which was delegating this function to SPREP.
- 17. The Secretariat requested delegates to note that the Agreement establishing SPREP was concluded at a Plenipotentiary Meeting held in Apia on 16 June 1993. The Agreement would come into force when ratified by ten signatories. Accordingly the Parties to the SPREP Convention were requested to consider the desirability of transferring the Secretariat functions for the Convention and its Protocols to SPREP.

#### Article 22, Section 1 of the Convention

- 18. Under this Article, the Parties were required to review the implementation of the Convention and its Protocols and, in particular, to review the state of the environment; consider information submitted by the Parties; adopt, review and amend annexes; make recommendations regarding adoption of Protocols and any amendments to the Convention or its Protocols; establish working groups; consider cooperative activities; consider additional action for achievement of the purposes of the Convention and its Protocols; and adopt financial rules and budgets.
- 19. The Secretariat requested the Meeting to note that considerable information on the state of the environment had been obtained through national reports produced for the UNCED and NEMS processes. However, no information had been submitted by Parties on measures adopted by them in implementation of the Convention and its Protocols.
- 20. In relation to this requirement, representatives called for a standardised format for national reports by Parties when providing information under their obligations in Article 19 of the Convention. Proposed guidelines for this standardised format would be circulated by the Secretariat and finalised at the next Meeting of the Parties.
- 21. The Secretariat requested the Meeting to note that there had been no notifications, sixty days prior to this meeting as required under Article 25, relating to requests by Parties to adopt, review or amend annexes. Similarly, there had been no notifications relating to requests by Parties to adopt Protocols or to make any amendments to the Convention or its Protocols.
- 22. The Secretariat requested the Meeting to note the activities undertaken by SPREP in cooperation with international maritime organisations to minimise ocean pollution. As well, the Secretariat referred to the linkage between SPREP's Work Programme activities and the objectives of the Convention and its Protocols.

# Article 16, Section 2 of the Protocol for the Prevention of Pollution of the South Pacific Region by Dumping.

23. The Secretariat requested the Parties to note their obligations under this Article, namely; to review the implementation of this Protocol; study and consider the records of permits; review and amend annexes; adopt guidelines for the preparation of records and procedures; develop, adopt and implement procedures for determing emergency circumstances; invite collaboration with scientific bodies; and perform other functions appropriate for implementation of the Protocol.

24. The representative of Australia advised the Meeting that, while Australia had not yet become a Party to the Protocol, it gave substantive effect to it through meeting its obligations as a Party to the London Convention (1972). Australia was also in the process of proposing amendments to Australian legislation that would put it in a position to ratify its signature of the Protocol.

#### Article 10, Section 2 of the Protocol Concerning Co-operation in Combating Pollution Emergencies in the South Pacific Region

25. The Secretariat requested the Parties to note their obligations under this Article, namely; to review the operation of this Protocol and consider measures to improve its effectiveness as well as to consider measures to improve cooperation under this Protocol and possible amendments.

#### Report by SPREP under Rule 12 of the Rules of Procedure.

26. The Secretariat requested the Meeting to note SPREP's 1992 and 1993 Annual Reports and the 'Proposed Integrated Work Programme and Budget for 1994 and Indicative Work Programmes and Budgets for 1995 and 1996' contained in 6SM/WP.33 which outlined proposals and financial arrangements relating to implementation of the Convention and its Protocols.

#### Items proposed by Contracting Parties

#### 27. The Parties:

- (a) reinforced their commitment to the SPREP Convention by undertaking to fulfill their obligations especially under Article 22, Section 1 of the Convention; Article 16 of the 'Dumping' Protocol and Article 10 of the 'Pollution Emergencies' Protocol;
- (b) agreed to transfer the Secretariat functions for the Convention and its Protocols to SPREP once the SPREP Agreement entered into force;
- agreed that eligible SPREP member countries be urged to join the Convention and its Protocols;
- (d) noted the work undertaken as part of the SPREP Action Plan and reported in SPREP's Annual Reports, in implementation of the Convention and its Protocols;
- (e) noted the proposals and financial arrangements for the forthcoming biennium outlined in 6SM/WP.33 to implement provisions of the Convention and its Protocols; and
- (f) requested the Secretariat to use its status as an observer to meetings of the Parties to the London Convention (1972) to bring forward for consideration by the next Meeting of the Parties, proposals and recommendations for amendment to the Protocol for the Prevention of Pollution of the South Pacific Region by Dumping. Amendments should ensure that the Protocol was as consistent with the London Convention (1972) as was practicable and appropriate.

#### Agenda Item 13: Other Business

28. There was no other business discussed by the Meeting of the Parties.

#### Agenda Item 14: Date and Venue of the Next Meeting

29. The Parties agreed that the Third Ordinary Meeting of the Contracting Parties to the SPREP Convention and its Protocols be held in 1995 in conjunction with the Eighth SPREP Meeting, the date and venue for which would be determined later.

#### Agenda Item 15: Adoption of the Report

30. The Meeting Report was adopted by the Parties.

#### **Annexes**

Annex 1: List of Participants

#### **Contracting Parties**

#### **AUSTRALIA**

Mr Lee THOMAS
Director
Australian Nature Conservation Agency
Lakeview Towers
153 Emu Bank, Belconnen
GPO Box 636
Canberra ACt 2601

Tel.: (616) 250 0395 Fax: (616) 250 0349

#### Mr Lou LANGFORD

Pacific II Section AIDAB Canberra ACT 2601 Australia

> Tel.: (616) 2 764 918 Fax: (616) 2 764 720

Mr Richard BOMFORD
Department of the Environment, Sport &
Territories
GPO Box 787
Canberra ACT 2601
Australia

Tel.: (616) 274 1839 Fax: (616) 274 1858

Mr John PAGE
Department of Foreign Affairs and Trade
Canberra ACT 2601
Australia

Tel.: (616) 261 3012

#### FEDERATED STATES OF MICRONESIA

Mr Nascha SIREN
Environmental Health Coordinator
Department of Health Services
P.S. 123
Palikir, Pohnpei 96941
Federated States of Micronesia

Tel.: (691) 320 2641/2613 Fax: (691)320 2933

#### FIJI

Mr Bhaskaran NAIR
Deputy Secretary for Housing
Ministry of Housing and Urban Developmen
PO Box 2131
Government Buildings
Suva
Fiji

Tel.: (679) 211 416 Fax: (679) 303 515

#### **FRANCE**

M. Alain JOURET
Representant permanent adjoint de la France
aupres de la Commission du Pacifique Sud
PROE
Delegation francaise
B P 8043
NOUMEA
Nouvelle-Caledonie
Tel.: (687) 26 16 03
Fax: (687) 26 12 66
Miss Isabelle PAILLET

Muss Isabelle PAILLET
Ministry of Foreign Affairs
Direction des Affaires Conomiques et Financii
Cellule Environment
37 quai'd'Orsay
75700 PARIS
France

Tel.: (1-47) 53 44 84 Fax: (1-47) 53 50 85

#### **NEW ZEALAND**

Ms Linda Te PUNI
Second Secretary
(Development & Co-operation)
New Zealand High Commission
Apia
Western Samon
Tel.: (685)
Fax: (685)

## SOLOMON ISLANDS

Ms Ruby TITITILU
Under Secretary
Ministry of Natural Resources
PO Box G24
itoniara
Solomon Islands

Tel.: (677) 21 521 Fax: (677) 21 245

#### UNITED STATES OF AMERICA

Ms Sandy ROBINSON Science Affairs Officer Office of Ocean Affairs US Department of State Washington DC 20520

Tel.: (202) 647 9514 Fax: (202) 647 1106

#### WESTERN SAMOA

Mrs Faamausili L. TUIMALEALIIFANO Director Department of Lands, Surveys and the Environment APIA Western Samoa

> Tel.: (685) 22 481 Fax: (685) 23 176

#### Other SPREP Members

#### FRENCH POLYNESIA

M. Moeava ATA
 Special Advisor for External Affairs, Regional Cooperation and International Air Transport
 Government of Tahiti Nui
 PO Box 2551
 Papeete, Tahiti
 French Polynesia

Tel.: (689) 42 44 13 Fax: (689) 43 20 11

#### NEW CALEDONIA

Dr. Guy AGNIEL
Professor of International Law
Universite francaise du Pacifique (UFP)
BP 8189
Noumea
Nouvelle-Caledonie

Tel.: (687) 25 60 00 Fax: (687) 28 68 48

#### Regional Organisation

#### UNIVERSITY OF THE SOUTH PACIFIC (USP)

Dr Jenny BRYANT SPREP Focal Point University of the South Pacific Suva Fiji

> Tel.: (679) 313 900 Fax: (679) 301 487

#### **Observers**

#### A & P DEVELOPMENT CONSULTANTS

Mr Ray MCCARTHY A & P Development Consultants PO Box 2492 Suva Fiji

Tel. (679) 304 259 Fax: (679) 301 025

#### GREENPEACE

Ms Bunny MCDLARMID
Greenpeace Pacific Campaign
Greenpeace
New Zealand
Tal (640) 277 6128

Tel. (649) 377 6128 Fax: (649) 303 2676

# JAPAN INTERNATIONAL COOPERATION AGENCY (JICA)

Dr Shigeru SHIMURA Fisheries Development Adviser 3rd Floor Dominion House Private Mail Bag Suva Fiji

Tel.: (679) 301 828 Fax: (679) 302 452

# PACIFIC CONCERNS RESOURCE CENTRE (PCRC)

Mr Ropeti SENITULI
Director
Pacific Concerns Resource Centre
General Coordination Office
G.P.O Box 3148
Auckland
New Zealand

Tel.: (649) 3075 862 Fax: (649) 3777 651

# SOUTH PACIFIC ACTION COMMITTEE FOR HUMAN ECOLOGY & ENVIRONMENT (SPACHEE)

Dr William AALBERSBERG Mr Isoa KOROVULAVULA Mrs Gyan MATI C/- USP Fax: (679) 302 548 PO Box 1168 Suva Fiji

Tel.: (679) 313 900 Fax: (679) 302 548

## UNITED NATIONS DEVELOPMENT PROGRAMME (UNDP)

Mr Fiu Mataese Elisara LAULU Environmental Advisor UNDP Office Apia Western Samoa

Tel.: (685) 23 670 Fax: (685) 23 555

# UNITED NATIONS ENVIRONMENT PROGRAMME (UNEP)

Mr Ian DIGHT Programme Officer, OCA/PAC PO Box 30552 NAIROBI Kenya

Tel.: (254) 23 08 00/52 06 00 Fax: (254) 23 01 27/22 68 90

#### UNIVERSITY OF WOLLONGONG

Dr R J MORRISON BHP Professor of Environment Science University of Wollongong Northfields Avenue Wollongong NSW 2522 Australia

> Tel.: (61 42) 213 555 Fax: (61 42) 213 764

#### Translators and Interpreters

Language Professionals 38 Ireland Street Ponsonby P.O. Box 3461 AUCKLAND New Zealand

M Patrick DELHAYE

Tel.: (64 9) 376 1216 Fax: (64 9) 360 1641

10%. (015) 000 1011

M Philip SAFFERY Translator

Language Co-ordinator

Mlle Françoise MARTINEAU Translator

•

M Philippe TANGUY Interpreter

Mme Emy WATT Interpreter

Mme Rosie HESS Interpreter

Mr Kevin BOYD Technician

#### SPREP Secretariat

P.O. Box 240 APIA

Western Samou

Tel.: (685) 21 929 Fax: (685) 20 231

Dr VILI FUAVAO

Director

Mr Don STEWART

Deputy Director

Mr Nuku JONES

Finance Manager

Ms Neva WENDT

Team Leader/National Environmental Management Strategies (NEMS)

Dr Chalapan KALUWIN

Climate Change Officer

Mr Gerald Miles

Sustainable Development Officer

M. Bernard MOUTOU

Legal Officer

Mr Wesley WARD

Information and Publications Officer

Mr Ueligitone SASAGI

Administration Officer

Ms Dorothy S. KAMU

Personal Assistant to Deputy Director

Ms Lupe SILULU

Registry Clerk

Ms Apiseta ETI

Office Assistant

#### Annex 2: Agenda

- 1. Official Opening
- 2. Appointment of Chairperson
- 3. Adoption of Agenda and Working Procedures
- 4. Adoption of Report of the Extraordinary Meeting of the Contracting Parties held in Apia on 18 September 1992
- 5. Consideration and adoption of Financial Rules and Regulations for the Operation of the Convention
- 6. Consideration and adoption of Budgets including:
  - the Extraordinary Meeting of the Contracting Parties in Apia on 18 September 1992
  - the Second Ordinary Meeting of the Contracting Parties in Guam on 6-7 September 1993
  - the Third Ordinary Meeting of the Contracting Parties in 1995
- 7. Consideration of items under Article 22, paragraph 1, of the Convention
- 8. Consideration of items under Article 16 of the Protocol for the Prevention of Pollution of the South Pacific Region by Dumping
- Consideration of items under Article 10 of the Protocol Concerning Cooperation in Combating Pollution Emergencies in the South Pacific Reegion
- 10. Other items in relation to the Convention and its related Protocols considered appropriate by the Contracting Parties
- 11. Report by SPREP under Rule 12 of the Rules of Procedure
- 12. Items proposed by Contracting Parties
- 13. Other Business
- 14. Date and Venue of Next Meeting
- 15. Adoption of Report
- 16. Close

#### Annex 3: Financial Regulations for the SPREP Convention

(adopted by the Second Ordinary Meeting of the Contracting Parties, Suva, Fiji, 16 September 1993)

#### Contents

	Regulation(s)
Purpose	1
Definitions	2
The Budget	3 - 5
Appropriations	6
Provision of Funds	7 · 10
Funds	11 - 15
Custody of Funds	16
Investment of Funds	17
Internal Control	18 - 20
Accounting	21 - 25
External Audit	26 - 28
General Provisions	29 - 32

#### Purpose

#### Regulation 1

These regulations shall govern the financial administration of The Convention for the Protection of the Natural Resources and Environment of the South Pacific Region and Related Protocols.

#### Definitions

#### Regulation 2

In these Regulations, unless the contrary intention appears -

'Convention' means The Convention for the Protection of the Natural Resources and Environment of the South Pacific Region and Related Protocols (SPREP Convention).

'Parties' means countries who are Contracting Parties to The Convention for the Protection of the Natural Resources and Environment of the South Pacific Region and Related Protocols (SPREP Convention).

'Contributions' means the amount of funding payable by Parties to finance expenditure incurred in respect of meetings of the Parties, as agreed by the Parties from time to time.

'Expenditure' means costs directly associated with preparation for, and convening of, meetings of the Parties.

'Budget' means a statement of income and expenditure relating to preparation for, and convening of, meetings of the Parties.

'Director' means the Director of the South Pacific Regional Environment Programme.

'Secretariat' means the South Pacific Regional Environment Programme's personnel and financial resources associated with undertaking primary, project management and project implementation functions to the extent designated by the South Pacific Commission.

#### The Budget

#### Regulation 3

The Budget estimates shall cover income and expenditure of the Convention and its auxiliary and subsidiary bodies for each fiscal year to which they relate, and shall be presented in US dollars. The fiscal year of the Convention shall be the calendar year. The Budget estimates will incorporate income and expenditure proposals for the preparation for, and convening of, Meetings of the Parties.

#### Regulation 4

The Budget estimates shall be arranged in such form and in such Parts, Heads and Sub-Heads as the Parties may from time to time direct.

The Budget estimates shall include the following documents:

- (a) A detailed statement dealing with each sub-head separately of estimated income and expenditure for the following year and the basis of computation;
- (b) A comparative table, dealing with each sub-head separately, of actual income and expenditure during the latest fiscal year and of estimated income and expenditure for the following year;
- (c) A detailed statement showing the estimated financial position of the Convention;
- (d) Any other documents which the Contracting Parties may deem necessary and useful.

#### Regulation 5

The Budget estimates for the next Ordinary Meeting will be circulated at least two years in advance.

#### **Appropriations**

#### Regulation 6

- (a) Income and expenditure shall be accounted for on an accrual basis.
- (b) Funds provided in the Budget shall be available for commitment during the fiscal year to which they relate.
- (c) Funds provided in the Budget shall remain available for twelve months following the fiscal year to which they relate to the extent to which they are required to liquidate commitments.
- (d) The Director of the South Pacific Regional Environment Programme may transfer within the Budget anticipated savings under any Part, Head or Sub-Head to meet anticipated expenditure under any other Part, Head or Sub-Head.
- (e) In the event of any delay in the meetings of the Parties in adopting the Budget estimates, the Director is authorised, pending approval of the Budget estimates, to incur such obligations and meet such expenditure (as defined in Regulation 2), subject to any reservations which have been placed on any individual item.

#### Provision of Funds

#### Regulation 7

The Director shall recommend to the Parties levels of contributions by taking into account:

- (a) The actual expenditure in the current fiscal year and that estimated for the succeeding fiscal year;
- (b) Any other revenue in addition to Parties' contributions;
- (c) Any balance of uncommitted funds available from previous fiscal years.

The current level of contributions of the Parties is set out in Annex 1 (attached).

#### Regulation 8

All funds shall be provided by voluntary contributions by the Contracting Parties to the Convention or by any other States or Organisations.

#### Regulation 9

After the Parties have adopted the Budget estimates the Director shall transmit the relevant documents to all Parties and members of the South Pacific Regional Environment Programme.

#### Regulation 10

Contributions shall be payable in US dollars. However, the Director is empowered to accept, at his discretion, the total or partial payment of contributions by a Party in currencies other than US dollars which are necessary for the functioning of the Convention.

#### Funds

#### Regulation 11

The working funds of the Convention shall be held in one principal fund, an Operating Fund.

#### Regulation 12

The Director may establish Special Purpose Accounts and shall inform the Parties of the details.

#### Regulation 13

The Director may establish Trust Funds with the approval of the Parties.

#### Regulation 14

The purpose and limits of each Trust Fund shall be clearly defined by the Parties and unless otherwise directed by the Parties such Funds shall be administered in accordance with these Regulations and audited reports be presented annually to the Parties.

#### Regulation 15

The Director may accept contributions for implementing the Convention and shall inform the next meeting of the Parties of details of such contributions.

#### **Custody of Funds**

#### Regulation 16

The Director is authorised to open and close bank accounts and shall inform the Parties of the details.

#### Investment of Funds

#### Regulation 17

The Director may make short-term investments in interest-bearing Bank deposits of monies not needed for immediate requirements.

#### Internal Control

#### Regulation 18

The Director shall:

- (a) Establish detailed financial rules and procedures in order to ensure effective financial administration and the exercise of economy;
- (b) Cause all payments to be made on the basis of supporting vouchers and other documents which ensure that the services or goods have been received, and that payments have note previously been made;

- (c) Designate the officer(s) who may receive monies or incur obligations on behalf of the Convention and disburse Convention funds:
- (d) Maintain an internal financial control which shall provide for an effective current examination and/or review of financial transactions, in order to ensure:
  - (i) The regularity of the receipt, custody and disposal of all funds and other financial resources of the Convention:
  - (ii) The conformity of commitments and expenditure with the appropriations or other financial provisions approved by the Parties, or with the purposes and rules relating to Trust Funds and Special Purpose Accounts;
- (e) Take all precautionary measures necessary to safeguard the property, equipment and supplies of the Parties;
- (f) Arrange for the adequate protection of funds and property by insurance.

#### Regulation 19

The Director may, after full investigation, authorise the writing off of losses of cash and other assets, provided that the value of all such items written off shall be reported to the meeting of the Parties.

#### Regulation 20

Rules governing quotations and tendering procedures for procurement and disposal of equipment and supplies shall be established by the Director.

#### Accounting

#### Regulation 21

The Director shall:

- (a) Adopt accounting principles which conform to generally accepted international accounting standards;
- (b) Implement in consultation with South Pacific Regional Environment Programme officer(s) appropriate financial management policies;
- (c) Submit annual financial statements to the Parties;
- (d) Give such other information to the Parties as appropriate to indicate the current financial position of the Convention.

#### Regulation 22

The financial statements and the accounting records of the Convention shall be presented in US dollars.

#### Regulation 23

Appropriate separate accounts shall be maintained for all Trust Funds and Special Purpose Accounts.

#### Regulation 24

The financial statements shall be submitted by the Director to the auditors, together with SPREP's own financial statements, as soon as possible following the end of each fiscal year.

#### Regulation 25

All liabilities in respect of the financing of assets shall be incorporated in the Budget estimates and annual financial statements.

#### External Audit

#### Regulation 26

Unless decided otherwise by the Contracting Parties, the financial accounts of the Convention shall be audited each year by the auditors appointed by the SPREP Meeting in respect of SPREP's own financial accounts.

#### Regulation 27

The Auditors shall:

- (a) Conduct their audit each year in accordance with generally accepted international auditing standards;
- (b) Prepare a report expressing an opinion as to the fairness of the Convention's financial statements;
- (c) Conduct, at the request of the Parties, additional specific examinations and submit separate reports on the results of their examinations.

#### Regulation 28

The Auditors shall submit their report to the Director as soon as possible following the end of the fiscal year to which it relates. The Director shall circulate the full report of the Auditors including comments on the financial operations of the Convention and accounts, together with such remarks as the Director may wish to offer to Parties, prior to the next meeting of the Parties.

#### General Provisions

#### Regulation 29

The Director may enter into contracts and other agreements for the purposes of renting accommodation, office space, storage and any other requirements of the Convention.

#### Regulation 30

These Financial Regulations are to apply to all financial activities of the Convention irrespective of the source of funds.

#### Regulation 31

When the position of Director is vacant, the Director's functions and powers shall be exercised by the Deputy Director according to the instruction of the Chairperson of the Parties.

In the absence from the South Pacific Regional Environment Programme headquarters, or during the incapacity, of the Director, the functions and powers of the Director as provided in these Regulations shall, during such periods, devolve on the Deputy Director. In the event that the Director and Deputy Director are both absent, an officer of the Director's choice shall be designated Officer-in-Charge with such functions and powers as determined by the Director.

#### Regulation 32

These Regulations shall enter into force immediately after their approval by the Parties.

These Regulations may be amended by consensus of the Parties at any Ordinary Meeting.

Amendments to these Regulations will have immediate effect upon acceptance by the Parties.

Annex 1: Scale of Contributions to the SPREP Convention

Australia	19.995 %
Cook Islands	2.86 %
Federated States of Micronesia	2.86 %
Fiji	2.86 %
France	19.995 %
Marshall Islands	2.86 %
New Zealand	19.995 %
Papua New Guinea	2.86 %
Solomon Islands	2.86 %
United States of America	19.995 %
Western Samoa	6.7 %
Total	100.000 %

Annex 4 Revised Budget of the Extraordinary Meeting of the Contracting Parties to the SPREP Convention at Apia, Western Samoa on Friday, 18 September 1992.

Expenditure	US dollars	
Per diem - participants (@ WST 250)		
<ul> <li>Cook Islands</li> <li>Federated States of Micronesia</li> <li>Fiji</li> </ul>	did not attend did not attend 50	
- Marshall Islands		did not attend
- Papua New Guinea		200
- Solomons Islands		200
Per diem - 1 x resource person		100
Administration		
- secretariat support		2,100
- equipment hire		200
- communications		200
· preparation of working papers and report	ž.	1.000
- photocopying and stationery		200
Interpretation/Translation		
· interpretation services (including use of b	oooth)	1.200
<ul> <li>translation services</li> </ul>		150
- per diem (6 persons) 2 nights		600
Total Expenditure		US \$6,200
*costs shared with Apia Convention		
Contributions		
Australia	19.995%	1,240
Cook Islands	2.860%	177
Federated States of Micronesia	2.860%	177
Fiji	2.860%	177
France	19.995%	1,240
Marshall Islands	2.860%	177
New Zealand	19.995%	1,240
Papua New Guinea	2.860%	177
Solomons Islands United States of America	2.860% 19.995%	177
Western Samoa	1,240 177	
	2.860%	
Total Contributions		US \$6,199

Revied Budget for the Second Ordinary Meeting of the Contracting Parties to the SPREP Convention in Suva, Fiji, on 16 - 17 September, 1993

(Based on duration of 2 days)

Expenditure	US dollars	
Per diem - participants (@ \$92)		
<ul> <li>Cook Islands</li> <li>Federated States of Micronesia</li> <li>Marshall Islands</li> <li>Papua New Guinea</li> <li>Solomons Islands</li> <li>Western Samoa</li> </ul>	3 nights 3 nights 3 nights 3 nights 3 nights 3 nights	276 276 276 276 276 276
Airfares		
<ul> <li>Federated States of Micronesia</li> <li>Marshall Islands</li> <li>Papua New Guinea</li> <li>Solomons Islands</li> <li>Western Samoa</li> </ul>		2,300 1,100 2,100 1,100 250
Resource person		1,450
Administration		
<ul><li>secretariat support</li><li>communications</li><li>photocopying and stationery</li></ul>		1,800 500 500
Interpretation/Translation		
interpretation & translation services per diem (6 persons)	3 nights	9,200 1,656
Total Expenditure		US \$23,612
* costs shared with Apia Convention		
Contributions		
Australia Cook Islands Federated States of Micronesia Fiji France Marshall Islands New Zealand Papua New Guinea Solomons Islands United States of America Western Samoa	19.995% 2.860% 2.860% 19.995% 2.860% 19.995% 2.860% 2.860% 2.860% 2.860%	4,722 675 675 675 4,722 675 4,722 675 675 4,721
Total Contributions		US \$23,612

Revised Budget for the Third Ordinary Meeting of the Contracting Parties to the SPREP Convention in Apia, Western Samoa, in September 1995.

(Based on duration of 2 days)

Expenditure	US dollars	
Per diem - participants (@ \$110)		
<ul> <li>Cook Islands</li> <li>Federated States of Micronesia</li> <li>Fiji</li> <li>Marshall Islands</li> <li>Papua New Guinea</li> <li>Solomons Islands</li> </ul>	3 nights 3 nights 3 nights 3 nights 3 nights 3 nights	330 330 330 330 330 330
Airfares		
<ul> <li>Federated States of Micronesia</li> <li>Fiji</li> <li>Marshall Islands</li> <li>Papua New Guinea</li> <li>Solomons Islands</li> </ul>	• •	3,000 250 1,500 2,800 1,500
Resource person		1,490
Administration		
<ul><li>secretariat support</li><li>communications</li><li>photocopying and stationery</li></ul>		1,800 500 500
Interpretation/Translation		-
<ul> <li>interpretation &amp; translation services</li> <li>per diem (6 persons)</li> </ul>	3 nights	9,200 1,980
Total Expenditure		US \$26,500
* costs shared with Apia Convention		
Contribution	·	
Australia Cook Islands Federated States of Micronesia Fiji France Marshall Islands New Zealand Papua New Guinea Solomons Islands United States of America Western Samoa	19.995% 2.860% 2.860% 19.995% 2.860% 19.995% 2.860% 2.860% 2.860%	5,300 758 758 758 758 5,299 758 5,299 758 758 5,299 758
Total Contributions		US \$26,503