



Treaty Series No. 58 (1984)

Commonwealth Telecommunications
Organisation Financial Agreement, 1983

London, 30 March 1983

[The Agreement entered into force on 1 April 1983]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
August 1984*

LONDON
HER MAJESTY'S STATIONERY OFFICE

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Cmd. 9317

**COMMONWEALTH TELECOMMUNICATIONS
ORGANISATION FINANCIAL AGREEMENT, 1983**

The Governments signatories to this Agreement;

Desiring to constitute new financial arrangements to supersede those subsisting under the Commonwealth Telecommunications Organisation Financial Agreement opened for signature at London on 30 March 1973⁽¹⁾;

Agree as follows:

ARTICLE 1

The Parties to this Agreement shall be known as Partner Governments.

ARTICLE 2

In this Agreement:

- (a) the expression "Council" means the Commonwealth Telecommunications Council established by the Constitution of the Commonwealth Telecommunications Organisation;
- (b) the expression "parcours-based accounting" means the accounting practices generally accepted internationally whereby international telecommunications operating entities remunerate each other for the handling of the telecommunications traffic interchanged between themselves on the basis of accounting rates and divisions of those rates amongst the parties involved for each unit of telecommunications traffic interchanged;
- (c) the expression "Commonwealth preferential treatment" means a modification to the parcours-based accounting process whereby preferential remuneration is provided by one National Body in accounting with certain other National Bodies.

ARTICLE 3

Each Partner Government shall designate a Department, public corporation or other body responsible for operating international telecommunications circuitry for that Partner Government (hereinafter referred to as the "National Body") having the powers necessary for the purposes of this Agreement. Reference hereinafter to the National Body shall include any operator subordinate to that National Body operating international telecommunications circuitry in Commonwealth countries or territories.

ARTICLE 4

The Partner Governments on their own behalf and on behalf of their National Bodies shall use the Council as a means of consultation on all matters that may have a substantial effect on other Partners through the provisions of this Agreement, and shall give due consideration to the recommendations and advice given by the Council.

⁽¹⁾ Treaty Series No. 59 (1973), Cmnd. 5319.

ARTICLE 5

Before taking action on a matter that may have a substantial effect on other National Bodies through the provisions of this Agreement:

- (a) a National Body shall furnish to the Council such particulars on the matter as the Council may prescribe; and
- (b) that National Body and the Partner Government concerned shall give due consideration to the recommendations and advice of the Council relating to that matter.

ARTICLE 6

The principles of a parcours-based accounting system as modified by the Commonwealth preferential treatment shall be the basis upon which National Bodies shall account with one another for the interchange of international telecommunications traffic. The manner in which this shall be effected shall be determined by the Council in accordance with Article 7 of this Agreement.

ARTICLE 7

For the purpose of this Agreement, the Council shall determine from time to time:

- (a) the parcours-based accounting system to be applied by National Bodies;
- (b) the manner in which National Bodies will implement or modify the parcours-based accounting system;
- (c) the manner in which the Commonwealth preferential treatment will be implemented or modified within the parcours-based accounting system;
- (d) the accounting procedures which are necessary to give effect to this Agreement;
- (e) the currencies or monetary units in which accounts are to be prepared;
- (f) the financial year;
- (g) the times and manner in which sums due from one National Body to another shall be paid.

ARTICLE 8

National Bodies shall contribute to a programme of collaborative arrangements, the funding of which shall be determined by the Council as may be appropriate from time to time.

ARTICLE 9

(1) Each National Body shall furnish in such form and manner as the Council may from time to time prescribe such information and estimates as the Council may require for the purposes of this Agreement.

(2) National Bodies shall, without delay, pay the sums which appear as outstanding as between them as a result of the carrying out of the procedures referred to in Articles 6, 8 and 14.

(3) Provided that the rights and obligations of Partner Governments and their National Bodies under this Agreement are not hereby diminished, the Council may prescribe arrangements for operators subordinate to National Bodies to account and settle accounts with each other and with National Bodies for the purposes of this Agreement as if they were separate National Bodies.

ARTICLE 10

(1) Acceptance of this Agreement under the provisions of Article 11 of this Agreement shall be effected by the signature of the Agreement which shall be kept in the custody of the Government of the United Kingdom of Great Britain and Northern Ireland. The latter Government shall notify all other Partner Governments and the Council of such signatures as soon as possible.

(2) By their acceptance of this Agreement, Partner Governments accept it on their own behalf, on behalf of their National Bodies and, subject to any reservation or exceptions made from time to time, in respect of the territories for the international relations of which they are responsible.

ARTICLE 11

The Government of any independent Member of the Commonwealth and, by agreement of the Partner Governments, the Government of any other Commonwealth country or territory may accept this Agreement and become a Partner Government by signing the Agreement as provided for in paragraph (1) of Article 10 of this Agreement.

ARTICLE 12

On the date on which any Partner Government ceases to be a member of the Commonwealth it shall forthwith cease to be a Partner Government.

ARTICLE 13

(1) If any Partner Government wishes to withdraw from this Agreement, it may do so by giving notice in writing to the Government of the United Kingdom of Great Britain and Northern Ireland. The latter Government shall notify all other Partner Governments and the Council of such notice and the date of receipt thereof as soon as possible.

(2) The notice shall take effect at the end of a financial year as determined under Article 7(f) and the period of notice shall include two complete financial years from the date of the receipt of the notice by the Government of the United Kingdom of Great Britain and Northern Ireland.

ARTICLE 14

(1) The accounts under this Agreement in respect of the National Body of the Government ceasing to be a Partner Government under Article 12 or Article 13 of this Agreement shall be made up as at that date of that Government ceasing to be a Partner Government and all outstanding payments, liabilities and obligations shall be discharged without delay.

(2) The National Body of a Government ceasing to be a Partner Government shall furnish such information as the Council may prescribe for the purposes of paragraph (1) of this Article.

ARTICLE 15

In the event of a Government ceasing to be a Partner Government, this Agreement shall thereafter remain in force and effect as between the remaining Partner Governments subject only to such consequential modifications, if any, as they may agree to be necessary or expedient.

ARTICLE 16

This Agreement shall terminate upon such date as is specified in an Agreement to that effect ("The Termination Agreement") signed by at least two thirds of the Partner Governments. The Termination Agreement shall contain such provisions as the said Partner Governments deem necessary for the winding up or settlement of the procedures, arrangements and accounts being then in operation under the provisions of this Agreement.

ARTICLE 17

(1) For a Government signatory to the Agreement terminating the Commonwealth Telecommunications Organisation Financial Agreement 1973^(a), which signs this Agreement on or before 31 March 1984, this Agreement shall enter into force either on 1 April 1983 or, on making a declaration to such effect upon signature, on 1 April 1984.

(2) This Agreement enters into force on 1 April 1984 for a Government, not a signatory to the Commonwealth Telecommunications Organisation Financial Agreement 1973, which signs it on or before 31 March 1984.

(3) This Agreement, other than Article 6, shall enter into force for a Government signing it after 31 March 1984 on the date of signature and Article 6 shall enter into force for that Government on such a date, not being earlier than the beginning of the financial year following that in which that Government accepts this Agreement, as the Council shall prescribe.

(a) Treaty Series No. 57 (1984), Cmnd. 9318.

In witness whereof the undersigned, being duly authorised thereto by their respective Governments, have signed this Agreement on the dates appearing opposite their signatures.

Done at London in a single original which shall be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland, which shall transmit certified copies thereof to all signatory Governments and to the Commonwealth Secretary-General.

SIGNATURES
(under Article 17(1))

<i>State</i>	<i>Date of Signature</i>	<i>Effective Date</i>
Australia	1 Sept. 1983	} 1 Apr. 1983
Bangladesh	30 Mar. 1983	
Barbados	10 Nov. 1983	
Canada	2 June 1983	
Cyprus	29 Mar. 1984	
Fiji	27 Feb. 1984	
Gambia, The	30 Mar. 1983	
Ghana	28 July 1983	
Guyana	8 Apr. 1983	
Jamaica	30 Mar. 1984	
Kenya	30 Mar. 1983	
Malawi	30 Mar. 1983	
Malaysia	30 Mar. 1983	
New Zealand*	26 Mar. 1984	
Nigeria	19 Dec. 1983	
Papua New Guinea	30 Mar. 1983	
Sierra Leone	30 Mar. 1983	
Sri Lanka	30 Mar. 1983	
Uganda	30 Mar. 1983	
United Kingdom	30 Mar. 1983	
Zambia	9 May 1983	

*Excludes Cook Islands, Niue and Tokelau.

SIGNATURES
(under Article 17(2))

<i>State</i>	<i>Date of Signature</i>	<i>Effective Date</i>
Lesotho	29 Mar. 1984	} 1 Apr. 1984
Swaziland	14 June 1983	
Vanuatu	27 Feb. 1984	

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