

**Financial Regulations for the Convention on the Conservation of Nature in the South Pacific (Apia Convention), as adopted by the Second Ordinary Meeting of the Contracting Parties in Suva, Fiji, on 15 September 1993 [(as amended by the 4<sup>th</sup> Meeting of the Parties in Apia, Samoa, 14 September 1998)]**

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## Purpose

### Regulation 1

These regulations shall govern the financial administration of the Convention on Conservation of Nature in the South Pacific (Apia Convention).

## Definitions

### Regulation 2

In these Regulations, unless the contrary intention appears -

'Convention' means the Convention on Conservation of Nature in the South Pacific (Apia Convention).

'Parties' means countries who are Contracting Parties to the Convention on Conservation of Nature in the South Pacific (Apia 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.]

## The Budget

### Regulation 3

The Budget estimates shall cover income and expenditure of the Convention and its auxiliary and subsidiary bodies for the [two fiscal years] 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 [*and may be included in the Budget estimates prepared for SPREP.*]

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

#### Regulation 5

The Budget estimates for the following [*two years*] will be [~~circulated at least prior to the end of each calendar year~~ *circulated with the budget estimates for SPREP prior to the Ordinary Meeting.*]

### 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 [*two fiscal years*] to which they relate.
- (c) Funds provided in the Budget shall remain available for twelve months following the [*two fiscal years*], 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 to adopt the annual Budget estimates the Director is authorised, pending approval of the annual

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 contribution by taking into account:

- (a) The actual expenditure in the current ~~fiscal year~~ [two fiscal years] and that estimated for the succeeding ~~fiscal year~~ [two fiscal years];
- (b) Any other revenue in addition to Parties' contributions; and
- (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**

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 9**

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 10**

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

### **Regulation 11**

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

### **Regulation 12**

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

### **Regulation 13**

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~~ *biennially*] to the Parties.

### **Regulation 14**

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 15**

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

### **Investment of Funds**

#### **Regulation 16**

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

### **Internal Control**

#### **Regulation 17**

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 not 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; and
  - (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; and
- (f) Arrange for the adequate protection of funds and property by insurance.

### **Regulation 18**

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 19**

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

### **Accounting**

### **Regulation 20**

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~~ *biennial*] financial statements to the Parties; and
- (d) Give such other information to the Parties as appropriate to indicate the current financial position of the Convention.

### **Regulation 21**

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

## Regulation 22

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

## Regulation 23

The financial statements shall be submitted by the Director to the Auditor as soon as possible following the end of each fiscal year.

## Regulation 24

All liabilities in respect of the financing of assets shall be incorporated in the Budget estimates and [~~annual~~ *biennial*] financial statements:

## External Audit

### Regulation 25

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 26

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 27

The Auditors shall submit their report to the Director as soon as possible following the end of the fiscal [years to which ~~it~~ *they* 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 28

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 29

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

### Regulation 30

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 powers and responsibilities 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 powers and responsibilities as determined by the Director.

### Regulation 31

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

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



ANNEX 1

Australia	40%
Cook Islands	6.7%
Fiji	6.7%
France	40%
Western Samoa	6.7%