



**ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟΝ**

**ΤΗΣ ΕΠΙΣΗΜΟΥ ΕΦΗΜΕΡΙΔΟΣ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ**

ύπ' Αρ. 1086 τής 5ης ΑΠΡΙΛΙΟΥ 1974

**ΝΟΜΟΘΕΣΙΑ**

Ὁ περί τοῦ Καταστατικοῦ τοῦ Κοινοπολιτειακοῦ Ὄργανισμοῦ Τηλεπικοινωνιῶν (Κυρωτικὸς) (Τροποποιητικὸς) Νόμος τοῦ 1974 ἐκδίδεται διὰ δημοσίευσως εἰς τὴν ἐπίσημον ἐφημερίδα τῆς Κυπριακῆς Δημοκρατίας συμφώνως τῷ ἄρθρῳ 52 τοῦ Συντάγματος.

Ἄριθμὸς 6 τοῦ 1974

**ΝΟΜΟΣ ΚΥΡΩΝ ΩΡΙΣΜΕΝΑΣ ΤΡΟΠΟΠΟΙΗΣΕΙΣ ΤΟΥ ΚΑΤΑΣΤΑΤΙΚΟΥ ΤΟΥ ΚΟΙΝΟΠΟΛΙΤΕΙΑΚΟΥ ΟΡΓΑΝΙΣΜΟΥ ΤΗΛΕΠΙΚΟΙΝΩΝΙΩΝ.**

Ἐπειδὴ εἰς τὸ Καταστατικὸν τοῦ Κοινοπολιτειακοῦ Ὄργανισμοῦ Τηλεπικοινωνιῶν (τὸ ὁποῖον, ὁμοῦ μετὰ τινων τροποποιήσεων αὐτοῦ, ἐκυρώθη διὰ τῶν περί τοῦ Καταστατικοῦ τοῦ Κοινοπολιτειακοῦ Ὄργανισμοῦ Τηλεπικοινωνιῶν Νόμων τοῦ 1968 ἕως 1971) ἐπηνέχθησαν νέαι τροποποιήσεις :

Προόμιον.

126 τοῦ 1968  
22 τοῦ 1971.

Καὶ ἐπειδὴ αἱ νέαι τροποποιήσεις αὗται, ἐγκριθεῖσαι δι' Ἀποφάσεων τοῦ Ὑπουργικοῦ Συμβουλίου ὑπ' ἀριθμὸν 12292 καὶ 12862 ἡμερομηνίας 3 Μαΐου καὶ 22 Νοεμβρίου 1973 ἀντιστοίχως, δεόν νά κυρωθῶσιν διὰ Νόμου ψηφιζομένου ὑπὸ τῆς Βουλῆς τῶν Ἀντιπροσώπων :

Διὰ ταῦτα ἡ Βουλὴ τῶν Ἀντιπροσώπων ψηφίζει ὡς ἀκολούθως :

1. Ὁ παρὼν Νόμος θὰ ἀναφέρηται ὡς ὁ περί τοῦ Καταστατικοῦ τοῦ Κοινοπολιτειακοῦ Ὄργανισμοῦ Τηλεπικοινωνιῶν (Κυρωτικὸς) (Τροποποιητικὸς) Νόμος τοῦ 1974 καὶ θὰ ἀναγινώσκηται ὁμοῦ μετὰ τῶν περί τοῦ Καταστατικοῦ τοῦ Κοινοπολιτειακοῦ Ὄργανισμοῦ Τηλεπικοινωνιῶν Νόμων τοῦ 1968 ἕως 1971 (ἐν τοῖς ἐφεξῆς ἀναφερομένων ὡς «δ βασικὸς νόμος»), ὁ δὲ βασικὸς νόμος καὶ ὁ παρὼν Νόμος θὰ ἀναφέρονται ὁμοῦ ὡς οἱ περί τοῦ Καταστατικοῦ τοῦ Κοινοπολιτειακοῦ Ὄργανισμοῦ Τηλεπικοινωνιῶν (Κυρωτικοὶ) Νόμοι τοῦ 1968 ἕως 1974.

Συνοπτικὸς τίτλος.

126 τοῦ 1968.  
22 τοῦ 1971.

Ἑρμηνεία. 2. Ἐν τῷ παρόντι Νόμῳ, ἐκτὸς ἐὰν ἐκ τοῦ κειμένου προκύπτῃ διάφορος ἔννοια—

«Καταστατικὸν» σημαίνει τὸ Καταστατικὸν τοῦ Κοινοπολιτειακοῦ Ὄργανισμοῦ Τηλεπικοινωνιῶν τοῦ ὁποίου τὸ ἀρχικὸν κείμενον ἐκτίθεται ἐν μὲν τῷ ἀγγλικῷ πρωτοτύπῳ εἰς τὸν Πρῶτον Πίνακα τοῦ παρόντος Νόμου ἐν δὲ μεταφράσει εἰς τὴν ἑλληνικὴν εἰς τὸν Πρῶτον Πίνακα τοῦ περι Καταστατικοῦ τοῦ Κοινοπολιτειακοῦ Ὄργανισμοῦ Τηλεπικοινωνιῶν (Κυρωτικοῦ) Νόμου τοῦ 1968, ὁμοῦ μετὰ τῶν τροποποιήσεων αὐτοῦ αἱ ὁποῖαι ἐκτίθενται ἐν μὲν τῷ ἀγγλικῷ πρωτοτύπῳ εἰς τὸ Πρῶτον καὶ Δεύτερον Μῆρος τοῦ Δευτέρου Πίνακος τοῦ παρόντος Νόμου ἐν δὲ μεταφράσει εἰς τὴν ἑλληνικὴν εἰς τὸν Δεύτερον Πίνακα τοῦ περι Καταστατικοῦ τοῦ Κοινοπολιτειακοῦ Ὄργανισμοῦ Τηλεπικοινωνιῶν (Κυρωτικοῦ) Νόμου τοῦ 1968 καὶ εἰς τὸν Πίνακα τοῦ περι τοῦ Καταστατικοῦ τοῦ Κοινοπολιτειακοῦ Ὄργανισμοῦ Τηλεπικοινωνιῶν (Τροποποιητικοῦ) Νόμου τοῦ 1971, ἀντιστοίχως :

Νοεῖται ὅτι ἐν περιπτώσει ἀντιθέσεως μεταξὺ τοῦ ἀγγλικῷ πρωτοτύπου καὶ τῆς μεταφράσεως εἰς τὴν ἑλληνικὴν οἰουδήποτε τῶν ἀνωτέρω κειμένων ὑπερισχύει τὸ ἐν τῷ ἀγγλικῷ πρωτοτύπῳ ἐν τῷ οἰκείῳ Πίνακι τοῦ παρόντος Νόμου ἐκτιθέμενον κείμενον·

«νέαι τροποποιήσεις» σημαίνει τὰς νέας τροποποιήσεις τοῦ Καταστατικοῦ τῶν ὁποίων τὸ κείμενον ἐκτίθεται ἐν μὲν τῷ ἀγγλικῷ πρωτοτύπῳ εἰς τὸ Πρῶτον Μῆρος τοῦ Τρίτου Πίνακος τοῦ παρόντος Νόμου ἐν δὲ μεταφράσει εἰς τὴν ἑλληνικὴν εἰς τὸ Δεύτερον Μῆρος αὐτοῦ :

Νοεῖται ὅτι ἐν περιπτώσει ἀντιθέσεως μεταξὺ τῶν δύο κειμένων ὑπερισχύει τὸ εἰς τὸ Πρῶτον Μῆρος τοῦ Τρίτου Πίνακος ἐκτιθέμενον κείμενον.

Κύρωσις νέων τροποποιήσεων. 3. Αἱ νέαι τροποποιήσεις τοῦ Καταστατικοῦ διὰ τοῦ παρόντος κυροῦνται.

## ΠΡΩΤΟΣ ΠΙΝΑΞ

(Ἄρθρον 2)

### CONSTITUTION FOR A COMMONWEALTH TELECOMMUNICATIONS ORGANISATION

1. There shall be established an Organisation to be known as the Commonwealth Telecommunications Organisation.

#### PURPOSE

2. The purpose of the Organisation, taking full account of a proper balance between the varying interests of individual countries, shall be :—

- (a) to promote the efficient exploitation and development of the Commonwealth external telecommunications system ;
- (b) to encourage and participate in consultation between Commonwealth countries on all aspects of Commonwealth external telecommunications ;
- (c) to provide machinery for such consultation on external telecommunications policy and practice of Commonwealth interest and for the dissemination of advice and information in this field ;
- (d) to provide machinery for the administration of collaborative financial arrangements.

### STRUCTURE

3. The organs shall include :—
- (a) Commonwealth Conference on Telecommunications ;
  - (b) Commonwealth Telecommunications Council ;
  - (c) Commonwealth Telecommunications Bureau.

### DUTIES, RESPONSIBILITIES AND OBLIGATIONS

4. Governments represented on the Council shall further the purpose of the Organisation and shall accept all the duties, responsibilities and obligations set out in this Constitution. (See Explanatory Note 1). Governments not represented on the Council shall accept the duties, responsibilities and obligations set out in paragraph 2(b) above and in paragraphs 28, 34, 35 and 38 below.

### COMMONWEALTH CONFERENCES ON TELECOMMUNICATIONS

5. Governmental meetings at official level shall take place, normally at three year intervals, for the consideration of policies relating to Commonwealth external telecommunications and for making agreed recommendations thereon to Governments.

6. Each Commonwealth Government may be represented at Conferences.

7. Each Conference shall select its Chairman.

8. Each Conference shall decide in which country the next Conference is to be held, bearing in mind the desirability of holding successive Conferences in different countries.

### COMMONWEALTH TELECOMMUNICATIONS COUNCIL

9. There shall be a Commonwealth Telecommunications Council which shall be a continuing body.

10. Each Government which fulfils the conditions stated in paragraph 12 shall appoint a Representative to the Council. Nevertheless, any such Governments which have entered into formal arrangements for their external telecommunications services to be operated by a common organisation may appoint a Joint Representative. (See Explanatory Note 2).

11. The Ensemble of British Overseas Territories may appoint a Representative on the Council. (See Explanatory Note 3).

12. The conditions of representation shall be Partnership in the Commonwealth Telegraphs Agreements 1948 and 1963 or such financial arrangements as may be agreed by Governments to replace them, or in the Second Wayleave Scheme set up as a result of the recommendations of the Commonwealth Telecommunications Conference 1958, or any future Commonwealth collaborative financial arrangements.

13. On the date on which any Government—

- (a) ceases to be a Member of the Commonwealth, or
- (b) ceases to fulfil the conditions in paragraph 12 above, it shall forthwith cease to be represented on the Council.

#### EXPLANATORY NOTE 1.

The duties, responsibilities and obligations which Governments represented on the Council would accept are those accepted by Governments not so represented and in addition those in paragraphs 2(a), 2(c), 2(d), 10 and 40 of the Constitution.

#### EXPLANATORY NOTE 2.

Since the Council is to be a continuing body its work would be facilitated if changes in representation were kept to a minimum.

#### EXPLANATORY NOTE 3.

This provision derives from the interest of the Ensemble in the collaborative financial arrangements.

14. Representatives may be accompanied by advisers at Council Meetings.

15. Representatives shall be senior serving officials of external telecommunications administrations or organisations, or other officials of equivalent status.

16. The Council shall meet at least once a year. The meeting at which the annual budget is considered shall be known as the Annual Meeting. (See Explanatory Note 4).

17. The Council shall, at its Annual Meeting, select a Chairman and a Vice-Chairman and, if it so decides, a second Vice-Chairman, from among its Representatives. The outgoing officers shall be eligible for re-election. (See Explanatory Note 5).

18. The Chairman shall summon all meetings of the Council in accordance with procedures to be agreed by the Council for such purposes.

19. The Chairman shall ascertain that at least two-thirds of the Representatives undertake to be present at any Council meeting before it is formally convened.

20. The Council shall determine where each meeting of the Council shall be held, bearing in mind the desirability of holding successive meetings in different countries.

21. The Council shall promote the purpose of the Organisation and the carrying out of policies agreed upon by Governments on the recommendations of Conferences, and shall discharge its functions on the basis of agreements reached in its deliberations.

2. The functions of the Council shall be :—

- (a) to consult, record agreements reached and make recommendations where appropriate on all external telecommunications matters of Commonwealth interest ; (See Explanatory Note 6).
- (b) to administer the financial arrangements between Partners to the Commonwealth Telegraphs Agreements 1948 and 1963 or such financial arrangements which may replace them, and financial arrangements between any group of Governments which those Governments request be Administered by the Council ;
- (c) to seek to achieve as time and circumstances permit, unified financial arrangements for the operation of the Commonwealth telecommunications system ;
- (d) to provide an authoritative and informative source of advise ;

#### EXPLANATORY NOTE 4.

As regards the timing of Council meetings, it would be highly desirable to arrange Conference and Council meetings at the same time of the year at a common location, having the Council meeting immediately prior to the Conference, thereby saving time, money and manpower.

#### EXPLANATORY NOTE 5.

When the Chairman of the Council is not provided by the host country, the host country should be invited to provide one of the Vice-Chairmen.

#### EXPLANATORY NOTE 6.

The following are given as examples of matters requiring such consideration by the Council :—

- (a) commercial exploitation of the Commonwealth external telecommunications system, including future use of satellites ;
- (b) development of the system to meet Commonwealth traffic needs ;
- (c) nature, type and extent of information to be disseminated ;
- (d) all technical and traffic matters including aspects of telecommunications ' research and development ' ( R & D ) which affect external telecommunications of the Commonwealth.

- (e) to draw attention to developments in the field of telecommunications and to highlight significant trends ;
  - (f) to consider and recommend approval of the annual budget and administer control of expenditure ;
  - (g) to recommend a suitable candidate for the post of General Secretary, to determine the salary and conditions of employment for this officer and delineate the scope of his activities ;
  - (h) to perform such other functions as Governments represented on the Council may decide. (See Explanatory Note 7).
23. The Council shall establish procedures that will :—
- (a) ensure continuity of its work between meetings ;
  - (b) ensure that questions of system development, exploitation and operations are dealt with promptly ; and
  - (c) enable consultation as and when appropriate with Commonwealth Governments not represented on the Council.
24. The Council shall have the power to appoint committees, specialist groups or other persons to advise the Council or to perform such specific tasks as the Council considers necessary.
25. It shall be the function of the Chairman, in consultation with the Vice-Chairman as necessary and appropriate :—
- (a) to exercise such powers as may be conferred upon him by the Council ;
  - and
  - (b) within the limits set by the Council, to direct the General Secretary.

#### THE COMMONWEALTH TELECOMMUNICATIONS BUREAU

26. There shall be established a permanent Commonwealth Telecommunications Bureau to serve the Organisation. It shall function under the control and direction of the Council. (See Explanatory Note 8).

27. The Government of the country in which the Bureau is located shall make simple but sufficient provision under its own laws and practices for the operation of the Bureau.

28. The staff of the Bureau shall comprise a General Secretary (to be appointed by all Governments) ; Senior staff, including senior specialists (to be appointed by the Council) ; and other staff, including other specialists, as may be required to enable the Bureau to fulfil its functions. (See Explanatory Note 9).

29. The paramount consideration in the selection of staff and in the determination of conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity, due regard being paid to the importance of recruiting the staff on as wide a geographical basis as possible within the Commonwealth.

30. Positions on the staff of the Bureau shall be open only to nationals of Commonwealth Countries and such nationals shall be equally eligible for appointment. Eligibility shall embrace equality in compensatory conditions as regards the appointment of persons from countries other than in which the Bureau is located.

#### EXPLANATORY NOTE 7.

With particular reference to the matter of correspondence between the Chairman, the Vice-Chairmen, the General Secretary and others, it is recommended that the Council ensure by provisions in its rules and procedures that a central record of correspondence be maintained.

#### EXPLANATORY NOTE 8.

The Bureau should be located in London.

#### EXPLANATORY NOTE 9.

The staff of the Bureau may be seconded to it or appointed permanently or for a fixed period.