

No. 9664

MULTILATERAL

Commonwealth Telecommunications Organisation Financial Agreement. Signed at London on 27 January 1969

Authentic text: English.

*Registered by the United Kingdom of Great Britain and Northern Ireland
on 24 June 1969.*

MULTILATÉRAL

**Accord financier de l'Organisation des télécommunications
du Commonwealth. Signé à Londres le 27 janvier
1969**

Texte authentique: anglais.

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord
le 24 juin 1969.*

COMMONWEALTH TELECOMMUNICATIONS ORGANISATION FINANCIAL AGREEMENT¹

The Governments signatories to this Agreement ;

Having established the Commonwealth Telecommunications Organisation to replace the existing arrangements under the Commonwealth Telegraphs Agreements 1948² and 1963² ;

Desiring to constitute new financial arrangements to replace those subsisting under the said Agreements ;

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 " common-user system " means :

(i) such telecommunications facilities as the Council with the concurrence of the Partner Governments from time to time prescribes which are used to provide external telecommunications services other than the facilities

¹ Came into force on 1 April 1969, in accordance with article 16 (1), in respect of all signatory States, i.e. :

Australia
Barbados
Botswana
Canada
Ceylon
Cyprus
Gambia
Ghana

Guyana
India
Jamaica
Kenya
Malaysia
Malawi
New Zealand
Nigeria

Sierra Leone
Singapore
Trinidad and Tobago
Uganda
United Kingdom of Great Britain and Northern Ireland*
United Republic of Tanzania

* With a declaration : see p. 272 of this volume.

² United Nations, *Treaty Series*. Vol. 500, p. 267.

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used for services excluded by the Council under sub-paragraph (ii) of this paragraph ; and

- (ii) all telecommunications services for which the prescribed telecommunication facilities are used other than those services which the Council may from time to time determine to exclude and the facilities used for those excluded services ;

(c) the expression " common-user facilities " means telecommunications facilities which form part of the common-user system ;

(d) the expression " common-user services " means telecommunications services which form part of the common-user system.

Article 3

For the purpose of operating and maintaining its common-user facilities and common-user services each Partner Government shall nominate a Department, public corporation or other body (hereinafter referred to as the " National Body ") having the powers necessary for the purpose of this Agreement and references hereinafter to the National Body shall include any operator subordinate to that National Body in operating and maintaining common-user facilities and common-user services.

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 substantially affecting the common-user system and will give due consideration to the recommendations and advice given by the Council.

Article 5

Before making any substantial addition, extension or alteration to any portion of a Partner Government's telecommunication facilities or services which forms or might form part of the common-user system :

(a) that Partner Government's National Body shall furnish to the Council such particulars, in relation to the addition, extension or alteration, as the Council may require ; and

(b) that Partner Government and its National Body shall give due consideration to the recommendations and advice of the Council relating to the addition, extension or alteration.

Article 6

Each National Body shall furnish to the Council in respect of each financial year in such form as the Council may prescribe a forecast of its

expenditure (including its programme of capital expenditure) on and revenue from telecommunications facilities and services which form or might form part of the common-user system and shall give due consideration to any recommendations and advice made thereon by the Council.

Article 7

Each National Body shall furnish to the Council statements of account in respect of each financial year in such form as the Council may prescribe.

Article 8

(1) The aggregate expenses of the common-user system incurred in each financial year by the National Bodies of all the Partner Governments shall be shared between the National Bodies in proportion to the net revenue derived by each National Body in that year from the common-user services operated by it.

(2) The National Body shall retain its net revenue and the sharing of the aggregate expenses of the common-user system between the National Bodies in accordance with the provisions of paragraph (1) of this Article shall constitute the settlement of the indebtedness of the National Bodies among themselves in respect of their use of the common-user system.

Article 9

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

- (a) the expenses which are to be regarded as the expenses of the common-user system ;
- (b) the manner in which such expenses are to be computed ;
- (c) the items which are to be regarded as constituting the net revenue derived by each National Body ;
- (d) the manner in which the net revenue of each National Body is to be computed ;
- (e) the accounting arrangements which are necessary to give effect to this Agreement ;
- (f) the times and manner in which sums due from one National Body to another shall be paid ;
- (g) the currencies in which accounts are to be prepared ; and
- (h) the financial year for the purpose of this Agreement.