INSTRUMENTUL DE MODIFICARE A CONVENȚIEI UNIUNII INTERNAȚIONALE DE TELECOMUNICAȚII*

ADOPTAT DE CONFERINȚA PLENIPOTENȚIARĂ
DE LA KYOTO LA 14 OCTOMBRIE 1994

INSTRUMENT AMENDING THE CONVENTION OF THE INTERNATIONAL TELECOMMUNICATION UNION

ADOPTED BY THE PLENIPOTENTIARY
CONFERENCE AT KYOTO ON OCTOBER 14, 1994

* *În vigoare pentru Republica Moldova din 18 februarie 1997*

PART I

FOREWORD

By virtue of and in implementation of the relevant provisions of the Convention of the International Telecommunication Union (Geneva, 1992), in particular those in Article 42 thereof, the Plenipotentiary Conference of the International Telecommunication Union (Kyoto, 1994) has adopted the following amendments to the said Convention:

Article 4 (CV)
The Council

MOD 150A 1. The number of Members of the Council shall be determined by the Plenipotentiary Conference which is held every four years.

ADD 150A 2. This number shall not exceed 25% of the total number of Members of the Union.

MOD 180A (14) be responsible for effecting the coordination with all international organizations referred to in Articles 49 and 50 of the Constitution and to this end conclude, on behalf of the Union, provisional agreements with the International organi zations referred to in Article 50 of the Constitution and in Nos. 260 and 261 of the Convention, and with the United Nations in application of the Agreement between the United Nations and the International Telecommunication Union; these provisional agreements shall be submitted to the Plenipotenti ary Conference in accordance with the relevant provision of Article 8 of the Constitution;

Article 7 (CV)
World radiocommunication conference

MOD 118 (2) The general scope of this agenda should be established four years in advance, and the final agenda shall be estab lished by the Council preferably two years before the confer ence, with the concurrence of a majority of the Members of

the Union, subject to the provisions of No. 47 of this Convention. These two versions of the agenda shall be established on the basis of the recommendations of the world radiocommunication conference, in accordance with No. 126 of this Convention.

Article 19 (CV)

Participation of entities and organizations other than administrations in the Union's activities

MOD 239 9. An entity or organization as mentioned in No. 229 or 230 above may act on behalf of the Member which has approved it, provided that Member informs the Director of the Bureau concerned that it is authorized to do so.

Article 23 (CV)

Invitation and admission to plenipotentiary conferences when there is an inviting government

MOD 258 3. The Secretary-General shall invite the following to send observers:

ADD 262A (e) entities and organizations referred to in No. 229 of this Convention, and organizations of an international character representing such entities and organizations.

(MOD) 269 (b) observers of organizations and agencies invited in accordance with Nos. 259 to 262A.

Article 24 (CV)

Invitation and admission to radiocommunication conferences when there is an inviting government

MOD 271 2. (1) The provisions of Nos. 256 to 265 of this Convention, with the exception of 262A, shall apply to radiocommunication conferences.

Article 32 (CV)

Rules of procedure of conferences and other meetings

MOD 379 (2) The texts of all major proposals to be put to the vote shall be distributed in good time in the working languages of the conference, in order that they may be studied before discussion.

Article 33 (CV)
Finances

NOC 475 4. The following provisions shall apply to contributions by the organizations referred to in Nos. 259 to 262 and to entities authorized to participate in the Union's activities in accord ance with the provisions of Article 19 of this Convention.

(MOD) 476 (1) The organizations referred to in Nos. 259 to 262 of this Convention and other organizations of an international char acter which participate in a Plenipotentiary Conference, in a Sector of the Union or in a world conference on international telecommunications shall share in defraying the expenses of the conference or the Sector in accordance with Nos. 479 to 481 below, as appropriate, unless they have been exempted by Council, subject to reciprocity.

(MOD) 477 (2) Any entity or organization appearing in the lists men tioned in No. 237 of this Convention shall share in defraying the expenses of the Sector in accordance with Nos. 479 and 480 below.

(MOD) 478 (3) Any entity or organization appearing in the lists mentioned in No. 237 of this Convention which participates in a radiocommunication conference, a world conference on inter national telecommunications or a conference or assembly of a Sector of which it is not a member, shall share in defraying the expenses of the conference or assembly in accordance with Nos. 479 and 481 below.

(MOD) 479 (4) The contributions mentioned in Nos. 476, 477 and 478 shall be based on the free choice of a class of contribution from the scale given in No. 468 above, with the exception of the 1/4, 1/8 and 1/16 unit classes reserved for Members of the Union (the latter exception does not apply to the Telecommu nication Development Sector); the Secretary-General shall be informed of the class chosen; any entity or organization con cerned may at any time choose a class of contribution higher than the one already adopted by it.

(MOD) 480 (5) the amount of the contribution per unit payable towards the expenses of each Sector concerned shall be set at 1/5 of the contributory unit of the Members of the Union. These contributions shall be considered as Union income. They shall bear interest in accordance with the provisions of No. 474 above.

(MOD) 481 (6) The amount of the contribution per unit payable towards the expenses of a conference or assembly shall be set by dividing the total amount of the budget of the conference or assembly in question by the total number of units contributed by Members as their share of Union expenses. The contributions shall be considered as Union income. They shall bear interest from the sixtieth day following the day on which accounts are sent out, at the rates fixed in No. 474 above.

(MOD) 482 (7) Reduction in the number of contributory units shall be possible only in accordance with the principles stipulated in the relevant provisions of Article 28 of the Constitution.

(MOD) 483 (8) In the case of denunciation of participation in the work of a Sector or of termination of such participation (see No. 240 of this Convention), the contribution shall be paid up to the last day of the month in which such denunciation or termination takes effect.

(MOD) 484 5. The sale price of publications shall be determined by the Secretary-General, bearing in mind that the cost of reproduction and distribution should, in general, be covered by the sale of the publications.

(MOD) 485 6. The Union shall maintain a reserve account in order to provide working capital to meet essential expenditures and to maintain sufficient cash reserves to avoid resorting to loans as far as possible. The amount of the reserve account shall be fixed annually by the Council on the basis of expected requirements. At the end of each biennial budgetary period all budget credits which have not been expended or encumbered will be placed in the reserve account. Other details of this account are described in the Financial Regulations.

(MOD) 486 7. (1) The Secretary-General may, in agreement with the Coordination Committee, accept voluntary contributions in cash or kind, provided that the conditions attached to such voluntary contributions are consistent, as appropriate, with the purposes and programmes of the Union and with the programmes adopted by a conference and in conformity with the Financial Regulations, which shall contain special provisions for the acceptance and use of such voluntary contributions.

NOC 487 (2) Such voluntary contributions shall be reported by the Secretary-General to the Council in the financial operating report as well as in a summary indicating for each case the origin, proposed use and action taken with respect to each voluntary contribution.

MOD 1002 Observer: A person sent by:

- the United Nations, a specialized agency of the United Na tions, the International Atomic Energy Agency, a regional telecommunication organization, or an intergovernmental organization operating satellite systems, to participate, in an advisory capacity, in a Plenipotentiary Conference, a conference or a meeting of a Sector,

- an international organization to participate, in an advisory capacity, in a conference or a meeting of a Sector,

- the government of a Member of the Union to participate, in a non-voting capacity, in a regional conference, or

- an entity or organization referred to in No. 229 of the Convention or an organization of an international character representing such entities or organizations,

in accordance with the relevant provisions of this Convention.

PART II

DATE OF ENTRY INTO FORCE

The amendments contained in the present instrument shall, as a whole and in the form of one single instrument, enter into force on 1 January 1996 between Members being parties to the Constitution and the Convention of the International Telecommunication Union (Geneva, 1992), and having deposited before that date their instrument of ratification, acceptance or approval of, or accession to, the present instrument.

IN WITNESS WHEREOF, the respective Plenipotentiaries have signed the original of the present instrument amending the Convention of the International Telecommunication Union (Geneva, 1992).

DONE at Kyoto, 14 October 1994.