

AGREEMENT ON THE
ESTABLISHMENT OF THE
ASEAN TOURISM INFORMATION CENTRE

PREAMBLE

The Governments of Brunei Darussalam, the Republic of Indonesia, Malaysia, the Republic of the Philippines, the Republic of Singapore and the Kingdom of Thailand.

BEING members of the Association of South East Asian Nations, hereinafter referred to as "ASEAN".

MINDFUL of the rapidly growing activities of the Sub-Committee on Tourism of the Committee on Trade and Tourism hereinafter referred to as "ASEAN SCOT", since its establishment on September 28, 1977 in Singapore, in the implementation of the objectives of ASEAN SCOT.

RECOGNIZING that the growth has increased the need in ASEAN SCOT for a central administrative arm to serve as an information centre on ASEAN tourism.

DO HEREBY AGREE AS FOLLOWS :

ARTICLE I
ESTABLISHMENT

1. There shall be established an ASEAN Tourism Information Centre in the Region, hereinafter referred to as "The Centre".
2. The Centre shall have its seat in Kuala Lumpur, Malaysia, hereinafter referred to as the "Host Country".
3. The Centre shall operate for a period of three years from the date of its establishment. At the end of this period, ASEAN SCOT will conduct a review of the operations of the Centre.

ARTICLE II
PURPOSE

The purpose of the Centre is to serve as an information centre on ASEAN tourism and to undertake promotional activities to vitalise greater travel from and among ASEAN Member Countries as well as to promote greater tourist traffic from countries outside the ASEAN region through close cooperation among the ASEAN Member Countries.

ARTICLE III
MEMBERSHIP

The Governments of Member Countries of ASEAN as Parties to this Agreement shall be members of the Centre. They shall designate such body or bodies responsible for tourism in their respective countries to represent them in the Centre.

ARTICLE IV
ORGANISATION

1. (i) The Centre shall consist of Executive Director, Deputy Executive Director and other personnel who shall be nationals of ASEAN Member Countries.
 - (ii) The Executive Director and Deputy Executive Director of the Centre shall be appointed by ASEAN SCOT. Other personnel of the Centre shall be appointed by the Executive Director. All such appointments shall be reported to ASEAN SCOT.
 - (iii) The Executive Director shall represent the Centre as its Chief Executive and shall be responsible to ASEAN SCOT and report directly to the Chairman of ASEAN SCOT.
 - (iv) The term of office of the Executive Director shall be three years and he may be reappointed. He shall, however, cease to hold office when ASEAN SCOT so decides.
 - (v) The Executive Director shall in addition to exercising the powers assigned to him expressly by this Agreement, execute and monitor the annual work programme. He shall also implement the decisions of ASEAN SCOT.
 - (vi) The terms and conditions of employment of all personnel shall be set out in Staff Regulations approved by ASEAN SCOT.
 - (vii) The Executive Director shall present drafts of staff regulations for the Centre to ASEAN SCOT for its approval and shall apply and carry out the same from such date as it may specify.
2. The Centre shall be responsible to ASEAN SCOT, in particular, on matters pertaining to: -
 - (i) the plan of operation and work programme concerning the operation of the Centre;

- (ii) approval of annual work programme and the annual budget of revenues and expenditures of the Centre within the framework of the plan of operation and work programme;
- (iii) approval of the annual report on the operation of the Centre;
- (iv) the terms and conditions for the appointment of the Executive Director, Deputy Executive Director and all other personnel;
- (v) the disposal of the property and assets of the Centre in case of the dissolution of the Centre and any other matters connected with the dissolution; and
- (vi) all other matters that may be referred to the Centre by ASEAN SCOT.

ARTICLE V
ACTIVITIES

The Centre shall undertake the following activities: -

1. to introduce and publicise in ASEAN Member Countries, and other parts of the world, the tourism resources and tourism investment opportunities of the ASEAN member countries;
2. to coordinate and implement short and long-term marketing programs for the promotion of inter-regional and intra-ASEAN travel;
3. to liaise and coordinate with other tourism entities on related activities and to establish closer working relationships with the private sector in the promotion of ASEAN tourism;
4. to exchange information on the ASEAN tourism industry and monitor industry trends within and outside the region;
5. to prepare the substantive requirements of the Meetings of ASEAN Heads of National Tourism Organisations and ASEAN SCOT and to coordinate with the host Secretariat in regard to such meetings;
6. to maintain close rapport with the mass media and to provide active public relations and publicity support on tourism both within and outside the region;
7. to coordinate and liaise with the host country on the preparations of the annual ASEAN Tourism Forum;
8. to undertake any other activities related to the promotion of travel into and within the Region, as may be determined by ASEAN SCOT;

9. to collect, gather and compile information and data from member countries as well as from other sources which will serve as inputs for study on developments and trends of ASEAN and global tourism and to circulate such information to ASEAN Member Countries; and
10. to assist if requested by official bodies responsible for tourism in ASEAN Member Countries, on matters pertaining to plans of operations and work programmes.

ARTICLE VI
FINANCE

1. The operation of the Centre shall be financed by ASEAN SCOT based on equal contributions by the Contracting Parties through the ASEAN SCOT.
2. The financial regulations governing the Centre shall be determined by ASEAN SCOT.

ARTICLE VII
AMENDMENTS

Any Contracting Party may make written proposals for any amendment to this Agreement. Any amendment shall become effective upon acceptance by all Contracting Parties.

ARTICLE VIII
RATIFICATION

1. This Agreement is subject to the ratification by the Contracting Parties.
2. The Instruments of Ratification shall be deposited with the ASEAN Secretariat in Jakarta, Indonesia, which is hereby designated as depositary authority.

ARTICLE IX
DISPOSAL OF ASSETS

If at any time the operation of the Centre is not extended by the contracting parties as stipulated in Article I.3, the assets of the Centre shall be distributed in accordance with such scheme as the parties may agree.


ARTICLE X
ENTRY INTO FORCE

This Agreement shall enter into force on the date on which the sixth Instrument of Ratification is deposited.

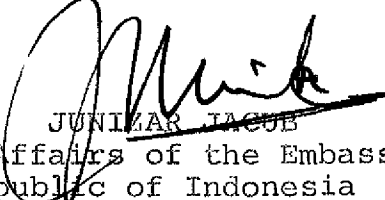
In WITNESS WHEREOF the undersigned, being duly authorised thereto by their respective Governments, have signed this Agreement.

Done at Kuala Lumpur in seven originals in the English language this 26th Day of Sept. One Thousand Nine Hundred Eighty Eight.

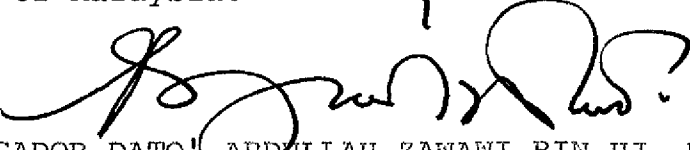
For the Government of Brunei Darussalam:


PENGIRAN DATO PADUKA HAJI JALUDIN BIN PENGIRAN MOHD. LIMBANG
High Commissioner of Brunei Darussalam to Malaysia


For the Government of the Republic of Indonesia:


JUNIZAR JACOB
Charge d'Affairs of the Embassy of the Republic of Indonesia


For the Government of Malaysia:


AMBASSADOR DATO' ABDULLAH ZAWAWI BIN HJ. MOHAMED
Director General ASEAN - Malaysia

For the Government of the Republic of the Philippines:


PABLO R. SUAREZ
Ambassador of Philippines to Malaysia

For the Government of the Republic of Singapore:


S. R. NATHAN
High Commissioner of the Republic of Singapore to Malaysia

For the Government of the Kingdom of Thailand:


DR. CHAWAN CHAWANID
Ambassador of Thailand to Malaysia

**FINANCIAL REGULATIONS
OF THE
ASEAN TOURISM INFORMATION CENTRE**

**ARTICLE I
APPLICABILITY**

Regulation 1-1 These Regulations shall govern the financial administration of the ASEAN Tourism Information Centre (hereinafter referred to as the Centre).

**ARTICLE II
THE FISCAL YEAR**

Regulation 2-1 The fiscal year of the Centre shall be the period 1 January to 31 December inclusive.

**ARTICLE III
THE BUDGET**

Regulation 3-1 The annual budget based on the annual work programme, shall be prepared by the Executive Director.

Regulation 3-2 The annual budget shall cover revenues and expenditures for the fiscal year to which it relates and shall be drawn up in Malaysian Ringgit (And also in US Dollars arithmetically computed at the latest exchange rate only for convenience).

Regulation 3-3

The Executive Director shall submit the proposed annual budget and work programme based on submissions of ASEAN overseas Promotional Chapters and proposals of ASEAN Member Countries other than those by ASEAN Promotional Chapters the following fiscal year to the Annual Meeting of the ASEAN SCOT to be held in the current fiscal year. This proposed annual budget and work programme shall be transmitted to all the ASEAN Member Countries at least four weeks prior to the opening of the ASEAN SCOT Meeting.

Regulation 3-4

The ASEAN SCOT shall, at its meeting in the current fiscal year, approve the annual budget and work programme for the following fiscal year, after consideration of the proposed annual budget and work programme and of report of the Executive Director and Chairmen of the Working Group on Marketing and Working Group on Research and Development.

ARTICLE IV
APPROPRIATIONS

Regulation 4-1

Approval by the ASEAN SCOT of the annual budget shall constitute authorization to the

Executive Director to incur expenses and make payments for the purposes therein specified.

Regulation 4-2

At the end of the fiscal year, the unappropriated balance may be transferred in full to the succeeding fiscal year's contingency fund.

Regulation 4-3

The contingency fund shall be excluded from the annual budget of the Centre.

ARTICLE V
PROVISION OF FUNDS

Regulation 5-1

The annual budget for the operations of the Centre shall be met in equal proportion by all ASEAN Member Countries.

Regulation 5-2

Upon approval by the ASEAN SCOT of the annual budget, the Executive Director shall;

(a) Transmit the relevant documents to Members; and

(b) Request them to remit their contributions;

Regulation 5-3

Contributions shall be considered as due and payable in full within two months of the receipt of the communication of Executive

Director referred to in Regulation 5-2 above, or as of the first day of the fiscal year to which they relate, whichever is the later.

Regulation 5-4

The Executive Director shall submit to the annual meeting of the Council a report on the collection of contributions.

ARTICLE VI
FUNDS

Regulation 6-1

A fund shall be established for the purpose of accounting for the revenues and expenditures of the Centre. The contributions paid by ASEAN Member Countries under Regulation 5-2 shall be credited to the fund. As the cases arises, a special fund may be established by ASEAN SCOT.

Regulation 6-2

The purpose and limit of the special fund shall be clearly defined by ASEAN SCOT. Unless otherwise provided by ASEAN SCOT the special fund shall be administered in accordance with the present Regulations.

ARTICLE VII
CUSTODY OF FUNDS

Regulation 7-1

The Executive Director shall after consultation with ASEAN SCOT designate a bank or banks to be depository of the Centre's funds.

ARTICLE VIII
INTERNAL CONTROL

Regulation 8-1

The Executive Director shall:-

- (a) Establish detailed financial rules and procedures in order to ensure effective financial administration and the exercise of the maximum economies.
- (b) Cause that all payments be made on the basis of supporting vouchers and other documents which ensure that the services or goods have been received, and that payments are not duplicated; and
- (c) Maintain an internal financial control which shall provide for an effective current examination and/or review of financial transactions.

Regulation 8-2 The Executive Director may, after full investigation, recommend the writing off of losses of exhibits, stores and other assets, to ASEAN SCOT.

Regulation 8-3 In concluding contracts for equipment, supplies and other requirements, public tender by at least three suppliers shall be necessary. A tender committee should be constituted comprising the Executive Director and at least two members appointed by the local NTO.

ARTICLE IX
THE ACCOUNTS

Regulation 9-1 The Executive Director shall maintain such accounting records as mentioned hereunder.

- (a) Revenues and expenditures of all funds;
 - (b) Status of appropriations including the original budget appropriations and appropriations as modified by any transfer;
 - (c) Assets and liabilities of the Centre;
- and

(d) Such other information as may be appropriate to indicate the current financial position of the Centre.

Regulation 9-2 The annual accounts shall be presented in Malaysian Ringgit (and also in United States dollar arithmetically computed at the latest exchange rate only for convenience).

Regulation 9-3 Appropriate separate accounts shall be maintained for the special account.

Regulation 9-4 The annual accounts shall be submitted by the Executive Director to the external auditing firm not later than end of February following the end of the fiscal year.

ARTICLE X
EXTERNAL AUDIT

Regulation 10-1 The Executive Director shall arrange for an annual audit of the funds, receipts and expenditures of the Centre by an auditing firm appointed by the ASEAN SCOT.

Regulation 10-2 The Executive Director shall submit to the ASEAN SCOT for its approval, an annual report on revenues and expenditures of the Centre

for the fiscal year accompanied by a report from the external auditing firm.

Regulation 10-3

The report of the said external auditing firm shall be sent to the Chief Executives of all ASEAN member NTOs for their comments and observations, not later than March 30 following the end of the fiscal year.

ARTICLE XI
DELEGATION OF AUTHORITY

Regulation 11-1

The Executive Director may delegate to other members of staff of the Centre such powers as considered necessary for the effective implementation of these regulations.

ARTICLE XII
GENERAL PROVISIONS

Regulation 12-1

These regulations shall be effective as of the date of their approval by the ASEAN SCOT, and may be amended only by the ASEAN SCOT.

Regulation 12-2

In case of doubt about the interpretation and application of any of the foregoing regulations, the Executive Director is

authorized to make a ruling, subject to confirmation by the ASEAN SCOT at its subsequent meeting.

Regulation 12-3

Proposals for amendments shall be presented in writing and submitted to the Executive Director who will circulate copies to all Chief Executives of ASEAN Member NTOs prior to the meeting at which they are to be discussed.