

<p>RESOLUTION AGN/61/RES/2</p> <p>SUBJECT: Amendment of the Financial Regulations</p>	<p>TO BE CLASSIFIED AS FOLLOWS:</p> <p>1 copy in the CHRONOLOGICAL SERIES: Year 1992</p> <p>1 copy in the SUBJECT SERIES: Heading: Basic texts and internal administration of the ICPO-Interpol</p> <p>Sub-heading: Financial matters and the Financial Regulations</p>
---	---

TEXT OF RESOLUTION

HAVING EXAMINED Report No. 10, "Amendment of the Financial Regulations",

HAVING TAKEN NOTE of the opinion expressed by the ad hoc committee, meeting in application of Article 56 of the General Regulations,

AWARE that a certain number of Members owe the Organization substantial sums following non-payment of their annual statutory contributions for long periods,

BELIEVING that it is not possible for those Members to pay the debts thus accrued within a reasonable period of time,

NOTING that Article 52 of the General Regulations has been applied to those Members, thus depriving them of their voting rights and of the services they would normally have a right to expect from the Organization,

DESIRING that those Members should be able to recover their full rights within the Organization,

BELIEVING that achievement of this aim could be facilitated by cancelling debts prior to 1988 and instituting a debt-rescheduling scheme,

BELIEVING also that, in future, the debt-rescheduling scheme should be applied before the arrears owed by the Member concerned become too substantial,

CONSIDERING that application of the measures provided for in the first paragraph of Article 52 of the General Regulations should be suspended for the period during which the rescheduled debt is being paid, provided that the Member concerned abides by the rescheduling agreement and promptly pays the statutory contributions called up during the said period,

CONSIDERING nonetheless that cancellation of debts prior to 1988 and the benefits of the debt-rescheduling scheme should be forfeited immediately in the case of a Member which fails to respect the rescheduling agreement or does not promptly pay the statutory contributions called up,

CONSIDERING FURTHER that in such a case or, in the case of a Member which does not wish to take advantage of a debt-rescheduling agreement, it should be compulsory to apply all the measures listed in the first paragraph of Article 52 of the General Regulations,

The ICPO-Interpol General Assembly, meeting in Dakar from 4th to 10th November 1992 at its 61st session:

DECIDES to amend the Financial Regulations by adding Article 3a and Article 30, the texts of which are appended to the present resolution;

FURTHER DECIDES that this amendment to the Financial Regulations shall enter into force on 1st January 1993.

Article 3a

- (1) If the total of the annual statutory contributions owed to the Organization by a Member is equal to or greater than its contributions called up for the three financial years preceding the current financial year, this debt may be rescheduled in conformity with the provisions of the present Article.
- (2) A Member's debt may only be rescheduled if the Member so requests.
- (3) The terms of the rescheduling agreement shall be negotiated by the Secretary General and the Member concerned. The agreement shall not be signed by the Secretary General until after it has been approved by the Executive Committee.
- (4) The debt shall be rescheduled over a period which may not exceed ten years.
- (5) During the period in which the rescheduled debt is being paid off, the Member concerned must also, in accordance with the provisions of Article 15(1) of the present Regulations, pay its statutory contributions called up during that period.
- (6) Provided that the Member continues to fulfil its obligations arising from the rescheduling agreement and promptly pays the statutory contributions called up during the period in which the rescheduled debt is being paid off, application to that Member of the measures provided for in the first paragraph of Article 52 of the General Regulations shall be suspended.
- (7) Should the Member fail to fulfil its obligations arising from the rescheduling agreement or from the terms of paragraph (5) above, the Secretary General shall, following a decision by the Executive Committee, notify the Member concerned that the rescheduling agreement has been terminated. In such circumstances, the Executive Committee must apply all the measures provided for in the first paragraph of Article 52 of the General Regulations, whatever the balance owed by the Member concerned, until that Member has fulfilled all its financial obligations towards the Organization.
- (8) If a Member does not request that its debt be rescheduled when circumstances would so permit in application of paragraph (1) above, the Executive Committee must apply all the measures provided for in the first paragraph of Article 52 of the General Regulations until that Member has fulfilled all its financial obligations towards the Organization, or concluded a rescheduling agreement with the Organization.

Article 30

Members' debts for the financial years prior to 1988 shall be cancelled, provided that the Member concerned concludes a debt rescheduling agreement with the Organization in conformity with Article 3a of the present Regulations. However, the cancelled debt shall again become due if the Member fails to fulfil its obligations arising from the rescheduling agreement, or does not promptly pay the statutory contributions called up during the period in which the rescheduled debt is being paid off.
