



Agenda item 07(a)(iv): Governance Recommendations

Recommendations

The PIDC Regular Annual Meeting is invited to:

- a) **consider** and **endorse** proposed amendments to the PIDC Constitution to: (i) formalise previous decisions made by Members at the 2017 Regular Annual Meeting regarding PIDC renaming, Board Membership, and Sub-Committees; and (ii) reflect the Board's proposal to align access to membership of the Small Island States Developmental Grouping with prerequisite membership to the wider regional SIS Pacific Islands Forum grouping; and
- b) **note** and **endorse** the significant amendments to the Financial Regulations considered and endorsed by the Board for the 2017/18 Financial Year relating to collection of Member contributions funds, allowing staff to use personal and rental vehicles for Secretariat work, distribution of per diems and the introduction of a Secretariat debit card facility.

Purpose

This Agenda Item seeks to guide Member discussions for the endorsement of amendments to the PIDC Constitution and the Financial Regulations.

Background

Constitution

- 2. Members will recall that the PIDC Secretariat on 25 April 2018 through Circular 11 disseminated an amended draft PIDC Constitution that:
 - a) formalised Members' agreement at the 2018 Regular Annual Meeting to change the name of the organisation from Pacific Immigration Directors' Conference to Pacific Immigration Development Community;
 - b) reflected the expansion of the PIDC Board to include a new Vice -Chair and Host Country;
 - c) reflected the Board's decision to replace the term Sub-Committee with Committee; and
 - d) incorporated Secretariat efforts to tidy up the Constitution text including by aligning Articles 3, 4, 6 and 7 in the Contents page.
- 3. The draft Constitution is attached (Attachment One) in both marked and clean versions with an additional proposal from the Board as endorsed at its meeting in the Cook Islands to expand the SIS Membership by amending the definition of SIS.
- 4. The current PIDC Small Island States (SIS) Group as defined under the PIDC Interpretations Section consists of Nauru, Niue, Kiribati and Tuvalu. The Board agreed to link membership of this PIDC group to that of the wider regional SIS grouping recognised by the Pacific Islands Forum which is made up of Cook Islands, Federated States of Micronesia, Kiribati, Nauru, Niue, Palau, Republic of the Marshall Islands, and Tuvalu.

5. This proposal is based on the need to recognize all SIS and not just those initially listed in the Constitution but also provides flexibility as some potential Members of PIDC SIS may choose not to join the expanded group. If this proposal is endorsed, Cook Islands has requested that it be recognized as a Member of the PIDC SIS. Federated States of Micronesia, Palau and Republic of the Marshall Islands will be also be requested to consider whether they also want to be part of the PIDC SIS group.

6. To provide more background, Members will recall that PIDC recognises SIS as a developmental grouping. This special recognition is aligned to international norms that recognise in certain instances the need for special and differential treatment for States most vulnerable to specific challenges. However, unlike similar organisations such as Pacific Islands Forum (and Oceania Customs Organisation to a lesser extent), the PIDC SIS grouping does not have access to support for a separate formal mandate or meeting and does not have an agreed separate work plan with its own budget, resources and staff. The only preferential treatment that Members of this group currently have is the right to elect an additional Board Member to speak on the behalf of their interests.

Financial Regulations

7. During the 2017/18 Financial Year, significant changes have been proposed to the Financial Regulations to improve oversight and in some cases efficiency of the organisation.

8. Amendments to the Financial Regulations include (Attachment Two):

- a) inclusion of options for Members who are not able to remit their Members Contribution within the first three months of the new financial year and the consequences the Member may face if the due remains unpaid (Regulation 6.9 – 6.15); and
- b) inclusion of the use of debit card as part of PIDC procurement (Regulation 18.26 – 18.34).
- c) provision allowing staff to use personal and rental vehicles for PIDC purposes (Regulation 14.10); and
- d) amendments to Per Diem disbursement acknowledging risk to PIDC employees when hand carrying substantial amount of cash while traveling and the move to use the United Nations rates (Regulation 14.23, 14.26).

Financial Impacts

9. There are no significant resource implications in the above proposed amendments except for: (a) the allowing of staff to use personal and rental vehicles to undertake Secretariat work (the Secretariat is working to provide more clarity around costs); and (b) the money transfer charges due to the change to the PIDC per diem disbursement process which will be factored into the running of regional activities for the 2018/19 Financial Year.