



## Pacific Immigration Development Community

2019 Regular Annual Meeting

4 – 6 June, Rarotonga, Cook Islands

PIDC(19)RAM.8(e)

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### Agenda item 8 (e): Governance Recommendations

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#### Proposed Recommendations

The PIDC Regular Annual Meeting is invited to:

- a) **note** the proposed amendments to the PIDC MoU and Constitution to facilitate the outcome of Tokelau's Membership application;
  - b) **discuss and endorse** the amendments to the PIDC Rules of Procedure;
  - c) **note** the significant amendments to the PIDC Employee Regulations as endorsed by Board; and
  - d) **note** the enhancement and clarifications made to the PIDC Financial Regulations by the Board consideration of PIDC's operational environment.
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#### Purpose

This paper seeks to:

- a) inform Members on proposed amendments to the PIDC: (i) Memorandum of Understanding (MOU) and Constitution; and (ii) Rules of Procedure; and
- b) provide an update of significant amendments to the PIDC Employee and Financial Regulations as required for each regulation.

#### Background

2. Recently, Members and the Board have agreed to a number of changes which require amendment to some of the PIDC foundation documents. The PIDC Constitution and Regulations clearly outline the processes required for these amendments.

3. At the 2018 Regular Annual Meeting (RAM) held in Fiji, the organisation implemented a number of agreed amendments to the PIDC Foundation documents. These included: (a) changing the name change of the organisation; (b) realignment of Small Islands States definition to that of the Pacific Islands Forum grouping; (c) the classification of sub-committee as committees with Chair being an ex officio Member of each committee; and (d) including Samoa as a permanent Board Member as the host country to PIDC Secretariat.

#### Amendment requiring endorsement

4. For the 2019 RAM, Members will be discussing under Agenda Item 8(f) an application by Tokelau for Membership in PIDC which will be carried out through a voting process. Should Members endorse Tokelau's application with 75% or more Members agreeing<sup>1</sup>, Tokelau will be invited to sign the PIDC MoU and Members will be invited to endorse the draft amending text provided in PIDC Circular 4/19 disseminated on 18 April 2019 (refer Attachment One).

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<sup>1</sup> PIDC Constitution Article 5.3

5. Amendments were also proposed for Rules of Procedure which accordingly has to be adopted by Members. These amendments were proposed to strengthen the requirements of Board representation and communications. Amendments proposed are as follows:

Rules and Procedure	Endorsed Text Insertions
Add to Rule No. 9	<i>“where closed session discussions are held without the Secretariat’s participation, the Chair of the Board or Committee shall nominate a Secretary to record meeting minutes and outcomes of the meeting; and consequently, advise the Secretariat of meeting outcomes where appropriate for implementation and monitoring purposes”</i>
Add to Rule No. 15	<i>“Board members are required to observe communication protocols especially around email communications where any communication to the Board should originate from the Head of Secretariat or the Chair.”</i>
Add to Rule No. 15	<i>“Board members are encouraged to consistently respond to Secretariat email communications to improve out-of-session decision making.”</i>

#### **Amendments for noting by Members**

6. Over the last 12 months, the Board endorsed a number of changes to the PIDC Employee and Financial Regulations. These amendments were made in light of influences of the Secretariat’s operational environment and recommendation from External Auditors.

7. As required under the Employee regulations<sup>2</sup>, the Secretariat will notify Members of any significant changes to the Employee Regulations. Amendments incorporated include the changes to parental leave which now allows for employee to take parental leave after completion of their probation period as opposed to completion of a year of service.

8. Other amendments include the changes to the performance review cycle of the Head of Secretariat to move from the Chair to the Human Resource Committee (permanent subsidiary body of the Board). Recommendations endorsed by Board at its Kiribati Meeting in March 2019 are as follows:

- a) **recommendation:** Head of Secretariat (HoS) Annual Performance plan is drafted and endorsed by the HR Committee in advance of the year of performance (starting 2019-20);

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<sup>2</sup> PIDC Employee Regulations, Regulation 1.7

- b) **recommendation:** HoS Annual Performance appraisal to be submitted and completed by the HR Committee annually (starting 2019-20) so that the HR Committee can make clear and transparent decisions;
- c) **recommendation:** HR Committee requests to sight all staff performance appraisals for transparency;
- d) **recommendation:** HoS is tasked with advising the HR Committee of any significant changes any Secretariat job description;
- e) **recommendation:** HR Committee requests the support of a HR consultant to look into the performance processes;
- f) **recommendation:** HR Committee requests that any feedback on staff performance is provided to the PIDC Chair and HR Committee Chair immediately to manage any concerns operationally with the Secretariat; and
- g) **recommendation:** HR Committee requests the Secretariat to amend the Employee Regulations to reflect the above recommendations.

9. Under the PIDC constitution<sup>3</sup>, enhancement and clarifications to the Financial Regulations can be approved by Board however for significant amendments, Member shall adopt by consensus. Enhancement and clarification amendments to the Financial regulation as endorsed by the Board included a) recommendation from External Auditors; b) to recognise the Host Country – Samoa’s contribution toward Secretariat operations as PIDC Revenue; and c) allow for the use of personal vehicle for PIDC use.

#### **Policy Impacts**

10. Subsequent to Member’s decision, relevant documents will be updated and where applicable, texts will be circulated for endorsement.

#### **Resource Implications**

11. There are no specific financial implications identified at this stage.

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<sup>3</sup> PIDC Constitution, Article 17.7