

Rules of Procedure of the Council of Administration

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Article 1

Purpose and functions of the Council of Administration

1 The Council of Administration, hereinafter called “the Council”, shall be responsible for ensuring the continuity of the work of the Union between Congresses in accordance with the provisions of the Acts of the Union. Its functions shall derive in particular from the **relevant article**¹ of the General Regulations and from the decisions of Congress.

¹ Art 107 of the Gen. Regs.

Article 2

Members of the Council and notification of representatives

1 The Council shall consist of 41 members, i.e. a Chairman and 40 other members elected by Congress.

2 Each member of the Council, according to the **relevant article**¹ of the General Regulations, shall appoint its representative, who shall be competent in postal matters. This representative may be accompanied by one or more other delegates who shall also be entitled to participate in the discussions and to vote. In line with its national legislation or according to its internal processes, each member country shall notify the International Bureau, before the opening of the session, of its designated representative and of the delegates accompanying him. In the event of doubt about the composition of a member country's delegation, the representative, or his deputy if any, shall decide the matter.

■ Commentary

The title and § 2 of this art were amended by the 2009 CA, which introduced a more formal notification procedure for member countries participating in its annual sessions.

Article 3

Observers **and ad hoc observers**

1 **Observers**

1.1 The following **entities** shall be invited to participate in the plenary sessions and Committee meetings of the Council **as observers**:

1.1.1 representatives of the United Nations;

1.1.2 **restricted unions**;

1.1.3 **members of the Consultative Committee**;

1.1.4 **entities authorized to attend Union meetings as observers by virtue of a resolution or decision of Congress**;

1.1.5 the Chairman of the Postal Operations Council shall represent that body at Council meetings on the agenda of which there are questions of interest to the body which he directs;

1.1.6 the Chairman of the Consultative Committee shall represent that body at Council meetings on the agenda of which there are questions of interest to the body which he directs;

1.1.7 the representatives of the Postal Operations Council, designated by the latter;

1.1.8 the representatives of the Consultative Committee, designated by the latter;

1.1.9 other member countries of the Union.

2 **Ad hoc observers**

2.1 **The Chairman of the Council, after consultation with the Secretary General and, where appropriate, with the Chairman of the Committee**

¹ Art 106 of the Gen. Regs.

concerned, may invite the following entities to attend specific meetings as ad hoc observers when this is considered to be in the interest of the Union and its bodies:

- 2.1.1 specialized agencies of the United Nations;**
- 2.1.2** intergovernmental organizations;
- 2.1.3 any international body, any association or enterprise, or any qualified person.**

3 Principles

- 3.1** Observers **and ad hoc observers** shall not be entitled to vote, but may take the floor with the Chairman’s permission.
- 3.2** Observers **and ad hoc observers** may also attend meetings of the bodies of the Council mentioned in article 10, subject to informing their Chairman in advance, either in writing or verbally.
- 3.3** Observers **and ad hoc observers** may, at their request, be allowed to cooperate in the studies undertaken, subject to such conditions as the Council may establish to ensure the efficiency and effectiveness of its work. They may also be invited to chair Working Parties and Project Groups when their experience or expertise justifies it. The participation of observers **and ad hoc observers** shall be carried out without additional expense for the Union.
- 3.4** For logistical reasons, the Council may also limit the number of attendees per observer participating. It may also limit their right to speak during the debates.
- 3.5** In exceptional circumstances, observers **and ad hoc observers** may be excluded from a meeting or a portion of a meeting or may have their right to receive documents restricted if the confidentiality of the subject of the meeting or document so requires. This restriction may be decided on a case-by-case basis by any body concerned or its Chair. The case-by-case situations shall be reported to the Council and to the Postal Operations Council when matters of interest to the Postal Operations Council are concerned. If it considers this necessary, the Council may subsequently review restrictions, in consultation with the Postal Operations Council where appropriate.

■ Commentary

3 This art was adjusted in line with the new provision, art 105 of the Gen Regs, which was created by the Doha Congress.

3.1.1.4 There are currently four observers in this category: the African Union (C 92/1974), the League of Arab States (C 7/1979), Palestine (C 115/1999) and the European Union (C 78/2012).

Up to now, the four entities sanctioned by Congress have been the Arab League (resolution C 3/1974), the African Union (decision C 92/1974), Palestine (C 115/1999) and the European Union (C 78/2012).

Article 4

Chairmanships and vice-chairmanships

1 The chairmanship of the Council shall devolve by right on the host country of the last Congress. If that country waives this right it shall become a de jure member and the Council shall elect to the chairmanship one of the member countries belonging to the geographical group of the host country. At its first meeting, the Council shall elect, from among its members and on the basis of equitable geographical distribution, the countries which are to hold the offices of the four Vice-Chairmen, Chairmen and Vice-Chairmen of the Committees respectively and shall designate its members to serve as members of the Consultative Committee.

2 The Chairman shall convene the Council, direct its proceedings and approve the Summary Record. He shall also be responsible for the general direction of the Council's work and activities. If prevented from discharging his duties, he shall be replaced by one of the Vice-Chairmen, selected by drawing lots.

3 The Chairman may designate another member of the Council to lead part of the deliberations, for example the Chairman of a Committee for discussions relating to certain matters of that Committee which, where appropriate, could be dealt with directly in plenary.

Article 5

Management Committee

1 The Chairman and the Vice-Chairmen of the Council as well as the Chairmen **and Vice-Chairmen** of its Committees shall constitute the Management Committee, which shall meet at the request of the Chairman of the Council. The **Chairmen** of the Postal Operations Council **and Consultative Committee** shall be invited to take part, as **observers**, in the meetings of the Management Committee. The Chairmen of the other bodies coming directly under the Council may also be invited to attend the meetings of the Management Committee as observers. The Secretary General and Assistant Secretary General of the Council mentioned in article **6.1**, shall attend the meetings of the Management Committee.

2 The Management Committee shall prepare the work of each session and monitor the progress of the work of the Council and of its bodies. It shall assist the Chairman in drawing up the agenda of the plenary meetings and in coordinating the work of the bodies.

3 The Committee shall approve, on behalf of the Council, the **annual** report prepared by the International Bureau on the work of the Union. The Management Committee shall perform all such tasks as the Council may decide to entrust to it or the need for which arises in the course of the strategic planning process.

■ Commentary

5 In all provisions of the Rules, the terms "Chairman" and "Vice-Chairman" mean the member countries which are elected to those offices.

5.1 Pursuant to para 108.3 of the Gen Regs modified by the Doha Congress, the Vice-Chairmen of CA Committees were included as members of the Management Committee.

Article 6

Secretariat

1 The Director General and the Deputy Director General of the International Bureau shall serve respectively as Secretary General and Assistant Secretary General of the Council. The International Bureau shall act as Secretariat of the Council.

2 The Secretary General of the Council shall:

2.1 take part in the discussions of the Council and its bodies without the right to vote; he may also be represented;

2.2 prepare the work of the Council and **make available on the UPU website** all the documents published on the occasion of each session; the documents **subject to a decision or discussion by the Council and Committees shall be published on the UPU website in all the languages of deliberation of the meeting concerned at least twenty working days before the opening of the session.**

2.3 inform the member countries of the Union and the observers specified in article 3.1 about the activities of the Council and in particular shall send them, after it has been approved by the Chairman of the Council, a Summary Record and the resolutions and decisions of the Council;

2.4 prepare the Comprehensive report on the work of the Council, which is referred to in the General Regulations, **the relevant article**¹, and **make it available on the UPU website** after approval by the Council and at least two months before the opening of Congress;

2.5 maintain contact with the Postal Operations Council and submit to that body those matters which the Council decides to entrust to it, in accordance with **the relevant article**² of General Regulations;

2.6 implement the decisions of the Council in accordance with the latter's instructions;

2.7 organize, in the intervals between sessions, and in accordance with any directives by the Council, representation of the Union at meetings of the United Nations, the specialized agencies, the Restricted Unions and the other international organizations with which the Union is concerned;

2.8 transmit to the relevant bodies, for their prior notification, questions submitted to the Council between sessions by a member country of the Union or by international organizations;

2.9 dispose, after consultation with the Chairman, of the routine business of the Council.

¹ Art 111.2 of the Gen. Regs.

² Art 107.1.25 of the Gen. Regs.

3 The Secretary General may be entrusted, by the Chairman or by the Council itself, with the study of certain special subjects; in the same way, in order to simplify management, certain functions may be delegated to him.

4 The Secretariat of the Council shall:

4.1 prepare the work of the Council and the various reports on the work of the Council;

4.2 draft the reports of the meetings of the bodies of the Council, as well as the Summary Record;

4.3 prepare correspondence and maintain archives.

■ **Commentary**

6.2.2 See art 130 of the Gen Regs, in which the Doha Congress introduced the e-document policy, abolishing the physical distribution of meeting docs. Further, it established a clear deadline for publication of docs with a view to allowing sufficient time for Council members to consider them for better decision making (ref. resolution C 17/2012).

6.2.4 See comm on art 3 above.

Article 7

Sessions

1 In principle, the Council shall meet every year at the headquarters of the Union. It shall fix the approximate date and duration of its next annual session. If compelled by circumstances, the Chairman, after consulting the Secretary General, may alter the date or duration which has been fixed, provided the alteration is notified to the members of the Council in good time.

2 The Council may meet, exceptionally, when a request for this is made or approved by at least one third of its members or on the initiative of its Chairman. The date shall be fixed by the Chairman after consulting the Secretary General.

Article 8

Order of seating

1 At meetings of the Council and its bodies, delegations shall be seated in the French alphabetical order of members.

2 The Chairman of the Council shall draw lots, in due course, for the name of the country to be placed foremost before the Chairman's rostrum at the meetings of the Council and of its Committees.

Article 9

Agenda

1 The Chairman shall make out, on the proposal of or after consultation with the Secretary General, the provisional agenda for each session, **according to the**

order of importance and priority of decision-making. This agenda shall be **made available on the UPU website** at the same time as the convening notice.

2 Each Chairman of a body shall also prepare, on the proposal of or after consultation with the Secretary General, the agenda of the meetings of his body **according to the same principle mentioned in paragraph 1.**

3 The following subjects, *inter alia*, shall appear in the provisional agenda of the Council:

3.1 matters selected at the previous session;

3.2 questions **in the form of a Council document** submitted by members of the Council or by other member countries of the Union between sessions and notified to the Secretary General at least six weeks before the opening of the session during which they are to be considered; questions notified to the Secretary General less than six weeks before the opening of the session may be considered only if the Council so decides by a majority of the members present and voting and having the right to vote;

3.3 suggestions and proposals submitted by the Director General of the International Bureau.

Article 10

Committees, Project Groups, Working Parties, Contact Committees and Joint Groups

1 The Council shall set up its bodies (Committees, Project Groups, etc.) and determine their powers. It may also, with the participation of other international organizations, set up contact committees or joint working parties to deal with problems of mutual interest.

2 The Council may, in agreement with the POC, form joint **bodies** made up of members of the CA and POC to deal with matters of common interest. The joint **bodies** shall meet once a year during the annual session of the Council and shall submit their reports, including proposals or recommendations, to the Council for final approval. These **bodies** may inform the POC of the results of their work.

3 The relevant provisions of these Rules of Procedure shall apply to the proceedings of bodies of the Council.

4 The Council and its bodies may, subject to paragraph 6, set up Project Groups composed of experts appointed on the basis of their professional skills and equitable geographical distribution. The mandates and deadlines for the tasks to be carried out should be clearly defined when each Project Group is established. The Chairmen of the bodies concerned shall determine the methods of work that are most suitable for the successful completion of their activities.

5 Council members are members *ex officio* of all Committees.

6 Each Council member that is not a member of a body may, with the authorization of its Chairman, attend meetings thereof and take part in the proceedings without the right to vote.

7 The Council shall approve the timetable, drawn up in agreement with the Chairmen of the bodies concerned and after consultation with the Secretary General, of meetings which will be held before the next session. Any meeting planned and not appearing in this timetable must, if it entails additional expenditure, be authorized by the Chairman of the Council after consultation with the Secretary General.

■ **Commentary**

10.2 Para was amended following the change in the structure of the CA, and to provide more general rules on joint bodies of the CA and POC.

Article 11

Financial consequences of proposals made by the bodies

1 Any proposal submitted by the bodies which has financial repercussions for the Union shall be submitted for consideration to the Finance Committee before it is studied by the Council. This Committee, which the Council shall set up, shall report to the Council on the matter.

2 Similarly, each proposal submitted to Congress by the Council that is liable to give rise to costs for the Union shall be accompanied by an indication of its financial impact so that the financial resources needed for its implementation can be determined.

■ **Commentary**

11.2 Ref. para 138.3 of the Gen Regs.

Article 12

Urgent questions raised between sessions

1 Urgent questions raised between sessions shall be dealt with by the Chairman.

2 If questions of principle are involved, the Chairman shall consult the members of the Council and, if he thinks fit, all the member countries of the Union; he shall inform the members consulted of the solutions adopted.

Article 13

Languages

1 The official language of the Council shall be French.

2 For the discussions of the Council and its bodies, the French, English, Spanish, Russian **and Arabic** languages shall be accepted, provision being made for a simultaneous interpretation system.

3 The cost of the interpretation services in the languages mentioned in paragraph 2 shall be borne, in accordance with the method laid down in paragraph 4, by the members of the five groups of countries given below, and by the observers referred to in article **3.1.1.9**:

<i>French</i>	<i>English</i>	<i>Spanish</i>	<i>Arabic</i>	<i>Russian</i>
Burkina Faso	Australia	Argentina	Egypt	Russian
Congo (Rep.)	Bangladesh	Costa Rica	Kuwait	Federation
Côte d'Ivoire	Barbados	Ecuador	Qatar	Ukraine
(Rep.)	Brazil	Mexico	Saudi Arabia	
France	Bulgaria (Rep.)			
Gabon	Canada			
Morocco	Greece			
	India			
	Italy			
	Japan			
	Korea (Rep.)			
	Malawi			
	Norway			
	Pakistan			
	Poland			
	Portugal			
	Romania			
	South Africa			
	Sudan			
	Tanzania			
	(United Rep.)			
	Thailand			
	Turkey			
	Uganda			
	United States			
	of America			
	Viet Nam			

Any member country wishing to change its language of discussion between sessions of the Council must inform the Secretary General accordingly.

4 The cost of the interpretation services in the languages mentioned in paragraph 2 shall, in principle, be divided into **five** equal parts, each borne by the members of the **Council** and the member countries participating in these meetings as observers, in application of article **3.1.1.9**, which have chosen to use the same language, in proportion to their contribution to the expenses of the Union. However, if interpretation into one of the languages laid down in paragraph 2 is not used for a session of the Council or for an interim meeting of one of its bodies, and provided the International Bureau has not yet entered into any commitments

in this regard, the costs referred to in paragraph 3 shall be shared equally between the language groups represented at the meeting.

5 If members of the Council wish to use other languages, they must provide for simultaneous interpretation into **Arabic**, English, French, Russian or Spanish, either by the method stated in paragraph 2, when the necessary technical modifications can be made, or by special interpreters. Requests for the use of other languages must be sent to the secretariat at least six months before the opening of the meeting in question.⁸

6 The cost of the use of other languages shall be divided between the member countries using them, in proportion to their contribution to the expenses of the Union.

7 Notwithstanding the provisions of paragraphs 4 and 6, any group of interested countries may inform the International Bureau, direct or through a recognized spokesman, that it constitutes, for the purposes of the interpretation costs mentioned in paragraphs 4 and 6, a language group bearing the costs in question, at the same time giving the key for apportionment among the member countries. The International Bureau will take this statement into account in collecting the said costs.

8 The cost of installing and maintaining the technical equipment shall be borne by the Union.

■ **Commentary**

13.4 At its 2007 session, the CA decided that observers should contribute in the same way as the CA members to the cost of interpretation.

13.4 and 5 The 2012 Doha Congress added Arabic as a mandatory language for the discussions at meetings of the Union's bodies (ref. para 155.9 of the Gen Regs).

Article 14

Quorum

1 Discussions by the Council shall not be valid unless at least half of its members having the right to vote are present.

Article 15

Voting

1 Subject to the sanctions provided for in **the relevant** article¹ of the General Regulations, each member of the Council shall have a single vote.

¹ Art 149 of the Gen Regs.

2 If a member of the Council, who is represented at a session, is prevented from attending a meeting, he may as an exceptional measure delegate his right to vote to the representative of another member country having the right to vote, provided he gives previous notice in writing to the Chairman of the Council. However, a member of the Council may represent only one country other than his own.

3 Questions which cannot be settled by common consent shall be decided by a majority of members present and voting and having the right to vote. In the event of a tie, the proposal shall be considered as rejected.

4 Voting shall be:

4.1 by show of hands;

4.2 by roll-call: at the request of a member of the Council or if desired by the Chairman. The roll-call shall be taken in the French alphabetical order of countries represented on the Council;

4.3 by secret ballot: at the request of two members of the Council; in this case the necessary measures shall be taken for ensuring that this procedure is properly carried out; the secret ballot shall take precedence over the other voting procedures.

5 The expression “members present and voting” shall mean members having the right to vote voting “for” or “against”. Abstentions shall not be taken into consideration; similarly, blank or spoilt ballot papers shall not be taken into account in the event of a secret ballot.

6 Once the voting has begun, no delegation may interrupt it, except to raise a point of order relating to the way in which the vote is being taken.

7 The voting rules apply to decisions taken by the plenary or by the Committees.

Article 16

Motions on points of order and procedural motions

1 During the discussion of any question and even, where appropriate, after the closure of the debate, a delegation may submit a motion on a point of order for the purpose of requesting:

1.1 clarification on the conduct of the debates;

1.2 observance of the Rules of Procedure;

1.3 a change in the order of discussion of proposals suggested by the Chairman.

The motion on a point of order shall take precedence over all questions, including the procedural motions set forth in paragraph 3.

2 The Chairman shall immediately give the desired clarifications or take the decision which he considers advisable on the subject of the motion on a point of order. In the event of an objection, the Chairman’s decision shall be put to the vote forthwith.

3 In addition, during discussion of a question, a delegation may introduce a procedural motion with a view to proposing:

3.1 the suspension of the meeting;

3.2 the closure of the meeting;

3.3 the adjournment of the debate on the question under discussion;

3.4 the closure of the debate on the question under discussion.

Procedural motions shall take precedence, in the order set out above, over all other proposals except the motions on points of order referred to in paragraph 1.

4 Motions for the suspension or closure of the meeting shall not be discussed, but shall be put to the vote immediately.

5 When a delegation proposes adjournment or closure of the debate on a question under discussion, only two speakers against the adjournment or the closure of the debate may speak, after which the motion shall be put to the vote.

6 The delegation which submits a motion on a point of order or a procedural motion may not, in its submission, deal with the substance of the question under discussion. The proposer of a procedural motion may withdraw it before it has been put to the vote, and any motion of this kind, whether amended or not, which is withdrawn may be reintroduced by another delegation.

Article 17

Reopening of decisions

1 When a decision has been taken by the Council or by a Committee, the question may only be reconsidered if the Council approves the principle of such reconsideration by a vote taken in the same way (by show of hands, roll-call or secret ballot) as the ballot previously used for the proposal in question.

Article 18

Election and replacement of the Deputy Director General

1 If, in the case provided for in **the relevant** article¹ of the General Regulations, the Council has to elect the Deputy Director General of the International Bureau, the election shall take place by secret ballot. The candidate who obtains a majority of the votes, as defined in article **15.3** and **15.5**, shall be elected. There shall be as many ballots as are necessary to obtain this majority.

2 The candidate who obtains the fewest votes in a ballot shall be eliminated.

¹ Art 126.4 of the Gen Regs.

3 In the event of a tie, a first and, if necessary, a second additional ballot, shall be held in order to decide between the tying candidates; the ballot shall be for these candidates only. If the result is negative, lots shall be drawn. The drawing of lots shall be done by the Chairman.

4 If several candidates obtain no votes in a ballot, all those candidates shall be eliminated without a further ballot being taken in an attempt to decide between them.

5 If the post of Deputy Director General falls vacant, the Council shall, on the proposal of the Director General, instruct one of the D 2 grade Directors to take over the functions of Deputy Director General until the following Congress.

Article 19 Reports

1 The bodies of the Council shall prepare, for the attention of the Council, concise reports on their work.

Article 20

Refund of travelling expenses to representatives of members and to invitees of the Council and its bodies

1 In accordance with **the relevant** article¹ of the General Regulations, the representative of each member of the Council participating in its meetings, except for meetings which take place during Congress, shall be entitled to reimbursement of the cost of either an economy-class return air ticket or first-class return rail ticket, or expenses incurred for travel by any other means, subject to the condition that the amount does not exceed the price of the economy-class return air ticket.

2 Pursuant to paragraph 1, the following provisions shall be observed:

2.1 if a member country of the Council is represented by the same person or by different persons at the session of the Council and at meetings of its bodies sitting in the same place during the period preceding or following the session, the fare shall only be refunded once;

2.2 if a member country of the Council is convened and is represented by the same person or by different persons, in the interval between sessions of the Council, at meetings of bodies of the Council sitting in the same place within a period not exceeding 30 days for all the meetings, the fare shall only be refunded once.

3 The travelling expenses of the representatives of an international organization, or of any other persons whom the Council wishes to associate with its work,

¹ Art 110 of the Gen Regs.

can only be charged to the Union with the prior agreement of the Chairman of the Council and of the Secretary General and if such participation is in the interest of the Union or of the Council's work. This shall also apply to the travelling expenses of representatives of countries which are not members of the Council but which the latter expressly desires to associate with its work.

■ **Commentary**

20.1 See comm on art 110 of the Gen Regs.

20.3 See comm on art 3 above.

Article 21

Effective date

1 These Rules shall take effect immediately.

So adopted at Berne, on **25 April 2013**.

For the Council of Administration:

Abdul Rahman bin Ali Al-Aqaily
Chairman

Bishar A. Hussein
Secretary General