

## COM/CITEL RES. 102 (IX-00)<sup>1</sup>

### PAYMENT OF ASSOCIATE MEMBER FEES

The Ninth Meeting of the Permanent Executive Committee of CITEL, COM/CITEL,

#### HAVING SEEN:

Document COM/CITEL/doc. 548/00 "Delays in CITEL Associate Member Fee Payments,"

#### CONSIDERING:

- a) That Article 84 of the CITEL Regulations provides that Associate Members "shall share in the costs of operations of the PCC in which they participate" and establishes that the "minimum contribution shall be one unit," the value of which is determined by the CITEL Assembly;
- b) That CITEL relies upon the contributions pledged by the Associate Members in establishing its Plan of Operations and annual budget;
- c) That Article 84 of the CITEL Regulations provides that Associate Members that are more than ninety days in arrears "shall be deemed Passive Associate Members and shall have their membership privileges suspended until their accounts are paid up to date";
- d) That Article 84 further provides that Associate Members who resign their Associate Member status "shall be liable for their fees up until the effective date of renunciation";
- e) That by Resolution COM/CITEL/RES. 95 (VII-99), COM/CITEL instructed the Secretariat to seek, as a final step before suspending the membership privileges of Associate Members in arrears, the assistance of the relevant CITEL Member State Administration in obtaining the payment of the membership fees from those Members;
- f) That the Executive Secretary of CITEL has reported that the effort to obtain those payments through the Member State Administrations has not been successful, and that currently, the amount of past-due Associate Member Fees is \$346,809, and
- g) That additional measures are required to collect past-due Associate Member Fees,

#### RESOLVES:

1. To instruct the Executive Secretary to inform immediately all Associate Members who are more than ninety days in arrears for the year 2000 and all prior years that their membership privileges are suspended, and may only be restored, as provided in Article 84 of CITEL's Regulations, when the balance due is paid in full.
2. To recommend to the CITEL Assembly and provisionally place into force the amendment of Article 84 of CITEL's Regulations, as set out in Annex of this Resolution, so as to provide that Associate

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<sup>1</sup> document COM/CITEL 585/00

Member fees are due and payable on January 1<sup>st</sup> of the corresponding fiscal year, and to allow for a sixty day grace period for the payment of those quotas after which membership privileges will be suspended.

3. To authorize the Executive Secretary to write directly to Associate Members and former Associate Members in arrears for the purpose of motivating them to pay the amounts owed and to renew Active Associate Member Status in CITEL.
4. To authorize the Executive Secretary to send periodic (monthly or quarterly) invoices for payment of fees pledged to Associate Members and former Associate Members in arrears.
5. To instruct the Executive Secretary to explore with the OAS Department of Legal Services and interested Member States, for future consideration of COM/CITEL, the merits of requiring both future Associate Members and Passive Associate Members wishing to regain active status to sign a model agreement which sets out the rights, privileges, and obligations of Associate Members under Article 84 of the CITEL Regulations.
6. To authorize the Executive Secretary to carry out a survey of all Associate Members and former Associate Members in arrears for the purpose of determining why they are in arrears and what measures CITEL could take to motivate to resume membership or active status in the Commission.
7. To request the Executive Secretary to inform the next annual meeting of COM/CITEL on the implementation of the above measures, including the status of collections from Associate Members and Former Associate Debtors in arrears and the results of the survey, and to recommend to that meeting other measures, if deemed necessary, to improve the collection of those amounts owed.

## ANNEX

### AMENDMENT TO ARTICLE 84 OF THE CITEL REGULATIONS

Paragraphs 6 of Article 84 of the CITEL Regulations shall be amended as stated below. The text in strike-out is the text in the pre-amended Article that has been eliminated. The text in bold italics is the new text introduced by the Amendment.

*The due date for the payment of the annual membership fee is January 1<sup>st</sup> of the corresponding year; however, for a new Associate Member, the due date during the first year of membership is thirty days after that Member receives notice of its acceptance as an Associate Member.* Associate Members who pay their membership fees ~~within 90 days of billing~~ *within 60 days after the due* date shall be deemed Active Associate Members. Those who do not pay within this time without informing the Executive Secretary of the reasons for such delay shall be deemed Passive Associate Members, and shall have their membership privileges suspended *by the Executive Secretary* until such time as their accounts are paid up to date. If the Executive Secretary is satisfied with the justification of the delayed payment of fees by a Member, he may extend the period for *payment up until June 30<sup>th</sup> of the corresponding year.* ~~account updating up to a maximum of six months as from the original payment deadline.~~