

PROPOSED BUDGET FOR THE COMMISSION FOR ITS FIRST FINANCIAL PERIOD FROM 1 JANUARY 2005 TO 31 DECEMBER 2005

WCPFC/Comm.1/4 23 October 2004

Prepared by the Secretariat

I. INTRODUCTION

1. The present document provides information on options for financing the work of the Commission in its first full year of operation. Following discussion of these options, and the relevant procedures, the Commission is invited to adopt a budget and scheme of contributions for the first financial period and to take such other decisions as may be necessary. The paper is organized as follows:

- **Part II** provides background references to the work of Working Group I of the Preparatory Conference.
- **Part III** describes the procedure and context for the consideration of the budget
- **Part IV** provides information on the estimated budgetary requirements for 2005;
- **Part V** discusses the financing of the Commission and the scheme of contributions; and
- **Part VI** discusses possible transitional arrangements for financing the Commission in its first year of operation.

Some technical matters relating to the Preparatory Conference Organizational Fund, and recommendations to the Commission, are contained in Parts VII and VIII.

II. BACKGROUND

2. During the sixth session of the Preparatory Conference, Working Group I of the Preparatory Conference considered a provisional indicative budget of the Commission for its first three full years of operation.¹ In general, the Working Group considered the indicative budget described in the working paper to be conceptually acceptable, subject to the need to further refine the cost estimates for each line item as further information became available, and also considered that the overall size of the indicative budget (US\$1.5 - \$1.8 m) was likely to be a reasonable reflection of the likely costs involved in conducting the business of the Commission in its formative years.

¹ WCPFC/PrepCon/WP.20, Annex IV.

3. Working Group I also made recommendations on each of the main components of the budget. Those recommendations, which are described in the various summary reports of the Chairman of WG.I, have been taken into account and are referred to as appropriate in the present document.

4. With respect to the budget for 2005, the Preparatory Conference considered it particularly important to try to avoid a disproportionate burden of costs falling upon those who had ratified the Convention at an early stage. In particular, it was suggested that an evolutionary and flexible approach should be taken to the establishment of the Secretariat, taking into account the availability of a funding base for the Commission as well as the number of members of the Commission. These paramount considerations have been taken into account in preparing the present document. At the same time, however, it must be borne in mind that a certain minimum budgetary provision is necessary if the Commission is to function as an independent entity. In most areas of the proposed budget, very little flexibility is possible and the reality is that, to significantly reduce expenditure in the early years, the members of the Commission would need to consider radically different alternatives to the establishment of a fully-staffed and resourced Commission Secretariat. These alternatives are considered further in Part VI of the present document.

III. PROCEDURE AND CONTEXT FOR CONSIDERATION OF THE BUDGET BY THE COMMISSION

5. For the purposes of the present paper, it is assumed that the draft Financial Regulations (contained in document WCPFC/PrepCon/WP.2/Rev.2) will have been adopted by the Commission by the time the paper is considered by the Commission. The Financial Regulations (regulation 3) require the Executive Director to prepare and submit to the Commission a draft budget comprising estimates of receipts by the Commission from all sources and of expenditures by the Commission at least 60 days prior to the annual meeting of the Commission. The draft budget shall be presented in United States dollars. It shall be divided into parts, sections and, as appropriate, programme support. It shall be accompanied by such information, annexes and explanatory statements as may be requested by the Commission and such further annexes or statements as the Executive Director may deem necessary and useful. The Commission may establish guidelines as to the format which the draft budget is to be presented.

6. Since the Executive Director of the Commission will not be appointed until December 2004 when the Commission meets for the first time, and given the fact that it is essential for the Commission to adopt a budget for the financial period commencing 1 January 2005, the present document has been prepared on an exceptional basis by the Interim Secretariat of the Preparatory Conference. The format in which the budget proposals contained in Part IV have been presented follows as closely as practicable the stipulations of the Financial Regulations, but is without prejudice to any guidance the Commission may wish to give in respect of the budget format for future years. Further, because of time limitations and lack of resources, as well as numerous uncertainties surrounding the likely activities of the Commission in 2005, it has not been possible to provide any more than a broad estimate of indicative expenditures. It would normally be expected to take at least two to three years before accurate estimates of the running costs of the Commission can be made in the light of actual experience.

7. The Financial Regulations require the Commission to decide upon its annual budget at each annual meeting. Under regulation 3.8, the Commission may establish, for this purpose, a committee to provide advice and recommendations to the Commission on matters related to the budget, finance and administration of the Commission.

IV. SUMMARY OF 2005 BUDGET REQUIREMENTS

8. On the basis that a fully functioning, independent Secretariat is expected to be in place by the end of 2005, the total budgetary requirements of the Commission for 2005 are estimated at USD

975,000. A summary of these requirements is presented in Annex I. The main components of the budget for the Commission are:

- staff costs
- general operating expenses
- meeting services; and
- provision of external services

In the early years of the Commission's existence, provision will also need to be made for acquisition of capital assets, e.g. vehicles, furniture, computer equipment etc.

A. Staff costs

9. It will be recalled that Working Group I decided to recommend the organizational structure and summary of functions for the staff of the Commission as shown in Annexes I and II of document WCPFC/PrepCon/WP.20.² At PrepCon VI, the overall staff costs of the Commission (based on full costing and including provision for general temporary assistance, overtime and consultancy fees) were estimated at USD 677,000 in Year 1, increasing to USD 957,000 in Year 3.

10. While several participants in Working Group I stressed the importance of ensuring that the key functions of the Commission became operational as soon as possible, it must be recognized that there will be an inevitable time-lag in recruitment of key staff. The pace of recruitment will initially depend to a great extent upon how long it takes to appoint and recruit an Executive Director, since it is the Executive Director who has the responsibility of appointing the staff of the Commission. For 2005, budgetary provision of \$ 360,000 is proposed for staff costs. This assumes recruitment of a full-time Executive Director during the first quarter of 2005 and the subsequent limited recruitment of key professional and support staff during the second half of 2005 (in each case, subject to the availability of actual funds in the form of assessed contributions). Provision for consultancy services may be utilized in the first year for establishment of, for example, basic accounting and computer systems.

11. The key variable in terms of staff costs is obviously the terms and conditions of service for the staff of the secretariat. It will be recalled that Working Group I decided to recommend that the Commission develop and adopt a system of salaries and allowances related to that applied by the agencies of the Council of Regional Organizations of the Pacific (CROP). In this regard, it was recognized that, among the urgent tasks for the Executive Director, once appointed, would be the development of detailed duty statements for each of the approved secretariat positions and the preparation and submission to the Commission (in 2005) of draft Staff Regulations setting out the terms and conditions of the staff of the secretariat. It is not possible, therefore, to provide more precision in the estimate for staff costs until the Commission has been able to adopt a system of salaries and allowances and the technical work of developing a standardized budget methodology from that scale has been completed. This should be a priority task for the Executive Director in 2005, which will enable a more detailed and accurate costing of this element of the budget to be proposed for 2006.

B. General operating expenses

13. The general operating expenses of the secretariat include electricity, communications, office supplies, printing and publications, audit, bank charges, entertainment and miscellaneous. Until the secretariat has some experience of the actual costs of operating in a potentially remote location, it is exceptionally difficult to estimate these costs with any certainty. Working Group I had considered an annual recurrent expenditure of USD 152,000 to be a reasonable estimate of actual costs. However, on

 $^{^{2}}$ That is, a total staff of 9 in the first year, rising incrementally to 14 by the end of the third year of operation (subject to ongoing review).

the basis that the secretariat will most likely actually function for less than twelve months in 2005, estimated provision of USD 71,500 has been made in the draft budget.

C. Purchase and maintenance of capital assets

14. The capital assets of the Commission include its headquarters, furniture and equipment, computer systems and vehicles. It is assumed that the headquarters will in due course be provided free of charge by the host government. The Commission will, however, need to fit out its headquarters with necessary furniture and equipment (e.g. furniture, photocopiers etc.) and will need to establish its computer systems (e.g. network server, web server, workstations). Provision will also need to be made for maintenance. One key variable, which remains unknown at present, is the cost of sourcing and shipping capital items, as well as the cost of service and maintenance contracts. These are likely to be a significant item of expenditure. Financial provision of USD 140,000 for capital expenditure has been made for 2005.

D. Meeting costs

15. The cost of convening meetings of the Commission and its subsidiary bodies depends to a great extent upon where those meetings take place. However, given that it is unlikely that the Commission will have its own purpose-built conference venue, there will be a need to make provision for the hire of meeting space, which may include sums for such items as rental of additional photocopiers, computers, sound systems and other essential equipment. In addition, given the relatively small size of the proposed secretariat, it is likely that there would be a need to make provision for the hire of temporary staff when the Commission is in session. These costs could be significantly increased if the Commission decided to hold its meetings in different countries, for example on a rotational basis, because of the need for additional staff travel and local hire of meeting facilities (which may be quite costly where hotel facilities are used). In the proposed budget for 2005, provision of USD 30,000 has been made. This compares favourably with in-country costs of sessions of the Preparatory Conference, which have ranged between USD 32,000 and USD 76,000 (average USD 52,000) and assumes no allowance for the provision by host countries of entertainment, gifts, travel, stationery, printing etc.

16. The largest expense under this head, however, will be the cost of financing the participation of developing States Parties, territories and possessions in accordance with the provisions of the draft Financial Regulations, *viz*:

"3.5 The draft budget shall include an item specifying the costs required to finance the travel and subsistence for one representative from each developing State Party to the Convention and, where appropriate, territories and possessions, to each meeting of the Commission and to meetings of relevant subsidiary bodies of the Commission."

17. It is estimated that the total budgetary requirement under this sub-item would be USD 131,300. This estimate is derived on the basis that a total of 20 participants (one from each potential developing State Party and participating territory or possession) would require funding.³ The actual costs may, of course, be less in practice depending upon actual eligibility. A breakdown of this figure was provided at PrepCon VI in WCPFC/PrepCon/WP.20, Annex III.

³ It is assumed, for present purposes, that all 20 would be members of the Commission or participating territories by early in 2005 and would therefore be eligible for funding. It is also assumed for this purpose that **all** meetings of the Commission and its subsidiary bodies (Science Committee and Technical and Compliance Committee) would be held back-to-back in a single session (this is without prejudice to the recommendation of WG.II that Scientific Committee meetings be held several months in advance of the main session). Any unspent funds would be carried over to subsequent years in accordance with the Financial Regulations.

E. Provision of external services

18. In line with the discussions at PrepCon VI, it has been assumed that the Commission will fund the provision of scientific and data services by OFP-SPC. The scope and costs of these services is discussed in detail in WCPFC/PrepCon/WP.20 (paras. 22 to 27). Information from OFP-SPC (Annex II) indicates that the incremental cost of scientific services for a full year would be USD 254,510. For the first year of operation of the Commission, this could be pro-rated, taking into account the likely delay in recruitment to the necessary positions. On this basis, in the draft budget for 2005, provision of USD 127,500 has been made for scientific services. Provision of a further USD 40,000 is made for the establishment of a vessel register (see paras. 28 to 32 of WCPFC/PrepCon/WP.20).

V. SCHEME OF CONTRIBUTIONS

19. The Preparatory Conference decided to recommend the adoption of a scheme of contributions determined according to the following formula:

(a) a 10 per cent base fee divided in equal shares between all members of the Commission;

(b) a 20 per cent national wealth component based upon an equal weighting of proportional gross national income (calculated on a three-year average) per capita and proportional gross national income (calculated on a three-year average); and

(c) a 70 per cent fish production component based upon a three-year average of the total catches taken within exclusive economic zones and in areas beyond national jurisdiction in the Convention Area of all the stocks covered by the Convention for which data are available (including the main target tuna species, as well as the four main billfish species (black marlin, blue marlin, striped marlin and swordfish)), subject to a discount factor of 0.4 being applied to the catches taken within the EEZ of a member of the Commission which is a developing State or territory by vessels flying the flag of that member.

20. An indicative table of the contributions that would be payable by each **potential** member of the Commission, including the European Community, against an indicative budget of USD 975,000 is contained in Annex III. As requested by PrepCon VI, the Interim Secretariat has updated the statistical information from which the national wealth and fish production components are derived. The relevant sources for data are noted in Annex III.

21. It should be emphasized that the **actual budgetary requirement** will vary subject to the extent to which the budget may be funded through voluntary contributions, including independent and voluntary contributions by participating territories, and other funds received pursuant to article 17, paragraphs 1(c) and (d), of the Convention, as well as subject to the outcomes of the discussion presented in Part VI (below). With respect to the participating territories, it will be recalled that the Preparatory Conference had agreed in principle that participating territories should make independent and voluntary contributions to the budget. However, such contributions would be based upon guidelines to be developed by the Contracting Parties in due course. The only participating territory at present is Tokelau.

VI. TRANSITIONAL ARRANGEMENTS

22. It will be seen from Annex III that with only 14 members of the Commission (as at October 2004), the total amount of assessed contributions that the Commission could expect to receive in 2005 would be US\$ 166,925 or 17.12 per cent of its total budgetary requirement, leaving a shortfall of 82.88 per cent of the budget to be funded through alternative means or not to be funded at all (an option which would obviously severely curtail the potential activities of the Commission).

23. A logical reaction might simply be to re-apportion the budget between the 14 existing members of the Commission, but it is suggested that this would not produce an equitable or realistic outcome. It would in fact place a disproportionate burden of the establishment costs of the Commission upon those who have ratified the Convention at an early stage. But on the other hand, as should be apparent from the foregoing discussion, if members of the Commission wish to see a fully-functioning Commission secretariat established as an independent entity by the end of 2005, there is very little flexibility in the amounts proposed for appropriation under each line item of the budget.

24. It is possible that some countries may become members of the Commission early in 2005. In accordance with the draft financial regulations these countries will be liable to pay the full amount of their annual contributions as long as their membership becomes effective during the first nine months of the year. Unfortunately, the number of countries that will ratify or accede to the Convention within the first nine months of 2005 cannot be known with any certainty, although it is reasonable to assume that not all countries will ratify or accede. This means that there will still be a shortfall in the budget. Even where late contributions do come in, there are inevitable implications for the cashflow of the Commission and the consequent ability of the Executive Director to commit funds against the approved budget.

25. A number of possible options exist for reducing the potential shortfall in the budget. The include the following:

(a) An undertaking by those who intend to ratify or accede to the Convention during the first nine months of 2005 to make advances against the contributions for 2005 that they will be liable to pay once they ratify or accede. Such a measure would significantly improve the cashflow of the Commission and assist the Executive Director to manage the work of the Commission appropriately from the outset. In this regard, it should be noted that the four largest potential contributors together account for 52.44 per cent of the budget.⁴

(b) As an additional transitional measure, or in the alternative, the Commission could agree that part of the budget will be funded through voluntary contributions, including voluntary contributions by non-members of the Commission. This might include the proposed capital expenditure (on the basis that those who intend in the future to become members of the Commission will benefit equally from capital expenditure) and meeting costs for 2005.⁵

26. A more radical option may be to consider, as an exceptional measure, a minimalist Commission budget for 2005. Rather than attempting to set up a fully-functioning secretariat during 2005, this might involve deferring all non-essential recruitment and capital expenditure until such time as there is broad participation in the Commission. While it may be considered desirable to appoint an Executive Director – in which case budgetary provision must be made to offer a contract to the appointee – participants may wish to consider continuing for the time being with transitional (consultancy-based) secretariat arrangements, combined with outsourcing of core functions such as accounting.

27. Depending on the exact nature of the transitional arrangements, this could result in significant savings in staff costs and operating expenses and would obviate the need for major capital expenditure during 2005. In this way, the base level of the budget to be funded through assessed contributions could be reduced considerably, even before potential voluntary contributions are taken into account. This option would, however, have the potential to impact on the potential scope of activities of the Commission and could delay the establishment of a permanent secretariat.

⁴ Such advances would be treated as voluntary advances and credited to the working capital fund.

⁵ In addition, it would be open in any case to any member or potential member to offer to host and fund the 2005 session of the Commission and its subsidiary bodies.

VII. PREPARATORY CONFERENCE ORGANIZATIONAL FUND

28. In accordance with the decision of the Preparatory Conference establishing the Preparatory Conference Organizational Fund (PCOF),⁶ the PCOF shall continue to operate until determined by the Preparatory Conference or by the Commission. The Preparatory Conference will be invited to recommend to the Commission that the Fund continue to operate until such time as outstanding commitments arising from PrepCon VII have been met and the PCOF has been audited by the FFA auditor (March 2005). Thereafter it is recommended that the Commission decide that the balance remaining in the PCOF be transferred to the working capital fund of the Commission.⁷ This amount may then be used to support the activities of the Commission in 2005, or taken into account by the Executive Director in preparing the budget requirements for 2006.

29. It will be recalled that additional amounts have been contributed to the PCOF for specific purposes not envisaged in the decision establishing the Fund. These include monies contributed to support the proposed Indonesia and Philippines Data Collection Project and special contributions to support participation in the Scientific Coordinating Group. The Commission needs to formally adopt a decision to transfer these funds to the Special Requirements Fund established under Financial Regulation 7.

VIII. PROPOSED ACTION BY COMMISSION

30. The Commission is invited to consider the proposed budget for 2005 and the way in which it shall be financed in the light of the discussion above. After such consideration, it is recommended that the Commission adopt the draft decision set out in Annex IV with such amendments and additions as may be necessary.

⁶ WCPFC/PrepCon/16, Annex II.

⁷ The actual amount will not be known until all expenditure for PrepCon VII has been calculated and until final audit of the Fund, which is scheduled for March 2005.

Annex I

		2005	2006 (indicative)
	RT 1		
1	Staff Costs		
	Established posts	300.0	700.
	General temporary assistance	5.0	7.
	Overtime	5.0	10.0
	Consultancy	50.0	40.0
	Sub-total	360.0	757.0
	Staff travel	60.0	90.0
	Sub-total	60.0	90.0
	General operating expenses		
	Electricity	10.0	25.0
	Communications	25.0	55.0
	Office supplies	12.0	22.0
	Publications and printing	10.0	20.0
	Audit	2.5	5.0
	Bank charges	2.0	3.0
	Entertainment	5.0	12.0
	Miscellaneous	5.0	10.0
	Sub-total	71.5	152.0
4	Capital expenditure		
	Vehicles	35.0	15.0
	Computers (server and workstations)	55.0	40.0
	Furniture and office equipment	50.0	40.0
	Sub-total	140.0	95.0
5	Maintenance of capital assets		
	Vehicle maintenance	1.5	5.0
	IT maintenance and software licenses	9.0	6.0
	Insurance	4.2	7.0
	Sub-total	14.7	18.0
6	Meeting services		
	Annual session (including Committees)	30.0	30.
	Travel and per diems (eligible members)	131.3	131.3
	Sub-total	161.3	161.3
	Sub-total Part 1	807.5	1,273.3
PAF	RT 2		
1	Scientific services (OFP-SPC)	127.5	254.
	Vessel register	40.0	100.
	Sub-total Part 3	167.5	354.
TO	TAL BUDGETARY REQUIREMENTS	975.0	1,627.

ESTIMATED BUDGETARY REQUIREMENTS OF THE COMMISSION FOR 2005 (thousands of United States dollars)

Annex II

BREAKDOWN OF INCREMENTAL COSTS FOR PROVISION OF SCIENCE AND DATE SERVICES TO THE COMMISSION (Source: SPC-OFP)

		USD
Staff	2 positions at CROP J.5	207,860
Travel	4 Noumea-Pohnpei	20,000
Computer	2 hardware and software	10,000
Sub-total		237,860
SPC overhead	7% levy	16,650
Total		254,510

Annex III

INDICATIVE SCHEDULE OF CONTRIBUTIONS ASSUMING FULL PARTICIPATION AND INCLUDING THE EUROPEAN COMMUNITY (Indicative budget of US\$ 975,000 to be funded in full)

Commission Members	Base fee 10% of budget	National wealth component 20% of budget	Catch component 70% of budget	Total contribution 100% of budget	% of budget by member
Australia	3,611	9,646	3,998	17,255	1.77%
Canada	3,611	10,652	87	14,350	1.47%
China	3,611	3,997	12,681	20,290	2.08%
Cook Islands	3,611	1,808	297	5,716	0.59%
European Community	3,611	38,052	0	41,664	4.27%
FSM	3,611	760	11,017	15,389	1.58%
Fiji	3,611	854	3,262	7,728	0.79%
France	3,611	13,874	2,293	19,779	2.03%
Indonesia	3,611	746	12,324	16,682	1.71%
Japan	3,611	28,523	200,858	232,992	23.90%
Kiribati	3,611	343	2,554	6,508	0.67%
Korea	3,611	4,933	117,141	125,685	12.89%
Marshall Islands	3,611	854	18,918	23,384	2.40%
Nauru	3,611	308	0	3,920	0.40%
New Zealand	3,611	5,233	13,293	22,137	2.27%
Niue	3,611	308	0	3,920	0.40%
Palau	3,611	2,676	21	6,308	0.65%
Papua New Guinea	3,611	249	34,697	38,557	3.95%
Philippines	3,611	670	25,261	29,542	3.03%
Samoa	3,611	558	1,146	5,315	0.55%
Solomon Islands	3,611	257	4,433	8,302	0.85%
Chinese Taipei	3,611	6,219	151,848	161,678	16.58%
Tonga	3,611	619	471	4,701	0.48%
Tuvalu	3,611	512	0	4,123	0.42%
United Kingdom	3,611	14,388	0	18,000	1.85%
USA	3,611	47,536	65,421	116,569	11.96%
Vanuatu	3,611	423	477	4,511	0.46%
Total assessed contributions	97,500	195,000	682,500	975,000	100.00%

Notes:

- 2. 2004.
- 3. Data sources: (a) Population data: World Bank, UNDP, OECD; (b) GNI and GNI per capita data: World Bank, OECD; (c) Catch data: SPC-OFP, 2001 - 2003.

Members as at October 2004 are highlighted in bold. Aggregate contributions of these members amount to 1. US\$ 166,925 (17.12 per cent of the total budgetary requirement). Potential contribution for European Community calculated based on OECD data available as at October

Annex IV

DRAFT DECISION OF THE COMMISSION RELATING TO THE BUDGET OF THE COMMISSION FOR THE FINANCIAL PERIOD 1 JANUARY 2005 TO 31 DECEMBER 2005 AND RELATED MATTERS

The Commission,

Adopts the budget of the Commission for the financial period 1 January 2005 to 31 December 2005 in the sum of United States dollars ...

Adopts the scale of contributions to the budget of the Commission for 2005 contained in Annex ...

<u>Decides</u> that participating territories shall make independent and voluntary contributions to the budget as follows:

<u>Requests</u> the Executive Director to designate, as soon as practically feasible, the bank or banks in which the funds of the Commission shall be kept and to report the identity of the bank or banks so designated to the Commission in accordance with the Financial Regulations,

<u>Directs</u> that the balance remaining in the Preparatory Conference Organizational Fund after outstanding commitments have been met and following audit of the Fund in March 2005, be transferred to the working capital fund of the Commission,

<u>Directs</u> that monies credited to the Preparatory Conference Organizational Fund for specific purposes, including the Indonesia and Philippines Data Collection Project (IPDCP), be transferred to the Special Requirements Fund established under Financial Regulation 7 and authorize the Executive Director to make expenditures from such Fund in accordance with relevant decisions of the Commission relating thereto,

<u>Requests</u> the Executive Director to make a proposal to the Commission at its 2005 annual meeting with respect to the appointment of an auditor.

Annex

(Scale of contributions)