

Asean Port Authorities Association

We, the representatives of the port authorities from the ASEAN member countries

commerce and related inland transport of any maritime nation;

in the region in resolving national issues on port and harbour affairs; and

harbour agencies on 20th September 1975;

Do hereby adopt and promulgate this Constitution.

Indonesia

Malaysia

Philippines

Singapore

Thailand

day of December 1977 in Kuala Lumpur.

ARTICLE I - NAME AND OBJECTIVES

SECTION 1 - Name

This regional association shall be known as the ASEAN Port Authorities Association or in brief APAA hereinafter referred to as Association.

SECTION 2 - Aims and Objectives

The main aims and objectives of the Association shall be as follows:

- a) to provide the ASEAN Port Authorities and harbour organizations a vehicle for regional cooperation in port and harbour development, operations and management, and
- b) to promote and protect the interest of member port authorities.

The specific objectives of the Association shall be as follows:

- (a) to promote and assist in the development and implementation of efficient methods on the following:
 - 1. cargo handling system;
 - 2. port procedures and documentation;
 - 3. administration of port personnel, including those of private agencies, involved in the business of the ports;
 - 4. port statistics, and
 - 5. port information systems.
- (b) to promote the exchange of data and information on shipping and cargo traffic within the port authority area;
- (c) to promote the development to port personnel through the exchange of port personnel for on-the-job training, holding of seminars/workshops on port planning, operation and management;
- (d) to promote cooperation in and coordinations of port and harbour operations and managements on an ASEAN basis;
- (e) to develop and maintain close relationship with other ASEAN organizations especially those of ASEAN shippers, shipowners and inland transport agencies.

Scope of activities

The Association shall cover the following activities:

- (a) to formulate and continuously update and implement a cooperative programme for the improvement of port operations and management efficiencies.
- (b) to continuously exchange information and undertake innovations on:
 - 1. cargo handling system
 - 2. port procedure and documentation
 - 3. port statistics collection and analysis
 - 4. training of port personnel on various aspects of port management.

ARTICLE II - MEMBERSHIP

SECTION 1 - Composition

The national port authority or, in the absence of such a port authority, the premier port and harbour representing the ports and harbours in the respective ASEAN countries shall be recognized as a member.

SECTION 2 - Duties of Members

The Members shall have the following duties:

- a. To attend annual meetings to determine programmes of work and priorities, annual budgets and other affairs of the Association, and to elect the Chairman and Vice-Chairman for a term of two years.
- b. To attend special meetings to discuss matters on proposals, recommendations, or reports of the Ad-hoc Committees.

SECTION 3 - Rights of Members

Members shall have the rights:

- a. To be elected as Chairman or Vice-Chairman;
- b. To receive copies of the Annual Report and informative materials distributed to all members by the Association;
and
- c. To attend and participate in meetings of the Association.

ARTICLE III - OFFICERS OF THE ASSOCIATION

SECTION 1 - Election

The executive officers of the Association shall be a Chairman, a Vice-Chairman and an Executive Secretary. The Chairman and the Vice-Chairman shall be elected from among the members for a term of two years. For the purpose of performing special tasks, an Ad-hoc Committee can be established and appointed by the Chairman on the approval of the members.

SECTION 2 - Duties of Chairman and Vice-Chairman

- (i) To preside over meetings of the Association.
- (ii) To ensure the implementation of the programmes of work and priorities as decided by the Association.
- (iii) To appoint the Executive Secretary on the approval by the members for a term of three years and members of the various Ad-hoc Committees,
- (iv) The Vice-Chairman is to assist the Chairman and in the absence of the Chairman to carry out his functions and other functions as assigned by the Chairman.
- (v) The Chairman and the Vice-Chairman shall supervise the activities of the Secretariat.

SECTION 3 - Duties of the Executive Secretary

- (i) The Executive Secretary shall be the chief executive and be responsible for the coordination and administration of the activities of the Association.
- (ii) The specific duties of the Executive Secretary shall be:
 - (a) To procure and to distribute documents and information;
 - (b) To publish the journal of the Association;
 - (c) To draw up and to submit the annual budget;
 - (d) To establish a Secretariat and appoint its personnel.

SECTION 4 - Duties of Ad-hoc Committees

To carry out any special task assigned by the Association.

ARTICLE IV - FINANCE

SECTION 1 - Source of Fund

The Fund of the Association for the running of the Secretariat and the Ad-hoc Committees, shall be derived from the contributions of members of the Association and shall be equally shared among the Members of the Association.

ARTICLE V - MISCELLANEOUS PROVISIONS

SECTION 1 - Procedure

The Secretariat, in consultation with the Chairman and Vice-Chairman, shall provide the agenda for the meetings of the Association. The meeting of the Association shall be held annually. No meeting, however, shall be held without prior notice of at least 90 days unless the members of the Committee by consensus waive such requirement. All decisions shall be taken by consensus of opinion.

On urgent matters, the Association may transact business or make decisions by circulation.

SECTION 2 - By-Laws

All matters related to this Constitution shall be clarified and stipulated in the By-Laws.

SECTION 3 - Head-Office

The Head-Office of the Association shall be sited where the Executive Secretary is located until the Association decides on another location.

ARTICLE VI - AMENDMENT AND EFFECTIVITY

SECTION 1 - Amendment

This Constitution may be amended in a general meeting of the Association by consensus of all the members; provided, that notice and copies of the proposed amendments had been given to all members of the Association at least 90 days before the date of the meeting.

SECTION 2 - Effectivity

This Constitution shall be submitted for ratification by the governing bodies of the signatories of the respective ASEAN countries and shall take effect one month after the ratification of all authorized signatories.