

2000 MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE ASSOCIATION OF SOUTH EAST ASIAN NATIONS (ASEAN) AND THE COMMONWEALTH OF AUSTRALIA

Signed in Jakarta, Indonesia on 28 January 2000

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2000 MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE ASSOCIATION OF SOUTH EAST ASIAN NATIONS (ASEAN) AND THE COMMONWEALTH OF AUSTRALIA

Signed in Jakarta, Indonesia on 28 January 2000

1. The Association of Southeast Asian Nations (ASEAN) and the Commonwealth of Australia, acting through the Australian Agency for International Development (AusAID) agree to enter into a Memorandum of Understanding (MOU) for the joint ASEAN-Australia's initiative to support the implementation of "Immediate Action Plan (IAP) Field Training Exercise for Prevention and Control of Land and Forest Fire and Haze in West Kalimantan, FY 1999/2000".
2. The following are the objectives being sought under this initiative:
 - a. To prevent and monitor any fires from getting out of control during the dry season of 1999 / 2000 in West Kalimantan province, particularly during the very dry condition and when most land preparation suspected as the main causes of fires is expected;
 - b. To develop a Fire Suppression Mobilisation Plan (FSMP) for West Kalimantan province based on existing conditions of all districts in the province, and to identify and/or establish infrastructure needed to implement the FSMP in all districts in the province; and
 - c. To design a package of sustainability measures to meet the requirement for smooth, effective and efficient implementation of the FSMP.
3. The terms of reference detailing ways and means to achieve the above objectives are provided in the attached Terms of Reference (TORs), which appears as ANNEX 1.

MANAGEMENT ARRANGEMENT

4. The Chairman of ASOEN Haze Technical Task Force (HTTF) is the overall coordinating ASEAN Body for this Project. BAPEDAL is designated as the National Coordinator for the implementation of the monitoring, prevention and mitigation components. The ASEAN Secretariat's Regional Haze Action Plan-Coordination and Support Unit (RHAP-CSU) is designated as the Regional Co-ordinator to provide support to the Chairman of ASOEN-HTTF for Project Co-ordination (see Implementation Arrangement).

IMPLEMENTATION ARRANGEMENT

5. The Project will be undertaken by the following parties:
 - BAPEDAL: to implement Monitoring and Prevention components (outputs for Objective 1)
 - Ministry of Forestry and Estate Crops (MoFEC): to develop Mitigation component (FSMP) (outputs for Objective 2)

- RHAP-CSU to review and assess the project implementation and develop sustainability measures (outputs for Objective 3)
6. BAPEDAL and MoFEC will work together with other relevant agencies in Indonesia, particularly Ministry of Home Affairs and BAKORNAS PB to agree on a designated Local-level Co-ordinator to provide support for co-ordination among the local government agencies and communities.
 7. The RHAP-CSU will work with BAPEDAL and MoFEC to develop guidelines for implementation of the activities. With the assistance of International and Regional Consultants, the RHAP-CSU will monitor and undertake assessment on the implementation of activities. The Consultants will also assess and develop sustainability measures, and provide technical advice on the implementation of the whole activities.
 8. Detailed management and implementation arrangements for the Project are described in the TORs.

IMPLEMENTATION SCHEDULE

9. Some preparatory activities will be carried out while preparation for the signing of the MOU and disbursement of funds are being undertaken. These preparatory activities are described in the TORs.
10. Implementation of the activities will start after the funds are disbursed. The whole activities are scheduled to be implemented within one year starting February 2000. Detailed schedule of activities is described in the TORs.

FINANCIAL DISBURSEMENT

11. Upon signing of this MOU, an amount of US\$173,000 will be made available by the Commonwealth of Australia to ASEAN through the ASEAN Secretariat. The funds will be deposited to the following bank account specially opened by the ASEAN Secretariat for the purpose :

Name : Australia's Contributions for ASOEN-HTTF Projects

A/C No. : 174.253.64.464 USD

Bank : ABN AMRO Bank, Jakarta Branch

Jl. Ir. H. Juanda No. 23-24

Jakarta, INDONESIA

12. To access these funds, BAPEDAL and MOFEC will submit a written application to the ASEAN Secretariat. The request for disbursement shall be accompanied by details for transfer (bank account name, bank account number, bank name, and bank address). The ASEAN Secretariat will disburse the funds in stages according to the implementation schedule and upon request of the implementing agency:

IMPLEMENTING AMOUNT SCHEDULE OF AGENCY DISBURSEMENT

- a. BAPEDAL US\$ 36,000 In stages, according to
 - b. Ministry of the implementation Forestry and US\$ 61,000 schedule Estate Crops
 - c. RHAP-CSU US\$ 60,000
13. Access to the funds allocated for implementing activities of Objective 3 (US\$ 60,000) will be initiated in writing by the RHAP-CSU with the knowledge of the Secretary-General of ASEAN and Chairman of ASOEN-HTTF. Contingency amount of US\$16,000 will be managed by the ASEAN Secretariat and released only if necessary and upon the approval of the Secretary-General of ASEAN.
14. BAPEDAL and MoFEC will make sure that an adequate portion of the funding be reserved for the designated Local-level Co-ordinator to support the implementation of activities at the provincial and district levels. Expenditures should be made in accordance with the approved Budget (please see the TORs). Any changes should be reported in the financial report (please see Reporting, article 16).
15. Attached is the "Additional Reporting Requirements for Projects Funded Under the Funds Held in Trust at the ASEAN Secretariat", which should be followed as disbursement and reporting procedures (ANNEX 2).

REPORTING

16. BAPEDAL and MoFEC, in consultation with the relevant local government agencies, will submit to the National Coordinator an individual report describing the achievement of project objectives (Objective 1 by BAPEDAL, Objective 2 by MoFEC). All relevant papers and documents (including evidence that the activities have been implemented) should be attached to the report. The report should also include a financial statement, which will detail all project expenditures and report the unexpended balance. This financial statement should be certified before it is submitted to the National Co-ordinator.
17. BAPEDAL as the National Co-ordinator will consolidate the above reports and submit the consolidated report to the Chairman of ASOEN-HTTF through the ASEAN Secretariat.
18. The Consultants will assist the ASEAN Secretariat to review the reports identified above to make evaluation of the project implementation. This evaluation would be included as part of the Consultants' reports (Output of Objective 3).
19. The ASEAN Secretariat will assist the Chairman of ASOEN-HTTF to consolidate all of the above reports into a final report to be submitted to the Haze Technical Task Force and the Commonwealth of Australia through AusAID within one month upon receipt of all individual reports.
20. The ASEAN Secretariat will be responsible for ensuring that reporting is accurate, for passing records to AusAID with an endorsement they are accurate and ASEAN is satisfied that the funds have been spent in accordance with the agreed budget. Any unexpended balance should be returned to AusAID.

Signatures:

SUTHAD SETBOONSARNG

Date: 28/1/2000

Deputy Secretary-General of ASEAN

ACA SUGANDHY

Date: 28/1/2000

Chairman ASOEN Haze Technical Task Force

TITON MITRA

Date: 28/1/2000

Counsellor, Development Co-operation

Australian Embassy, Jakarta

ANNEX 1 TERMS OF REFERENCE

IMMEDIATE ACTION PLAN (IAP) FIELD TRAINING EXERCISE FOR PREVENTION AND CONTROL OF LAND AND FOREST FIRE AND HAZE IN WEST KALIMANTAN, FY 1999/ 2000

A. BACKGROUND

1. Major transboundary haze episode of 1997/1998 has given invaluable experience the affected countries in the ASEAN region may learn to avoid recurrence of similar events in the future. The Regional Haze Action Plan (RHAP) lays the foundation for strategies and activities aimed at prevention, monitoring and mitigation measures.
2. The 6th ASEAN Ministerial Meeting on Haze (AMMH) held in Bandar Seri Begawan, Brunei Darussalam on 16 April 1999 requested the ASOEN Haze Technical Task Force (HTTF) to take immediate actions to address fire-risky situation arising especially in central Sumatra. An Immediate Action Plan (IAP) was then proposed to and endorsed by the 7th AMMH held in Putrajaya, Malaysia on July 6, 1999. The IAP is implemented in both provinces of South Sumatra and Riau with funding support from UNEP and ADB.
3. The 13th HTTF Meeting, which was held on 5 July 1999, agreed that similar initiative should also be developed for Kalimantan provinces, and that the Fire Suppression Mobilisation Plan developed by the RETA could also be used as the prototype for developing the IAP in Kalimantan. The 7th AMMH adopted the recommendation of the 13th HTTF and agreed that the IAP for fire-prone provinces in Kalimantan be developed and implemented as soon as possible.
4. This proposal of Immediate Action Plan (IAP) aims mainly at promoting the capacity of the province of West Kalimantan for preventing and controlling their forest and land fires and in turn preventing transboundary haze pollution. Implementation of the IAP will take into account the results and experience of the similar activities that have been done in Sumatra as well as those done by projects on forest fire in the region. The mobilisation plan development, for instance, will be based on the mobilisation plan outline and prototypes prepared by the teams working in South Sumatra and Riau.

B. OBJECTIVES

The objectives of the Immediate Action Plan (IAP) are as follows:

1. To prevent and monitor any fires from getting out of control during the dry season of 1999/2000 in West Kalimantan province, particularly during the very dry condition and when most land preparation suspected as the main causes of fires is expected;
2. To develop a Fire Suppression Mobilisation Plan (FSMP) for West Kalimantan province based on existing conditions of all districts in the province, and to identify and / or establish infrastructure needed to implement the FSMP in all districts in the province; and
3. To design a package of sustainability measures to meet the requirement for smooth, effective and efficient implementation of the FSMP.

C. OUTPUTS

The following outputs are expected to be achieved towards the end of the project:

Outputs for Objective 1

1. Extension materials and messages pertaining to forest and land fire prevention and control distributed and broadcasted to local community particularly in the three most fireprone districts (Sintang, Ketapang, Kapuas Hulu);
2. Report of training-the-trainers for extension motivators from local forestry and estate crops department, Mawil Hansip (civil defence headquarters), Babinsa (village advisor), and NGOs especially from the three priority districts;
3. Guidelines on enforcement of laws and regulations pertaining to forest fire and haze to be disseminated for law enforcement officers;
4. Intensified application of Early Warning System in the three priority districts through local newspapers and radios;
5. Strengthened Early Detection System in the three priority districts through provision of communication facilities; and
6. Promoted air quality monitoring through provision of PSI monitoring facilities.

Outputs for Objective 2

1. Draft Fire Suppression Mobilisation Plan (FSMP) for the province;
2. Established inventorying and tracking system for all districts in the province through provision of computerised database and manual T-cards;
3. Reports of the Dry Exercise (Tactical Exercise Without Troops) and Wet Exercise (Full Scale Drill) in all districts in the province; and
4. Interagency agreements / endorsed FSMP by the respective institutions at provincial and district levels.

Outputs for Objective 3

1. Report containing the analysis of existing situation and condition pertaining to fire suppression resources, constraints and contributing factors of the development and implementation of the mobilisation plan, and recommendations to be considered for smooth implementation of the mobilisation plan.
2. Draft proposals describing activities and actions to be taken in order to meet requirements needed to implement the mobilisation plan properly. The activities may include recruitment and training of personnel, provision of equipment and other supporting resources, and institutional networks / frameworks that will inter-link FSMP at community, sub-district, district, provincial, national, sub-regional and regional levels.

D. ACTIVITIES

Objective 1 will be achieved through the Prevention and Monitoring Components that consist of the following activities:

- a. Intensify on-going activities of strengthening the public awareness and education programmes in the province particularly in the three priority districts.
 - i. Distribute extension materials pertaining to forest and land fire; and
 - ii. Broadcast messages pertaining to forest and land fire prevention and control through local mass media.
- b. Conduct training of extension motivators from local forestry and estate crops department, Mawil Hansip (civil defence headquarters), Babinsa (village advisor), and NGOs in the province especially the three priority districts (Sintang, Ketapang, Kapuas Hulu) to enhance the implementation of public awareness extension programme.
- c. Formulate guidelines for enforcement of laws and regulations pertaining to forest fire and haze.
- d. Strengthen Early Warning System through local mass media to broadcast fire risk level over time.
- e. Strengthen Early Detection System by activation of command post at all levels.
- f. Promote air quality monitoring through:
 - i. Provision of PSI monitoring equipment in Pontianak City (provincial capital) and selected districts.
 - ii. Intensified "blue sky" campaign.

Objective 2 will be achieved by conducting every step of FSMP development as a complete exercise in the three priority districts, namely Sintang, Ketapang and Kapuas Hulu (first stage). Results of the exercise will then be used in developing a comprehensive FSMP of the remaining districts of the province (second stage). The activities are as follows:

- a. Collect and analyse data on fire control resources, including organisations, personnel, equipment and other information related to land and forest fire and haze management in all districts of the province.
- b. Prepare first draft of Fire Suppression Mobilisation Plan (FSMP) following the outline that has been previously prepared by the RETA.
- c. Establish inventorying and tracking system for the districts.
- d. Acquire interagency agreements/ endorsement of FSMP by the respective institutions at provincial and district level.
- e. Conduct Dry Exercise (Tactical Exercise Without Troops) at provincial level and the district level followed by Wet Exercise (Full Scale Drill) at the districts with the participation of the agencies and personnel identified above (b) under the overall guidance and supervision of the National Fire Management Experts.

- f. Refine the draft FSMP to become a comprehensive FSMP for the province.

Objective 3 will be achieved through consultant services working hand in hand with Indonesia's fire management agencies at national, provincial and local levels to analyse the existing resources and formulate measures to sustain the implementation of the mobilisation plan.

E. MANAGEMENT AND IMPLEMENTATION ARRANGEMENTS

1. The Chairman of ASOEN Haze Technical Task Force (HTTF) will be the overall coordinating ASEAN Body. It will monitor the whole implementation of activities and provide advices for the successful implementation of activities.
2. BAPEDAL will act as the National Co-ordinator for the implementation of the monitoring, prevention and mitigation components.
3. The ASEAN Secretariat's RHAP-CSU will be the Regional Co-ordinator to provide support to the Chairman of ASOEN-HTTF, make sure the achievement of Project's objectives and facilitate the implemen-tation of Project's activities, and provide administrative support as required. It will also oversee whether the planned work is actually done and finished work actually achieves the objectives.
4. The implementers are organisational units who will actually do the planned work. The implementing agencies for the Project are as follows:
 - a. BAPEDAL will be responsible in the implementation of the Monitoring and Prevention components (to achieve Objective 1)
 - b. Ministry of Forestry and Estate Crops (MoFEC) will be responsible in the implementation of Mitigation component (FSMP) (to achieve Objective 2)
 - c. RHAP-CSU with the assistance from International and Regional Consultants will monitor and undertake assessment on the implementation of activities. They will also assess and develop sustainability measures (to achieve Objective 3), and provide technical advice on the implementation of the whole activities.
5. BAPEDAL and MoFEC will work together with other relevant agencies in Indonesia, particularly Ministry of Home Affairs and BAKORNAS PB to agree on a designated Local-level Co-ordinator to provide support for co-ordination among the local government agencies and communities.
6. BAPEDAL and MoFEC will come up with a detailed implementation plan and guidelines for implementation of the activities, and provide guidance to and co-ordinate activities at provincial and district levels.
7. At the end of implementation, BAPEDAL and MOFEC, in consultation with the relevant local government agencies, will submit to the National Co-ordinator an individual report describing the achievement of project objectives (Objective 1 by BAPEDAL, Objective 2 by MoFEC). All relevant papers and documents (including evidence that the activities have been implemented) should be attached to the report. The report should also include a financial statement, which will detail all project expenditures and report the unexpended balance. This financial statement should be certified before it is submitted to the National Co-ordinator.

8. BAPEDAL as the National Co-ordinator will consolidate the reports by BAPEDAL and MoFEC and submit the consolidated report to the Chairman of ASOEN-HTTF through the ASEAN Secretariat.
9. The Consultants will assist the RHAP-CSU to review the reports identified above to make evaluation of the project implementation. This evaluation would be included as part of the Consultants' reports (Output of Objective 3).
10. The RHAP-CSU will assist the Chairman of ASOEN-HTTF in consolidating all of the above reports into a final report and presenting it to the Haze Technical Task Force and the Commonwealth of Australia (represented by AusAID). It will also be responsible for ensuring that reporting is accurate, for passing records to AusAID with an endorsement they are accurate and ASEAN is satisfied that the funds have been spent in accordance with the agreed budget.
11. The diagram of the above Arrangements appears as Appendix 1.

F. TENTATIVE SCHEDULE OF ACTIVITY

Preparation

- a. Circulation of the Project Proposal to relevant national and provincial agencies to seek informal comments and inputs
- b. Convening of a working group meeting among the ASEAN Secretariat, Commonwealth of Australia and Indonesia's relevant national agencies to discuss the draft MOU and other preparations for the Project
- c. Signing of the MOU
- d. National-level co-ordination, including obtaining support from the province Governor and district Bupati, familiarisation of the concept of FSMP to the province and districts, administrative preparation, etc.
- e. Implementation of the activities

November to December 1999

December 1999

January 1999

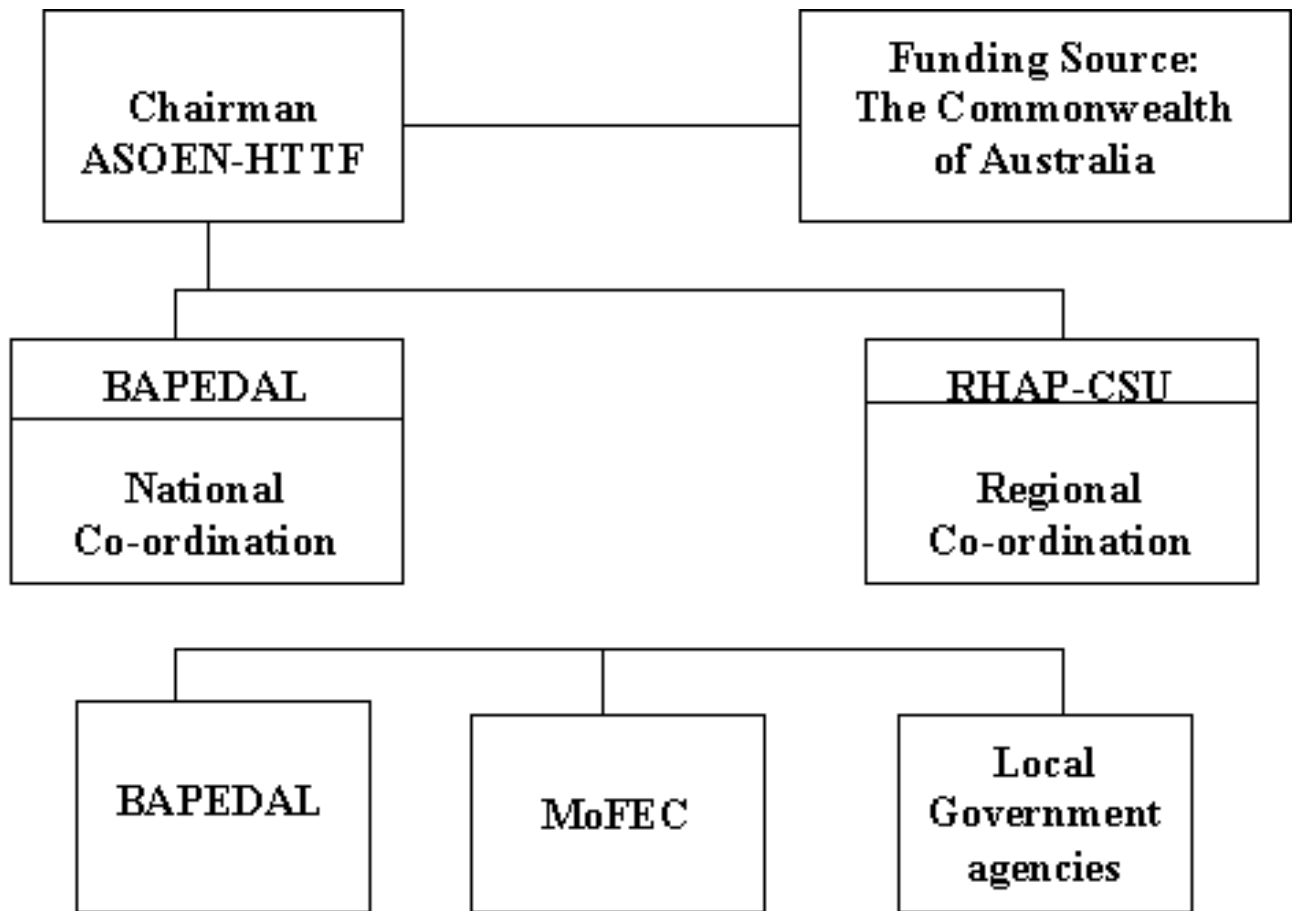
December 1999 to January 2000

February to December 2000

Field Implementation

Implementation of the activities will start after the funds are disbursed. Funding disbursement will be done in stages according to the implementation schedule. The whole activities are scheduled to be implemented within one year starting February 2000. Detailed schedule of activities is described in Appendix 2.

**APPENDIX 1
MANAGEMENT AND IMPLEMENTATION ARRANGEMENT**



APPENDIX 2

TENTATIVE SCHEDULE OF IMMEDIATE ACTION PLAN (IAP) FOR WEST KALIMANTAN (1999 - 2000)

Activity	1	2	3	4	5	6	7	8	9	10	11	12
A. Prevention												
1. Strengthening public awareness & education				Fire Alert Stage II				Fire Alert Stage I				
2. Training for local extension motivators												
3. Formulation and familiarisation of law enforcement guidelines												
B. Monitoring												
1. Intensification of the application of Early Warning System												
2. Strengthening Early Detection System												
3. Promotion of air quality monitoring												
C. Mitigation (FSMP Development)												
1. Preparation for FSMP development												
2. Data collection and analysis for FSMP												
3. Preparation of draft FSMP												

4. Establishment of inventorying and tracking systems												
5. a. Field exercise of FSMP at provincial level												
b. Field exercise of FSMP at district / local level												
6. Refinement of draft FSMP												
7. Workshop												
D. Consultants												
1. Forest Fire Management Specialist - CSU												
2. International Consultant (60-person days)												

APPENDIX 3 PROPOSED BUDGET

DESCRIPTION	TOTAL (\$)
A. PREVENTION	
1. Strengthening public awareness and education	9,000
2. Training for local extension motivators (forestry & estate crops, civil defence, village advisor, NGO)	8,000
3. Formulation and familiarisation of guidelines for law enforcement	4,000
Total A	21,000
B. MONITORING	
1. Intensification of the application of Early Warning system, - news media	5,000
2. Strengthening Early Detection System - including promotion of communication facilities and weather monitoring facilities	6,000
3. Promotion of air quality monitoring - PSI monitoring facilities	4,000
Total B	15,000
C. MITIGATION (FSMP Development)	
1. Preparation of activity (including travel, per diem and meetings)	3,000
2. Data collection and analyses in 7 districts (including travel and per diem): 2 persons, 4 days per district	6,000
3. Preparation of draft FSMP	3,000
4. Establishment of inventorying and tracking systems in 7 districts	11,000
5. Field exercise of FSMP (including travel & per diem) at provincial level and in 7 districts	23,000
6. Regional travel for FSMP exercise in 7 districts (3 National Fire Management Experts)	9,000
7. Meetings and Workshop	6,000
Total C	61,000
D. CONSULTANTS	
1. Salary for CSU-FFM Specialist (5-person months)	15,000
2. Salary and per diem for Australian Senior Consultant (60 Person-days)	33,000
3. Travel and per diem for CSU-FFM Specialist	7,000

4. International & local travel for Australian Senior Consultant	4,000
5. Reproduction of reports & publication	1,000
Total D	60,000
Total A+B+C+D	157,000
E. Contingency ±10%	16,000
Grand Total for West Kalimantan	173,000
(One hundred seventy three thousand US dollars)	

ANNEX 2

ADDITIONAL REPORTING REQUIREMENTS FOR PROJECTS FUNDED UNDER THE FUNDS HELD IN TRUST AT THE ASEAN SECRETARIAT

GUIDING PRINCIPLE

1. The ASEAN Secretariat shall be held fully accountable for the development cooperation funds held in its trust. To uphold its accountability, the ASEAN Secretariat shall in turn be given the authority to require all project implementing agencies to submit duly certified or audited statement of utilisation of all project funds.
2. The certifying officer or auditor should at all times be independent from the project's implementing unit. For purposes of these guidelines, independence shall connote that the certifying officer or auditor may belong to the same Organisation as the implementing unit, provided that the certifying officer or auditor reports to another unit of a higher hierarchy than the implementing unit.

GUIDELINES

3. The disbursements for projects which require more than US\$ 200,000 shall be done on a staggered basis, with subsequent submissions contingent upon the satisfaction of reporting requirements as discussed under the section on Requirements After Project Completion/Termination. The ASEAN Secretariat shall be authorised to withhold further remittances to the same project pending the satisfactory submission of certified statement of utilisation of funds.

REQUIREMENTS PRIOR TO FUND DISBURSEMENTS

4. Prior to project implementation, an implementing unit, which would be held fully accountable for the project funds' utilisation, shall be identified and communicated by the project proponent to the ASEAN Secretariat. The implementing unit so identified shall bear the responsibility for the piecemeal remittances for the projects (i.e., per diems, airfares, etc.), in accordance with the approved project of the budget.
5. Upon notification of the identification of the implementing unit, the ASEAN Secretariat shall provide the implementing unit a copy of these guidelines and, where necessary, a copy of the dialogue partner's guidelines.
6. The implementing unit shall designate an official bank account for the project. The bank account shall have at least 2 signatories. Request for disbursements shall be accompanied by the following: bank account name, bank account number, bank name, bank address and a certification regarding the authorised signatories for the bank account. All project related disbursements by the ASEAN Secretariat shall be made only to this account. At no time and under no circumstances shall the ASEAN Secretariat remit project funds to an individual person(s) account(s).
7. The name, designation and specimen signature of the designated auditor certifying officer for the statement of funds utilisation shall be submitted by the implementing unit through the ASEAN National Secretariat for endorsement to the ASEAN Secretariat, using the attached form.

REQUIREMENTS AFTER PROJECT COMPLETION/ TERMINATION

8. Duly certified or audited statements of funds utilisation shall be submitted by the implementing unit to the ASEAN Secretariat within one month of project completion/ termination.
9. The implementing unit shall fully remit all unexpended balances to the ASEAN Secretariat within one month of the submission of the audited or certified statement.
10. Unremitted unexpended balances shall be reported by the ASEAN Secretariat to the ASEAN Standing Committee for its appropriate action.

ISSUANCE OF OFFICIAL RECEIPTS

11. Official receipts for all remittances received from the ASEAN Secretariat shall be issued by the implementing unit, duly signed by the authorised bank signatories, in favor of the ASEAN Secretariat.
12. Official receipts for all receipts of unexpended balances shall be issued by the ASEAN Secretariat, in favor of the concerned implementing unit, with copy furnished to the certifying officer or auditor for the project.

APPLICABILITY OF GUIDELINES

13. These guidelines shall be applicable to all projects implemented with development cooperation funds held in trust at the ASEAN Secretariat.
14. In case of conflict between the reporting requirements of individual dialogue partners or donor agencies, the ASEAN Secretariat shall ensure that the reporting requirements of the individual dialogue partners or donor agencies are fully complied with. Therefore, the statements if so required by the dialogue partners or donor agencies, notwithstanding the general provision that member countries have the option to submit audited or certified financial statements.
15. These guidelines shall take effect upon approval by the ASEAN Standing Committee.