

2010 RULES OF AUTHORISATION FOR LEGAL TRANSACTIONS UNDER DOMESTIC LAWS

Adopted in Ha Noi, Vietnam on 27 October 2010

RULE 1

These Rules of Authorisation for Legal Transactions under Domestic Laws are made in accordance with Article 2 of the Agreement on the Privileges and Immunities of the Association of Southeast Asian Nations.

RULE 2

In accordance with these Rules, the Secretary-General of ASEAN, Deputy Secretaries-General of ASEAN or any member of the staff of the ASEAN Secretariat authorised by the Secretary-General of ASEAN shall be authorised to represent ASEAN in entering into legal transactions governed by domestic laws.

RULE 3

Any legal transactions governed by domestic laws which are entered into in accordance with applicable rules and regulations of ASEAN, such as the ASEAN Secretariat Financial Rules and Procedures (AFRP), by the Secretary-General of ASEAN, Deputy Secretaries-General of ASEAN or any authorized member of the staff of the ASEAN Secretariat, shall legally bind ASEAN.

RULE 4

Persons authorised to enter into legal transactions governed by domestic laws on behalf of ASEAN shall comply with, where applicable, the AFRP as may be amended from time to time.

RULE 5

The Secretary-General shall each year, at or before a time to be prescribed by the Committee of Permanent Representatives to ASEAN (CPR), submit to the CPR a list of persons authorised by him/her to enter into legal transactions governed by domestic laws on behalf of ASEAN for the forthcoming year. The list shall describe these persons by their official designation and shall state precisely the transactions which they are authorised to enter into on behalf of ASEAN.

RULE 6

Unless the CPR informs the Secretary-General within two weeks of receipt of the list, that it objects to any item on this list, the CPR shall be deemed to approve the list. Where the CPR objects to any item on the list, it shall inform the Secretary-General of its decision and the Secretary-General shall amend the list in accordance with the decision of the CPR. The amended list shall be deemed to be confirmed by the CPR.

RULE 7

Upon confirmation by the CPR, the Secretary-General of ASEAN shall issue public notices of the list of persons authorised to bind ASEAN to legal transactions governed by domestic laws. This shall include posting on the Internet website of the ASEAN Secretariat. The public notices shall state precisely the period of validity of that notice.

RULE 8

The Secretary-General shall, upon request, certify in writing whether any official of the ASEAN Secretariat is authorised to enter into a legal transaction governed by domestic laws on behalf of ASEAN. That certificate shall be conclusive evidence on this question.