

Organization of Caribbean Utility Regulators [OOCUR]

Resolution






Whereas Article 5 (a) of the Agreement dated 26th July 2002 among the under mentioned organization provides that Full Members shall be required to make a contribution to the annual budget of OOCUR on the basis of a formula to be determined by the General Assembly and

Whereas the General Assembly have agreed to the under mentioned formula

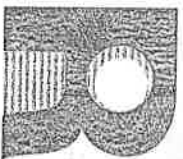
Be it resolved that:

The annual contribution for Full Member is 1% of Members' revenue from regulated industries for the previous year payable to OOCUR on a quarterly basis commencing April 1, 2003.

Full Members of OOCUR

Organization	Representative	Signature
Eastern Caribbean Telecommunications Authority (ECTEL) Member	Mr. Cosbert Manchester	
Fair Trading Commission (Barbados)	Justice Frank King Chairman	
Office of Utilities Regulation (Jamaica)	Mr. J Paul Morgan Director General	
Public Utilities Commission (Bahamas)	Mr. Peter Bethel Chairman	
Public Utilities Commission (Guyana)	Justice Prem Persaud Chairman	
Regulated Industries Commission (T&T)	Mr. Dennis Pantin Chairman	

Dated this 19th day of September 2003



REGULATED INDUSTRIES COMMISSION

RESOLUTION

Be it Resolved that:

1. the Agreement dated 26th July 2002 establishing the Organization of Utility Regulators (OOUR) and signed by the Deputy Chairman of the Regulated Industries Commission at a meeting of Caribbean utility regulators held in Jamaica on 24th – 26th July 2002 be and is hereby approved and ratified.
2. the Regulated Industries Commission full membership in OOUR be and is hereby approved.
3. the offer of rent-free accommodation at the offices of the Regulated Industries Commission to enable OOUR to establish its Secretariat and the Caribbean Regulatory Research Centre (CRRC) in Trinidad and Tobago be and is hereby approved.
4. the offer of assistance from two members of staff of the Regulated Industries Commission as needed by the OOUR Secretariat and CRRC be and is hereby approved.
5. the Commission's Deputy Chairman and the Secretary are hereby authorised to sign and affix the Commission's Seal to a certified copy of this Resolution.

Dated this 11th day of September 2002

Dr. Patrick Watson
Deputy Chairman

Mr. Ian Welch
Commissioner

Mr. Vashist Maharaj
Commissioner

Mr. Leon Prevatt
Commissioner

Mrs. Annette Mc Kenzie
Commissioner

ORGANISATION OF CARIBBEAN UTILITY REGULATORS (OCTR)

AGREEMENT

Article 1 Name

By Agreement between and among the parties that are signatories hereto, a non-profit organization named the **Organization of Caribbean Utility Regulators** (hereinafter called "OCTR") is hereby established. The term "Caribbean" refers to the member states of the Caribbean Community (CARICOM).

Article 2 Purpose & Objectives

Section 1. Purpose

The purpose of OCTR is to:

- (a) assist in the improvement of utility regulation in member countries (including enhancing regulatory methods and practices);
- (b) foster development of transparent and stable utility regulation through autonomous and independent regulators;
- (c) foster cooperation among utility regulators.

Section 2. Objectives

The objectives of OCTR are to:

- (a) enhance the understanding of issues related to utility regulation;
- (b) facilitate communication among Members;
- (c) facilitate the sharing of information and experience among Members;
- (d) facilitate the sharing and exchange of expertise on regulatory issues through training, development and educational programmes;
- (e) provide advice on the establishment and enhancement of effective utility regulation;
- (f) undertake research on issues relating to utility regulation;
- (g) host an annual conference and such other conferences as necessary;
- (h) take such other action as may be necessary or useful for the achievement of its objectives.

Article 3 Membership

Section 1. Categories of Membership

There shall be two categories of membership as follows:

- (a) Full Member
- (b) Associate Member.

Section 2. Full Member

Regulatory bodies with responsibilities in telecommunications (including spectrum management), electricity, natural gas, water or transportation sectors in the Caribbean shall be eligible for Full Membership of OCUR.

Section 3. Associate Member

Organizations eligible for Associate Membership are:

- (a) Governmental organizations within the Caribbean which are not utility regulators but that have responsibilities related to utility regulation;
- (b) Non-Caribbean utility regulators;
- (c) Non-Caribbean associations of utility regulators.

Section 4. Membership Admission & Termination

Applications for membership shall be submitted in writing to the Executive Council. Decisions on membership admittance shall be by majority vote of the Executive Council. Members may resign at any time upon giving one month's notice in writing. Membership shall be terminated for failure to meet financial commitments six months after they become due. Signatories to this Agreement shall be deemed to be Full Members with effect from the date of the signing of this Agreement.

Article 4 Management

Section 1. Structure

OCUR will consist of a General Assembly, an Executive Council and a Secretariat established in a Full Member State.

Section 2. General Assembly

The supreme body shall be the General Assembly comprised of representatives of all Full Members. A Full Member is entitled to designate a maximum of three representatives at each General Assembly meeting. Each Full Member shall have one vote only on each issue and one of its designated representatives shall be authorized in writing to be the voting representative. The General Assembly shall manage all the activities and affairs of OCUR and may delegate from time to time such powers and authority to the Executive Council and to the Secretary-General as it considers necessary. The General Assembly shall elect a Chairman and a Vice-Chairman at each annual meeting and may adopt

procedures and guidelines relating to its meetings. The General Assembly shall meet annually in the second quarter of each calendar year and at any other time upon request of six Full Members in writing (including e-mail), stating the reasons for the request. A quorum for a meeting of the General Assembly shall be a simple majority of the Full Membership. Voting at the General Assembly shall be by show of hands except where otherwise agreed. No Full Member shall be represented as Chairman or Vice Chairman for more than two consecutive terms.

Section 3. Executive Council

- (a) There shall be an Executive Council comprising a Chairman, a Vice Chairman, a Secretary/Treasurer and three additional persons. The Executive Council shall serve for a period of one year. The Chairman and Vice Chairman of the General Assembly shall serve as Chairman and Vice Chairman respectively of the Executive Council. The Secretary/Treasurer and the three additional persons shall be elected from among the designated representatives. No Full Member shall have more than two designated representatives on the Executive Council.
- (b) No Executive Council member shall hold the same office for more than two consecutive years.
- (c) The Executive Council shall meet at least twice each year, one of such meetings shall take place in conjunction with the annual meeting of the General Assembly.
- (d) The Executive Council shall be responsible for:
 - Planning and executing the Annual Conference;
 - Implementation of Resolutions passed at the General Assembly;
 - Directing the activities of the Secretary General;
 - Circulating notices convening the General Assembly at least 30 days prior to the date of the meeting. The notices shall include the agenda, the draft budget and draft financial statements;
 - Making financial decisions relating to the above responsibilities;
 - The preparation of a budget for the next financial year for approval by the General Assembly at its annual meeting;
 - Arranging for the auditing of the Financial Statements for presentation to the General Assembly at its annual meeting;
 - Any other activities that the General Assembly may from time to time direct.
- (e) The decisions of the Executive Council shall be by majority vote. In the event of a tie, the Chairman shall have a casting vote.
- (f) The Executive Council shall act in good faith and in the best interest of OCCUR.
- (g) The Executive Council may establish rules of procedure for its functioning.

Section 4. The Secretariat

The Executive Council shall establish a Secretariat to:

- (a) Manage the day to day affairs of OCCUR;
- (b) Prepare the annual work programme and budget;
- (c) Manage technical assistance programmes;
- (d) Supervise the implementation of the work programme;
- (e) Liaise with the media;
- (f) Develop proposals for research programmes;

- (g) Maintain financial records;
- (h) Arrange for an annual external audit of financial statements;
- (i) Establish and maintain a consultant database;
- (j) Provide support services to membership;
- (k) Establish and maintain a library and website;
- (l) Establish and maintain a membership database;
- (m) Carry out other functions as the Executive Council may from time to time direct.

The Secretariat shall be headed by a Secretary-General, appointed by the Executive Council and assisted by such subordinate staff as the Executive Council may from time to time determine.

Section 5. Committees

There shall be a Regulatory Affairs Committee, an Education Committee and such other Standing Committees as the General Assembly may from time to time determine. Special committees may be appointed by the General Assembly on an *ad hoc* basis.

Article 5 Funding

Section 1. Revenues

The financial resources of OCCUR shall comprise:

(a) Membership Fees and Contributions

Full Members shall pay an annual fee of US \$1500.00.
Associate Members shall pay an annual fee of US \$750.00.

Payment of fees by signatories to this Agreement shall be made within 90 days of the signing of this Agreement.

Full members shall be required to make a contribution to the annual budget of OCCUR on the basis of a formula to be determined by the General Assembly.

(b) Charges for Services

Charges shall be determined by the Executive Council for training and other specific services.

(c) Other Sources of Revenue

OCCUR shall actively seek to obtain donations, grants and such other revenue as may facilitate the advancement of its objectives.

Article 6
Annual Conference

The General Assembly shall decide at its annual meeting which Member will host the Annual Conference for the next year. The conference will normally be held in conjunction with the General Assembly Meeting and the Executive Council meeting. The Annual conference shall be open to all OCCUR Members, other regulators, the utility industry, consultants, students and other interested parties.

The host Member will develop the Conference Programme in conjunction with the Executive Council and Committees as necessary. The main goal is to set the programme content so as to blend the fundamentals of utility regulation with current related topics and emerging regulatory issues.

Article 7
Research

OCCUR shall establish the **Caribbean Regulatory Research Centre** (hereinafter called "CRRCC") and collaborate with Regional tertiary institutions, in particular the University of the West Indies. CRRCC will be located in the Secretariat and will conduct research and prepare analytical reports on topical regulatory issues. These reports will be issued to members of the OCCUR and others with the aim of keeping abreast of the latest developments in regulatory issues.

Article 8
Amendment

The General Assembly may amend this Agreement by a two-thirds majority vote of Full Members on a resolution in writing.



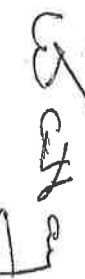



Article 9
Liability

Members shall not be liable for any OCCUR liability, debt, obligation, fee, judgment or costs. Any such liabilities shall be met solely by OCCUR.

Article 10
Termination & Dissolution

Members at a General Assembly may agree by unanimous vote in writing to terminate this Agreement and to dissolve OCCUR. Liquidation shall be carried out by the Executive Council. Any surplus assets shall be applied in accordance with a decision taken by the General Assembly.

List of Full Members, signatories to this Agreement

ORGANIZATION	REPRESENTATIVE	SIGNATURE
Eastern Caribbean Telecommunications Authority (OECES)	Cosbert Manchester, Board Member	
Fair Trading Commission (Barbados)	Justice Frank King GCM, Chairman	
Office of Utilities Regulation (Jamaica)	Winston C. Hay, Director General	
Public Utilities Commission (Bahamas)	Peter Bethel, Chairman	
Public Utilities Commission (Guyana)	Justice Prem Persaud CCH, Chairman	
Regulated Industries Commission (Trinidad & Tobago)	Patrick Watson, Deputy Chairman	

Dated this 26th day of July 2002 at Ocho Rios, Jamaica.

Organization of Caribbean Utility Regulators [OOCUR]

Amendment No. 1 to the Agreement dated 26th July 2002 among the under mentioned Organizations (the Agreement)

Resolution

Whereas Article 1 of the Agreement provides for the Organisation of Caribbean Utility Regulators to be called "OOCUR" and






Whereas Article 8 of the Agreement provides that the General Assembly may amend the Agreement by Resolution and

Whereas the General Assembly have agreed to the under mentioned amendment

Be it resolved that:

The Agreement is amended to replace the word "OOCUR" with "OOCUR" wherever it appears in the Agreement.

Full Members of OOCUR

Organization	Representative	Signature
Eastern Caribbean Telecommunications Authority (ECTEL) Member	Mr. Cosbert Manchester	
Fair Trading Commission (Barbados)	Justice Frank King Chairman	
Office of Utilities Regulation (Jamaica)	Mr. J Paul Morgan Director General	
Public Utilities Commission (Bahamas)	Mr. Peter Bethel Chairman	
Public Utilities Commission (Guyana)	Justice Prem Persaud Chairman	
Regulated Industries Commission (T&T)	Mr. Dennis Pantin Chairman	

Dated this 19th day of September 2003

Organization of Caribbean Utility Regulators [OOCUR]

Amendment No. 2 to the Agreement dated 26th July 2002 among the under mentioned Organizations (the Agreement)

Resolution

Whereas Article 1 of the Agreement defines the term "Caribbean" and







Whereas Article 8 of the Agreement provides that the General Assembly may amend the Agreement by Resolution and

Whereas the General Assembly have agreed to the under mentioned amendment

Be it resolved that:

The Agreement is amended to delete the words "The term 'Caribbean' refers to the member states of the Caribbean Community (CARICOM)" in Article 1 of the Agreement.

Full Members of OOCUR

Organization	Representative	Signature
Eastern Caribbean Telecommunications Authority (ECTEL) Member	Mr. Cosbert Manchester	
Fair Trading Commission (Barbados)	Justice Frank King Chairman	
Office of Utilities Regulation (Jamaica)	Mr. J Paul Morgan Director General	
Public Utilities Commission (Bahamas)	Mr. Peter Bethel Chairman	
Public Utilities Commission (Guyana)	Justice Prem Persaud Chairman	
Regulated Industries Commission (T&T)	Mr. Dennis Pantin Chairman	

Dated this 19th day of September 2003