

BUREAUX INTERNATIONAUX
RÉUNIS POUR LA PROTECTION
DE LA PROPRIÉTÉ INTELLECTUELLE
GENÈVE, SUISSE

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UNITED INTERNATIONAL
BUREAUX FOR THE PROTECTION
OF INTELLECTUAL PROPERTY
GENEVA, SWITZERLAND

**COMMITTEE OF EXPERTS ON THE ADMINISTRATIVE STRUCTURE
OF INTERNATIONAL COOPERATION
IN THE FIELD OF INTELLECTUAL PROPERTY**

**COMITÉ D'EXPERTS CONCERNANT LA STRUCTURE ADMINISTRATIVE
DE LA COOPÉRATION INTERNATIONALE DANS LE DOMAINE DE LA
PROPRIÉTÉ INTELLECTUELLE**

Geneva, March 22 - April 2, 1965

Genève, 22 mars - 2 avril 1965

NOTE BY THE SECRETARIAT

(1) The present paper has been prepared pursuant to the Committee's decision of March 30, 1965, according to which it will continue its deliberations on the basis of the suggestions of the Working Group presided by Dr. Morf (Switzerland).

(2) It contains the basic provisions of two instruments: the PROTOCOL and the WIPO CONVENTION.

(3) The PROTOCOL is an instrument which would be annexed, separately, to the Paris Convention, the Berne Convention, and each of the Agreements, as revised in Stockholm, and in replacement of the administrative provisions in each of them. In addition to a possible preamble, each Protocol would include the following Articles:

- A. Definitions
- B. Assembly
- C. Executive Committee
- D. Secretariat
- E. Finances
- F. Amendments to the Protocol

(4) The WIPO CONVENTION would include most of the other Articles contained in previous drafts. The present document includes texts on:

Membership (Article 3)

Headquarters (Article 4)

General Assembly (Article 5)
Conference (Article 6)
Coordination Committee (Article 7)
Secretariat (Article 8)
Finances (Article 9)
Relations with other Organizations
(Article 11)
Amendments to the WIPO Convention
(Article 13)

(5) Drafts of the other Articles will follow after
the discussions of March 31, 1965.

PROTOCOL
to be annexed separately
to the Paris and Berne Conventions, and
to the Agreements

PREAMBLE

[This could state that the Protocol has been adopted to modernize the administrative structure of the Union, etc.]

ARTICLE A: DEFINITIONS

[This Article would define such terms as "WIPO," "General Assembly," "Conference," "Coordination Committee."]

ARTICLE B: ASSEMBLY

(1)(a) The Union shall have an Assembly consisting of the States Members of the Union.

(b) The Government of each Member State shall be represented by one or more delegates who may be assisted by alternate delegates and by advisors.

(2) The Assembly shall:

(i) deal with all matters concerning the maintenance and development of the Union and the implementation of its Convention [or Agreement];

(ii) determine the program and adopt the triennial budget of the Union, and approve its final accounts;

(iii) elect the members of the Executive Committee of the Union;*

(iv) review and approve reports and activities of its Executive Committee,* and give instructions to such Committee;

(v) review and approve reports and activities of the Director-General concerning the Union and give instructions to him in such matters;

(vi) establish such committees as may be considered necessary for the work of the Union;

(vii) determine which States not Members of the Union and which international organizations shall be admitted to its meetings as observers;

* Only the Protocol to the Paris Convention and the Protocol to the Berne Convention must provide for an Executive Committee; the Protocol to the Madrid Agreement, the Protocol to the Hague Agreement, and the Protocol to the Nice Agreement may provide for Executive Committees.

If Madrid, Hague and Nice do ^{not} have Executive Committees, their Protocols will have to provide that certain functions which--in the Berne and Paris Unions--belong to⁺ the Assembly itself (e.g., the Assembly shall establish not only the triennial budget but also the specific yearly budget) or to the Director-General (e.g., preparation of the draft agenda, draft program and draft budget).

+ the Executive Committee will belong to

(Article B, contd.)

(viii) take any other appropriate action designed to further the objectives of the Union;

(ix) exercise such other functions as are allocated to it.

(3)(a) Each Member State of the Union shall have one vote in the Assembly of the Union.

(b) Subject to the provisions of the following subparagraph and Article F [on Amending the Protocol], the Assembly shall make its decisions by a simple majority of the votes cast.

(c) The adoption of the budget to the extent that it increases the financial obligations of the Member States shall require at least two thirds of the votes cast.

(d) In counting the votes, abstentions shall not be counted as votes.

(e) Each State shall be allowed to cast only its own vote.

(4) The Assembly of the Union shall meet in ordinary session upon convocation by the Director-General during the same period and at the same place as the General Assembly. The Assembly of the Union shall meet in extraordinary session, upon convocation of the Director-General, at the request of its Executive Committee, or at the request of one fourth of the Member States of the Union.

(5) The Assembly of the Union shall adopt its own rules of procedure.

- Sub-paragraphs (b) to (e) contain the provisions of former Article 8 (document 16) which concerns the Assembly.

ARTICLE C: EXECUTIVE COMMITTEE

(1) The Union shall have an Executive Committee.

(2)(a) The Executive Committee shall consist of Members of the Union elected by the Assembly from among the States Members of the Union. Furthermore, the Member State on whose territory the Organization has its headquarters shall, subject to the provisions of Article ... , have an ex officio seat.

(b) The Government of each State Member of the Executive Committee shall be represented by one delegate who may be assisted by alternate delegates and by advisors.

(3) The number of the States Members of the Executive Committee shall correspond to one fourth of the number of the States Members of the Union. In establishing the number of seats to be filled, remainders after division by four shall be disregarded.

(4) In electing the Members of the Executive Committee, the Assembly shall have regard to a balanced geographical distribution and the diversity of systems of protection of intellectual property.

(5) Each Member of the Executive Committee shall serve from the close of the session of the Assembly which elected it to the close of the next ordinary session of the Assembly. However, Members may be re-elected, but not more than two thirds of them. At each election, and until the limit of two thirds may have been attained, the names of the States Members of the Executive Committee shall be called in alphabetical order and the Assembly shall vote on each separately whether to re-elect it or not. It shall be decided by lot drawn before each election whether the names of the States shall be called on the basis of the English or the French alphabetical list of their names; furthermore, the letter of the alphabet with which the calling for possible re-election will start shall be drawn by lot.

(6) The Executive Committee shall:

- (i) prepare the draft agenda of the Assembly;
- (ii) submit proposals to the Assembly respecting the draft program and triennial budget of the Union prepared by the Director-General;

(Article C, contd.)

(iii) establish, within the limits of the program and the triennial budget, the specific yearly budgets and programs prepared by the Director-General;

(iv) submit, with appropriate comments, to the Assembly the periodical reports of the Director-General and the yearly audit reports on the accounts;

(v) in accordance with the decisions of the Assembly and having regard to circumstances arising between two ordinary sessions of that Assembly, take all necessary measures to ensure the execution of the program of the Union by the Director-General;

(vi) perform such other functions as are allocated to it.

(7) The Executive Committee shall meet at least once every year upon convocation by the Director-General.

(8) Each State Member of the Executive Committee shall have one vote. Decisions shall be made by simple majority. More than half of the votes cast by the Members present shall constitute a simple majority. Abstentions shall not be considered as votes. Each State shall be allowed to cast only its own vote.

(9) The Executive Committee shall establish its own rules of procedure.

ARTICLE D: SECRETARIAT

The Secretariat tasks shall be carried out by the Organization.

ARTICLE E: FINANCES

(1)(a) There shall be a budget of the Union.

(b) In the budget of the Union there shall appear the proper expenses of the Union itself, its contribution to the Conference budget, and its share in the common expenses of the Organization.

(2) The budget of the Union shall be established with due regard to the requirements of coordination.

(3) The budget of the Union shall be financed from the following sources:

- (i) contributions of the Member States;*
- (ii) fees charged for services performed by the Secretariat;
- (iii) sale of, or royalties on, the publications of the Secretariat;
- (iv) gifts, bequests and subventions;
- (v) rents, interests, and other similar miscellaneous income.

(4)(a) For the purpose of establishing its contributions towards the budgets referred to in the preceding paragraph, each Member State shall belong to a class, and shall pay its annual contributions on the basis of a fixed number of units as follows:

Class I	25
Class II	20
Class III	15
Class IV	10
Class V	5
Class VI	3
Class VII	1

(b) Unless it has done so already, each State shall indicate, concurrently with taking action as provided in Article ... , paragraph ... , the class to which it wishes to belong.**

* To be omitted in the case of the Madrid and Hague Unions.
 ** The Article on entry into force will indicate that adhesions take effect only if a class is indicated.

(Article E, contd.)

Any State may change class. If the change is to a lower class, the State must announce it to an ordinary session of the Assembly. Any such change shall take effect at the beginning of the calendar year following the session.

(c) The amount of the yearly contribution of any given State shall be calculated in the following manner: the units applicable to each State according to the class to which it belongs shall be added together; the amount of the total yearly contributions inscribed in the budget shall be divided by the sum resulting from the said addition; the quotient of this division shall be multiplied, for the given State, by the number of the units applicable to it. The product of this multiplication shall be the amount of the yearly contribution of the given State. [Alternative draft proposed by the United Kingdom Delegation: "The contribution of each State shall be an amount which bears that proportion to the total sum to be contributed to that budget by all Member States which the number of units according to which it is assessed bears to the total of the units of all contributing States."]

(d) The contributions of the Member States shall be due on the first of January of each year.

(e) A Member State which is in arrears in the payment of its financial contributions shall have no vote in any organs of the Union, the General Assembly, the Conference, and the Coordination Committee, if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years.

(5)(a) The amount of the fees charged for international registration shall be proposed by the Director-General and shall be fixed by the Assembly of the Union. The fees shall be fixed at a level so that the revenues of the Union from fees and other sources be at least sufficient to cover the expenses of the Secretariat caused by the maintenance of such service.*

(b) The amount of fees charged for other services shall be established by the Director-General who shall report on them to the Assembly of the Union.

(6) The Union shall have a working capital fund as provided in the financial regulations established by the Coordination Committee on the basis of proposals made by the Director-General.

* To be written only into the Protocols of the Madrid and the Hague Unions.

ARTICLE F: AMENDMENTS TO THE
PROTOCOL

(1) Proposals for the amendment of this Protocol shall be communicated by the Director-General to the Member States of the Union at least six months in advance of their consideration by the Assembly of the Union.

(2) Amendments to this Protocol shall be adopted by the Assembly of the Union. Adoption shall require [unanimity] [three fourths] of the votes cast.

(3) Amendments to this Protocol shall enter into force when accepted [i.e., ratified, acceded to] by three fourths of the Member States of the Union. Amendments to the Protocol thus accepted shall bind all the Member States of the Union, except that any amendment increasing the obligation of Member States shall bind a State only upon acceptance by it.

(4) Acceptance shall be communicated in writing to the Director-General and shall become effective on the day the Director-General receives it.

* Note that this Article deals with the amendments of the Administrative Protocol and not with the amendments of the Convention which contains the clauses of substantive law.

WIPO CONVENTIONPREAMBLE

/ This could be based on the proposal of Mr. Puget contained in document AA/II/17 and Article 2 as contained in document AA/II/16.7

ARTICLE 1: DEFINITIONS

/ This would be based on Article 1 as contained in document AA/II/3.7

ARTICLE 2: ESTABLISHMENT,
OBJECTIVE AND FUNCTIONS

/ This would be based on the same elements as the Preamble. See above.7

ARTICLE 3: MEMBERSHIPALTERNATIVE A

Membership in the Organisation shall be open to any State which is:

- (i) a party to the Paris Convention or the Berne Convention, or
- (ii) a party to any other convention, agreement or treaty the administration of which is entrusted to the Organisation, or
- (iii) a Member of the United Nations or any of its Specialized Agencies, or
- (iv) a State invited by the General Assembly to become a Member of the Organisation.

ALTERNATIVE B

Membership in the Organisation shall be open to any State which is:

- (i) a Member of the United Nations or any of its Specialized Agencies, or
- (ii) a State invited by the General Assembly to become a Member of the Organisation.

ALTERNATIVE C

Any State accepting the provisions of this Convention may, on its request, become a Member of the Organisation.

ARTICLE 4: HEADQUARTERS

The Headquarters of the Organisation shall be at Geneva. It may be transferred to another location pursuant to a decision of the General Assembly.

ARTICLE 5: GENERAL ASSEMBLY

(1)(a) The General Assembly shall consist of the States Members of any of the Unions.

(b) The Government of each State shall be represented by one or more delegates who may be assisted by alternate delegates and by advisors.

(2) The General Assembly shall:

(i) review and approve the reports and activities of the Coordination Committee;

(ii) appoint the Director-General after having heard the advice of the Conference;

(iii) pronounce itself on the arrangements proposed by the Director-General concerning the administration of the conventions, agreements and treaties referred to in Article 2(2)(ii) and (iii);

(iv) determine the languages which, in addition to English and French, shall be the working languages of the Secretariat;

(v) determine which States not Members of the Organisation and which international organisations shall be admitted to its meetings as observers;

(vi) exercise such other functions as are allocated to it in this Convention.

(3)(a) Each State, whether Member of one or more Unions, shall have one vote in the General Assembly.

(b)* Subject to the provisions of the following subparagraphs and Article 13. /On amending the WIPO Convention/, the General Assembly shall make their decisions by a simple majority of the votes cast.

* Sub-paragraphs (b) to (h) contain those provisions of former Article 8 (document 16) which concern the General Assembly.

(Article 5, contd.)

(c) The following shall require at least two-thirds of the votes cast:

(i) invitations addressed to a State to become a Member of the Organisation (see Alternatives A and B of Article 3);

(ii) decisions concerning the transfer of the headquarters of the Organisation (Article 4).

(d) The confirmation of arrangements concerning the administration of conventions, agreements and treaties referred to in Article 2(2)(ii) and (iii) shall require at least three-fourths of the votes cast.

(e) The approval of an agreement with the United Nations under Articles 57 and 63 of the Charter of the United Nations shall require the unanimous decision of the General Assembly.

(f) For the possible transfer of headquarters (Article 4) and the appointment of the Director-General paragraph.(2) (ii)) the required majority must be attained not only in the General Assembly but also in the Assembly of the Paris Union and the Assembly of the Berne Union.

(g) In counting the votes, abstentions shall not be considered as votes.

(h) Each State shall be allowed to cast only its own vote.

(4) The General Assembly shall meet once in every third calendar year in ordinary session upon convocation by the Director-General. It shall meet in extraordinary session, upon convocation of the Director-General, at the request of the Coordination Committee, or at the request of one-fourth of the States constituting the General Assembly. Meetings shall be held at the headquarters of the Organisation.

(5) The General Assembly shall adopt its own rules of procedure.

(6) States Members of the Organisation but not Members of any of the Unions shall be invited to the General Assembly as observers.

ARTICLE 6: CONFERENCE

(1)(a) The Conference shall consist of the States Members of the Organisation.

(b) The Government of each Member State shall be represented by one or more delegates who may be assisted by alternate delegates and advisors.

(2) The Conference shall:

(i) discuss matters of general interest in the field of intellectual property and may adopt resolutions and recommendations relating to such matters;

(ii) adopt a triennial budget, consisting of contributions of the various Unions and the contributions of States Members of the Organisation without being Members of any of the Unions, providing for funds to cover the expenses of the Conference and the program of technical-legal assistance (hereinafter referred to as "Conference budget");

(iii) within the limits of the Conference budget, establish the triennial program of legal-technical assistance;

(iv) give advice to the General Assembly as to the question of who should be elected Director-General. The General Assembly is not bound to follow this advice.

(3)(a) Each Member State shall have one vote in the Conference.

(b)* Subject to the provisions of the following subparagraph and Article 13 /on amending the WIPO Convention/, the Conference shall make its decisions by a simple majority of the votes cast.

(c) Adoption of that part of the Conference budget which is financed from contributions of States Members of the Organisation without being members of any of the Unions shall require at least two-thirds of the votes cast by such States

* Sub-paragraphs (b) to (e) contain those provisions of former Article 8 (document 16) which concern the Conference.

(Article 6, contd.)

to the extent that the Conference budget would increase their financial obligations.

(d) In counting the votes, abstentions shall not be considered as votes.

(e) Each State shall be allowed to cast only its own vote.

(4) The Conference shall meet in ordinary session upon the convocation by the Director-General during the same period and at the same place as the General Assembly. The Conference shall meet in extraordinary session upon convocation by the Director-General at the request of the majority of the States Members of the Organisation.

(5) The Conference shall adopt its own rules of procedure.

(6) The Conference may admit, as observers, representatives of States not Members of the Organisation, and representatives of international organisations, to such of its meetings or its working committees as it sees fit.

ARTICLE 7: COORDINATION COMMITTEE

(1)(a) There shall be a Coordination Committee comprising the States Members of the Executive Committee of the Paris Union, and of the Executive Committee of the Berne Union, each of these Committees being composed of one fourth of the Members of the Unions.

(b) The Government of each State Member of the Coordination Committee shall be represented by one or two delegates who may be assisted by alternate delegates and by advisors.

(c) Whenever the Coordination Committee considers the Conference budget, one fourth of the States which are Members of the Organisation without being Members of any of the Unions shall participate in the Coordination Committee with the same rights as Members of that Committee. This one fourth shall be elected by and at each ordinary session of the Conference.

(2) If the other Unions administered by the Organisation wish to be represented as such in the Coordination Committee, their representatives must be appointed from among the

(Article 7, contd.)

representatives of States Members of the Coordination Committee.

(3) The Coordination Committee shall:

(i) give advice to the organs of the various Unions, the General Assembly, and the Conference, on administrative, financial and other matters of common interest to two or more of the Unions;

(ii) prepare the draft agenda of the General Assembly;

(iii) prepare the draft agenda and the draft program and budget of the Conference;

(iv) when the term of office of the Director-General is about to expire, or, when there is a vacancy in the post of the Director-General, nominate a candidate for appointment to such position by the General Assembly;

(v) if the post of the Director-General becomes vacant between two sessions of the General Assembly, appoint an Acting Director-General whose term of office shall last until the new Director-General assumes office;

(vi) perform such other functions as are allocated to it in this Convention.

(4) The Coordination Committee shall meet at least once every year upon convocation by the Director-General. It shall normally meet at the headquarters of the Organisation.

(5) Each State whether a Member of one or both of the Executive Committees referred to in paragraph (1)(a) shall have one vote in the Coordination Committee. Each State shall be allowed to cast only its own vote.

(6)(a) The Coordination Committee shall express its opinions and make its decisions by simple majority. More than half of the votes cast by the Members present shall constitute a simple majority. Abstentions shall not be considered as votes.

(Article 7, contd.)

(b) Even if a simple majority is obtained, any Member of the Coordination Committee may, immediately after the vote, request that the votes already expressed be the object of a special recount in the following manner:

- two separate lists shall be drawn up indicating, respectively, the names of the States Members of the Executive Committee of the Paris Union and of the Executive Committee of the Berne Union,
- the vote of each State shall be inscribed opposite its name in each list in which it appears.

Should this special recount indicate that a simple majority has not been obtained in each of those lists, the proposal shall not be considered as carried.

(7) Subject to the provisions of this Convention, the Coordination Committee shall establish its own rules of procedure.

(8) Any State Member of the Organisation, which is not a Member of the Coordination Committee, may be represented at the meetings of the Committee by observers, having the right to take part in the debates but without the right to vote.

ARTICLE 8: SECRETARIAT

(1) The Secretariat shall comprise a Director-General, two or more Deputy Directors-General, and other staff members as required.

(2) The Director-General shall be appointed for a fixed term which shall be not less than six years. He shall be eligible for reappointment for fixed terms. The periods of the initial appointment and possible subsequent appointments as well as all other conditions of the appointment shall be fixed by the General Assembly.

(3) The Director-General shall be the chief administrative officer of the Organisation and the Unions and shall represent the Organisation and the Unions.

(Article 8, contd.)

(4) The Director-General shall prepare the draft programs and budgets and shall establish periodical reports on activities. He shall communicate them to the Governments of the interested States and to the competent organs of the various Unions and the Organisation.

(5) The Director-General, or a staff member designated by him, shall normally participate, without the right to vote, in all meetings of the Assemblies, the General Assembly, the Conference, the Executive Committees, the Coordination Committee, and any other committee or working group. He, or a staff member designated by him, shall be ex officio Secretary of all these bodies.

(6) The Director-General shall appoint the staff necessary for the efficient performance of the tasks of the Secretariat. He shall appoint the Deputy Directors-General with the approval of the Coordination Committee. The conditions of employment shall be fixed by the staff regulations to be approved by the Coordination Committee on the proposal of the Director-General. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

(7) The nature of the responsibilities of the Director-General and of the staff shall be exclusively international. In the discharge of their duties they shall not seek or receive instructions from any government or from any authority external to the Organisation. They shall refrain from any action which might prejudice their position as international officials. Each Member State undertakes to respect the exclusively international character of the responsibilities of the Director-General and the staff, and not to seek to influence them in the discharge of their duties.

ARTICLE 9: FINANCES

(1)(a) The Organisation shall have a budget (hereinafter designated as the "Conference budget").

(b) In the Conference budget there shall appear the proper expenses of the Conference and of the legal-technical assistance program and their share in the common expenses.

(Article 9, contd.)

(c) Expenses not attributable exclusively to the budget of any given Union, or, exclusively to the Conference budget, shall be assessed among the budgets of the various Unions and the Conference budget in proportion to the interest each of them has in such expenses.

(2) The budgets of the Unions and the Conference budget shall be established with due regard to the requirements of coordination.

(3) The Conference budgets shall be financed from the following sources:

(i) sums allocated to the Conference budget in the budgets of the Paris, Berne, and possibly other interested Unions, and from contributions of States Members of the Organisation without being Members of any of the Unions;

(ii) fees charged for services performed by the Secretariat;

(iii) sale of, or royalties on, the publications of the Secretariat;

(iv) gifts, bequests and subventions;

(v) rents, interests, and other similar miscellaneous income.

(4)(a) For the purpose of establishing its contributions towards the budgets referred to in the preceding paragraph, each Member State of the Organisation which is not a Member of any Union shall belong to a class, and shall pay its annual contributions on the basis of a fixed number of units as follows:

Class A	10
Class B	3
Class C	1

(b) Each State Member of the Organisation which is not a Member of any of the Unions shall, concurrently with taking action as provided in Article ..., paragraph ..., indicate the class to which it wishes to belong.* Any State may change class. If the change is to a lower class, the State must

* The Article on entry into force will indicate that adhesions take effect only if a class is indicated.

(Article 9, contd.)

announce it to an ordinary session of the Conference. Any such change shall take effect at the beginning of the calendar year following the session.

(c) The amount of the yearly contribution of any given State shall be calculated in the following manner: the units applicable to each State according to the class to which it belongs shall be added together; the amount of the total yearly contributions inscribed in the budget shall be divided by the sum resulting from the said addition; the quotient of this division shall be multiplied, for the given State, by the number of the units applicable to it. The product of this multiplication shall be the amount of the yearly contribution of the given State. Alternative draft proposed by the United Delegation: "The contribution of each State shall be an amount which bears that proportion to the total sum to be contributed to that budget by all Member States which the number of units according to which it is assessed bears to the total of the units of all contributing States."⁷

(d) The contributions of the Member States shall be due on the first of January of each year.

(e) A Member State which is in arrears in the payment of its financial contributions shall have no vote in the Conference, and the Coordination Committee, if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years.

(5) The amount of the fees charged for services rendered by the Secretariat in the field of technical-legal assistance shall be established by the Director-General who shall report on them to the Coordination Committee.

(6) The Organisation, with the approval of the Coordination Committee, may receive gifts, bequests and subventions, directly from governments, public or private institutions, associations or private persons.

(7) The Organisation shall have a working capital fund as provided in the financial regulations established by the Coordination Committee on the basis of proposals made by the Director-General.

(8)(a) If the working capital fund is insufficient, the Member State on the territory of which the Organisation has its Headquarters shall grant advances. The amount of these advances and the conditions in which they are granted shall be

(Article 9, contd.)

the subject of agreement, in each case, between the Member State in question and the Organisation. As long as it remains under the obligation to grant advances, this Member State shall have an ex-officio seat on the Executive Board of the Organisation, on the Executive Committees of the Unions of which such State is a Member, and on the Coordination Committee.

(b) The Member State in question and the Organisation shall have the possibility of denouncing the obligation to grant advances, by means of a notification in writing. This denunciation shall take effect three years after the end of the year in which it was notified.

(9) The auditing of the accounts shall be effected by one or more Member States or by external auditors (accountant firms) as provided in the Financial Regulations. They shall be designated, with their agreement, by the General Conference.

ARTICLE 10: LEGAL STATUS, PRIVILEGES AND IMMUNITIES

/Reserved/

ARTICLE 11: RELATIONS WITH OTHER ORGANISATIONS

(1) The Organisation shall, where appropriate, establish effective working relations and cooperate closely with other intergovernmental organisations. Any general agreement to such effect, entered into with such organisations, shall be made with the approval of the Coordination Committee.

(2) The Organisation may on matters within its competence make suitable arrangements for consultation and cooperation with non-governmental international organisations and, with the consent of the governments concerned, with national organisations, governmental or non-governmental. Such arrangements shall be subject to approval by the Coordination Committee.

ARTICLE 12: SETTLEMENT OF DISPUTES

/Reserved for setting out the four alternatives: (1) Compulsory jurisdiction of the ICJ written into the Convention; (2) Compulsory jurisdiction of the ICJ written into an optional protocol;

(Article 12, contd.)

(3) Compulsory arbitration written into the Convention; (4) Optional jurisdiction of the ICJ written into the Convention.

ARTICLE 13: AMENDMENTS

/TO THE TEXT OF THE WIPO CONVENTION/

(1) Proposals for the amendment of this /WIPO/Convention shall be communicated by the Director-General to the Member States of the Organisation at least six months in advance of their consideration by the Conference.

(2) Amendments shall be adopted by the Conference. Adoption shall require the simple majority of the votes cast, provided that the Conference shall vote only on such proposals for amendments which have previously been adopted by the Assembly of the Paris Union and the Assembly of the Berne Union according to the rules applicable in each of them in respect to the voting of amendments of their respective Administrative Protocols.

(3) Amendments shall enter into force when accepted by three-fourths of the Member States. Amendments thus accepted shall bind all the Member States, except that any amendment increasing the obligation of Member States shall bind a State only upon acceptance by it.

(4) Acceptance shall be communicated in writing to the Director-General and shall become effective on the day the Director-General receives it.