



## LETTER OF AGREEMENT

between

### **The Pacific Islands Applied Geoscience Commission (SOPAC), and The Secretariat of the Pacific Community (SPC) covering the transfer of the ICT Outreach functions of SOPAC to SPC**

- 1 This Letter of Agreement (LOA) is between the Pacific Islands Applied Geoscience Commission (SOPAC) and the Secretariat of the Pacific Community (SPC), two independent intergovernmental regional organisations.
- 2 It constitutes the record of full and effective transfer and integration of specific functions within the work programme of SOPAC into SPC upon the date this Agreement is signed and dated.
- 3 The specific functions covered by this LOA comprise the activities generally described in the SOPAC Work Programme as "ICT Outreach" and are described in more detail in Annex 1 to this LOA.
- 4 The basis of this LOA is the decision of the meeting of the Joint Governing Bodies of SOPAC, SPREP and SPC convened in Suva, Fiji, 7-8<sup>th</sup> July 2009 and subsequently endorsed by the Leaders at the Pacific Islands Forum Meeting in Cairns, 5-6<sup>th</sup> August 2009.
- 5 Both SOPAC and SPC acknowledge that this LOA constitutes a formal and binding agreement between the two organisations, and that the format and extent of the LOA is consistent with previous transfers of work programme functions between the intergovernmental regional organisations. As such it is recognised the LOA conforms with "best practice".
- 6 Both SOPAC and SPC acknowledge that this LOA is consistent with the role of the Council of Regional Organisations of the Pacific (CROP) as a partnership of equals, the CROP Charter, and its guiding principles for improving services. SOPAC will continue to support SPC in its future role in regard to ICT Outreach, in the spirit of cooperation, collaboration, and partnership amongst regional organisations.
- 7 The CEOs of SOPAC and SPC are to sign this LOA in accord with the decision of the two governing bodies and with the concurrence of the Chair of the SOPAC Governing Council and the Chair of the SPC Conference.
- 8 SPC acknowledges that following the arrival in-post of the Director of the new Economic Development Division by mid-2010, the first major task will be the development of the new division's strategic plan and within that the strategic direction for the Communications Programme as well as those for the other programmes within the division.

9 SPC further acknowledges that the immediate priority areas for the programme will be: (i) the completion of the second Digital Strategy (originally approved by the Leaders as part of the Pacific Plan in 2005) together with the commencement of implementation, (ii) to play the lead role in the CROP ICT Working Group, and (iii) to organise the ICT Ministerial Meeting planned for Tonga mid-2010 and follow-up on the outcomes. These actions are consistent with the outcome of Forum ICT Ministers Meeting in 2006 (referred to as the "Wellington Declaration") and the outcome of the Forum ICT Ministers Meeting in Tonga in 2009.

10 Upon the signing this LOA, SPC will undertake a full and effective commitment to develop and strengthen the ICT Outreach activities described and provide updates to the members through yearly reporting to the SPC CRGA and Conference. In the immediate future every effort will be made by SPC to secure funding to fully operationalise and expand the Communications Programme of the Economic Development Division.

### **Materials and Intellectual Property**

11 Under this LOA SOPAC will hand over to SPC all materials pertaining to the ICT Outreach activities comprising mainly data and administrative reports.

12 SPC, upon receiving the data and administrative reports, acknowledges that these comprise intellectual property in so far as the island members are concerned, and for which members may wish to exercise confidentiality. Accordingly, SPC will seek approvals from members before releasing data and any other forms of information to third parties.

13 SPC will undertake to make arrangements to transfer at least one terabyte of data (Energy and ICT Outreach combined) from SOPAC and make this readily accessible on the SPC ICT network, whilst assuring minimal disruption to day-to-day operations. SOPAC will retain a copy of the data transferred

14 SPC will assimilate, accommodate, and operationalise the ICT Outreach activities of SOPAC into the Communications Programme (Annex 2) of the new Economic Development Division located at its Nabua Campus in Suva, Fiji that was established on 1<sup>st</sup> January 2010. Also to be co-located in the programme will be SPC's digital strategy outreach programme comprising the the Rural Internet Connectivity System (RICS), the One laptop Per child initiative and the coordination work relating to submarine cable technology all of which are currently operating from the SPC headquarters in Noumea.

### **Staffing Arrangements**

15 There are two internationally recruited staff positions to be transferred from SOPAC to SPC effective 1<sup>st</sup> April 2010, Mr Siaosi Sovaleni and Mr Tanielu Aiafi, refer Annex 3. The original of each personal file will be handed over to SPC, together with a new job description prepared as part of the ongoing review of the harmonisation of CROP Staff Remuneration in which both SOPAC and SPC are participating.

16 Both staff members have agreed to sign SPC contracts upon the signing of this LOA between SOPAC and SPC. In doing so the staff members agree to relinquish their SOPAC contract on the full understanding that their SPC contract will have the same end of contract date as their SOPAC contract, and that their accrued leave will be carried forward into SPC.

17 SOPAC, SPC and the staff members acknowledge that the terms and conditions in the contracts have been discussed and considered in full and all have agreed that the contracts are sufficiently similar so as to not leave the staff member disadvantaged in any way. SPC undertakes to ensure that there is no monetary disadvantage to either staff member and will make provision for a clause, or clauses, in the contract to accommodate necessary provisions. A Transition Manual has been prepared to describe the similarities and differences between the SOPAC and SPC terms and conditions, noting that overall they are very similar as both organisations participate in the CROP Remuneration Harmonisation exercise. SPC will undertake to run an induction courses prior to the transfer with at least one follow-up after the transfer.

18 Both staff members acknowledge that at the end of contract, the normal CROP procedure will take place. This procedure includes a review of the job and possible revision of the job description, followed by advertising as necessary and recruitment on full SPC terms and conditions will follow. Future offer of employment for any staff member is dependent on performance assessment.

19 Both staff members have declared their acceptance of the new work station environment available on the Second Floor of Lotus House in Nabua, however they have noted some attention is needed to the provision of adequate car parking.

20 SPC will provide an appropriate office for the Programme Manager, recognising the anticipated growth and merger of this position to Deputy Director level, as with the other programmes in the Economic Development Division.

#### **Financial obligations (Annex 4)**

21 Subject to approval from the European Union, SOPAC will transfer to SPC the balance of all monies received and future responsibility for implementation for the project *Information and Communication Technology (ICT) for the Poor: Improving access to ICT by informing and engaging Pacific ACP Legislators* (FED 2009/216 141) as described in European Community Contribution Agreement with an International Organisation with All ACP States represented by the Secretary General of the African, Caribbean, and Pacific Group of States as "Contracting Authority" and SOPAC as the "Organisation". Total funds allocated EUR 510,000 for two years from 18th September 2009.

22 SOPAC will continue its full responsibility, including disbursement of funds and payment of salaries for this project until approval for transfer is received from Brussels. The current financial situation is presented in Annex 4. Upon receipt of the approval from Brussels (likely to take 3-6 months), SOPAC will arrange for a final audited set of accounts to be prepared and the agreed balance of funds to be transferred to SPC

23 Upon signing of this LOA a copy will be incorporated into a formal request to the European Union for the approval to transfer the project from SOPAC to SPC.

24 Upon signing of this LOA, SOPAC will advise PIFS and USP of the balance of funds in each of two projects (Annex 4 shows the unaudited balance as of the date of this LOA), with the intent of gaining their approval to transfer the funds to SPC.

- PIFS F\$121,076
- USP F\$3,155

25 Australia and New Zealand funding for ICT Outreach was agreed with SOPAC for 2010 during the Highlevel Trilateral discussions held late 2009. These funds include:

- Australia FJ\$35,000
- New Zealand FJ\$10,000

26 These funds have yet to be released. Australia and NZ are aware of this LOA as members of both SOPAC and SPC governing bodies. It is anticipated these funds will be made available upon the signing of this LOA and paid directly to SPC. SOPAC will invoice SPC for the expenses incurred against these funds for the period 1 January - 31<sup>st</sup> March 2010.

**Transfer of Assets**

27 A list of assets to be transferred is given in Annex 5.

Signed.....

Jimmie Rodgers,  
Director General, SPC

Date.....31/03/10

Signed.....

Russell Howorth,  
Director, SOPAC

Date.....30.03.10

### Background

The Forum Leaders endorsed the Pacific Plan Digital Strategy (PPDS) as an essential component of the Pacific Plan in 2005 recognising the crucial role of information and communication technologies (ICTs) as a tool for development. It has been widely acknowledged by the Region that ICTs are not only essential to social development and economic growth, both essential pillars of sustainable development, but are critical to the development of good governance. Further, that they can be effective vehicles for the maintenance of security. In the Pacific islands region, ICTs are the key to ending the 'tyranny of distance'. These are some of the key issues that the Digital Strategy encapsulates and addresses.

At the 34th Annual SOPAC Governing Council Session held in Apia, Samoa, from 24th to 30th September 2005, in considering the Digital Strategy, Council 'Noted the development and integration of the Digital Strategy into the Pacific Plan' and 'Encouraged SOPAC to continue to play an active role in its implementation'. In response to these decisions, SOPAC has in recent years:

- Mainstreamed Information and Communication Technologies through the activities of its ICT Outreach Programme.
- Established an ICT Outreach position within the Community Lifelines Programme (CLP) to better provide ICT support and assistance for member countries especially in implementing the Digital Strategy and in developing their own National ICT Policies and Strategies.
- Increased the level of its engagement within the CROP ICT Working Group, especially with the development of the implementation and action plan for the Digital Strategy.

### ICT Outreach

Currently SOPAC's ICT Outreach work programme focus on four (4) key areas of activity (refer diagram below):

- Capacity Building
- ICT Policy and Planning
- e-Government
- ICT Access

#### Capacity Building

SOPAC recognised the need to build the capacity of member countries. It has also been one of the early adopters of Free and Open Source Software (FOSS) and has conducted a number of FOSS workshops in PICs including information sessions as well as training workshops. Most recently ICT Outreach organised a Linux sub regional training programme in Tonga and Kiribati.

SOPAC has also signed a Letter of Agreement (LoA) with United National Asian Pacific Training Centre for ICT for Development (APCICT) to roll out their flagship Academy programme to PICs. To date SOPAC in partnership with APCICT there have been 2 sub-regional (Samoa, Cook Islands) and 3 national workshops (Tuvalu, Kiribati, Tonga) on ICT for Development.

SOPAC also have a Memorandum of Understanding (MoU) with Pacific Islands Telecommunication Association (PITA) to collaborate on ICT activities.

### ICT Policy and Planning

In the 2006 ICT Ministers Wellington Declaration, countries were encouraged to develop National ICT Policies. SOPAC has been the lead CROP organisation in assisting countries in developing national ICT policies. Recently SOPAC has assisted Cook Islands, Federated States of Micronesia, Kiribati, Marshall Islands, and Tuvalu in drafting their national ICT Policies.

Currently ICT Outreach has been heavily involved in the review of the Pacific Plan Digital Strategy and formulation of the Digital Strategy II. This will include organising the Pacific ICT Ministers Meeting June 2010 in Tonga.

### e-Government

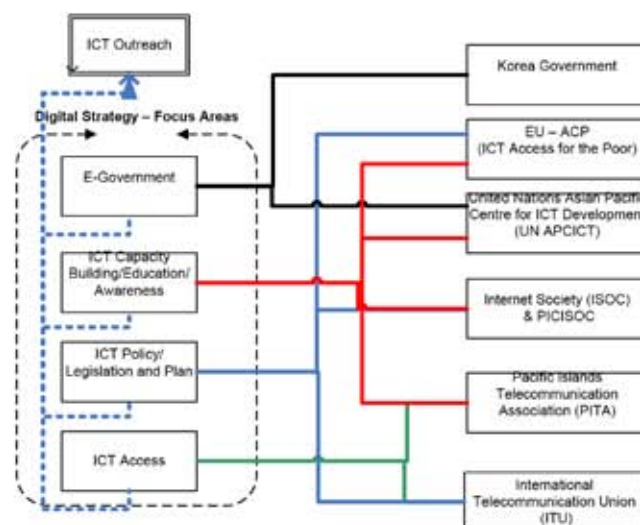
e-Government is also a priority area identified in the Pacific Plan Digital Strategy. This was further emphasised in the Wellington Declaration as ICT Ministers recognised that ICT can make Government services more accessible and more effective.

Currently SOPAC is implementing e-Government for Small Island States (SIS) project in collaboration with PIFS with funding support from the Republic of Korea. The project will helping target countries develop websites for government ministries, online portal and train Government ICT Staff in specialised areas such as web development and administration.

### ICT Access

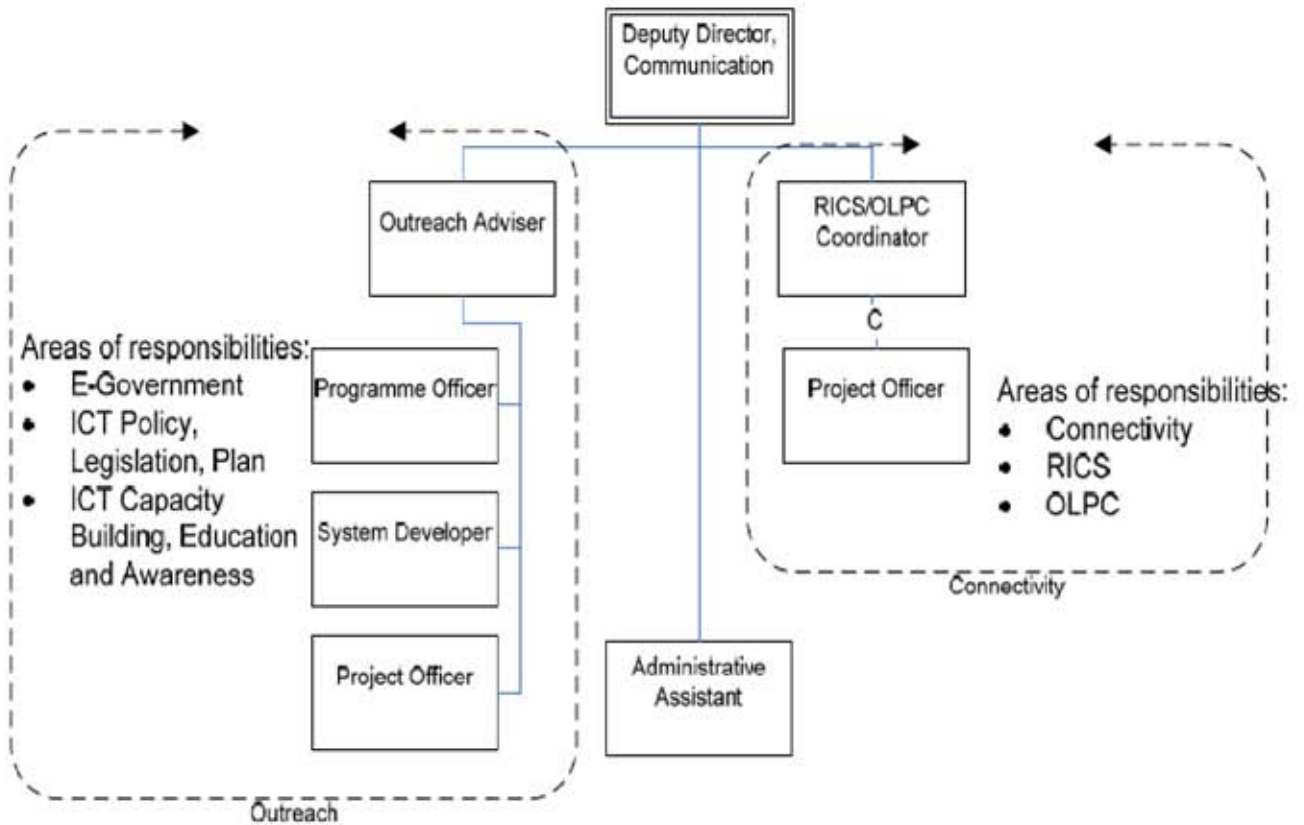
Lack of access to ICT has been a major obstacle for ICT development in all PICs. This is due to a number of reasons including; poor communication infrastructure, monopoly, high costs and lack of capacity. SOPAC has been actively promoting the opening up of certain telecommunication markets and training of local ICT professionals.

The European Union and ACP Secretariat concluded a Contribution Agreement with SOPAC to fund, from its @CP- ICT Programme, the Project 'ICT Access for the Poor: Improving access to ICT by informing and engaging Pacific ACP Legislators' (ICT4P). This project aims to engage, empower and support policy makers and legislators by facilitating and enabling members of Pacific ACP parliaments to be better informed about ICT access issues, and learn about successful ICT legislation and interventions. It also aims to provide them access to relevant online resources, best practices, and expert advice to enable them to make better informed decisions. Interventions under this project include regional meetings of legislators and national information seminars and training workshops for National Parliaments in 14 Pacific ACP countries. ICT Outreach is managing this project.



**Annex 2: SPC Economic Development Division: Communications Programme,  
Proposed organisational structure and functional responsibilities.**

**Note in the initial period the Deputy Director position will be a Programme Manager as there will be only three staff.**



### Annex 3: Current SOPAC ICT Outreach Staff

Name	Current SOPAC Title	Proposed SPC Title	Contract Start Date	Contract End Date	Nationality	Current Salary/Grade
Siaosi Sovaleni	ICT Outreach Coordinator	ICT Outreach Coordinator	20/10/2009	29/10/2011	Tongan	Grade J/Step 1 Last PMS Increment 20/10/2009
Tanielu Aiafi	ICT Outreach Adviser	ICT Outreach Officer	01/02/2010	01/02/2013	Samoaan	Grade I/Step 1



**Annex 4: ICT OUTREACH FINANCIAL OBLIGATIONS**

<b>ICT Outreach Task</b>		<b>Donors</b>	<b>Balance of funds</b>		<b>Income</b>	<b>Expenses</b>	<b>Commitments</b>	<b>Available Bal.</b>
<b>Codes</b>	<b>ICT Task Description</b>		<b>FJD</b>	<b>FJD</b>	<b>FJD</b>	<b>FJD</b>	<b>FJD</b>	<b>FJD</b>
RT 2008.002	FOSS Primer on GIS/RS	USP FUNDS	4,435.90	-	-	1,280.00	-	3,155.90
RT 2009.012	E - Pacific Island Countries	PIFS FUNDS	-	144,904.04	-	23,827.79	-	121,076.25
			<u>4,435.90</u>	<u>144,904.04</u>		<u>25,107.79</u>		<u>124,232.15</u>
RT 2008.021	EU - ICT Access for the Poor	EU FUNDS	-	549,329.75	-	45,665.06	266,487.55	237,177.14
			<u>-</u>	<u>549,329.75</u>		<u>45,665.06</u>	<u>266,487.55</u>	<u>237,177.14</u>
	<b>Total to transfer</b>		<u>4,435.90</u>	<u>694,233.79</u>		<u>70,772.85</u>	<u>266,487.55</u>	<u>361,409.29</u>

**Notes to Commitments**

Commitment figures include the following:

1 Purchase Orders yet to be paid	6,874.00
2 Salary budgets for Siaosi & Dan for 2010	251,712.20
3 Siaosi's travel advances	<u>7,901.35</u>
	<u>266,487.55</u>

**Annex 5: SOPAC ICT OUTREACH ASSET REGISTER**

<b>Period</b>	<b>Date</b>	<b>Value (FJD)</b>	<b>Value (FJD)</b>	<b>Reference</b>	<b>Description</b>	<b>Asset Code</b>	<b>Location</b>
2007012	21/12/2007	3,986.01	<b>3,986.01</b>	A21005094	HP8710 LAPTOP	2008000014	Siaosi
2010001	20/01/2010	341.00	} <b>391.00</b>	415021	<b>IOM1TBEXT:IOMEGA PRESTIGE</b>	2010000010	Siaosi
2010001	20/01/2010	50.00		415021	<b>FDC3208GB:HP FLASH DRIVE</b>	2010000010	Siaosi
2009012	10/12/2009	2,450.00	<b>2,450.00</b>	1648	<b>HP 6730B LAPTOP,</b>	2010000014	Tanielu Aiati
2010003	5/03/2010	260.00	} <b>695.00</b>	32330947	<b>EURO HIGH BACK CHAIR</b>	2010S00010	Common Unit
2010003	5/03/2010	145.00		32330947	<b>EURO SECRETARIAL CHAIR</b>	2010S00011	Common Unit
2010003	5/03/2010	145.00		32330947	<b>EURO SEC ARM CHAIR</b>	2010S00012	Common Unit
2010003	5/03/2010	145.00		32330947	<b>EURO SEC ARM CHAIR</b>	2010S00013	Common Unit
		<b>7,522.01</b>	<b>7,522.01</b>				