

**AGREEMENT ON THE ESTABLISHMENT OF THE ASEAN SUPREME AUDIT INSTITUTIONS
(ASEANSAI)**

We, the Delegates (Heads of Supreme Audit Institutions), on behalf of:

- the Government of Brunei Darussalam;
- National Audit Authority of the Kingdom of Cambodia;
- the Audit Board of the Republic of Indonesia;
- the State Audit Organization of Lao P.D.R.;
- the Government of Malaysia;
- Office of the Auditor General of the Union, the Republic of the Union of Myanmar;
- the Commission on Audit of the Republic of the Philippines;
- the Government of Singapore;
- the Government of the Kingdom of Thailand; and
- State Audit Office of Vietnam,

for the parties to this Agreement to be referred to singularly as “Member of ASEANSAI” and collectively as “Members of ASEANSAI” are

INSPIRED, that the Association of Southeast Asian Nations (ASEAN) has embarked to establish an ASEAN Community and declared its unity under “One Vision, One Identity, One Caring and Sharing Community.”

DESIRING, to promote understanding and cooperation among the Supreme Audit Institutions of ASEAN Member States in the field of public sector auditing in order to safeguard a stable and prosperous ASEAN Community;

TAKING INTO CONSIDERATION, ASEAN’s cooperation in political development that aims, among other things, to enhance governance and the rule of law;

RESPECTING, the different mandates, laws and regulations of each ASEAN Member State;

ADHERING, to the rule of law, professional standards, and international best practices in the field of public sector auditing as well as principles of good governance;

CONVINCED, that stability and prosperity in ASEAN can be achieved where there is good governance and that closer cooperation among the respective Supreme Audit Institutions (“SAI”) would result in the enhancement of public accountability and transparency and therefore to better government;

DETERMINED, to engage further with ASEAN to support the realization of its purpose to enhance good governance;

NOW THEREFORE, be it accepted that there shall be established an association of Supreme Audit Institutions, hereinafter called the ASEAN Supreme Audit Institutions (ASEANSAI).

Article 1

NAME

1. This Association shall be called the ASEAN Supreme Audit Institutions (ASEANSAI).
2. The ASEANSAI is a professional organization which is autonomous, independent and non-political.

Article 2

OBJECTIVES OF THE ASEANSAI

The objectives of the ASEANSAI would be the following.

1. To build capacity and promote cooperation and understanding among the Members of ASEANSAI through the exchange and sharing of knowledge and experiences in the field of public sector auditing so as to strengthen the audit institutions.
2. To provide a conducive environment and facilities to promote research, training, and continuous education among the Members of the ASEANSAI through the sharing of best practices and exchange of lessons learned.
3. To serve as a centre of information and as an ASEAN link with other international organizations and institutions in the field of public sector auditing.

Article 3

FUNCTIONS

Pursuant to the objectives in Article 2, the functions of the ASEANSAI shall include the following.

1. To create and maintain a data bank of best practices, standards, and methodologies in the field of public sector auditing.
2. To organize seminars, workshops, studies, or other activities related to the exchange of knowledge and experiences in the field of public sector auditing.

3. To undertake other activities that will promote good governance and cooperation among Members of ASEANSAs.

Any specific activity to be undertaken by the Members of ASEANSAs pursuant to this Article shall only proceed upon agreement by the Members concerned of the terms and conditions applicable to such cooperation.

Article 4

MEMBERSHIP

The ASEANSAs membership shall comprise of the Supreme Audit Institutions of all ASEAN Member States.

Article 5

STRUCTURE

The ASEANSAs shall consist of the Assembly, the Executive Committee, the Committees, and the Secretariat.

Article 6

ASSEMBLY

1. The Assembly is the highest body within the structure of the ASEANSAs and shall comprise of all Members who shall be represented by the Heads of the Supreme Audit Institutions or representatives duly authorized by them.
2. The Assembly shall be headed by a Chairman who shall be assisted by a Vice Chairman.
3. The appointment of the Chairman and the Vice Chairman is rotated in alphabetical order (of country name) unless decided otherwise by the Assembly.
4. The term of office of the Chairman of the ASEANSAs shall commence for two years.
5. The Vice Chairman shall be the next Chairman.
6. The Assembly shall be the policy-making body of the ASEANSAs and shall meet at least once in every two years. The meetings of the Assembly shall be hosted by the Chairman.

7. The Assembly may also meet in special sessions if the Assembly unanimously decides so.
8. Decisions by the Assembly on any subject shall be made by consensus. Matters on which consensus cannot be reached shall be dropped.
9. The Chairman of the Assembly shall also be known as the Chairman of ASEANSAL.

Article 7

FUNCTIONS OF THE ASSEMBLY

The Assembly shall have the following functions.

1. To formulate and decide such policies as may be deemed necessary to attain the objectives of the ASEANSAL.
2. To develop new initiatives for the ASEANSAL activities.
3. To approve the setting up of Committees whenever necessary.
4. To approve the financial rules and procedures for the ASEANSAL.
5. To approve budget of the ASEANSAL.
6. To formulate its own rules for the conduct of Assembly meetings.
7. To consider and approve the invitation of Observers and Guests.

Article 8

THE EXECUTIVE COMMITTEE

1. The Executive Committee shall comprise of the Chairman and the Vice Chairman of the Assembly.
2. In performing its functions, the Executive Committee shall be assisted by a Secretariat.

Article 9

FUNCTIONS OF THE EXECUTIVE COMMITTEE

The Executive Committee shall have the following functions.

1. To recommend policies to the Assembly.
2. To develop and adopt measures towards the effective implementation of the policies set by the Assembly.

Article 10

THE COMMITTEES

1. The Committees shall be formed from among the Members of the ASEANSI.
2. The composition and terms of reference of the Committees shall be determined by the Assembly.

Article 11

THE SECRETARIAT

1. The Secretariat shall be headed by a Head of Secretariat.
2. The Head of Secretariat of the ASEANSI shall be appointed by the Chairman of the ASEANSI for the same term as that of the Chairman.
3. The Chairman and the Head of Secretariat shall come from the same SAI.
4. The Secretariat shall provide administrative support to the Executive Committee.
5. The Secretariat shall have the following functions and duties.
 - a. To be responsible to the Chairman of the ASEANSI;
 - b. To assist the Executive Committee of the ASEANSI in managing the work of the Assembly;
 - c. To manage the finances of the ASEANSI and to be accountable for the usage of funds as approved by the Assembly; and
 - d. To perform any other duties as directed by the Executive Committee of the ASEANSI.

Article 12

RIGHTS AND OBLIGATIONS OF THE MEMBERS

1. The Members of the ASEANSI shall have equal rights and obligations under this Agreement.
2. The Members of the ASEANSI have the obligation to ensure that the policies, agreement, and Assembly decision, where applicable, of ASEANSI are carried out in the respective jurisdiction.
3. Nothing in this Agreement shall be interpreted as requiring a Member SAI to carry out any act or activity where such act or activity would be contrary to that Member SAI's national laws, regulations or policies.

Article 13

CONFIDENTIALITY

1. Each Member of ASEANSI shall undertake to observe the confidentiality and secrecy of documents, information and other data received and supplied to the other Members of ASEANSI during the period of the implementation of this Agreement or any other agreements made pursuant to this Agreement.
2. Members of ASEANSI shall agree that the provisions of this Article shall continue to be binding between and among them notwithstanding the termination of this Agreement.

Article 14

SUSPENSION

Each Member of ASEANSI reserves the right for reasons of national security, national interest, public order or public health to suspend temporarily, either in whole or in part, the implementation of this Agreement which suspension shall take effect immediately after notification has been given to the other Members of ASEANSI.

Article 15

INCOME AND FINANCE

1. Every Member of ASEANSI shall make equal financial contributions annually to the ASEANSI, the amount to be determined by the Assembly.
2. The ASEANSI may accept voluntary contributions and donations which shall form part of its Funds.
3. All contributions and donations shall be administered by the Secretariat in a manner approved by the Assembly.
4. The financial accounts shall be prepared based on international accounting standards and be subject to audit by an auditor approved by the Assembly.

Article 16

EXPENDITURE

The Funds shall be used in accordance with a budget and activities approved by the Assembly.

Article 17

ASSOCIATION WITH THE ASEAN

1. The ASEANSI shall be associated to the ASEAN in accordance to Article 16 of the ASEAN Charter.
2. The ASEANSI shall establish an open and productive communication with the ASEAN.

Article 18

WORKING LANGUAGE

The working language of the ASEANSI shall be English.

Article 19

AMENDMENTS

1. Proposals to amend this Agreement on the Establishment of the ASEANSI shall be made formally in writing and submitted to the Executive Committee at least three (3) months prior to the commencement of the Assembly.
2. The Executive Committee shall, without delay, circulate and communicate with the Members of the ASEANSI within 2 (two) months before the Assembly.
3. The Executive Committee shall communicate to the Members of the ASEANSI any counter-proposals at least one (1) month prior to the commencement of the Assembly.
4. Any amendments made to this Agreement must be approved by the Assembly.

Article 20

EFFECTIVE DATE

1. This Agreement shall be signed by all Members of the ASEANSI.
2. This Agreement shall be effective on the date of its signing.
3. In the case of SAIs that still need internal clearance in accordance with their national laws and regulations, the binding effect of this Agreement as to such SAI shall be subject to the obtainment of such clearance.

Article 21

WITHDRAWAL

1. Any Member of the ASEANSI may withdraw from this Agreement at any time by written notification given to the Executive Committee, who shall immediately inform the other Members of such notification.
2. All the obligations or commitments of the withdrawing Members of the ASEANSI shall be fulfilled and such fulfillment be communicated to the Executive Committee.
3. Withdrawal by a Member of the ASEANSI shall become effective on the date specified in its notification.
4. In case there is no date specified in its notification, the withdrawal of the Member of the ASEANSI shall become effective not less than three months after the date on which the notification has been received by the Executive Committee.

IN WITNESS WHEREOF, the undersigned have signed this Agreement on the Establishment of the ASEAN Supreme Audit Institutions (ASEANSAI),

DONE at on this [date] [month] in the year of 2011 in a single original copy of the English language.

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The Auditor General of Jabatan Audit Brunei Darussalam for the Government of Brunei Darussalam

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The Auditor General of National Audit Authority of the Kingdom of Cambodia

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The Chairman of the Audit Board of the Republic of Indonesia

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The President of the State Audit Organization of Lao P.D.R;

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The Auditor General of Malaysia for the Government of Malaysia;

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The Auditor General of the Office of the Auditor General of the Union, the Republic of the Union of Myanmar;

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The Chairperson of the Commission on Audit of the Republic of the Philippines;

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The Auditor General of Auditor-General's Office of Singapore for the Government of Singapore;

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The Auditor General of the Office of the Auditor General of Thailand for the Government of the Kingdom of Thailand; and

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The Auditor General of State Audit Office of Vietnam.