Terms of Reference for the Provision of Administrative and Operational Support to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)

1. Purpose

The purpose of these Terms of Reference is to provide guidance for the operations of any body established to provide administrative and operational support to the CPTPP Commission and its subsidiary bodies in line with the commitment Ministers made in paragraph 16 of the Joint Ministerial Statement on the occasion of the 9th Commission meeting of the CPTPP. These Terms of Reference describe such an administrative body's organisational structure, scope of work, financial arrangements, and rules of engagement (including, *inter alia*, meetings, reporting mechanisms, and confidentiality requirements).

2. Scope

Under the direction of the CPTPP Commission and Senior Officials, the administrative body will provide administrative support to the CPTPP Commission, CPTPP Senior Officials, its standing committees, working groups and other subsidiary bodies, and initiatives, as set out in these Terms of Reference, and perform any other functions decided by CPTPP Parties.

The administrative body will focus on managing the administrative functions of the CPTPP to facilitate the implementation and operation of the Agreement. The administrative body will not encroach upon policymaking authority or decision-making responsibilities, which must continue to rest solely with the CPTPP Parties.

The core functions of the administrative body are as follows: (1) administrative management of meetings, (2) supporting internal communication and managing the Agreement's knowledge base, and (3) supporting the implementation of the Agreement.

The administrative body may undertake additional administrative functions as directed by the CPTPP Commission or Senior Officials by consensus.

3. List of Functions

Under the direction of the CPTPP Commission and Senior Officials, the administrative body will perform the following functions, as well as other functions as directed by the CPTPP Commission or Senior Officials by consensus:

3.1. Administrative management of meetings

- Scheduling meetings, consolidating and updating calendars of various meetings (clearing conflict of schedules and ensuring time zone rotation);
- Providing logistical support to the CPTPP Chair, Accession Working Group (AWG) Chairs and Parties on an as-needed basis (including, but not limited to, assisting with venue selection, communication with vendors, etc.);
- Compiling agendas for meetings and circulating meeting documents, reporting outcomes of meetings of the Commission and other major meetings;

3.2. Supporting internal communication and managing the knowledge base

- Updating contact points of CPTPP Parties;
- Keeping records and storing documents;
- Managing CPTPP information management and communication portals;
- Tracking the status of CPTPP work processes across upgrade negotiations, accessions, and Dialogues;

3.3. Supporting implementation

- Monitoring the submission of notifications and transition period reports (reminding Parties of upcoming submission deadlines, updating Transitional Period Tracker and CPTPP Implementation Tracking Matrix);
- Tracking the submission of the reports of working groups and committees from respective Chairs.

3.4. Other administrative functions

Managing the administrative body's finances and human resources.

4. Meetings

The administrative body will meet with the CPTPP Commission or Senior Officials periodically and at least twice annually. At the first meeting, the administrative body will present an update on its activities and report on its budget expenditures and forecasts to date. The final meeting will take place in the second half of the calendar year, during which the administrative body will report on its activities for the year and provide an estimate of its budget and activities for the following year for approval by the CPTPP Commission, if required. Notwithstanding the above, an alternative arrangement may be decided by Senior Officials for the first year of the administrative body's operations, if necessary.

5. Administrative Body Leadership

The administrative body will be led by a Head, selected among qualified candidates who are nationals of the CPTPP Parties. Senior Officials will evaluate the candidates and make the decision to appoint the Head. The full procedure for selection of the Head will be determined by CPTPP Parties.

The Head will perform their duties in the interest of the CPTPP Parties as a whole and act impartially at all times in that capacity.

The Head will be responsible for the day-to-day functioning of the administrative body and will have the overall responsibility for the proper management and efficient use of its financial and staff resources.

The Head will consult Senior Officials on all matters of consequence related to the execution of the administrative body's core functions.

6. Staff Members

Staff members will be nationals of the CPTPP Parties. The number of staff members and the procedure for their selection will be determined by CPTPP Parties.

Staff members will perform their duties in the interest of the CPTPP Parties as a whole and act impartially at all times in that capacity.

All staff members, including the Head, will serve in accordance with these Terms of Reference, as well as any terms and conditions of employment or rights and responsibilities set forth in any Staff Rules adopted by the CPTPP Parties.

One of the staff members may be designated as Deputy Head of the administrative body, subject to the approval of Senior Officials. The Deputy Head will assist the Head in the day-to-day management of the administrative body and act on behalf of the Head in their absence, within the scope of delegated authority.

7. Finance

The operating budget of the administrative body ("Budget") will cover its expenditures relating to the performance of its assigned functions.

The Budget will be financed through a methodology to be decided by CPTPP Parties. Office related costs will be borne by the host Party. These include rent and the costs for IT and other equipment.

The Budget will be determined and established each year by the CPTPP Commission.

The financial administration of the Budget will be subject to any Financial Rules for the administrative body to be adopted by the CPTPP Parties and any applicable provisions of these Terms of Reference.

8. Confidentiality

The administrative body's staff will abide by a confidentiality agreement to be approved by CPTPP Parties and will take appropriate steps to ensure the protection of sensitive information.

9. Amendments

CPTPP Senior Officials may propose amendments to these Terms of Reference, and may take into account any recommendations by the Head for such purposes. These Terms of Reference may be amended by decision of the CPTPP Commission.