

ORGANIZATION FOR COOPERATION BETWEEN RAILWAYS (OSJD)

Revision V

As amended and supplemented by Session XXX of OSJD Ministers
Conference (Vilnius, June 11-14, 2002)

A4

Effective date: July 1, 2002

Note: revision IV of June 18, 1993 shall be null and void

OSJD COMMITTEE REGULATIONS

The following OSJD Committee Regulations (the “Regulations”) shall be enacted as provided by the Regulations for OSJD.

Article I

GENERAL

1. OSJD Committee (the “Committee”) shall be the executive authority of OSJD.
2. The Committee shall carry out its business subject to the Regulations for OSJD and these Regulations.
3. The Committee shall represent OSJD within relationships thereof with both legal entities and individuals.
4. The Committee shall have an official seal specifying the following: “Committee of the Organization for Cooperation between Railways” in OSJD working languages.

Article II

FUNCTIONS OF THE COMMITTEE

The Committee shall exercise the following functions:

1. Arrange sessions of OSJD Ministers Conference (the “Ministers Conference”) as follows:
 - Execute and send materials of the Ministers Conference as provided by Article III (2) and (3) of the Rules of Procedure of the Ministers Conference
 - Provide for proper conditions for normal functioning of the Ministers Conference in coordination with the state being OSJD member and holding the same as well as act as Secretariat within any respective session of the Ministers Conference
 - Execute and deliver for approval a draft report on the Committee’s budget execution for the previous year as well as draft budget of the Committee for the subsequent year and draft consolidated report on OSJD activities based on draft reports by OSJD Commissions and permanent working groups of OSJD
 - Deliver draft resolutions related to applications for OSJD membership and granting of observer status to the Ministers Conference
2. Arrange sessions of OSJD Railway General Directors (Authorized Representatives) Conference (the “Conference”) as follows:
 - Execute and send materials of the Conference as provided by Article III (2) and (3) of the Rules of Procedure of the Conference
 - Provide for proper conditions for normal functioning of the Conference in coordination with the railway holding the same as well as act as Secretariat within any respective session of the Conference
 - Execute and deliver for approval a draft report on the Committee’s budget execution for the previous year as well as draft budget of the Committee for the subsequent year and draft consolidated report on OSJD activities based on draft reports by OSJD Commissions and permanent working groups of OSJD
 - Deliver draft resolutions related to applications for OSJD membership filed by affiliated enterprises to the Conference
3. Act as Secretariat at any meeting of authorized representatives of the Ministers Conference or Conference members convened by the Chairman or Secretary of the Committee (respectively).

4. Exercise depositary functions as well as supervise performance of agreements and other legal documents executed within the framework of OSJD, unless provided otherwise by the same.

5. Coordinate activities carried out by the Committee officials in terms of execution and implementation of the programs and action plans of OSJD working bodies.

6. Notify the Ministers Conference and Conference of any progress in implementation of resolutions adopted by the same.

7. Establish and maintain cooperation and collaboration with international organizations as authorized by the governing bodies.

8. Make agreements with observers, affiliated enterprises and international organizations as authorized by the Ministers Conference or Conference as well as notify subsequently thereof.

9. Publish the "OSJD Bulletin" magazine, Bulletin of statistical data, memos, list of memos, rules and reference books as provided by resolutions of OSJD governing bodies.

10. Provide for and operate OSJD Web.

11. Act as Secretariat ad interim the Ministers Conference or Conference sessions (i.e. holding meetings of OSJD working bodies, translations, copying and prompt delivery of documents related to OSJD activities to the members thereof; ensuring safe custody of original counterparts of the minutes of all sessions as well as agreements and contracts made within the framework of OSJD).

12. Discharging any other commission of the Ministers Conference or Conference.

Article III

STRUCTURE OF THE COMMITTEE

1. For the purpose of exercising its functions the Committee shall have the following structure:

Committee management

Secretariat of the Ministers Conference

Secretariat of the Conference

"OSJD Bulletin" magazine staff, administrative and technical as well as maintenance departments

2. The Committee shall be managed by the Chairman. Along with the Chairman of the Committee management thereof shall include deputy chairmen and Secretary of the Committee being managers of the relevant Committee subdivisions. The Ministers Conference shall appoint the Chairman and deputy chairmen of the Committee from among members thereof subject to nominations made by the Conference for the term of four years. The Secretary of the Committee shall be appointed by the Conference for the similar term.

The Ministers Conference shall approve any new deployment of posts in the Committee management as well as re-elect chairmen and experts being members of OSJD Commissions and permanent working groups of OSJD every four years subject to nominations made by the Conference.

Any duly authorized representative of the Ministers Conference member of the state the Committee is located in shall be the Chairman of the Committee.

Any respective member of the Ministers Conference in consultation with the other members thereof shall remove and appoint any new Chairman or deputy chairmen of the Committee ad interim the Ministers Conference sessions.

Any removal and appointment of any other member of the Committee shall be provided by the Ministers Conference members in consultation with the Committee management provided that alternates are made available promptly.

The Secretary of the Committee may be removed ad interim the Conference sessions in consultation with the General Directors (authorized representatives) of the railways.

3. Any expert nominated to the Committee by OSJD members being members thereof shall compose the Committee. Any OSJD member shall be entitled to nominate further representatives thereof to the Committee under any proper contract made with the same.

4. Technical staff shall be made available by OSJD members, while administrative and maintenance staff is represented by the nationals of the state the Committee is located in.

Article IV

CONVENING COMMITTEE MEETINGS

1. The Committee meeting shall:

Supervise implementation of action plans of OSJD working bodies

Review and resolve on the issues arising from the Agreement for International Cargo (SMGS) or Passenger (SMPS) Traffic or any other contract whatsoever made within the framework of OSJD pursuant to the procedures specified therein

Make resolutions required to coordinate activities of OSJD working groups as well as those related to intermediary performance thereof

Notify the Ministers Conference or Conference of the progress in OSJD program and action plan implementation

Resolve on any other issue whatsoever as authorized by the Ministers Conference or Conference

2. If any resolution by OSJD governing bodies is required ad interim sessions and meetings thereof with respect to any issue falling within the competence of:

Ministers Conference

The meeting attended by the Committee members may submit its proposals to the Ministers Conference to be consented to in writing by all member of the Ministers Conference. Any resolution passed as aforesaid shall be binding provided that no objections thereto are made available by any member of the Ministers Conference within two months as from the date of communication

Conference

The meeting attended by the Committee members may submit its proposals to the Conference to be consented to in writing by all member of the Conference. Any resolution passed as aforesaid shall be binding provided that objections thereto are made available by max one third of the Conference members within two months as

from the date of communication (other than any resolution to be adopted by unanimous vote)

3. The frequency and agenda of ordinary meetings of the Committee shall be specified in the action plan approved by the same.

Any extraordinary meeting of the Committee shall be convened by the Chairman thereof upon request of any member of the Committee.

4. Any meeting of the Committee shall be duly qualified if it is attended by at least two thirds of its members.

Any resolution on any item on the agenda related to any specific region shall be valid if any respective meeting is attended by members of the Committee representing the relevant region.

5. Any resolution at any meeting of the Committee shall be approved by a simple majority vote of members attending the same.

6. Materials related to any meeting of the Committee shall be executed in OSJD working languages. The documents executed in the foregoing languages shall be equally authentic. Should any discrepancy as to interpretation thereof arise any proper amendment is made to the document executed in Russian.

Article V

ALLOCATION OF RESPONSIBILITIES IN THE COMMITTEE

1. The Chairman of the Committee shall manage the Committee's activities and be liable for performance of his or her duties to the Ministers Conference or Conference.

2. The Chairman of the Committee shall perform the following principal duties:
Manage activities carried out by the Committee's staff

Submit proposals to any respective member of the Ministers Conference as to nomination of any expert to the Committee or recall thereof as well as appointment or removal of the employees being nationals of the state the Committee is located in as provided by Article III (4) hereof

Execute and deliver for approval a draft report on the Committee's budget execution for the previous year as well as draft budget of the Committee for the subsequent year

Execute an annual draft consolidated report on OSJD activities, including but not limited to, consolidated funds statement of the Committee

Hold negotiations and maintain correspondence with other organizations and institutions

3. If the Chairman of the Committee is unavailable his or her functions shall be exercised by one of the deputies thereof.

4. The deputies of the Chairman and Secretary of the Committee shall perform the following duties:

Deputy Chairman of the Committee:

Maintain activities within the area of responsibility of the Ministers Conference

Execute programs and action plans of working bodies within the area of responsibility of the Ministers Conference

Supervise implementation of programs and action plans by working bodies within the area of responsibility of the Ministers Conference

Coordinate complex review of issues to be resolved on by working bodies within the area of responsibility of the Ministers Conference

Deputy Chairman of the Committee:

Cooperate with international organizations within the area of responsibility of the Minister Conference

Ensure collaboration between OSJD and observers

Supervise OSJD Web

Manage the "OSJD Bulletin" magazine editorial board

Manage administrative and technical as well as maintenance departments

Secretary of the Committee:

Maintain activities within the area of responsibility of the Conference

Execute programs and action plans of working bodies within the area of responsibility of the Conference

Supervise implementation of programs and action plans by working bodies within the area of responsibility of the Conference

Coordinate complex review of issues to be resolved on by working bodies within the area of responsibility of the Conference

Cooperate with international organizations within the area of responsibility of the Conference

Ensure collaboration between OSJD and affiliated enterprises

5. The duties of any official shall be specified in any respective job description to be approved by the Chairman of the Committee.

Article VI

LEGAL STATUS OF THE COMMITTEE AND ITS STAFF

1. The legal status of the Committee and its staff in the state the Committee operates in shall be determined as provided by Article I (5) and X of the Regulations for OSJD.

2. Any staff member of the Committee shall preserve his or her rights, benefits and preferences granted thereto in any respective state and exercised or enjoyed by the same prior to nomination to the Committee.

3. Any staff member of the Committee shall hold the office and be paid compensation as provided by the Committee's staffing table.

4. Any staff member of the Committee being national of the state the Committee operates in shall have an annual leave as provided by applicable law of any relevant territory.

Any foreign staff member shall have an annual paid leave of 30 calendar days plus time required to go to the permanent residence thereof in his or her state and back.

5. Any staff member of the Committee shall be paid a 100% salary within any period of temporary incapacity.

The Committee shall bear all costs related to medical services rendered to foreign employees or family members thereof within the territory of the state the Committee operates in.

6. Any foreign staff member of the Committee may be paid resettlement benefits when leaving to the Committee's office or upon return to his or her home state as provided by the by-laws of the sending party.

7. Any foreign staff member of the Committee shall be accommodated in any relevant apartment with furniture with the rent to be paid by the employee as provided by the Committee's budget.

Article VII

MISCELLANEOUS

1. Any amendment or supplement hereto shall be approved by resolution of the Ministers Conference subject to proposals submitted by the Conference.

2. These Regulations are made both in Chinese and Russian. The counterparts of these Regulations in the foregoing languages shall be equally authentic. Should any discrepancy arise as to interpretation of these Regulations executed in the foregoing languages any proper amendment or supplement is made to the Russian text hereof.