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| Text of June 2022 Draft by Item | Comments |
|  | General Comment: It should be better to carefully check the words and phrases used in the Draft GR and Draft FR in order to ensure consistency and to remove verbosity and ambiguity.  For example, it should be clarified that President, Vice President and Council members are assigned to countries or persons.  In order to avoid confusion especially during the discussion, it will be helpful to always mention Item number, for eg., “2-1. Contract Point for Member States”.  Japan believes that it is appropriate to avoid using the term such as “Article”, “Annex/annexed”, “shall”, “in accordance with”, “take effect”, “subject to”, “agree”, “amend” in the context of non-legally binging document unless the provision of the Convention is quoted. |
| **Item 1**  **Application**  The General Regulations together with the Financial Regulations attached hereto, as Attachment A, are reviewed and approved in accordance with Article 7.7.(c) of the Convention on the International Organization for Marine Aids to Navigation (hereinafter as referred to as “the Convention”) and shall apply for each organ and govern the day-to-day management of the International Organization for Marine Aids to Navigation (hereinafter as referred to as “the Organization”) as stipulated in paragraph 3 of Article 6 of the Convention. | Appropriate to refer to Article 6.3 of the Convention. |
| **Item 2**  **Membership**  2-1 **Composition of Membership**  IALA is comprised of Member States, Associate Members and Affiliate Members as stipulated in Article 5.1 of the Convention.    **2-2 Contact Point for Member States**  Member State should designate a contact point, preferably from the national authority responsible for the regulation, provision, maintenance or operation of Marine Aids to Navigation.  **2-3 Application for Associate or Affiliate membership**  (a) Application to become an Associate Member or Affiliate Member must be made in writing to the Secretariat and should be accompanied by a completed membership application form.  (b) The Secretariat will submit applications for Associate membership to the General Assembly and applications for Affiliate membership to the Council, for a decision.  (c) Membership of Associate Member or Affiliate Member will take effect as of the following 1 January if the decision is taken between 1 January and 30 June in previous year and as of the following 1 July if the decision is taken between 1 July and 31 December in previous year.  **2-4 Fees**  (a) Fees may be determined as different amounts for Associate Members and Affiliate Members, but will be the same within each membership category.  (b) Associate Members and Affiliate Members who fail to pay fees by the due date may be subject to suspension of membership rights and benefits in line with Item 2.5.  **2-5 Suspension and Reinstatement of Associate and Affiliate membership**  (a) The General Assembly may suspend an Associate membership for non-payment of fees according to the escalation procedure established in the Financial Regulations and for any justifiable cause in the best interest of the Organization.  (b) The Council may suspend an Affiliate membership for non-payment of fees according to the escalation procedure established in the Financial Regulations and for any justifiable cause in the best interest of the Organization.  (c) The Secretary-General should advise the General Assembly to reinstate an Associate membership suspended under Item 2.5 (a) when the Associate Member has paid advised arrears of fees and when the Associate Member has met the requirements set out by the General Assembly or the Council. The General Assembly takes such action at the next General Assembly meeting.  (d) The Secretary-General should advise the Council to reinstate an Affiliate membership suspended under Item 2.5 (b) when the Affiliate Member has paid advised arrears of fees and when the Affiliate Member has met the requirements set out by the General Assembly or the Council. The Council takes such action at the next Council meeting.  **2-6 Termination of Associate and Affiliate membership**  Associate or Affiliate membership may be terminated:  (a) by the Associate Member or Affiliate Member by notice in writing to the Secretariat at any time. Such termination will be realized:  i on the date specified in the notice of termination; or  ii if no date is specified in the notice of termination, thirty calendar days after the notice is received by the Secretariat;  (b) by the General Assembly for Associate Members and by the Council for Affiliate Members, where a suspended Associate Member or Affiliate Member has not paid fees within twelve months of suspension for that non-payment. The Secretary-General will notify the General Assembly or the Council of any such event at its next meeting. Such termination will be realized from the date of the meeting at which the General Assembly or the Council terminates the membership; or  (c) by the General Assembly for Associate Members and by the Council for Affiliate Members, for any justifiable cause in the best interest of the Organization.  The Secretary-General must notify the Associate Member or Affiliate Member of the reason for termination and the date termination within thirty calendar days of the decision being taken by the General Assembly or the Council. | The title of this subparagraph added.  As applicants for Associate Members must wait for maximum three years till the General Assembly decides the membership, some arrangements, such as provisional or interim membership, maybe helpful.  “3. Industrial Members” should be deleted because “Industrial member” is not stipulated in the Convention.  Note: Japan is not against establishment of Industrial members Group, but the group should be informal entity established by Affiliate Members.  The phrase “membership category” should be replaced by another appropriate phrase, or some justification for differentiating the fees to different Affiliate Members should be given; according to the Convention, the types of membership are Member States, Associate Members and Affiliate Members.  Paragraphs about Associate membership should come first.  “Associate” is deleted, because the Council does not have a mandate to suspend an Associate membership - General Assembly does so according to Article 7 of the Convention.  Regarding (b), Japan believes that the Article 7-7 (k) of the Convention includes suspension and termination of Affiliate membership by GA.  Regarding (c), the SG does not have mandate to decide membership of Associate/Affiliate Members.  Comment same as 5(a): according to the Article 7 of the Convention, the Council does not have a mandate to reinstate an Associate membership suspended. Delegation by the General Assembly is required.  We understand that the General Assembly and the Council will set the requirements for reinstating the membership accordingly soon after the regulation is adopted. Please clarify.  According to the Article 7.7(j) of the Convention, decisions on Associate Membership is under the authority of the General Assembly. In this regard, the termination should be decided by the General Assembly. |
| **Item 3**  **The General Assembly**  **3-1 Convening**  (a) The regular sessions of the General Assembly shall ordinarily be convened once every three years by the Council in accordance with paragraph 4. and 8.(e) of Article 8. of the Convention.  (b) The regular session of the General Assembly should, where possible, be convened during the same period and at the same location as the Organization’s conference, but in any case, should be held no earlier than June in the year the regular sessions of the General Assembly. For reasons of necessity, the Council may determine an alternate time, in which case the General Assembly will be convened at a location determined by the Council. Under exceptional circumstances the Council may decide not to convene the General Assembly in person.  (c) It should be a condition for convening the General Assembly at a location other than the seat of the Organization that the Member State, in whose territory it is proposed to hold the General Assembly, gives assurances that, at the time of the offer, the said Member State takes necessary measures for Member States, Associate Members or Affiliate Members of the Organization to enter the said Member State for the purpose of the General Assembly.  (d) The Council may, if deemed it necessary, after a notice of ninety calendar days, convene an extraordinary session of the General Assembly at which time and place as it determines.  (e) The Secretary-General will, after a notice of ninety calendar days, convene an extraordinary session of the General Assembly within one hundred twenty calendar days of receipt by the Secretary-General of requests to do so from one‐third of the Member States, the time and place of which session will be determined by the Secretary-General.  **3-2 Attendance**  (a) All Member States, Associate Members and Affiliate Members of the Organization have the right to attend the General Assembly without any expenses other than are responsible for their own travelling and accommodation expenses.  (b) The Secretary-General is authorised to invite, on behalf of the Council and with the condition of consent of the General Assembly, observers from:  i those territory or group of territories that are not Associate member of the Convention; or  ii intergovernmental or non-governmental international organizations whose activities are related to those of the Organization.  (c) Each Member State will communicate in writing, in line with its own practice, to the Secretary-General the names of the persons composing its delegation to the General Assembly, designating its principal delegate, as well as its alternate. This communication signed by an appropriate government authority of the Member State will be regarded as appropriate credentials for the participation of the named individuals in all activities of the General Assembly.  (d) Each Associate Member and Affiliate Member will communicate in writing to the Secretary-General the names of the persons attending the General Assembly.  **3-3 Organization**  (a) The regular sessions of the General Assembly is to be prepared and organised by the Secretary-General using the resources of the Secretariat and those other resources as consented in writing with the Member State hosting the General Assembly.  (b) One hundred eighty calendar days before the opening of the regular sessions of the General Assembly the Secretariat will invite Member States to submit proposals that they wish to discuss at the General Assembly. These will be received by the Secretariat for the following sixty calendar days.  (c) One hundred twenty calendar days before the opening of the regular sessions of the General Assembly submitted proposals together with those prepared by the Council will be circulated to all Member States, Associate Members and Affiliate Members, who will be invited to forward their comments to the Secretariat within sixty calendar days.  After this date no proposals will be accepted unless:  i there are exceptional circumstances, in which case the proposal should be approved by the General Assembly for inclusion; or  ii the proposal modifies or provides an alternative to a proposal already submitted, in which case it may be received until thirty calendar days before the General Assembly.  (d) All final papers, including the provisional agenda but excluding any modifying or alternative proposals, will be circulated to Member States, Associate Members and Affiliate Members at least sixty calendar days before the opening of the General Assembly.  (e) The provisional agenda for an regular session of General Assembly should be prepared by the Secretariat for approval by the Council and it should normally include:  i Adoption of the agenda  ii Election of the President and the Vice President  iii Report of the Secretary-General  iv Election of the Council  v Election of the Secretary-General  vi Establishment and termination of Committees and subsidiary bodies and review and approval of their Terms of Reference  vii Review and approval of the financial arrangements  viii Approval of the strategic vision  ix Review and approval of the General Regulations and Financial Regulations  x Approval of standards  xi Decision on Associate membership  xii Consideration proposals received from Member States, Council or the Secretary-General  xiii Any other business  xiv Consideration of reports  (f) The provisional agenda for an extraordinary session of General Assembly called by the Council should be prepared by the Secretary-General for approval by the Council and should include consideration of the question(s) for which the session was convened.  (g) The provisional agenda for an extraordinary session of General Assembly called by the Member States should be prepared by the Secretary-General and should include consideration of the question(s) for which the session was convened.  **3-4 Rules of Procedure**  The following Rules of Procedure should apply to the conduct of the work of the General Assembly:  **3-4.1 The Role of the Chair**  (a) The Chair will open and close the meeting, direct discussions, ensure the observance of the procedures in the Convention and these General Regulations, accord the right to speak, put questions to a vote and announce decisions.  (b) The Chair will have control over the proceedings and may rule on points of order and will have the power to propose adjournment or closure of debates or adjournment or suspension of the meeting.  **3-4.2. Conduct of Meetings**  (a) No person may address the General Assembly without having previously obtained the permission of the Chair. Under the condition of this rule and rules b), c), g) and i) below, the Chair will call upon speakers in the order in which they signify their desire to speak. The Chair may call a speaker to order if the remarks of such speaker are not relevant to the subject under discussion.  (b) The Chair of a Committee of a subsidiary body or his or her representative may be accorded precedence for the purpose of explaining the conclusion arrived at by that Committee or subsidiary body.  (c) During the discussion of any matter, a delegate may rise to a point of order. Two delegates may speak in favour of, and two against, the point of order, after which the point of order will immediately be decided by the Chair. A delegate may appeal against the ruling of the Chair. The appeal will immediately be put to a vote and the Chair’s ruling will stand unless overruled by the majority of those present and voting. A delegate rising to a point of order may not speak on the substance of the matter under discussion.  (d) The General Assembly may, on the proposal of the Chair, limit the time to be allowed to each speaker on any particular subject under discussion. When the debate is limited and a delegate has spoken for the allotted time, the Chair will call such delegate to order without delay.  (e) During the course of a debate, the Chair may announce the list of speakers and, with the consent of the General Assembly, declare the list closed. The Chair may, however, accord the right of reply to any delegate if a speech delivered after the closure of the list makes this desirable.  (f) During the discussion of any matter, a delegate may move the adjournment of the debate on the question under discussion. In addition to the proposer of the motion, two delegates may speak in favour of, and two against, the motion, after which the motion will immediately be put to a vote. The Chair may limit the time to be allowed to speakers under this rule.  (g) A delegate may, at any time, move the closure of the debate on the question under discussion, whether or not any other representative has signified his wish to speak. Permission to speak on the closure of the debate will be accorded only to two speakers opposing the closure, after which the motion will be immediately put to a vote. If the General Assembly is in favour of the closure, the Chair will declare the closure of the debate. The Chair may limit the time to be allowed to speakers under this rule.  (h) During the discussion of any matter, a delegate may move the suspension or the adjournment of the meeting. Such motions will not be debated but will be immediately put to a vote. The Chair may limit the time to be allowed to the speaker moving the suspension or adjournment.  (i) In line with rule (c) above, the following motions will have precedence in the following order over all the other proposals or motions before the meeting:  i to suspend the meeting;  ii to adjourn the meeting;  iii to adjourn the debate on the question under discussion; and  iv for the closure of the debate on the question under discussion.  (j) In line with rule (c) above, any motion calling for a decision on the competence of the General Assembly to discuss any matter or to adopt a proposal or a modification submitted to it will be put to a vote before the matter is discussed or a vote is taken on the proposal or modification in question.  (k) A motion may be withdrawn by its proposer at any time before voting on it has commenced, provided that the motion has not been modified or that a modification to it is not under discussion. A motion which has thus been withdrawn may be reintroduced by any delegate.  (l) When a proposal has been adopted or rejected it may not be reconsidered unless the General Assembly so decides. Permission to speak on a motion to reconsider will be accorded only to the mover and one other supporter and to two speakers opposing the motion, after which it will be put immediately to a vote.  **3-4.3 Voting**  (a) The Chair will appoint two scrutineers from amongst the Member States who will proceed to scrutinise the votes cast and the counting of votes by the Secretariat.  (b) The principal delegate of a Member State will have the right to vote or to designate any other member of its delegation to vote on his or her behalf.  (c) Member States abstaining from voting or casting an invalid vote will be considered as not voting.  (d) A Member State will not vote on behalf of another Member State.  **3-4.4 Decision Making and Reporting**  (a) All efforts shall be made for the General Assembly to adopt decisions by consensus amongst Member States in accordance with paragraph 1 of Article 11 of the Convention.  (b) Where the General Assembly is requested to make a decision, that request will be put to the meeting in the form of a draft General Assembly resolution. Each draft resolution should include an implementation date, if relevant, and for convenience, the Chair may aggregate draft resolutions for approval and reporting purposes.  (c) The Secretariat will arrange for the work of the General Assembly to be recorded in a report. The draft report will be distributed to those Member States, Associate Members and Affiliate Members attending, which may submit their proposed corrections in writing to the Chair. Any difference of views on the proposed corrections will be coordinated by the Chair after consultation with the Member States, Associate Members and Affiliate Members concerned.  (d) The revised draft report will be adopted by the General Assembly in session, or if necessary, by correspondence.  (e) Member States, Associate Members and Affiliate Members who made statements during debate may request that such statement be attached to the report.  (f) The report, together with all relevant documents, will be made available to the Member States, Associate Members and Affiliate Members within fourteen calendar days after their approval by the General Assembly.  (g) Audio recordings of General Assembly sessions may be made and will be retained by the Secretariat for record purposes.  **3-5 Election of the President and the Vice President**  The General Assembly will elect the President and Vice President of the Organization as follows:  (a) The Secretary-General will invite Member States to declare their candidacy for the Presidency or Vice Presidency one hundred eighty calendar days before the opening of the General Assembly. Nominations will be received by the Secretariat for the following hundred and twenty calendar days. Nominations should include:  i the name of Member State being nominated in each case; and  ii a statement, in the form approved by the Council and provided by the Secretariat, outlining the credentials of the Member State in each case.  (b) Sixty calendar days before the opening of the General Assembly all nominations will be collated and circulated to all Member States by the Secretariat. After this date no nominations will be accepted unless there are exceptional circumstances, in which case the nomination should be approved by the General Assembly for inclusion in the election.  (c) A vote to elect first the President and second the Vice President from among the Member States nominated will be conducted by secret ballot.  (d) The Secretariat will produce a ballot form for nominees for the Presidency and Vice Presidency and each Member State will have one vote for each position.  (e) The Chair will appoint two scrutineers from amongst the Member States who have not been nominated for either of the positions, who will proceed to scrutinise the votes cast and the counting of votes by the Secretariat.  (f) The candidate winning a simple majority of votes will be elected. When several candidates compete for the position, and no candidate obtain a simple majority of votes, rounds of votes will be conducted, in order to eliminate each time, the candidate with fewer votes.  (g) Should the position of President or Vice President become vacant, the Secretary-General will call for nominations to fill the vacant position and will conduct a ballot, either in session or electronically, in line with the items/paragraphs above. When the position of President became vacant, the Vice-President will serve as the Interim President until the President will be elected.  **3-6 Election of the Council**  The election of the Council will be conducted as follows:  (a) The Secretary-General will invite Member States to declare their candidacy for the Council one hundred eighty calendar days before the opening of the General Assembly. Nominations will be received by the Secretariat for the following hundred and twenty calendar days. Nominations should include:  i the name of the Member State being nominated; and  ii a statement, in the form approved by the Council and provided by the Secretariat, outlining the credentials of the Member State for a position on the Council.  (b) Sixty calendar days before the opening of the General Assembly all nominations will be collated and circulated to all Member States by the Secretariat. After this date no nominations will be accepted unless there are exceptional circumstances, in which case the nomination should be approved by the General Assembly for inclusion in the election.  (c) A vote to elect Council members from among those nominated will be conducted by secret ballot.  (d) The Secretariat will produce a ballot form for nominees for the Council and each Member State will have one vote for each vacant seat on the Council.  (e) The Chair will appoint two scrutineers from amongst the Member States who have not been nominated for the Council, who will proceed to scrutinise the votes cast and the counting of votes by the Secretariat.  (f) If two or more candidates obtain the same number of votes for the last seat or seats to be filled, there will be a further ballot from among these candidates only. Should the votes again be divided equally, the Chair will draw by lot the name of the candidate to be eliminated in any subsequent ballots.  (g) When voting and counting are completed the Chair will confirm the election and invite the newly elected Council to take up their duties.  (h) The term of the Council is from confirmation of its election until the election of a new Council at the following ordinary General Assembly.  **3-7 Election of the Secretary-General**  The election of the Secretary-General will be conducted as follows:  (a) The Council will invite Member States to nominate candidates from among its nationals within a period of ninety calendar days. The list of candidates will be closed thirty calendar days prior to the opening day of the regular session of the General Assembly.  (b) The nominations will be notified to all Member States by the Secretariat as soon as they are received.  (c) A vote to elect the Secretary-General from amongst those nominated will be conducted by secret ballot.  (d) The Chair will appoint two scrutineers from amongst the Member States who have not nominated candidates, who will proceed to scrutinise the votes cast and the counting of votes by the Secretariat.  (e) The candidate winning a simple majority of votes will be elected. When several candidates compete for the position, and no candidate obtain a simple majority of votes, rounds of votes will be conducted, in order to eliminate each time, the candidate with fewer votes. Should a simple majority not be possible due to an equal division of votes amongst the remaining two candidates the Chair will draw by lot the name of the candidate who will be appointed to the position.  (f) In the event that the position of Secretary-General becomes vacant in the interval between two sessions of the General Assembly, Deputy Secretary-General will serve as an acting Secretary-General unless the Council decides otherwise. The term of office of the acting Secretary-General will not extend beyond the next General Assembly. | There is concern that when the General Assembly is coupled with the Conference, the attendance of the General Assembly is also coupled with the Conference. Therefore, there is a need of paragraph that assure the free attendance of the General Assembly regardless of the Conference registration fee (See also 2(a)).  Who decides “exceptional circumstances and How? Please explain.  If virtual is possible, hybrid meeting should be considered. However, according to Article 11-4, 11-5 and 8-7 (a)€, we understand that Voting to elect President, Vice President and Secretary General only takes place in GA where secret ballot is assured and only Member States who are attending have the right to vote.  A General Assembly session is usually held as part of a Conference, for which delegates must pay an attendance fee. In this case, it should be ensured that a member who hadn’t pay the attendance fee, can participate in the General Assembly.  The invitation of territory or group of territories should be also considered.  These paragraphs are concerning the regular session of the GA and are not applied to the extraordinary session. ((f) & (g) will be applied.)  For confirmation, will submitted proposals not be circulated to observers invited by the SG ? (See 2.(b) above)  .  Consideration of reports should be independent and position it at the last.  According to Item 3.3(b), the proposal can be made by only Member States so Associate and Affiliate members should be deleted. At the same time Item 7(h) allows the Council and SG to submit proposals to the GA. There is a need of discussion if Associate and Affiliate members can submit a comment and make an intervention or a statement at the General Assembly.  There is no mention about “who” will take the role of “Chair” of the General Assembly and “how” she/he will be elected, whereas the appointment of Chair in Committees and Subsidiary Bodies are clarified in the Item 6-2 of this draft regulation.  According to 3.4.1 of the GR of the existing IALA, “the President, or in his/her absence, the Vice President, will be the Chair of the General Assembly. If it is the case, it should be clarified as such.  For clarification, will reports not be circulated to observers invited by the SG?  For clarification, observers invited by the SG cannot make statements?  For clarification, report cannot be made available to observers invited by the SG?  Meeting audio is now available for IMO meetings. Opening of audio recording to the members should be considered for the purpose of transparency.  The meaning of the word “exceptional circumstances” should be clarified. In addition, who and how will such circumstances be decided?  If the candidate with the “fewest” votes will be eliminated, it should be clarified as such.  According to the Convention, President and Vice President will be elected by the General Assembly. The Convention also provides for the case of absence of President: Vice President chairs a General Assembly or a Council Meeting. We understand that according to Article 11-4 and Article 8-7 (a) of the Convention, Voting to elect President, Vice President only takes place in GA where secret ballot is assured and only Member States who are attending have the right to vote. Therefore, though the voting is conducted virtually, the conditions required in the Convention should be assured.  Same as Item 3-5(b)  If the candidate with the “fewest” votes will be eliminated, it should be clarified as such.  Election of the SG by lot should be carefully considered as the Convention provides that the SG shall be elected by vote and does not provide any exceptions.  The nomination process for the acting position should be as open and transparent as possible. |
| **Item 4**  **The Council**  **4-1 Functions**  (a) The Council, in fulfilling its obligation to administer the Organization will carry out the functions assigned to it by Article 8.8 of the Convention.  (b) In the period between General Assemblies, should no appropriate provision or item be made in the Convention or the General Regulations, the Council will make any administrative or technical decision which may be necessary, unless such decision falls exclusively within the jurisdiction of the General Assembly under the Convention. Any such decision must be reported to the next General Assembly.  (c) The Council will be guided by the overall policy and strategic vision as decided by the General Assembly.  (d) If the Council considers that any question or issue should be referred to Member States, it will direct the Secretary-General to send a circular to each Member States requesting them to notify the Secretariat of their opinion on the matter. The Council will then decide the matter.  **4-2 Convening**  (a) The Council will be convened, ordinarily twice a year by notice in writing, by any of the following:  i. the President or the Vice President;  ii. the Secretary-General; or  iii. at the request of two or more Council members.  (b) The date of the meeting of the Council in ordinary meeting will be determined by decision of the Council at its previous meeting. The location will be the seat of the Organization unless the Council concurs alternate arrangements.  (c) The date of an extraordinary meeting of the Council will be not less than thirty calendar days from the date of notification, and the location will be the seat of the Organization unless otherwise consented by the President and the Secretary-General.  (d) The Council may also determine that a representative of any Committee or subsidiary body or of another organization may be present at a Council meeting.  **4-3 Organization of Meetings**  (a) Council meetings are to be prepared and organized by the Secretary-General using the resources of the Secretariat.  (b) Member States and Affiliate Members of the Organization attending the Council are responsible for their own travelling and accommodation expenses.  (c) Member States will communicate in writing the name of the delegate representing that Member State at the Council.  (d) Sixty calendar days before a scheduled ordinary Council meeting the Secretariat will invite Member States to submit papers addressing matters that they wish to discuss at the Council. These will be received by the Secretariat for the next fourteen calendar days.  (e) Forty calendar days before the opening of the ordinary Council meeting submitted papers together with those prepared by the Secretariat will be made available to all Member States, and they will be invited to forward their comments to the Secretariat within [twenty ~~ten]~~ calendar days.  (f) [Twenty ~~Thirty~~ ]calendar days before the Council the Secretariat will make all papers and the provisional agenda for the meeting available to Member States, Associate Members and Affiliate Members.  (g) The provisional agenda for an ordinary meeting of the Council will normally include:  i. Approval of the Agenda  ii. Report of the President and Secretary-General  iii. Report of the Finance and Audit Committee  iv. Committee reports  v. Applications for Affiliate membership  vi. Any other business  vii. Date and time of next meeting  viii. Consideration of report of the Council meeting  (h) The provisional agenda for an extraordinary meeting of the Council will normally include consideration of the question(s) for which the meeting was convened.  **4-4 Rules of Procedure**  The following Rules of Procedure will apply to the conduct of the business of the Council:  **4-4.1 The Role of the Chair**  (a) The Chair will open and close the meeting, direct discussions, ensure the observance of the procedures in the Convention and the General Regulations, accord the right to speak, put questions to a vote and announce decisions.  (b) The Chair will have control over the proceedings and may rule on points of order and will have the power to propose adjournment or closure of debates or adjournment or suspension of the meeting.  **4-4.2 Conduct of meetings**  (a) No person may address the Council without having obtained the permission of the Chair. In line with rules (b), (f) and (h) below, the Chair will call upon speakers in the order in which they signify their desire to speak. The Chair may call a speaker to order if the remarks of such speaker are not relevant to the subject under discussion.  (b) During the discussion of any matter, a Council member may rise to a point of order. Two delegates may speak in favour of, and two against, the point of order, after which the point of order will immediately be decided by the Chair. A Council member may appeal against the ruling of the Chair. The appeal will immediately be put to a vote and the Chair’s ruling will stand unless overruled by the majority of the Council present and voting. A Council member rising to a point of order may not speak on the substance of the matter under discussion.  (c) The Council may, on the proposal of the Chair, limit the time to be allowed to each speaker on any particular subject under discussion. When the debate is limited and a Council member has spoken for the allotted time, the Chair will call the Council member to order without delay.  (d) During the course of a debate, the Chair may announce the list of speakers and, with the consent of the Council, declare the list closed. The Chair may, however, accord the right of reply to any Council member if a speech delivered after the closure of the list makes this desirable.  (e) During the discussion of any matter, a Council member may move the adjournment of the debate on the question under discussion. In addition to the proposer of the motion, two Council members may speak in favour of, and two against, the motion, after which the motion will immediately be put to a vote. The Chair may limit the time to be allowed to speakers under this rule.  (f) A Council member may, at any time, move the closure of the debate on the question under discussion, whether or not any other Council member has signified their wish to speak. Permission to speak on the closure of the debate will be accorded only to two speakers opposing the closure, after which the motion will be immediately put to a vote. If the Council is in favour of the closure, the Chair will declare the closure of the debate. The Chair may limit the time to be allowed to speakers under this rule.  (g) During the discussion of any matter, a Council member may move the suspension or the adjournment of the meeting. Such motions will not be debated but will be immediately put to a vote. The Chair may limit the time to be allowed to the speaker moving the suspension or adjournment.  (h) In line with rule (b) above, the following motions will have precedence in the following order over all the other proposals or motions before the meeting:  i. to suspend the meeting;  ii. to adjourn the meeting;  iii. to adjourn the debate on the question under discussion; and  iv. for the closure of the debate on the question under discussion.  (i) In line with rule (b) above, any motion calling for a decision on the competence of the Council to discuss any matter or to adopt a proposal submitted to it will be put to a vote before the matter is discussed or a vote is taken on the proposal in question.  (j) A motion may be withdrawn by its proposer at any time before voting on it has commenced, provided that the motion has not been modified or that a modification to it is not under discussion. A motion which has thus been withdrawn may be reintroduced by any Council member.  (k) When a proposal has been adopted or rejected it may not be reconsidered unless the Council so decides. Permission to speak on a motion to reconsider will be accorded only to the mover and one other supporter and to two speakers opposing the motion, after which it will be put immediately to a vote.  **4-4.3 Voting**  (a) The Chair will appoint two scrutineers from amongst the Council members who will proceed to scrutinise the votes cast and the counting of votes by the Secretariat.  (b) Council members abstaining from voting or casting an invalid vote will be considered as not voting.  (c) A Council member will not vote on behalf of another Council member  **4-4.4 Decision Making and Reporting**  (a)All efforts shall be made for the Council to adopt decisions by consensus amongst Member States in accordance with paragraph 1 of Article 11 of the Convention.  (b)Where the Council is requested to make a decision, that request will be put to the meeting in the form of a draft Council resolution. Each draft resolution should include an action date, if relevant, and for convenience, the Chair may aggregate draft resolutions for approval and reporting purposes.  (c) The Secretary-General will arrange for the work of the Council to be recorded in a report of the work of the meeting. The draft report will be distributed to all Council members present at the meeting, who may submit their proposed corrections in writing to the Chair. Any difference of views on the proposed corrections will be coordinated by the Chair after consultation with the Council member(s) concerned.  (d) The revised draft report will be adopted by the Council in meeting, or, if necessary, by correspondence. The adopted report, including the text of all Resolutions, will be made available to Member States, Associate Members and Affiliate Members.  (e) Documents relevant to the implementation of decisions will be distributed to Member States, Associate Members and Affiliate Members as appropriate. | No need to mention about reviewing papers submitted to the Council as such papers will be submitted according to the General Regulation? (Article 8-8(g) of the Convention)  Ten calendar days are not enough for those Council members located in the outside of Europe. It should be thirty calendar days or consider the use of hybrid or online meeting.  Is acceptance of the Host Country not required?  On the one hand, ten calendar days may not be sufficient for the Council members to review and make comments on input papers, on the other hand, there may be some rooms for reducing the working time of the Secretariat to prepare the Council meeting; an appropriate balance of the working times on both sides should be considered; for example, twenty calendar days for each side.  Consideration of the report is needed as the last agenda item.  Chair = President, Vice Chair= Vice President?  This voting is for the Council decision; Member States other than Council Members do not have any right of vote.  The need of scrutineers should be considered. |
| **Item 5**  **Finance and Audit Group**  **5-1 Function**  (a) The Council will upon its election establish a Finance and Audit Group to provide advice to the Council.  (b) The finances of the Organization will be managed by the Council, the Finance and Audit Group and the Secretary-General in line with the financial arrangements as approved by the General Assembly and the Financial Regulations.  (c) The Finance and Audit Group will assist the Council in the supervision of the financial administration of the Organization.  **5-2 Election**  (a) The Council will, from among its members elect four Council members and a Chair to sit on the Finance and Audit Group.  (b) The election will be by secret ballot, which will be conducted by the Secretary-General. Should the number of candidates nominated be the same as the number of positions to be filled, those candidates will be appointed to the group without ballot.  (c) All elected Council members will be eligible for election upon indication of their willingness to stand for election.  (d) There will be two ballots, the first to elect the group members and the second to elect the Chair.  (e) The Secretariat will produce a ballot form for nominees for the group and each designated representative will have one vote for each vacant seat.  (f) If two or more candidates obtain the same number of votes for the last seat or seats to be filled, there will be a further ballot from among these candidates only. Should the votes again be divided equally, the Secretary-General will draw by lot the name of the candidate to be eliminated in any subsequent ballots.  (g) Election of the Chair will be simple majority of votes cast, the counting of which will be done by the Secretary-General in view of the Council. When several candidates compete for the position, and no candidate obtain a simple majority of votes, rounds of votes will be conducted, in order to eliminate each time, the candidate with fewer votes. Should a simple majority not be possible due to an equal division of votes amongst the remaining two candidates the Secretary-General will draw by lot the name of the candidate who will be appointed to the position.  (h) The group will hold office for the term of the Council unless replaced earlier by decision of the Council or through resignation.  (i) Should the Chair or a member of the Finance and Audit Group resign the Secretary-General will call for nominations to fill the vacant position and will conduct a ballot in line with the items/paragraphs above.  (j) If the Chair cannot attend a meeting of the Finance and Audit Group, the Chair will arrange for another member of the group to chair the meeting.  **5-3 Convening**  (a) The Finance and Audit Group will ordinarily be convened twice a year by notice in writing by any of the following:  i. the President or Vice President;  ii. the Chair of the Group;  iii. the Secretary-General; or  iv. at the request of two Council members.  (b) An ordinary meeting of the Finance and Audit Group will take place at the same location and prior to Council meetings unless decided otherwise by the Chair in consultation with the Secretary-General.  (c) The date of an extraordinary meeting of the Finance and Audit Group will be not less than seven calendar days from the date of notification, and the location will be the seat of the Organization unless alternate arrangements are consented by the Chair and the Secretary-General. | Editorial modification in accordance with Article 7.7 (g) of the Convention  The need of scrutineers should be considered.  Comment same as Item 3.5 (f)  Better to mention items/paragraph number in order to avoid confusion.  For clarification. There are several posts of Chair. Our understanding is that the Chair in this para means the Chair of the Group. |
| **Item 6**  **Committees and Subsidiary Bodies**  **6-1 Participation in Committees and Subsidiary Bodies**  (a) Member States, Associate Members and Affiliate Members are eligible to participate in the Committees.  (b) The General Assembly will determine participation in subsidiary bodies as part of the development of the Terms of Reference for those subsidiary bodies.  **6-2 Appointment of Chair and Vice Chair**  (a) Each Committee and subsidiary body will have a Chair and Vice Chair appointed by the Council for a period of three years in between regular sessions of the General Assembly. The term for Chairs and Vice Chairs will not exceed two consecutive periods of three years unless the Council approves the extension of the term.  (b) Nominations for these positions may be made by Member States or the Secretary-General from amongst nationals of the Member States. When a vacancy arises, the Secretariat will inform Member States of the vacancy and seek nominations. The Secretariat will inform the Council of all nominations and the Council will appoint the Chairs and Vice Chairs.  (c) Termination of the appointment of Chairs and Vice Chairs of Committees and subsidiary bodies may be made for any justifiable cause by the Council on the advice of the Secretary-General.  (d) Chairs and Vice Chairs of working groups in line with Item 6.3.2 (c) above will normally be provided by Member States. However, where appropriate, they may be drawn from Associate Members and Affiliate Members or relevant international organizations. The appointment of the working group Chair and Vice Chair are at the discretion of the Committee Chair.  **6-3 Rules of Procedure**  **6-3.1 Meetings**  (a) Committee meetings will normally be held twice a year at the seat of the Organization. Exceptionally they may be held elsewhere, with the approval of the Secretary-General.  (b) The duration of a Committee meeting will normally be five days, with the daily schedule being decided by the Committee Chair.  (c) The Secretariat will inform all Member States, Associate Members and Affiliate Members of the date of each Committee meeting. Notices will be sent ninety calendar days in advance and again thirty calendar days in advance.  (d) Every Member State, Associate Member and Affiliate Member may send representatives to participate in a committee meeting.  (e) Member States, Associate Members and Affiliate Members intending to send representatives to a meeting should advise the Secretariat by the means of online registration through the website.  (f) When it would be beneficial to the work of a committee, individuals from academic, scientific, research or other relevant organizations may be invited by the Secretary-General to attend a committee meeting for a specific purpose.  (g) Committee participants should ensure that they:  i. act honestly and in good faith, with a view to upholding the best interests and purpose of the Organization;  ii. advise the Committee of a perceived, potential, or actual conflict of interest and withdraw from discussion of that particular item, if appropriate;  iii. do not conduct any commercial activity during meetings; and  iv. keep the Organization’s products free from unresolved or unreasonable intellectual property rights issues and claims.  **6-3.2 Work of the Committees**  (a) Each Committee will develop and work to a work programme. The following factors will be considered when the work programme is developed:  i. the strategic vision;  ii. the number of meetings available to the Committee during the three‐year work period, which is the time between regular sessions of the General Assembly;  iii. the order in which the work should be accepted; and  iv. any other matters relevant to the work of the Committee.  (b) A Committee work programme, or changes thereto, will be submitted to the Council for review and approval.  (c) The work of a committee may be facilitated by the use of working groups. The creation of a working group is at the discretion of the Committee Chair.  (d) A working group will be an integral part of its parent Committee and will meet during the same week as the Committee. A working group can consist of one or more task groups.  (e) An inter‐sessional meeting of a working group is a meeting held between two meetings of the parent Committee. Such a meeting may be used to enable faster progress of a specific work item.  (f) An inter-sessional meeting of a working group or a task group requires the consensus of the chair of the parent committee. The meeting should normally be held by electronic means using online meeting facilities provided by the Secretariat. If the meeting requires resources from the Secretariat other than online meeting facilities or is with physical attendance at the IALA Headquarters or an alternative location hosted by an IALA member, the approval of the Secretary-General is needed. With the approval of the Committee, the Chair may appoint rapporteurs from the Committee to regularly provide advice to the Committee on specific matters that have an impact on or influence the work of the Committee.  **6-3.3 Decisions**  All efforts will be made for the Committees to make decisions by consensus. If a consensus on a specific matter cannot be reached, a Committee will decide by a simple majority of the Member States presented at the meeting. The voting will be by show of hands overseen by two scrutineers appointed by the Chair from among the Member States. There will be only one vote per Member State. The Chair has a casting vote if necessary.  **6-3.4 Agenda and Documents**  (a) Agenda items will depend upon the specific topics to be addressed during the particular Committee meeting to which the agenda refers. The agenda will be prepared by the Chair, assisted by the Vice Chair and the secretary to the Committee, taking into account the strategic vision, the Committee structure, and the work programme of the Committee.  (b) Input documents for a Committee meeting should be sent to the Secretariat not later than thirty calendar days before the meeting and will be published on the relevant section of the Organization’s website. Documents should conform to the standard template.  (c) Documents for consideration at a committee meeting will be numbered by the Secretariat in a way that indicates the meeting number, the agenda item to which they refer and the description.  (d) Any Member State, Associate Member and Affiliate Member may submit a document addressing any item on the work programme of a committee.  (e) Working documents are documents to be carried over to a subsequent meeting.  (f) Output documents are documents completed by the Committee. They include draft standards, recommendations, guidelines, manuals and other documents for submission to the Council for approval.  (g) The report of a Committee meeting will be approved by the Committee, endorsed by the Chair, and made available for Member States, Associate Members and Affiliate Members on the website of the Organization by the Secretariat without delay.  (h) Input documents and reports will follow the respective template formats.  (i) Draft standards, recommendations, guidelines, manuals and other documents produced by a Committee will follow a quality assurance process. This process has the following steps:  i. The Chair and Vice-Chair of the Committee will be actively involved throughout the development process. The Secretariat will be involved throughout the development process for format and editorial review.  ii. Once completed by a Committee, an output document will proceed through a quality assurance check via the Secretariat including final formatting and will then be sent to the Council for review and approval.  iii. Before approval by the Council or the General Assembly in the case of standards, an output document must be watermarked “Draft” on each page.  iv. After approval by the Council or the General Assembly as appropriate, the document will be placed on the website of the Organization with public access.  v. Member States, Associate Members and Affiliate Members will be notified of newly approved documents.  **6-4 Rules of Procedure for subsidiary bodies**  (a) Meeting will normally be held twice a year at the seat of the Organization. Exceptionally they may be held elsewhere, with the approval of the Secretary-General.  (b) The Secretariat will inform of the date of each subsidiary body meeting. Notices will be sent ninety calendar days in advance and again thirty calendar days in advance.  (c) Participation in subsidiary bodies should be communicated to the Secretariat by the means of online registration through the website.  (d) All efforts will be made to make decisions by consensus. If a consensus on a specific matter cannot be reached, a subsidiary body will decide by a simple majority of the Member States represented at the meeting. The voting will be by show of hands overseen by two scrutineers appointed by the Chair from among the Member States. There will be only one vote per Member State. The Chair has a casting vote if necessary.  (e) Where specific rules for voting are appropriate, these will be detailed in the Terms of Reference.  (f) Agenda and documents should generally be prepared following the Rules of Procedure for the committees as set out in Item 6.3.4. | Can’t relevant international organization participate in the Committees? Item6.2. (d) indicates that Chair/ Vice Chair may be drawn from relevant international organizations  It is possible that there may not be a suitable candidate to take over a position of Chair or Vice Chair due to the expected expertise or skills; the similar situation is being discussed for ITU-R WP Chair Position.  Please clarify which part is “Item 6.3.2 (c) above” referring to.  Comment same as in Item 6.1  If the Committee needs voting in accordance with Item. 6.3.3, the principal delegate should be notified.  The need of scrutineers should be considered.  It should be clarified that the word “documents” include liaison notes?  The need of scrutineers should be considered. |
| **Item 7**  **The Secretariat**  **7-1 The Secretary-General**  (a) The Secretary-General will be the legal representative and chief administrative officer of the Organization.  (b) Upon the commencement of duty by the new Secretary-General, the President and the Chair of the Finance and Audit Group will meet with the Secretary-General to discuss expectations and performance requirements having regard to the aim and objectives of the Organization.  (c) The Secretary-General will be in line with the Staff Rules and the Secretariat Procedures to the extent that this is appropriate.  **7-2 Appointment and Management of Staff**  The Secretary-General will:  (a) determine the requirement for, and functional organisation of, the staff of the Secretariat,  (b) prepare Staff Rules for approval by the Council,  (c) select and engage the staff of the Secretariat through open and transparent process with considering the regional balances of the staff especially for the position of the Deputy Secretary-General and the Dean of World-Wide Academy, and  (d) manage the performance of the staff of the Secretariat in line with the Staff Rules.  **7-3 Function of the Secretariat**  In addition to the tasks set out in Article 10 of the Convention, the Secretariat, under the direction of the Secretary-General, and in line with the Secretariat Procedures, will:  (a) handle all day-to-day management of the Organization, including the flow of information between the Secretariat and Member States, Associate Members and Affiliate Members;  (b) prepare draft terms of reference for Committees and subsidiary bodies;  (c) organize and support the Committees and subsidiary bodies in line with the work programme approved by the Council, by:  i hosting the meetings;  ii providing secretarial and technical support;  iii preparing and submitting related documents to the Council; and  iv circulating meeting documents;  (d) produce the Annual Report;  (e) receive, print, file, circulate or publish documents, and in so doing, ensure that all standards, recommendations, guidelines and manuals upon their publication are made available in the working language and, with the help of the Member States, the official languages of the Organization over time;  (f) establish, maintain and have custody of documents in the archive; and  (g) generally, perform all other work that may be required to support the endeavours of the Organization.  **7-4 Secretariat Procedures**  (a) The conduct of work of the Secretariat will be governed by Secretariat Procedures established by the Secretary-General, which will be reviewed and kept updated to ensure efficient operations are maintained.  (b) The Secretariat Procedures will be made available to all staff.  (c) The staff are required to implement the Secretariat Procedures applicable to them and to work with the Secretary-General to ensure that the Secretariat Procedures reflect safe, clear, open and sustainable working practice.  **7-5 The World-Wide Academy**  The World-Wide Academy, the vehicle by which the Organization delivers training and capacity building, will be an integral part of the Secretariat, but independently funded.  (a) The day-to-day management of the World-Wide Academy will be administered by a Dean, who will be a member of the Secretariat. The Dean is supported by an Advisory Board.  (b) The role of the Advisory Board will be:  i to maintain a global view of Marine Aids to Navigation training and capacity building needs; and  ii to recommend and oversee the strategy and the annual programme of the World‐Wide Academy and its delivery of training and capacity building.  (c) The Advisory Board will consist of:  i a Chair appointed by the Council from among the appointed board members;  ii up to [six members] appointed by the Council for a period of [three years];  iii the Secretary-General; and  iv the Dean of the World‐Wide Academy.  (d) The Advisory Board will meet twice a year, at least thirty calendar days before the next Council meeting. | No need to mention about Secretariat’s task to Administer the Organization’s finances? (Article 10-6 (b) of the Convention)  The selection of the important positions of the staff such as Deputy Secretary General and Dean of WWA by the Council should be open and transparent.  A process for the nomination and appointment of the Advisory Board members should be stated in this Item.  As the Board members have the power to determine the capacity building strategy of the Organization, they should be appointed by the transparent process such as approval by the Council.  The activity of WWA should need the transparency therefore more involvement of members especially Member States. The establishment of independent body such as the IMO Technical Corporation Committee should be considered.  The number and condition of the board members should be carefully considered. |
| **Item 8**  **Conferences and Symposia**  **8-1 Description**  (a) A conference will have as its principal objective the exchange of information relative to all types of Marine Aids to Navigation.  (b) A symposium will consider and discuss a set of contributions on specific subjects relating to Marine Aids to Navigation.  **8-2 Attendance**  (a) Conferences will be open to:  i all Member States, Associate Members and Affiliate Members; and  ii other international organizations and associations, Marine Aids to Navigation Authorities and official bodies as approved by the Council.  (b) Symposia will be open to international organizations, companies or individuals working in the field or having an interest associated with the subject addressed by the symposium, upon registration.  **8-3 Exhibitions**  (a) At conferences  An exhibition of Marine Aids to Navigation equipment, idea and study will be organized during each conference period. Only those Members who have paid the equivalent of the fees for the two years immediately prior to the year of the conference, plus the year of the conference, will have the right to exhibit.  (b) At symposia  An exhibition of Marine Aids to Navigation equipment, idea and study will be organised during each symposium. The exhibition will be open to any entity operating in the Marine Aids to Navigation field, upon registration.  **8-4 Preparations for Conferences and Symposia**  (a) The Secretariat will develop guidelines for preparations of conferences and symposia. The guidelines will assist the host of the event in the planning and preparation for convening and conduct of conferences and symposia.  (b) The guidelines will be made available to Member States considering hosting a conference or a symposium. | The duration of the ordinary General Assembly is now every three years, it is difficult to organize both Conference and Symposia within three years. This situation should be carefully considered.  In relation with the comment above, no need to mention in the Regulation the venue and year of the conference/symposia? (Article 8-8 (l) of the Convention)  Other than equipment such as idea, study should be allowed to exhibit.  If the attendance is open to all members according to Art.8.2(a), every member should be allowed to exhibit.  Same comment as Item.8-3(a). |
| **Item 9**  **Languages**  9-1 The official language of the Organization shall be Arabic, Chinese, English, French, Russian and Spanish as stipulated in Article 12 of the Convention. The working language of the Organization will be English.  9-2 The General Assembly will be conducted in the official languages. Input papers in the form of draft resolutions and the report will be translated into the official languages.  9-3 The Council, the Committees and subsidiary bodies will be conducted in the working language. |  |
| **Item 10**  **Modifications to the General Regulations**  10-1 These General Regulations may be amended by the General Assembly.  10-2 The Council or any Member State may propose a modification to the items of the General Regulations.  10-3 Modification to the General Regulations adopted by the General Assembly will be incorporated therein |  |
| **Item 11**  **Termination**  In the event of the termination of the Convention, the Council, as stipulated in paragraph 2 of Article 22 of the Convention, shall be responsible for the winding up of the Organization in the intervening period and will make the necessary arrangements, including:  (a) Determining the assets of the Organization and returning any property not belonging to the Organization;  (b) Determining and settling any claims against the Organization and any sums owed by the Organization including costs associated with the winding up of the Organization; and  (c) Dividing the balance of the accounts amongst the Member States, Associate Members and Affiliate Members in accordance with the Financial Regulations. |  |