

DRAFT JUNE 2022

DRAFT GENERAL REGULATIONS, INCLUDING FINANCIAL REGULATIONS WITH COMMENTS

The Conference will find attached the Draft General Regulations, including Financial Regulations with relevant comments from the Secretariat. The document gives the participants the possibility to add comments as they see fit.

In general the Draft regulations are based on the General Regulation of the International Association for Marine Aids to Navigation and Lighthouse Authorities (the present IALA) and relevant other international organizations like the International Hydrographic Organization (IHO).

Draft General Regulations for the International Organization for Marine Aids to Navigation.

Text	Comments
<p style="text-align: center;">Article 1 Application</p> <p>These General Regulations together with the Financial Regulations annexed hereto, as Annex A, are reviewed and approved in accordance with Article 7.7 of the Convention and shall apply to the operations of the Organization.</p>	<p>UK suggests insertion of a new article to say: “The activities of the Organization are of a consultative and technical nature and do not concern themselves with questions of international politics”</p> <p>[Based on IHO General Regulations Article 1]</p>
<p style="text-align: center;">Article 2 Membership</p> <p>1. Contact Point for Member States</p> <p>Member States shall designate a contact point, preferably from the national authority responsible for the regulation, provision, maintenance or operation of Marine Aids to Navigation.</p> <p>2. Application for Associate or Affiliate Membership</p> <p>(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.</p> <p>(b) The Secretariat will submit applications for Associate membership to the General Assembly and applications for Affiliate membership to the Council, for a decision.</p> <p>(c) Membership will take effect as of the following 1 January if the decision is taken between 1 January and 30 June and as of the following 1 July if the decision is taken between 1 July and 31 December.</p> <p>3. Industrial Members</p>	

Affiliate Members who are manufacturers or distributors of Marine Aids to Navigation equipment for sale, or organizations providing Marine Aids to Navigation services or technical advice under contract will be known as Industrial Members. Industrial Members are represented by the Industrial Members Group, in accordance with its Terms of Reference as approved by the General Assembly of Industrial Members. The Industrial Members Group is not considered to be a subsidiary body of the Organization.

4. Fees

(a) Fees may be determined as different amounts for Associate Members, Industrial Members and other Affiliate Members but shall be the same within each membership category. The level of fees by membership category are proposed by the Secretary-General based on the proposed budget for the following year and longer-term funding and reserves requirement for approval by the Council. The Chair of the Finance and Audit Group will independently advise the Council on the findings of the Finance and Audit Group regarding the proposed fees and fees levels by 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 accordance with Article 2.5.

5. Suspension and Reinstatement of Associate and Affiliate Membership

(a) The Council may suspend an Associate or Affiliate membership for non-payment of fees according to the escalation procedure established in the Financial Regulations ([Article 8](#)).

(b) The General Assembly may suspend an Associate membership and the Council may suspend an Affiliate membership for any justifiable cause in the best interest of the Organization.

(c) The Secretary-General reinstates an Associate or Affiliate membership suspended under Article 2.5 (a) when the Associate Member or Affiliate Member has paid advised arrears of fees. The Secretary-General must advise

UK believes this is relevant to ensure there is:

- segregation of duties between the role of the Secretary General and those that scrutinise
- Fee proposal are scrutinised and based on long-term funding requirements.

the Council of such action at the next Council meeting.

- (d) The Council reinstates an Associate or Affiliate membership suspended under 2.5 (b) when the Associate Member or Affiliate Member has met the

<p>requirements set out by the General Assembly or the Council.</p> <p>6. Termination of Associate and Affiliate Membership</p> <p>Associate or Affiliate membership may be terminated:</p> <ul style="list-style-type: none"> (a) by the Associate Member or Affiliate Member by notice in writing to the Secretariat at any time. Such termination will take effect: <ul style="list-style-type: none"> i on the date specified in the notice of termination; or ii if no date is specified, thirty calendar days after the notice is received by the Secretariat; (b) by the Council 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 Council of any such event at its next meeting. Such termination will take effect from the date of the meeting at which 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. <p>The Secretary-General must notify the Associate Member or Affiliate Member of the reason for termination and the date of effect of termination within thirty calendar days of the decision being taken by the Council or the General Assembly.</p>	
<p style="text-align: center;">Article 3 The General Assembly</p> <p>1. Convening</p> <ul style="list-style-type: none"> (a) The General Assembly shall ordinarily be convened once every three years by order of the Council. (b) The General Assembly shall, where possible, be convened during the same period and at the same location as the Organization's conference, but in any 	<p>If the frequency of the General Assembly is increased to 3 years should there be a focus on making it more affordable to host?</p> <p>UK suggests the addition of the following new article:</p> <p>The General Assembly may approve participation of the Organization at inter-organizational boards and other bodies, and in inter-organizational projects and cooperative activities, including the principles for such participation, and shall approve any terms of reference necessary for such participation.</p>

case, must be held no earlier than June of the General Assembly year. 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 to convene the General Assembly virtually.

- (c) It shall 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, no Member State, Associate Member or Affiliate Member of the Organization will be prevented from entering the host country for the purpose of the General Assembly.
- (d) The Council may, after a notice of ninety calendar days, convene an extraordinary session of the General Assembly at ~~which~~ such time and place as it determines.
- (e) The Secretary-General shall, 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.

2. Attendance

- (a) Member States, Associate Members and Affiliate Members of the Organization attending the General Assembly are responsible for their own travelling and accommodation expenses.
- (b) The Secretary-General is authorised to invite, on behalf of the Council and subject to consent of the General Assembly, observers from:

<p>i states that are not parties to the Convention; or</p> <p>ii intergovernmental or non-governmental international organizations whose activities are connected with those of the Organization.</p> <p>(c) Each Member State shall communicate in writing, in accordance 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 <u>alternative</u>. 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.</p> <p>(d) Each Associate Member and Affiliate Member shall communicate in writing to the Secretary-General the names of the persons <u>of that Member State</u> attending the General Assembly.</p> <p>3. Organization</p> <p>(a) The General Assembly is to be prepared and organised by the Secretary-General using the resources of the Secretariat <u>and those or such</u> other resources as agreed in writing with the Member State hosting the General Assembly.</p> <p>(b) One hundred eighty calendar days before the opening of the General Assembly the Secretariat shall 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.</p> <p>(c) One hundred twenty calendar days before the opening of the General Assembly submitted proposals together with those prepared by the Council shall be circulated to all Member States, Associate Members and Affiliate Members, who shall be invited to forward their comments to the Secretariat within sixty calendar days.</p>	<p>UK contends that this is too long for technical documents now that work cycles are shorter. There needs to be a provision to allow for later submission of technical documents</p>
--	---

<p>After this date no proposals shall be accepted unless:</p> <ul style="list-style-type: none"> i there are exceptional circumstances, in which case the proposal should be approved by the General Assembly for inclusion; or ii the proposal amends or provides an alternative to a proposal already submitted, in which case it may be received until thirty calendar days before the General Assembly. <p>(d) All final papers, including the provisional agenda but excluding any amending or alternative proposals, shall be circulated to Member States, Associate Members and Affiliate Members at least sixty calendar days before the opening of the General Assembly.</p> <p>(e) The provisional agenda for an ordinary session of General Assembly shall be prepared by the Secretariat for approval by the Council and shall normally include:</p> <ul style="list-style-type: none"> i Approval 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<u>s</u> on Associate membership xii Consideration of reports and proposals received from Member States, Associate Members and Affiliate Members xiii Any other business <p>(f) The provisional agenda for an extraordinary session of General Assembly called by the Council shall be</p>	<p>UK suggests the inclusion of:</p> <ul style="list-style-type: none"> • Maritime Buoyage System • World Wide Academy Report <p>UK suggests that the strategic vision should be time bound to the period between general assemblies</p>
---	--

prepared by the Secretary-General for approval by the Council and shall 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 shall be prepared by the Secretary-General and shall include consideration of the question(s) for which the session was convened.

4. Rules of Procedure

The following Rules of Procedure shall apply to the conduct of the work of the General Assembly:

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 shall have the power to propose adjournment or closure of debates or adjournment or suspension of the meeting.

4.2. Conduct of Meetings

- (a) No person may address the General Assembly without having previously obtained the permission of the Chair. Subject to this rule and rules b), c), g) and i) below, the Chair shall 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.

UK questions - Does the provisional agenda need to be approved by the Council?

UK asks -Article 6.2 of the Convention says who the Chair will be but Article 7.7(a) of the Convention says that the General Assembly will elect the President and Vice President in accordance with the General Regulations – where in the General Regulations is this provision?

<p>(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 shall immediately be decided by the Chair. A delegate may appeal against the ruling of the Chair. The appeal shall immediately be put to a vote and the Chair's ruling shall 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.</p> <p>(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 shall call such delegate to order without delay.</p> <p>(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.</p> <p>(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 shall immediately be put to a vote. The Chair may limit the time to be allowed to speakers under this rule.</p> <p>(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 shall be accorded only to two speakers opposing the closure, after which the motion shall be immediately put to a</p>	
---	--

<p>vote. If the General Assembly is in favour of the closure, the Chair shall declare the closure of the debate. The Chair may limit the time to be allowed to speakers under this rule.</p> <p>(h) During the discussion of any matter, a delegate may move the suspension or the adjournment of the meeting. Such motions shall not be debated but shall be immediately put to a vote. The Chair may limit the time to be allowed to the speaker moving the suspension or adjournment.</p> <p>(i) Subject to rule c) above, the following motions shall have precedence in the following order over all the other proposals or motions before the meeting:</p> <ul style="list-style-type: none"> 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. <p>(j) Subject to 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 an amendment submitted to it shall be put to a vote before the matter is discussed or a vote is taken on the proposal or amendment in question.</p> <p>(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 amended or that an amendment to it is not under discussion. A motion which has thus been withdrawn may be reintroduced by any delegate.</p> <p>(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 shall be accorded only to the mover and one other supporter and to two speakers</p>	
---	--

opposing the motion, after which it shall be put immediately to a vote.

4.3. Voting

- (a) The Chair shall appoint two scrutineers from amongst the Member States who shall proceed to scrutinise the votes cast and the counting of votes by the Secretariat.
- (b) The principal delegate of a Member State shall 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 shall be considered as not voting.
- (d) A Member State shall not vote on behalf of another Member State.

4.4. Decision Making and Reporting

- (a) Where the General Assembly is requested to make a decision, that request shall 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.
- (b) The Secretariat shall arrange for the work of the General Assembly to be recorded in a report. The draft report shall be distributed to those Member States, Associate Members and Affiliate Members attending, which may submit their proposed corrections in writing to the Chair. Any disagreement on the proposed corrections shall be decided by the Chair after consultation with the Member States, Associate Members and Affiliate Members concerned.
- (c) The revised draft report will be adopted by the General Assembly in session, or if necessary, by correspondence.
- (d) Member States, Associate Members and Affiliate Members who made statements during debate may request that such statement be attached to the report.

- (e) The report, together with all relevant documents, shall be made available to the Member States, Associate Members and Affiliate Members within fourteen calendar days after their approval by the General Assembly.
- (f) Audio recordings of General Assembly sessions may be made and shall be retained by the Secretariat for record-keeping purposes.

5. Election of the President and the Vice President

The General Assembly shall 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 shall be collated and circulated to all Member States by the Secretariat. After this date no nominations shall 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 shall produce a ballot form for nominees for the Presidency and Vice Presidency and each Member

UK suggests that this should explain who is eligible to vote.

UK asks with regard to the words 'nominated' (in c) and 'nominees' (in d), who is making the nomination and to whom is the nomination being submitted?

<p>State shall have one vote for each position.</p> <p>(e) The Chair shall appoint two scrutineers from amongst the Member States who have not been nominated for either of the positions, who shall proceed to scrutinise the votes cast and the counting of votes by the Secretariat.</p> <p>(f) The candidate winning a simple majority of votes will be elected. When several candidates compete for the position, and no candidate obtains a simple majority of votes, rounds of votes will be conducted, in order to eliminate each time, the candidate with fewest str votes <u>each time</u>.</p> <p>(g) Should the position of President become vacant, the Vice President will assume this role and the position of Vice President will <u>consequently</u> become vacant instead. In this event, the Secretary-General shall call for nominations to fill the vacant position and will conduct a ballot, either in session or electronically, in accordance with the provisions <u>of Article 3 paragraph 5</u> above.</p> <p>6. Election of the Council</p> <p>The election of the Council shall be conducted as follows:</p> <p>(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:</p> <ul style="list-style-type: none"> 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. <p>(b) Sixty calendar days before the opening of the General Assembly all nominations shall be collated and</p>	<p>UK asks can the ballot be both <i>in session</i> and <i>electronically</i> or is the word <i>electronically</i> supposed to mean <i>remotely</i> in this context? See note below.</p> <p>UK comments - it would be useful here if it was made clear that the election is by a manual/paper ballot (if that is the intention).</p>
--	--

circulated to all Member States by the Secretariat. After this date no nominations shall be accepted unless there are exceptional circumstances, in which case the nomination ~~should~~ shall 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 shall produce a ballot form for nominees for the Council and each Member State shall have one vote for each vacant seat on the Council.
- (e) The Chair shall appoint two scrutineers from amongst the Member States who have not been nominated for the Council, who shall 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 shall be a further ballot from among these candidates only. Should the votes again be divided equally, the Chair shall draw by lot the name of the candidate to be eliminated ~~in any subsequent ballots from the process.~~
- (g) When voting and counting are completed the Chair shall confirm the election and invite the newly elected Council members 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.

7. Election of the Secretary-General

The election of the Secretary-General shall 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 shall be closed thirty calendar days prior to the opening day of the ordinary session of the General Assembly.

UK understands this to mean that the elimination takes place immediately and not as the result of a subsequent ballot. Suggested new wording is intended to reflect this.

UK suggests an additional paragraph covering Council members which have lost rights in line with Convention Article 13. 4 .

<p>(b) The nominations shall be notified to all Member States by the Secretariat as soon as they are received.</p> <p>(c) A vote to elect the Secretary-General from amongst those nominated will be conducted by secret ballot.</p> <p>(d) The Chair shall appoint two scrutineers from amongst the Member States who have not nominated candidates, who shall proceed to scrutinise the votes cast and the counting of votes by the Secretariat.</p> <p>(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.</p> <p>(f) In the event that the position of Secretary-General becomes vacant in the interval between two sessions of the General Assembly, the Council is empowered to appoint an acting Secretary-General, whose term of office shall not extend beyond the next General Assembly.</p>	<p>UK proposes saying that the acting Secretary-General may stand for election as the Secretary-General if so nominated by the respective member state after the next General Assembly</p> <p>UK proposes additional Articles:</p> <p>ARTICLE new A Secretary-General elected at an ordinary session of the Assembly shall assume his/her duties on the following 1 September. The duties of his/her predecessor shall terminate on 31 August.</p> <p>ARTICLE new A Secretary-General who has been incapacitated for duty for six consecutive months, or otherwise for an aggregate of twelve months, during his/her term of office shall automatically cease to be Secretary-General or Director.</p>
--	--

<div data-bbox="422 188 564 253"><p>Article 4 The Council</p></div> <div data-bbox="204 259 370 291"><p>1 Functions</p></div> <div data-bbox="253 311 777 750"><p>(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.</p><p>(b) In the period between General Assemblies, should no appropriate provision be made<u>exist</u> in the Convention or these General Regulations, the Council shall make any administrative or technical decision which may be necessary, unless such decision falls</p></div>	
---	--

<p><i>exclusively within the jurisdiction of the General Assembly under the Convention. Any such decision must be reported to the next General Assembly.</i></p> <p>(c) <i>The Council shall be guided by the overall policy and strategic vision as decided by the General Assembly.</i></p> <p>(d) <i>If the Council considers that any question or issue should be referred to Member States, it shall 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 shall then decide the matter.</i></p> <p>2 Convening</p> <p>(a) <i>The Council will be convened, ordinarily twice a year by notice in writing, by any of the following:</i></p> <ul style="list-style-type: none"> i. <i>the President or the Vice President;</i> ii. <i>the Secretary-General; or</i> iii. <i>at the request of two Council members.</i> <p>(b) <i>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 agrees alternative arrangements.</i></p> <p>(c) <i>The date of an extraordinary meeting of the Council will be not less than ten calendar days from the date of notification, and the location will be the seat of the Organization unless otherwise agreed by the President and the Secretary-General.</i></p> <p>(d) <i>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.</i></p> <p>3 Organization of Meetings</p> <p>(a) <i>Council meetings are to be prepared and organized by the Secretary-General using the resources of the Secretariat.</i></p> <p>(b) <i>Member States and Affiliate Members of the Organization attending the Council are</i></p>	<p></p> <p>UK suggests that in 2 (a) iii, a 'request' to hold a meeting is not the same as giving written notice that a meeting will be convened. Presumably in practice the procedure will be that two Council members will make a request to the Secretary-General who will issue the written notice precipitated by their request?</p> <p>UK questions whether 10 days would be sufficient?</p> <p>UK notes 3(b) does not mention Associate members which could imply that their travel and subsistence costs will be met. Would it be better to say that all attendees are to meet their own expenses?</p>
---	--

<p>responsible for their own travelling and accommodation expenses.</p> <p>(c) Member States shall communicate in writing the name of the delegate representing that Member State at the Council.</p> <p>(d) Sixty calendar days before a scheduled Council meeting the Secretariat shall 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.</p> <p>(e) Forty calendar days before the opening of the Council submitted papers together with those prepared by the Secretariat shall be made available to all Member States, and they shall be invited to forward their comments to the Secretariat within ten calendar days.</p> <p>(f) Thirty calendar days before the Council the Secretariat shall make all papers and the provisional agenda for the meeting available to Member States, Associate Members and Affiliate Members.</p> <p>(g) The provisional agenda for an ordinary meeting of the Council shall normally include:</p> <ul style="list-style-type: none"> i. Approval of the Agenda ii. Report of the President and Secretary-General iii. Report of the Finance and Audit <u>CommitteeGroup</u> iv. Committee reports v. Applications for Affiliate membership vi. Any other business vii. Date and time of next meeting <p>(h) The provisional agenda for an extraordinary meeting of the Council shall normally include consideration of the question(s) for which the meeting was convened.</p> <p>4 Rules of Procedure</p> <p>The following Rules of Procedure shall apply to the conduct of the business of the Council:</p> <p>4.1. The Role of the Chair</p> <p>(a) The Chair will open and close the meeting, direct discussions, ensure the observance</p>	<p>UK suggests the addition of:</p> <ul style="list-style-type: none"> viii. Report on activities, finances and administration of the World Wide Academy ix. Report on activities and administration of the Secretariat. x. technical documents for approval Xi Formal submissions to other organizations
---	--

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 shall have the power to propose adjournment or closure of debates or adjournment or suspension of the meeting.

4.2. Conduct of meetings

- (a) No person may address the Council without having obtained the permission of the Chair. Subject to rules b), f) and h) below, the Chair shall 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 shall immediately be decided by the Chair. A Council member may appeal against the ruling of the Chair. The appeal shall immediately be put to a vote and the Chair's ruling shall 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 shall 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.

- | | |
|--|--|
| <p>(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 shall immediately be put to a vote. The Chair may limit the time to be allowed to speakers under this rule.</p> <p>(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 shall be accorded only to two speakers opposing the closure, after which the motion shall be immediately put to a vote. If the Council is in favour of the closure, the Chair shall declare the closure of the debate. The Chair may limit the time to be allowed to speakers under this rule.</p> <p>(g) During the discussion of any matter, a Council member may move the suspension or the adjournment of the meeting. Such motions shall not be debated but shall be immediately put to a vote. The Chair may limit the time to be allowed to the speaker moving the suspension or adjournment.</p> <p>(h) Subject to rule b) above, the following motions shall have precedence in the following order over all the other proposals or motions before the meeting:</p> <ol style="list-style-type: none">i. to suspend the meeting;ii. to adjourn the meeting;iii. to adjourn the debate on the question under discussion; andiv. for the closure of the debate on the question under discussion. <p>(i) Subject to 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 shall be put to a vote before the matter is discussed or a vote is taken on the proposal in question.</p> <p>(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 amended or that an</p> | |
|--|--|

<p>amendment to it is not under discussion. A motion which has thus been withdrawn may be reintroduced by any Council member.</p> <p>(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 shall be accorded only to the mover and one other supporter and to two speakers opposing the motion, after which it shall be put immediately to a vote.</p> <p>4.3. Voting</p> <p>(a) The Chair shall appoint two scrutineers from amongst the Member States who shall proceed to scrutinise the votes cast and the counting of votes by the Secretariat.</p> <p>(b) Member States abstaining from voting or casting an invalid vote shall be considered as not voting.</p> <p>(c) A Member State shall not vote on behalf of another Member State.</p> <p>4.4. Decision Making and Reporting</p> <p>(a) Where the Council is requested to make a decision, that request shall 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.</p> <p>(b) The Secretary-General shall arrange for the work of the Council to be recorded in a report of the work of the meeting. The draft report shall be distributed to all Council members present at the meeting, who may submit their proposed corrections in writing to the Chair. Any disagreement on the proposed corrections shall be decided by the Chair after consultation with the Council member(s) concerned.</p> <p>(c) 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.</p>	<p>UK comments - it would be useful here if it was clear that the vote is by a manual/paper ballot (if that is the intention) .If electronic, in person or remote systems are to be used then it should be noted here and that the system will be provided by the Secretariat.</p>
--	--

<p>Secretary-General shall draw by lot the name of the candidate to be eliminated in any subsequent ballots.</p> <p>(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.</p> <p>(h) The group shall hold office for the term of the Council unless replaced earlier by decision of the Council or through resignation.</p> <p>(i) Should the Chair or a member of the Finance and Audit Group resign the Secretary-General shall call for nominations to fill the vacant position and will conduct a ballot in accordance with the provisions above.</p> <p>(j) If the Chair cannot attend a meeting of the Finance and Audit Group, the Chair shall arrange for another member of the group to chair the meeting.</p> <p>3 Convening</p> <p>(a) The Finance and Audit Group will ordinarily be convened twice a year by notice in writing by any of the following:</p> <ul style="list-style-type: none"> i. the President or Vice President; ii. the Chair <u>of the Finance and Audit Group</u>; iii. the Secretary-General; or iv. at the request of two Council members. <p>(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.</p> <p>(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</p>	<p>UK suggests that 3 (a) (iv), a request of two Council members is not the same as giving notice in writing.</p>
--	---

<p>seat of the Organization unless alternate arrangements are agreed by the Chair and the Secretary-General.</p>	
<p style="text-align: center;">Article 6 Committees and Subsidiary Bodies</p> <p>1 Participation in Committees and Subsidiary Bodies</p> <p>(a) Member States, Associate Members and Affiliate Members are eligible to participate in the Committees.</p> <p>(b) The General Assembly will determine participation in subsidiary bodies as part of the development of the Terms of Reference for those subsidiary bodies.</p> <p>2 Appointment of Chair and Vice Chair</p> <p>(a) Each Committee and subsidiary body shall have a Chair and Vice Chair appointed by the Council for a period of three years in between ordinary sessions of the General Assembly. The term for Chairs and Vice Chairs shall not exceed two consecutive periods of three years.</p> <p>(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.</p> <p>(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.</p> <p>(d) Chairs and Vice Chairs of working groups in accordance with Article 3.2 (c) shall normally be provided by Member States. However, where appropriate, they may be drawn from Associate Members and Affiliate Members or relevant international organizations.</p>	<p>UK Suggests - Nominations for these positions may be made by Member States or the Secretary-General from amongst representatives of the Member States and/or AtoN national authorities</p>

|

--	--

<p>The appointment of the working group Chair and Vice Chair are at the discretion of the Committee Chair.</p> <p>3 Rules of Procedure</p> <p>3.1 Meetings</p> <p>(a) Committee meetings shall 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.</p> <p>(b) The duration of a Committee meeting shall normally be five days, with the daily schedule being decided by the Committee Chair.</p> <p>(c) The Secretariat shall inform all Member States, Associate Members and Affiliate Members of the date of each Committee meeting. Notices shall be sent ninety calendar days in advance and again thirty calendar days in advance.</p> <p>(d) Every Member State, Associate Member and Affiliate Member may send representatives to participate in a committee meeting.</p> <p>(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.</p> <p>(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.</p> <p>(g) Committee participants should ensure that they:</p> <ol style="list-style-type: none"> act honestly and in good faith, with a view to upholding the best interests and purpose <u>aims and objectives</u> of the Organization; advise the Committee of a perceived, potential, or actual conflict of interest and withdraw 	<p>UK recommends adding a section on the role of the Chair and what the Chair would be expected to do in the event of a conflict of interest. Also expectations of what the committee chairs' principles are in terms of fairness, independence etc...</p> <p>UK contends that 90 days is too short and notices should be sent 180 days in advance.</p> <p>UK suggests this should say 'aims and objectives' instead of 'purpose' as these are clearly defined in Art 7 para 1 (h) and Art 3 of the Convention</p>
---	--

- 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.

3.2 Work of the Committees

- (a) Each Committee shall develop and work to a work programme. The following factors shall be taken into account 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 undertaken; and
 - iv. any other matters relevant to the work of the Committee.
- (b) A Committee work programme, or changes thereto, shall 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 agreement 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 held with physical attendance at the ~~IALA Headquarters~~seat of the Organization or an alternative location hosted by an IALA member, the approval of the Secretary-General is needed. With the approval of the parent Committee, the Chair may appoint rapporteurs from the parent Committee to regularly provide advice to the parent Committee on specific matters that have an impact on or influence the work of the parent Committee.

3.3 Decisions

All efforts shall be made for the Committees to make decisions by consensus. If a consensus on a specific matter cannot be reached, a Committee shall 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 shall be only one vote per Member State. The Chair has a casting vote if necessary.

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

UK suggests the use of the words 'the seat of the Organization' which is consistent terminology with the rest of the document and the Convention

<p>agenda item to which they refer and the description.</p> <p>(d) Any Member State, Associate Member and Affiliate Member may submit a document addressing any item on the work programme of a committee.</p> <p>(e) Working documents are documents to be carried over to a subsequent meeting.</p> <p>(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.</p> <p>(g) The report of a Committee meeting shall 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.</p> <p>(h) Input documents and reports shall follow the respective template formats.</p> <p>(i) Draft standards, recommendations, guidelines, manuals and other documents produced by a Committee shall follow a quality assurance process. This process has the following steps:</p> <ol style="list-style-type: none"> i. The Chair and Vice-Chair of the Committee shall be actively involved throughout the development process. The Secretariat shall be involved throughout the development process for format and editorial review. ii. Once completed by a Committee, an output document shall proceed through a quality assurance check via the Secretariat including final formatting and shall 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. 	<p>UK suggests input documents and reports shall follow the respective template formats provided by the Secretariat</p>
--	---

<p>iv. After approval by the Council or the General Assembly as appropriate, the document shall be placed <u>translated and published</u> on the <u>official</u> website of the Organization with public access.</p> <p>v. Member States, Associate Members and Affiliate Members shall be notified of newly approved documents.</p> <p>4 Rules of Procedure for subsidiary bodies</p> <p>(a) Meeting shall 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.</p> <p>(b) The Secretariat shall inform of the date of each subsidiary body meeting. Notices shall be sent ninety calendar days in advance and again thirty calendar days in advance.</p> <p>(c) Participation in subsidiary bodies should be communicated to the Secretariat by the means of online registration through the website.</p> <p>(d) All efforts shall be made to make decisions by consensus. If a consensus on a specific matter cannot be reached, a subsidiary body shall decide by a simple majority of the Member States represented at the meeting <u>without prejudice to (e) below</u>. The voting will be by show of hands overseen by two scrutineers appointed by the Chair from among the Member States. There shall be only one vote per Member State. The Chair has a casting vote if necessary.</p> <p>(e) Where specific rules for voting are appropriate, these will be detailed in the Terms of Reference.</p> <p>(f) Agenda and documents should generally be prepared following the Rules of Procedure for the committees as set out in Article 6.3.4.</p>	<p>UK suggests iv ... the document shall be translated and published</p>
---	--

<div>Article 7</div> <div>The Secretariat</div> <div>1 The Secretary-General</div>	
--	--

<p>(a) The Secretary-General shall be the legal representative and chief administrative officer of the Organization <u>and shall administer the Secretariat in accordance with the provisions of the Convention and these General and Financial Regulations and with directives given by the General Assembly and by the Council.</u></p> <p>(b) Upon the commencement <u>the term of office and periodically during the appointment period of duty by of</u> the new Secretary-General the <u>IALA</u> President and the Chair of the Finance and Audit Group shall meet with the Secretary-General to discuss expectations and performance requirements having regard to the aim and objectives of the Organization.</p> <p>(c) <u>The Secretary-General shall be subject to the Staff Rules and the Secretariat Procedures to the extent that this is appropriate.</u></p> <p><u>(d) The Secretary-General shall at all times act in the best interests of the Organization.</u></p>	<p>UK would anticipate the creation of a People Group to discuss terms and conditions, staffing, recruitment and retention and reward.</p> <p>UK suggest there needs to be something in either SG or Sec regarding IT systems , cyber and physical security. E.G. the SG shall ensure the organization maintains an effective and secure business management system, IT facilities and physical security to protect IALA staff, members and assets.</p>
<p>2 Appointment and Management of Staff</p> <p>The Secretary-General shall:</p> <p>(a) determine the requirement for, and functional organisation of, the staff of the Secretariat;</p> <p>(b) prepare Staff Rules for approval by the Council;</p> <p>(c) select and engage the staff of the Secretariat in accordance with the Staff Rules; and</p> <p>(d) manage the performance of the staff of the Secretariat in accordance with the Staff Rules.</p> <p>3 Function of the Secretariat</p> <p>In addition to the tasks set out in Article 10 of the Convention, the Secretariat, under the direction of the Secretary-General, and in accordance with the Secretariat Procedures, shall:</p> <p>(a) handle all day-to-day management of the Organization, including the flow of information between the Secretariat and Member States, Associate</p>	<p>Based on the IHO General Regulations Article 10 UK would propose the following additional paragraphs:</p> <p>(b) The Secretary-General shall prepare and submit to the Finance and Audit Group and the Council the financial statements for each year and budget estimates on a three-year basis, with the estimates for each year shown separately in accordance with the Financial Regulations;</p> <p>(c) The Secretary-General shall support the Council in preparing proposals concerning the Strategic Objectives and the work programme;</p> <p>(d) The Secretary-General shall keep Member States, Associate members and Affiliate members informed with respect to the activities of the Organization.</p>

<p>Members and Affiliate Members;</p> <p>(b) prepare draft terms of reference for Committees and subsidiary bodies;</p> <p>(c) organize and support the Committees and subsidiary bodies in accordance with the work programme approved by the Council, by:</p> <p>i hosting the meetings;</p>	<p>ARTICLE – new</p> <p>The Secretary-General shall keep in close communication with the Aids to Navigation authorities of Member States. He/she may also correspond with related scientific organizations of Member States, provided that he/she informs the official representative of the Member State concerned. Furthermore he/she may correspond with similar bodies of other States and with international organizations.</p> <p>ARTICLE New</p> <p>The Secretary-General shall bring to the notice of the Aids to Navigation Authorities of Member States any Aids to Navigation work of an international character or problems of general interest that may be useful to undertake or study. He/she shall strive for the undertaking of such work or solutions to such problems by seeking collaboration among Member States as necessary.</p> <p>ARTICLE new</p> <p>The Secretary-General shall satisfy as far as possible all requests from representatives of Member States for information or advice related to the work of the Secretariat. Matters which can be dealt with directly among national Aids to Navigation authorities should not normally be referred to the Secretary-General.</p>
--	--

<p> 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 <u>and budget and other financial reporting in accordance with the Financial Regulations</u>; (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. </p> <p>4 Secretariat Procedures</p> <p> (a) The conduct of work of the Secretariat shall be governed by Secretariat Procedures established by the Secretary-General, which shall be reviewed and kept updated to ensure efficient operations are maintained. (b) The Secretariat Procedures shall 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. </p> <p>5 The World-Wide AcademyCapacity Building</p> <p>The World-Wide Academy, the vehicle by which the Organization delivers training and capacity building, shall be an integral part of the Secretariat, <u>but and shall be meet its funding requirement from independent sources-independently funded.</u></p> <p> (a) The day-to-day management of the World-Wide Academy shall be administered by a Dean, who shall be a member of the Secretariat <u>and shall be answerable to the Secretary-General.</u> The Dean is supported by an Advisory </p>	<p>UK proposes (h) to establish and review anti-fraud and bribery and corruption policies and procedures and report on the effectiveness of such policies and procedures at least annually to the Council.</p> <p>UK suggests this section 5 is renamed "Capacity Building"</p>
--	---

Board.

(b) The role of the Advisory Board shall be:

<ul style="list-style-type: none"> 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. <p>(c) The Advisory Board shall consist of:</p> <ul style="list-style-type: none"> i a Chair appointed by the Council from among the appointed Advisory 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. <p>(d) The Advisory Board shall meet twice a year, at least thirty calendar days before the next Council meeting.</p>	<p>UK asks whether 'committee rules' and regulations apply? This is not dissimilar to Finance and Audit Group with a fixed set of members.</p> <p>UK considers that is it unclear how many members the Advisory Board will consist of. Would it be clearer to say:</p> <p>(c) The Advisory Board shall consist of:</p> <ul style="list-style-type: none"> i the Secretary-General; ii the Dean of the World-Wide Academy; and iii up to six other other members appointed by the Council for a period of three years one of whom shall be appointed Chair by the Council; iv the Dean shall not chair the Advisory Board
--	--

<p style="text-align: center;">Article 8 Conferences and Symposia</p> <p>1 Description</p> <p>(a) A conference shall have as its principle <u>principal</u> objective the exchange of information relative to all types of Marine Aids to Navigation.</p> <p>(b) A symposium shall consider and discuss a set of contributions on specific subjects relating to Marine Aids to Navigation.</p> <p>2 Attendance</p> <p>(a) Conferences shall be open to:</p> <ul style="list-style-type: none"> 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. <p>(b) Symposia shall 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.</p>	<p>UK suggests that something needs to be said about where Conferences will be held and how conference locations are decided. Convention Article 8.8 L says that the Council will decide the venue in accordance with the General Regulations – which currently does not appear to be covered. UK recommends some text reflecting on the value for money and affordability of future conferences should be included.</p>
---	--

<p>3 Exhibitions</p> <p>(a) At conferences</p> <p>An exhibition of Marine Aids to Navigation equipment will be organized during each conference period. Only those Industrial 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.</p> <p>(b) At symposia</p> <p>An exhibition of Marine Aids to Navigation equipment will be organised during each symposium. The exhibition will be open to any entity operating in the Marine Aids to Navigation field, upon registration.</p> <p>4 Preparations for Conferences and Symposia</p> <p>(a) The Secretariat shall develop guidelines for preparations of conferences and symposia. The guidelines shall assist the host of the event in the planning and preparation for convening and conduct of conferences and symposia.</p> <p>(b) The guidelines shall be made available to Member States considering hosting a conference or a symposium.</p>	
<p style="text-align: center;">Article 9 Languages</p> <p>1 The official languages of the Organization shall be Arabic, Chinese, English, French, Russian and Spanish. The working language of the Organization shall be English.</p> <p>2 The General Assembly shall be conducted in the official languages. Input papers in the form of draft resolutions and the report shall be translated into the official languages.</p> <p>3 The Council, the Committees and subsidiary bodies shall be conducted in the working language.</p>	

<p style="text-align: center;">Article 10 Amendments to the General Regulations</p> <ol style="list-style-type: none"> 1 These General Regulations may be amended by the General Assembly. 2 The Council or any Member State may propose an amendment to these General Regulations. 3 Amendments to the General Regulations adopted by the General Assembly shall be incorporated therein. 	
<p style="text-align: center;">Article 11 Termination</p> <p>In the event of the <u>final</u> termination of the Organization the Council shall make the necessary arrangements for the winding up of the Organization, including:</p> <ol style="list-style-type: none"> (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. 	

Annex A

Financial Regulations of the Organization

Text	Comments
<p style="text-align: center;">Article 1 Application</p> <p>These Financial Regulations shall govern the financial administration of the Organization.</p>	
<p style="text-align: center;">Article 2 Financial Governance</p> <p>1 The General Assembly shall review and approve the financial arrangements of the Organization, including the outline budget for the following three years and the rate of contribution for Member States and fees for Associate Members and Affiliate Members.</p> <p>2 The Council, upon advice of the Finance and Audit Group, shall review and approve the financial statements, including the annual budget, within the limits of the outline budget approved by the General Assembly.</p> <p>3 The Finance and Audit Group shall:</p> <ul style="list-style-type: none"> (a) review the draft financial statements and submit them <u>its observations</u> to the Council <u>for consideration</u>; (b) provide advice to the Council and to the Secretary-General on any audit observations or findings related to finances <u>and identified organizational risks</u>; (c) recommend the report on the <u>Secretary-General's proposed</u> rates of contributions and fees to Council for approval by the General Assembly; (d) recommend potential suspension, reinstatement and termination of membership, in respect of fees in arrears; and (e) consider any other matters referred to it by the Council. <p>4 The Chair of the Finance and Audit Group:</p> <ul style="list-style-type: none"> (a) shall examine the draft financial statements and submit them to the Finance and Audit Group; and 	

<p>(b) may authorize unforeseen expenses <u>which have been proposed by the Secretary-General out of the cash reserve to the cash reserve limit of the total annual budget approved by the Council.</u></p> <p><u>(c) unforeseen expenses approved under (b) shall be ratified by the Council at its next meeting.</u></p> <p>not provided for in the budget, within limits of the annual budget approved by the Council.</p> <p>5 The Secretariat, in accordance with the Secretariat Procedures, shall:</p> <ul style="list-style-type: none"> (a) maintain the accounts; (b) prepare the financial statements; (c) control the financial records, including records of income and expenditure; (d) manage the audit <u>programme.</u> 	
<p style="text-align: center;">Article 3 Budget</p> <p>1 The financial year shall run from 1 January to 31 December.</p> <p>2 The outline budget shall be drawn up on a three-year basis. Budget estimates for each year shall be shown separately <u>including cash-flow projections and cash reserve balances in accordance with Article 6 of these Financial Regulations.</u></p> <p>3 The operating currency shall be the currency of the Member State in which the seat of the Organization is located.</p> <p>4 The Secretary-General shall operate within the limits of the annual budget. However, the Secretary-General may adjust allocations within the approved annual budget.</p> <p>5 Any transfers of allocations between different categories of expenditure specified in the annual budget shall be reported as a revised budget, with the necessary justification, to the Finance and Audit Group.</p> <p>6 No further commitment to expenditure against the annual budget may be incurred after the close of the financial year. Outstanding obligations must be met within ninety calendar days of the close of the financial year.</p>	<p>UK suggests t Article 8 of IHO convention below should be considered for inclusion</p> <p>ARTICLE VIII (a) The Secretariat shall comprise a Secretary-General, Directors and such other personnel as the Organization may require. (b) The Secretary-General shall maintain all such records as may be necessary for the efficient discharge of the work of the Organization and shall prepare, collect, and circulate any documentation that may be required. (c) The Secretary-General shall be the chief administrative officer of the Organization. (d) The Secretary-General shall: (i) Prepare and submit to the Finance Committee and the Council the financial statements for each year and budget estimates on a three-year basis, with the estimates for each year shown separately; and (ii) Keep Member States informed with respect to the activities of the Organization. (e) The Secretary-General shall perform such other tasks as may be assigned by the Convention, the Assembly or the Council. (f) In the performance of their duties, the Secretary-General, the Directors and the personnel shall not seek or receive instructions from any Member State or from any authority external to the Organization. They shall refrain from any action that may be incompatible with their positions as international officials. Each Member State on its part undertakes to respect the exclusively international character of the responsibilities of the Secretary-General, the Directors and the personnel and not seek to influence them in the discharge of their responsibilities</p>

<p style="text-align: center;">Article 4 Procurement</p> <p>1 All funds shall be under the operational control of the Secretary-General.</p>	
<p>2 The Secretary-General may designate, in writing, members of the Secretariat as line <u>responsible</u> managers for the purposes of these Financial Regulations.</p> <p><u>3. The procurement limits and method should be detailed in the Secretariat Procedures for consideration by the Council</u></p> <p><u>4 The Secretary-General shall propose to the Council on an annual basis together with the proposed budget the delegation and spending matrix commensurate with the level of income and expenditure set out in the budget.-</u></p>	
<p style="text-align: center;">Article 5 Financial Statements</p> <p>1—The financial statements shall be <u>prepared in accordance with international financial reporting standards (IFRS) and issued by the International Accounting Standards Board (IASB). In addition the Secretary-General will report on actual versus budget income and expenditure and relevant assets and liabilities to the Council on an annual basis together with the presentation of the financial statements to the Council. the outline budget, the annual budget, the income statement and the balance sheet.</u></p> <p>2<u>1</u> The Secretariat shall submit the draft financial statements to the Finance and Audit Group, not later than fourteen calendar days prior to a Finance and Audit Group meeting.</p>	
<p style="text-align: center;">Article 6 Cash Reserve</p> <p>To ensure the financial stability of the Organization and to avoid any <u>guard against</u> financial difficulties, the Organization shall maintain a cash reserve the value of which should be no less than four months of the annual budget.</p>	<p>UK recommends there should be a section on borrowing powers either stating there are none or detailing the powers and approval routes.</p>

<p style="text-align: center;">Article 7 Annual Contributions and Fees</p> <ol style="list-style-type: none"> 1 Annual contributions and fees represent the main source of income for the functioning of the Organization. 2 The Finance and Audit Group<u>Secretary-General</u> may take the following matters into account when recommending the rates of contributions and fees: <ol style="list-style-type: none"> (a) the requirement that the revenue and the expenditure in the <u>three year</u> budget should be balanced; (b) the percentage of calls for contributions and fees likely to be settled on time; (c) the planned or anticipated exceptional expenditure; 	<p>UK suggests this should be cross-referenced to Article 2.4 of the General-Regulations.</p>
---	--

<p>(d) the rate of inflation in the Member State where the Organization has its seat; and</p> <p><u>(e) the global economic situation.</u></p> <p><u>(f) the current and required cash reserve level calculated in accordance with Article 6 of these Financial Regulations.</u></p> <p>3 The Secretariat, in accordance with the Secretariat Procedures, shall send a call for annual contributions or fees for the following year to each Member State, Associate Member and Affiliate Member no later than 31 October each year. The due date for payment is <u>shall be</u> 31 January of the next year.</p> <p>4 For new Member States, Associate Members and Affiliate Members the following rates of contribution or fee shall apply:</p> <p>(a) A Member State shall be required to pay a full annual contribution and an Associate Member a full annual fee, regardless of the date on which the Convention enters into force for that Member State or the date on which the application for Associate membership is accepted by the General Assembly.</p> <p>(b) Affiliate Members shall pay:</p> <p>i a full annual fee for applications accepted between 1 January and 30 June; or</p> <p>ii half the annual fee for applications accepted between 1 July and 31 December.</p> <p>5 In the event of the resignation of an Associate Member or an Affiliate Member no refund of fees already made paid will be given.</p>	
<p style="text-align: center;">Article 8</p> <p style="text-align: center;">Unpaid Contributions and Fees</p> <p>1 In the case of unpaid contributions or fees the Secretariat, in accordance with the relevant Secretariat Procedures, shall apply the following arrangements:</p> <p><u>(a)</u> For Member States:</p> <p>i in the event that no payment is received by 1 November of the year in which it was due the Secretary-General shall contact the Member State,</p>	

<p>requesting payment and inviting the Member State to discuss any difficulties that would justify considering a payment plan; and</p> <p>ii if the contribution remains unpaid twenty-four months after the due date for payment the Secretary-General shall notify the Member State that voting rights and the right to be elected to the Council are denied until such time as the outstanding contribution have<u>has</u> been paid, unless the General Assembly waives this provision.</p> <p><u>(b)</u> For Associate Members and Affiliate Members:</p> <p>i in the event that no payment is received by 1 July of the financial year, <u>upon</u> approval by the Council, membership rights may be suspended;</p> <p>ii the Council shall be advised, at its second annual session of unpaid fees; and</p> <p>iii on approval by the Council, after notification, membership may be terminated if fees remain unpaid after membership rights have been suspended for twelve months and the Associate Member or Affiliate Member has not agreed a payment schedule.</p> <p>2 Outstanding contributions and fees due will be shown in tables annexed to the financial statements.</p>	
<p style="text-align: center;">Article 9 Dedicated Funds</p> <p>1 Dedicated funds may be established by the Secretary-General for the execution of specific programmes or projects, provided that the purposes are consistent with the aim and objectives of the Organization. The purpose and limits of each dedicated fund shall be clearly reported to the Council.</p> <p>2 The financial resources needed to establish a dedicated fund may come from donations, bequests, grants, gifts and other sources as approved by the Council <u>upon</u> recommendation by the Secretary-General.</p>	<p>UK believes this section includes the World Wide Academy, giving greater clarity to how it is funded</p>

<p>The precise terms and conditions governing such income shall be formalized.</p> <p>3 Any monies remaining unused when a programme or project is terminated should be used as stipulated, and if not so stipulated, <u>could be considered</u> for the general purposes of the Organization <u>as proposed for approval to the Council by</u> unless the Secretary-General determines otherwise.</p> <p>4 A specific budget should be prepared for each fund for approval of the Council and the final result for the year for each dedicated fund should be shown separately in the financial statements.</p> <p>5 Any dedicated funds should be audited in accordance with the relevant provisions in Article 10.</p>	<p>UK believes this should say formalised and approved by the Council</p>
<p style="text-align: center;">Article 10 External Audit</p> <p>1 An external auditor shall be appointed by the Council and carry out such work as required by applicable accounting practices.</p> <p>2 The appointment is for a period of six years and may be renewed.</p> <p>3 The external auditor may make observations with respect to the efficiency of the financial procedures, the accounting system, internal financial controls and, in general, on the administration and financial management of the Organization.</p> <p><u>4</u> In addition to the above, the Council may request the external auditor to perform specific investigations and issue separate reports on the results.</p> <p><u>5 During periods between ordinary sessions of the General Assembly the Council shall have the power to discharge the external auditor and appoint a replacement.</u></p> <p><u>6 The external auditor shall check the cash in banks or in hand and the available or negotiable assets and shall ensure that the financial statements have been prepared in accordance with international financial reporting standards (IFRS) as issued by the International Accounting Standards Board (IASB) and with the directives given by the General Assembly and the Council. Such auditing may be carried out at any time.</u></p>	<p>UK suggests that provision should be made to allow the Council to specify the quality and “size” of the audit firms so that they have relevance and depth.</p> <p>UK recommends alternative wording in Article 10.1:</p> <p>“An international respectable external auditor shall be appointed by the Council under a competitive tender process to carry out such work as required by applicable accounting practices.”</p>

<p><u>7 The external auditor shall report annually in accordance with recognized international audit standards on the financial statements and the annual report submitted by the Secretary-General. The external auditor's opinion shall be included in the annual report submitted by the Secretary-General to the Council for approval.</u></p> <p><u>8 The external auditor shall have direct access to the Council if necessary.</u></p>	
<p style="text-align: center;">Article 11 Termination</p> <p>In the event of final termination of the Organization, the balance of the accounts shall be divided amongst the Member States, Associate Members and Affiliate Members on the day when the Convention ceases to have effect, in proportion to their last annual contribution or fee.</p>	<p>UK suggests this should make clear that it is referring to final termination as opposed to change of status which may entail transitional arrangements.</p>