



Australian Government Comments on the Draft General and Financial Regulations for IALA as an Intergovernmental Organisation

Australia takes this opportunity to thank the Government of Japan for hosting the forthcoming meeting to discuss the above.

These comments are made on the document titled *GR-3.3 Draft and Financial Regulations comments and responses – FZA – 27 Oct*, being mindful of the subsequent corrigendum to that document, and the comments submitted by the Republic of France.

This submission does not include all editorial suggestions that, in our view, could be made to improve the clarity and level of detail contained in the above document. We look forward to the opportunity to comment on these matters as they arise in discussion.

Recognising the desire to maintain the status quo between the old and new IALA to the extent possible, the submission does address those articles on which we have a strong view about the position proposed by the Secretariat.

We also understand the Secretariat will complete a further review to address consistency of language, numbering and format in due course.

General Regulation Reference	Subject matter	Australia's suggestion/question	Comment
Art 2.1	Contact point for Member States	Consider requiring Members States to notify the Secretariat in writing, and to keep up to date, its preferred contact point. Clarify that the Secretariat will send all correspondence to the Member State to that contact	This will ensure there are no disputes about notifications
Art 2.2(b) and (c)	Decision re membership, and membership period	Clarify if this requirement will apply to transitional memberships	Transitional provisions require a request but is then automatic
Art 2.3	Industrial Members	Consider if there a need to specifically mention industrial members. If so, take the opportunity to formalise their representation, and its role. If not, consider removing this Article	As noted by the Secretariat the Industrial members are fundamental to the technical nature of IALA. Conv Art 8.8.(d) provides for the Council to decide on Affiliate membership and this provision could be used to formalise the representation of industrial members, but this need not be done in the Regulations
Art 2.4(a)	Determination of Fees	Note that, even if there are 'Affiliate Industrial Members' there will still only be three membership categories as per Conv Art 5.1. Clarify that, If the principle is that fees within membership categories should be the same then there will only be Associate fee rate and Affiliate fee rate	There is a need to clarify the basis on which fees are set beyond those currently set out in Finance Regulations Art 7.2
Art 2.6(c)	Termination of Associate and Affiliate membership	Clarify whether debt is recoverable or waived when membership terminated	This will assist with accounting practices

Art 3.3(e)	Agenda for General Assembly	Amend entry to 'policies and the Strategic Vision'	This will ensure that any policies fundamental to the operation of the organisation are included (see Conv Art 7.7(b))
Art 3.4.2(c)	Conduct of meetings – procedural decision making	Consider use of different terminology for procedural 'votes' throughout the document.	This could avoid confusion between convention requirements for voting (Conv Art 11) and procedural requirements to resolve differences. Procedural matters could be resolved by 'ballot' (or some other term) rather than by formal 'Vote'
Art 3.4.3	Voting	Consider provision for electronic voting	The technology need not be referenced
Art 3.4.4(f)	Sharing meeting recordings	Consider provision for general access to recordings of meetings	Encourages transparency and open dialogue
Art 3.6(c)	Election of Council	Consider including a process for the removal of candidacies of those Member States elected as President and Vice President	
Art 3.6.h)	Council term - vacancies	Consider including a process in the case of a Member State vacating its Council Membership or becoming ineligible to hold that position	
Art 3.7(e)	Election of Secretary- General	Consider including a requirement for the Council to determine the terms of engagement for the role of Secretary General	This would address matters beyond appointment term and application of Staff Rules
Art 4.2	Convening Council	Consider including procedures for virtual meetings	Provides flexibility and allows for wider participation
Art 5.1	Finance and Audit Group	Amend order of text to reverse (a) and (b) and remove the FAG from (b)	FAG is a subset of Council

		Use consistent terms throughout this Article	
Art 5.2	Finance and Audit Group - election	Clarify the number of members of the FAG - 4 + Chair or 4 including Chair. Include the relevant prerequisites for candidacy	We agree with Finland that this is unclear We agree with Ireland that this is necessary.
Art 5.3	Finance and Audit Group - convening	Clarify if FAG can meet virtually	
Art 6.2	Committees - Appointment of Chair and Vice Chair	Clarify if these roles are personal or Member State roles	Need to clarify in case Member State should nominate, or if there is a vacancy
Art 7.5.(c).ii	WWA – Board membership	Clarify who Council can consider for appointment. Do Member States need to nominate? Are these appointments personal or as Member State representatives?	There is a lack of detail here
Art 9.1	Languages	Clarify, for published versions of documents in working language, which 'version' of the English language is to be used	We note there are spelling inconsistencies between say, US and UK English
Annex A			
Art 7.5	Fees - Refunds	Clarify the arrangement if an interim membership is not approved	

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