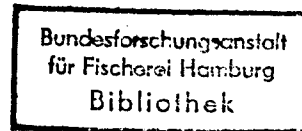




INTERNATIONAL COUNCIL FOR THE EXPLORATION OF THE SEA



RULES OF PROCEDURE

passed by the Council 1/10-1966

## RULES OF PROCEDURE

passed by the Council 1/10-1966

### REPRESENTATION

#### Rule 1

Each Contracting Party shall inform the General Secretary in writing of the names of its Delegates on the Council and the names of experts and advisers appointed to attend each meeting.

#### Rule 2

The Council may invite any Government not party to the Convention and any international or other organisation having objectives related to those of the Council to be represented at its meetings by observers.

#### Rule 3

- (i) Plenary sessions of the Council shall be open to attendance by all Delegates. The Chairman of the Consultative Committee shall ex officio have the right to attend and address such sessions. Any other person, with the agreement of the Council, may attend and address such sessions.
- (ii) The General Assembly comprises Delegates, experts, advisers, observers and any other person attending the meeting of the Council with its approval. Any of those present may, unless the Council decides otherwise, address the Assembly.

### VOTING

#### Rule 4

- (i) At the plenary sessions of the Council each Contracting Party shall have one vote which may be cast by either Delegate where more than one is appointed.

- (ii) Delegates, experts or advisers may vote at any meeting of a Committee of which they are members, provided that at meetings of the Committees mentioned in Rules 28, 29, 30, 31 and 32 any Contracting Party shall exercise only one vote.

Rule 5

- (i) Except as otherwise provided in the Convention, when a vote is taken in plenary sessions of the Council or in meetings of its Committees, a simple majority of the votes cast for or against shall be decisive.
- (ii) In the event of an even division of votes in a Committee other than the Bureau the proposal before the Committee shall be regarded as rejected.
- (iii) The Council and Committees shall vote by show of hands, except that:-
  - (a) in the Council a vote by roll call shall be taken if two-thirds majority is required by the Convention or upon request of a Delegate,
  - (b) all elections shall be decided by secret ballot after confidential nominations in writing.
- (iv) For election to the office of President, Vice-President or Chairman of a Committee a candidate who secures votes numbering more than half the number of Contracting Parties represented at the meeting at which the vote is taken, shall be declared elected. If no candidate secures the number of votes required for election, then
  - (a) if there are only two candidates, voting shall be continued until a candidate is elected,
  - (b) if there are three or more candidates, the candidate receiving the lowest number of votes shall be eliminated and voting continued in accordance with this paragraph until a candidate is elected, provided that if there are two or more candidates receiving the lowest number of votes it shall be decided by separate vote which candidate shall be eliminated.
- (v) If the offices of two or more Vice-Presidents have to be filled at the same meeting separate votes shall be taken for each office.

Rule 6

In cases of urgency between meetings of the Council a vote of the Contracting Parties may be taken by post or cable, in which event a simple majority shall be a simple majority of the Contracting Parties.

Rule 7

Delegates representing a simple majority of the Contracting Parties shall constitute a quorum for plenary sessions of the Council.

PRESIDENT

Rule 8

The President shall be elected for a term of three years, and shall not be eligible for re-election for the immediately succeeding term.

Rule 9

The duties of the President shall be:-

- (i) to preside at the General Assembly and plenary sessions of the Council, and at all meetings of the Bureau,
- (ii) to decide when and where the Bureau shall meet,
- (iii) to decide any questions of order raised at meetings over which he presides subject to the right of any Delegate to request that any ruling by the President shall be submitted for decision by vote,
- (iv) generally, to make such decisions and give such directions to the General Secretary as will ensure that the business of the Council is carried out efficiently and in accordance with the decisions of the Council or of the Bureau,
- (v) by virtue of his office, to attend and take part in the meetings of any Committee of the Council.

Rule 10

In the event of the office of President falling vacant from resignation or otherwise, the Council shall elect a new President at its next meeting.

VICE-PRESIDENTS

Rule 11

- (i) The First Vice-President shall be elected for a period of three years and shall not be eligible for re-election for the immediately succeeding term.
- (ii) Any other Vice-President shall be elected for a period of three years and shall not be eligible for re-election for the immediately succeeding term.
- (iii) Any Vice-President may resign at any time and shall vacate office on ceasing to be a Delegate.
- (iv) In the event of an office of any Vice-President falling vacant the Council shall elect a new Vice-President at its next meeting.

Rule 12

- (i) Whenever the office of President is vacant the First Vice-President shall act as President until a new President assumes office in accordance with the provisions of Article 10 of the Convention; the First Vice-President shall also act as President whenever the President is unable to act.
- (ii) The duties of the First Vice-President under paragraph (i) of this Rule shall devolve on the next senior Vice-President able to act if the office of First Vice-President is vacant or if he is unable to act.
- (iii) A Vice-President shall not be precluded from acting as Delegate of a Contracting Party by whom he is appointed merely by virtue of being a Vice-President; but the First or any other Vice-President shall forthwith cease to act as a Delegate during any period when he is acting as President and during any such period the Contracting Party which appointed him shall have the right to appoint another person to serve as Delegate in his place.

BUREAU

Rule 13

It shall be the duty of the Bureau:-

- (i) to convene meetings of the Council in accordance with Article 7 of the Convention, to prepare the agenda for each meeting (after considering any proposals made by Delegates), and to circulate it to Contracting Parties and to Delegates one month before the date of the meeting,
- (ii) to prepare for consideration by the Finance Committee at each annual meeting:
  - (a) the audited accounts of the preceding financial year;
  - (b) a preliminary account for the current financial year; and
  - (c) the budget for the ensuing financial year and a forecast budget for the next following year;and, after considering the report of the Finance Committee on these documents, to present them with such alterations as it may deem desirable to the Council,
- (iii) to be responsible for the investment of funds of the Council and to give an account of such investments at the end of each ordinary annual meeting,
- (iv) to advise the Council on the appointment of a General Secretary,
- (v) subject to any general directions of the Council, to appoint such other staff as may be required for the purpose of the Council and to determine their duties and terms of appointment,
- (vi) to consult the Consultative Committee on all matters affecting the scientific work of the Council and take into account advice tendered by that Committee,
- (vii) to present to the Council for approval with such observations and amendments as it may deem appropriate, recommendations of all Committees including the Consultative Committee, and to advise the Council as to the financial obligations involved in the approval of such recommendations,

- (viii) to be responsible for the execution of resolutions of the Council and for all duties incidental to the Council's affairs and to report thereon to the Council at each ordinary annual meeting.

Rule 14

- (i) Meetings of the Bureau shall take place as, when and where the President may decide;
- (ii) the Bureau shall keep minutes of its meetings;
- (iii) the Bureau shall arrive at its decisions by simple majority of the votes cast for or against. The President shall have a deliberative vote and, in the case of an even division of votes, a casting vote. Resolutions may be taken either at meetings of the Bureau or by correspondence;
- (iv) subject to this Rule the Bureau shall settle its own procedure.

GENERAL SECRETARY

Rule 15

- (i) The General Secretary shall be the Chief Executive Officer of the Council and responsible to the Bureau for the management of the Council's staff and office.
- (ii) The General Secretary shall be responsible for the receipt of all monies due to the Council and for disbursements in accordance with the Budget; he is authorized to meet unforeseen expenditure subject, in cases of doubt, to consultation with the President, and to sign cheques on behalf of the Council or authorize their signature; he shall also be responsible for the preparation of the Council's accounts and for drafting the Budget.
- (iii) The General Secretary shall attend the plenary sessions of the Council and meetings of the Bureau and, as far as possible, meetings of the Consultative Committee. He may attend meetings of any other Committee of the Council.
- (iv) The General Secretary shall provide secretarial services for all meetings of the Council and of the Bureau and, in consultation with the Chairman of Committees, arrange for such secretarial services as may be needed for meetings of the Council's Committees.

- (v) The General Secretary shall issue as soon as possible after each meeting of the Council a report of the proceedings and transmit it to the Contracting Parties.
- (vi) The General Secretary shall circulate to Delegates a provisional agenda for each ordinary meeting of the Council and intimate the date on which proposals for inclusion should be submitted for consideration by the Bureau.
- (vii) The General Secretary shall be responsible for the preparation of the statistics published by the Council subject to consultation with the Chairman of the Statistics Committee; he shall also be responsible for all business connected with the Council's publications subject to consultation with the Chairman of the Editorial Committee, the Editor of the Journal du Conseil and any other editors.
- (viii) The General Secretary shall perform such other functions as may be assigned to him by the Council or Bureau.
- (ix) All communications to and from the Council shall be addressed to or emanate from the General Secretary; provided that all communications to Contracting Parties and also contracts, except those of a routine character, shall be signed by the President and the General Secretary.

#### ORDER OF BUSINESS

##### Rule 16

No proposal involving changes in the Rules of Procedure shall be considered at a meeting of the Council unless either (a) two months' notice of the proposal has been given to Contracting Parties and Delegates or (b) the Delegates present consent by unanimous vote.

#### FINANCE

##### Rule 17

The financial year of the Council shall be from 1st November to 31st October.



Rule 18

The expenditure of the Council shall be regulated in accordance with a budget approved by the Council at its ordinary annual meeting. A statement of the proposed budget shall be circulated to Contracting Parties and Delegates two months before the meeting.

Rule 19

- (i) The contributions of Contracting Parties in respect of any financial year shall be paid on the 22nd July preceding its commencement.
- (ii) Requests to Contracting Parties for the payment of their contributions shall be accompanied by a statement of the Council's proposed budget for the year to which they relate and a forecast budget for the ensuing year.

Rule 20

- (i) The Danish Delegates or Delegate and the General Secretary are charged with the safekeeping of the Council's Funds.
- (ii) The liquid funds of the Council and all bonds and other documents relating to the invested funds of the Council shall be lodged in a bank.
- (iii) The Council's Funds may be invested in bonds in which capital belonging to minors or other capital subject to public administration or control is allowed under prevailing Danish Law.
- (iv) Any document relating to the Council's invested funds signed on behalf of the Council by the General Secretary and one of the Danish Delegates shall be valid.
- (v) In case of sale or change of bonds of the Council the General Secretary and one of the Danish Delegates are jointly authorized to give receipts valid in law and to perform all dispositions under real law.
- (vi) The General Secretary and one of the Danish Delegates are authorized to raise loans for the purposes of the Council on the security of the Council's bonds.
- (vii) The Auditors shall check the invested and liquid funds on 31st October each year or as soon as possible after that date for the purpose of preparing the Balance Sheet and they shall once annually, at such time as they may choose, inspect the Council's funds. The Auditors may consult the Danish Delegate or Delegates on any question in connection with the accounts.

Rule 21

- (i) The travelling and subsistence expenses of the President and of the Chairman of the Consultative Committee incurred in attending meetings of the Council or the Bureau or when engaged on the business of the Council shall be paid by the Council.
- (ii) The travelling and subsistence expenses of the Vice-Presidents incurred in attending meetings of the Bureau other than those held in conjunction with ordinary meetings of the Council shall be paid by the Council.
- (iii) The Council may pay the travelling and subsistence expenses of any person appointed by it to perform duties on behalf of the Council.
- (iv) Travelling and subsistence expenses paid by the Council shall be calculated in accordance with a scale approved by the Council.

Rule 22

The Council may pay any person appointed by it to perform any prescribed duties for promoting the work of the Council, and also to the Chairmen of Committees such fees as it may approve from time to time.

COMMITTEES

Rule 23

- (i) The standing committees of the Council are those set out in Rules 24 to 32 with the terms of reference therein assigned to them and the constitution respectively specified in those Rules and Rule 33. Provided that in order to avoid unnecessary duplication or to secure better co-ordination between the work of Committees with related terms of reference the Council may give directions from time to time about the assignment of particular subjects to Committees and the relevant Rules shall be interpreted accordingly.
- (ii) In addition the Council may from time to time appoint such ad hoc committees as it thinks fit to perform such functions as it may determine.

Rule 24

The Finance Committee shall consist of one member of the Bureau nominated by the President, one of the Delegates of Denmark and four other Delegates appointed annually by the Council. The Chairman shall be elected by the Committee from among its members. The Finance Committee at each ordinary meeting of the Council shall examine (a) the audited accounts of the Council for the preceding financial year, (b) preliminary accounts for the current financial year, and (c) a budget for the ensuing financial year and a forecast budget for the next following year. The Committee shall consider such other matters as may be referred to it by the Bureau or as it may deem desirable and shall report its observations and conclusions to the Bureau.

Rule 25

- (i) The Consultative Committee shall consist of the Chairmen of the Committees mentioned in Rules 28, 29, 30, 31 and 32 together with a Chairman elected by the Committee from among the Delegates and experts.
- (ii) The Consultative Committee shall:-
  - (a) have general oversight over
    - (1) the scientific interests of the Council and its scientific work;
    - (2) the programmes of research organised or co-ordinated by the Council;
    - (3) the arrangements for carrying out the Council's scientific work and the programmes of research organised by it, and
    - (4) the arrangements for discussing all the foregoing matters at the Council's meetings including the organising of special scientific meetings;
  - (b) be responsible for advising the Council and the Bureau on all matters mentioned in sub-paragraph (a);
  - (c) give such guidance as it may deem necessary to the Committees mentioned in Rules 28, 29, 30, 31 and 32 as to the performance of their functions;

- (d) consider at each ordinary meeting of the Council reports from all the Committees mentioned in Rules 28, 29, 30, 31 and 32 and report thereon to the Council with special reference to any expenditure involved.

Rule 26

The Liaison Committee shall be responsible for maintaining liaison with the North-East Atlantic Fisheries Commission and for giving on the basis of evidence available to the Commission and the Council scientific advice on matters on which the Commission requests advice or on such other matters as the Council or Committee may consider relevant to the functions of the Commission. The Committee shall consist of the Chairman of the Consultative Committee, who shall be Chairman, and the Chairmen of such other Committees of the Council as the Council may nominate, together with such other members as may be co-opted for the purpose.

Rule 27

The Editorial Committee shall consist of the Chairman of the Consultative Committee, who shall be the Chairman, the Editor of the Journal du Conseil and the General Secretary of the Council, and shall keep under general review all publications of the Council and the arrangements for their preparation and issue. It shall appoint each year two additional persons to assist in its work.

Rule 28

The Gear and Behaviour Committee shall keep under review and co-ordinate investigations specially concerned with (i) studies of the design, construction and behaviour of fishing gear, and (ii) the behaviour of fish in relation to fishing and also basic studies of fish behaviour.

Rule 29

The Hydrography Committee shall keep under review and co-ordinate investigations on the physical and chemical environment of the living resources of the sea including such more general aspects as may be necessary.

Rule 30

The Statistics Committee shall keep under review, in consultation with such other organisations as may be concerned in the same or related matters, the arrangements for the collection, treatment and publication of statistics required for the work of the Council or its Committees and any other international organisation concerned with the regulation of fisheries in the area with which the Council is concerned.

Rule 31

- (i) The Fisheries Improvement Committee shall keep under review and co-ordinate investigations relating to fish culture, together with appropriate aspects of salmon, trout and shellfish culture, transplantation, introduction and acclimatisation of new species, improvement of the environment (e.g. fertilisation) and management techniques such as control of competition and predation.
- (ii) The Committee shall also consider problems of marine pollution in the light of any advice given by the Hydrography Committee.

Rule 32

- (i) In addition to the Committees mentioned in Rules 28, 29, 30 and 31 there shall be the following Committees:-

- The Demersal Fish (Northern) Committee
- The Demersal Fish (Southern) Committee
- The Pelagic Fish (Northern) Committee
- The Pelagic Fish (Southern) Committee
- The Shellfish and Benthos Committee
- The Plankton Committee
- The Anadromous and Catadromous Fish Committee
- The Marine Mammals Committee.

- (ii) (a) Each Committee shall, subject to any directions given by the Council under Rule 23, be concerned with the species of fish or other organisms indicated by its name;
- (b) The Demersal Fish (Northern) Committee and the Pelagic Fish (Northern) Committee shall be concerned with that part of the Convention area north of 48°N latitude;

- (c) The Demersal Fish (Southern) Committee and the Pelagic Fish (Southern) Committee shall be concerned with that part of the Convention area south of 48°N latitude;
- (iii) Each Committee shall keep under review information about the species with which it is concerned, the state of the relevant stocks and shall co-ordinate investigations relating to them.

Rule 33

The Committees specified in Rules 28, 29, 30, 31 and 32 shall each consist of not more than two members nominated for the purpose by each Delegation, who may be either Delegates or experts and may be replaced by substitutes. The Chairman shall be elected by the Committee from among its members.

CHAIRMEN OF COMMITTEES

Rule 34

- (i) The Chairman of each of the Committees specified in Rules 25, 26, 27, 28, 29, 30, 31 and 32 shall be elected for a term of three years, and shall assume office on the first day of November next following his election; he shall not be eligible for re-election for the immediately succeeding term.
- (ii) If for any reason the Chairman of any Committee is unable to complete his term of office, the Committee shall elect a new Chairman at the next ordinary meeting of the Council, and in such circumstances or if a Chairman is temporarily unable to act, the President, after consultation when possible with the Chairman of the Consultative Committee, shall appoint a member of the Committee to act as Chairman meanwhile or until a new Chairman assumes office.

Rule 35

- (i) The Chairman of the Consultative Committee shall have ex officio the right to attend all meetings of the Bureau;
- (ii) The Chairman of the Consultative Committee on assuming office shall cease to be Chairman of any other Committee of which he is Chairman and the Committee concerned shall forthwith elect a successor.

Rule 36

The functions of Chairmen of each of the Committees mentioned in Rules 28, 29, 30, 31 and 32 shall be:-

- (i) to preside over the meetings of the Committee and regulate their procedure;
- (ii) to prepare an agenda for each meeting of the Committee distinguishing between (a) papers or subjects to be discussed at the meeting, and (b) papers to be noted;
- (iii) to obtain from members of the Committee not later than 1st March each year reports of the work done in the countries they represent respectively in furtherance of the programme of the Committee and to embody these in a summary administrative report, to be submitted to the General Secretary not later than 1st April for inclusion in the Council's report, on the work of his Committee or in relation to the subjects with which his Committee is concerned;
- (iv) to keep in touch with workers who are to carry out the programme of the Committee and to do all in his power to ensure that the work undertaken is actually carried out in accordance with the programme and to obtain records thereon;
- (v) to draw up from time to time, with the consent of the Committee, a general review of the work done and the results achieved together with an examination of the position reached by investigations within the Committee's ambit and to draw up from time to time, for the consideration of the Committee memoranda expressing his views on the main problems affecting the Committee's remit and the methods of treating them; and
- (vi) to furnish the Consultative Committee annually with a summary report of his Committee's deliberations and recommendations together with an annotated estimate of their financial needs.

Rule 37

- (i) Ordinary meetings of Committees of the Council shall be held as a rule in the course of the ordinary meetings of the Council.

- (ii) The Chairman of a Committee may with the authority of the Bureau call a meeting of his Committee between statutory meetings of the Council and the expense of the meeting may be borne by the Council provided that travelling and subsistence expenses shall be paid in respect of one representative only of each country represented on the Committee.
  
- (iii) All Delegates, experts, advisers, observers and any person attending the meeting of the Council with its approval are at liberty to attend meetings of any of the Committees of the Council except the Bureau, the Consultative Committee, the Finance Committee, the Liaison Committee and the Editorial Committee, meetings of which may be attended by persons other than members only on invitation of the Chairman, provided that the Chairman of the Finance Committee may attend meetings of the Consultative Committee.