

RULES OF PROCEDURE

Rule 1 - Representation

1. Each member country of the Commission shall be represented on the Commission by not more than three Delegates.
2. Each member country shall inform the Executive Secretary as soon as possible of the names of its Delegates on the Commission and its correspondent designated under paragraph 4 of this Rule, and of any changes thereof.
3. At any meeting of the Commission the Delegates of each member country shall be entitled to be accompanied by their experts and advisers, the names of whom shall be communicated to the Executive Secretary at or before the commencement of such meeting.
4. Each member country of the Commission shall designate a correspondent who shall have primary responsibility for correspondence on behalf of his country during the periods between meetings.

Rule 2 - Regular Meetings of the Commission

1. The Commission shall hold a regular meeting once every two years, at such date and place as may be determined by the Commission.
2. Notice of the convening of a regular meeting shall be dispatched by the Executive Secretary to all member countries of the Commission, to the Food and Agriculture Organization of the United Nations and to any Government or international organization invited by the Commission to send observers to the meeting, normally not less than ninety days before the date fixed for the opening of the meeting.

Rule 3 - Special Meetings of the Commission

1. A special meeting of the Commission may be called at any time at the request of a majority of the member countries of the Commission or by decision of the Council. The date and place of a special meeting shall be determined by the Council or by the Chairman of the Commission.
2. Notice of the convening of a special meeting shall be dispatched by the Executive Secretary to all member countries of the Commission, to the Food and Agriculture Organization of the United Nations and to any Government or international organization invited by the Commission to send observers to the meeting, not less than thirty days before the date fixed for the opening of the meeting.

Rule 4 - Representative of the Food and Agriculture Organization of the United Nations

The Commission shall invite a Representative from the Food and Agriculture Organization of the United Nations appointed by its Director-General, to participate in all meetings of the Commission but without the right to vote. Such Representative may be accompanied by experts and advisers.

Rule 5 - Observers*

The Commission may invite international organizations and any Government which is a Member of the United Nations or of any Specialized Agency of the United Nations and which is not a member of the Commission, to send observers to its meetings. Observers may, with the authorization of the Chairman, address the meeting to which they are invited and otherwise participate in its work, but without the right to vote.

* At its 11th Special Meeting (Santiago de Compostela, November 1998) the Commission adopted the *Guidelines and Criteria for Granting Observer Status at ICCAT Meetings*, which was later amended by the Commission at its 19th Regular Meeting (Seville, November 2005) [Ref. 05-12].

Rule 6 - Selection of Chairman and Vice-Chairmen

1. At each regular meeting, the Commission shall select from different member countries a Chairman and a first and a second Vice-Chairman, who shall hold office for a period beginning at the time of adjournment of the regular meeting of the Commission and ending at the time of adjournment of the subsequent regular meeting.
2. The Chairman and the first and second Vice-Chairmen may not be elected for more than two consecutive terms.
3. In the absence of the Chairman, the first Vice-Chairman or, in his absence, the second Vice-Chairman shall exercise the functions of the Chairman.

Rule 7 - Functions of Chairman and Vice-Chairmen

The powers and duties of the Chairman shall be:

- (a) To declare the opening and closing of each meeting of the Commission and the Council.
- (b) To direct discussions in meetings and to ensure observance of these rules.
- (c) To accord the right to speak and to limit the time allowed to speakers.
- (d) To rule on points of order, subject to the right of any Delegate to request that any ruling by the Chairman shall be submitted to the Commission or the Council for decision.
- (e) To call for votes and to announce results.
- (f) To sign on behalf of the Commission or the Council a report of the proceedings of each meeting of the Commission or the Council, for transmission to members of the Commission.
- (g) Generally to perform any function assigned to him by the Commission or by the Council, or in the Convention.

Rule 8 - Agenda

1. A provisional agenda for each regular meeting shall be drawn up by the Executive Secretary in consultation with the Chairman and be attached to the notice dispatched by the Executive Secretary in accordance with Rule 2, paragraph 2.
2. Any proposal concerning:
 - (a) amendments to the Rules of Procedure;
 - (b) amendments to the Financial Regulations;
 - (c) decisions to set up and modify (except membership) panels under Article VI of the Convention;
 - (d) recommendations under Article VIII, paragraph 1, of the Convention;
 - (e) amendments to the Convention under Article XIII, paragraph 1, of the Convention;

must, in order to form the subject of a decision by the Commission, have been placed on the provisional agenda. In the case of regular meetings, any proposal of this nature must, furthermore, have been discussed in an explanatory memorandum addressed to member countries at least 60 days before the date fixed for the opening of the meeting.

3. The provisional agenda for a special meeting shall be drawn up by the Executive Secretary in consultation with the Chairman on the basis of the items relating to the purpose for which the meeting is to be called. The Executive Secretary shall circulate such agenda together with the notice dispatched by him in accordance with Rule 3, paragraph 2.

Rule 9 - Voting**

1. Each member shall be entitled to one vote.
2. Decisions of the Commission shall be taken by a majority of the members of the Commission, except as are provided for in Article VIII, paragraph 1(b)(i) of the Convention.

** The amendment of Rule 9 of the Rules of Procedure concerning mail voting was adopted by the Commission at its 15th Special Meeting (Dubrovnik, November 2006).

3. Two-thirds of the members of the Commission shall constitute a quorum for voting.
4. The Chairman or a Vice-Chairman acting as Chairman shall not vote, but may appoint another Delegate, expert or adviser from his delegation to vote in his place.
5. Votes shall be taken by show of hands, roll call or secret ballot.
6. A vote by roll call shall be taken upon request of a member of the Commission. Voting by roll call shall be conducted by calling in English alphabetical order the names of all members of the Commission entitled to vote. The name of the first member to be called shall be designated by lot drawn by the Chairman.
7. Any matter shall be decided by secret ballot if the Commission so determines.
8. In cases of special necessity, where a decision cannot be deferred until the next meeting of the Commission, a matter may be decided during the period between meetings of the Commission by intersessional vote, either electronically via the Internet (e.g. e-mail, secure web site) or other means of written communication.
9. The Chairman, on his or her initiative or at the request of a member of the Commission that has made a proposal, may move adoption without delay of such proposal by intersessional vote. In doing so, the Chairman, in consultation with the Chair of the relevant Panel or other subsidiary body, as appropriate, first shall determine the necessity of considering the proposal intersessionally and shall identify the appropriate majority required for decision-making, pursuant to paragraph 2 above.
10. Where the Chairman determines that it is not necessary to consider a motion proposed by a member intersessionally, or that a two-third majority of members of the Commission is necessary for approval of the subject proposal pursuant to paragraph 2 above, the Chairman shall promptly inform that member of such determination and the reasons therefore, at which time the proposer may request an intersessional vote on the Chairman's determination, to be subject to the majority decision rule contained in paragraph 2.
11. Where an intersessional vote is initiated under paragraph 9 or 10, the Executive Secretary shall promptly transmit via the official correspondents provided for in Rule 1, paragraph 4:
 - a) the proposal, including any explanatory note,
 - b) both rulings made by the Chairman under paragraph 9, or
 - c) a request for an intersessional vote made under paragraph 10.
12. Members shall promptly acknowledge receipt of the proposal or request transmitted under paragraph 11. If no acknowledgment is received within 10 days of the date of transmittal, the Executive Secretary shall retransmit the proposal or request and shall use all additional means available to ensure that the transmittal has been received. Confirmation by the Executive Secretary that the transmittal has been received shall be deemed conclusive regarding the inclusion of the member in the quorum for the purpose of the relevant intersessional vote.
13. Within 10 days of the initial transmittal of a proposal pursuant to paragraph 11 (a), in accordance with Rule 7(d), any member may request an intersessional vote on the chairman's determination of the necessity of considering the proposal intersessionally made under paragraph 9, to be subject to the majority decision rule contained in paragraph 2.
14. Members shall respond within 40 days of the date of the initial transmittal of a proposal or request, indicating whether they cast an affirmative vote, cast a negative vote, abstain from voting, or require additional time to consider the matter. If a member of the Commission requests additional time for consideration, a further 30 days shall be allowed from the expiration of the initial 40 day period. No additional extensions of time beyond one 30 day extension will be permitted. In the event of such an extension, the Executive Secretary shall inform all members of the final date by which responses must be received.
15. If no reply from a member is received within 40 days of transmittal, or by the extended deadline specified by the Executive Secretary in the event of a 30 day extension to consider the proposal, that member shall be recorded as having abstained and shall be considered part of the quorum for voting purposes, as long as the Secretariat has confirmed receipt of the transmittal by that member pursuant to paragraph 12.

16. The result of a decision taken by intersessional vote shall be ascertained by the Executive Secretary at the end of the voting period and promptly notified to all members. If any explanations of votes are received, these shall also be transmitted to all members.
17. Proposals adopted intersessionally shall become effective for all Contracting Parties pursuant to Article VIII, paragraph 2, of the Convention. However, where the issues under consideration are particularly urgent or time-sensitive, the proposal may specify that Contracting Parties should provisionally implement the results of the proposal as soon as possible and to the fullest extent possible consistent with their domestic law and regulatory procedures.
18. Proposals transmitted by the Executive Secretary for an intersessional vote shall not be subject to amendment during the voting period.
19. A proposal that has been rejected by intersessional vote for any reason shall not be reconsidered by way of an intersessional vote until after the following meeting of the Commission, but may be reconsidered at that meeting.
20. The voting rights of any member of the Commission may be suspended by the Commission if the arrears of contributions of that member equal or exceed the amount due for the two preceding years.

Rule 10 - Public and Private Meetings

Meetings of the Commission shall be public unless the Commission otherwise decides.

Rule 11 - Council

1. The Council shall consist of the Chairman and Vice-Chairmen of the Commission together with the representatives of not less than four and not more than eight member countries of the Commission. Representatives of two further member countries of the Commission may be elected to the Council if the membership of the Commission exceeds forty. The member countries of which the Chairman and Vice-Chairmen are nationals shall not be elected to the Council. The Chairman of the Commission shall preside at the Council meetings.
2. At each regular meeting, the Commission shall elect the member countries of the Commission to be represented on the Council in accordance with Article V, paragraph 1, of the Convention.
3. The Council shall meet at least once in the interim between regular meetings of the Commission and shall hold such further meetings as may be decided by the Commission.
4. The Council shall perform such functions as are assigned to it by the Convention, and other functions as may be designated by the Commission.
5. The Rules of Procedure applicable to the conduct of the business of the Commission shall apply *mutatis mutandis* to the Council, but they may be supplemented by additional rules adopted by the Council subject to confirmation by the Commission.

Rule 12 – Panels***

1. Establishment of Panels on the basis of species, group of species, or of geographic areas shall be decided by the Commission.
2. Each member country participating in any Panel established under Article VI of the Convention shall be represented on such Panel by its Delegates or their alternates, who may be assisted by experts or advisers.

*** The amendment of Rule 12 of the Rules of Procedure was adopted by the Commission at its Third Regular Meeting (Paris, November-December 1973).

3. The Panel shall hold a regular meeting in conjunction with the regular meeting of the Commission. Any other meetings of the Panel may be held at such time and place as may be determined by the Commission. Each Panel shall choose its own chairman.
4. Membership of a Panel shall comprise all member countries which inform the Commission, at a regular meeting, of their desire to be considered as members of the Panel. It shall be reviewed at each regular meeting of the Commission.
5. Countries joining the Commission in the interval between two of its regular meetings may become members of one or more Panels upon prior written notification to the Chairman of the Commission, who shall inform the other member countries. The Chairman shall likewise inform the Commission at its first subsequent regular meeting regarding the incorporation of the new member to one or more Panels. Incorporation shall be considered effective on the date on which the Chairman is notified, unless another date is expressly stated in above notification.
6. No member country may withdraw from the Panels to which it belongs during the interval between two regular meetings of the Commission.
7. The Rules of Procedure applicable to the conduct of the business of the Commission shall apply *mutatis mutandis*, except as regards officers, to a Panel, but they may be supplemented by additional rules of procedure or by-laws for the conduct of its meeting and for the exercise of its functions and duties provided for in Article VI of the Convention.

Rule 13 - Committees

1. There shall be a Standing Committee on Finance and Administration on which each member country of the Commission may be represented. The Committee shall advise the Commission on matters relating to the Executive Secretary and his staff, on the budget of the Commission, on the time and place of meetings of the Commission, on publications of the Commission and on such other matters as may be referred to it by the Commission. The Committee shall choose its own Chairman.
2. There shall be a Standing Committee on Research and Statistics on which each member country of the Commission may be represented. The Committee shall develop and recommend to the Commission such policies and procedures in the collection, compilation, analysis and dissemination of fishery statistics as may be necessary to ensure that the Commission has available at all times complete, current and equivalent statistics on fishery activities in the Convention area. The Committee shall keep under continuous review the research programmes in progress in the Convention area, and shall develop and recommend to the Commission from time to time such changes in existing programmes, or such new programmes as may be deemed desirable. The Committee shall also advise the Commission on such other scientific matters as may be referred to it. The Committee shall choose its own Chairman.
3. The Commission may establish such other Committees as it considers necessary.
4. The Rules of Procedure applicable to the conduct of the business of the Commission shall apply *mutatis mutandis*, except as regards officers, to these Committees, but they may be supplemented by additional rules of procedure or by-laws for the conduct of their meetings and for exercise of their functions and duties.

Rule 14 - Executive Secretary and Staff

1. The Commission shall appoint the Executive Secretary and fix the tenure, rate of remuneration, and travelling expenses for the Executive Secretary and members of the staff, and may adopt such regulations as are considered desirable in this respect.
2. The Executive Secretary shall, under the general supervision of the Commission, exercise all the functions assigned to him under the Convention and these Rules and such other functions as may be assigned to him from time to time by the Commission or the Council.

3. The Executive Secretary shall appoint the members of the staff including the Assistant Executive Secretary and shall have authority over them.
4. The Executive Secretary is empowered to delegate to the Assistant Executive Secretary, or in his absence, to the senior member of the staff, such of his powers as he may consider necessary for the effective implementation of his responsibilities.

Rule 15 - Reports and Records

1. Every two years, the Commission shall submit a report on its work and findings to all member countries of the Commission.
2. At the end of each meeting, the report approved by the Commission shall be transmitted by the Executive Secretary to all member countries of the Commission, to FAO and to any Government or international organization invited to send observers to the meeting.
3. The Council, Panels and other subsidiary bodies shall, at the end of each meeting, adopt a report which shall be submitted to the parent body concerned.