



FIRST MEETING - WASHINGTON, D. C. - APRIL 2, 1951

DOC/2
Feb. 7, 1951

PROPOSED RULES OF PROCEDURE
FOR THE COMMISSION

Representation

Rule 1

(a) A Contracting Government to the International Convention for the Northwest Atlantic Fisheries, concluded at Washington on February 8, 1949, hereinafter referred to as the Convention, shall have the right to appoint not more than three Commissioners and one or more experts or advisers to assist its Commissioner or Commissioners at meetings of the International Commission for the Northwest Atlantic Fisheries, hereinafter referred to as the Commission.

(b) Each Government shall notify the Executive Secretary as soon as possible the name or names of its Commissioners on the Commission and of any change thereof.

Rule 2

A representative or representatives of any Advisory Committee established by any Contracting Government in accordance with Article V (1) of the Convention may, with the assent of the Contracting Government concerned, attend as observers all non-executive sessions at meetings of the Commission. Prior to each meeting the Commissioners shall inform the Executive Secretary of the names of such Advisory Committee members authorized to attend.

Rule 3

Any Government not a party to the Convention and any international organization may be represented at meetings of the Commission by an observer or observers, if the Commission so decides from time to time.

Voting

Rule 4

Each Contracting Government shall have one vote which may be cast by any Commissioner from that Government. Observers, experts, and advisers may address plenary meetings of the Commission, but shall not be entitled to vote.

Rule 5

Decisions of the Commission shall be taken by a two-thirds majority of the votes of all the Contracting Governments. At meetings of the committees appointed by the Commission a simple majority of all members of such committees shall be decisive. Votes shall be taken by show of hands, by roll call in the English alphabetical order of the names of the countries, or by ballot, as in the opinion of the Chairman appears to be most suitable.

Rule 6

Between meetings of the Commission or in the case of an emergency, a vote of the Commissioners may be taken by mail, or other means of communication, in which case decisions also shall be taken by a two-thirds majority of the votes of all the Contracting Governments, each Contracting Government having one vote.

Chairman and Vice-Chairman

Rule 7

The Commission shall elect from its members a Chairman and a Vice-Chairman, each of whom shall serve for a term of two years and shall be eligible for re-election but not to a succeeding term. The Chairman and Vice-Chairman must be Commissioners from different Contracting Governments.

Rule 8

The duties of the Chairman shall be:

- (a) to declare the opening and closing of each meeting of the Commission;
- (b) to preside at all meetings of the Commission;
- (c) to decide all questions of order raised at meetings of the Commission, subject to the right of any Commissioners to request that any ruling by the Chairman shall be submitted to the Commission for decision by vote;
- (d) to call for votes and to announce the result of the vote to the Commission;
- (e) to determine after consultation with the Commissioners and the Executive Secretary the provisional order of business for the annual Commission Meeting so that the Executive Secretary may transmit it to all Contracting Governments and Commissioners

not less than 60 days in advance of the meeting;

- (f) to constitute or appoint the members of committees in accordance with the provisions of Rule 18.
- (g) to sign, on behalf of the Commission, a report of the proceedings of each annual or other meeting of the Commission, for transmission to Contracting Governments, Commissioners, and others concerned as an authoritative record of what transpired;
- (h) generally, to make such decisions and give such directions to the Executive Secretary as will ensure, especially in the interval between the meetings of the Commission, that the business of the Commission is carried out efficiently and in accordance with its decisions.

Rule 9

The Vice-Chairman of the Commission shall preside at meetings of the Commission, or between them, in the absence or in the case of the illness of the Chairman. He shall on those occasions exercise the powers and duties prescribed for the Chairman.

Executive Secretary

Rule 10

The Commission shall appoint an Executive Secretary and designate staff positions to be filled through appointments made by the Executive Secretary. The Commission shall fix the tenure, rate of remuneration, and travelling expenses for the Executive Secretary and members of his staff.

Rule 11

(a) The Executive Secretary shall, subject to the general supervision of the Commission, have full power and authority over the staff. All communications to and from the Commission shall be addressed to, or emanate from, the Executive Secretary. He shall be responsible to the Commission for the management of its office, and for the receipt and disbursement pursuant to the financial regulations of all monies received by the Commission, pursuant to its direction. He shall make all necessary arrangements for Commission meetings, including secretarial assistance for all meetings of the Commission, and of its committees, and shall provide appropriate services to the Panels.

He shall prepare and submit to the Chairman a draft of the Commission's budgets (Article XI of the Convention) for each year and perform such other functions as may be assigned to him by the Commission, the Commission Chairman, or the Chairmen of the Panels.

(b) Communications to the Depositary Government, in pursuance of the provisions of Articles VI (2) and VIII of the Convention, shall be addressed to the Secretary of State of the United States of America.

(c) The Executive Secretary shall receive the credentials of the Commissioners, and shall report thereon to the Commission from time to time.

Order of Business

Rule 12

No order of business which involves amendment of the Rules of Procedure, budget or related financial matters, Panel membership modifications under Article IV (2) of the Convention, boundary modifications under Article VI (2) of the Convention, or transmittal of proposals or recommendations under Article VIII of the Convention, shall be the subject of decisive action by the Commission unless the subject matter has been included in the provisional order of business which has been circulated to the Commissioners at least 60 days in advance of the meeting at which the matter is to be discussed.

Financial

Rule 13

The fiscal year of the Commission shall be from _____ to _____.

Rule 14

Requests to Contracting Governments for financial contributions shall be accompanied by a copy of the budget resolution establishing the total assessments to members and the percentage scale under which members are assessed as well as the amount assessed against each member.

Rule 15

Financial contributions by Contracting Governments to the Commission, determined in accordance with Article XI of the Convention, shall be made payable to the Commission and shall be in the currency of the country in which the seat of the Commission is located, except that the Commission may accept payment in the currencies in which it may be anticipated that expenditures of the Commission will be

made from time to time, up to an amount established each year by the Commission in connection with the preparation of annual budgets.

Seat of the Commission

Rule 16

For the time being the seat of the Commission shall be located at:

(in North America)

Meetings

Rule 17

The Commission shall hold a regular annual meeting at its seat or at such other place in North America as may be agreed upon by the Commission. Any other meeting of the Commission may be called by the Chairman at such time and place as he may determine, upon the request of the Commissioner of a Contracting Government and subject to the concurrence of the Commissioners of two other Contracting Governments, including the Commissioner of a Government in North America.

Committees

Rule 18

(a) The Commission may establish such Ad Hoc Committees as it considers to be required from time to time.

(b) There shall be a Standing Committee on Finance and Administration appointed by the Chairman consisting of Commissioners who may be assisted by experts and advisers and which 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, and on publications of the Commission. The Executive Secretary shall be an ex-officio member of this Committee without vote.

(c) There shall be a Standing Committee on Statistics, consisting of one Commissioner from each Government who may be assisted by experts or advisers, which 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 insure that the Commission has available at all times complete, current, and uniform statistics on fishery activities in Convention waters. The Executive Secretary shall be an ex-officio member of this Committee without vote.

Panels

Rule 19

The Contracting Governments shall establish and maintain a Panel for each of the sub-areas provided for by Article I of the Convention. Each Contracting Government participating in any Panel shall be represented on such Panel by its Commissioner or Commissioners, who may be assisted by experts or advisers.

Rule 20

After the Convention has been in force for two years, but not before that time, Panel representation shall be reviewed annually by the Commission, which shall have the power, subject to consultation with the Panel concerned, to determine representation on each Panel on the basis of the provisions of Article IV (2) of the Convention.

Rule 21

Each Panel may adopt, and amend as occasion may require, rules of procedure or by-laws for the conduct of its meetings and for the exercise of its functions and duties, provided that such rules of procedure, after adoption by the Panel, shall be approved by the Commission.

Language of the Commission

Rule 22

English shall be the official and working language of the Commission but Commissioners may speak in any other language, if desired, it being understood that Commissioners doing so will provide their own interpreters. All official publications and communications of the Commission shall be in English.

Records of Proceedings of the Commission and of its Committees

Rule 23

Verbatim records of all meetings of the Commission shall

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be provided by the Executive Secretary and shall be circulated promptly to all Contracting Governments and Commissioners.

Rule 24

Summary minutes shall be provided by the Executive Secretary of the proceedings of all meetings of its Standing Committees.

Reports

Rule 25

(a) The Commission shall publish annually, following its regular annual meeting, a report on its activities during the preceding year. Such report shall include a summary of its findings and of statistical, scientific and other information gathered pertaining to the fisheries of the Conventian Area.

(b) Commissioners should arrange, where feasible, for all reports on subjects of interest to the Commission which are published in their own countries to be sent to the Executive Secretary of the Commission for record purposes. English translations where available should be provided.

Publicity of Meetings

Rule 26

The non-executive meetings of the Commission shall ordinarily be public meetings unless otherwise determined by the Commission.

Amendment of Rules of Procedure

Rule 27

These rules of procedure may be amended from time to time by a two-thirds majority of the votes of all the Contracting Governments, provided they are not inconsistent with provisions of the Convention.

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FIRST MEETING - WASHINGTON, D. C. - APRIL 2, 1951

Serial No. 22

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April 5, 1951

RULES OF PROCEDURE

FOR THE COMMISSION

(Adopted in Third Executive Session April 5, 1951)

Representation

Rule 1

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(b) Each Government shall notify the Executive Secretary as soon as possible the name or names of its Commissioners on the Commission and of any change thereof.

Rule 2

A representative or representatives of any Advisory Committee established by any Contracting Government in accordance with Article V (1) of the Convention may, with the assent of the Contracting Government concerned, attend as observers all non-executive sessions at meetings of the Commission. Prior to each meeting the Commissioners shall inform the Executive Secretary of the names of such Advisory Committee members authorized to attend.

Rule 3

Any Government not a party to the Convention and any international organization may be represented at meetings of the Commission by an observer or observers, if the Commission so decides from time to time.

Voting

Rule 4

Each Contracting Government shall be entitled to one vote which may be cast by any Commissioner from that Government. Observers, experts, and advisers may address plenary meetings of the Commission, but shall not be entitled to vote.

Rule 5

Decisions of the Commission shall be taken by a two-thirds majority of the votes of all the Contracting Governments. At meetings of the committees appointed by the Commission a simple majority of all members of such committees shall be decisive. Votes shall be taken by show of hands, by roll call in the English alphabetical order of the names of the countries, or by ballot, as in the opinion of the Chairman appears to be most suitable.

Rule 6

Between meetings of the Commission or in the case of an emergency, a vote of the Commissioners may be taken by mail, or other means of communication, in which case decisions also shall be taken by a two-thirds majority of the votes of all the Contracting Governments, each Contracting Government being entitled to one vote.

Chairman and Vice-Chairman

Rule 7

Except as otherwise provided in Rule 9, the Commission shall elect from its members a Chairman and a Vice-Chairman, for a term of two years who shall be eligible for re-election but not to a succeeding term. The Chairman and Vice-Chairman must be Commissioners from different Contracting Governments. The succeeding Chairman and Vice-Chairman shall take office on the day following the expiration of the term of their predecessors.

Rule 8

The powers and duties of the Chairman shall be:

- (a) to declare the opening and closing of each meeting of the Commission;
- (b) to preside at all meetings of the Commission;
- (c) to decide all questions of order raised at meetings of the Commission, subject to the right of any Commissioners to request that any ruling by the Chairman shall be submitted to the Commission for decision by vote;
- (d) to call for votes and to announce the result of the vote to the Commission;
- (e) to determine after consultation with the Commissioners and the Executive Secretary the provisional order of business for the annual Commission Meeting so that the Executive Secretary may transmit it to all

Contracting Governments and Commissioners not less than 60 days in advance of the meeting;

- (f) to constitute or appoint the members of committees in accordance with the provisions of Rule 16.
- (g) to sign, on behalf of the Commission, a report of the proceedings of each annual or other meeting of the Commission, for transmission to Contracting Governments, Commissioners, and others concerned as an authoritative record of what transpired;
- (h) generally, to make such decisions and give such directions to the Executive Secretary as will ensure, especially in the interval between the meetings of the Commission, that the business of the Commission is carried out efficiently and in accordance with its decisions.

Rule 9

Whenever the Chairman of the Commission is unable to act the Vice-Chairman shall exercise the powers and duties prescribed for the Chairman and if the office of Chairman is vacated a new Chairman may be elected at the next meeting of the Commission for the unexpired balance of the term.

Executive Secretary

Rule 10

The Commission shall appoint an Executive Secretary and designate staff positions to be filled through appointments made by the Executive Secretary. The Commission shall fix the tenure, rate of remuneration, and travelling expenses for the Executive Secretary and members of his staff.

Rule 11

(a) The Executive Secretary shall, subject to the general supervision of the Commission, have full power and authority over the staff. He shall be responsible to the Commission for the management of its office, and for the receipt and disbursement pursuant to the financial regulations of all monies received by the Commission, pursuant to its direction.

He shall make all necessary arrangements including secretarial assistance for Commission and Committee meetings, and shall provide appropriate services to the Panels. He shall prepare and submit to the Chairman a draft of the Commission's budgets (Article III of the Convention) for each year and perform such other functions as may be assigned to him by the Commission, the Commission Chairman, or the Chairmen of the Panels.

(b) Communications to the Depository Governments, in pursuance of the provisions of Articles VI (2) and VIII of the Convention, shall be addressed to the Secretary of State of the United States of America.

(c) The Executive Secretary shall receive the credentials of the Commissioners, and shall report thereon to the Commission from time to time.

Order of Business

Rule 12

No order of business which involves amendment of the Rules of Procedure, budget or related financial matters, Panel membership modifications under Article IV (2) of the Convention, boundary modifications under Article VI (2) of the Convention, or transmittal of proposals or recommendations under Article VIII of the Convention, shall be the subject of a decision by the Commission unless the subject matter has been included in the provisional order of business which has been circulated through the Executive Secretary to the Commissioners at least 60 days in advance of the meeting at which the matter is to be discussed.

Financial

Rule 13

The Commission shall adopt and amend financial regulations necessary to the conduct of its fiscal affairs.

Seat of the Commission

Rule 14

For the time being the seat of the Commission shall be located in Canada.

Meetings

Rule 15

The Commission shall hold a regular annual meeting at its seat or at such other place in North America as may be agreed upon by the Commission. Any other meeting of the Commission may be called by the Chairman at such time and place as he may determine, upon the request of the Commissioner of a Contracting Government and subject to the concurrence of the Commissioners of two other Contracting Governments, including the Commissioner of a Government in North America.

Committees

Rule 16

(a) The Commission may establish such ad hoc Committees as it considers to be required from time to time.

(b) There shall be a Standing Committee on Finance and Administration consisting of one Commissioner from each Contracting Government who may be assisted by his experts and advisers and which 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, and on publications of the Commission. The Committee shall choose its own chairman. The Executive Secretary shall be an ex-officio member of this Committee without vote.

(c) There shall be a Standing Committee on Research and Statistics, consisting of one nominee from each Contracting Government who may be assisted by experts or advisers, and by observers from non-Contracting Governments and from the Food and Agriculture Organization of the United Nations and the International Council for Exploration of the Sea. 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 insure that the Commission has available at all times complete, current, and

equivalent statistics on fishery activities in Convention waters. The Committee shall keep under continuous review the research programs in progress in the Convention Area, and shall develop and recommend to the Commission from time to time such changes in existing programs, or such new programs as may be deemed desirable. The Committee shall choose its own chairman. The Executive Secretary shall be an ex-officio member of this Committee without vote.

Panels

Rule 17

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Rule 18

After the Convention has been in force for two years, but not before that time, Panel representation shall be reviewed annually by the Commission, which shall have the power, subject to consultation with the Panel concerned, to determine representation on each Panel on the basis of the provisions of Article IV (2) of the Convention.

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Each Panel may adopt, and amend as occasion may require, rules of procedure or by-laws for the conduct of its meetings and for the exercise of its functions and duties.

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Records of all meetings of the Commission shall be provided by the Executive Secretary and shall be circulated promptly to all Contracting Governments and Commissioners.

Rule 22

Summary minutes of the proceedings of all meetings of its Committees shall be furnished to the Commission.

Reports

Rule 23

(a) The Commission shall publish annually, following its regular annual meeting, a report of its activities during the preceding year. Such report shall include a summary of its findings and of statistical, scientific and other information gathered pertaining to the fisheries of the Convention Area.

(b) Commissioners should arrange, where feasible, for all reports on subjects of interest to the Commission which are published in their own countries to be sent to the Executive Secretary of the Commission for record purposes. English translations where available should be provided.

Amendment of Rules of Procedure

Rule 24

These Rules of Procedure may be amended from time to time by a two-thirds majority of the votes of all the Contracting Governments, provided they are not inconsistent with the provisions of the Convention.

- END -

