

2023 Edition

Basic Documents

Volume I

Electronic edition

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Volume I

Convention on the International Maritime Organization

Rules of Procedure of the Assembly

Rules of Procedure of the Council

Rules of Procedure of the Maritime Safety Committee

Rules of Procedure of the Legal Committee

Rules of Procedure of the Marine Environment
Protection Committee

Rules of Procedure of the Technical Cooperation Committee

Rules of Procedure of the Facilitation Committee

Procedures and Terms for the Cooperation between the
International Maritime Organization (IMO) and
Intergovernmental Organizations

Rules and Guidelines for Consultative Status of
Non-Governmental International Organizations

Rules of Procedure for Meetings under the
London Convention, 1972 and the 1996 Protocol
to the London Convention, 1972

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**CONVENTION ON THE
INTERNATIONAL MARITIME
ORGANIZATION**

Note

The present text incorporates the original text of the *Convention on the Inter-Governmental Maritime Consultative Organization* adopted by the United Nations Maritime Conference in Geneva on 6 March 1948, as modified by amendments adopted by Assembly resolutions A.69(ES.II), A.70(IV), A.315(ES.V), A.358(IX),* A.400(X), A.450(XI), A.724(17) and A.735(18). This edition includes, in footnotes under their respective articles, amendments adopted by Assembly Resolution A.1152(32) of 8 December 2021, not yet in force at the time of publication of this book.†

The amendments entered into force on the following dates:

	Date of entry into force
A.69(ES.II) of 15 September 1964	6 October 1967
A.70(IV) of 28 September 1965	3 November 1968
A.315(ES.V) of 17 October 1974	1 April 1978
A.358(IX) of 14 November 1975	22 May 1982‡
A.400(X) of 17 November 1977	10 November 1984
A.450(XI) of 15 November 1979	10 November 1984
A.724(17) of 7 November 1991	7 December 2008
A.735(18) of 4 November 1993	7 November 2002§
A.1152(32) of 8 December 2021	Not yet in force

Wherever in the texts the words “Chairman” or “Vice-Chairman/Chairmen” appear, this terminology shall be understood as extending to both men and women.

* As corrected by resolution A.371(X) of 9 November 1977.

† The amendments shall come into force 12 months after their acceptance by two thirds of the Members of the Organization.

‡ 28 July 1982 in respect of Article 66.

§ 9 November 1994 in respect of Articles 16, 17 and 19(b).

CONVENTION ON THE INTERNATIONAL MARITIME ORGANIZATION*

The States Parties to the present Convention hereby establish the International Maritime Organization (hereinafter referred to as “the Organization”).

PART I Purposes of the Organization

Article 1

The purposes of the Organization are:

- (a) To provide machinery for cooperation among Governments in the field of governmental regulation and practices relating to technical matters of all kinds affecting shipping engaged in international trade; to encourage and facilitate the general adoption of the highest practicable standards in matters concerning the maritime safety, efficiency of navigation and prevention and control of marine pollution from ships; and to deal with administrative and legal matters related to the purposes set out in this Article;
- (b) To encourage the removal of discriminatory action and unnecessary restrictions by Governments affecting shipping engaged in international trade so as to promote the availability of shipping services to the commerce of the world without discrimination; assistance and encouragement given by a Government for the development of its national shipping and for purposes of security does not in itself constitute discrimination, provided that such assistance and encouragement is not based

* See note opposite.

on measures designed to restrict the freedom of shipping of all flags to take part in international trade;

- (c) To provide for the consideration by the Organization of matters concerning unfair restrictive practices by shipping concerns in accordance with part II;
- (d) To provide for the consideration by the Organization of any matters concerning shipping and the effect of shipping on the marine environment that may be referred to it by any organ or specialized agency of the United Nations;
- (e) To provide for the exchange of information among Governments on matters under consideration by the Organization.

PART II Functions

Article 2

In order to achieve the purposes set out in part I, the Organization shall:

- (a) Subject to the provisions of Article 3, consider and make recommendations upon matters arising under Article 1(a), (b) and (c) that may be remitted to it by Members, by any organ or specialized agency of the United Nations or by any other intergovernmental organization or upon matters referred to it under Article 1(d);
- (b) Provide for the drafting of conventions, agreements, or other suitable instruments, and recommend these to Governments and to intergovernmental organizations, and convene such conferences as may be necessary;
- (c) Provide machinery for consultation among Members and the exchange of information among Governments;
- (d) Perform functions arising in connection with paragraphs (a), (b) and (c) of this Article, in particular those assigned to it by or under international instruments relating to maritime matters and the effect of shipping on the marine environment;
- (e) Facilitate as necessary, and in accordance with part X, technical cooperation within the scope of the Organization.

Article 3

In those matters which appear to the Organization capable of settlement through the normal processes of international shipping business the Organization shall so recommend. When, in the opinion of the Organization, any matter concerning unfair restrictive practices by shipping concerns is incapable of settlement through the normal processes of international shipping business, or has in fact so proved, and provided it shall first have been the subject of direct negotiations between the Members concerned, the Organization shall, at the request of one of those Members, consider the matter.

PART III

Membership

Article 4

Membership in the Organization shall be open to all States, subject to the provisions of part III.

Article 5

Members of the United Nations may become Members of the Organization by becoming Parties to the Convention in accordance with the provisions of Article 76.

Article 6

States not Members of the United Nations which have been invited to send representatives to the United Nations Maritime Conference convened in Geneva on 19 February 1948, may become Members by becoming Parties to the Convention in accordance with the provisions of Article 76.

Article 7

Any State not entitled to become a Member under Article 5 or 6 may apply through the Secretary-General of the Organization to become a Member and shall be admitted as a Member upon its becoming a Party to the Convention in accordance with the provisions of Article 76 provided that,

upon the recommendation of the Council, its application has been approved by two thirds of the Members other than Associate Members.

Article 8

Any Territory or group of Territories to which the Convention has been made applicable under Article 77, by the Member having responsibility for its international relations or by the United Nations, may become an Associate Member of the Organization by notification in writing given by such Member or by the United Nations, as the case may be, to the Secretary-General of the United Nations.

Article 9

An Associate Member shall have the rights and obligations of a Member under the Convention except that it shall not have the right to vote or be eligible for membership on the Council and subject to this the word *Member* in the Convention shall be deemed to include Associate Member unless the context otherwise requires.

Article 10

No State or Territory may become or remain a Member of the Organization contrary to a resolution of the General Assembly of the United Nations.

PART IV

Organs

Article 11

The Organization shall consist of an Assembly, a Council, a Maritime Safety Committee, a Legal Committee, a Marine Environment Protection Committee, a Technical Cooperation Committee, a Facilitation Committee and such subsidiary organs as the Organization may at any time consider necessary; and a Secretariat.

PART V

The Assembly

Article 12

The Assembly shall consist of all the Members.

Article 13

Regular sessions of the Assembly shall take place once every two years. Extraordinary sessions shall be convened after a notice of sixty days whenever one third of the Members give notice to the Secretary-General that they desire a session to be arranged, or at any time if deemed necessary by the Council, after a notice of sixty days.

Article 14

A majority of the Members other than Associate Members shall constitute a quorum for the meetings of the Assembly.

Article 15

The functions of the Assembly shall be:

- (a) To elect at each regular session from among its Members, other than Associate Members, its President and two Vice-Presidents who shall hold office until the next regular session;
- (b) To determine its own Rules of Procedure except as otherwise provided in the Convention;
- (c) To establish any temporary or, upon recommendation of the Council, permanent subsidiary bodies it may consider to be necessary;
- (d) To elect the Members to be represented on the Council as provided in Article 17;
- (e) To receive and consider the reports of the Council, and to decide upon any question referred to it by the Council;
- (f) To approve the work programme of the Organization;

- (g) To vote the budget and determine the financial arrangements of the Organization, in accordance with part XIII;
- (h) To review the expenditures and approve the accounts of the Organization;
- (i) To perform the functions of the Organization, provided that in matters relating to Article 2(a) and (b), the Assembly shall refer such matters to the Council for formulation by it of any recommendations or instruments thereon; provided further that any recommendations or instruments submitted to the Assembly by the Council and not accepted by the Assembly shall be referred back to the Council for further consideration with such observations as the Assembly may make;
- (j) To recommend to Members for adoption, regulations and guidelines concerning maritime safety, the prevention and control of marine pollution from ships and other matters concerning the effect of shipping on the marine environment assigned to the Organization by or under international instruments, or amendments to such regulations and guidelines which have been referred to it;
- (k) To take such action as it may deem appropriate to promote technical cooperation in accordance with Article 2(e), taking into account the special needs of developing countries;
- (l) To take decisions in regard to convening any international conference or following any other appropriate procedure for the adoption of international conventions or of amendments to any international conventions which have been developed by the Maritime Safety Committee, the Legal Committee, the Marine Environment Protection Committee, the Technical Cooperation Committee, the Facilitation Committee or other organs of the Organization;
- (m) To refer to the Council for consideration or decision any matters within the scope of the Organization, except that the function of making recommendations under paragraph (j) of this Article shall not be delegated.

PART VI

The Council

Article 16*

The Council shall be composed of forty Members elected by the Assembly.

Article 17[†]

In electing the Members of the Council, the Assembly shall observe the following criteria:

- (a) Ten shall be States with the largest interest in providing international shipping services;
- (b) Ten shall be other States with the largest interest in international seaborne trade;
- (c) Twenty shall be States not elected under (a) or (b) above which have special interests in maritime transport or navigation, and whose election to the Council will ensure the representation of all major geographic areas of the world.

* At its 32nd session, the Assembly adopted amendments to this article, as follows:

“The Council shall be composed of fifty-two Members elected by the Assembly.”

(Assembly Resolution A.1152(32)). These amendments were not yet in force at the time of publication.

† At its 32nd session, the Assembly adopted amendments to this article, as follows:

“In electing the Members of the Council, the Assembly shall observe the following criteria:

- (a) Twelve shall be States with the largest interest in providing international shipping services;
- (b) Twelve shall be other States with the largest interest in international seaborne trade;
- (c) Twenty-eight shall be States not elected under (a) or (b) above which have special interests in maritime transport or navigation, and whose election to the Council will ensure the representation of all major geographic areas of the world.”

(Assembly Resolution A.1152(32)). These amendments were not yet in force at the time of publication.

Article 18*

Members represented on the Council in accordance with Article 16 shall hold office until the end of the next regular session of the Assembly. Members shall be eligible for re-election.

Article 19

(a) The Council shall elect its Chairman and adopt its own Rules of Procedure except as otherwise provided in the Convention.

(b) Twenty-six Members of the Council shall constitute a quorum[†].

(c) The Council shall meet upon one month's notice as often as may be necessary for the efficient discharge of its duties upon the summons of its Chairman or upon request by not less than four of its Members. It shall meet at such places as may be convenient.

Article 20

The Council shall invite any Member to participate, without vote, in its deliberations on any matter of particular concern to that Member.

Article 21

(a) The Council shall consider the draft work programme and budget estimates prepared by the Secretary-General in the light of the proposals of the Maritime Safety Committee, the Legal Committee, the Marine Environment Protection Committee, the Technical Cooperation Committee, the Facilitation Committee and other organs of the Organization and, taking these into account, shall establish and submit to the Assembly the work programme and budget of the Organization, having regard to the general interest and priorities of the Organization.

* At its 32nd session, the Assembly adopted amendments to this article, as follows:

“Members represented on the Council in accordance with Article 16 shall hold office until the end of the next two consecutive regular sessions of the Assembly. Members shall be eligible for re-election.”

(Assembly Resolution A.1152(32)). These amendments were not yet in force at the time of publication.

† At its 32nd session, the Assembly adopted amendments to this article, as follows:

“19(b) Thirty-four Members of the Council shall constitute a quorum.”

(Assembly Resolution A.1152(32)). These amendments were not yet in force at the time of publication.

(b) The Council shall receive the reports, proposals and recommendations of the Maritime Safety Committee, the Legal Committee, the Marine Environment Protection Committee, the Technical Cooperation Committee, the Facilitation Committee and other organs of the Organization and shall transmit them to the Assembly and, when the Assembly is not in session, to the Members for information, together with the comments and recommendations of the Council.

(c) Matters within the scope of Articles 28, 33, 38, 43 and 48 shall be considered by the Council only after obtaining the views of the Maritime Safety Committee, the Legal Committee, the Marine Environment Protection Committee, the Technical Cooperation Committee or the Facilitation Committee, as may be appropriate.

Article 22

The Council, with the approval of the Assembly, shall appoint the Secretary-General. The Council shall also make provision for the appointment of such other personnel as may be necessary, and determine the terms and conditions of service of the Secretary-General and other personnel, which terms and conditions shall conform as far as possible with those of the United Nations and its specialized agencies.

Article 23

The Council shall make a report to the Assembly at each regular session on the work performed by the Organization since the previous regular session of the Assembly.

Article 24

The Council shall submit to the Assembly financial statements of the Organization, together with the Council's comments and recommendations.

Article 25

(a) The Council may enter into agreements or arrangements covering the relationship of the Organization with other organizations, as provided for in part XVI. Such agreements or arrangements shall be subject to approval by the Assembly.

(b) Having regard to the provisions of part XVI and to the relations maintained with other bodies by the respective Committees under Articles 28, 33, 38, 43 and 48, the Council shall, between sessions of the Assembly, be responsible for relations with other organizations.

Article 26

Between sessions of the Assembly, the Council shall perform all the functions of the Organization, except the function of making recommendations under Article 15(j). In particular, the Council shall coordinate the activities of the organs of the Organization and may make such adjustments in the work programme as are strictly necessary to ensure the efficient functioning of the Organization.

PART VII

Maritime Safety Committee

Article 27

The Maritime Safety Committee shall consist of all the Members.

Article 28

(a) The Maritime Safety Committee shall consider any matter within the scope of the Organization concerned with aids to navigation, construction and equipment of vessels, manning from a safety standpoint, rules for the prevention of collisions, handling of dangerous cargoes, maritime safety procedures and requirements, hydrographic information, log-books and navigational records, marine casualty investigation, salvage and rescue, and any other matters directly affecting maritime safety.

(b) The Maritime Safety Committee shall provide machinery for performing any duties assigned to it by this Convention, the Assembly or the Council, or any duty within the scope of this Article which may be assigned to it by or under any other international instrument and accepted by the Organization.

(c) Having regard to the provisions of Article 25, the Maritime Safety Committee, upon request by the Assembly or the Council or, if it deems such action useful in the interests of its own work, shall maintain such close relationship with other bodies as may further the purposes of the Organization.

Article 29

The Maritime Safety Committee shall submit to the Council:

- (a) Proposals for safety regulations or for amendments to safety regulations which the Committee has developed;
- (b) Recommendations and guidelines which the Committee has developed;
- (c) A report on the work of the Committee since the previous session of the Council.

Article 30

The Maritime Safety Committee shall meet at least once a year. It shall elect its officers once a year and shall adopt its own Rules of Procedure.

Article 31

Notwithstanding anything to the contrary in this Convention but subject to the provisions of Article 27, the Maritime Safety Committee when exercising the functions conferred upon it by or under any international convention or other instrument, shall conform to the relevant provisions of the convention or instrument in question, particularly as regards the rules governing the procedures to be followed.

PART VIII

Legal Committee

Article 32

The Legal Committee shall consist of all the Members.

Article 33

- (a) The Legal Committee shall consider any legal matters within the scope of the Organization.
- (b) The Legal Committee shall take all necessary steps to perform any duties assigned to it by this Convention or by the Assembly or the Council, or any duty within the scope of this Article which may be assigned to it by or under any other international instrument and accepted by the Organization.

(c) Having regard to the provisions of Article 25, the Legal Committee, upon request by the Assembly or the Council or, if it deems such action useful in the interests of its own work, shall maintain such close relationship with other bodies as may further the purposes of the Organization.

Article 34

The Legal Committee shall submit to the Council:

- (a) Drafts of international conventions and of amendments to international conventions which the Committee has developed;
- (b) A report on the work of the Committee since the previous session of the Council.

Article 35

The Legal Committee shall meet at least once a year. It shall elect its officers once a year and shall adopt its own Rules of Procedure.

Article 36

Notwithstanding anything to the contrary in this Convention, but subject to the provisions of Article 32, the Legal Committee, when exercising the functions conferred upon it by or under any international convention or other instrument, shall conform to the relevant provisions of the convention or instrument in question, particularly as regards the rules governing the procedures to be followed.

PART IX

Marine Environment Protection Committee

Article 37

The Marine Environment Protection Committee shall consist of all the Members.

Article 38

The Marine Environment Protection Committee shall consider any matter within the scope of the Organization concerned with the prevention and control of marine pollution from ships and in particular shall:

- (a) Perform such functions as are or may be conferred upon the Organization by or under international conventions for the prevention and control of marine pollution from ships, particularly with respect to the adoption and amendment of regulations or other provisions, as provided for in such conventions;
- (b) Consider appropriate measures to facilitate the enforcement of the conventions referred to in paragraph (a) above;
- (c) Provide for the acquisition of scientific, technical and any other practical information on the prevention and control of marine pollution from ships for dissemination to States, in particular to developing countries and, where appropriate, make recommendations and develop guidelines;
- (d) Promote cooperation with regional organizations concerned with the prevention and control of marine pollution from ships, having regard to the provisions of Article 25;
- (e) Consider and take appropriate action with respect to any other matters falling within the scope of the Organization which would contribute to the prevention and control of marine pollution from ships including cooperation on environmental matters with other international organizations, having regard to the provisions of Article 25.

Article 39

The Marine Environment Protection Committee shall submit to the Council:

- (a) Proposals for regulations for the prevention and control of marine pollution from ships and for amendments to such regulations which the Committee has developed;
- (b) Recommendations and guidelines which the Committee has developed;
- (c) A report on the work of the Committee since the previous session of the Council.

Article 40

The Marine Environment Protection Committee shall meet at least once a year. It shall elect its officers once a year and shall adopt its own Rules of Procedure.

Article 41

Notwithstanding anything to the contrary in this Convention, but subject to the provisions of Article 37, the Marine Environment Protection Committee, when exercising the functions conferred upon it by or under any international convention or other instrument, shall conform to the relevant provisions of the convention or instrument in question, particularly as regards the rules governing the procedures to be followed.

PART X

Technical Cooperation Committee

Article 42

The Technical Cooperation Committee shall consist of all the Members.

Article 43

(a) The Technical Cooperation Committee shall consider, as appropriate, any matter within the scope of the Organization concerned with the implementation of technical cooperation projects funded by the relevant United Nations programme for which the Organization acts as the executing or cooperating agency or by funds-in-trust voluntarily provided to the Organization, and any other matters related to the Organization's activities in the technical cooperation field.

(b) The Technical Cooperation Committee shall keep under review the work of the Secretariat concerning technical cooperation.

(c) The Technical Cooperation Committee shall perform those functions assigned to it by this Convention or by the Assembly or the Council, or any duty within the scope of this Article which may be assigned to it by or under any other international instrument and accepted by the Organization.

(d) Having regard to the provisions of Article 25, the Technical Cooperation Committee, upon request by the Assembly and Council or, if it deems such action useful in the interests of its own work, shall maintain such close relationships with other bodies as may further the purposes of the Organization.

Article 44

The Technical Cooperation Committee shall submit to the Council:

- (a) Recommendations which the Committee has developed;
- (b) A report on the work of the Committee since the previous session of the Council.

Article 45

The Technical Cooperation Committee shall meet at least once a year. It shall elect its officers once a year and shall adopt its own Rules of Procedure.

Article 46

Notwithstanding anything to the contrary in this Convention, but subject to the provisions of Article 42, the Technical Cooperation Committee, when exercising the functions conferred upon it by or under any international convention or other instrument, shall conform to the relevant provisions of the convention or instrument in question, particularly as regards the rules governing the procedures to be followed.

PART XI

Facilitation Committee

Article 47

The Facilitation Committee shall consist of all the Members.

Article 48

The Facilitation Committee shall consider any matter within the scope of the Organization concerned with the facilitation of international maritime traffic and in particular shall:

- (a) Perform such functions as are or may be conferred upon the Organization by or under international conventions for the

facilitation of international maritime traffic, particularly with respect to the adoption and amendment of measures or other provisions, as provided for in such conventions.

- (b) Having regard to the provisions of Article 25, the Facilitation Committee, upon request by the Assembly or the Council or if it deems such action useful in the interests of its own work, shall maintain such close relationship with other bodies as may further the purposes of the Organization.

Article 49

The Facilitation Committee shall submit to the Council:

- (a) Recommendations and guidelines which the Committee has developed.
- (b) A report on the work of the Committee since the previous session of the Council.

Article 50

The Facilitation Committee shall meet at least once a year. It shall elect its officers once a year and shall adopt its own Rules of Procedure.

Article 51

Notwithstanding anything to the contrary in this Convention, but subject to the provisions of Article 47, the Facilitation Committee, when exercising the functions conferred upon it by or under any international convention or other instrument, shall conform to the relevant provisions of the convention or instrument in question, particularly as regards the rules governing the procedures to be followed.

PART XII

The Secretariat

Article 52

The Secretariat shall comprise the Secretary-General and such other personnel as the Organization may require. The Secretary-General shall be the chief administrative officer of the Organization and shall, subject to the provisions of Article 22, appoint the above-mentioned personnel.

Article 53

The Secretariat shall maintain all such records as may be necessary for the efficient discharge of the functions of the Organization and shall prepare, collect and circulate the papers, documents, agenda, minutes and information that may be required for the work of the Organization.

Article 54

The Secretary-General shall prepare and submit to the Council the financial statements for each year and the budget estimates on a biennial basis, with the estimates for each year shown separately.

Article 55

The Secretary-General shall keep Members informed with respect to the activities of the Organization. Each Member may appoint one or more representatives for the purpose of communication with the Secretary-General.

Article 56

In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any Government or from any authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials. Each Member on its part undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

Article 57

The Secretary-General shall assume any other functions which may be assigned to him by the Convention, the Assembly or the Council.

PART XIII

Finances

Article 58

Each Member shall bear the salary, travel and other expenses of its own delegation to the meetings held by the Organization.

Article 59

The Council shall consider the financial statements and budget estimates prepared by the Secretary-General and submit them to the Assembly with its comments and recommendations.

Article 60

(a) Subject to any agreement between the Organization and the United Nations, the Assembly shall review and approve the budget estimates.

(b) The Assembly shall apportion the expenses among the Members in accordance with a scale to be fixed by it after consideration of the proposals of the Council thereon.

Article 61

Any Member which fails to discharge its financial obligation to the Organization within one year from the date on which it is due shall have no vote in the Assembly, the Council, the Maritime Safety Committee, the Legal Committee, the Marine Environment Protection Committee, the Technical Cooperation Committee or the Facilitation Committee unless the Assembly, at its discretion, waives this provision.

PART XIV

Voting

Article 62

Except as otherwise provided in the Convention or in any international agreement which confers functions on the Assembly, the Council, the Maritime Safety Committee, the Legal Committee, the Marine Environment Protection Committee, the Technical Cooperation Committee or the Facilitation Committee, the following provisions shall apply to voting in these organs:

- (a) Each Member shall have one vote.
- (b) Decisions shall be by a majority vote of the Members present and voting and, for decisions where a two-thirds majority vote is required, by a two-thirds majority vote of those present.
- (c) For the purpose of the Convention, the phrase *Members present and voting* means Members present and casting an affirmative or negative vote. Members which abstain from voting shall be considered as not voting.

PART XV

Headquarters of the Organization

Article 63

- (a) The Headquarters of the Organization shall be established in London.
- (b) The Assembly may by a two-thirds majority vote change the site of the Headquarters if necessary.
- (c) The Assembly may hold sessions in any place other than the Headquarters if the Council deems it necessary.

PART XVI

Relationship with the United Nations and other organizations

Article 64

The Organization shall be brought into relationship with the United Nations in accordance with Article 57 of the Charter of the United Nations* as the specialized agency in the field of shipping and the effect of shipping on the marine environment. This relationship shall be effected through an agreement with the United Nations under Article 63 of the Charter of the United Nations,† which agreement shall be concluded as provided in Article 25.

Article 65

The Organization shall cooperate with any specialized agency of the United Nations in matters which may be the common concern of the Organization and of such specialized agency, and shall consider such matters and act with respect to them in accord with such specialized agency.

Article 66

The Organization may, on matters within its scope, cooperate with other intergovernmental organizations which are not specialized agencies of the United Nations, but whose interests and activities are related to the purposes of the Organization.

* Article 57 of the Charter of the United Nations reads as follows:

Article 57

1. The various specialized agencies, established by intergovernmental agreement and having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the United Nations in accordance with the provisions of Article 63.
2. Such agencies thus brought into relationship with the United Nations are hereinafter referred to as specialized agencies.

† Article 63 of the Charter of the United Nations reads as follows:

Article 63

1. The Economic and Social Council may enter into agreements with any of the agencies referred to in Article 57, defining the terms on which the agency concerned shall be brought into relationship with the United Nations. Such agreements shall be subject to approval by the General Assembly.
2. It may coordinate the activities of the specialized agencies through consultation with and recommendations to such agencies and through recommendations to the General Assembly and to the Members of the United Nations.

Article 67

The Organization may, on matters within its scope, make suitable arrangements for consultation and cooperation with non-governmental international organizations.

Article 68

Subject to approval by a two-thirds majority vote of the Assembly, the Organization may take over from any other international organizations, governmental or non-governmental, such functions, resources and obligations within the scope of the Organization as may be transferred to the Organization by international agreements or by mutually acceptable arrangements entered into between competent authorities of the respective organizations. Similarly, the Organization may take over any administrative functions which are within its scope and which have been entrusted to a Government under the terms of any international instrument.

PART XVII

Legal capacity, privileges and immunities

Article 69

The legal capacity, privileges and immunities to be accorded to, or in connection with, the Organization, shall be derived from and governed by the General Convention on the Privileges and Immunities of the Specialized Agencies approved by the General Assembly of the United Nations on 21 November 1947, subject to such modifications as may be set forth in the final (or revised) text of the Annex approved by the Organization in accordance with sections 36 and 38 of the said General Convention.

Article 70

Pending its accession to the said General Convention in respect of the Organization, each Member undertakes to apply the provisions of appendix II to the present Convention.

PART XVIII

Amendments

Article 71

Texts of proposed amendments to the Convention shall be communicated by the Secretary-General to Members at least six months in advance of their consideration by the Assembly. Amendments shall be adopted by a two-thirds majority vote of the Assembly. Twelve months after its acceptance by two thirds of the Members of the Organization, other than Associate Members, each amendment shall come into force for all Members. If within the first 60 days of this period of twelve months a Member gives notification of withdrawal from the Organization on account of an amendment the withdrawal shall, notwithstanding the provisions of Article 78 of the Convention, take effect on the date on which such amendment comes into force.

Article 72

Any amendment adopted under Article 71 shall be deposited with the Secretary-General of the United Nations, who will immediately forward a copy of the amendment to all Members.

Article 73

A declaration or acceptance under Article 71 shall be made by the communication of an instrument to the Secretary-General for deposit with the Secretary-General of the United Nations. The Secretary-General will notify Members of the receipt of any such instrument and of the date when the amendment enters into force.

PART XIX

Interpretation

Article 74

Any question or dispute concerning the interpretation or application of the Convention shall be referred to the Assembly for settlement, or shall be settled in such other manner as the parties to the dispute may agree. Nothing in this Article shall preclude any organ of the Organization from settling any such question or dispute that may arise during the exercise of its functions.

Article 75

Any legal question which cannot be settled as provided in Article 74 shall be referred by the Organization to the International Court of Justice for an advisory opinion in accordance with Article 96 of the Charter of the United Nations.*

PART XX Miscellaneous provisions

Article 76

Signature and acceptance

Subject to the provisions of part III the present Convention shall remain open for signature or acceptance and States may become Parties to the Convention by:

- (a) Signature without reservation as to acceptance;
- (b) Signature subject to acceptance followed by acceptance; or
- (c) Acceptance.

Acceptance shall be effected by the deposit of an instrument with the Secretary-General of the United Nations.

Article 77

Territories

(a) Members may make a declaration at any time that their participation in the Convention includes all or a group or a single one of the Territories for whose international relations they are responsible.

(b) The Convention does not apply to Territories for whose international relations Members are responsible unless a declaration to that effect has been made on their behalf under the provisions of paragraph (a) of this Article.

* Article 96 of the Charter of the United Nations reads as follows:

Article 96

1. The General Assembly or the Security Council may request the International Court of Justice to give an advisory opinion on any legal question.
2. Other organs of the United Nations and specialized agencies, which may at any time be so authorized by the General Assembly, may also request advisory opinions of the Court on legal questions arising within the scope of their activities.

(c) A declaration made under paragraph (a) of this Article shall be communicated to the Secretary-General of the United Nations and a copy of it will be forwarded by him to all States invited to the United Nations Maritime Conference and to such other States as may have become Members.

(d) In cases where under a Trusteeship Agreement the United Nations is the administering authority, the United Nations may accept the Convention on behalf of one, several, or all of the Trust Territories in accordance with the procedure set forth in Article 76.

Article 78

Withdrawal

(a) Any Member may withdraw from the Organization by written notification given to the Secretary-General of the United Nations, who will immediately inform the other Members and the Secretary-General of the Organization of such notification. Notification of withdrawal may be given at any time after the expiration of twelve months from the date on which the Convention has come into force. The withdrawal shall take effect upon the expiration of twelve months from the date on which such written notification is received by the Secretary-General of the United Nations.

(b) The application of the Convention to a Territory or group of Territories under Article 77 may at any time be terminated by written notification given to the Secretary-General of the United Nations by the Member responsible for its international relations or, in the case of a Trust Territory of which the United Nations is the administering authority, by the United Nations. The Secretary-General of the United Nations will immediately inform all Members and the Secretary-General of the Organization of such notification. The notification shall take effect upon the expiration of twelve months from the date on which it is received by the Secretary-General of the United Nations.

PART XXI

Entry into force

Article 79

The present Convention shall enter into force on the date when 21 States, of which seven shall each have a total tonnage of not less than 1,000,000 gross tons of shipping, have become Parties to the Convention in accordance with Article 76.

Article 80

The Secretary-General of the United Nations will inform all States invited to the United Nations Maritime Conference and such other States as may have become Members, of the date when each State becomes Party to the Convention, and also of the date on which the Convention enters into force.

Article 81

The present Convention, of which the English, French and Spanish texts are equally authentic*, shall be deposited with the Secretary-General of the United Nations, who will transmit certified copies thereof to each of the States invited to the United Nations Maritime Conference and to such other States as may have become Members.

Article 82

The United Nations is authorized to effect registration of the Convention as soon as it comes into force.†

IN WITNESS WHEREOF the undersigned‡ being duly authorized by their respective Governments for that purpose have signed the present Convention.§

DONE in Geneva on 6 March 1948.

* At its 32nd session, the Assembly adopted amendments to this article to replace the words “of which the English, French and Spanish texts are equally authentic” with “of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic”.

(Assembly Resolution A.1152(32)). These amendments were not yet in force at the time of publication.

† The Convention entered into force on 17 March 1958.

‡ Signatures omitted.

§ The delegates at the Conference placed their signatures after the English text only although it was understood that all three texts were equally authentic.

APPENDIX I*



* This appendix, relating to the composition of the Council, became obsolete with the amendment of Article 17 by Assembly resolution A.69(ES.11) of 15 September 1964, effective 6 October 1967.

APPENDIX II

(Referred to in Article 70)

Legal capacity, privileges and immunities

The following provisions on legal capacity, privileges and immunities shall be applied by Members to, or in connection with, the Organization pending their accession to the General Convention on Privileges and Immunities of Specialized Agencies in respect of the Organization.

Section 1. The Organization shall enjoy in the territory of each of its Members such legal capacity as is necessary for the fulfilment of its purposes and the exercise of its functions.

Section 2. (a) The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes and the exercise of its functions.

(b) Representatives of Members including alternates and advisers, and officials and employees of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

Section 3. In applying the provisions of sections 1 and 2 of this appendix, the Members shall take into account as far as possible the standard clauses of the General Convention on the Privileges and Immunities of the Specialized Agencies.

INTERNATIONAL
MARITIME
ORGANIZATION

RULES OF PROCEDURE OF THE ASSEMBLY

RULES OF PROCEDURE OF THE ASSEMBLY*

Membership

Rule 1

1 For the purposes of these rules, the term *Member* means a Member of the Organization and shall be deemed to include Associate Member unless otherwise expressly stated.

2 Other Participants, defined as States that are not Members of the Organization but Parties to a treaty or other international instrument in respect of which the Assembly performs functions, have the right to participate in the Assembly for the purposes of functions in respect of such treaties or international instruments only.

Subsidiary bodies

Rule 2

1 The Assembly may establish such temporary or, upon the recommendation of the Council, such permanent subsidiary bodies as it considers necessary. Such subsidiary bodies shall follow the present rules of procedure so far as they are applicable.

* The original text of the Rules of Procedure was adopted by Assembly resolution A.27(II) of 13 April 1961. Amendments to the Rules were adopted by Assembly resolutions A.72(IV) of 28 September 1965, A.111(V) of 17 October 1967, A.354(IX) of 13 November 1975, A.780(19) of 13 November 1995, A.781(19) of 13 November 1995, and A.1154(32) of 8 December 2021, and by decisions of the Assembly at its sixth session on 15 October 1969, its eighth session on 23 November 1973, its ninth session on 14 November 1975, its tenth session on 17 November 1977, its eleventh session on 6 November 1979, its fourteenth session on 20 November 1985, its twenty-sixth session on 23 November 2009, its twenty-seventh session on 23 November 2011, its twenty-ninth session on 24 November 2015, and its thirty-first session on 27 November 2019.

2 At each regular session, the Assembly shall examine the desirability of continuing the existence of any subsidiary body.

Sessions

Rule 3

The Assembly shall meet every two years in regular session and in extraordinary session whenever deemed necessary by the Council or on request made in writing to the Secretary General by at least one third of the Members other than Associate Members. Sessions of the Assembly shall be held at the Headquarters of the Organization unless convened elsewhere in accordance with a decision of the Council.

Rule 4

The Secretary-General, acting on the direction of the President, shall notify Members and other Participants at least two months in advance of the holding of a session of the Assembly, and shall also notify the Chairs of other interested IMO bodies who shall have the option of attending sessions as observers.

Observers

Rule 5

1 The Secretary-General with the approval of the Council may invite States having made applications for membership, States which have signed but not accepted the Convention on the International Maritime Organization (“IMO Convention”), and States which are Members of the United Nations or of any specialized agency and liberation movements recognized by the African Union or the League of Arab States to send observers to sessions of the Assembly.

2 The Secretary-General shall invite to be represented as observers at any session of the Assembly:

- .1 the United Nations; including the United Nations Environment Programme; and

- .2 any specialized agencies of the United Nations and the International Atomic Energy Agency.

3 The Secretary-General shall invite to be represented by observers at any session of the Assembly at which matters of direct concern to them are on the agenda:

- .1 other intergovernmental organizations with which an agreement or special arrangement has been made; and
- .2 non-governmental international organizations with which the Organization has established appropriate relationships in accordance with the rules governing consultations with such organizations.

4 Upon invitation by the President and with the consent of the Assembly or its subsidiary body concerned, such observers may participate without vote on matters of direct concern to them.

Rule 6

1 Representatives of the United Nations, the International Atomic Energy Agency and of the specialized agencies shall receive copies of all documents issued to the Assembly, subject to any arrangements as may be necessary for the safeguarding of confidential material.

2 Observers shall have access to non-confidential documents and to such other documents as the Secretary-General, with the approval of the President of the Assembly, may decide to make available.

Delegations

Rule 7

1 Each Member or other Participant shall designate a representative and such alternates, advisers and experts as may be required.

2 Upon the request of a representative, the President may allow any other member of the representative's delegation to speak on any particular point at any meeting of the Assembly.

Rule 8

Each Member or other Participant shall notify the Secretary-General in writing as soon as possible, and in any case not later than the opening day of a session, of the composition of its delegation to that session.

Credentials

Rule 9

Each Member or Government entitled to participate in a session of the Assembly shall transmit to the Secretary-General the credentials of its representatives and alternates, if any. The credentials shall be issued by the Head of State, Head of Government, Minister for Foreign Affairs, Minister concerned or by an appropriate authority properly designated by one of them for this purpose.

Rule 10

A credentials committee shall be appointed at the beginning of each session of the Assembly. It shall consist of five members who shall be appointed by the Assembly on the proposal of the President. The Credentials Committee shall examine the credentials of delegations and report without delay. In examining the credentials, the Credentials Committee may recommend provisional acceptance of copies of credentials, or acceptance of those transmitted late, and shall report the same to the Assembly.

Rule 11

All representatives, including those to whose admission a Member has made objection, shall be seated provisionally with the same rights as other representatives until the Credentials Committee has reported and the Assembly has given its decision.

Publicity

Rule 12

1 Plenary meetings of the Assembly shall be held in public unless the Assembly decides otherwise. Meetings of subsidiary bodies of the Assembly shall be held in private unless the Assembly decides otherwise in any particular case.

2 In accordance with the terms and conditions of media attendance at meetings of IMO Assembly, Council, committees and their subsidiary bodies, approved by the Council, the media may attend Plenary meetings of the Assembly unless the Assembly decides otherwise.

Agenda

Rule 13

The provisional agenda of each session of the Assembly shall be prepared by the Secretary General and submitted to the Council for approval prior to issue.

Rule 14

The first item on the provisional agenda for each session shall be the adoption of the agenda.

Rule 15

Subject to the provisions of rule 16, any item of the agenda of a session of the Assembly consideration of which has not been completed at that session shall be included in the agenda of a subsequent session unless otherwise decided by the Assembly.

Rule 16

The provisional agenda of each regular session of the Assembly shall include:

- .1** all items the inclusion of which has been requested by the Assembly at a previous session;
- .2** a report by the Council on the work of the Organization since the preceding regular session of the Assembly and all items the inclusion of which has been requested by the Council;
- .3** all reports and recommendations made by the Maritime Safety Committee or the Legal Committee or the Marine Environment Protection Committee or the Technical Cooperation Committee or the Facilitation Committee and all items the inclusion of which has been requested by any of those Committees;

- .4 any item proposed by a Member of the Organization;
- .5 the election of Members to be represented on the Council as provided in Articles 16 and 17 of the IMO Convention;
- .6 the proposed budget for the following biennium as well as all questions pertaining to the accounts and financial arrangements of the Organization;
- .7 subject to such preliminary consultations as may be necessary, any item proposed by the United Nations or by any of its specialized agencies, or by the International Atomic Energy Agency; and
- .8 subject to the provisions of a treaty or other international agreement in respect of which the Assembly performs functions, any amendment proposed by a Party to that treaty or other international agreement.

Rule 17

The provisional agenda together with supporting documents for each session shall, with the exception of the proposed budget for the following biennium, normally be communicated by the Secretary-General to the Members and other Participants at least two months before the opening of the session.

Rule 18

In exceptional circumstances the Council, or the Secretary-General by authority of the Council, may include any question suitable for the agenda which may arise between the dispatch of the provisional agenda and the opening day of the session, in a supplementary provisional agenda which the Assembly shall examine together with the provisional agenda. The Secretary-General shall advise Members and other Participants immediately of the intention to include an item in a supplementary provisional agenda.

Rule 19

The Secretary-General shall report to the Assembly on the technical, administrative and financial implications of all substantive agenda items submitted to the Assembly, before they are considered by that body. Unless the Assembly decides otherwise, no such item shall be considered until the Assembly has been in possession of the Secretary-General's report for at least 48 hours.

President and Vice-Presidents

Rule 20

The Assembly shall at the first meeting of each regular session elect a President, a first Vice President and a second Vice-President from among the representatives of its Members other than Associate Members.

Rule 21

At the opening of each regular session of the Assembly, the representative of the delegation from which the President of the previous regular session was elected shall preside until the Assembly has elected a President for the session.

Rule 22

If the President is absent from a session, or any part thereof or, for any reason, is unable to complete the term of office, one of the Vice-Presidents shall act as President.

Rule 23

A President or a Vice-President acting as President shall not vote but may appoint another member of their delegation to act as the representative of their Government in plenary meetings.

Secretariat

Rule 24

The Secretary-General shall act as Secretary of the Assembly and of its subsidiary bodies and shall be responsible for making the necessary arrangements for their meetings. This function may be delegated to a member of the Secretariat.

Rule 25

The Secretary-General, or a member of the Secretariat designated for the purpose, may make either oral or written statements concerning any question under consideration.

Rule 26

The Secretariat shall prepare the resolutions and other decisions of each meeting. It shall also upload onto IMODOCS the audio files of discussions of the meetings in all official languages as soon as possible after the close of the meeting to which they relate.

Rule 27

It shall be the duty of the Secretariat to receive, translate and circulate to Members and Governments entitled to participate all reports, resolutions, recommendations and other documents of the Assembly and its subsidiary bodies.

Languages

Rule 28

The official languages of the Organization are Arabic, Chinese, English, French, Russian and Spanish; the working languages are English, French and Spanish.

Rule 29

Speeches at the Assembly and its subsidiary bodies shall be made in one of the official languages and will be interpreted into the other five official languages.

Rule 30

1 All supporting documents to agenda items of the Assembly and its subsidiary bodies shall be issued in the working languages.

2 All reports, resolutions, recommendations and decisions of the Assembly and its subsidiary bodies shall be drawn up in one of the official languages and translated into the other five languages.

Voting

Rule 31

Subject to the relevant provisions of Articles 7, 63, 68 and 71 of the IMO Convention, decisions of the Assembly and of its subsidiary bodies shall be made, elections, including those subject to the provisions of Article 16 of the IMO Convention, determined, and reports, resolutions and recommendations adopted by a majority of the Members other than Associate Members present and voting.

Rule 32

1 When considering matters not connected with functions performed by the Assembly in respect of treaties or other international agreements, all Members and observers invited pursuant to rules 5 and 6 may participate in the proceedings, but only Members of the Organization shall be entitled to vote.

2 When the Assembly performs functions as provided for in a treaty or other international agreement, all Members, other Participants and observers invited pursuant to rules 5 and 6 shall be entitled to participate in the proceedings, but voting on amendments to the treaty or other agreement shall be in accordance with the provisions of that treaty or agreement.

Rule 33

1 Each Member, other than Associate Members, shall have one vote.

2 For the purposes of Article 62 of the IMO Convention and of these rules:

- .1 The phrase Members present and voting means Members casting an affirmative or negative vote. Members abstaining from voting or casting an invalid vote shall be considered as not voting.
- .2 The phrase Members present means Members at the meeting whether they cast an affirmative or negative vote, whether they abstain, whether they cast an invalid vote or whether they take no part in the voting. Members at the session who are not present at the meeting at which voting takes place shall be considered as not present.

- .3 The provisions in rules 33(2.1) and 33(2.2) above shall only apply if the quorum laid down in Article 14 of the IMO Convention is obtained at the meeting at which the vote is taken.

3 The provisions in rules 33(1), 33(2.1) and 33(2.2) apply to Other Participants when voting pursuant to a treaty or other agreement in accordance with the provisions of that treaty.

Rule 34

The Assembly shall normally vote by show of hands. However, any Member or other Participant entitled to vote may request a roll call, which shall be taken in the alphabetical order of the names of the Members or other Participants entitled to vote in English, beginning with the Member or other Participant whose name is drawn by lot by the President.

Rule 35

The vote of each Member or other Participant entitled to vote in any roll call shall be contained in the other decisions of the session.

Rule 36

If a vote is equally divided, a second vote shall be taken at the next meeting. If this vote is also equally divided, the proposal shall be regarded as rejected.

Elections

Rule 37

All elections shall be decided by secret ballot.

Rule 38

In a secret ballot two scrutineers shall, on the proposal of the President, be appointed by the Assembly from the delegations present and shall proceed to scrutinize the votes cast. All invalid votes cast shall be reported to the Assembly.

Rule 39

If one person or Member only is to be elected and no candidate obtains a majority in the first ballot, a second ballot shall be taken confined normally to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided the election shall be deferred until the ensuing meeting, when, if another tie results, the President shall decide between the candidates by drawing lots.

Rule 40

1 When two or more places are to be filled by election at one time under the same conditions, those candidates obtaining the majority required under rule 31 in the first ballot shall be declared elected.

2 If the number of candidates obtaining the requisite majority is greater than the number of seats to be filled, those candidates obtaining the greatest number of votes shall be declared elected.

3 If the number of candidates obtaining the requisite majority is less than the number of persons or Members to be elected, there shall be an additional ballot to fill the remaining places, the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballot and the number of candidates being not more than twice as many as the places remaining to be filled. Should the same number of votes be obtained, however, by two or more candidates for the last place in this restricted list, they shall be placed on the list. If, after the additional ballot, a candidate still does not obtain the requisite majority, that candidate shall be declared not elected.

4 For the elections to be held in accordance with Article 17 of the Convention, where the number of Members to be elected is not achieved after the ballots undertaken in accordance with paragraph (c), the President of the Assembly shall call for additional candidates to fill the remaining places provided that the principles laid down in the relevant part of Article 17 of the Convention are observed, and a new ballot for the candidates shall be put to a vote. The voting to fill the remaining places shall take place prior to the election for any subsequent category under Article 17 of the Convention within the ongoing Assembly at a date and time to be specified by the President.

5 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 among these candidates only. Should the votes again be divided equally, the President of the Assembly shall draw by lot the name of the candidate to be eliminated in the subsequent ballot.

6 Subject to rule 41, a voting paper containing the names of a greater number of candidates than the number required to be elected shall be considered invalid.

Rule 41

1 When electronic counting of votes is used, the Secretariat shall prepare the voting papers. Candidates shall be listed in the alphabetical order of their names in English.

2 A voting paper containing a greater number of votes than the number of candidates to be elected shall be considered invalid. Any changes made to a voting paper will render it invalid.

Rule 42

The elections to be held in accordance with Article 17 of the Convention shall be conducted by ballots held separately for each category.

Rule 43

A candidate in respect of the Council which has not been elected under one category may be put forward under another category, provided that the principles laid down in the relevant part of Article 17 are observed.

Conduct of business

Rule 44

1 A majority of the Members, other than Associate Members, shall constitute a quorum for the meetings of the Assembly and of its subsidiary bodies.

2 When a treaty or other international instrument in respect of which the Assembly performs functions contains a provision relating to the quorum, such provision shall apply in respect of such functions.

Rule 45

In addition to exercising the powers conferred elsewhere by these rules, the President shall declare the opening and the closing of each session of the Assembly; direct the discussion and ensure observance of these rules, accord the right to speak, put questions to the vote; and announce decisions resulting from the voting.

Rule 46

Proposals and amendments shall normally be introduced in writing and handed to the Secretary-General, who shall circulate copies to delegations. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the Assembly unless copies of it have been circulated to delegations not later than the day preceding the meeting. The President may, however, permit the discussion and consideration of amendments or of motions as to procedure even though these amendments and motions have not been circulated or have only been circulated the same day.

Rule 47

The Assembly may, on the proposal of the President, limit the time to be allowed to each speaker on any particular subject under discussion.

Rule 48

1 During the discussions of any matter, a Member, other than an Associate Member, or other Participant may rise to a point of order and the point of order shall be decided immediately by the President, in accordance with these rules. A Member or other Participant may appeal against the ruling of the President. The appeal shall be put to the vote immediately and the President's ruling shall stand unless overruled by a majority of the Members or other Participants, present and voting.

2 A Member or other Participant rising to a point of order may not speak on the substance of the matter under discussion.

Rule 49

1 Subject to the provisions of rule 48 the following motions shall have precedence, in the order indicated below, over all other proposals or motions before the meeting:

- .1 to suspend a meeting;
- .2 to adjourn a meeting;
- .3 to adjourn the debate on the question under discussion; and
- .4 for the closure of the debate on the question under discussion.

2 Permission to speak on a motion falling within rule 49(1) above shall be granted only to the proposer and in addition to one speaker in favour of and two against the motion, after which it shall be put immediately to the vote.

Rule 50

If two or more proposals relate to the same question, the Assembly, unless it decides otherwise, shall vote on the proposals in the order in which they have been submitted.

Rule 51

Parts of a proposal or amendment thereto shall be voted on separately if the President, with the consent of the proposer, so decides, or if any Member or other Participant requests that the proposal or amendment thereto be divided and the proposer raises no objection. If objection is raised, permission to speak on the point shall be given first to the mover of the motion to divide the proposal or amendment, and then to the mover of the original proposal or amendment under discussion, after which the motion to divide the proposal or amendment shall be put immediately to the vote.

Rule 52

Those parts of a proposal which have been approved shall then be put to the vote as a whole; if all the operative parts of the proposal or amendment have been rejected, the proposal or amendment shall be considered to be rejected as a whole.

Rule 53

A motion is considered to be an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal. An amendment shall be voted on before the proposal to which it relates is put to the vote, and if the amendment is adopted, the amended proposal shall then be voted on.

Rule 54

If two or more amendments are moved to a proposal, the Assembly shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom and so on until all amendments have been put to the vote. The President shall determine the order of voting on the amendments under this rule.

Rule 55

A motion may be withdrawn by its proposer at any time before voting on it has begun, provided that the motion has not been amended or that an amendment to it is not under discussion. A motion withdrawn may be reintroduced by any Member or other Participant having the right to submit such a motion.

Rule 56

When a proposal has been adopted or rejected, it may not be reconsidered at the same session of the Assembly unless the Assembly, by a majority of the Members or other Participants, present and voting, decides in favour of reconsideration. 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 the vote.

Rule 57

For the approval of the appointment of the Secretary-General, the Assembly shall vote by secret ballot in private meeting.

Rule 58

1 The Secretary-General shall send at least one written notification to any Member which has failed to discharge its financial obligations to the Organization under Article 61 of the IMO Convention. The notification shall call attention to the terms of Article 61 regarding the loss of vote in the Assembly, the Council, the Maritime Safety Committee, the Legal Committee, the Marine Environment Protection Committee, the Technical Cooperation Committee and the Facilitation Committee.

2 Any Member wishing to request a waiver of the provision of Article 61 in respect of itself shall submit a written application to the Secretary-General at least one month before the Assembly giving reasons therefor, with a payment schedule indicating the timescale over which arrears will be paid.

3 In exceptional, unforeseeable events and circumstances (events characterized as force majeure) which have occurred in a time frame no longer than three months before the opening session of the Assembly and which do not allow a Member to request a waiver of the provision of Article 61 in accordance with sub-paragraph 2, such Member shall submit a written application to the Secretary-General at its earliest convenience before the opening session of the Assembly. The written application shall present exceptional, unforeseeable circumstances (events characterized as force majeure) including natural hazards or disasters, civil unrest or war-like conflicts and the time period when they occurred and necessary reasons that the failure for requesting a waiver in conjunction with sub-paragraph 2 was due to conditions beyond their control. A payment schedule indicating the timescale over which arrears will be paid shall be submitted within six months after the Assembly session and the Secretary General shall inform the Council accordingly.

4 The Secretary-General shall submit to the Council a list of Members which have failed to discharge their financial obligations, together with any requests for waiver of the provision of Article 61 which have been received from any such Members.

5 The Council shall submit to the Assembly a report on the matter, together with its recommendations on the submission by any Member of a request for waiver of the provision of Article 61 of the IMO Convention.

6 The Assembly shall consider the report of the Council at the commencement of each session. Taking into account the recommendations of the Council, and assessing each application on its individual merits, the Assembly shall take decisions on the waiver of the provision of Article 61 of the IMO Convention in respect of any or all of the Members from which

requests for waiver have been received, together with any conditions attached to such a waiver.

7 A decision to waive the provision of Article 61 may only be taken in respect of a Member which has submitted a request for waiver in accordance with sub-paragraphs 2 and 3 above.

8 A decision to waive the provision of Article 61 will normally be taken only in respect of a Member which has discharged in full the requirements, at the date of submitting the request for waiver, of the financial undertaking given under the terms of any previous request for waiver.

9 In exercising its discretion, the Assembly will not normally consider an application for waiver from a Member whose payments are three years or more in arrears.

Rule 59

Any Member seeking election to the Council shall have discharged its obligations to the Organization or shall have committed itself at least one month before the Assembly to a schedule of payment submitted to the Secretary-General to do so and shall have complied with the terms of any previously agreed schedule of payment. Should any Member not meet these terms, that Member shall not be eligible to seek election at that Assembly.

Invitation of experts

Rule 60

The Assembly may invite any person whose expertise it may consider useful for its work to provide advice and information to the extent as determined by the Assembly. A person invited under this rule shall not have the right to vote.

Amendments of Rules of Procedure

Rule 61

These rules may be amended by a decision of the Assembly taken by a majority of the Members present and voting.

Suspension of Rules of Procedure

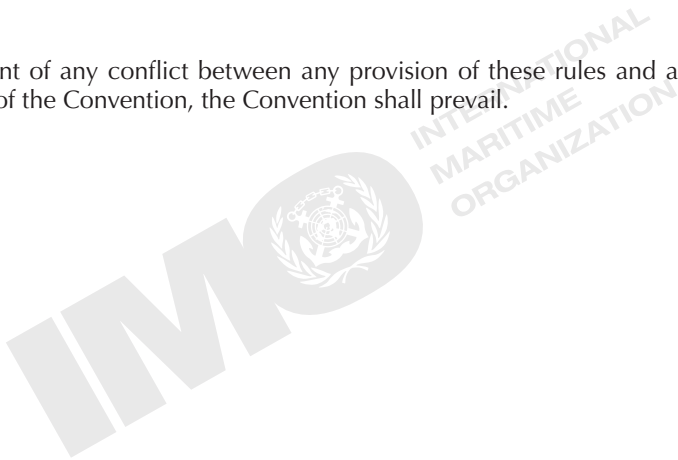
Rule 62

Subject to the provisions of the Convention, a rule may be suspended in exceptional circumstances by a decision of the Assembly taken by a majority of the Members present and voting, provided that 24 hours' notice of the proposal for suspension has been given. This notice may be waived if no Member objects.

Overriding authority of the IMO Convention

Rule 63

In the event of any conflict between any provision of these rules and any provision of the Convention, the Convention shall prevail.



INTERNATIONAL
MARITIME
ORGANIZATION

RULES OF PROCEDURE OF THE COUNCIL

RULES OF PROCEDURE OF THE COUNCIL*

Definitions

Rule 1

For the purposes of these Rules the word *Member* means Member Government and the word *Convention* means the Convention on the International Maritime Organization.

Sessions

Rule 2

In accordance with Article 19(c) of the Convention, the Council shall meet as often as may be deemed necessary upon the summons of its Chair or upon request made to the Secretary-General by not less than four of its Members. The Secretary-General, acting on the direction of the Chair, shall notify the Members at least one month in advance of the holding of a session.

- 1** Any session held on two months' notice or more shall be deemed a regular session; and
- 2** Any session held on less than two months' notice, to address urgent or emergency circumstances, shall be deemed an extraordinary session.

* The original text of the Rules of Procedure was adopted by the Council at its fourth session on 18 January 1961. Amendments to the Rules were adopted by the Council at its eighth session on 21 May 1963, at its thirteenth session on 17 September 1964 (French only), at its fifteenth session on 28 September 1965, at its eighteenth session on 30 June 1967, at its twenty-third session on 29 October 1969, at its thirty-sixth session on 9 June 1976, at its forty-second session on 21 May 1979, at its fifty-second session on 11 June 1984, at its eighty-ninth session on 25 November 2002, at its 102nd session on 3 July 2009, at its 105th session on 4 November 2010, at its 106th session on 28 June 2011, at its 110th session on 15 July 2013, at its 117th session on 5 December 2016, at its 118th session on 26 July 2017 and at its 34th extraordinary session on 11 November 2021.

Rule 3

Sessions of the Council shall be held at the Headquarters of the Organization unless convened elsewhere in accordance with a decision of the Council.

Rule 4

In accordance with Article 20 of the Convention, the Council shall invite any Member to participate, without vote, in its deliberations on any matter of particular concern to that Member.

Rule 5

(a) The Secretary-General shall invite to be represented at any session of the Council:

- (i) the United Nations;
- (ii) the International Atomic Energy Agency and any specialized agency of the United Nations whose interests and those of the Organization are of common concern.

(b) The Secretary-General shall invite to be represented by observers at any session of the Council at which matters of direct concern to them are on the agenda any other intergovernmental organization with which an agreement or special arrangement has been made.

(c) The Secretary-General may invite to be represented by observers at any session of the Council during which matters of direct concern to them are on the agenda any non-governmental international organization with which the Organization has established appropriate relationship in accordance with Article 67 of the Convention.

(d) The Secretary-General shall invite to be represented by observers at any session of the Council during which matters of direct concern to them are on the agenda any liberation movement recognized by the African Union or the League of Arab States.

Rule 6

(a) Representatives of the United Nations, its specialized agencies and the International Atomic Energy Agency may participate without vote in the deliberations of the Council and any of its subsidiary bodies and shall receive

copies of all documents issued to the Council, subject to such arrangements as may be necessary for the safeguarding of confidential material.

(b) Observers invited in accordance with Rule 5 above may, upon invitation by the Chair and with the consent of the Council, participate without vote on matters of direct concern to them during the deliberations at any meeting of the Council or of its subsidiary bodies. The participation of observers from non-governmental organizations shall be in accordance with the rules governing consultation with such organizations. Observers shall have access to non-confidential documents and to such other documents as the Secretary-General, with the approval of the Chair, may decide may be made available.

Delegations

Rule 7

Each Member of the Council shall designate a representative, and may also designate alternates and such advisers and experts as may be required.

Rule 8

Upon the request of a representative, the Chair may allow any other member of the representative's delegation to speak on any particular point at any meeting of the Council.

Credentials

Rule 9

Each Member shall transmit to the Secretary-General the credentials of its representative and alternates, if any, together with the names of any other members of its delegation not later than the opening day of the Council. The credentials shall be issued by the Head of State, or by the Head of Government or by the Minister for Foreign Affairs or by an appropriate authority properly designated by one of them to act for this purpose. The Secretary-General shall examine the credentials of delegations and report to the Council without delay.

Rule 10

Any representative to whose admission a Member has made objection shall be seated provisionally with the same rights as other representatives until the Secretary-General has reported and the Council has given its decision.

Publicity

Rule 11

The Council may decide to hold meetings in private or public. In the absence of a decision to hold meetings in public, they shall be held in private. Meetings of subsidiary bodies of the Council shall be held in private unless the Council decides otherwise in any particular case.

Agenda

Rule 12

The provisional agenda for each session of the Council shall be drawn up by the Secretary-General and approved by the Chair.

Rule 13

The provisional agenda for each regular session of the Council shall include:

- (a) all items the inclusion of which has been requested by the Assembly;
- (b) all items the inclusion of which has been requested by the Council at a previous session;
- (c) all items the inclusion of which has been requested by the Maritime Safety Committee, the Legal Committee, the Marine Environment Protection Committee, the Technical Cooperation Committee or the Facilitation Committee;
- (d) any item proposed by a Member of the Organization;
- (e) items, if any, pertaining to the budget estimates, and financial statements of the Organization;

- (f) items, if any, pertaining to the report of the Council to the Assembly on the work of the Organization;
- (g) subject to such preliminary consultations as may be necessary, any item proposed by the United Nations, or by any of its specialized agencies, or by the International Atomic Energy Agency;
- (h) any item proposed by the Secretary-General.

Rule 14

The provisional agenda for each session, together with the supporting documents, shall normally be communicated by the Secretary-General to the Members of the Council at least one month before the session.

Rule 15

The first item on the provisional agenda for each session shall be the adoption of the agenda.

Rule 16

Any item of the agenda of a session of the Council, consideration of which has not been completed at that session, shall automatically be included in the agenda of the next session unless otherwise decided by the Council.

Rule 17

In exceptional circumstances, the Secretary-General may, in consultation with the Chair, include any question suitable for the agenda, which may arise between the dispatch of the provisional agenda and the opening day of the session, in a supplementary provisional agenda which the Council shall examine together with the provisional agenda. The Secretary-General shall advise Members immediately of the intention to include an item in a supplementary provisional agenda.

Rule 18

The Secretary-General shall report to the Council on the technical, administrative and financial implications of all substantive agenda items

submitted to the Council, before they are considered by that body. Unless the Council decides otherwise, no such item shall be considered until the Council has been in possession of the Secretary-General's report for at least forty-eight hours.

Chair and Vice-Chair

Rule 19

The Council shall elect a Chair and a Vice-Chair from among the representatives of its Members. The elections shall take place at a special meeting following each regular session of the Assembly. The Chair and Vice-Chair shall both be eligible for re-election for up to two further consecutive terms of office. In exceptional circumstances they may be re-elected for one additional consecutive term of office.

Rule 20

If the Chair is absent from a session or any part thereof, the Vice-Chair shall preside.

If the Chair, for any reason, is unable to complete the term of office, the Vice-Chair shall act as Chair pending the election of a new Chair.

If the Chair and Vice-Chair are both unable to preside at a session, the Council shall elect a second Vice-Chair who shall preside and act as Chair for as long as the Chair and the first Vice-Chair are unable to do so.

Rule 21

A Chair or a Vice-Chair acting as Chair shall not vote but may appoint another member of the delegation to act as the representative of the Chair's Government on the Council.

Subsidiary bodies

Rule 22

The Council may establish such subsidiary bodies as it considers necessary. Such subsidiary bodies shall follow the present Rules of Procedure so far as

they are applicable. The Council may by a majority vote of Members present and voting suspend or amend any of its Rules so far as they apply to any such subsidiary body. The Council shall examine at least once a year the desirability of continuing the existence of any subsidiary body.

Secretariat

Rule 23

The Secretary-General shall act as Secretary of the Council and of its subsidiary bodies. This function may be delegated to a member of the Secretariat.

Rule 24

The Secretary-General or a member of the Secretariat designated for the purpose may make either oral or written statements concerning any question under consideration.

Rule 25

The Secretariat shall prepare a summary of decisions of each meeting; it shall also upload onto IMODOCS the audio files of discussions of the meetings in all official languages as soon as possible after the close of the meeting to which they relate.

Rule 26

It shall be the duty of the Secretariat to receive, translate and circulate to Members all reports, resolutions, recommendations and other documents of the Council and its subsidiary bodies.

Languages

Rule 27

The official languages of the Organization are Arabic, Chinese, English, French, Russian and Spanish; the working languages are English, French and Spanish.

Rule 28

Speeches at the Council and its subsidiary bodies shall be made in one of the official languages and will be interpreted into the other official languages.

Rule 29

All supporting documents to agenda items of the Council and its subsidiary bodies will be issued in the working languages.

All reports, resolutions, recommendations and decisions of the Council and its subsidiary bodies shall be drawn up in one of the official languages and translated into the other official languages.

Voting

Rule 30

Decisions of the Council and of its subsidiary bodies shall be made, elections shall be determined, and reports, resolutions and recommendations adopted by a majority of the Members present and voting.

Rule 31

Each Member shall have one vote. For the purposes of Article 62 of the Convention and of these Rules:

- (a) the phrase *Members present and voting* means Members casting an affirmative or negative vote. Members abstaining from voting or casting an invalid vote shall be considered as not voting;
- (b) the phrase *Members present* means Members present at the meeting, whether they cast an affirmative or negative vote, whether they abstain, whether they cast an invalid vote, or whether they take no part in the voting. Participants at the session who are not present at the meeting at which voting takes place shall be considered as not present.

The foregoing provisions shall only apply if the quorum laid down in Article 19(b) of the Convention is obtained at the meeting at which the vote is taken.

Rule 32

The Council shall normally vote by show of hands. However, any Member may request a roll-call which shall be taken in the alphabetical order of the names of the Members in English, beginning with the Member whose name is drawn by lot by the Chair.

Rule 33

The vote of each Member participating in any roll-call shall be inserted in the summary of decisions of the meeting concerned.

Rule 34

If a vote is equally divided, a second vote shall be taken at the next meeting. If this vote also is equally divided, the proposal shall be regarded as rejected.

Rule 35

All elections and determinations shall be decided by secret ballot.

Rule 36

In a secret ballot, two scrutineers shall, on the proposal of the Chair, be appointed by the Council from the delegations present and shall proceed to scrutinize the votes cast. All invalid votes cast shall be reported to the Council.

Rule 37

If one person only is to be elected and no candidate obtains a majority in the first ballot, a second ballot shall be taken confined normally to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, the election shall be deferred until the first suitable subsequent opportunity during the same session of the Council, when, if another tie results, the Chair shall decide between the candidates by drawing lots.

Rule 37bis

In the event of four or more candidates standing for the position of Secretary-General, if, in the first and subsequent ballots, no candidate obtains a majority in accordance with Rule 37, a number of successive ballots shall be held, in each of which the candidate who received the least number of votes in the previous ballot shall not be included in the list of candidates for the subsequent ballot.

Rule 37ter

In cases where two or more candidates gain the same number of votes in joint lowest position, a run-off ballot shall be held between them and the candidate gaining the highest number of votes shall proceed to the subsequent ballot.

Rule 38

When two or more places are to be filled by election at one time under the same conditions, those candidates obtaining a majority in the first ballot shall be declared elected. If the number of candidates obtaining a majority is less than the number of persons or Members to be elected, there shall be an additional ballot or ballots, as necessary, to fill the remaining places, the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballot and the number of candidates being normally not more than twice as many as the places remaining to be filled.

Conduct of business

Rule 39

Twenty-six Members of the Council shall constitute a quorum. In the case of subsidiary bodies a majority of the Members shall constitute a quorum.

Rule 40

In addition to exercising the powers conferred elsewhere by these Rules, the Chair shall declare the opening and the closing of each session of the Council. The Chair shall direct the discussion and ensure observance of these Rules,

accord the right to speak, put questions to the vote and announce decisions resulting from the voting.

Rule 41

Proposals and amendments shall normally be introduced in writing and handed to the Secretary-General who shall circulate copies to delegations. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the Council unless copies of it have been circulated to delegations not later than the day preceding the meeting. The Chair may, however, permit the discussion and consideration of amendments, or of motions as to procedure even though these amendments and motions have not been circulated or have only been circulated the same day.

Rule 42

The Council may, on the proposal of the Chair, limit the time to be allowed to each speaker on any particular subject under discussion.

Rule 43

During the discussion of any matter a Member may rise to a point of order and the point of order shall be decided immediately by the Chair, in accordance with these Rules of Procedure. A Member may appeal against the ruling of the Chair. The appeal shall be put to the vote immediately and the Chair's ruling shall stand unless overruled by a majority of the Members present and voting.

A Member rising to a point of order may not speak on the substance of the matter under discussion.

Rule 44

Subject to the provisions of Rule 43 the following motions shall have precedence, in the order indicated below, over all other proposals or motions before the meeting:

- (a) to suspend a meeting;
- (b) to adjourn a meeting;
- (c) to adjourn the debate on the question under discussion; and
- (d) for the closure of the debate on the question under discussion.

Permission to speak on a motion falling within (a) to (d) above shall be granted only to the proposer and in addition to one speaker in favour of and two against the motion, after which it shall be put immediately to the vote.

Rule 45

If two or more proposals relate to the same question, the Council, unless it decides otherwise, shall vote on the proposals in the order in which they have been submitted.

Rule 46

Parts of a proposal or amendment thereto shall be voted on separately if the Chair, with the consent of the proposer, so decides, or if any Member requests that the proposal or amendment thereto be divided and the proposer raises no objection. If objection is raised, permission to speak on the point shall be given first to the mover of the motion to divide the proposal or amendment, and then to the mover of the original proposal or amendment under discussion, after which the motion to divide the proposal or amendment shall be put immediately to the vote.

Rule 47

Those parts of a proposal which have been approved shall then be put to the vote as a whole; if all the operative parts of the proposal or amendment have been rejected, the proposal or amendment shall be considered to be rejected as a whole.

Rule 48

A motion is considered to be an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal. An amendment shall be voted on before the proposal to which it relates is put to the vote, and if the amendment is adopted, the amended proposal shall then be voted on.

Rule 49

If two or more amendments are moved to a proposal, the Council shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom

and so on until all amendments have been put to the vote. The Chair shall determine the order of voting on the amendments under this Rule.

Rule 50

A motion may be withdrawn by its proposer at any time before voting on it has begun, provided that the motion has not been amended or that an amendment to it is not under discussion. A motion withdrawn may be reintroduced by any Member.

Rule 51

When a proposal has been adopted or rejected, it may not be reconsidered at the same session of the Council unless the Council, by a majority of the Members present and voting, decides in favour of reconsideration. 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 the vote.

Appointment of the Secretary-General

Rule 52*

For the appointment of the Secretary-General, the Council shall consider in private meeting its recommendation to the Assembly and vote upon it by secret ballot.

Amendments of Rules of Procedure

Rule 53

These Rules of Procedure may be amended by a decision of the Council taken by a majority of the Members present and voting.

* See resolution C.74(86) regarding the term of office of the Secretary-General, adopted on 22 June 2001, at annex.

General provisions

Rule 54

The Council may at its discretion apply such Rules of Procedure of the Assembly as it may deem appropriate to particular circumstances.

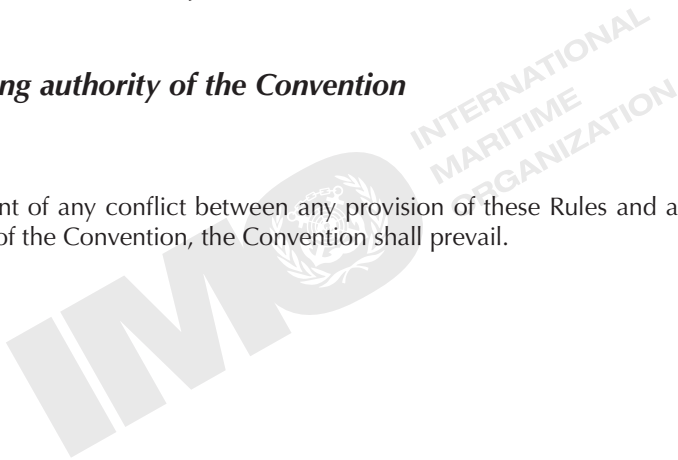
Rule 55

A Rule of procedure may be suspended by a decision of the Council taken by a majority of the Members present and voting provided that twenty-four hours' notice of the proposal of suspension has been given. This notice may be waived if no Member objects.

Overriding authority of the Convention

Rule 56

In the event of any conflict between any provision of these Rules and any provision of the Convention, the Convention shall prevail.



Annex

Resolution C.74(86)

adopted on 22 June 2001

APPOINTMENT OF THE SECRETARY-GENERAL

THE Council,

RECALLING Article 22 of the Convention of the Organization,

RECALLING FURTHER the annex to Council resolution C.1(l) which set the term of appointment of the Secretary-General at three years which may be renewed for such further periods as may be determined by the Council with the approval of the Assembly,

ALSO RECALLING the decision of the eighteenth session of the Council that the term of the Secretary-General's contract shall be a multiple of two years (COUNCIL XVIII/SR.6/1, 29 August 1967),

NOTING that since 1973 the Council has appointed Secretaries-General to four-year terms with provision for renewal for such further periods as may be determined by the Council with the approval of the Assembly,

CONSIDERING the desirability of establishing a more specific term of office for future Secretaries-General,

DECIDES that:

1. Future Secretaries-General shall be appointed to an initial term of four years from the first of January of the biennium;
2. The appointment may be renewed for one additional term of up to four years;
3. This resolution shall be referenced by footnote to Rule 52 of the Rules of Procedure of the Council and shall be included in all future editions of IMO Basic Documents, Volume I.



RULES OF PROCEDURE OF THE MARITIME SAFETY COMMITTEE

RULES OF PROCEDURE OF THE MARITIME SAFETY COMMITTEE*

Membership

Rule 1

For the purpose of these Rules, the term *Member* means a Member of the Organization and *other Participant* means a State not a Member of the Organization but Party to a treaty or other international instrument in respect of which the Committee performs functions as provided therein. Membership of the Committee shall be open to all Members and other Participants.

Subsidiary bodies

Rule 2

1 The Committee may establish such subsidiary bodies as it considers necessary. Such subsidiary bodies shall follow these Rules, except for Rules 3, 9, 14, 15 and 16.

2 Periodically the Committee shall examine the need for the continued existence of any subsidiary body.

* The original text of the Rules of Procedure was adopted by the Committee at its fifth session on 10 January 1962. Amendments to the Rules were adopted by the Committee at its tenth session on 5 May 1965, at its twelfth session on 31 January 1966, at its twentieth session on 29 October 1969, at its thirty-fourth session on 6 May 1976, at its thirty-ninth session on 25 September 1978, at its forty-first session on 11 October 1979, at its fiftieth session on 30 November 1984, at its seventy-ninth session on 8 December 2004 and at its eighty-sixth session on 3 June 2009. The Committee adopted revised Rules of Procedure at its ninety-eighth session on 14 June 2017.

Sessions

Rule 3

The Committee shall meet at least once a year in regular session and more frequently with the approval of the Council. The Committee may meet in an extraordinary session upon a request made in writing to the Secretary-General by at least twenty of its respective Members. Sessions of the Committee shall be held at the Headquarters of the Organization unless convened elsewhere in accordance with a decision of the Committee approved by the Assembly or the Council.

Rule 4

The Secretary-General, acting on the direction of the Chair, shall notify Members and other Participants at least two months in advance of the holding of a session of the Committee, and shall also notify the Chairs of other interested IMO bodies who shall have the option of attending sessions as observers.

Observers

Rule 5

1 The Secretary-General, with the approval of the Council, may invite States having made applications for membership, States which have signed but not accepted the Convention on the International Maritime Organization, and States which are Members of the United Nations or of any specialized agency and liberation movements recognized by the African Union or the League of Arab States to send observers to sessions of the Committee.

2 The Secretary-General shall invite to be represented as observer at each session of the Committee:

- .1 the United Nations, including the United Nations Environment Programme; and
- .2 any of the specialized agencies of the United Nations and the International Atomic Energy Agency.

3 The Secretary-General shall invite to be represented by observers at each session of the Committee at which matters of direct concern to them are on the agenda:

- .1 other intergovernmental organizations with which an agreement or special arrangement has been made; and
- .2 non-governmental international organizations with which the Organization has established relationships in accordance with the rules governing consultations with such organizations.

4 Upon invitation by the Chair and with the consent of the Committee concerned, such observers may participate without vote on matters of direct concern to them.

Rule 6

1 Representatives of the United Nations, the International Atomic Energy Agency and of the specialized agencies shall receive copies of all documents issued to the Committee, subject to any arrangements as may be necessary for the safeguarding of confidential material.

2 Observers shall have access to non-confidential documents and to such other documents as the Secretary-General, with the approval of the Chair, may decide to make available.

Delegations and credentials

Rule 7

Each Member or other Participant shall designate a representative and such alternates, advisers and experts as may be required.

Rule 8

Each Member or other Participant shall notify the Secretary-General in writing as soon as possible and in any case not later than the opening day of a session of the composition of its delegation to that session.

Rule 9

1 Each Member or Government entitled to participate in a session of the Committee shall transmit to the Secretary-General the credentials of its representatives and alternates, if any. The credentials shall be issued by the Head of State, Head of Government, Minister for Foreign Affairs, Minister concerned or by an appropriate authority properly designated by one of them for this purpose. The Secretary-General shall examine the credentials of each representative and alternate and report to the Committee thereon without delay.

2 All representatives shall be seated provisionally with the same rights until the Secretary-General has reported on credentials and the Committee has given its decision.

Publicity

Rule 10

1 The Committee may decide to hold meetings in private or public. In the absence of a decision to hold meetings in public, they shall be held in private.

2 Notwithstanding the aforesaid, and in accordance with the Guidelines for media access to meetings of Committees and their subsidiary bodies approved by the Council, media may attend meetings of the Committee unless the Committee decides otherwise. Meetings of working and drafting groups established by the Committee shall be held in private.

Agenda

Rule 11

The provisional agenda for each session of the Committee shall be prepared by the Secretary-General and approved by the Chair; and shall normally be communicated with the basic supporting documents to the Members and other Participants two months before the opening of a session.

Rule 12

The first item on the provisional agenda for each session shall be the adoption of the agenda.

Rule 13

Subject to the provisions of Rule 14, any item of the agenda of a session of the Committee, consideration of which has not been completed at that session, shall be included in the agenda of a subsequent session unless otherwise decided by the Committee.

Rule 14

The provisional agenda for each session of the Committee shall include:

- .1 all items the inclusion of which has been requested by the Assembly or the Council;
- .2 all items the inclusion of which has been requested by the Committee at a previous session;
- .3 any item proposed by a Member;
- .4 subject to the provisions of a treaty or other international agreement in respect of which the Committee performs functions, any amendment proposed by a Party to that treaty or other international agreement;
- .5 subject to such preliminary consultations as may be necessary, any item proposed by any other subsidiary body of the Organization, by the United Nations or by any of its specialized agencies, or by the International Atomic Energy Agency; and
- .6 any item proposed by the Secretary-General.

Rule 15

The Secretary-General shall report on the technical, administrative and financial implications of any substantive agenda items submitted to the Committee and, unless the Committee decides otherwise, no such item shall be considered until the Secretary-General's report has been available to the Committee for at least 24 hours.

Rule 16

In circumstances of urgency the Secretary-General, with the approval of the Chair, may include any question suitable for the agenda which may arise between the dispatch of the provisional agenda and the opening day of the session in a supplementary provisional agenda which the Committee shall examine together with the provisional agenda. The Secretary-General shall advise Members and other Participants immediately of the intention to include an item in a supplementary provisional agenda.

Rule 17

Unless it determines otherwise, the Committee shall not proceed to the discussion of any item on the agenda until at least 24 hours have elapsed after the relevant documents have been made available to Members and other Participants.

Chair and Vice-Chair

Rule 18

1 The Committee shall elect from among its Members a Chair and a Vice-Chair who shall each hold office for a term of one calendar year. They shall both be eligible for re-election for up to four further consecutive terms of office. In exceptional circumstances they may be re-elected for one additional consecutive term of office.

2 The Chair, or the Vice-Chair acting as Chair, shall not vote.

3 The Chair and Vice-Chair shall be elected at the end of the last regular session in each calendar year and shall assume their functions at the beginning of the following calendar year.

Rule 19

If the Chair is absent from a session, or any part thereof, the Vice-Chair shall preside. If the Chair, for any reason, is unable to complete the term of office, the Vice-Chair shall act as Chair pending the election of a new Chair.

Secretariat

Rule 20

The Secretary-General shall act as Secretary of the Committee. This function may be delegated to a member of the Secretariat.

Rule 21

The Secretary-General, or any member of the Secretariat designated for the purpose, may make either oral or written statements concerning any question under consideration.

Rule 22

It shall be the duty of the Secretariat to receive, translate and circulate to Members and other Participants all reports, resolutions, recommendations and other documents of the Committee.

Languages

Rule 23

The official languages of the Committee are Arabic, Chinese, English, French, Russian and Spanish; the working languages are English, French and Spanish.

Rule 24

Speeches at the Committee shall be made in one of the official languages and shall be interpreted into the other five official languages.

Rule 25

1 All supporting documents to agenda items of the Committee shall be issued in the working languages.

2 All reports, resolutions, recommendations and decisions of the Committee shall be drawn up in one of the official languages and translated into the other five official languages.

Voting

Rule 26

1 When considering matters not connected with functions performed by the Committee in respect of treaties or other international agreements, all Members and other Participants may participate, but only Members of the Organization shall be entitled to vote.

2 Each Member entitled to vote shall have one vote.

3 When the Committee performs functions as provided for in a treaty or other international agreement, all Members and other Participants shall be entitled to participate in the proceedings, but voting on amendments to the treaty or other agreement shall be in accordance with the provisions of that treaty or agreement.

Rule 27

Subject to the provisions of any treaty or other international agreement which confers upon the Organization functions to be undertaken by the Committee, decisions of the Committee shall be made and reports, resolutions and recommendations adopted by a majority of the Members or other Participants entitled to vote, present and voting.

Rule 28

1 For the purpose of these Rules, the phrase *Members or other Participants entitled to vote, present and voting* means such Members or other Participants entitled to vote, casting an affirmative or negative vote. Those abstaining from voting or casting an invalid vote shall be considered as not voting. The phrase *Members present* means Members at the meeting, whether they cast an affirmative or negative vote, whether they abstain, whether they cast an invalid vote or whether they take no part in the voting.

2 The provisions in Rule 28.1 above shall apply only if the quorum laid down in Rule 34 is obtained at the meeting at which the vote is taken.

3 Participants in the session who are not present at the meeting at which voting takes place shall be considered as not present.

Rule 29

The Committee shall normally vote by show of hands. However, any Member or other Participant entitled to vote may request a roll-call which shall be taken in the alphabetical order of the names of the Members in English, beginning with the Member whose name is drawn by lot by the Chair. The vote of each Member or other Participant in any roll-call shall be inserted in the report of the session concerned.

Rule 30

If a vote is equally divided, a second vote shall be taken at the next meeting. If this vote is equally divided, the proposal shall be regarded as rejected.

Elections

Rule 31

Officers of the Committee shall be elected by secret ballot, unless the Committee decides otherwise.

Rule 32

In a secret ballot two scrutineers shall, on the proposal of the Chair, be appointed by the Committee from the delegations present and shall proceed to scrutinize the votes cast. All invalid votes cast shall be reported to the Committee.

Rule 33

If one person only is to be elected and no candidate obtains a majority in the first ballot, a second ballot shall be taken confined normally to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, the election shall be deferred until the ensuing session, when, if another tie results, the Chair shall decide between the candidates by drawing lots.

Conduct of business

Rule 34

1 The Chair may declare a meeting open and permit the debate to proceed when at least 25% of the Membership of the Organization are present. The presence of at least 25% of the Membership of the Organization, or other Participants, as appropriate, shall be required for any decision to be taken.

2 When a treaty or other international instrument in respect of which the Committee performs functions contains a provision relating to the quorum, such provision shall apply in respect of such functions.

Rule 35

In addition to exercising the powers conferred elsewhere by these Rules, the Chair shall declare the opening and closing of each session of the Committee; direct the discussion and ensure observance of these Rules; accord the right to speak; put questions to the vote; and announce decisions resulting from the voting.

Rule 36

Proposals and amendments shall normally be introduced in writing and handed to the Secretary-General who shall circulate copies to delegations. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the Committee unless copies of it have been circulated to delegations not later than the day preceding the meeting. The Chair may, however, permit the discussion and consideration of amendments or of motions as to procedure even though these amendments and motions have not been circulated or have only been circulated the same day.

Rule 37

The Committee may, on proposal of the Chair, limit the time to be allowed to each speaker on any particular subject under discussion.

Rule 38

1 During the discussion of any matter a Member or other Participant may rise to a point of order and the point of order shall be decided immediately by the Chair, in accordance with these Rules. A Member or other Participant may appeal against the ruling of the Chair. The appeal shall be put to the vote immediately and the Chair's ruling shall stand unless overruled by a majority of the Members or other Participants present and voting.

2 A Member or other Participant rising to a point of order may not speak on the substance of the matter under discussion.

Rule 39

1 Subject to the provisions of Rule 38 the following motions shall have precedence, in the order indicated below, over all other proposals or motions before the meeting:

- .1 to suspend a meeting;
- .2 to adjourn a meeting;
- .3 to adjourn the debate on the question under discussion; and
- .4 for the closure of the debate on the question under discussion.

2 Permission to speak on a motion falling within Rule 39.1 above shall be granted only to the proposer and in addition to one speaker in favour of and two against the motion, after which it shall be put immediately to the vote.

Rule 40

If two or more proposals relate to the same question, the Committee, unless it decides otherwise, shall vote on the proposals in the order in which they have been submitted.

Rule 41

Parts of a proposal or amendment thereto shall be voted on separately if the Chair, with the consent of the proposer, so decides, or if any Member or other Participant requests that the proposal or amendment thereto be divided and the proposer raises no objection. If objection is raised, permission to speak on the point shall be given first to the mover of the motion to divide the proposal or amendment, and then to the mover of the original proposal or amendment under discussion, after which the motion to divide the proposal or amendment shall be put immediately to the vote.

Rule 42

Those parts of a proposal which have been approved shall then be put to the vote as a whole; if all the operative parts of the proposal or amendment have been rejected, the proposal or amendment shall be considered to be rejected as a whole.

Rule 43

A motion is considered to be an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal. An amendment shall be voted on before the proposal to which it relates is put to the vote, and if the amendment is adopted, the amended proposal shall then be voted on.

Rule 44

If two or more amendments are moved to a proposal, the Committee shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom and so on, until all amendments have been put to the vote. The Chair shall determine the order of voting on the amendments under this Rule.

Rule 45

A motion may be withdrawn by its proposer at any time before voting on it has begun, provided that the motion has not been amended or that an amendment to it is not under discussion. A motion withdrawn may be reintroduced by any Member or other Participant having the right to submit such a motion.

Rule 46

When a proposal has been adopted or rejected, it may not be reconsidered at the same session of the Committee unless the Committee, by a majority of the Members or other Participants present and voting, decides in favour of reconsideration. 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 the vote.

Invitation of experts

Rule 47

The Committee may invite any person whose expertise it may consider useful for its work to participate in a meeting. A person invited under this Rule shall not have the right to vote.

Amendments to Rules of Procedure

Rule 48

These Rules may be amended by a decision of the Committee, taken by a majority of the Members present and voting.

Suspension of Rules of Procedure

Rule 49

A Rule may be suspended by a decision of the Committee taken by a majority of the Members present and voting, provided that 24 hours' notice of the proposal for suspension has been given. This notice may be waived if no Member objects.

Overriding authority of the IMO Convention

Rule 50

In the event of any conflict between a provision of these Rules and a provision of the Convention, the Convention shall prevail.



RULES OF PROCEDURE OF THE LEGAL COMMITTEE

RULES OF PROCEDURE OF THE LEGAL COMMITTEE*

Membership

Rule 1

For the purpose of these Rules, the term *Member* means a Member of the Organization and *other Participant* means a State not a Member of the Organization but Party to a treaty or other international instrument in respect of which the Committee performs functions as provided therein. Membership of the Committee shall be open to all Members and other Participants.

Subsidiary bodies

Rule 2

1 The Committee may establish such subsidiary bodies as it considers necessary. Such subsidiary bodies shall follow these Rules, except for Rules 3, 9, 14, 15 and 16.

2 Periodically, the Committee shall examine the need for the continued existence of any subsidiary body.

* The original text of the Rules of Procedure was adopted by the Committee at its forty-eighth session on 4 March 1982. Amendments to the Rules were adopted by the Committee at its fifty-second session on 13 September 1984, at its eightieth session on 14 October 1999, at its eighty-ninth session on 29 October 2004, at its ninety-fifth session on 2 April 2009 and at its 100th session on 17 April 2013. The Committee adopted revised Rules of Procedure at its 104th session on 27 April 2017.

Sessions

Rule 3

The Committee shall meet at least once a year in regular session and more frequently with the approval of the Council. The Committee may meet in an extraordinary session upon a request made in writing to the Secretary-General by at least twenty of its respective Members. Sessions of the Committee shall be held at the Headquarters of the Organization unless convened elsewhere in accordance with a decision of the Committee approved by the Assembly or the Council.

Rule 4

The Secretary-General, acting on the direction of the Chair, shall notify Members and other Participants at least two months in advance of the holding of a session of the Committee, and shall also notify the Chairs of other interested IMO bodies who shall have the option of attending sessions as observers.

Observers

Rule 5

1 The Secretary-General, with the approval of the Council, may invite States having made applications for membership, States which have signed but not accepted the Convention on the International Maritime Organization, and States which are Members of the United Nations or of any specialized agency and liberation movements recognized by the African Union or the League of Arab States to send observers to sessions of the Committee.

2 The Secretary-General shall invite to be represented as observers at each session of the Committee:

- .1 the United Nations, including the United Nations Environment Programme; and
- .2 any of the specialized agencies of the United Nations and the International Atomic Energy Agency.

3 The Secretary-General shall invite to be represented by observers at each session of the Committee at which matters of direct concern to them are on the agenda:

- .1** other intergovernmental organizations with which an agreement or special arrangement has been made; and
- .2** non-governmental international organizations with which the Organization has established relationships in accordance with the rules governing consultations with such organizations.

4 Upon invitation by the Chair and with the consent of the Committee concerned, such observers may participate without vote on matters of direct concern to them.

Rule 6

1 Representatives of the United Nations, the International Atomic Energy Agency and of the specialized agencies shall receive copies of all documents issued to the Committee, subject to any arrangements as may be necessary for the safeguarding of confidential material.

2 Observers shall have access to non-confidential documents and to such other documents as the Secretary-General, with the approval of the Chair, may decide to make available.

Delegations and credentials

Rule 7

Each Member or other Participant shall designate a representative and such alternates, advisers and experts as may be required.

Rule 8

Each Member or other Participant shall notify the Secretary-General in writing as soon as possible, and in any case not later than the opening day of a session, of the composition of its delegation to that session.

Rule 9

1 Each Member or Government entitled to participate in a session of the Committee shall transmit to the Secretary-General the credentials of its representatives and alternates, if any. The credentials shall be issued by the Head of State, Head of Government, Minister for Foreign Affairs, Minister concerned or by an appropriate authority properly designated by one of them for this purpose. The Secretary-General shall examine the credentials of each representative and alternate and report to the Committee thereon without delay.

2 All representatives shall be seated provisionally with the same rights until the Secretary-General has reported on credentials and the Committee has given its decision.

Publicity

Rule 10

1 The Committee may decide to hold meetings in private or public. In the absence of a decision to hold meetings in public, they shall be held in private.

2 Notwithstanding the aforesaid, and in accordance with the Guidelines for media access to meetings of Committees and their subsidiary bodies approved by the Council, the media may attend meetings of the Committee unless the Committee decides otherwise. Meetings of working and drafting groups established by the Committee shall be held in private.

Agenda

Rule 11

The provisional agenda for each session of the Committee shall be prepared by the Secretary-General and approved by the Chair, and shall normally be communicated with the basic supporting documents to the Members and other Participants two months before the opening of a session.

Rule 12

The first item on the provisional agenda for each session shall be the adoption of the agenda.

Rule 13

Subject to the provisions of Rule 14, any item of the agenda of a session of the Committee, consideration of which has not been completed at that session, shall be included in the agenda of a subsequent session unless otherwise decided by the Committee.

Rule 14

The provisional agenda for each session of the Committee shall include:

- .1 all items the inclusion of which has been requested by the Assembly or the Council;
- .2 all items the inclusion of which has been requested by the Committee at a previous session;
- .3 any item proposed by a Member;
- .4 subject to the provisions of a treaty or other international agreement in respect of which the Committee performs functions, any amendment proposed by a Party to that treaty or other international agreement;
- .5 subject to such preliminary consultations as may be necessary, any item proposed by any other subsidiary body of the Organization, by the United Nations or by any of its specialized agencies, or by the International Atomic Energy Agency; and
- .6 any item proposed by the Secretary-General.

Rule 15

The Secretary-General shall report on the technical, administrative and financial implications of any substantive agenda items submitted to the Committee and, unless the Committee decides otherwise, no such item shall be considered until the Secretary-General's report has been available to the Committee for at least 24 hours.

Rule 16

In circumstances of urgency the Secretary-General, with the approval of the Chair, may include any question suitable for the agenda which may arise between the dispatch of the provisional agenda and the opening day of

the session in a supplementary provisional agenda which the Committee shall examine together with the provisional agenda. The Secretary-General shall advise Members and other Participants immediately of the intention to include an item in a supplementary provisional agenda.

Rule 17

Unless it determines otherwise, the Committee shall not proceed to the discussion of any item on the agenda until at least 24 hours have elapsed after the relevant documents have been made available to Members and other Participants.

Chair and Vice-Chair

Rule 18

1 The Committee shall elect from among its Members a Chair and a Vice-Chair who shall each hold office for a term of one calendar year. They shall both be eligible for re-election for up to four further consecutive terms of office. In exceptional circumstances they may be re-elected for one additional consecutive term of office.

2 The Chair, or the Vice-Chair acting as Chair, shall not vote.

3 The Chair and Vice-Chair shall be elected at the end of the last regular session in each calendar year and shall assume their functions at the beginning of the following calendar year.

Rule 19

If the Chair is absent from a session, or any part thereof, the Vice-Chair shall preside. If the Chair, for any reason, is unable to complete the term of office, the Vice-Chair shall act as Chair pending the election of a new Chair.

Secretariat

Rule 20

The Secretary-General shall act as Secretary of the Committee. This function may be delegated to a member of the Secretariat.

Rule 21

The Secretary-General, or any member of the Secretariat designated for the purpose, may make either oral or written statements concerning any question under consideration.

Rule 22

It shall be the duty of the Secretariat to receive, translate and circulate to Members and other Participants all reports, resolutions, recommendations and other documents of the Committee.

Languages

Rule 23

The official languages of the Committee are Arabic, Chinese, English, French, Russian and Spanish; the working languages are English, French and Spanish.

Rule 24

Speeches at the Committee shall be made in one of the official languages and shall be interpreted into the other five official languages.

Rule 25

1 All supporting documents to agenda items of the Committee shall be issued in the working languages.

2 All reports, resolutions, recommendations and decisions of the Committee shall be drawn up in one of the official languages and translated into the other five official languages.

Voting

Rule 26

1 When considering matters not connected with functions performed by the Committee in respect of treaties or other international agreements, all Members and other Participants may participate, but only Members of the Organization shall be entitled to vote.

2 Each Member entitled to vote shall have one vote.

3 When the Committee performs functions as provided for in a treaty or other international agreement, all Members and other Participants shall be entitled to participate in the proceedings, but voting on amendments to the treaty or other agreement shall be in accordance with the provisions of that treaty or agreement.

Rule 27

Subject to the provisions of any treaty or other international agreement which confers upon the Organization functions to be undertaken by the Committee, decisions of the Committee shall be made and reports, resolutions and recommendations adopted by a majority of the Members or other Participants entitled to vote, present and voting.

Rule 28

1 For the purpose of these Rules, the phrase *Members or other Participants entitled to vote, present and voting* means such Members or other Participants entitled to vote, casting an affirmative or negative vote. Those abstaining from voting or casting an invalid vote shall be considered as not voting. The phrase *Members present* means Members at the meeting, whether they cast an affirmative or negative vote, whether they abstain, whether they cast an invalid vote or whether they take no part in the voting.

2 The provisions in Rule 28.1 above shall apply only if the quorum laid down in Rule 34 is obtained at the meeting at which the vote is taken.

3 Participants in the session who are not present at the meeting at which voting takes place shall be considered as not present.

Rule 29

The Committee shall normally vote by show of hands. However, any Member or other Participant entitled to vote may request a roll-call which shall be taken in the alphabetical order of the names of the Members or other Participants entitled to vote in English, beginning with the Member or other Participant whose name is drawn by lot by the Chair.

The vote of each Member or other Participant in any roll-call shall be inserted in the report of the session concerned.

Rule 30

If a vote is equally divided, a second vote shall be taken at the next meeting. If this vote is equally divided, the proposal shall be regarded as rejected.

Elections

Rule 31

Officers of the Committee shall be elected by secret ballot, unless the Committee decides otherwise.

Rule 32

In a secret ballot, two scrutineers shall, on the proposal of the Chair, be appointed by the Committee from the delegations present and shall proceed to scrutinize the votes cast. All invalid votes cast shall be reported to the Committee.

Rule 33

If one person only is to be elected and no candidate obtains a majority in the first ballot, a second ballot shall be taken confined normally to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, the election shall be deferred until the ensuing session, when, if another tie results, the Chair shall decide between the candidates by drawing lots.

Conduct of business

Rule 34

1 The Chair may declare a meeting open and permit the debate to proceed when at least 25% of the Membership of the Organization are present. The presence of at least 25% Participants, as appropriate, shall be required for any decision to be taken.

2 When a treaty or other international instrument in respect of which the Committee performs functions contains a provision relating to the quorum, such provision shall apply in respect of such functions.

Rule 35

In addition to exercising the powers conferred elsewhere by these Rules, the Chair shall declare the opening and closing of each session of the Committee; direct the discussion and ensure observance of these Rules; accord the right to speak; put questions to the vote; and announce decisions resulting from the voting.

Rule 36

Proposals and amendments shall normally be introduced in writing and handed to the Secretary-General who shall circulate copies to delegations. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the Committee unless copies of it have been circulated to delegations not later than the day preceding the meeting. The Chair may, however, permit the discussion and consideration of amendments or of motions as to procedure even though these amendments and motions have not been circulated or have only been circulated the same day.

Rule 37

The Committee may, on proposal of the Chair, limit the time to be allowed to each speaker on any particular subject under discussion.

Rule 38

1 During the discussion of any matter, a Member or other Participant may rise to a point of order and the point of order shall be decided immediately by the Chair, in accordance with these Rules. A Member or other Participant may appeal against the ruling of the Chair. The appeal shall be put to the vote immediately and the Chair's ruling shall stand unless overruled by a majority of the Members or other Participants present and voting.

2 A Member or other Participant rising to a point of order may not speak on the substance of the matter under discussion.

Rule 39

1 Subject to the provisions of Rule 38, the following motions shall have precedence, in the order indicated below, over all other proposals or motions before the meeting:

- .1** to suspend a meeting;

- .2 to adjourn a meeting;
- .3 to adjourn the debate on the question under discussion; and
- .4 for the closure of the debate on the question under discussion.

2 Permission to speak on a motion falling within Rule 39.1 above shall be granted only to the proposer and in addition to one speaker in favour of and two against the motion, after which it shall be put immediately to the vote.

Rule 40

If two or more proposals relate to the same question, the Committee, unless it decides otherwise, shall vote on the proposals in the order in which they have been submitted.

Rule 41

Parts of a proposal or amendment thereto shall be voted on separately if the Chair, with the consent of the proposer, so decides, or if any Member or other Participant requests that the proposal or amendment thereto be divided and the proposer raises no objection. If objection is raised, permission to speak on the point shall be given first to the mover of the motion to divide the proposal or amendment, and then to the mover of the original proposal or amendment under discussion, after which the motion to divide the proposal or amendment shall be put immediately to the vote.

Rule 42

Those parts of a proposal which have been approved shall then be put to the vote as a whole; if all the operative parts of the proposal or amendment have been rejected, the proposal or amendment shall be considered to be rejected as a whole.

Rule 43

A motion is considered to be an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal. An amendment shall be voted on before the proposal to which it relates is put to the vote, and if the amendment is adopted, the amended proposal shall then be voted on.

Rule 44

If two or more amendments are moved to a proposal, the Committee shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom and so on, until all amendments have been put to the vote. The Chair shall determine the order of voting on the amendments under this Rule.

Rule 45

A motion may be withdrawn by its proposer at any time before voting on it has begun, provided that the motion has not been amended or that an amendment to it is not under discussion. A motion withdrawn may be reintroduced by any Member or other Participant having the right to submit such a motion.

Rule 46

When a proposal has been adopted or rejected, it may not be reconsidered at the same session of the Committee unless the Committee, by a majority of the Members or other Participants present and voting, decides in favour of reconsideration. 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 the vote.

Invitation of experts

Rule 47

The Committee may invite any person whose expertise it may consider useful for its work to participate in a meeting. A person invited under this Rule shall not have the right to vote.

Amendments of Rules of Procedure

Rule 48

These Rules may be amended by a decision of the Committee, taken by a majority of the Members present and voting.

Suspension of Rules of Procedure

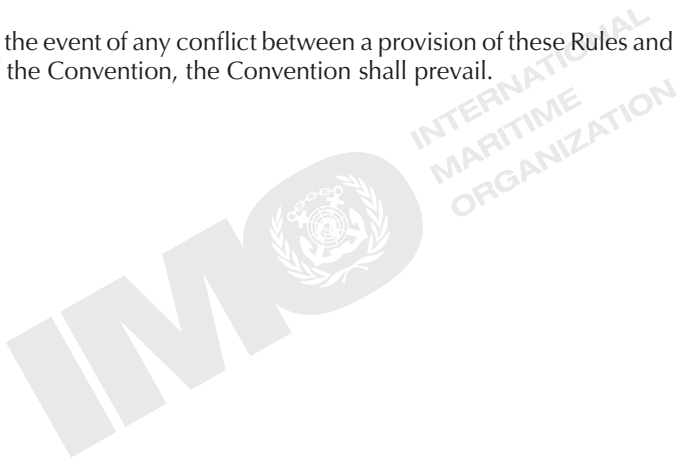
Rule 49

A Rule may be suspended by a decision of the Committee taken by a majority of the Members present and voting, provided that 24 hours' notice of the proposal for suspension has been given. This notice may be waived if no Member objects.

Overriding authority of the IMO Convention

Rule 50

In the event of any conflict between a provision of these Rules and a provision of the Convention, the Convention shall prevail.



**RULES OF PROCEDURE
OF THE MARINE ENVIRONMENT
PROTECTION COMMITTEE**

INTERNATIONAL
MARITIME
ORGANIZATION

RULES OF PROCEDURE OF THE MARINE ENVIRONMENT PROTECTION COMMITTEE*

Membership

Rule 1

For the purpose of these Rules, the term *Member* means a Member of the Organization and *other Participant* means a State not a Member of the Organization but Party to a treaty or other international instrument in respect of which the Committee performs functions as provided therein. Membership of the Committee shall be open to all Members and other Participants.

Subsidiary bodies

Rule 2

1 The Committee may establish such subsidiary bodies as it considers necessary. Such subsidiary bodies shall follow these Rules, except for Rules 3, 9, 14, 15 and 16.

2 Periodically the Committee shall examine the need for the continued existence of any subsidiary body.

* The original text of the Rules of Procedure was adopted by the Committee at its first session on 8 March 1974. Amendments to the Rules were adopted by the Committee at its fifth session on 28 May 1976, at its twelfth session on 26 November 1979, at its seventeenth session on 26 June 1982, at its twenty-second session on 6 December 1985, at its fifty-second session on 15 October 2004 and at its sixtieth session on 26 March 2010. The Committee adopted revised Rules of Procedure at its seventieth session on 27 October 2016 and at its seventy-first session on 5 July 2017.

Sessions

Rule 3

The Committee shall meet at least once a year in regular session and more frequently with the approval of the Council. The Committee may meet in an extraordinary session upon a request made in writing to the Secretary-General by at least 20 of its respective Members. Sessions of the Committee shall be held at the Headquarters of the Organization unless convened elsewhere in accordance with a decision of the Committee approved by the Assembly or the Council.

Rule 4

The Secretary-General, acting on the direction of the Chair, shall notify Members and other Participants at least two months in advance of the holding of a session of the Committee, and shall also notify the Chairs of other interested IMO bodies who shall have the option of attending sessions as observers.

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2 The Secretary-General shall invite to be represented as observer at each session of the Committee:

- .1 the United Nations, including the United Nations Environment Programme; and
- .2 any of the specialized agencies of the United Nations and the International Atomic Energy Agency.

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- .2 non-governmental international organizations with which the Organization has established relationships in accordance with the rules governing consultations with such organizations.

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2 All representatives shall be seated provisionally with the same rights until the Secretary-General has reported on credentials and the Committee has given its decision.

Publicity

Rule 10

1 The Committee may decide to hold meetings in private or public. In the absence of a decision to hold meetings in public, they shall be held in private.

2 Notwithstanding the aforesaid, and in accordance with the *Guidelines for media access to meetings of Committees and their subsidiary bodies* approved by the Council, media may attend meetings of the Committee unless the Committee decides otherwise. Meetings of working and drafting groups established by the Committee shall be held in private.

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The provisional agenda for each session of the Committee shall be prepared by the Secretary-General and approved by the Chair; and shall normally be communicated with the basic supporting documents to the Members and other Participants two months before the opening of a session.

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- .1 all items the inclusion of which has been requested by the Assembly or the Council;
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- .4 subject to the provisions of a treaty or other international agreement in respect of which the Committee performs functions, any amendment proposed by a Party to that treaty or other international agreement;
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1 The Committee shall elect from among its Members a Chair and a Vice-Chair who shall each hold office for a term of one calendar year. They shall both be eligible for re-election for up to four further consecutive terms of office. In exceptional circumstances they may be re-elected for one additional consecutive term of office.

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Members and other Participants may participate, but only Members of the Organization shall be entitled to vote.

2 Each Member entitled to vote shall have one vote.

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Subject to the provisions of any treaty or other international agreement which confers upon the Organization functions to be undertaken by the Committee, decisions of the Committee shall be made and reports, resolutions and recommendations adopted by a majority of the Members or other Participants entitled to vote, present and voting.

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1 For the purpose of these Rules, the phrase *Members or other Participants entitled to vote, present and voting* means such Members or other Participants entitled to vote, casting an affirmative or negative vote. Those abstaining from voting or casting an invalid vote shall be considered as not voting. The phrase *Members present* means Members at the meeting, whether they cast an affirmative or negative vote, whether they abstain, whether they cast an invalid vote or whether they take no part in the voting.

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If one person only is to be elected and no candidate obtains a majority in the first ballot, a second ballot shall be taken confined normally to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, the election shall be deferred until the ensuing session, when, if another tie results, the Chair shall decide between the candidates by drawing lots.

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1 The Chair may declare a meeting open and permit the debate to proceed when at least 25% of the Membership of the Organization are present. The presence of at least 25% of the Membership of the Organization, or other Participants, as appropriate, shall be required for any decision to be taken.

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Those parts of a proposal which have been approved shall then be put to the vote as a whole; if all the operative parts of the proposal or amendment have been rejected, the proposal or amendment shall be considered to be rejected as a whole.

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A motion may be withdrawn by its proposer at any time before voting on it has begun, provided that the motion has not been amended or that an amendment to it is not under discussion. A motion withdrawn may be reintroduced by any Member or other Participant having the right to submit such a motion.

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When a proposal has been adopted or rejected, it may not be reconsidered at the same session of the Committee unless the Committee, by a majority of the Members or other Participants present and voting, decides in favour of reconsideration. 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 the vote.

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The Committee may invite any person whose expertise it may consider useful for its work to participate in a meeting. A person invited under this Rule shall not have the right to vote.

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Suspension of Rules of Procedure

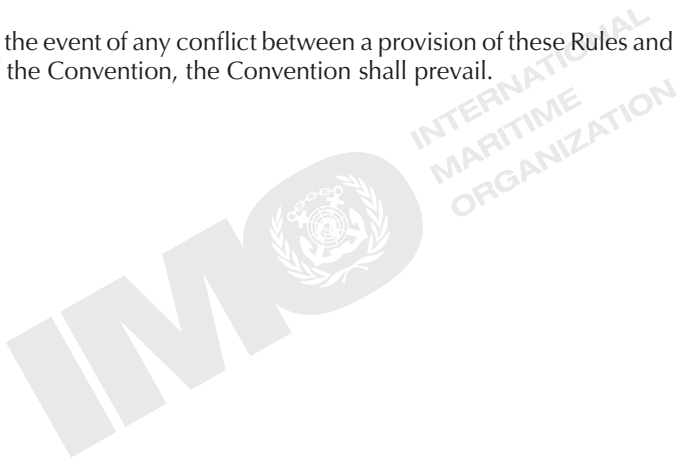
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A Rule may be suspended by a decision of the Committee taken by a majority of the Members present and voting, provided that 24 hours' notice of the proposal for suspension has been given. This notice may be waived if no Member objects.

Overriding authority of the IMO Convention

Rule 50

In the event of any conflict between a provision of these Rules and a provision of the Convention, the Convention shall prevail.



**RULES OF PROCEDURE
OF THE TECHNICAL
COOPERATION
COMMITTEE**



RULES OF PROCEDURE OF THE TECHNICAL COOPERATION COMMITTEE*

Membership

Rule 1

For the purpose of these Rules, the term *Member* means a Member of the Organization and *other Participant* means a State not a Member of the Organization but Party to a treaty or other international instrument in respect of which the Committee performs functions as provided therein. Membership of the Committee shall be open to all Members and other Participants.

Subsidiary bodies

Rule 2

1 The Committee may establish such subsidiary bodies as it considers necessary. Such subsidiary bodies shall follow these Rules, except for Rules 3, 9, 14, 15 and 16.

2 Periodically, the Committee shall examine the need for the continued existence of any subsidiary body.

* The text of the Rules of Procedure was adopted by the Committee at its fifty-third session on 12 June 2003. Amendments to the rules were adopted by the Committee at its fifty-fifth session on 16 June 2005 and at its sixtieth session on 3 June 2010. The Committee adopted revised Rules of Procedure at its sixty-seventh session on 18 July 2017.

Sessions

Rule 3

The Committee shall meet at least once a year in regular session and more frequently with the approval of the Council. The Committee may meet in an extraordinary session upon a request made in writing to the Secretary-General by at least twenty of its respective Members. Sessions of the Committee shall be held at the Headquarters of the Organization unless convened elsewhere in accordance with a decision of the Committee approved by the Assembly or the Council.

Rule 4

The Secretary-General, acting on the direction of the Chair, shall notify Members and other Participants at least two months in advance of the holding of a session of the Committee, and shall also notify the Chairs of other interested IMO bodies who shall have the option of attending sessions as observers.

Observers

Rule 5

1 The Secretary-General, with the approval of the Council, may invite States having made applications for membership, States which have signed but not accepted the Convention on the International Maritime Organization, and States which are Members of the United Nations or of any specialized agency and liberation movements recognized by the African Union or the League of Arab States to send observers to sessions of the Committee.

2 The Secretary-General shall invite to be represented as observers at each session of the Committee:

- .1 the United Nations, including the United Nations Environment Programme; and
- .2 any of the specialized agencies of the United Nations and the International Atomic Energy Agency.

3 The Secretary-General shall invite to be represented by observers at each session of the Committee at which matters of direct concern to them are on the agenda:

- .1 other intergovernmental organizations with which an agreement or special arrangement has been made; and
- .2 non-governmental international organizations with which the Organization has established relationships in accordance with the rules governing consultations with such organizations.

4 Upon invitation by the Chair and with the consent of the Committee concerned, such observers may participate without vote on matters of direct concern to them.

Rule 6

1 Representatives of the United Nations, the International Atomic Energy Agency and of the specialized agencies shall receive copies of all documents issued to the Committee, subject to any arrangements as may be necessary for the safeguarding of confidential material.

2 Observers shall have access to non-confidential documents and to such other documents as the Secretary-General, with the approval of the Chair, may decide to make available.

Delegations and credentials

Rule 7

Each Member or other Participant shall designate a representative and such alternates, advisers and experts as may be required.

Rule 8

Each Member or other Participant shall notify the Secretary-General in writing as soon as possible, and in any case not later than the opening day of a session, of the composition of its delegation to that session.

Rule 9

1 Each Member or Government entitled to participate in a session of the Committee convened to consider and adopt amendments to any international

convention or other instrument in respect of which the Committee performs functions as provided therein shall transmit to the Secretary-General the credentials of its representatives and alternates, if any. The credentials shall be issued by the Head of State, Head of Government, Minister for Foreign Affairs, Minister concerned or by an appropriate authority properly designated by one of them for this purpose. The Secretary-General shall examine the credentials of each representative and alternate and report to the Committee thereon without delay.

2 All representatives shall be seated provisionally with the same rights until the Secretary-General has reported on credentials and the Committee has given its decision.

Publicity

Rule 10

1 The Committee may decide to hold meetings in private or public. In the absence of a decision to hold meetings in public, they shall be held in private.

2 Notwithstanding the aforesaid, and in accordance with the Guidelines for media access to meetings of Committees and their subsidiary bodies approved by the Council, the media may attend meetings of the Committee unless the Committee decides otherwise. Meetings of working and drafting groups established by the Committee shall be held in private.

Agenda

Rule 11

The provisional agenda for each session of the Committee shall be prepared by the Secretary-General and approved by the Chair, and shall normally be communicated with the basic supporting documents to the Members and other Participants two months before the opening of a session.

Rule 12

The first item on the provisional agenda for each session shall be the adoption of the agenda.

Rule 13

Subject to the provisions of Rule 14, any item of the agenda of a session of the Committee, consideration of which has not been completed at that session, shall be included in the agenda of a subsequent session unless otherwise decided by the Committee.

Rule 14

The provisional agenda for each session of the Committee shall include:

- .1 all items the inclusion of which has been requested by the Assembly or the Council;
- .2 all items the inclusion of which has been requested by the Committee at a previous session;
- .3 any item proposed by a Member;
- .4 subject to the provisions of a treaty or other international agreement in respect of which the Committee performs functions, any amendment proposed by a Party to that treaty or other international agreement;
- .5 subject to such preliminary consultations as may be necessary, any item proposed by any other subsidiary body of the Organization, by the United Nations, including the United Nations Development Programme, or by any of its specialized agencies, or by the International Atomic Energy Agency; and
- .6 any item proposed by the Secretary-General.

Rule 15

The Secretary-General shall report on the technical, administrative and financial implications of any substantive agenda items submitted to the Committee and, unless the Committee decides otherwise, no such item shall be considered until the Secretary-General's report has been available to the Committee for at least 24 hours.

Rule 16

In circumstances of urgency the Secretary-General, with the approval of the Chair, may include any question suitable for the agenda which may arise

between the dispatch of the provisional agenda and the opening day of the session in a supplementary provisional agenda which the Committee shall examine together with the provisional agenda. The Secretary-General shall advise Members and other Participants immediately of the intention to include an item in a supplementary provisional agenda.

Rule 17

Unless it determines otherwise, the Committee shall not proceed to the discussion of any item on the agenda until at least 24 hours have elapsed after the relevant documents have been made available to Members and other Participants.

Chair and Vice-Chair

Rule 18

1 The Committee shall elect from among its Members a Chair and a Vice-Chair who shall each hold office for a term of one calendar year. They shall both be eligible for re-election for up to four further consecutive terms of office. In exceptional circumstances they may be re-elected for one additional consecutive term of office.

2 The Chair, or the Vice-Chair acting as Chair, shall not vote.

3 The Chair and Vice-Chair shall be elected at the end of the last regular session in each calendar year and shall assume their functions at the beginning of the following calendar year.

Rule 19

If the Chair is absent from a session, or any part thereof, the Vice-Chair shall preside. If the Chair, for any reason, is unable to complete the term of office, the Vice-Chair shall act as Chair pending the election of a new Chair.

Secretariat

Rule 20

The Secretary-General shall act as Secretary of the Committee. This function may be delegated to a member of the Secretariat.

Rule 21

The Secretary-General, or any member of the Secretariat designated for the purpose, may make either oral or written statements concerning any question under consideration.

Rule 22

It shall be the duty of the Secretariat to receive, translate and circulate to Members and other Participants all reports, resolutions, recommendations and other documents of the Committee.

Languages

Rule 23

The official languages of the Committee are Arabic, Chinese, English, French, Russian and Spanish; the working languages are English, French and Spanish.

Rule 24

Speeches at the Committee shall be made in one of the official languages and shall be interpreted into the other five official languages.

Rule 25

1 All supporting documents to agenda items of the Committee shall be issued in the working languages.

2 All reports, resolutions, recommendations and decisions of the Committee shall be drawn up in one of the official languages and translated into the other five official languages.

Voting

Rule 26

1 When considering matters not connected with functions performed by the Committee in respect of treaties or other international agreements, all

Members and other Participants may participate, but only Members of the Organization shall be entitled to vote.

2 Each Member entitled to vote shall have one vote.

3 When the Committee performs functions as provided for in a treaty or other international agreement, all Members and other Participants shall be entitled to participate in the proceedings, but voting on amendments to the treaty or other agreement shall be in accordance with the provisions of that treaty or agreement.

Rule 27

Subject to the provisions of any treaty or other international agreement which confers upon the Organization functions to be undertaken by the Committee, decisions of the Committee shall be made and reports, resolutions and recommendations adopted by a majority of the Members or other Participants entitled to vote, present and voting.

Rule 28

1 For the purpose of these Rules, the phrase *Members or other Participants entitled to vote, present and voting* means such Members or other Participants entitled to vote, casting an affirmative or negative vote. Those abstaining from voting or casting an invalid vote shall be considered as not voting. The phrase *Members present* means Members at the meeting, whether they cast an affirmative or negative vote, whether they abstain, whether they cast an invalid vote or whether they take no part in the voting.

2 The provisions in Rule 28.1 above shall apply only if the quorum laid down in Rule 34 is obtained at the meeting at which the vote is taken.

3 Participants in the session who are not present at the meeting at which voting takes place shall be considered as not present.

Rule 29

The Committee shall normally vote by show of hands. However, any Member or other Participant entitled to vote may request a roll-call which shall be taken in the alphabetical order of the names of the Members or other Participants entitled to vote in English, beginning with the Member or other Participant whose name is drawn by lot by the Chair.

The vote of each Member or other Participant in any roll-call shall be inserted in the report of the session concerned.

Rule 30

If a vote is equally divided, a second vote shall be taken at the next meeting. If this vote is equally divided, the proposal shall be regarded as rejected.

Elections

Rule 31

Officers of the Committee shall be elected by secret ballot, unless the Committee decides otherwise.

Rule 32

In a secret ballot, two scrutineers shall, on the proposal of the Chair, be appointed by the Committee from the delegations present and shall proceed to scrutinize the votes cast. All invalid votes cast shall be reported to the Committee.

Rule 33

If one person only is to be elected and no candidate obtains a majority in the first ballot, a second ballot shall be taken confined normally to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, the election shall be deferred until the ensuing session, when, if another tie results, the Chair shall decide between the candidates by drawing lots.

Conduct of business

Rule 34

1 The Chair may declare a meeting open and permit the debate to proceed when at least 25% of the Membership of the Organization are present. The presence of 25% of the Membership of the Organization, or

other Participants, as appropriate, shall be required for any decision to be taken.

2 When a treaty or other international instrument in respect of which the Committee performs functions contains a provision relating to the quorum, such provision shall apply in respect of such functions.

Rule 35

In addition to exercising the powers conferred elsewhere by these Rules, the Chair shall declare the opening and closing of each session of the Committee; direct the discussion and ensure observance of these Rules; accord the right to speak; put questions to the vote; and announce decisions resulting from the voting.

Rule 36

Proposals and amendments shall normally be introduced in writing and handed to the Secretary-General who shall circulate copies to delegations. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the Committee unless copies of it have been circulated to delegations not later than the day preceding the meeting. The Chair may, however, permit the discussion and consideration of amendments or of motions as to procedure even though these amendments and motions have not been circulated or have only been circulated the same day.

Rule 37

The Committee may, on proposal of the Chair, limit the time to be allowed to each speaker on any particular subject under discussion.

Rule 38

1 During the discussion of any matter, a Member or other Participant may rise to a point of order and the point of order shall be decided immediately by the Chair, in accordance with these Rules. A Member or other Participant may appeal against the ruling of the Chair. The appeal shall be put to the vote immediately and the Chair's ruling shall stand unless overruled by a majority of the Members or other Participants present and voting.

2 A Member or other Participant rising to a point of order may not speak on the substance of the matter under discussion.

Rule 39

1 Subject to the provisions of Rule 38, the following motions shall have precedence, in the order indicated below, over all other proposals or motions before the meeting:

- .1** to suspend a meeting;
- .2** to adjourn a meeting;
- .3** to adjourn the debate on the question under discussion; and
- .4** for the closure of the debate on the question under discussion.

2 Permission to speak on a motion falling within Rule 39.1 above shall be granted only to the proposer and in addition to one speaker in favour of and two against the motion, after which it shall be put immediately to the vote.

Rule 40

If two or more proposals relate to the same question, the Committee, unless it decides otherwise, shall vote on the proposals in the order in which they have been submitted.

Rule 41

Parts of a proposal or amendment thereto shall be voted on separately if the Chair, with the consent of the proposer, so decides, or if any Member or other Participant requests that the proposal or amendment thereto be divided and the proposer raises no objection. If objection is raised, permission to speak on the point shall be given first to the mover of the motion to divide the proposal or amendment, and then to the mover of the original proposal or amendment under discussion, after which the motion to divide the proposal or amendment shall be put immediately to the vote.

Rule 42

Those parts of a proposal which have been approved shall then be put to the vote as a whole; if all the operative parts of the proposal or amendment have been rejected, the proposal or amendment shall be considered to be rejected as a whole.

Rule 43

A motion is considered to be an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal. An amendment shall be voted on before the proposal to which it relates is put to the vote, and if the amendment is adopted, the amended proposal shall then be voted on.

Rule 44

If two or more amendments are moved to a proposal, the Committee shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom and so on, until all amendments have been put to the vote. The Chair shall determine the order of voting on the amendments under this Rule.

Rule 45

A motion may be withdrawn by its proposer at any time before voting on it has begun, provided that the motion has not been amended or that an amendment to it is not under discussion. A motion withdrawn may be reintroduced by any Member or other Participant having the right to submit such a motion.

Rule 46

When a proposal has been adopted or rejected, it may not be reconsidered at the same session of the Committee unless the Committee, by a majority of the Members or other Participants present and voting, decides in favour of reconsideration. 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 the vote.

Invitation of experts

Rule 47

The Committee may invite any person whose expertise it may consider useful for its work to participate in a meeting. A person invited under this Rule shall not have the right to vote.

Amendments of Rules of Procedure

Rule 48

These Rules may be amended by a decision of the Committee, taken by a majority of the Members present and voting.

Suspension of Rules of Procedure

Rule 49

A Rule may be suspended by a decision of the Committee taken by a majority of the Members present and voting, provided that 24 hours' notice of the proposal for suspension has been given. This notice may be waived if no Member objects.

Overriding authority of the IMO Convention

Rule 50

In the event of any conflict between a provision of these Rules and a provision of the Convention, the Convention shall prevail.

**RULES OF PROCEDURE
OF THE FACILITATION
COMMITTEE**



RULES OF PROCEDURE OF THE FACILITATION COMMITTEE*

Membership

Rule 1

For the purpose of these Rules, the term *Member* means a Member of the Organization and *other Participant* means a State not a Member of the Organization but Party to a treaty or other international instrument in respect of which the Committee performs functions as provided therein. Membership of the Committee shall be open to all Members and other Participants.

Subsidiary bodies

Rule 2

1 The Committee may establish such subsidiary bodies as it considers necessary. Such subsidiary bodies shall follow these Rules, except for Rules 3, 9, 14, 15 and 16.

2 Periodically the Committee shall examine the need for the continued existence of any subsidiary body.

* Adopted at the thirty-fifth session of the Facilitation Committee on 12 January 2009. The Committee adopted revised Rules of Procedure at its forty-first session on 5 April 2017 and at its forty-second session on 7 June 2018.

Sessions

Rule 3

The Committee shall meet at least once a year in regular session and more frequently with the approval of the Council. The Committee may meet in an extraordinary session upon a request made in writing to the Secretary-General by at least twenty of its respective Members. Sessions of the Committee shall be held at the Headquarters of the Organization unless convened elsewhere in accordance with a decision of the Committee approved by the Assembly or the Council.

Rule 4

The Secretary-General, acting on the direction of the Chair, shall notify Members and other Participants at least two months in advance of the holding of a session of the Committee, and shall also notify the Chairs of other interested IMO bodies who shall have the option of attending sessions as observers.

Observers

Rule 5

1 The Secretary-General, with the approval of the Council, may invite States having made applications for membership, States which have signed but not accepted the Convention on the International Maritime Organization, and States which are Members of the United Nations or of any specialized agency and liberation movements recognized by the African Union or the League of Arab States to send observers to sessions of the Committee.

2 The Secretary-General shall invite to be represented as observer at each session of the Committee:

- .1 the United Nations, including the United Nations Environment Programme; and
- .2 any of the specialized agencies of the United Nations and the International Atomic Energy Agency.

3 The Secretary-General shall invite to be represented by observers at each session of the Committee at which matters of direct concern to them are on the agenda:

- .1** other intergovernmental organizations with which an agreement or special arrangement has been made; and
- .2** non-governmental international organizations with which the Organization has established relationships in accordance with the rules governing consultations with such organizations.

4 Upon invitation by the Chair and with the consent of the Committee concerned, such observers may participate without vote on matters of direct concern to them.

Rule 6

1 Representatives of the United Nations, the International Atomic Energy Agency and the specialized agencies shall receive copies of all documents issued to the Committee, subject to any arrangements as may be necessary for the safeguarding of confidential material.

2 Observers shall have access to non-confidential documents and to such other documents as the Secretary-General, with the approval of the Chair, may decide to make available.

Delegations and credentials

Rule 7

Each Member or other Participant shall designate a representative and such alternates, advisers and experts as may be required.

Rule 8

Each Member or other Participant shall notify the Secretary-General in writing as soon as possible and in any case not later than the opening day of a session of the composition of its delegation to that session.

Rule 9

1 Each Member or Government entitled to participate in a session of the Committee shall transmit to the Secretary-General the credentials of its

representatives and alternates, if any. The credentials shall be issued by the Head of State, Head of Government, Minister for Foreign Affairs, Minister concerned or by an appropriate authority properly designated by one of them for this purpose. The Secretary-General shall examine the credentials of each representative and alternate and report to the Committee thereon without delay.

2 All representatives shall be seated provisionally with the same rights until the Secretary-General has reported on credentials and the Committee has given its decision.

Publicity

Rule 10

1 The Committee may decide to hold meetings in private or public. In the absence of a decision to hold meetings in public, they shall be held in private.

2 Notwithstanding the aforesaid, and in accordance with the *Guidelines for media access to meetings of Committees and their subsidiary bodies* approved by the Council, media may attend meetings of the Committee unless the Committee decides otherwise. Meetings of working and drafting groups established by the Committee shall be held in private.

Agenda

Rule 11

The provisional agenda for each session of the Committee shall be prepared by the Secretary-General and approved by the Chair; and shall normally be communicated with the basic supporting documents to the Members and other Participants two months before the opening of a session.

Rule 12

The first item on the provisional agenda for each session shall be the adoption of the agenda.

Rule 13

Subject to the provisions of Rule 14, any item of the agenda of a session of the Committee, consideration of which has not been completed at that session, shall be included in the agenda of a subsequent session unless otherwise decided by the Committee.

Rule 14

The provisional agenda for each session of the Committee shall include:

- .1 all items the inclusion of which has been requested by the Assembly or the Council;
- .2 all items the inclusion of which has been requested by the Committee at a previous session;
- .3 any item proposed by a Member;
- .4 subject to the provisions of a treaty or other international agreement in respect of which the Committee performs functions, any amendment proposed by a Party to that treaty or other international agreement;
- .5 subject to such preliminary consultations as may be necessary, any item proposed by any other subsidiary body of the Organization or by the United Nations or by any of its specialized agencies, or by the International Atomic Energy Agency; and
- .6 any item proposed by the Secretary-General.

Rule 15

The Secretary-General shall report on the technical, administrative and financial implications of any substantive agenda items submitted to the Committee and, unless the Committee decides otherwise, no such item shall be considered until the Secretary-General's report has been available to the Committee for at least 24 hours.

Rule 16

In circumstances of urgency the Secretary-General, with the approval of the Chair, may include any question suitable for the agenda which may arise between the dispatch of the provisional agenda and the opening day of

the session in a supplementary provisional agenda which the Committee shall examine together with the provisional agenda. The Secretary-General shall advise Members and other Participants immediately of the intention to include an item in a supplementary provisional agenda.

Rule 17

Unless it determines otherwise, the Committee shall not proceed to the discussion of any item on the agenda until at least 24 hours have elapsed after the relevant documents have been made available to Members and other Participants.

Chair and Vice Chair

Rule 18

1 The Committee shall elect from among its Members a Chair and a Vice-Chair who shall each hold office for a term of one calendar year. They shall both be eligible for re-election for up to four further consecutive terms of office. In exceptional circumstances they may be re-elected for one additional consecutive term of office.

2 The Chair, or the Vice-Chair acting as Chair, shall not vote.

3 The Chair and Vice-Chair shall be elected at the end of the last regular session in each calendar year and shall assume their functions at the beginning of the following calendar year.

Rule 19

If the Chair is absent from a session, or any part thereof, the Vice-Chair shall preside. If the Chair, for any reason, is unable to complete the term of office, the Vice-Chair shall act as Chair pending the election of a new Chair.

Secretariat

Rule 20

The Secretary-General shall act as Secretary of the Committee. This function may be delegated to a member of the Secretariat.

Rule 21

The Secretary-General, or any member of the Secretariat designated for the purpose, may make either oral or written statements concerning any question under consideration.

Rule 22

It shall be the duty of the Secretariat to receive, translate and circulate to Members and other Participants all reports, resolutions, recommendations and other documents of the Committee.

Languages

Rule 23

The official languages of the Committee are Arabic, Chinese, English, French, Russian and Spanish; the working languages are English, French and Spanish.

Rule 24

Speeches at the Committee shall be made in one of the official languages and shall be interpreted into the other five official languages.

Rule 25

1 All supporting documents to agenda items of the Committee shall be issued in the working languages.

2 All reports, resolutions, recommendations and decisions of the Committee shall be drawn up in one of the official languages and translated into the other five official languages.

Voting

Rule 26

1 When considering matters not connected with functions performed by the Committee in respect of treaties or other international agreements, all

Members and other Participants may participate, but only Members of the Organization shall be entitled to vote.

2 Each Member entitled to vote shall have one vote.

3 When the Committee performs functions as provided for in a treaty or other international agreement, all Members and other Participants shall be entitled to participate in the proceedings, but voting on amendments to the treaty or other agreement shall be in accordance with the provisions of that treaty or agreement.

Rule 27

Subject to the provisions of any treaty or other international agreement which confers upon the Organization functions to be undertaken by the Committee, decisions of the Committee shall be made and reports, resolutions and recommendations adopted by a majority of the Members or other Participants entitled to vote, present and voting.

Rule 28

1 For the purpose of these Rules, the phrase *Members or other Participants entitled to vote, present and voting* means such Members or other Participants entitled to vote, casting an affirmative or negative vote. Those abstaining from voting or casting an invalid vote shall be considered as not voting. The phrase *Members present* means Members at the meeting, whether they cast an affirmative or negative vote, whether they abstain, whether they cast an invalid vote or whether they take no part in the voting.

2 The provisions in Rule 28.1 above shall apply only if the quorum laid down in Rule 34 is obtained at the meeting at which the vote is taken.

3 Participants in the session who are not present at the meeting at which voting takes place shall be considered as not present.

Rule 29

The Committee shall normally vote by show of hands. However, any Member or other Participant entitled to vote may request a roll call, which shall be taken in the alphabetical order of the names of the Members in English, beginning with the Member whose name is drawn by lot by the Chair. The

vote of each Member or other Participant in any roll call shall be inserted in the report of the session concerned.

Rule 30

If a vote is equally divided, a second vote shall be taken at the next meeting. If this vote is equally divided, the proposal shall be regarded as rejected.

Elections

Rule 31

Officers of the Committee shall be elected by secret ballot, unless the Committee decides otherwise.

Rule 32

In a secret ballot two scrutineers shall, on the proposal of the Chair, be appointed by the Committee from the delegations present and shall proceed to scrutinize the votes cast. All invalid votes cast shall be reported to the Committee.

Rule 33

If one person only is to be elected and no candidate obtains a majority in the first ballot, a second ballot shall be taken confined normally to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, the election shall be deferred until the ensuing session, when, if another tie results, the Chair shall decide between the candidates by drawing lots.

Conduct of business

Rule 34

1 The Chair may declare a meeting open and permit the debate to proceed when at least 25% of the Membership of the Organization are present. The presence of at least 25% of the Membership of the Organization, or other Participants, as appropriate, shall be required for any decision to be taken.

2 When a treaty or other international instrument in respect of which the Committee performs functions contains a provision relating to the quorum, such provision shall apply in respect of such functions.

Rule 35

In addition to exercising the powers conferred elsewhere by these Rules, the Chair shall declare the opening and closing of each session of the Committee, direct the discussion and ensure observance of these Rules, accord the right to speak, put questions to the vote and announce decisions resulting from the voting.

Rule 36

Proposals and amendments shall normally be introduced in writing and handed to the Secretary-General, who shall circulate copies to delegations. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the Committee unless copies of it have been circulated to delegations not later than the day preceding the meeting. The Chair may, however, permit the discussion and consideration of amendments or of motions as to procedure even though these amendments and motions have not been circulated or have only been circulated the same day.

Rule 37

The Committee may, on proposal of the Chair, limit the time to be allowed to each speaker on any particular subject under discussion.

Rule 38

1 During the discussion of any matter a Member or other Participant may rise to a point of order and the point of order shall be decided immediately by the Chair, in accordance with these Rules. A Member or other Participant may appeal against the ruling of the Chair. The appeal shall be put to the vote immediately and the Chair's ruling shall stand unless overruled by a majority of the Members or other Participants present and voting.

2 A Member or other Participant rising to a point of order may not speak on the substance of the matter under discussion.

Rule 39

1 Subject to the provisions of Rule 38 the following motions shall have precedence, in the order indicated below, over all other proposals or motions before the meeting:

- .1** to suspend a meeting;
- .2** to adjourn a meeting;
- .3** to adjourn the debate on the question under discussion; and
- .4** for the closure of the debate on the question under discussion.

2 Permission to speak on a motion falling within Rule 39.1 above shall be granted only to the proposer and in addition to one speaker in favour of and two against the motion, after which it shall be put immediately to the vote.

Rule 40

If two or more proposals relate to the same question, the Committee, unless it decides otherwise, shall vote on the proposals in the order in which they have been submitted.

Rule 41

Parts of a proposal or amendment thereto shall be voted on separately if the Chair, with the consent of the proposer, so decides, or if any Member or other Participant requests that the proposal or amendment thereto be divided and the proposer raises no objection. If objection is raised, permission to speak on the point shall be given first to the mover of the motion to divide the proposal or amendment, and then to the mover of the original proposal or amendment under discussion, after which the motion to divide the proposal or amendment shall be put immediately to the vote.

Rule 42

Those parts of a proposal which have been approved shall then be put to the vote as a whole; if all the operative parts of the proposal or amendment have been rejected, the proposal or amendment shall be considered to be rejected as a whole.

Rule 43

A motion is considered to be an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal. An amendment shall be voted on before the proposal to which it relates is put to the vote, and if the amendment is adopted, the amended proposal shall then be voted on.

Rule 44

If two or more amendments are moved to a proposal, the Committee shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom and so on, until all amendments have been put to the vote. The Chair shall determine the order of voting on the amendments under this Rule.

Rule 45

A motion may be withdrawn by its proposer at any time before voting on it has begun, provided that the motion has not been amended or that an amendment to it is not under discussion. A motion withdrawn may be reintroduced by any Member or other Participant having the right to submit such a motion.

Rule 46

When a proposal has been adopted or rejected, it may not be reconsidered at the same session of the Committee unless the Committee, by a majority of the Members or other Participants present and voting, decides in favour of reconsideration. 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 the vote.

Invitation of experts

Rule 47

The Committee may invite any person whose expertise it may consider useful for its work to participate in a meeting. A person invited under this Rule shall not have the right to vote.

Amendments to Rules of Procedure

Rule 48

These Rules may be amended by a decision of the Committee, taken by a majority of the Members present and voting.

Suspension of Rules of Procedure

Rule 49

A Rule may be suspended by a decision of the Committee taken by a majority of the Members present and voting, provided that 24 hours' notice of the proposal for suspension has been given. This notice may be waived if no Member objects.

Overriding authority of the IMO Convention

Rule 50

In the event of any conflict between a provision of these Rules and a provision of the Convention, the Convention shall prevail.

**PROCEDURES AND TERMS
FOR THE COOPERATION
BETWEEN THE
INTERNATIONAL MARITIME
ORGANIZATION (IMO) AND
INTERGOVERNMENTAL
ORGANIZATIONS**

PROCEDURES AND TERMS FOR THE COOPERATION BETWEEN THE INTERNATIONAL MARITIME ORGANIZATION (IMO) AND INTERGOVERNMENTAL ORGANIZATIONS*

- 1 The interests and activities of any intergovernmental organization wishing to cooperate with IMO shall be related to the purposes of the Organization.
- 2 Requests for cooperation with IMO from intergovernmental organizations shall be submitted to the Council, in the form of a Council document, by a Member State or a group of Member States on behalf of the interested intergovernmental organization.
- 3 Each request shall consist of a letter from the Executive Head of the interested organization and a supporting explanatory document.
- 4 If approved by the Council, the Secretary-General shall submit the request to the Assembly for approval.
- 5 Once approved by the IMO Assembly, the intergovernmental organization shall be allowed to observe and submit documents to meetings or conferences convened by or under the auspices of IMO to consider matters in which the intergovernmental organization has an interest, in accordance with the procedures applicable to each meeting or conference. The organization shall have no voting rights at the meetings or conferences. Conversely, the intergovernmental organization may invite the Secretary-General of IMO to send observers and submit documents to meetings or conferences convened by or under the auspices of the intergovernmental organization to consider matters in which IMO has an interest, in accordance with the governing rules of the intergovernmental organization.

* Adopted by Assembly Resolution A.1168(32) of 15 December 2021.

6 IMO and the intergovernmental organization may consult each other on matters of common interest to both with a view to ensuring maximum coordination of the work and activities of their respective organizations.

7 The intergovernmental organization may, at the request of IMO, render assistance to IMO in matters falling within the scope of IMO's activities.

8 IMO may withdraw this arrangement for cooperation at any time following a decision from the IMO Council which shall be submitted to the IMO Assembly for approval. Equally, the intergovernmental organization may withdraw from the arrangement at any time.



**RULES AND GUIDELINES
FOR CONSULTATIVE STATUS
OF NON-GOVERNMENTAL
INTERNATIONAL
ORGANIZATIONS WITH THE
INTERNATIONAL MARITIME
ORGANIZATION**

RULES AND GUIDELINES FOR CONSULTATIVE STATUS OF NON-GOVERNMENTAL INTERNATIONAL ORGANIZATIONS WITH THE INTERNATIONAL MARITIME ORGANIZATION*

Introduction

This document provides the rules for applying for consultative status and the ongoing relationship between the International Maritime Organization (IMO) and non-governmental international organizations. Guidelines are provided for consideration of the applications, as well as the periodic review of organizations in consultative status.

The original text of these rules was adopted by Assembly resolution A.31(II) of 13 April 1961. Amendments to the rules were adopted by a decision of the Assembly at its fourteenth session on 20 November 1985. *Guidelines on the grant of consultative status* were adopted by the Council at its fortieth session on 23 May 1978, and endorsed by the Assembly at its eleventh session on 15 November 1979. Further amendments to the original rules and guidelines were approved by the Council at its eighty-sixth session on 22 June 2001, and endorsed by the Assembly at its twenty-second session on 29 November 2001.

The Council, at its 109th session on 9 November 2012, approved further amendments to the rules and the guidelines, consolidating them in a single document. The Assembly at its twenty-eighth session, on 4 December 2013, endorsed these amendments.

The Council, at its 122nd session on 19 July 2019, approved amendments to the rules and guidelines. The Assembly at its thirty-first session, on 4 December 2019, adopted these amendments by resolution A.1144(31).

Rule 1

Subject to approval by the Assembly, the Council may grant consultative status to any non-governmental international organization which is able to

* Adopted by Assembly Resolution A.1144(31) of 4 December 2019.

make a substantial contribution to the work of IMO. The Council may also grant consultative status on a provisional basis to any non-governmental international organization for a period not exceeding four years.

Guidelines for the application of rule 1

Consultative status should only be granted to a non-governmental international organization if it can reasonably be expected to make a substantial contribution to the work of IMO. In determining whether an organization can make a substantial contribution, reference should be made *inter alia* to:

- (a) whether the purposes of the organization are directly related to the purposes of IMO and fully in harmony with the spirit and functions of IMO;
- (b) whether the activities of the organization have a direct bearing on the main purposes of IMO as a whole, or on the work of any of the organs or committees or on the matters dealt with in any conventions in respect of which IMO performs depository or other functions;
- (c) whether the organization has demonstrated that it has considerable expertise as well as the capacity to contribute, within its field of competence, to the work of IMO; and
- (d) whether there are any programmes or projects of the organization which can reasonably be considered as demonstrating the relevance of the organization's work and interests to those of IMO.

The Council may decide whether or not to seek the advice of the relevant committees; if the latter's advice is sought, the committees so requested make a further, technical assessment, based, in particular, on the activities carried out by the applicant that are relevant to IMO, as well as on the contribution in terms of skills and expertise it can make to IMO. In due course, the relevant committees report to the Council and the Council takes a final decision, which is then submitted to the Assembly for approval.

Where an applicant organization meets most but not all the requirements in these Guidelines, the Council when considering the application may, if it considers that the circumstances so warrant, grant consultative status on a provisional basis, drawing attention to any requirements which may not be fulfilled in the case of any particular organization.

Rule 2*Purposes of consultative status*

Decisions to grant consultative status to any non-governmental international organization shall be based on the principles that the purposes for entering into consultative status shall be:

- (a) to enable IMO to obtain information or expert advice from non-governmental international organizations with special knowledge in a particular sector of IMO's activities; and
- (b) to enable such non-governmental international organizations representing large groups whose activities have an important and direct bearing on the work of IMO to express their points of view to it.

Rule 3*Objectives and activities of the non-governmental international organization*

Before granting consultative status to any non-governmental international organization, the Council must be satisfied that:

- (a) the activities, objectives and functions of the non-governmental international organization concerned are related directly to the purposes and functions of IMO as defined in Article 1 of the Convention on the International Maritime Organization;
- (b) the objectives and functions of the non-governmental international organization are fully in harmony with the spirit, functions and principles of IMO;
- (c) the non-governmental international organization can contribute new expertise to IMO;
- (d) the non-governmental international organization does not have, or is not eligible for, access to IMO through another organization already in consultative status; and
- (e) the granting of consultative status does not lead to duplication or conflict.

Guidelines for the application of rule 3(d)

For the purposes of rule 3(d), an organization should be deemed to have access to IMO if:

- (a) it is a member of, affiliated to or otherwise associated with another organization which enjoys consultative status or has another form of association with IMO; and
- (b) the interest or interests it purports to represent are adequately represented in IMO through another organization, unless an applicant organization demonstrates to the satisfaction of the Council that the specific interests it represents cannot adequately be represented by any organization already in consultative status.

Guidelines for the application of rule 3(e)

Consultative status should not be granted where each of two or more rival organizations purports to represent a particular interest to the exclusion of the others.

Rule 4

Submission of applications

Each non-governmental international organization wishing to obtain consultative status with IMO shall submit an application in writing and complete a standard questionnaire. Applicant organizations will be invited to give a short presentation, if they so wish, on their functions and objectives relative to IMO, and their aims and intentions regarding their contribution to IMO's work and participation in meetings relevant to their work. Applicants' representatives should be available during the Council's consideration of the applications to provide any further information and clarification, as required.

Guidelines for the application of rule 4

Non-governmental international organizations applying for consultative status with IMO should complete the standard questionnaire contained in annex 1.

Rule 5*General undertaking by the non-governmental international organization*

Consultative status may not be granted to a non-governmental international organization unless it undertakes to support the activities of IMO and to promote the dissemination of its principles and work, bearing in mind the objectives and functions of IMO on the one hand, and the competence and activities of the non-governmental international organization on the other.

Guidelines for the application of rule 5

Applicant organizations must demonstrate their ability and intention to promote and disseminate the principles and work of IMO.

Rule 6*Constitution and structure of the non-governmental international organization*

Consultative status may not be granted to any non-governmental international organization unless it has permanent headquarters, a governing body and an executive officer, and is truly international, with members or component branches or affiliated bodies in a sufficient number of countries. Where it is not truly international regarding its component branches or affiliated bodies in a sufficient number of countries, consultative status may be granted on a provisional basis. In both cases, it must be authorized under its constitution to speak for its members through accredited representatives.

Guidelines for the application of rule 6

Consultative status should only be granted to non-governmental organizations which are truly international and are active and effective in their field. An organization should be deemed to be truly international for this purpose only if it has members, component branches or affiliated bodies in a sufficient number of countries, taking into account its field of activity. Admission to membership of that organization should not be geographically limited.

Consultative status should not be granted to a non-governmental international organization whose composition or membership is considered to be inconsistent with a decision of the IMO Assembly or Council.

Rule 7

Privileges conferred by consultative status

The granting of consultative status to a non-governmental international organization shall confer the following privileges on that organization:

- (a) The right to receive the provisional agenda and meeting documents for sessions of the Assembly, the Council, the Maritime Safety Committee, the Legal Committee, the Marine Environment Protection Committee, the Technical Cooperation Committee, the Facilitation Committee and other organs of IMO.
- (b) The right to submit documents on items of the agenda of the Assembly, the Council, the Maritime Safety Committee, the Legal Committee, the Marine Environment Protection Committee, the Technical Cooperation Committee, the Facilitation Committee and other organs of IMO which are of interest to the non-governmental international organizations concerned. The submission of such documents shall take into account the rules of procedure of the governing bodies and the committees; the guidelines on the organization and method of work of the various committees and their subsidiary bodies; and the Strategic Plan for the Organization, as well as give due consideration to any concerns raised by the Secretary General.
- (c) The right to be represented by an observer at plenary meetings of the Assembly and, on the invitation of the Secretary-General, at those meetings during sessions of the Council, the Maritime Safety Committee, the Legal Committee, the Marine Environment Protection Committee, the Technical Cooperation Committee, the Facilitation Committee and other organs of IMO at which matters of special interest to the non-governmental international organizations concerned are to be considered.
- (d) The right to receive the texts of resolutions adopted by the Assembly and, at the discretion of the Secretary-General, of recommendations made by the Council, the Maritime Safety Committee, the Legal Committee, the Marine Environment Protection Committee, the Technical Cooperation Committee, the Facilitation Committee and other organs of IMO on matters of special interest to the non-governmental international organizations concerned and of the appropriate supporting documents.

Rule 8*Status at meetings of IMO*

Normally one observer from each non-governmental international organization shall be admitted to any session or meeting. Such observer shall have no voting rights but may, on the invitation of the Chair and with the approval of the body concerned, speak on any item of the agenda of special interest to the non-governmental international organization of which the observer is the representative.

Rule 9*Granting of reciprocal privileges to IMO*

Any non-governmental international organization to which consultative status is granted shall keep the Secretary-General currently informed of those aspects of its own activities which are likely to be of interest to IMO and accord to IMO privileges corresponding to those which are granted to it by IMO.

Guidelines for the application of rule 9

An applicant organization should be able to demonstrate by what means it would be possible for IMO to participate in its activities, e.g. meetings, conferences, documents, publications.

Rule 10*Consideration of applications*

The Council shall only consider applications for consultative status from non-governmental international organizations once a year and, unless otherwise decided by the Council, shall not consider re-applications from such organizations until at least two years have elapsed since the Council took a decision on the original application.

Rule 11*Role of the Secretariat*

The Secretariat shall answer any questions potential applicant organizations may have and screen all applications for consultative status received for completeness and clarity. When an applicant organization clearly does not

meet the requirements in these rules and guidelines, the Secretariat shall bring this to the attention of the applicant organization.

Rule 12

Periodic review of the list of non-governmental international organizations

The Council shall review from time to time the list of non-governmental international organizations to which it has granted consultative status, in order to determine whether the continuance of their status in any particular case is necessary and desirable and shall report to the Assembly accordingly.

Consultative status should be withdrawn if a non-governmental international organization is considered by the Council or Assembly to have not:

- (a) made a substantial contribution to the work of IMO, or any of its organs or bodies for a full biennium; or
- (b) attended or participated in relevant meetings of IMO organs or bodies for a full biennium; or
- (c) provided a summary – in the context of the IMO periodic review of the non-governmental international organizations in consultative status – which confirms that it has substantially contributed to the work of IMO over the past biennium.

Guidelines for the application of rule 12

The Council will review the list of non-governmental international organizations in consultative status every two years, before reporting to the Assembly.

In the context of the periodic review under rule 12, consultative status may be withdrawn from any organization which, during the biennium under review, had not made a substantial contribution to the work of IMO, or any of its organs or bodies. In assessing the contribution of an organization in this regard, particular account should be taken of the following factors:

- (a) attendance by the representatives of the organization concerned at relevant meetings of IMO organs or bodies or at conferences and meetings convened by or in association with IMO;
- (b) participation by the representatives of the organization concerned in the work of meetings and conferences which they may have attended, with particular reference to the number and type of submissions or other information provided in connection with such meetings or conferences;
- (c) meetings or conferences convened by or under the auspices of the organization concerned to which IMO has found it necessary or useful to send representation; and
- (d) dissemination and promotion of the work of IMO.

In order to facilitate the periodic review of the non-governmental international organizations in consultative status, each organization will be requested to provide a summary which:

- (a) reflects whether it has substantially contributed to the work of IMO, including which outputs from the Strategic Plan for the Organization it has contributed to over the past biennium;
- (b) explains how the organization disseminates information and promotes the organization's work; and

- (c) outlines the organization's planned activities for the next biennium, including the associated work outputs from the Strategic Plan for the Organization.

The template provided in annex 2 should be used for this purpose.

In the context of the periodic review under rule 12, consultative status may be withdrawn from a non-governmental international organization if, in the opinion of the Council or Assembly, the organization concerned has ceased to be adequately representative of the interests which it purports to represent as a result, inter alia, of:

- (a) the merger of that organization with another organization enjoying consultative status with IMO or eligible for such status; or
- (b) the establishment or emergence of a new organization more representative of the particular interest or interests concerned.

In the context of the periodic review under rule 12 or at any other time the Council or Assembly may consider necessary, consultative status may be withdrawn from an organization if changes occur in the nature, purposes, membership or activities of the organization concerned which, in the opinion of the Council or Assembly, make continuance of the consultative status of that organization inappropriate or incompatible with the Rules or any of the Guidelines established pursuant to those Rules in this document.

In the event of withdrawal of status, no re-application can be made until at least two years have elapsed since that withdrawal, unless otherwise decided by the Council.

Annex 1

Template questionnaire to be completed by non-governmental international organizations applying for consultative status with the International Maritime Organization (IMO)

1	Name and acronym of the non-governmental international organization (NGO)
2	Date of submission of the application
3	Address of headquarters (including names and contact information, telephone, fax, email and website)
4	Address of all branches or regional headquarters (including names and contact information, telephone, fax, email and website)
5	Name and contact details of a point of contact for the purposes of the application
6	Aims and purposes of the NGO (as set forth in its constitution, statutes or by laws; please provide an electronic copy separately), including its strategy
7	History of the NGO, including the length of time the NGO has been in existence and relevant previous activities/events
8	Descriptive statement of the extent to which the purposes of the NGO relate to those of IMO, in particular what contribution the NGO can make to the work of IMO, including its technical cooperation programme
9	Organizational structure and officers' names and titles
10	Membership (nature of membership, name of members and country where their main offices are based)
11	Indicate whether the NGO is a member of, affiliated to or otherwise associated with another NGO which enjoys consultative status or has other forms of association with IMO
12	Indicate how the NGO can contribute new expertise to IMO by describing which work outputs, as described in the Strategic Plan for the Organization, that they would be interested in contributing to in the next biennium
13	Relations with the United Nations system and other intergovernmental organizations

14	Indicate by what means IMO could participate in the NGO's activities
15	Indicate by what means the NGO will promote and disseminate the principles and work of IMO
16	Indicate source of funding and provide evidence of financial sustainability
17	List of publications and/or other relevant documentation
18	Additional information which the NGO may wish to provide



Annex 2

Template report to be completed by the non-governmental international organization in the context of the periodic review of the list of non-governmental international organizations

Name and acronym:	
Date:	

1	<p>Briefly outline your organization's interest in and contribution to the work of the relevant bodies of IMO in the past biennium (in terms of applicable work outputs)</p> <p><i>For example, mention attendance at IMO meetings, working/drafting/correspondence groups, submission of documents, and the specific work outputs those activities were related to.</i></p>
2	<p>Briefly outline how your organization disseminates information on and promotes the work of the Organization to its membership and/or beyond</p> <p><i>For example, indicate publications, seminars, workshops, information available on your organization's website and social media sites.</i></p>
3	<p>Briefly explain how your organization plans to contribute to the work of the relevant bodies of IMO in the next biennium (in terms of applicable work outputs)</p> <p><i>For example, mention planned attendance at IMO meetings, working/drafting/correspondence groups, submission of documents, and the specific work output those activities are related to.</i></p>

**RULES OF PROCEDURE
FOR MEETINGS UNDER THE
LONDON CONVENTION, 1972
AND THE 1996 PROTOCOL
TO THE LONDON CONVENTION,
1972**

RULES OF PROCEDURE FOR MEETINGS UNDER THE LONDON CONVENTION, 1972 AND THE 1996 PROTOCOL TO THE LONDON CONVENTION, 1972

Introduction

1 The following Rules of Procedure* are based on the text of the Rules considered at the twentieth and twenty-second Consultative meetings (LC 20/3 and LC 22/4 respectively), as well as on the following observation made during the twenty-first Consultative meeting held in 1999. That meeting considered that, for efficiency reasons, there would be merit in convening meetings under the Convention in conjunction with meetings under the Protocol. However, formal decision-making would have to remain separate, leading to distinct voting procedures, and election of Chairs and Vice-Chairs.

2 The Rules as drafted would thus allow the conduct of business under both instruments as entirely separate entities. However, the following guidance for application of these Rules would facilitate the conduct of combined meetings if the Parties to both instruments so agree.

* The Rules of Procedure for meetings under the London Convention were adopted by the twenty-third Consultative meeting in 2001. The Rules of Procedure for meetings under the London Protocol were adopted by the first meeting of Contracting Parties in 2006. The gender-neutral language was introduced, for the purposes of this publication, by the Contracting Parties at their Consultative meetings in 2018.

Guidance for application of the Rules of Procedure for the conduct of combined meetings, as provided for in Rule 9

Rules 13 to 19

Agendas of meetings

3 If meetings under the Convention and the Protocol were to be combined in accordance with Rule 9, the agenda should list specific Convention items, specific Protocol items, as well as joint items.

Rules 20, 21, 33, 34

Election of Officers

4 Both bodies could choose the same Chair and/or Vice-Chairs, ideally but not necessarily from representatives of countries which are Parties to both instruments. Alternatively, each body could choose a different Chair and Vice-Chairs. Officers elected under the Convention would preside over the proceedings including decision-making concerning specific Convention agenda items. Likewise, officers elected under the Protocol would preside over the proceedings including decision-making concerning specific Protocol agenda items. Concerning the conduct of joint items on the agenda both Chairs, or Vice-Chairs when acting as Chair, could cooperate in presiding over the deliberations excluding the decision-making.

Rule 12

Subsidiary bodies

5 In order to simplify matters, subsidiary bodies need not be established jointly. They could be established separately under each instrument and, provided they have similar terms of reference, they could work together informally as described above. Decision-making would again be conducted separately.

Rule 9

Setting of dates of meetings

6 In current practice, the Secretariat proposes the dates for London Convention meetings to be held in the next calendar year. Subsequently, the Consultative meeting prepares a recommendation to IMO. The IMO Council then confirms these dates in the IMO programme of meetings for that year. This process is described in Rule 9. Rule 9 as drafted, would also make it clear that the combining of meetings under both instruments would be an option rather than mandatory. In other words, it could be decided at each meeting whether or not the next meeting would be combined.

**RULES OF PROCEDURE
FOR THE CONSULTATIVE AND
SPECIAL MEETINGS OF THE
CONTRACTING PARTIES
TO THE CONVENTION
ON THE PREVENTION
OF MARINE POLLUTION
BY DUMPING OF WASTES
AND OTHER MATTER, 1972**

RULES OF PROCEDURE FOR THE CONSULTATIVE AND SPECIAL MEETINGS OF THE CONTRACTING PARTIES TO THE CONVENTION ON THE PREVENTION OF MARINE POLLUTION BY DUMPING OF WASTES AND OTHER MATTER, 1972

Definitions

Rule 1

For the purposes of these Rules of Procedure:

- (a) *Convention* means the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972, as amended in 1978, 1980, 1989 and 1993;
- (b) *Protocol* means the 1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972, as amended in 2006;
- (c) *Organization* means the International Maritime Organization, which by resolution of 18 December 1975, was designated as the Organization responsible for Secretariat duties in relation to the Convention;
- (d) *Secretary-General* means the Secretary-General of the International Maritime Organization;
- (e) *Meeting* means a Consultative meeting or a Special meeting convened in accordance with Article XIV(3)(a) of the Convention;
- (f) *Contracting Party* means a State which has deposited an instrument of ratification or accession and for which the Convention is in force;

- (g) *Chair* means the officer elected in accordance with Rule 20 or either of the Vice-Chairs when exercising the functions of the Chair;
- (h) *Contracting Parties present and voting* means Contracting Parties casting an affirmative or negative vote. Contracting Parties abstaining from voting shall be considered as not voting.

Participation

Rule 2

A meeting shall be open to all Contracting Parties who shall be invited thereto by the Secretary-General.

Rule 3

The Secretary-General shall send invitations, to be represented by observers at each meeting, to the following:

- (a) States which have signed or acceded to the Convention and which will not be Contracting Parties at the time of the meeting;
- (b) States which have not signed or acceded to the Convention, but which have indicated to the Secretary-General their interest in becoming a Contracting Party;
- (c) States which are Contracting Parties to the Protocol but not to the Convention;
- (d) States which would be invited to send observers to meetings under the Protocol, in accordance with the Rules of Procedure of the Protocol;
- (e) the United Nations, its specialized agencies and the International Atomic Energy Agency;
- (f) any other intergovernmental organization which the Contracting Parties, at a meeting, have decided to invite;
- (g) any non-governmental international organization with specialized technical expertise relating to the objectives of the Convention, which the Contracting Parties at a meeting, have decided to invite.

Rights of observers in meetings

Rule 4

1 All observers shall have the right to receive the provisional agenda and other appropriate documents relating to the meeting. They may, with the approval of the Contracting Parties at the meeting, submit relevant documents.

2 Observers from States, from the United Nations, its specialized agencies and the International Atomic Energy Agency and from other inter-governmental organizations may participate without vote in the deliberations at the meetings.

3 Observers from non-governmental international organizations may, upon invitation by the Chair and with approval of the Contracting Parties at the meeting, participate in meetings in the deliberations on matters of direct concern to them without vote.

Rule 5

For each meeting, a Contracting Party shall designate a representative and such alternates, advisers and experts as may be required.

Delegations and credentials

Rule 6

Each State and international organization intending to participate in a meeting shall notify the Secretary-General in writing, as soon as possible, and in any case not later than the opening day of the meeting, of the composition of its delegation or observers to such meeting.

Rule 7

For a meeting convened for the purpose of adopting amendments to the Convention in accordance with Article XV thereof, each Contracting Party shall transmit to the Secretary-General the credentials of its representative and alternates, if any. Credentials shall be issued by the Head of State or by the Head of Government or by the Minister for Foreign Affairs, or by an appropriate authority properly designated by one of them for the purpose. The credentials of each representative and alternate shall be examined by the Secretary-General who shall report thereon to the meeting. Pending

a decision of the meeting on their credentials, representatives and their alternates, if any, shall be entitled to participate provisionally in the meeting.

Meetings

Rule 8

Meetings shall be held at the Headquarters of the Organization unless convened elsewhere in accordance with a decision of a previous meeting.

Rule 9

The Secretary-General, in consultation with the meeting, shall determine the dates and duration of meetings, which shall be held in conjunction with meetings convened under the Protocol, unless the meeting decides otherwise.

Rule 10

The Secretary-General, acting on the direction of the Chair, shall notify the States and organizations referred to in Rules 2 and 3 at least two months in advance of the holding of a meeting.

Rule 11

A meeting may decide to hold meetings in private* or public. In the absence of a decision to hold meetings in public, they shall be held in private.

Subsidiary bodies

Rule 12

A meeting may establish such subsidiary bodies as it considers necessary. Such subsidiary bodies shall follow the present Rules of Procedure so far as they are applicable. At each Consultative meeting, the desirability of continuing the existence of any subsidiary body shall be reviewed.

* *In private* means that the meetings can be attended by invitation only in accordance with [Rule 3](#) of these Rules of Procedure.

Agenda

Rule 13

The provisional agenda for a meeting shall be prepared by the Secretary-General and approved by the Chair; it shall normally be communicated with the basic supporting documents to the States and organizations invited thereto at least two months before the opening of the meeting.

Rule 14

The first item on the provisional agenda for a meeting shall be the adoption of the agenda.

Rule 15

Any item of the agenda of a meeting, consideration of which has not been completed at that meeting shall be included in the agenda of a subsequent meeting unless otherwise decided by the meeting.

Rule 16

The provisional agenda for a meeting shall include, inter alia:

- (a) All items the inclusion of which has been requested by a previous meeting.
- (b) Any item proposed by a Contracting Party.
- (c) Any amendment to the Convention proposed by a Contracting Party.

Rule 17

The Secretary-General shall report on the technical, administrative and financial implications of any substantive agenda items submitted to a meeting and, unless the meeting decides otherwise, no such item shall be considered until the day after the Secretary-General's report has been made available to the meeting.

Rule 18

In exceptional circumstances the Secretary-General, with the approval of the Chair, may propose in a supplementary provisional agenda any suitable

question which may arise between the despatch of the provisional agenda and the opening day of the meeting; the supplementary provisional agenda shall be circulated at the earliest possible date. The meeting shall examine the supplementary provisional agenda together with the provisional agenda.

Rule 19

Unless it determines otherwise, the meeting shall not proceed to the discussion of any item on the agenda until the day after the relevant documents have been made available to Contracting Parties in all working languages.

Chair and Vice-Chairs

Rule 20

The Consultative meeting shall elect, at the closure of each session, from among Contracting Parties to either the Convention or the Protocol the following officers: a Chair, a first Vice-Chair and a second Vice-Chair, who shall each hold office during the intersessional period and the next Consultative meeting. They shall all be eligible for re-election but may not hold the same office continuously for more than four years. The Chair or a Vice-Chair acting as Chair shall not vote.

Rule 21

If the Chair is absent from any part of a meeting, the first Vice-Chair or if absent the second Vice-Chair, shall preside. If the Chair, for any reason, is unable to complete the term of office, the first Vice-Chair or if absent the second Vice-Chair, shall act as Chair pending the election of a new Chair.

Secretary-General

Rule 22

The Secretary-General shall act as Secretary of the meeting. This function may be delegated to a staff member of the Organization.

Rule 23

The Secretary-General, or a staff member of the Organization designated for the purpose, may make either oral or written statements concerning any questions under consideration in a meeting.

Rule 24

Upon reception, the Secretary-General shall provide for translation and circulation to participants of all reports, resolutions, recommendations and other documents of the meeting and any subsidiary bodies.

Languages

Rule 25

The official languages of a meeting are English, Chinese, French, Russian and Spanish; the working languages are English, French and Spanish.

Rule 26

Speeches at a meeting shall be made in one of the official languages and will be interpreted into the other four official languages.

Rule 27

1 All supporting documents to agenda items of a meeting shall be issued in the working languages.

2 All reports, resolutions, recommendations and decisions of a meeting shall be drawn up in one of the official languages and translated into the other four languages.

Voting

Rule 28

Each Contracting Party represented at a meeting shall have one vote.

Rule 29

Unless otherwise provided for in the Convention, decisions of a meeting shall be taken, elections determined and reports, resolutions and recommendations adopted by a majority of the Contracting Parties present and voting, provided the requirements of Rule 35 are satisfied.

Rule 30

1 A meeting shall normally vote by show of hands; however, any Contracting Party may request a roll-call which shall be taken in the alphabetical order of the names of the Contracting Parties in English, beginning with the Contracting Party whose name is drawn by lot by the Chair.

2 Upon the proposal of any Contracting Party and with the consent of a majority of the Contracting Parties present and voting, the voting procedure of 1 may be set aside and a secret ballot held.

Rule 31

If a vote taken under Rule 29 is equally divided, a second vote shall be taken. This second vote shall be taken at the same meeting and, if possible, on a subsequent day to that on which the first vote was taken. If this vote also is equally divided, the proposal shall be regarded as rejected.

Rule 32

In a secret ballot two scrutineers shall, on the proposal of the Chair, be appointed by the meeting from the delegations present. All invalid votes cast shall be reported to the meeting.

Elections

Rule 33

The Chair and Vice-Chairs shall be elected by secret ballot, unless the consultative meeting decides otherwise.

Rule 34

1 If no candidate obtains a majority of the votes cast in the first ballot, a second ballot shall be taken. The second ballot shall be confined to the two candidates obtaining the largest number of votes, except that:

- (a) where two or more candidates obtain the same highest number of votes, the second ballot shall be confined to those candidates;
- (b) where two or more candidates obtain the same second highest number of votes, the second ballot shall be confined to those candidates and to the candidate obtaining the highest number of votes.

2 If necessary, further ballots shall be held until under this Rule the number of candidates is reduced to two. If on the final ballot between two candidates the votes are equally divided the election shall be deferred until the following day, when, if another tie results, the Chair shall decide between the candidates by drawing lots.

Quorum

Rule 35

The quorum for a meeting shall be two-fifths of the total number of Contracting Parties or twenty, whichever shall be less.

Conduct of business

Rule 36

In addition to exercising the powers conferred elsewhere by these Rules, the Chair shall declare the opening and closing of a meeting. The Chair shall direct the discussion and ensure observance of these Rules, accord the right to speak, put questions to the vote and announce decisions resulting from the voting.

Rule 37

Contracting Parties shall normally introduce proposals and amendments thereto in writing and hand them to the Secretary-General who shall have

copies circulated to participants. As a general rule, no proposal shall be discussed or put to the vote unless copies of it have been made available in all working languages to participants not later than the day preceding the discussion of that proposal. The Chair may, however, permit the discussion and determination of amendments or of motions as to procedure even though these amendments and motions have not been circulated or have only been circulated the same day.

Rule 38

A meeting may, on the proposal of the Chair or a Contracting Party, decide to limit the time to be allowed to each speaker on any particular subject under discussion.

Rule 39

1 During the discussion of any matter a Contracting Party may rise to a point of order and the point of order shall be decided immediately by the Chair, in accordance with these Rules of Procedure. A Contracting Party may appeal against the ruling of the Chair. The appeal shall be put to the vote immediately and the Chair's ruling shall stand unless overruled by a majority of the Contracting Parties present and voting.

2 A Contracting Party rising to a point of order may not, at that time, speak on the substance of the matter under discussion.

Rule 40

1 Subject to the provisions of Rule 39 the following motions shall have precedence, in the order indicated below, over all other proposals or motions before the meeting:

- (a) to suspend a meeting;
- (b) to adjourn a meeting;
- (c) to adjourn the debate on the question under discussion; and
- (d) for the closure of the debate on the question under discussion.

2 Permission to speak on a motion falling within (1)(a) to (d) shall be granted only to the proposer and in addition to one speaker in favour of and two against the motion, after which it shall be put immediately to the vote.

Rule 41

If two or more proposals relate to the same question, a meeting, unless it decides otherwise, shall vote on the proposals in the order in which they have been submitted.

Rule 42

Parts of a proposal or amendment thereto shall be voted on separately if the Chair, with the consent of the proposer, so decides, or if any Contracting Party requests that the proposal or amendment thereto be divided and the proposer raises no objection. If objection is raised, permission to speak on the point shall be given first to the mover of the motion to divide the proposal or amendment, and then to the mover of the original proposal or amendment under discussion, after which the motion to divide the proposal or amendment shall be put immediately to the vote.

Rule 43

Those parts of a proposal which have been approved shall then be put to the vote as a whole; if all the operative parts of the proposal or amendment have been rejected, the proposal or amendment shall be considered to be rejected as a whole.

Rule 44

A motion is considered to be an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal. An amendment shall be voted on before the proposal to which it relates is put to the vote, and if the amendment is adopted, the amended proposal shall then be voted on.

Rule 45

If two or more amendments are moved to a proposal, a meeting shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom and so on, until all amendments have been put to the vote. The Chair shall determine the order of voting on the amendments under this Rule.

Rule 46

A motion may be withdrawn by its proposer at any time before voting on it has begun, provided that the motion has not been amended or that an amendment to it is not under discussion. A motion withdrawn may be reintroduced by any Contracting Party having the right to submit such a motion.

Rule 47

When a proposal has been adopted or rejected, it may not be reconsidered at the same meeting unless a majority of the Contracting Parties present and voting decides in favour of reconsideration. 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 the vote.

Amendments of Rules of Procedure

Rule 48

These Rules of Procedure may be amended by decision of a meeting, taken by a majority of the Contracting Parties present and voting. A meeting may decide by a majority vote of Contracting Parties present and voting to suspend the application of a particular Rule or Rules for the duration of a meeting or reconsideration of a particular matter.

Application of the Rules

Rule 49

In the event of any conflict between any provision of these Rules and any provision of the Convention, the Convention shall prevail.

**RULES OF PROCEDURE FOR
THE MEETINGS AND SPECIAL
MEETINGS OF
CONTRACTING PARTIES TO
THE 1996 PROTOCOL TO
THE CONVENTION ON THE
PREVENTION OF
MARINE POLLUTION BY
DUMPING OF WASTES
AND OTHER MATTER, 1972**

RULES OF PROCEDURE FOR THE MEETINGS AND SPECIAL MEETINGS OF CONTRACTING PARTIES TO THE 1996 PROTOCOL TO THE CONVENTION ON THE PREVENTION OF MARINE POLLUTION BY DUMPING OF WASTES AND OTHER MATTER, 1972*

Definitions

Rule 1

For the purposes of these Rules of Procedure:

- (a) *Protocol* means the 1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972, as amended in 2006;
- (b) *Convention* means the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972, as amended in 1978, 1980, 1989 and 1993;
- (c) *Organization* means the International Maritime Organization;[†]
- (d) *Secretary-General* means the Secretary-General of the Organization;[‡]
- (e) *Meeting* means a meeting of Contracting Parties or a special meeting of Contracting Parties convened in accordance with article 19.2.1 of the Protocol;

* See introduction on [page 171](#).

† See article 1.2 of the Protocol.

‡ See article 1.3 of the Protocol.

- (f) *Contracting Party* means a State which has deposited an instrument of ratification or accession and for which the Protocol is in force;
- (g) *Chair* means the officer elected in accordance with Rule 20 or either of the Vice-Chairs when exercising the functions of the Chair;
- (h) *Contracting Parties present and voting* means Contracting Parties casting an affirmative or negative vote. Contracting Parties abstaining from voting shall be considered as not voting.

Participation

Rule 2

A meeting shall be open to all Contracting Parties who shall be invited thereto by the Secretary-General.

Rule 3

The Secretary-General shall send invitations, to be represented by observers at each meeting, to the following:

- (a) States which have signed or acceded to the Protocol and which will not be Contracting Parties at the time of the meeting;
- (b) States which have not signed or acceded to the Protocol, but which have indicated to the Secretary-General their interest in becoming a Contracting Party;
- (c) States which are Contracting Parties to the Convention but not to the Protocol;
- (d) States which would be invited to send observers to meetings under the Convention, in accordance with the Rules of Procedure of the Convention;
- (e) the United Nations, its specialized agencies and the International Atomic Energy Agency;
- (f) any other intergovernmental organization which the Contracting Parties, at a meeting, have decided to invite;
- (g) any non-governmental international organization with specialized technical expertise relating to the objectives of the Protocol, which the Contracting Parties at a meeting, have decided to invite.

Rights of observers in meetings

Rule 4

1 All observers shall have the right to receive the provisional agenda and other appropriate documents relating to the meeting. They may, with the approval of the Contracting Parties at the meeting, submit relevant documents.

2 Observers from States, from the United Nations, its specialized agencies and the International Atomic Energy Agency and from other inter-governmental organizations may participate without vote in the deliberations at the meetings.

3 Observers from non-governmental international organizations may, upon invitation by the Chair and with approval of the Contracting Parties at the meeting, participate in meetings in the deliberations on matters of direct concern to them without vote.

Rule 5

For each meeting, a Contracting Party shall designate a representative and such alternates, advisers and experts as may be required.

Delegations and credentials

Rule 6

Each State and international organization intending to participate in a meeting shall notify the Secretary-General in writing as soon as possible, and in any case not later than the opening day of the meeting, of the composition of its delegation or observers to such meeting.

Rule 7

For a meeting convened for the purpose of adopting amendments to the Protocol in accordance with articles 21 and 22 thereof, each Contracting Party shall transmit to the Secretary-General the credentials of its representative and alternates, if any. Credentials shall be issued by the Head of State or by the Head of Government or by the Minister for Foreign Affairs, or by an appropriate authority properly designated by one of them for the purpose. The credentials of each representative and alternate shall be examined by the Secretary-General who shall report thereon to the meeting. Pending

a decision of the meeting on their credentials, representatives and their alternates, if any, shall be entitled to participate provisionally in the meeting.

Meetings

Rule 8

Meetings shall be held at the Headquarters of the Organization unless convened elsewhere in accordance with a decision of a previous meeting.

Rule 9

The Secretary-General, in consultation with the meeting, shall determine the dates and duration of meetings, which shall be held in conjunction with meetings convened under the Convention, unless the meeting decides otherwise.

Rule 10

The Secretary-General, acting on the direction of the Chair, shall notify the States and organizations referred to in Rules 2 and 3 at least two months in advance of the holding of a meeting.

Rule 11

A meeting may decide to hold meetings in private* or public. In the absence of a decision to hold meetings in public, they shall be held in private.

Subsidiary bodies

Rule 12

A meeting may establish such subsidiary bodies as it considers necessary. Such subsidiary bodies shall follow the present Rules of Procedure so far as they are applicable. At each meeting of Contracting Parties, the desirability of continuing the existence of any subsidiary body shall be reviewed.

* *In private* means that the meetings can be attended by invitation only in accordance with [Rule 3](#) of these Rules of Procedure.

Agenda

Rule 13

The provisional agenda for a meeting shall be prepared by the Secretary-General and approved by the Chair; it shall normally be communicated with the basic supporting documents to the States and organizations invited thereto at least two months before the opening of the meeting.

Rule 14

The first item on the provisional agenda for a meeting shall be the adoption of the agenda.

Rule 15

Any item of the agenda of a meeting, consideration of which has not been completed at that meeting shall be included in the agenda of a subsequent meeting unless otherwise decided by the meeting.

Rule 16

The provisional agenda for a meeting shall include, inter alia:

- (a) All items the inclusion of which has been requested by a previous meeting.
- (b) Any item proposed by a Contracting Party.
- (c) Any amendment to the Protocol proposed by a Contracting Party.

Rule 17

The Secretary-General shall report on the technical, administrative and financial implications of any substantive agenda items submitted to a meeting and, unless the meeting decides otherwise, no such item shall be considered until the day after the Secretary-General's report has been made available to the meeting.

Rule 18

In exceptional circumstances the Secretary-General, with the approval of the Chair, may propose in a supplementary provisional agenda any suitable question which may arise between the despatch of the provisional agenda

and the opening day of the meeting; the supplementary provisional agenda shall be circulated at the earliest possible date. The meeting shall examine the supplementary provisional agenda together with the provisional agenda.

Rule 19

Unless it determines otherwise, the meeting shall not proceed to the discussion of any item on the agenda until the day after the relevant documents have been made available to Contracting Parties in all working languages.

Chair and Vice-Chairs

Rule 20

The meeting of Contracting Parties shall elect, at the closure of each session, from among Contracting Parties to either the Convention or the Protocol the following officers: a Chair, a first Vice-Chair and a second Vice-Chair, who shall each hold office during the intersessional period and the next meeting of Contracting Parties. They shall all be eligible for re-election but may not hold the same office continuously for more than four years. The Chair or a Vice-Chair acting as Chair shall not vote.

Rule 21

If the Chair is absent from any part of a meeting, the first Vice-Chair or if absent the second Vice-Chair, shall preside. If the Chair, for any reason, is unable to complete the term of office, the first Vice-Chair or if absent the second Vice-Chair, shall act as Chair pending the election of a new Chair.

Secretary-General

Rule 22

The Secretary-General shall act as Secretary of the meeting. This function may be delegated to a staff member of the Organization.

Rule 23

The Secretary-General, or a staff member of the Organization designated for the purpose, may make either oral or written statements concerning any questions under consideration in a meeting.

Rule 24

Upon reception, the Secretary-General shall provide for translation and circulation to participants of all reports, resolutions, recommendations and other documents of the meeting and any subsidiary bodies.

Languages

Rule 25

The official languages of a meeting are Arabic, English, Chinese, French, Russian and Spanish; the working languages are English, French and Spanish.

Rule 26

Speeches at a meeting shall be made in one of the official languages and will be interpreted into the other five official languages.

Rule 27

- 1 All supporting documents to agenda items of a meeting shall be issued in the working languages.
- 2 All reports, resolutions, recommendations and decisions of a meeting shall be drawn up in one of the official languages and translated into the other five languages.

Voting

Rule 28

Each Contracting Party represented at a meeting shall have one vote.

Rule 29

Unless otherwise provided for in the Protocol, decisions of a meeting shall be taken, elections determined and reports, resolutions and recommendations adopted by a majority of the Contracting Parties present and voting, provided the requirements of Rule 35 are satisfied.

Rule 30

1 A meeting shall normally vote by show of hands; however, any Contracting Party may request a roll-call which shall be taken in the alphabetical order of the names of the Contracting Parties in English, beginning with the Contracting Party whose name is drawn by lot by the Chair.

2 Upon the proposal of any Contracting Party and with the consent of a majority of the Contracting Parties present and voting, the voting procedure of 1 may be set aside and a secret ballot held.

Rule 31

If a vote taken under Rule 29 is equally divided, a second vote shall be taken. This second vote shall be taken at the same meeting and, if possible, on a subsequent day to that on which the first vote was taken. If this vote also is equally divided, the proposal shall be regarded as rejected.

Rule 32

In a secret ballot two scrutineers shall, on the proposal of the Chair, be appointed by the meeting from the delegations present. All invalid votes cast shall be reported to the meeting.

Elections

Rule 33

The Chair and Vice-Chairs shall be elected by secret ballot, unless the meeting of Contracting Parties decides otherwise.

Rule 34

1 If no candidate obtains a majority of the votes cast in the first ballot, a second ballot shall be taken. The second ballot shall be confined to the two candidates obtaining the largest number of votes, except that:

- (a) where two or more candidates obtain the same highest number of votes, the second ballot shall be confined to those candidates;
- (b) where two or more candidates obtain the same second highest number of votes, the second ballot shall be confined to those candidates and to the candidate obtaining the highest number of votes.

2 If necessary, further ballots shall be held until under this Rule the number of candidates is reduced to two. If on the final ballot between two candidates the votes are equally divided the election shall be deferred until the following day, when, if another tie results, the Chair shall decide between the candidates by drawing lots.

Quorum

Rule 35

The quorum for a meeting shall be two-fifths of the total number of Contracting Parties or twenty, whichever shall be less.

Conduct of business

Rule 36

In addition to exercising the powers conferred elsewhere by these Rules, the Chair shall declare the opening and closing of a meeting. The Chair shall direct the discussion and ensure observance of these Rules, accord the right to speak, put questions to the vote and announce decisions resulting from the voting.

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Contracting Parties shall normally introduce proposals and amendments thereto in writing and hand them to the Secretary-General who shall have copies circulated to participants. As a general rule, no proposal shall be discussed or put to the vote unless copies of it have been made available in all working languages to participants not later than the day preceding the discussion of that proposal. The Chair may, however, permit the discussion and determination of amendments or of motions as to procedure even though these amendments and motions have not been circulated or have only been circulated the same day.

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A meeting may, on the proposal of the Chair or a Contracting Party, decide to limit the time to be allowed to each speaker on any particular subject under discussion.

Rule 39

1 During the discussion of any matter a Contracting Party may rise to a point of order and the point of order shall be decided immediately by the Chair, in accordance with these Rules of Procedure. A Contracting Party may appeal against the ruling of the Chair. The appeal shall be put to the vote immediately and the Chair's ruling shall stand unless overruled by a majority of the Contracting Parties present and voting.

2 A Contracting Party rising to a point of order may not, at that time, speak on the substance of the matter under discussion.

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- (d) for the closure of the debate on the question under discussion.

2 Permission to speak on a motion falling within 1(a) to (d) shall be granted only to the proposer and in addition to one speaker in favour of and two against the motion, after which it shall be put immediately to the vote.

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If two or more proposals relate to the same question, a meeting, unless it decides otherwise, shall vote on the proposals in the order in which they have been submitted.

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Parts of a proposal or amendment thereto shall be voted on separately if the Chair, with the consent of the proposer, so decides, or if any Contracting Party requests that the proposal or amendment thereto be divided and the proposer raises no objection. If objection is raised, permission to speak on the point shall be given first to the mover of the motion to divide the proposal or amendment, and then to the mover of the original proposal or amendment under discussion, after which the motion to divide the proposal or amendment shall be put immediately to the vote.

Rule 43

Those parts of a proposal which have been approved shall then be put to the vote as a whole; if all the operative parts of the proposal or amendment have been rejected, the proposal or amendment shall be considered to be rejected as a whole.

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A motion is considered to be an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal. An amendment shall be voted on before the proposal to which it relates is put to the vote, and if the amendment is adopted, the amended proposal shall then be voted on.

Rule 45

If two or more amendments are moved to a proposal, a meeting shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom and so on, until all amendments have been put to the vote. The Chair shall determine the order of voting on the amendments under this Rule.

Rule 46

A motion may be withdrawn by its proposer at any time before voting on it has begun, provided that the motion has not been amended or that an amendment to it is not under discussion. A motion withdrawn may be reintroduced by any Contracting Party having the right to submit such a motion.

Rule 47

When a proposal has been adopted or rejected, it may not be reconsidered at the same meeting unless a majority of the Contracting Parties present and voting decides in favour of reconsideration. 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 the vote.

Amendments of Rules of Procedure

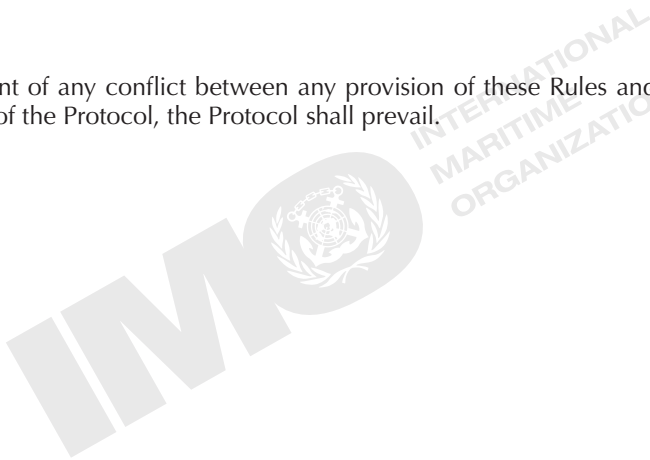
Rule 48

These Rules of Procedure may be amended by decision of a meeting, taken by a majority of the Contracting Parties present and voting. A meeting may decide by a majority vote of Contracting Parties present and voting to suspend the application of a particular Rule or Rules for the duration of a meeting or reconsideration of a particular matter.

Application of the Rules

Rule 49

In the event of any conflict between any provision of these Rules and any provision of the Protocol, the Protocol shall prevail.



This edition incorporates amendments to the Convention on the International Maritime Organization up to December 2021.

It also includes amendments to the Rules of Procedure of:

- the Assembly up to December 2021;
- the Council up to November 2021;
- the Maritime Safety Committee up to June 2017;
- the Legal Committee up to April 2017;
- the Marine Environment Protection Committee up to July 2017;
- the Technical Cooperation Committee up to July 2017;
- the Facilitation Committee up to June 2018; and
- Meetings under the London Convention, 1972 and the 1996 Protocol to the London Convention up to November 2018.