
4 ALBERT EMBANKMENT
LONDON SE1 7SR
Telephone: +44 (0)20 7735 7611 Fax: +44 (0)20 7587 3210

TC.1/Circ.71
16 August 2017

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

1 The Technical Cooperation Committee, at its sixty-seventh session (17 to 19 July 2017), considered and approved amendments to its Rules of Procedure, pursuant to the decision of the 116th session of Council to harmonize the terms of office in the Rules of Procedure of all committees and sub-committees; limit the total term of office of the Chair and Vice-Chair to five years in office; and establish the use of the new gender-neutral term "Chair" in the Rules of Procedure of the committees.

2 Accordingly, the amended Rules of Procedure of the Technical Cooperation Committee are attached in the annex.

ANNEX

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.

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 United Nations Environment; 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 a 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 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.
