

**Proposal for Consideration by the Council**  
**Revision of Rule 12 of the Rules of Procedure of the Council**  
**concerning the timing of the election of the Chair and the Vice-Chair**

<b>Submitted by:</b>	Secretary-General
<b>Executive Summary:</b>	In accordance with Decision 20 of the 1 <sup>st</sup> Session of the Assembly, this proposal invites the Council to consider and endorse revisions to Rule 12 of the Rules of Procedure of the Council concerning the timing of the term of office of the Chair and the Vice-Chair, for subsequent submission to the second session of the Assembly in 2020 for its approval.
<b>Related Documents:</b>	IHO Publication M-1 - <i>Basic Documents of the IHO</i> - Edition 2.1.0 - June 2017

### Introduction

1. The first session of the IHO Assembly acknowledged that it was preferable that the Chair and Vice-Chair of the Council were appointed before the first meeting of the Council after the Assembly, in order that appropriate preparatory discussions could take place between the Chair, the Vice-Chair and the Secretary-General.
2. The Assembly went on, through Decision 20, to instruct ... *the Council to consider whether Rule 12 of the Rules of Procedure for the Council requires permanent amendment and to make proposals accordingly and if required for consideration by the Assembly at its next session (A-2).*

### Discussion

3. It is preferable that the Chair and the Vice-Chair of the Council are identified in advance of the first meeting of the Council during the inter-sessional period between Assemblies. This will enable the Chair and Vice-Chair to make appropriate preparations both for the first meeting under their leadership and for the work programme that they envisage for the Council in the inter-sessional period.
4. In addition, it is important to identify the Chair of the Council as soon as practicable after the Council has been appointed by the Assembly, because the Chair of the Council performs a number of other responsibilities, and in particular, as the arbiter of last resort for disputes in relation to the application of certain aspects of the Staff Regulations. This function can be required at any time.
5. **Options.** Early election of the Chair and Vice-Chair could be achieved either by holding an election immediately after the Council has been appointed by the Assembly, or by postal voting shortly thereafter. Both options were considered by the first session of the Assembly. It was decided that postal voting was preferable for several reasons, including the need to provide time for those Member States represented on the Council to consider whether to nominate for the positions of Chair and Vice-Chair and who they might wish to nominate. Similarly, Member States represented on the Council require time to consider their vote once candidates have been nominated.

### Proposal

6. It is therefore proposed that Rule 12 of the Rules of Procedure of the Council be amended to enable a postal ballot to take place shortly after the Council has been appointed by the Assembly. The postal ballot would follow the same procedure agreed by the first session of the Council for the election of the current Chair and Vice-Chair positions. The submission of votes from at least two thirds of the members of the Council would be required for an election to be valid.

7. A proposed revised text for Rule 12 of the Rules of Procedure of the Council is set out in Annex A to this submission.

**Action required of the Council**

8. The Council is invited to:

- a. **endorse** the proposed revised text of Rule 12 of the Rules of Procedure of the Council as set out in Annex A;
- b. **propose** the agreed text to the 2<sup>nd</sup> session of the Assembly for its adoption; and
- c. **take any other actions** that may be appropriate..

**Proposed Revised Rule 12 of the Rules of Procedure of the Council**

Proposed changes shown in red / ~~red~~.

## RULE 12

(a) Members shall elect the Chair and Vice-Chair ~~during their first meeting~~ by correspondence as soon as is practicable after each ordinary session of the Assembly.

(b) ~~The Secretary-General shall chair the opening of that first meeting until election of the Chair. The Secretary-General shall be responsible for conducting the election. The election shall be held by secret ballot. Under normal circumstances, the following timetable shall apply:~~

*(A = last day of the ordinary session of the Assembly)*

A + five weeks                      Nominations for the positions of Chair and Vice-Chair of the Council closed

A + ten weeks                      Voting closed

(c) The candidates receiving the largest number of votes for each position shall be elected with the minimum number of votes cast being at least two-third of the Members.

(d) At meetings where the Chair and Vice-Chair are to be elected those elections shall respectively be the second and third items on the agenda. In the event of a tie for the position of Chair, a second round run-off will take place by postal ballot between those nominees with the highest equal number of votes. The following timetable shall apply:

*(A = last day of the ordinary session of the Assembly)*

A + fifteen weeks                      Voting closed

(e) In the event of a tie for the position of Vice-Chair, a second round run-off will take place during the next meeting of the Council between those nominees with the highest equal number of votes.

(f) ~~or in~~ In the case of a vacancy arising in the position of Vice-Chair during the inter-sessional period, an election shall take place during the next meeting of the Council. The nominations for the position shall be closed ten weeks before the opening day of the meeting of the Council and the Secretary-General shall submit the list of nominees to the Member States together with the supporting documents for the meeting at least two months prior to the opening day of the meeting.

Proposed revised version:

RULE 12

- (a) Members shall elect the Chair and Vice-Chair by correspondence as soon as is practicable after each ordinary session of the Assembly.
- (b) The Secretary-General shall be responsible for conducting the election. The election shall be held by secret ballot. Under normal circumstances, the following timetable shall apply:

*(A = last day of the ordinary session of the Assembly)*

A + five weeks                      Nominations for the positions of Chair and Vice-Chair of the Council closed

A + ten weeks                      Voting closed

- (c) The candidates receiving the largest number of votes for each position shall be elected with the minimum number of votes being at least two-third of the Members.
- (d) In the event of a tie for the position of Chair, a second round run-off will take place by postal ballot between those nominees with the highest equal number of votes. The following timetable shall apply:

*(A = last day of the ordinary session of the Assembly)*

A + fifteen weeks                      Voting closed

- (e) In the event of a tie for the position of Vice-Chair, a second round run-off will take place during the next meeting of the Council between those nominees with the highest equal number of votes.
- (f) In the case of a vacancy arising in the position of Vice-Chair during the inter-sessional period, an election shall take place during the next meeting of the Council. The nominations for the position shall be closed ten weeks before the opening day of the meeting of the Council and the Secretary-General shall submit the list of nominees to the Member States together with the supporting documents for the meeting at least two months prior to the opening day of the meeting.