

**Record of the 2nd Session of the Preparatory Conference for the North Pacific Fisheries
Commission
Tokyo, Japan
20 February- 24 February 2012
Meeting Report**

1. Welcome and opening of the Meeting

The 2nd session of the Preparatory Conference for the North Pacific Fisheries Commission convened in Tokyo, Japan, 20-24 February 2012. Shingo Ota, Senior Fisheries Negotiator in the Fisheries Agency of Japan, opened the meeting and welcomed participants to Tokyo. A list of participants appears as Attachment 1.

2. Election of Rapporteur

Robert Jones (United States) was elected to serve as Rapporteur for the meeting.

3. Adoption of agenda

The agenda was reviewed, revised and adopted (Attachment 2).

4. Discussion on the draft Rules of Procedure of the Commission

Participants read through the revised draft Rules of Procedure. Tentative agreement was reached on all substantive aspects of the text. The revised version of the draft Rules of Procedure is included as Attachment 3. Participants confirmed that Rule 2.12 does not prejudice any future decision of the Commission as to whether or not the transfer of allocations shall be subject to approval of the Commission. A clean final draft of the Rules of Procedure will be circulated as soon as it is available.

5. Discussion on the draft Financial Regulations of the Commission

Participants read through the revised draft Financial Regulations. Tentative agreement was reached on all substantive aspects of the text including a budget formula for the Commission. The revised version of the draft Financial Regulations is included as Attachment 4. A clean final draft of the Financial Regulations will be circulated as soon as it is available.

6. Discussion on the Secretariat of the Commission

The Preparatory Conference agreed to the establishment of an independent Secretariat for the Commission. Canada, Japan and Korea expressed interest in hosting the Secretariat. At the 3rd session of the Preparatory Conference each of these delegations will be allowed one-half hour to make a presentation on their respective bids. The order of the presentations will be determined by random lottery.

7. Discussion on other issues

- 1) *The budget for the first financial period of the Commission:* Participants discussed the model for the budget for the first financial period for the Commission and reviewed examples of budget categories prepared by the Interim Secretariat (Attachment 5). Participants agreed that it would be useful to prepare and review respective costs of prospective Secretariat host members. The Interim Secretariat will provide a template

which indicates various costs to be considered in the budget by the end of March. Each member wishing to host the Secretariat will submit the template to the Interim Secretariat by the end of June. Participants agreed that the rotational model for Conference meetings should continue once the Convention enters into force. There appeared to be broad support for including the costs of holding regular meetings in the Commission's general budget to avoid the need for each member to request extraordinary expenses in order to host the meeting.

- 2) *The format of an annual report to be submitted by each member:* Participants discussed the draft Format of the Annual Report to the Commission prepared by the Interim Secretariat (Attachment 6) and provided comments. Participants agreed that additional comments would be provided to the Interim Secretariat no later than 31 March 2012. The Interim Secretariat expressed intent to circulate a revised draft reflecting these edits in advance of the 3rd session of the Preparatory Conference.
- 3) *Staff Regulations:* Participants began a first reading of the draft Staff Regulations prepared by the Interim Secretariat (Attachment 7) and proposed initial edits. Participants confirmed that the entire text is open for further comments. The review of the draft will continue at the 3rd session of the Preparatory Conference.

Participants confirmed that the budget and many provisions in the Staff Regulations should be considered after the decision on the location of the Secretariat.

8. Status of the Convention

Participants confirmed that the English and French texts of the Convention are authentic and definitive, subject to formatting by the depositary, and to the inclusion in these texts of the date and location at which the Convention will be opened for signature. Participants agreed that the Convention should be opened for signature at the earliest possible date. Korea, acting as depositary, expressed intent to provide a timeline for these preparations, including providing certified copies of the Convention to participants, after receiving final texts from the Chair. The other participants requested that Korea provide each delegation with certified copies of the English and French Convention texts no later than 31 March 2012. Members tentatively agreed that the Convention should be open for signature on 1 April 2012 or, if the certified copies are provided after 1 April 2012, the date upon which the certified copies are provided. In order to ensure that the Convention be opened for signature at the earliest possible time, participants agreed not to have a formal signing ceremony for the Convention, but to open the Convention for signature in Seoul, Korea on the specified date.

9. Future work plan

No changes were made to the future work plan of the Preparatory Conference.

10. Other matters

The Interim Secretariat reported on the results of the UN FAO VME Database Workshop (Attachment 8). Participants thanked Japan and the United States for sending representatives to the workshop on behalf of the NPFC. The United States reminded participants of the need to engage with the Ad hoc Working Group on encounter protocols.

Participants discussed the letter from the NPAFC requesting that the NPFC Preparatory Conference send a representative as an observer to the next NPAFC meeting in October 2012. Russia offered to identify a member of its delegation to serve in this role and provide a report at the 4th session of the Preparatory Conference. Participants thanked Russia for undertaking this role. The Interim Secretariat will be in contact with the NPAFC to inform them that the NPFC Preparatory Conference has accepted the invitation.

11. Date and place of next meeting

Participants accepted an offer from the United States to host the 3rd session of the Preparatory Conference to be held in Juneau, Alaska during the week of 27-31 August 2012.

12. Adoption of the Record of the meeting

Participants adopted this Record of the Meeting.

13. Adjournment

Participants thanked the Chair and the Rapporteur for their efficient conduct of the meeting and thanked the Interim Secretariat and the host government for their preparations and arrangements. The meeting adjourned at 11:18 AM on 24 February 2012.

Attachment 1

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Attachment 2

2nd Session of the Preparatory Conference for the North Pacific Fisheries Commission

**Tokyo, Japan
20 - 24 February 2012**

Agenda

1. Welcome and opening of the meeting
2. Election of Rapporteur
3. Adoption of agenda
4. Discussion on the draft Rules of Procedures of the Commission
5. Discussion on the draft Financial Regulations of the Commission
6. Discussion on the Secretariat of the Commission
7. Discussion on other issues
 - (1) The budget for the first financial period of the Commission
 - (2) The format of an annual report to be submitted by each member
 - (3) Staff Regulations
8. Status of the Convention
9. Future work plan
10. Other matters
11. Date and place of the next meeting
12. Adoption of the Record of the Meeting
13. Adjournment

Attachment 3

Revised Draft Rules of Procedure – February 24, 2011	Comments
<p style="text-align: center;">RULE 1: REPRESENTATION AND OFFICIAL CONTACTS</p> <p>1.1 Each member of the Commission shall be represented on the Commission by one Representative, who may be accompanied to Commission meetings by up to three alternative representatives, who shall be authorized to act for the Representative in the Representative’s absence, and such other experts and advisors as may be necessary. Each member of the Commission shall notify the Executive Secretary of the names of its designated Representative and Alternate Representatives and, thereafter, any changes to the names of such representatives as soon as possible.</p> <p>1.2 Each member of the Commission shall, through its designated Representative and as soon as possible after the adoption of these rules, notify the Executive Secretary of at least two Official Contacts who shall be the points of contact for the purposes of official communications between the Commission and the member, including all notifications, invitations, and communications made pursuant to these rules.</p> <p>1.3 For each meeting of the Commission, each member of the Commission shall notify the Executive Secretary, in such standard form of designation as the Executive Secretary shall establish, of the names of its Representative, alternate representatives, experts, and advisors attending the meeting, at least one week in advance of the meeting. Following the initial notification, any changes to the list of each member’s delegation shall be provided to the Executive Secretary no later than the beginning of the meeting.</p> <p style="text-align: center;">RULE 2: DECISION MAKING</p> <p>2.1 Decisions of the Commission shall be taken in accordance with Article 8 <u>of the convention.</u> , except where the Convention expressly provides otherwise.</p>	<p>Tentatively agreed.</p> <p>Tentatively agreed.</p> <p>Tentatively agreed.</p> <p>Tentatively agreed</p>

<p>2.1 bis The quorum shall not include the members currently subject to the provisions of Article 12 subparagraph 5 of the Convention.</p>	<p>Tentatively agreed.</p>
<p>2.1 ter <u>Votes shall be taken by show of hands, roll call or, in accordance with Rule 2.1 quinqué, a confidential vote.</u> secret ballot.</p>	<p>Tentatively agreed.</p>
<p>2.1 quater A vote by roll call shall be taken upon request of a member of the Commission. Voting by roll call shall be conducted by calling in English alphabetical order the names of all members of the Commission entitled to vote. The name of the first member to be called shall be designated by lot drawn by the Chairperson. Each member shall reply “yes”, “no” or “abstain”.</p>	<p>Tentatively agreed.</p>
<p>2.1 quinqué <u>If the appointment of the Executive Secretary or the election of the Chairperson or the vice-Chairperson is not decided by consensus, the decision shall be taken by confidential vote unless otherwise decided by the Commission. A decision to conduct a confidential vote for any other matter shall be made in accordance with Article 8 of the Convention. — In exceptional circumstances, any matter may be decided by secret ballot if the Commission so determines. — A decision to conduct a secret ballot shall be decided by a majority of members of the Commission present at the time the decision is to be taken.</u></p>	<p>Tentatively agreed.</p>
<p>. <u>Intersessional Decisions</u>¹</p>	
<p>2.2. When necessary, to the extent permitted by the Convention a matter may be decided during the period between meetings electronically (e.g. email, secure Web site) or by other means of communication. Normally, such means of taking decisions shall be applied to matters of procedure. However, in exceptional circumstances, where an urgent decision is necessary, such means of taking a decision may be applied to matters of substance.</p>	<p>Tentatively agreed.</p>
<p>2.3 When it is necessary to decide any matter during the period between meetings, the Chairperson, on his or her initiative, or at the request of a member that has made a proposal, may move adoption without delay of such proposal by intersessional decision. The Chairperson, in consultation with the vice-Chairperson, shall decide</p>	<p>Tentatively agreed.</p>

¹ Drawn from relevant WCPFC Rules of Procedure

<p>on the necessity of considering the proposal intersessionally as soon as possible.</p>	
<p>2.4 In any case in which the Chairperson determines that it is not necessary to consider a motion proposed<u>proposal</u> by a member intersessionally, the Chairperson shall promptly so inform that member of such determination and the reasons therefore. Within seven (7) days of the date of such notification, the affected member may request an intersessional decision on the Chairperson’s determination, to be subject to the majority decision rule for questions of procedure set forth in the Article 8, paragraph 2(a), of the Convention.</p>	<p>Tentatively agreed.</p>
<p>2.5 In cases in which the Chairperson has concurred on the necessity of considering a proposal moved by a member intersessionally, the Chairperson shall determine <u>whether the proposal requires consensus for adoption as per the Convention or whether it may be adopted by vote and, in case of the latter,</u> whether the proposal raises a matter of procedure or a matter of substance, and in case of the latter whether the proposal requires consensus for adoption as per the Convention or whether it may be adopted by vote. The Executive Secretary shall promptly transmit to members:</p> <ul style="list-style-type: none"> (a) The proposal, including any explanatory note; (b) The determination made by the Chairperson under this paragraph, and; (c) A request for an intersessional decision. <p>The Executive Secretary shall request that responses be returned within thirty (30) calendar days.</p>	<p>Tentatively agreed.</p>
<p>2.6 Members shall promptly acknowledge receipt of any request for an intersessional decision. If no acknowledgment is received within seven (7) calendar days of the date of transmittal, the Executive Secretary shall retransmit the request and shall use all additional means available to ensure that the request has been received. For the purpose of establishing a quorum in conformity with Article 8, paragraph 4, of the Convention, confirmation by the Executive Secretary that the transmittal has been received shall be deemed conclusive regarding the participation of the member in the decision-making process.</p>	<p>Tentatively agreed.</p>
<p>2.7 Members shall respond within thirty (30) calendar days of the date of original transmittal of a proposal if they do not support adoption of the proposal (in the case of a decision to be made by consensus), or (in the case of a proposal to be decided by voting) indicating whether they cast an affirmative vote, cast a negative vote, or abstain from voting. If a member of the Commission requests additional time for consideration, a further</p>	<p>Tentatively agreed.</p>

<p>fifteen (15) days shall be allowed from the expiration of the initial thirty (30) day period. No additional extensions of time beyond one fifteen (15) day extension shall be permitted. In the event of such an extension, the Executive Secretary shall inform all members of the final date by which responses must be received. If no reply from a member is received within thirty (30) calendar days of original transmittal, or by the extended deadline, that member shall be recorded as having no objection (in the case of a decision to be made by consensus) or abstained (in the case of a proposal to be decided by voting).</p>	
<p>2.8 The result of a decision taken intersessionally shall be ascertained by the Executive Secretary by the end of the decision period and promptly announced to all members. If any explanations of views are received, these shall also be transmitted to all members. Subject to Article 9, paragraph 1(b), of the Convention, if the proposal is adopted, it shall become effective ninety (90) calendar days after the date of transmittal specified in the Chairperson's notification of the adoption of the decision by the Commission, unless otherwise specified in the decision.</p> <p>2.9—Objection procedures in Article 9 of the Convention shall apply to intersessional decisions.</p>	<p>Tentatively agreed.</p>
<p>2.10 No proposal transmitted by the Executive Secretary for an intersessional decision shall be subject to amendment during the decision period. Members shall strive to achieve consensus on all proposals submitted for intersessional decisions through timely communication between proponents and any opponents during the 45-day decision period.</p>	<p>Tentatively agreed.</p>
<p>2.11 A proposal that has been rejected by intersessional decision shall not be reconsidered until the following meeting of the Commission.</p>	<p>Tentatively agreed.</p>
<p>2.12 Unless otherwise decided by consensus of the Commission, matters to be decided intersessionally under this rule shall not include those in Articles 7, paragraphs 1 (f), <u>except for the transfer of the allocation of fishing opportunities among Members; Article 7 paragraph 1(g) and (g);</u> or Article 12, paragraphs 2 and 3.</p>	<p>Tentatively agreed.</p>

RULE 2bis: BINDING DECISIONS

2bis.1 Without prejudice to the provisions of the Convention, decisions of the Commission subject to Article 9 of the Convention shall be those pertaining to:

- Conservation and management of the fisheries resources;
- Protection of the marine ecosystems in which the fisheries resources occur;
- Data collection, compilation and exchange required to achieve the objective of the Convention;
- Monitoring, control, surveillance;
- Compliance and enforcement; and
- Experimental, scientific and exploratory fishing activities.

2bis.2 This rule is without prejudice to the competence of the Commission to adopt non-binding decisions on the above-mentioned matters.

Tentatively agreed.

RULE 3: OFFICERS

3.1 The Chairperson and the vice-Chairperson of the Commission shall be elected in accordance with Article 5, paragraph 5, of the Convention.

Tentatively agreed.

3.2 The Chairperson and vice-Chairperson shall take office at the conclusion of the ~~biennial-regular~~ meeting at which they are elected, except that the initial Chairperson and vice-Chairperson shall take office upon their elections and serve through the conclusion of the respective next biennial meetings.

Tentatively agreed.

3.3 The powers and duties of the Chairperson shall be to:

- 1) declare the opening and closing of each meeting;
- 2) preside at meetings;
- 3) direct discussions in meetings and ensure observance of these rules
- 4) accord the right to speak and limit the time allowed to speakers

Tentatively agreed.

<p>5) rule on points of order, subject to the right of any representative to request that any ruling of the Chairperson be submitted to the meeting for decision;</p> <p>6) if appropriate, call for and announce the results of votes;</p> <p>7) determine, after consultation with the Executive Secretary, the draft provisional agenda and the provisional agenda for each meeting;</p> <p>8) sign a report of the proceedings of each meeting for transmission to the members of the Commission and others concerned, as appropriate; and</p> <p>9) generally, make such decisions and give such directions to the Executive Secretary as will ensure, especially in the interval between meetings, that the business of the Commission is carried out efficiently and in accordance with its decisions;</p> <p>10) A<u>a</u>ct in representation of the Commission in accordance with the tasks that the Commission may assign; <u>and</u></p> <p>11) perform any other function assigned to him or her by the Commission or the Convention.</p>	
<p>3.4 Whenever the Chairperson is unable to act, the vice-Chairperson shall exercise the powers and duties prescribed for the Chairperson.</p>	Tentatively agreed.
<p>3.5 If the office of the Chairperson is vacated, the vice-Chairperson shall become Chairperson for the balance of the vacated term or until the Commission elects a new Chairperson. If neither the Chairperson nor the vice-Chairperson is able to carry out their functions during any meeting, the member hosting the meeting shall provide a Chairperson and the member hosting that hosted the previous meeting a vice-Chairperson for the duration of the meeting, <u>subject to Article 5 paragraph 5 of the Convention.</u></p>	Tentatively agreed.
<p><u>3.5 bis</u> If neither the Chairperson nor the vice-Chairperson is able to carry out their <u>respective</u> functions during a period between meetings, the member hosting the next meeting shall provide an interim Chairperson and the member hosting the previous meeting an interim vice-Chairperson, <u>subject to Article 5, paragraph 5 of the Convention. .;</u> until such time as the Commission elects a Chairperson and vice-Chairperson.—Unless the Commission decides otherwise, the Commission shall elect a new Chairperson and vice-Chairperson as the first order of business at the next meeting.</p>	Tentatively agreed.

<p>3.5ter <u>Notwithstanding rules 3.5 and 3.5bis, above, in exceptional circumstances where the designated Member is not able to provide an interim Chairperson or vice-Chairperson, the Member that hosted the previous meeting shall provide a Chairperson and the Member that hosted the meeting previous to that shall provide a vice-Chairperson, subject to Article 5 paragraph 5 of the Convention.</u></p>	<p>Tentatively agreed.</p>
<p>3.6 A Chairperson, or vice-Chairperson when acting as Chairperson, shall not act as a delegate (i.e., Representative, alternate representative, expert or advisor) of a Contracting Party.</p>	<p>Tentatively agreed.</p>
<p>3.7 If the Chairperson or vice-Chairperson ceases to be a delegate-Representative of a Contracting Party, or if a Contracting Party of which he or she is a delegate-Representative ceases to be a member of the Commission, he or she shall cease to hold office and a new Chairperson or vice-Chairperson shall be elected <u>determined in accordance with Rules 3.5 and 3.5bis.</u></p>	<p>Tentatively agreed.</p>
<p>RULE 4: AGENDAS AND MEETING CONDUCT</p>	
<p>4.1 - Agendas</p>	
<p>4.1.1 The Executive Secretary shall prepare, under the guidance of the Chairperson, a draft provisional agenda for each meeting and dispatch the agenda to all members of the Commission <u>and observers referred to in Rule 8.1</u> and accredited observers not less than ninety (90) calendar days before the date fixed for the opening of the meeting. At the same time, the Executive Secretary shall post the date and place of the meeting on the Commission’s website. The Provisional Agenda shall also be posted on the website as soon as it is available.</p>	<p>Tentatively agreed.</p>
<p>4.1.2 If members of the Commission propose to change the draft provisional agenda, they shall inform the Executive Secretary to that effect not less than seventy-five (75) calendar days before the date fixed for the opening of the meeting. The Executive Secretary, under the guidance of the Chairperson, shall revise the draft provisional agenda, taking into account any suggestions or comments received from members following distribution of the draft provisional agenda, and distribute a revised agenda</p>	<p>Tentatively agreed.</p>

<p>to all members of the Commission and observers referred to in Rule 8.1 not less than sixty (60) calendar days before the date fixed for the opening of the meeting. The Executive Secretary may modify the deadlines set forth above if so requested by any member of the Commission or by the Chairperson.</p>	
<p>4.1.3 The agenda shall be adopted at the beginning of the meeting.</p>	Tentatively agreed.
<p>4.2 - Open and closed meetings</p>	
<p>4.2.1 The meetings of the Commission shall be open to all registered delegates and observers representatives unless the Commission decides that exceptional circumstances require that meetings be held in closed session.</p>	Tentatively agreed.
<p>4.2.2 All decisions of the Commission, or conclusions or recommendations of any subsidiary body, decided in a closed session shall be announced at the next open session and prior to adjournment of the meeting of the Commission or subsidiary body at which the closed session was held.</p>	Tentatively agreed.
<p>4.3 – Interventions</p>	
<p>No participant may address the Commission without having previously obtained the permission of the Chairperson. The Chairperson shall give priority to members of the Commission and shall call upon speakers in the order in which they signify their desire to speak, except that the Chairperson of a subsidiary body may be accorded precedence for the purpose of explaining the conclusions arrived at by that body or when the Chairperson believes that change of the order will better facilitate the discussion. The Chairperson may call a speaker to order if his or her remarks are not relevant to the subject under discussion.</p>	Tentatively agreed.
<p>4.4 - Statements by the [Executive Secretary][Secretariat]²</p>	

² Establishment of a permanent Secretariat is pending a decision of the Commission; all references to duties of Secretariat staff are therefore in brackets. Since the Convention speaks to duties of an Executive Secretary, the rules affecting that office are not bracketed.

<p>The Executive Secretary, or a member of the Secretariat designated by him or her as his or her representative, may, at any time with the permission of the Chairperson, make either oral or written statements to the Commission. The Executive Secretary or his or her designee shall respond to any question under his or her competence addressed to the Secretariat by members of the Commission.</p>	<p>Tentatively agreed.</p>
<p>4.5 - Points of order</p> <p>During the discussion of any matter, a member of the Commission may rise to a point of order, and the point of order shall be immediately decided by the Chairperson in accordance with these rules of procedure and the Convention as well as decisions made by the Commission. A member of the Commission may appeal against the ruling of the Chairperson. In such a case, the appeal shall be immediately put to the vote, and the Chairperson's ruling shall stand unless overruled by a majority of the members of the Commission present and voting. A representative rising to a point of order may not speak on the substance of the matter under discussion.</p>	<p>Tentatively agreed.</p>
<p>4.6 - Procedural motions</p> <p>Any motion calling for a decision on the competence of the Commission to adopt a proposal submitted to it shall be put to the vote before a vote is taken on the proposal in question.</p>	<p>Tentatively agreed.</p>
<p>4.7 - Documents to be considered at meetings</p> <p>4.7.1 All the documents to be prepared by the Secretariat shall be in principle distributed among the members and observers referred to in Rule 8.1 at least two weeks prior to the meeting.</p> <p>4.7.2 Proposals and other relevant documents to be considered at a meeting shall be electronically submitted in writing to the Executive Secretary in English at least thirty (30) calendar days before the opening of the meeting. Any proposal submitted after the deadline shall not be considered unless otherwise decided by the Commission. The Executive Secretary shall immediately circulate electronic copies of all proposals to the members and observers referred to in Rule 8.1.</p>	<p>Tentatively agreed.</p> <p>Tentatively agreed.</p>

<p>4.7.2 bis When a document or proposal requires the input of subsidiary bodies, and the meeting of such subsidiary body concluded within forty five (45) calendar days of the opening of a regular Commission meeting, the Executive Secretary may modify the deadline, but in any case such a document or proposal shall be submitted at least seven (7) <u>fourteen (14)</u> calendar days before the opening of the meeting. <u>In exceptional circumstances, which may include submission of proposals based on discussions in subsidiary bodies held just prior to the Commission meeting, the Commission may modify or waive these deadlines as necessary to facilitate its work.</u></p>	<p>Tentatively agreed.</p>
<p>4.7.3 Proposals shall be in accordance with the format to be decided by the Commission.</p>	<p>Tentatively agreed.</p>
<p>4.8 - Special meetings</p>	
<p>The Commission may hold special meetings in accordance with this rule, provided funds are available to convene such meeting. Any member of the Commission may submit a request to the Executive Secretary to convene a special meeting of the Commission, including in that request the specific reasons for such a session. The Executive Secretary shall immediately inform the other members of the Commission of the request and inquire whether they concur with it. If within thirty (30) calendar days of the date of communication by the Executive Secretary a majority of the members of the Commission concur with the request, a special meeting of the Commission shall be convened by the Chairperson <u>between thirty (30) calendar days and ninety (90) calendar days after the receipt of such concurrence, and it shall meet</u> at such time and place as the Chairperson determines in consultation with the members of the Commission between thirty (30) calendar days and ninety (90) calendar days after the receipt of such concurrence. The Executive Secretary shall notify the members of the Commission, and observers referred to in Rule 8.1, of the date, place, and provisional agenda for a special meeting as early as possible but at least twenty-five (25) calendar days in advance of the special session. The provisional agenda for a special meeting shall include only <u>focus primarily on</u> those items proposed for consideration in the request for holding the session.</p>	<p>Tentatively agreed.</p>
<p>RULE 5: EXECUTIVE SECRETARY</p>	
<p>5.1 The Commission shall appoint the Executive Secretary to serve the Commission and its subsidiary bodies,</p>	<p>Tentatively agreed.</p>

<p>according to such procedures and on such terms and conditions to be decided by the Commission. His or her term of office shall be for four years and he/she may be eligible for re-appointment, but shall not serve for more than eight (8) years unless otherwise decided by the Commission. —In the event that the Executive Secretary is elected by vote, secret ballot shall be conducted unless otherwise decided by the Commission. (Covered by Rule 2.1 quinque.)</p>	
<p>5.2 The Commission shall designate staff positions to be filled through appointments made by the Executive Secretary. The Commission shall fix the terms and conditions of employment for members of the Secretariat.</p>	Tentatively agreed.
<p>5.3 The Executive Secretary shall carry out the functions and duties specified in the Convention, listed in the Rules of Procedure, and Financial Regulations, <u>Staff Regulations</u>, and <u>other duties</u> as assigned by the Commission.</p>	Tentatively agreed.
<p>5.4 Specific functions and duties of the Executive Secretary shall include the following:</p> <ol style="list-style-type: none"> a. provide administrative services to the Commission and its subsidiary bodies; b. prepare and transmit the draft provisional agenda and provisional agenda in accordance with Rules 4.1 and 4.2, respectively; c. receive the lists of authorized delegates and observers <u>representatives</u> at meetings and report thereon to the Commission or subsidiary bodies, as required; d. be responsible to the Commission for the general operations of the Secretariat; e. direct and supervise Secretariat staff; f. make all necessary arrangements for meetings of the Commission and its subsidiary bodies; g. be responsible for all monies received by the Commission and to receive and disburse for receiving and disbursing the same in compliance with the Financial Regulations and decisions of the Commission; h. perform all duties set forth in the Financial Regulations relating to the budget; i. keep the records of Commission meetings; j. maintain official files of the Commission and records of actions taken; k. assist the Commission in making suitable arrangements and agreements as needed for consultation, cooperation, and collaboration with other organizations or arrangements as per Article 21 of the Convention; l. delegate to Secretariat staff such of his/her powers as he/she may consider necessary for the effective implementation of his/her responsibilities; 	Tentatively agreed.

- m. maintain a list of the official contacts of each member;
- ~~n.~~ prepare, in consultation with the Members of the Commission, an annual report on the Commission's activities; and
- ~~o.~~ such other functions as the Commission may decide.

RULE 6: LANGUAGE

English shall be the working language of the Commission and its subsidiary bodies, although, if desired, any other language may be used on condition that persons doing so will provide interpreters. All official publications and communications of the Commission shall be in English.

Tentatively agreed.

RULE 7: RECORDS AND REPORTS

7.1 At the end of each meeting, the Commission shall confirm in writing decisions of the Commission and commitments by Members.

Tentatively agreed, pending final review.

7.1bis The Executive Secretary shall prepare a draft meeting report and circulate it to the Members of the Commission within fifteen (15) days of the end of the meeting. The Members of the Commission shall inform the Executive Secretary within fifteen (15) days of the date of transmittal specified in the Executive Secretary's communication of any changes they wish to have made. The Executive Secretary shall circulate the finalized report within forty five (45) days of the end of the meeting.

Tentatively agreed, pending final review.

7.1 ter. The report shall contain, *inter alia*:

Tentatively agreed, pending final review.

(a) A summary record of discussions specifying decisions of the Commission including the adoption of any conservation and management measures (statements by individual Members of the Commission shall be included only at the request of that Member);

(b) Final Agenda

(c) A complete list of documents, including background papers, information papers, proposals by delegations and

<p><u>other documents considered by the meeting and available on the Commission’s website;</u></p> <p><u>(d) Participants list;</u></p> <p><u>(e) Proposals and commitments by members, if any;</u></p> <p><u>(f) Reports of subsidiary bodies, as available; and</u></p> <p><u>(g) Other relevant information and documents as determined by the Executive Secretary or requested by any Member.</u></p> <p><u>Reports shall not include any information that is subject to such confidentiality rules as the Commission may adopt.</u></p> <p>7.2 The summary of the decisions of the Commission and the full report of the meeting shall be posted on the Commission’s website as soon as possible after being finalized. The reports of the subsidiary bodies shall be posted on the Commission’s website as soon as possible after their adoption by the Commission.</p> <p>7.3 The Commission shall ensure that data are publicly available concerning the number of fishing vessels operating in the Convention Area, the status of fisheries resources managed under the Convention, fisheries resources assessments, research programs in the Convention Area, and cooperative initiatives with regional and global organizations.³</p> <p>7.4 Any member that does not submit the annual report required in Article 16, paragraph 3 of the Convention, (in respect of any year in which fishing occurred in the Convention Area by fishing vessels entitled to fly its flag) shall not participate in the relevant fisheries until that data and information have been provided. The deadline for submitting such reports, in a format agreed by the Commission, shall be April 1 of the subsequent year <u>and shall be subject to change, taking into account the content and format of the report.</u> The Executive Secretary will notify all members of the Commission of the status of annual reporting no later than April 15 of the subsequent year.</p>	<p>Tentatively agreed, pending final review.</p> <p>Agreement on delegation of paragraph.</p> <p>Tentatively agreed.</p>
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~~3 As per Article 5 paragraph 8, Article 16 paragraph 2, and Article 18.~~

7.5 Upon receipt of any delinquent reports described in Rule 7.4 submitted after the deadline specified above, the Executive Secretary shall notify all members of such receipt and note the relevant member's right to resume participation in any involved fishery.

Tentatively agreed.

7.6 ~~The Commission shall adopt [an annual report of its activities][a report of its activities at a time and interval determined by the Commission].~~

Agreement to delete paragraph.

RULE 8: OBSERVERS

8.1 The following may participate as observers in the meetings of the Commission and its subsidiary bodies:

- a) States and the fishing entity that participated in the Multilateral Meetings on the Management of High Seas Fisheries in the North Pacific Ocean, until ~~their respective ratification, acceptance, approval, accession or expression of firm commitment becomes effective in accordance with Article 25 or the Annex of the Convention they complete their internal procedures as provided in Article 23 or the Annex of the Convention;~~
- b) Any other State that has jurisdiction over waters adjacent to the Convention Area;
- c) Other States with an interest in the work of the Commission that are not members of the Commission, and invited by the Commission;
- d) The FAO, other specialized agencies of the United Nations, other regional fisheries management organizations or arrangements;
- e) Other intergovernmental organizations, independent experts and other advisors concerned with matters relevant to the implementation of the Convention and invited by Commission;
- f) Non-governmental organizations, including environmental organizations and fishing industry organizations, with an interest in the work of the Commission, accredited by the Commission pursuant to Rule 8.3.

Tentatively agreed.

8.2 A non-governmental organization wishing to participate as an observer shall submit a request to the Executive Secretary at least sixty (60) calendar days in advance of the meeting, together with office locations of the organization, a description of its mission, how its mission and activities are related to the work of the

Tentatively agreed.

<p>Commission.</p>	
<p>8.2bis The Executive Secretary shall promptly notify the members of the Commission of the request. Any such non-governmental organization that has submitted the required information shall be accredited to participate as an observer unless a simple majority of the members of the Commission objects to the request by notifying the Executive Secretary in writing at least thirty (30) calendar days before the opening of the meeting. Such Any objecting members shall specify the reason of for its objection. Observer status shall remain in effect valid for future meetings until the next regular meeting of the Commission unless the Commission decides otherwise.</p>	<p>Tentatively agreed.</p>
<p>8.2 bis.bis The Executive Secretary may limit the number of participants from each NGO accredited to participate as an observer, taking into account the total number of NGOs wishing to participate and the capacity of the meeting room. The Executive Secretary <u>Commission</u> may require the said NGOs to pay reasonable fees, and to cover costs attributable to their attendance.</p>	<p>Tentatively agreed.</p>
<p>8.2ter If a meeting of the Commission is held with less than ninety (90) days' notice, the Executive Secretary shall have greater flexibility concerning the time frames established in this Rule.</p>	<p>Tentatively agreed</p>
<p>8.3 Any observer admitted to a meeting of the Commission may:</p> <ul style="list-style-type: none"> a) Attend meetings of the Commission and its subsidiary bodies, subject to Rule 4.2, but not vote; b) Make oral statements during the meetings and seek clarification on matters under discussion upon the invitation of the Chairperson after all interventions by members of the Commission; c) Have timely access to documents subject to the terms of the confidentiality rules that the Commission may decide; d) Distribute documents, publications, videos and CDs as information at the meeting, with the approval of the Chairperson. Certain documents may only be considered as Commission documents if so decided by the Commission; and e) Engage in other activities, as appropriate and as approved by the Chairperson. 	<p>Tentatively agreed.</p>
<p>8.3bis Any observer admitted to a meeting of the Commission may not:</p> <ul style="list-style-type: none"> a) Use film, video, and audio recording devices, etc. to record meeting proceedings; 	<p>Tentatively agreed.</p>

<p>b) Issue press releases or other information to the media <u>during the meeting in question</u> on agenda items under discussion during meetings; and</p> <p>c) Disclose any information that they have acquired at meetings before <u>the adjournment of the meeting; or it is disclosed by the Commission.</u></p> <p>d) <u>Disclose any information subject to confidentiality rules adopted by the Commission.</u></p>	
<p>8.3ter All observers admitted to a meeting of the Commission shall comply with all rules and procedures applicable to other participants in the meeting. Any observer that does not comply with these requirements shall be excluded from further participation in meetings, unless the Commission decides otherwise.</p>	Tentatively agreed.
<p>RULE 9: SUBSIDIARY BODIES</p>	
<p>9.1 Except as otherwise provided in the Convention or decided by the Commission, these <u>These</u> rules of procedure apply, <i>mutatis mutandis</i>, to the proceedings of subsidiary bodies established pursuant to Article 6, paragraph 1, of the Convention.</p>	Tentatively agreed.
<p>9.2 Subject to the provisions of the Convention, each subsidiary body of the Commission may formulate such additional rules as may be necessary for the efficient conduct of its functions and shall submit any such rules to the Commission for approval.</p>	Tentatively agreed.
<p>9.3 Each subsidiary body shall elect an individual to serve as Chairperson and vice-Chairperson.—Each Chairperson shall be elected for a period of two years and may be re-elected for additional terms.—Each Chairperson shall remain in office until the election of their successors.—</p>	Paragraph pending.
<p>RULE 10: AMENDMENTS</p>	
<p>These rules of procedure may be amended by a decision of the Commission, taken by consensus.</p>	Agreed.

Attachment 4

Revised Draft Financial Regulations – February 24, 2011	Comments
<p style="text-align: center;">DRAFT FINANCIAL REGULATIONS</p> <p style="text-align: center;">APPLICABILITY</p> <p>1. These regulations shall govern the financial administration of the North Pacific Fisheries Commission.</p> <p style="text-align: center;">THE FINANCIAL YEAR</p> <p>2. The financial year shall be the period from [...]¹, both dates inclusive.</p> <p style="text-align: center;">THE BUDGET</p> <p>3. The Executive Secretary shall prepare draft annual budget estimates for each of the ensuing two financial years (years 1 and 2) and a budget forecast for each of the following two financial years (years 3 and 4) which shall be submitted to the Commission at its regular meetings. The budget estimates and forecasts shall be transmitted to all of the members of the Commission at least sixty (60) days prior to the opening of the Commission meeting where they are to be discussed.</p> <p>4. The budget estimates and forecasts shall cover income and expenditures for the financial years to which they relate. They shall be presented in the currency of the country where the {Executive Secretary maintains an office}[Secretariat is located].</p> <p>5. The budget estimates shall be divided into parts, sections and, as appropriate, program supportcategories.</p>	<p>Tentatively agreed.</p> <p>Tentatively agreed, pending a decision on the fiscal year.</p> <p>Tentatively agreed.</p> <p>Tentatively agreed.</p> <p>Tentatively agreed.</p>

¹ If a permanent or contracted Secretariat office is used, it is recommended that the host country's fiscal year is inserted here.

<p>It shall be accompanied by such information, annexes and explanatory statements as may be requested by the Commission, including a statement on the main changes in comparison with the budget of the previous year, and such further annexes or statements as the Executive Secretary may deem necessary and useful. The Commission may establish guidelines as to the format in which the draft budget is to be presented.</p>	
<p>5bis. The budget estimates shall be accompanied by details of the appropriations made for the previous year and the expenditure against those appropriations.</p>	<p>Tentatively agreed.</p>
<p>5ter The budget estimates shall include a statement of the significant financial implications for subsequent financial years in respect of any proposed work programs presented in terms of administrative, recurrent and capital expenditures.</p>	<p>Tentatively agreed.</p>
<p>6. Should the Commission establish a subsidiary body to consider financial and administrative matters, the budget estimates and budget forecasts shall be referred to that body for examination and recommendation. The Commission, or such subsidiary body if established, shall also consider the effects of recommendations from other subsidiary bodies on the Commission's budget.</p>	<p>Tentatively agreed.</p>
<p>7. At the regular meeting, the Commission shall adopt an annual budget for each of the following two financial years, after consideration of the recommendations of any relevant subsidiary bodies. If a regular meeting is held every year, the latter of the two financial years may be subject to review and modification by the Commission.</p>	<p>Tentatively agreed.</p>
<p>8. The annual budget forecasts for the following third and fourth financial years shall be considered by the Commission but not adopted until the following regular meeting.</p>	<p>Tentatively agreed.</p>
<p>9. After consultation with the Chairperson of the Commission (hereinafter referred to as "the Chairperson"), the Executive Secretary may submit to each Member of the Commission supplementary estimates in a form</p>	<p>Tentatively agreed.</p>

consistent with the budget estimates and forecasts for intersessional approval, when and as such supplementary estimates are deemed necessary. Approval by each Member of the Commission constitutes adoption by the Commission. Supplementary estimates shall be for expenses related to unforeseen and extraordinary activities not included in the regularly adopted program and budget.

CONTRIBUTIONS

9bis. Each member of the Commission shall make annual contributions in accordance with the following formula:

- (a) 35 percent of the budget shall be divided equally among members of the Commission;
- (b) 55 percent of the budget shall be divided proportionally among members of the Commission based on a three-year average of the total catches by weight in the Convention Area of the species covered by the Convention; and
- (c) 10 percent of the budget shall be divided proportionally among the Member's based on each Member's Gross Domestic Product (GDP) per capita.

Paragraph pending.

9ter. As soon as the Commission has approved the annual budgets, the Executive Secretary shall calculate each member's ~~due~~ contribution in accordance with the above formula and send it to each member.

Tentatively agreed.

9quater. In case that a member has not paid its contribution in full for a certain year by the end of the financial year, this shall be regarded as not paying its contribution in full for that year even if that member later makes the remaining contribution. Any future contribution by that member shall be first appropriated for the unpaid contribution.

Tentatively agreed.

10. Annual budget contributions shall be paid in not more than two equal installments considered due as of the first day of the financial ~~biennium-year~~ to which it relates and as of the first day of the second half of that same financial ~~bienniumyear~~.

Tentatively agreed.

<p>11. The Executive Secretary shall <u>include in the Annual Report of the Commissions and shall</u> submit to the <u>each</u> regular meeting of the Commission a report on the <u>status of</u> collection of contributions.</p>	<p>Tentatively agreed.</p>
<p>AVAILABILITY OF APPROPRIATIONS</p>	
<p>12. Appropriations shall be available for obligation during the financial year to which they relate.</p>	<p>Tentatively agreed.</p>
<p>13. Appropriations shall remain available for twelve months following the end of the financial <u>biennium-year</u> to which they relate to the extent that they are required to discharge obligations in respect of goods supplied and services rendered in the financial <u>biennium-year</u> and to liquidate any other outstanding legal obligation of the <u>bienniumfinancial_year</u>. The uncommitted balance shall be transferred to the Working Capital Fund, or designated for a specific purpose as determined by the Commission.</p>	<p>Tentatively agreed.</p>
<p>TRANSFERS</p>	
<p>14. Transfer within the same category of the budget may be made by the Executive Secretary, who shall report thereon to the Commission. No transfer between budget categories amounting to more than ten (10) percent of the budget of the category from which transfer is made may be made without prior authorization by the Chairperson. Any such transfer shall also be reported to the Commission. <u>Transfers from any budget category shall not exceed twenty (20) percent of the funds committed to that category.</u>Transfer of more than 20% of the budget of the category from which transfer is made shall not be made.</p>	<p>Tentatively Agreed.</p>
<p>ACCOUNTING POLICIES AND FUNDS</p>	
<p>15. Accounting policies will include the following: (a) The annual financial statements and budget estimate and forecast shall be prepared in conformity with these financial rules using the accrual basis of accounting for assets, liabilities, income and expenditures, except that vacation pay shall be expensed in the period it is paid. Capital assets acquired or leased by the Commission are to be recorded as expenditures in the year of acquisition,</p>	<p>Tentatively agreed.</p>

<p>without capitalization and amortization in the accounts.</p> <p>(b) For the purpose of accounting for the expenditures of the Commission there shall be a General Fund, the source of monies therein being contributions from the Members of the Commission for the current financial biennium, bank interest and other miscellaneous income during that financial biennium and amounts transferred from the Working Capital Fund as provided in Financial Rule paragraph 18.</p>	
<p>16. For purposes to be determined by the Commission from time to time there shall be a Working Capital Fund, the source of monies therein being amounts transferred from the General Fund at the end of a financial year as provided in Financial Rule paragraph 13. The Working Capital Fund may be divided into special reserve funds as determined by the Commission.</p>	Tentatively agreed.
<p><u>16. bis Transfers to the Working Capital Fund shall be capped at an amount equivalent to the funds required to sustain the Commission's operation for a set number of months. The Executive Secretary shall require, as part of the observations of the external auditors referred to in paragraph 32, that the external auditors provide a specific recommendation regarding the number of months of operation that is consistent with generally accepted accounting practices for similar funds. After consideration of the external auditors' recommendations, and taking into account the experiences of other regional fisheries management organizations, the Commission shall determine the number of months to be used to establish the cap.</u></p>	Tentatively agreed.
<p>17. The Executive Secretary is authorized to advance from the Working Capital Fund such sums as may be necessary to finance budgetary appropriations pending receipt of contributions. Sums so advanced shall be reimbursed as soon as contributions are available for the purpose.</p>	Tentatively agreed.
<p>18. The Commission may transfer amounts of the Working Capital Fund to the General Fund from time to time as it deems necessary in order to offset expenditures in any financial year or to finance unforeseen and extraordinary expenses.</p>	Tentatively agreed.
<p>19. <u>If the Working Capital Fund exceeds the cap established pursuant to paragraph 16bis, The Commission may refund to the Members of the Commission a portion of the the excess amounts</u> accrued in the Working</p>	Tentatively agreed.

Capital Fund, when such refund is deemed advisable. Refunds shall be provided to Members in shares proportional to each Member's contribution in the ~~fiscal-financial~~ year in question, and shall be applied as ~~deductions from a credit to~~ each Members ~~next annual budget~~ contribution in the subsequent financial year.

21. The Commission may establish a Special Purpose Fund to account for specific non-recurring projects and agreements. This fund shall not be used to fund general operations of the Commission, except for recovery of administrative expenses associated with these projects, and shall be used only for those revenues and expenses not considered to meet the definitions under other funds as described in the Financial ~~Rules~~ Regulations [15 to 20.] The source of the monies in the Fund would be voluntary contributions from Members of the Commission and other donors, with the following restrictions:

- (a) Voluntary contributions above and beyond budget contributions by Members of the Commission may be accepted by the Executive Secretary, provided that the purposes for which the contributions are made are consistent with the policies, aims, and activities of the Commission; and
- (b) Voluntary contributions offered by other than Members of the Commission may be accepted, subject to agreement by the Members of the Commission that the purposes of the contributions are consistent with the policies, aims, and activities of the Commission.

21bis. In addition to the Special Purpose Fund cited in paragraph 21, the Commission may establish separate trust funds to cover voluntary contributions from members of the Commission or from other sources. The Executive Secretary may accept voluntary contributions to such trust funds on behalf of the Commission ~~voluntary contributions whether or not in cash from members of the Commission or from other sources,~~ provided that the purposes for which such voluntary contributions have been ~~made-established~~ are consistent with the policies, aims and activities of the Commission. The Executive Secretary shall report to the Commission on the establishment of any such trust funds and the use of any monies contributed to such funds.~~The Executive Secretary shall establish trust funds to cover such voluntary contributions and shall report thereon to the Commission.~~

Paragraph agreed in concept, pending review of final text.

Chair's proposal based on discussions in plenary.

<p>22. The Executive Secretary shall deposit and maintain the funds of the Commission in accounts in appropriate financial institutions in the name of the Commission. When investing funds, the Executive Secretary shall minimize risk to the funds invested while ensuring the liquidity necessary to meet the cash flow requirements of the organization.</p>	<p>Tentatively agree.</p>
<p>AUTHORITY AND RESPONSIBILITY OF THE EXECUTIVE SECRETARY</p>	
<p>26. The Executive Secretary is authorized to incur obligations and make payments up to the amounts appropriated in the Commission's budget as adopted by the Commission.</p>	<p>Tentatively agreed.</p>
<p>27. The Executive Secretary shall:</p> <ul style="list-style-type: none"> (a) Ensure effective financial administration and the exercise of economy; (b) Cause all payments to be made on the basis of supporting vouchers and other documents that ensure that the services or goods have been received, and that payment therefore has not been made previously; (c) Designate any permanent staff members of the Secretariat who may receive monies, incur obligations and make payments on behalf of the Commission; (d) Maintain an internal financial control that shall provide for an effective current examination and review of financial transactions in order to ensure the regularity of the receipt, custody and disposal of all funds and other financial resources of the Commission; the conformity of obligations and expenditures with the appropriations or other financial provisions adopted by the Commission; and the economic use of the resources of the Commission. 	<p>Tentatively agreed.</p>
<p>28. No obligations shall be incurred until allotments or other appropriate authorizations have been made in writing under the authority of the Executive Secretary.</p>	<p>Tentatively agreed.</p>
<p>28 bis. The Executive Secretary may, after full investigation and in consultation with the Chairperson,</p>	<p>Tentatively agreed.</p>

<p>authorize the writing-off of losses of cash, stores and other assets, provided that a statement of all such amounts written off shall be submitted to the Auditor with the accounts together with the justifications attached thereto. Such losses shall be included in the annual accounts.</p>	
<p>28 ter. Purchases of equipment, supplies and other requirements more than the value equivalent to {10,000} US dollars shall normally be by tender, except:</p> <p>(a) where it has been ascertained that only a single supplier exists and that fact is so certified by the Executive Secretary;</p> <p>(b) in case of emergency, or where, for any other reason, these rules would not be in the best financial interests of the Commission and that fact is so certified by the Executive Secretary.</p>	<p>Tentatively agreed.</p>
<p>29. The Executive Secretary shall maintain such accounting records as are necessary and shall prepare for the Commission biennial-annual statements showing for the financial years to which they<u>the statement</u> relates:</p> <ul style="list-style-type: none"> (a) The assets and liabilities of the Commission; (b) The income and expenditure; (c) The status of appropriations, including: <ul style="list-style-type: none"> (i) The original budget appropriations (ii) The appropriations as modified by transfers; and (d) The receipts and disbursements. <p>The Executive Secretary shall also give such other information as may be appropriate to indicate the current financial position of the Commission.</p> <p style="text-align: center;">AUDIT</p>	<p>Tentatively agreed.</p>
<p>30. The biennial-annual statements and accounting records of the Commission shall be presented in the currency of the country in which the [Executive Secretary maintains an office][Secretariat is located].</p>	<p>Tentatively agreed.</p>

<p>31. Annual financial statements and accounting records of the Commission shall be submitted by the Executive Secretary to external auditors for an annual audit as prescribed in Article 12, paragraph 6 of the Convention not later than thirty (30) days following the end of the financial year.</p>	<p>Tentatively agreed.</p>
<p>32. The auditors, in addition to certifying the annual statements and accounting records, may make such observations as they deem necessary with respect to the efficiency of the financial procedures, the accounting system, the internal financial controls and, in general, the financial consequences of the administrative practices.</p>	<p>Tentatively agreed.</p>
<p>33. The auditors shall submit their report to the Commission not later than three months following the end of the financial year to which the accounts relate. The Executive Secretary shall circulate the auditor's report to all Commission members within fifteen (15) days of receipt.</p>	<p>Tentatively agreed.</p>
<p>GENERAL PROVISIONS</p>	
<p>34. The Executive Secretary may delegate to other Secretariat staff such duties set out under these Financial <u>Rules-Regulations</u> as may be desirable.</p>	<p>Tentatively agreed.</p>
<p>35. These Financial <u>Rules-Regulations</u> shall be effective as of the date of their approval by the Commission and may be amended by the Commission from time to time provided such amendment is not inconsistent with the provisions of the Convention.</p>	<p>Tentatively agreed.</p>

Attachment 5

NPAFC	CCSBT	SEAFO	IOTC	NPFC (example)
5 members	6 members	7 members	29 members	7 members
834,000 Canadian dollars	1,775,000 Australian dollars	2,406,000 Namibian dollars (308,000 US dollars)	2,146,000 US dollars	
Personnel service	Meeting costs	Accounting Fees	Personnel	1. Personnel costs
(1) Permanent personnel	(1) Hire of chair/consultant	Advertising & Promotions	(1) Professional	(1) Executive Director
(a) Executive Director	(2) Interpretation costs	Consultant	(a) Executive Secretary	(2) Deputy Director
(b) Deputy Director	(3) Hire of venue & catering	Performance Review	(b) Deputy Secretary	(3) Administrative Officer
(c) Administrative Officer	(4) Hire of equipment	Bank Charges	(c) Data Coordinator	(4) Temporal personnel
(d) Secretary	(5) Translation of documents	Computer Expenses	(d) Fisheries Statistician	(5) Social security and insurance
(2) Temporal personnel	(6) Secretariat expenses	Software Upgrade	(e) Compliance Coordinator	(6) Overtime
(3) Benefits		Internet lease Line	(f) Compliance Officer	
(4) Overtime		Rent – Internet	(g) Stock Assessment Expert	2. Other service costs
		VMS – Related Costs	(h) Fisheries Expert	(1) Office equipment
		Security/Alarm		(2) Office supplies
Other services	Secretariat costs	Contingency	(2) General service	(3) Rentals
(1) Travel	(1) Secretariat staff costs	Courier & Postage	(a) Administrative Assistant	(4) Communications
(2) Communications	(2) Staff assessment levy	Miscellaneous	(b) Compliance Assistant	(5) Printing
(3) Contractual services	(3) Employer social security	Insurance	(c) Program Assistant	(6) Miscellaneous
(4) Printing	(4) Insurance	Reports and Translation	(d) Database Assistant	(7) Duty travel
(5) Rentals	(5) Travel	Meetings & Conferences	(e) Bilingual Secretary	
(6) Supplies	(6) Translation of documents	Printing & Stationery	(f) Driver	3. Meeting costs*
(7) Equipment	(7) Training	Rent Paid	(g) Overtime	(1) Equipment rental
(8) Miscellaneous	(8) Home leave allowance	Maintenance Switchboard		(2) Printing
	(9) Other employment expenses	Maintenance Copier/Fax	Pension and insurance	
	(10) Staff liability fund	Salaries Paid Cash		
		Removal Expenses	Expenditure for Activities	
	Office management costs	Installation grant	(1) Consultants	
	(1) Office lease and storage	Office expenses	(2) Duty travel	
	(2) Office costs	Telephone and Fax	(3) Meetings	
	(3) Provision for new assets	Travel – Flights	(4) Interpretation	
	(4) Telephone/communications	Wages – Casual	(5) Translation	
		Car Allowance	(6) Equipment	
		Computer Equipment	(7) General operating expenses	
		Office Equipment	(8) Printing	
		Petty cash	(9) Contingencies	

* The host member will provide the meeting space and microphones, and the Secretariat will rent a printer and copy machine.

Attachment 6

[Draft Format of Annual Report to the Commission]

[Country Name] Annual Report for [YEAR] to the North Pacific Fisheries Commission (NPFC)

Authors:

Organization:

Date:

1. Information on Fisheries

1.1 Annual catch and effort in the Convention Area (by gear and species)

Please use Annex 1

1.2 Names of vessels which operated fishing in the Convention Area (by type and gear)

Please use Annex 2

1.3 Other information [if necessary]

2. Management and Compliance

2.1 Domestic implementation

Please describe how your government has transposed conservation and management measures adopted by NPFC into your domestic legislation.

2.2 Monitoring, control and surveillance

Please describe how your government has implemented monitoring, control and surveillance measures adopted by NPFC.

2.3 Non-compliance

Please describe, if any, non-compliance cases, including the results of investigation and the action against the fisherman who made such non-compliance.

2.4 Any other topic

3. Scientific activities

3.1 Data submission

Please indicate whether all the scientific data required has been submitted to the Scientific Committee (SC) by the deadline. If no, please explain the reason and intended action.

3.2 Observer program

Please indicate whether a report on the observer programs has been submitted to SC by the deadline. If no, please explain the reason and intended action.

Annex 1

Fishing gear	Effort	Species name (English and scientific)	Catch amount (metric tons)

Template for catch data by gear (other than bottom gear) and by species in the Convention Area

Template for catch data by gear (bottom gears) and by species in the Convention Area

Fishing gear	Name of seamount	Effort	Species name (English and scientific)	Catch amount (metric tons)	

Note: Effort of each fishing gear shall be described in accordance with recommendation of SC.

Annex 2

Template for names of vessels which actually operated fishing in the Convention Area

Registered names	Registration number	Type	Fishing gear	Operation period(s)

Note:

1. "Type" means whether the vessel is a catching vessel, a fish processing vessel, a support ship, a carrier vessel or any other vessel.
2. Fishing gear is only applicable to catching vessels.
3. If the vessel operated more than once, please list all the operation periods.

Attachment 7

Draft Staff Regulations	Note
<p>REGULATION 1 PREAMBLE</p> <p>1.1 These Staff Regulations establish the fundamental principles of employment, regulate the working relationships and establish the rights and responsibilities of formally appointed employees who render their services in and receive remuneration from the Secretariat of the North Pacific Fisheries Commission (hereinafter called the "Commission"). These regulations do not apply to persons in Regulation 11.2.</p> <p>REGULATION 2 DUTIES, OBLIGATIONS AND PRIVILEGES</p> <p>2.1 Members of the staff of the Secretariat, and the Executive Secretary (hereinafter called "staff members") are international civil servants. Upon accepting their appointments they pledge themselves to discharge their duties faithfully and to conduct themselves with the interests of the Commission in mind.</p> <p>2.2 For the purposes of these regulations the term "dependent" shall include only:</p> <p>(a) any unsalaried child, who is born of, or adopted by, a staff member, his or her spouse, or their children, who is below the age of eighteen years and who is dependent on a staff member or his or her spouse for <u>main</u> and continuing support;</p> <p>(b) any child fulfilling the conditions laid down in paragraph (a) above, but who is between eighteen and twenty-five years of age and is receiving school or university education or vocational training;</p> <p>(c) any handicapped child who is dependent on a staff member or his or her spouse for <u>main</u> and continuing support;</p>	<p>Copy of SEAFO and CCSBT¹ The last sentence is added for more clarity.</p> <p>Copy of SEAFO and CCSBT</p> <p>Copy of CCSBT SEAFO uses “maintenance” instead of “main”.</p> <p>Copy of SEAFO and CCSBT</p> <p>Copy of CCSBT SEAFO uses “maintenance” instead of “main”.</p>

¹ “Copy” means an exact copy or a copy with necessary minor modification as appropriate.

<p>(d) any other child who is given a home by and is dependent on a staff member or his or her spouse for main and continuing support;</p>	<p>Copy of SEAFO and CCSBT</p>
<p>(e) any person related by blood or marriage for whose main and continuing support a staff member or his or her spouse is legally responsible.</p>	<p>Copy of SEAFO and CCSBT</p>
<p>2.3 Staff members shall at all times conduct themselves in a manner in keeping with the international nature of the Commission. They shall always bear in mind the loyalty, discretion and tact imposed on them by their international responsibilities in the performance of their duties. They shall avoid all actions, statements or public activities which might be detrimental to the Commission and its aims.</p>	<p>Copy of SEAFO and CCSBT</p>
<p>2.4 Staff members are not required to renounce either their national feelings or their political or religious convictions.</p>	<p>Copy of SEAFO and CCSBT</p>
<p>2.5 In the performance of their duties, staff members may neither seek nor accept instructions from any government or authority other than the Commission.</p>	<p>Copy of SEAFO and CCSBT</p>
<p>2.6 Staff members shall observe maximum discretion regarding official matters and shall abstain from making private use of information they possess by reason of their position. Authorization for the release of information for official purposes shall lie with the Commission or the Executive Secretary, as the case may require.</p>	<p>Copy of SEAFO and CCSBT</p>
<p>2.7 Staff members shall, in general, have no employment other than with the Commission. In special cases, staff members may accept other employment, provided that it does not interfere with their duties in the Commission, and that prior authorization by the Executive Secretary has been obtained. The Commission's prior authorization shall be obtained in respect of the Executive Secretary.</p>	<p>Copy of SEAFO and CCSBT</p>
<p>2.8 No staff member may be associated in the management of a business, industry or other enterprise, or have a financial interest therein if, as a result of the official position held in the Secretariat, he or she may benefit from such association or interest.</p>	<p>Copy of SEAFO and CCSBT</p>

<p>2.9 Ownership of non-controlling stock in a company shall not be considered to constitute a financial interest within the meaning of regulation 2.8.</p>	<p>Copy of SEAFO and CCSBT</p>
<p>2.10 Staff members shall enjoy the privileges and immunities to which they are entitled under the Headquarters Agreement between the Government of _____ and the Commission.</p>	<p>Copy of SEAFO and CCSBT</p>
<p>REGULATION 3 HOURS OF WORK</p>	
<p>3.1 The normal working day shall be eight hours, Monday through Friday, for a total of forty hours per week.</p>	<p>Copy of SEAFO and CCSBT</p>
<p>3.2 The Executive Secretary shall establish the working hours and may, <u>in consultation with staff members</u>, alter them for the benefit of the Commission as circumstances may require.</p>	<p>Copy of CCSBT SEAFO does not have “in consultation with staff members”.</p>
<p>REGULATION 4 CLASSIFICATION OF STAFF</p>	
<p>4.1 Staff members shall be classified in either of the two following categories: (a) Professional Category (Positions of high responsibility of a managerial, professional, or scientific nature) These posts will be filled by appropriately qualified professionals, preferably with University qualifications or the equivalent. Staff members in this category will be recruited internationally. (b) General Services Category (Auxiliary administrative and technical positions. Clerical, secretarial and other office personnel) <u>Such staff members shall be recruited locally from among citizens of Members of the Commission.</u></p>	<p>Copy of SEAFO and CCSBT Copy of CCSBT and SEAFO</p>
<p>4.2 Persons employed under Regulation 11 shall not be classified as staff members.</p>	<p>Copy of SEAFO and CCSBT</p>
<p>REGULATION 5 SALARIES AND OTHER REMUNERATION</p>	

5.1 The scale of salaries for staff members in the professional category shall be established by the Commission, taking into account the scales of salaries which would apply to officials of the United Nations Secretariat employed in _____ as well as the salaries of government officials working in _____. Such salaries shall be paid in _____.

5.2 Staff members in the general services category shall, in principle, be paid at rates equivalent to those paid in _____ for staff of equivalent qualifications and experience.

5.3 The salaries of staff members shall be reviewed annually by the Commission taking into account the evolution of cost of living in the host country and the performance of each staff member concerned.

(CCSBT)

Subject to these Regulations, the type of allowances available to staff members in the professional category shall, in principle, be those allowances in force in the United Nations. The scale of allowances shall be established in US dollars according to the corresponding scales of allowances which would apply to officials of the United Nations Secretariat in Australia and shall be paid in Australian dollars. However, education allowances for each dependent child shall not be paid:

New idea based on CCSBT and SEAFO below.

CCSBT: The scale of salaries for staff members in the professional category shall be established in US dollars according to the corresponding scales of salaries which would apply to officials of the United Nations Secretariat employed in Australia and shall be paid in Australian dollars.

SEAFO: Staff members in the professional category shall be paid at a competitive salary as determined by the Commission and paid in Namibian Dollars.

Copy of CCSBT

SEAFO: Staff members in the general services category shall, in principle, be paid at rates equivalent to those paid in the Public Service of the Republic of Namibia for staff of equivalent qualifications and experience.

Copy of SEAFO

CCSBT does not have this paragraph.

CCSBT has detailed paragraph (see left), but if the Commission decides salaries of staff in 5.1, this could include all these details.

- (a) in respect of children of Australian staff members;
- (b) in respect of attendance at an Australian public (State) school;
- (c) for attendance at a University in Australia;
- (d) for correspondence courses or private tuition;
- (e) when schooling does not require regular attendance at an education institution;
- (f) in respect of education expenses covered from scholarship grants or subsidies from other sources.

Except for the maximum figure for education allowance, changes in salaries and allowances applied in the United Nations Secretariat shall be applied to the salaries and allowances of staff members in the professional category. The Commission shall review the system of applying these changes to salaries and allowances after it has been in operation for three years.

The promotion of staff members from one salary scale to another requires the prior approval of the Commission.

The salaries of staff members shall begin at Step 1 of the United Nations classification at which they are appointed. Staff members shall remain at that level for at least the first year of employment.

The Commission shall levy from each employee's salary an amount for Staff Assessment. Staff Assessment rates shall be those in force in the United Nations.

Staff members shall receive annual increments. Increments shall cease once the staff member has reached the highest step in the grade in which he or she is serving.

5.4 The Executive Secretary shall make arrangements to ensure that any staff member who is subject to national income tax is reimbursed tax paid on his or her salary. Such arrangements shall be made only on the basis that the direct costs of reimbursement are paid by the staff member's home country.

5.5 Staff members in the professional category are not entitled to overtime pay or compensatory leave.

Copy of CCSBT and SEAFO

Copy of CCSBT and SEAFO

<p>5.11 Staff members in the general services category required to work more than 40 hours during one week will be compensated:</p> <p>(a) with compensatory leave equivalent to hours of overtime performed; or</p> <p>(b) by remuneration per overtime hour, to be estimated at the rate of time and a half, or if the additional time is worked on a Sunday, or on holidays listed in Regulation 7.8, at the rate of double time.</p>	<p>Copy of CCSBT and SEAFO</p>
<p>5.12 The Commission shall pay duly justified representation expenses incurred by the Executive Secretary in the performance of his or her duties within the limits prescribed annually in the Budget.</p>	<p>Copy of CCSBT and SEAFO</p>
<p>REGULATION 6 RECRUITMENT AND APPOINTMENT</p>	
<p>6.1 In accordance with Article 5.9 of the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean (hereinafter called the "Convention"), the Commission shall appoint the Executive Secretary and shall establish his or her remuneration and such other entitlements as it deems appropriate.</p>	<p>Copy of CCSBT</p> <p>SEAFO has an additional sentence "The Executive Secretary's term of office shall be for four years and the Executive Secretary may be eligible for reappointment." But this has been already addressed in Rule 5.1 of Rules of Procedure.</p>
<p>6.2 In accordance with Rule 5.2 and 5.4 of the Rules of Procedure of the Commission, the Executive Secretary shall appoint, direct, and supervise staff. The paramount consideration in the appointment, transfer or promotion of the staff shall be the necessity for securing the highest standards of efficiency, competence and integrity.</p>	<p>Copy of CCSBT and SEAFO</p>
<p>6.3 Staff shall be required to retire on reaching the age of 65 years with the exception of an Executive Secretary whose three year appointment commenced prior to reaching the age of 65 and who then reaches 65 year during that term, who will be required to retire at the end of that term.</p>	<p>Copy of CCSBT</p>
<p>6.4 Offers of appointment to the Secretariat are subject to the persons selected undergoing a medical</p>	<p>Copy of CCSBT and SEAFO</p>

<p>examination and presenting a certificate stating that they have no medical condition which might prevent them from performing their duties, or which might endanger the health of others.</p> <p>6.5 Upon selection, each staff member shall receive an offer of appointment stating:</p> <p>(a) that the appointment is subject to the staff regulations applicable to the category of appointment in question, and to changes which may be duly made in such regulations from time to time;</p> <p>(b) the nature of the appointment;</p> <p>(c) the date on which the staff member is required to commence duty;</p> <p>(d) the period of appointment, the notice required to terminate it and the period of probation;</p> <p>(e) the category, level, commencing rate of salary and the scale of increments and the maximum salary attainable;</p> <p>(f) any special terms and conditions which may be applicable.</p>	<p>Copy of CCSBT and SEAFO</p> <p>CCSBT has one additional item “the allowances attached to the appointment”, but this could be included in the salary.</p>
<p>6.6 Together with the offer of appointment, staff members shall be provided with a copy of these Regulations. Upon acceptance of the offer staff members shall state in writing that they are familiar with and accept the conditions set out in these Regulations.</p>	<p>Copy of CCSBT and SEAFO</p>
<p>6.7 Staff members in the professional category may be required to undergo further medical examination from time to time as determined by the Executive Secretary or the Commission as the case may require. The medical examinations shall be at the expense of the Commission.</p>	<p>Copy of CCSBT and SEAFO</p>
<p>REGULATION 7 LEAVE</p>	
<p>7.1 Staff members shall be entitled to annual leave at the rate of <u>two and half</u> workdays for each full month of service. Annual leave is cumulative, but at the end of each calendar year, not more than <u>30</u> workdays may be carried over to the following year.</p>	<p>Copy of CCSBT and SEAFO</p> <p>This paragraph should be reconsidered, depending on the number of holidays in 7.8.</p>
<p>7.2 The taking of leave shall not cause undue disruption to normal Secretariat operations. In accordance with this principle, leave dates shall be subject to the needs of the Commission. Leave dates shall be approved by</p>	<p>Copy of CCSBT and SEAFO</p>

<p>the Executive Secretary who shall, as far as possible, bear in mind the personal circumstances, needs and preferences of staff members.</p>	
<p>7.3 Annual leave may be taken in one or more periods. <u>The total duration of annual leave shall not be longer than 45 days under any circumstances.</u></p>	<p>Copy of CCSBT and SEAFO The second sentence is added for consideration.</p>
<p>7.4 Any absence not approved within the terms of these Regulations shall be deducted from annual leave.</p>	<p>Copy of CCSBT and SEAFO</p>
<p>7.5 Staff members who, upon termination of their appointment, have accumulated annual leave which has not been taken shall receive the cash equivalent estimated on the basis of the last salary received.</p>	<p>Copy of CCSBT and SEAFO</p>
<p>7.6 After 18 months of service the Commission shall, in accordance with Regulations 9.3 and 9.4, pay travel expenses to the staff member's home country on annual leave for internationally recruited staff members and their dependents. Following this, home leave shall be granted at two-year intervals provided that:</p> <p>(a) dependents who benefit from this Commission grant have resided at _____ for at least 6 months prior to travel;</p> <p>(b) it is expected that staff members will return to the Secretariat to continue rendering their services for a minimum additional period of 6 months.</p>	<p>Copy of CCSBT and SEAFO</p>
<p>7.7 The possibility of combining travel to home country on leave with official travel in Commission service may also be considered, provided the interests of the Commission are duly borne in mind.</p>	<p>Copy of CCSBT and SEAFO</p>
<p>7.8 Staff shall be entitled to the holidays celebrated traditionally in _____, i.e.: (list of holidays)</p>	<p>Copy of CCSBT and SEAFO SEAFO lists 12 holidays. CCSBT lists 10 holidays.</p>
<p>7.9 If under special circumstances members of the staff are required to work on one of the aforementioned days, or if any one of the above holidays falls on a Saturday or Sunday, the holiday shall be observed on another day to be set by the Executive Secretary, who shall take into account the needs of the Commission.</p>	<p>Modified from CCSBT and SEAFO This is for consideration.</p>
<p>REGULATION 8</p>	

SOCIAL SECURITY

8.1 It is a condition of employment that each staff member will contribute to a recognized retirement fund and have adequate medical, hospital, life and disability insurance cover to the satisfaction of the Executive Secretary. Such insurance cover shall include adequate provision for dependents. The Commission shall pay two-thirds of the total contribution to the retirement fund and of the insurance premiums, up to the maximum percentage applying in the United Nations Secretariat from time to time of the total of the staff member's salary ~~and salary related allowances~~. Such payment shall be by way of reimbursement upon the production of receipts, or shall be paid direct together with the employee's contribution.

8.2 Staff members shall not be granted sick leave for a period of more than 3 consecutive days and more than a total of 7 working days in any calendar year without producing a medical certificate.

8.3 Staff members shall be granted certified sick leave not exceeding 12 months in any 4 consecutive years. The first 6 months shall be on full salary and the second 6 months on half salary, except that no more than 4 months on full salary shall normally be granted in any period of 12 consecutive months.

8.4 After one year of employment in the Secretariat staff members shall be entitled to maternity leave. On the basis of medical advice that the confinement will probably take place within six weeks, staff members shall be entitled to be absent from duty until eight weeks after confinement. During this period staff members shall receive full pay ~~and corresponding allowances~~.

8.5 Staff members shall be entitled to bereavement leave upon the death of a family member or relative, up to a maximum of 3 days in any calendar year.

8.6 In the event of death of a staff member following illness or surgery not resulting from an accident covered by the appropriate insurance, the right to salary and other corresponding benefits shall cease on the day on which death occurs, unless the deceased leaves dependents, in which case these shall be entitled to mortality allowances and return travel and removal expenses to country of origin or former residence at the expense of the Commission.

Copy of CCSBT
SEAFO has no such provision.
Which pension system does NPFC participate in?

Copy of CCSBT and SEAFO

Copy of SEAFO
CCSBT: 3 years

Copy of CCSBT
“allowances” is deleted as this is included in salaries.
SEAFO: six months

Copy of CCSBT
SEAFO has no such provision.

Copy of SEAFO

8.7 Eligibility of the dependents of a deceased staff member for the payment of return travel and removal expenses shall lapse if the travel is not undertaken within six months of the date of the staff member's death.

Copy of CCSBT and SEAFO

8.8 The above mortality allowance for death shall be calculated in accordance with the following scale:

Copy of CCSBT and SEAFO

Years of Service	Months of Net Base Pay Salary Following Death
Less than 3 years	3 months
3 years and more, but less than 7 years	4 months
7 years and more, but less than 9 years	5 months
9 years and more	6 months

8.9 The Commission shall pay for shipment of the staff member's body from the place of death to the place designated by the next of kin.

Copy of CCSBT and SEAFO

**REGULATION 9
TRAVEL**

9.1 All official travel shall be authorized by the Executive Secretary in advance within the limits of the budget, and the itinerary and travelling conditions shall be those best suited for maximum effectiveness in the fulfillment of duties assigned.

Copy of CCSBT and SEAFO

9.2 With regard to official travel, a travel allowance, generally consistent with United Nations practice, shall be paid in advance for fares, accommodation, and daily living expenses.

Copy of CCSBT and SEAFO

9.3 Economy class shall be utilized, wherever feasible, for air travel.

Copy of CCSBT and SEAFO

9.4 First class may be utilized for land travel, but not for travel by sea or air.

Copy of CCSBT and SEAFO

9.5 Following completion of a duty journey, staff members shall repay any travel allowances to which, in the event, they were not entitled. Where staff members have incurred expenses above and beyond those for which travel allowances have been paid, they shall be reimbursed, against receipts and vouchers, as long as

Copy of CCSBT and SEAFO

<p>such expenses were necessarily incurred in pursuit of their official duties.</p>	
<p>9.6 On taking up an appointment in the Professional Category staff members shall be eligible for:</p>	
<p>(a) payment of economy class air fares (or equivalent) and travel allowance for themselves, their spouses and dependents to _____;</p>	<p>Copy of CCSBT and SEAFO</p>
<p>(b) an Installation Grant calculated <u>on the basis of the prevailing United Nations rate</u>;</p>	<p>Copy of CCSBT SEAFO stipulates “one month net salary”</p>
<p>(c) payment of removal costs, including the shipment of personal effects and household goods from place of residence to _____, subject to a maximum volume of 30 cubic meters or one international standard shipping container,</p>	<p>Copy of CCSBT and SEAFO</p>
<p>(d) payment or reimbursement of sundry other expenses related to relocation, including insurance of goods in transit and excess baggage charges <u>subject to the prevailing relevant United Nations rules</u>. Such payments shall be subject to prior approval by the Executive Secretary.</p>	<p>Copy of CCSBT SEAFO does not have the underlined part.</p>
<p>9.7 Staff members who, in the course of their duty, are required to use private motor vehicles for official travel purposes shall, with the prior authorization of the Executive Secretary, be entitled to receive a reimbursement of the costs involved in line with that available to members of the Government Service in _____. The costs associated with normal daily travel to and from place of work shall not be reimbursed.</p>	<p>Copy of CCSBT and SEAFO</p>
<p>REGULATION 10 SEPARATION FROM SERVICE</p>	
<p>10.1 Staff members may resign at any time upon giving three months’ notice or such lesser period as may be approved by the Executive Secretary or the Commission, as the case may require.</p>	<p>Copy of CCSBT and SEAFO</p>
<p>10.2 In the event of a staff member resigning without giving the required notice, the Commission reserves the right to decide whether repatriation expenses or any other allowance shall be paid.</p>	<p>Copy of CCSBT and SEAFO</p>
<p>10.3 Appointment of staff members may be terminated upon prior written notice at least three months in advance, by the Executive Secretary when he or she deems this to be for the benefit of the Commission due to</p>	<p>Copy of CCSBT and SEAFO</p>

<p>restructuring of the Secretariat or if he or she considers that the staff member does not give satisfactory service, fails to comply with the duties and obligations set out in these Regulations, or is incapacitated for service.</p>	
<p>10.4 In the event of separation from service with the Secretariat, staff members shall be compensated at a rate of one month base pay for each year of service, beginning the second year, unless the cause of termination has been gross dereliction of duties imposed in Regulation 2.</p>	<p>Copy of CCSBT and SEAFO</p>
<p>10.5 On separation from service, a staff member shall, subject to Regulation 10.6 below, be entitled to the following:</p>	<p>Copy of CCSBT and SEAFO</p>
<p>(a) payment of economy class air fares (or equivalent) to the staff member's country of origin or former residence, for the staff member and dependent members of his or her family;</p>	<p>Copy of CCSBT and SEAFO</p>
<p>(b) payment of removal costs, including the shipment of personal effects and household goods from place of residence in Canberra to the country of origin or former residence, subject to a maximum volume of 30 cubic meters or one international shipping container;</p>	<p>Copy of CCSBT and SEAFO</p>
<p>(c) a repatriation allowance <u>generally consistent with United Nations practice</u>.</p>	<p>Copy of CCSBT</p>
	<p>SEAFO: equivalent to one month net salary</p>
<p>10.6 At the discretion of the Executive Secretary, the right to the repatriation expenses provided for in Regulation 10.5 may be cancelled or reduced appropriately if:</p>	<p>Copy of CCSBT and SEAFO</p>
<p>(a) less than one year has elapsed between the date of taking up the appointment and the date of separation from service;</p>	<p>Copy of CCSBT and SEAFO</p>
<p>(b) the reason for separation from service was termination of employment due to gross dereliction of duty;</p>	<p>Copy of CCSBT and SEAFO</p>
<p>(c) more than six months has elapsed between the staff member's separation from service and his or her return to his or her country of origin or former residence;</p>	<p>Copy of CCSBT and SEAFO</p>
<p>(d) less than six months has elapsed since the staff member last visited his or her country of origin or former residence on home leave at the expense of the Commission; or</p>	<p>Copy of CCSBT and SEAFO</p>
<p>(e) the staff member has applied for or received status as a permanent resident of _____.</p>	<p>Copy of CCSBT and SEAFO</p>
<p>REGULATION 11</p>	

TEMPORARY PERSONNEL UNDER CONTRACT

11.1 The Executive Secretary may contract temporary personnel necessary to discharge special duties in the service of the Commission. Such personnel shall be classified as additional help and may be paid on an hourly basis.

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11.2 Persons in this category may include translators, interpreters, typists, and other persons contracted for meetings, as well as those whom the Executive Secretary contracts for a specific task. Whenever possible, persons resident in _____ shall be utilized in such cases.

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REGULATION 12

APPLICATION AND AMENDMENT OF REGULATIONS

12.1 Any doubts arising from application of these Regulations shall be resolved by the Executive Secretary following consultation with the Chair of the Commission.

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12.2 All matters not foreseen in these Staff Regulations shall be brought to the attention of the Commission by the Executive Secretary.

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12.3 Subject to the provisions of the Convention, these Regulations may be amended by the Commission in accordance with its Rules of Procedure.

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Report on the results of the FAO VME Data Base Workshop

By the Interim Secretariat

1. The workshop was held in Rome from December 7 to 9, 2011.
2. It was attended by 18 experts from RFMO, industries, research institutes and universities as well as FAO officials. Mr. Shingo Ota and Dr. Loh-Lee Low represented NPFC.
3. FAO explained the background and objective of the WS.
4. After several presentations on VMEs, participants exchanged the views about the database.
 - (1) Who should submit data?
 - RFMO
 - Organizations other than RFMOs
 - Flag states
 - (2) Type of data to be submitted
 - VMEs
 - Possible VMEs
 - Closed areas for protection of VMEs
 - Seamounts
 - (3) Quantitative criteria for identifying VMEs
 - (4) Confidentiality concern
 - (5) Framework for data base
 - iMarine by EU
 - Independent data base
5. Group discussion

The participants were divided into three groups (policy, scientific and industrial) to discuss what benefit they expect to get from the data base and what contribution they can make to the data base. The results of the discussion by each group were compiled into a table, which indicates information to be submitted (mandatory and optional).

6. NAFO, NEAFC and CCAMLR indicated that they would make necessary contribution to the data base. NPFC stated that it would consider what contribution can be made although the Convention has not entered into force. SPRFMO took a similar position.

7. As to the funding necessary to establish the data base, FAO stated that the regular budget of FAO is not available and it would seek funding from donors such as GEF and trust funds from FAO members.

8. It was agreed that FAO would circulate a draft report of the WS by mid-February for comments from the participants, and comments should be submitted by April. Then, FAO would establish a list of items to be put into the data base by December and create a prototype data base.