

General Regulations

General Regulations of the International Hydrographic Organization

IHO



International
Hydrographic
Organization

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**GENERAL REGULATIONS
OF THE INTERNATIONAL HYDROGRAPHIC ORGANIZATION**

CONTENTS

| ARTICLE | ITEM | PAGE |
|----------------|--|-------------|
| | | |
| 1-5 | General | 4 |
| 6 | Subsidiary organs and subordinate bodies | 5 |
| 7 | Inter-organizational bodies | 5 |
| 8 | Regional Hydrographic Commissions | 22 |
| 9-14 | Secretary-General | 22-23 |
| 15 | Secretary-General and Directors | 23 |
| 16 | Selection of Members of the Council | 23-24 |
| 17-26 | Election and terms of office of the Secretary-General and of Directors | 24-27 |
| Annex | List of Regional Hydrographic Commissions | 28 |

**GENERAL REGULATIONS
OF THE INTERNATIONAL HYDROGRAPHIC ORGANIZATION**

General

ARTICLE 1

The activities of the International Hydrographic Organization (hereinafter the Organization) are of a consultative and technical nature, and do not include matters involving questions of international politics.

ARTICLE 2

For its relations with the Organization, each Member State shall designate an official representative, preferably the head of the hydrographic office.

ARTICLE 3

Travelling and hotel expenses of representatives to participate in meetings of the Organization shall be defrayed by their respective States.

ARTICLE 4

The Secretary-General shall be authorized to invite observers to any meeting of the Assembly, the Council, the Finance Committee, subsidiary organs and subordinate bodies from:

- (a) States that are not Parties to the Convention: one or two observers each, if proposed by a Member State, the Council or the Secretary-General, and subject to approval by two thirds of the Member States;
- (b) Member States with rights suspended under Article XV of the Convention, as implemented in accordance with Article 16 of the Financial Regulations: one or two observers each, one of whom should preferably be the head of the hydrographic office;
- (c) inter-governmental organizations with which an agreement or special arrangement has been made: one or exceptionally two observers each; and
- (d) non-governmental international organizations with which the Organization has established appropriate relationships in accordance with the resolution for the Accreditation of Non-governmental International Organizations: one or exceptionally two observers each.

ARTICLE 5

When decisions of the Organization are made in the form of resolutions and recommendations, these decisions shall be recorded in the Repertory of Resolutions of the Organization. The Secretary-General shall maintain that Repertory.

Subsidiary organs and subordinate bodies

ARTICLE 6

- (a) The Assembly may establish subsidiary organs and may authorise the Council, the Finance Committee or any subsidiary organ to establish bodies subordinate to them.
- (b) Any body established in accordance with paragraph (a) above shall be open to all Member States and may take the form of:
- (i) a committee, being a subsidiary organ whose life expectancy is longer than the time period between two consecutive ordinary sessions of the Assembly;
 - (ii) a sub-committee, being a subordinate body whose life expectancy is longer than the time period between two consecutive ordinary sessions of the Assembly; or
 - (iii) a working group, being a subordinate body formed to examine a particular subject.
- (c) When establishing a subsidiary organ the Assembly shall determine the Terms of Reference and Rules of Procedure of that subsidiary organ, which shall clearly state, as a minimum, its objectives, its composition, the method for determining its chair, and its reporting procedures.
- (d) When establishing a sub-committee the Council, the Finance Committee or any subsidiary organ shall prepare draft Terms of Reference and Rules of Procedure for that sub-committee, which shall clearly state, as a minimum, its objectives, its composition, the method for determining its chair, and its reporting procedures.
- (e) When establishing a working group the Council, the Finance Committee, any subsidiary organ or subordinate body shall determine the Terms of Reference and Rules of Procedure of that working group, which shall clearly state, as a minimum, its objectives, its composition, the method for determining its chair, and its reporting procedures.
- (f) Draft Terms of Reference and Rules of Procedure prepared by the Finance Committee or any subsidiary organ in accordance with paragraph (d) above shall be submitted to the Council.
- (g) Where the Council itself prepares draft Terms of Reference and Rules of Procedure, or where the Council receives submissions in accordance with paragraph (f) above), it shall either:
- (i) submit them to Member States for approval by correspondence, in accordance with Articles VI (g) (vii) and IX (f) of the Convention; or
- if such drafts are prepared or received by the Council one year or less before the opening day of the next ordinary session of the Assembly, submit them to the Assembly for approval.

Inter-organizational bodies

ARTICLE 7

The Assembly may approve participation of the Organization at inter-organizational boards and other bodies, and in inter-organizational projects and cooperative activities, including the principles for such participation, and shall approve any Terms of Reference necessary for such participation.

Regional Hydrographic Commissions

ARTICLE 8

- (a) Regional Hydrographic Commissions (hereinafter RHCs) are regional bodies, established by Member States and recognized by the Assembly to improve regional co-ordination, enhance exchange of information and foster training and technical assistance.
- (b) RHCs recognized by the Assembly are listed in the Annex to these General Regulations.
- (c) RHCs shall be established by an agreement of their members.
- (d) RHC membership may include full members and associate members, both willing to contribute to the objectives of the Organization in the region concerned.
- (e) Full membership is reserved for Member States within the region. In the unique case of the Antarctic region, membership of the Hydrographic Commission on Antarctica (HCA) is reserved for Member States whose governments have acceded to the Antarctic Treaty and contribute resources to the provision of hydrographic data, products and services supporting marine safety of navigation within, and/or the wider marine geospatial information of the Antarctic region.
- (f) Associate membership is available to:
 - (i) other Members States; and
 - (ii) States of the region who are not Member States.
- (g) Other States and international organizations active in the region concerned may be invited by the RHC to participate as observers.
- (h) RHCs shall assess regularly the hydrographic capacity and requirements within their region.

Secretary-General

ARTICLE 9

The Secretary-General is the head of the Secretariat and shall be responsible for its efficient operation. There shall be two Directors who shall report to and have responsibilities assigned by the Secretary-General.

ARTICLE 10

The Secretary-General shall:

- (a) be the chief administrative officer of the Organization and administer the Secretariat in accordance with the provisions of the Convention and the General and Financial Regulations and with directives given by the Assembly and the Council;
- (b) prepare and submit to the Finance Committee and the Council the financial statements for each year and budget estimates on a three-year basis, with the estimates for each year shown separately;

- (c) support the Council in preparing proposals concerning the overall strategy and the work programme;
- (d) appoint and manage the staff needed for the efficient and effective operation of the Secretariat in accordance with the staff regulations and within the budget set by the Assembly; and
- (e) keep Member States informed with respect to the activities of the Organization.

ARTICLE 11

The Secretary-General shall keep in close communication with the hydrographic offices of Member States. He/she may also correspond with related scientific organizations of Member States, provided that he/she informs the official representative of the Member State concerned. Furthermore he/she may correspond with similar bodies of other States and with international organizations.

ARTICLE 12

The Secretary-General shall bring to the notice of the hydrographic offices of Member States any hydrographic work of an international character or problems of general interest that may be useful to undertake or study. He/she shall strive for the undertaking of such work or solutions to such problems by seeking collaboration among Member States as necessary.

ARTICLE 13

The Secretary-General shall satisfy as far as possible all requests from representatives of Member States for information or advice related to the work of the Secretariat. Matters which can be dealt with directly among national hydrographic offices should not normally be referred to the Secretary-General.

ARTICLE 14

A Secretary-General or a Director elected at an ordinary session of the Assembly shall assume his/her duties on the following 1 September. The duties of his/her predecessor shall terminate on 31 August.

Secretary-General and Directors

ARTICLE 15

A Secretary-General or a Director who has been incapacitated for duty for six consecutive months, or otherwise for an aggregate of twelve months, during his/her term of office shall automatically cease to be Secretary-General or Director.

Selection of Members of the Council

ARTICLE 16

The Council shall be composed of Member States. Its composition shall be determined in accordance with the following principles.

- (a) No Member State may hold more than one Council seat;
- (b) Two-thirds of Council seats shall be held by Member States selected by the RHCs. Each RHC shall be entitled to select at least one Member State, subject to the following:
 - (i) a Member State may only apply to be selected by a RHC of which it is a full member;
 - (ii) a Member State may only apply to be selected by one RHC;
 - (iii) a Member State must apply to the RHC for selection, copying its application to the Secretary-General, at least six months before an ordinary session of the Assembly;
 - (iv) the number of seats allocated to each RHC shall be calculated by the Secretary-General based on the principle of a proportional representation in order to arrive at the required two thirds of Council seats provided for in this sub-paragraph (b);
 - (v) for the purpose of deciding how many Council seats are allocated to each RHC the Secretary-General shall ensure that every Member State is counted as a full Member of one, but not more than one, RHC;
 - (vi) three months before the ordinary session of the Assembly, the Secretary-General shall inform all Member States of the number of seats allocated to each RHC and those Member States eligible for selection by each RHC; and
 - (vii) each RHC shall declare to the Secretary-General, before the last day of each ordinary session of the Assembly, the Member States it has selected to take seats on the Council from among those eligible for selection.
- (c) The remaining one-third of Council seats shall be held by Member States that have the greatest interest in hydrographic matters and have not been selected under the procedure described in subparagraph (b) above. The scale by which an interest in hydrographic matters is measured shall be national flag tonnage. The table of national flag tonnages is derived in accordance with the procedures set forth in Articles 5 and 6 of the Financial Regulations. The Secretary-General shall determine which Member States will hold this one third of Council seats by identifying them in descending order of their national flag tonnages, referring to the table of current national flag tonnages produced in accordance with Article 6 (a) of the Financial Regulations, and by having ascertained the willingness of each of them to hold a seat on the Council.
- (d) Before the end of the ordinary session the Secretary-General shall submit the full list of Council members to the Assembly.
- (e) The Assembly shall review and endorse the selection process to ensure that these principles have been correctly followed.
- (f) In the event that a Member State holding a seat on the Council should be denied voting rights and benefits in accordance with Article XV of the Convention, that Member State shall immediately forfeit its seat and the Secretary-General shall initiate the appropriate procedure to replace it in accordance with this Article 16.

Election and terms of office of the Secretary-General and of Directors

ARTICLE 17

The Secretary-General and Directors, who shall be of different nationalities, shall be elected by the Assembly in accordance with Articles V (e) (iii) and IX (b) of the Convention. The election shall be held by secret ballot.

ARTICLE 18

(a) For the election of the Secretary-General and Directors, each Member State shall have two votes; those Member States that have a national flag tonnage of 100 000 tons or more shall have supplementary votes in accordance with the following table.

| NATIONAL FLAG TONNAGE | SUPPLEMENTARY VOTES |
|------------------------------|----------------------------|
| 100 000 - 499 999 | 1 |
| 500 000 - 1 999 999 | 2 |
| 2 000 000 - 7 999 999 | 3 |
| 8 000 000 and above | 4 |

(b) National flag tonnage shall be determined in accordance with Article 5 of the Financial Regulations.

ARTICLE 19

Each Member State may nominate only one candidate, who may be nominated for either or both of the posts of Secretary-General or Director, and who shall be of the nationality of the nominating Member State. If possible, nominations should reach the Secretary-General at least three months before the opening day of the next ordinary session of the Assembly. The list of candidates shall be closed ten days prior to the opening day of the ordinary session of the Assembly.

ARTICLE 20

(a) Each nomination shall indicate whether it is for the post of Secretary-General or Director or for both posts, and shall include a statement detailing the candidate's qualifications. The following specific information should be provided:

- nominating Member State;
- name;
- nationality;
- date of birth;
- titles and decorations;
- education (periods including specialized or special qualifications);

- languages (speaking and reading capacity);
 - all service and experience relevant to the nomination and which provide an indication of the extent to which the candidate is qualified to serve as Secretary- General or Director;
 - candidate's Position, which should include, but is not limited to, the candidate's vision of the importance of hydrography and cartography, of the role of the IHO and of the objectives and approach envisaged to best advance the priorities of the Organization as established by the Member States; and
 - such additional information as may be relevant;
- (b) Each nomination shall be signed by the candidate and by a representative of the nominating Member State.
- (c) Each nomination shall include a medical certificate issued by a duly qualified medical practitioner stating that the candidate presents no apparent symptom likely to interfere with the proper discharge of their duties. In the event that such a certificate cannot be provided the nomination will not be accepted.

ARTICLE 21

- (i) The nominations, with the detailed statements, shall be notified to all Member States by the Secretary-General as soon as they are received.
- (j) The Secretary-General shall collate the nominations and present them to the Assembly.

ARTICLE 22

- (a) There shall be separate ballots, first for the election of the Secretary-General and subsequently for each of the Directors.
- (b) To register their votes Member States shall write the names of the candidates whom they wish to elect on a number of voting papers equal to the number of votes to which they are entitled.
- (c) Only the name of one candidate shall be written on each voting paper.
- (d) Any voting paper not completed in accordance with paragraphs (b) and (c) above shall be nullified.

ARTICLE 23

- (a) The candidate receiving the largest number of votes in a ballot shall be elected.
- (b) In the event that two or more candidates tie with the largest number of votes, a new ballot restricted to those candidates shall be held.

ARTICLE 24

Individuals elected to the posts of Secretary-General and Directors by the Assembly shall serve a first term of office of six years.

ARTICLE 25

Notwithstanding Article 17, if the post of the Secretary-General or of any Director falls vacant during the period between two ordinary sessions of the Assembly the following provisions shall apply.

- (a) If the post of Secretary-General falls vacant one year or less before the opening day of the next ordinary session of the Assembly the Council shall appoint one of the Directors as Acting Secretary-General until the 31 August following the next ordinary session of the Assembly.
- (b) If any post of Director falls vacant one year or less before the opening day of the next ordinary session of the Assembly, including where such a post falls vacant due to the operation of Article 25 (a) above, no replacement shall be appointed before the next ordinary session of the Assembly.
- (c) If the post of Secretary-General falls vacant more than one year before the opening day of the next ordinary session of the Assembly, the Council shall appoint one of the Directors as Acting Secretary-General until a new Secretary-General elect takes up his/her duties. A new Secretary-General shall be elected by correspondence in accordance with the principles set forth in Articles 17 to 23. In such a case the Chair of the Council, with the support of the Secretariat, shall conduct the election by postal ballot, immediately notify Member States of the result and invite the Secretary-General to take up his/her duties.
- (d) If any post of Director falls vacant more than one year before the opening day of the next ordinary session of the Assembly a new Director shall be elected by correspondence in accordance with the principles set forth in Articles 17 to 23. In such a case the Secretary-General shall conduct the election by postal ballot, immediately notify Member States of the result and invite the Director to take up his/her duties.
- (e) The term of office of any Secretary-General or Director elected in accordance with Articles 25 (c) or (d) above shall end at the same time as would have his/her predecessor's.

ARTICLE 26

(a) Individuals having served a first term of office as Secretary-General or as a Director may, immediately upon expiry of that term of office but not otherwise, seek re-election to any of those posts, and if re-elected shall serve a second term of office as follows.

(i) An individual having been elected by the Assembly and having served a full first term of office of six years shall upon re-election serve a term of office of three years.

(ii) An individual having been elected in accordance with Articles 25 (c) or 25 (d) above shall upon re-election serve:

(A) in the case of an individual having served a first term of office of three years or less, a term of office of six years; or

(B) in the case of an individual having served a first term of office of more than three years, a term of office of three years.

(b) In no circumstances shall any individual occupy the post of Secretary-General or Director or a combination of both for an aggregate term of more than nine years.

Annex

RHCs referred to in Article 8 (b).

1. Baltic Sea Hydrographic Commission (BSHC);
2. East Asia Hydrographic Commission (EAHC);
3. Eastern Atlantic Hydrographic Commission (EAtHC);
4. Mediterranean and Black Seas Hydrographic Commission (MBSHC);
5. Meso-American and Caribbean Sea Hydrographic Commission (MACHC);
6. Nordic Hydrographic Commission (NHC);
7. North Indian Ocean Hydrographic Commission (NIOHC);
8. North Sea Hydrographic Commission (NSHC);
9. Regional Organization for the Protection of the Marine Environment (ROPME) Sea Area Hydrographic Commission (RSAHC);
10. Southern Africa and Islands Hydrographic Commission (SAIHC);
11. South East Pacific Regional Hydrographic Commission (SEPRHC);
12. South West Pacific Hydrographic Commission (SWPHC);
13. US/Canada Hydrographic Commission (USCHC);
14. South West Atlantic Hydrographic Commission (SWAtHC); and
15. Arctic Regional Hydrographic Commission (ARHC).
