



STATUTES
of the
MESO AMERICAN - CARIBBEAN SEA HYDROGRAPHIC COMMISSION (MACHC)

as amended by the XVIth Conference of the Commission in St. John's, Antigua and Barbuda
(December 2015)

Notes:

1. The terms "International Hydrographic Bureau" and "IHB" to be replaced by "Secretariat of the IHO" when the amendments to the Convention on the IHO enter into force.
2. The term "Directing Committee of the IHB" to be replaced by "Secretary-General of the IHO" when the amendments to the Convention on the IHO enter into force.
3. The terms "International Hydrographic Conference" and "IHC" to be replaced by "IHO Assembly" when the amendments to the Convention on the IHO enter into force.

ARTICLE 1: OF THE COMMISSION

- a) The Meso American - Caribbean Sea Hydrographic Commission has been constituted in conformity with Resolution 2/1997 as amended of the International Hydrographic Organization (IHO), included as Annex 1, and shall be governed according to these Statutes.
- b) The geographic Region covered by the Commission shall be that defined by the IHO INT Charting Scheme Region B, included as Annex 2, hereafter referred as "the Region".

ARTICLE 2: OF THE MEMBERS

- a) Full Members of the Commission shall be IHO Member States within the Region that are signatories to these Statutes.
- b) Associate Membership is open to any non-IHO Member State within the Region that is a signatory to these Statutes. Other Members of the IHO that contribute to the safety of navigation through their activities in the fields of hydrography, nautical charting or nautical information in the Region and are signatories to these Statutes may be accepted as Associate Members. Associate Members have the same rights and obligations as the Full Members of the Commission except the right to vote or to be elected Chair.
- c) The Chair shall also invite other IHO Member States that are not signatories to these Statutes but that contribute to the safety of navigation by their activities in the fields of hydrography, nautical charting or nautical information in the Region, or organisations active in the Region, to attend as Observers.

ARTICLE 3: OF THE AIMS

- a) The Commission, which is an integral element in achieving the objectives of the IHO and which promotes the aims of the Organization at the regional level, shall have an advisory, scientific and technological character; it shall not exert any authority over the Hydrographic Services or institutions responsible for hydrography and navigation of the Member countries and activities shall not extend to matters concerning international political issues.

- b) Particular aims of the Commission are:
1. To promote technical co-operation and training in the domain of hydrographic surveying, marine cartography and nautical information.
 2. To examine in its area of interest, matters with which the IHO is concerned, avoiding any interference with the prerogatives of the International Hydrographic Bureau (IHB) and of any other bodies set up by the IHO.
 3. To stimulate all countries of the Region to expand their hydrographic activities and to encourage them to seek advice and technical assistance from the IHB and other organisations in order to strengthen their hydrographic capabilities.
 4. To facilitate the exchange of information related to surveys, research and/or scientific and technical development to assist in planning and organizing the hydrographic activities in the widest sense of the aims, but without interference in national responsibilities.
 5. To implement the INT and ENC Chart Schemes for the Region and to monitor their suitability.
 6. To carry out studies and projects through committees or working groups of the Commission so as to provide input to the IHO when deemed necessary.
 7. To identify the MACHC Representative(s) to the IHO Council (when the IHO Council is established), as outlined in the guidance provided in Annex 3 to the Statutes.

ARTICLE 4: OF THE ORDINARY CONFERENCE

- a) The Commission shall meet in ordinary Conference in a country of the Region at least twice between two successive ordinary sessions of the International Hydrographic Conference (IHC).
- b) The Members shall be represented at the Conferences by the heads of the Hydrographic Authorities or their nominees or, where such services do not exist, by heads of national authorities responsible for hydrography and navigation.
- c) The presence of at least one-half of the Full Members of the Commission shall constitute the necessary quorum to hold the meeting.
- d) An invitation to attend the Conference shall always be sent to the Directing Committee of the IHB.
- e) The Chair shall invite those countries of the Region that are not Members of the Commission and the Coordinators of adjacent INT-Chart Regions to send Representatives to attend the Commission Conferences as Observers. Any Members may propose to the Chair the invitation of technical experts as Observers. Observers can participate in the discussions and in the working groups set up by the Commission but shall not have voting rights.
- f) The host country may limit the number of participants to not more than two per country according to the availability of facilities.

ARTICLE 5: OF THE CHAIR AND VICE CHAIR

- a) The Conferences of the Commission are conducted by the Chair with the assistance of

the Vice Chair.

- b) The Chair and Vice Chair of the Commission shall be from a Full Member State of the Commission, elected on a rotational basis. Under normal circumstances, the term for the Chair and Vice Chair will be two years. If the period between Conferences exceeds two years, the term will extend until the end of the next Conference.
- c) At the conclusion of a Conference, Full Members will offer suggestions regarding the election of a new Chair and Vice Chair. In order to assure the continuity, it is suggested that the Vice Chair be elevated to the position of Chair for the next period.
- d) If the Chair, or the Vice Chair, is unable to officiate at the Conference, he or she shall be replaced by his or her Representative.
- e) The incoming Chair shall take office three months after the conclusion of an ordinary Conference.

ARTICLE 6: OF THE SEATS OF THE CONFERENCES

- a) At the end of each conference the Full Members desirous of hosting the following conference shall put forward their candidatures. Proposals for holding the conference in a country of an Associate Member may also be considered. Where no other compelling circumstances exist, priority shall be given to a Full Member State which has not yet hosted a conference, or to the one which did so the longest time ago.
- b) The host country will assist with the arrangement of authorizations and visas, so as to facilitate attendance at the Conference.

ARTICLE 7: OF THE CONFERENCE

- a) The Chair shall prepare the Provisional Agenda in conjunction with the Members at least two months before its opening. The Provisional Agenda shall normally include the standard items suggested in relevant IHO guidance (for example, National Reports, INT Charts and ENC Cell scheme). The first item shall be the Chair's report on the activities of the Commission since the last Conference. All Conference Documents shall be made available on the IHO/MACHC web site at least one month prior to the meeting.
- b) Members' Proposals to be included on the Agenda of a Conference should be sent to the Chair for the next Conference at least four months in advance of the date agreed for the commencement of the Conference.
- c) The Agenda shall be adopted by the Commission at the beginning of each Conference.
- d) The Commission can modify the order of discussion of the different items of the Agenda during the Conference.
- e) Proposals of Members not included in the Agenda shall be submitted to the Chair and, with the agreement of the Members, shall be added to the Agenda for consideration.
- f) Each Full Member has one vote and votes shall be indicated by a show of hands.
- g) At the end of each Conference, the Chair shall present the Resolutions and Decisions taken in the working language of the Commission. 20 days after the close of the Conference, the Chair will submit to the Full Members and Participants a report, (in the working language of the Commission) which will include those Resolutions and Decisions, as well as any supporting information submitted. Full Members shall report any objections of the report within 20 days. Any objections to the report shall be made by electronic mail.

- h) Between Conferences, if necessary, subjects may be discussed and decided by correspondence in the MACHC working language.
- i) In preparation for, during and between Conferences, the Chair shall be assisted by the Secretary appointed by him/her. The duties of the Secretary include the following:
 1. To collate, three months before the Conference, all proposals from the Full Members, to be included in the Agenda.
 2. To forward proposals and the provisional Agenda to the Chair and Vice Chair at least two months prior to the Conference.
 3. To prepare and distribute a list of participants at least one month prior to the Conference.
 4. To receive and to forward any requirements from the Members to the Chair and Vice Chair as appropriate.
 5. To prepare for the Chair, a report of the Conference within 20 days following its conclusion, including the discussions resolutions and decisions taken, as well as any supportive information that was submitted.
 6. To prepare the final report and forward it to the IHB.
 7. To assure with the host country, the nominal organization of the Conference.

ARTICLE 8: OF RESOLUTIONS AND DECISIONS

- a) The resolutions and decisions of the Conference shall usually be reached by consensus among Full Members. If consensus cannot be reached, resolutions and decisions shall be adopted by a simple majority of the Full Members present. In case of an equal number of votes (tie), a second vote shall take place after listening to the comments of the Representative of the IHB.
- b) The Chair each day shall prepare a written text of the decisions taken on each item of the Agenda and shall see to its distribution to all the attendees present for the next day.
- c) Each Full Member has only one vote.
- d) At the end of the Conference, the Chair shall read the text of the resolutions and decisions taken. All decisions become operative immediately.

ARTICLE 9: OF CORRESPONDENCE

- a) The Chair shall send, within two months after the closing of the Conference, one copy of the Draft Report regarding the discussions and decisions taken during the Conference to each of the Full Members for its approval, and for Associate Members and Observers to comment. The Full Members shall send back their approval or any amendments within two months after its receipt. Any objection shall be resolved by correspondence. A signature page shall be circulated to obtain final approval.
- b) A copy of the Final Report of the Conference shall be sent to the Full Members, Associate Members, Observers and the IHB.

ARTICLE 10: OF EXTRAORDINARY CONFERENCES

- a) The Chair may convene an Extraordinary Conference of the Members of the

Commission when their Representatives are assembled for a session of the IHC, inviting others qualified to attend as Observers.

- b) In the case of urgent matters, which cannot be treated by correspondence nor can be delayed for the next Conference, the Chair, in agreement with the Full Members may convene an Extraordinary Conference.

ARTICLE 11: OF EXPENSES

- a) The Chair and the host country shall be responsible for the organisation of the Conferences.
- b) Travelling, hotel and per diem expenses of participants at Conferences shall be the responsibility of the nation or the organization of the participant.
- c) All expenses related to the provision of the venue and associated facilities for Conferences shall be the responsibility of the host country.
- d) In order to support Spanish speaking participants at meetings of the Commission (see Article 13), all participants are strongly encouraged to provide in-kind and/or financial support to enable continuous interpretation at the meetings.

ARTICLE 12: OF THE STATUTES

- a) The IHB shall be the custodian of these Statutes.
- b) The modification of the Statutes requires the approval of at least two-thirds of the Full Members of the Commission.
- c) If modifications to the extant Statutes are agreed by those Full Members attending a Conference, but they do not receive the approval of at least two-thirds of the Full Members as required, the Chair shall submit the proposal(s) by mail to all Full Members with information copies to Associate Members. Final approval shall be subject to the provisions of Article 12b. All approved modifications to the Statutes shall then appear in the report of the Conference.

ARTICLE 13: OF THE LANGUAGE OF THE COMMISSION

- a) The working language of the Commission shall be English, with continuous interpretation at meetings to and from Spanish being provided by the host country, with the support of other collaborating Member States or organizations if required (see Article 11d).

Signatures: Full Members

BRAZIL	Name Title/Post	
COLOMBIA	Name Title/Post	
CUBA	Name Title/Post	
FRANCE	Name Title/Post	
GUATEMALA	Name Title/Post	
JAMAICA	Name Title/Post	
MEXICO	Name Title/Post	
NETHERLANDS	Name Title/Post	
SURINAME	Name Title/Post	
TRINIDAD & TOBAGO	Name Title/Post	
UNITED KINGDOM	Name Title/Post	
UNITED STATES OF AMERICA	Name Title/Post	
VENEZUELA	Name Title/Post	

Associate Members

ANTIGUA AND BARBUDA	Name Title/Post	
BARBADOS	Name Title/Post	
BELIZE	Name Title/Post	
COSTA RICA	Name Title/Post	
DOMINICAN REPUBLIC	Name Title/Post	
EL SALVADOR	Name Title/Post	
GUYANA	Name Title/Post	
HAITI	Name Title/Post	
HONDURAS	Name Title/Post	
NICARAGUA	Name Title/Post	
PANAMA	Name Title/Post	
SANTA LUCIA	Name Title/Post	
ST. KITTS AND NEVIS	Name Title/Post	
ST. VINCENT AND THE GRENADINES	Name Title/Post	

IHO RESOLUTION 2/1997

(Latest amendment: CL 69/2010)

ESTABLISHMENT OF REGIONAL HYDROGRAPHIC COMMISSIONS (RHC)

1. It is resolved that the IHB shall encourage Member States having common regional interests in data collecting or nautical charting to form Regional Hydrographic Commissions (RHC) to cooperate in the undertaking of surveys and other projects. As part of IHO, the RHC shall complement the work of the Bureau.

2. RHCs are intended to provide, in pursuance of the resolutions and recommendations of the IHO, regional co-ordination with regard to nautical information, hydrographic surveys, production of nautical charts and documents, training, technical cooperation and hydrographic capacity building projects. They (RHC) should enable the exchange of information and consultation between the hydrographic services concerned. Geographically adjacent RHCs should liaise with each other.

2bis. Where Capacity Building is required in a region, RHCs are recommended to establish an internal body to deal with CB matters and to designate a focal point to ensure continuity in the CB process. This part-time allocation to assist RHCs should come primarily and ideally from an HO within the region. If that is not possible then the RHC might agree to request support from another RHC or an HO that might wish to take that responsibility.

These regional contact points, the responsibilities of which should be given directly and in detail by the RHC concerned, shall have the support of the RHCs; shall be nominated having in mind the importance of continuity; shall be in permanent contact with the corresponding RHC Chairman as well as with the CBC Chairman. Ideally should be a CBC member with access to RHC meetings.

In the absence of any other viable alternative and despite its limited human resources availability a request of support could be requested to the IHB.

3. RHCs shall be properly constituted and have activities in line with the objectives of the IHO as described in Article II of the Convention on the IHO and in accordance with the approved IHO Work Programme. Geographical areas of the RHC will normally coincide with INT chart regions, modified as appropriate to meet regional requirements and special circumstances. There are special provisions for Region M (Antarctica) because of its special status.

4. RHC membership may include full members, associate members, and observers, all willing to contribute to the safety of navigation in the fields of hydrography, nautical charting, nautical information or navigational warnings in the region concerned. The roles of full members, associated members and observers will be defined by each RHC.

Full membership is reserved for IHO Member States within the region who sign the statutes of the RHC.

Associate membership is available to other IHO Members States or States of the region who are non-IHO members, both being signatories of the statutes of the RHC.

Other States and International Organizations active in the region concerned may be invited by the RHC to participate as observers.

The invitation procedures should be established by each RHC.

5. The working languages used by the RHC shall be agreed upon by their members and designated to ensure the best communication between participants. The reports and IHO documents relating to RHC activities shall be in at least one of the official languages of the

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IHO. For correspondence with the Bureau, one of the official languages of the IHO shall be used.

6. A representative of the Bureau shall be invited to attend meetings of RHCs.

6bis RHCs shall assess regularly the hydrographic capacity and requirements within their region.

7. Chairs of RHCs shall report to the I.H. Conference on RHC activities, hydrographic capacity and requirements within their region, future plans and the agreed key targets that support RHC tasks detailed in the IHO Work Programme. The Chairs of RHC's shall also submit an annual report to the IHB indicating progress made against the agreed key targets in the IHO Work Programme for general dissemination. Between sessions of the IHC, reports of studies or other activities, which may be considered of general interest to all IHO Member States, shall be sent by Chairs of RHCs to the Bureau for general dissemination.

8. The following structure is to be used for National Reports made to those RHCs that wish to receive such reports:

Structure for National Reports to Regional Hydrographic Commissions

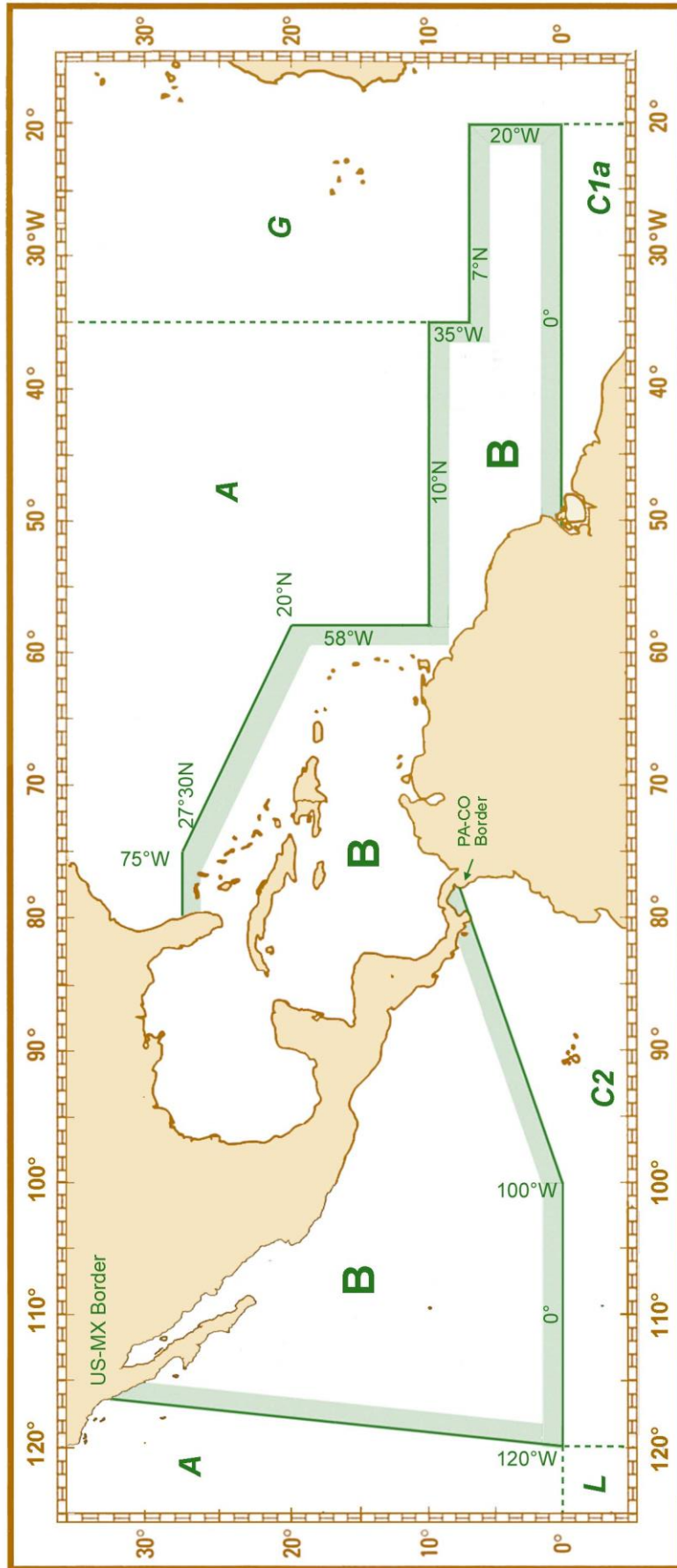
Executive summary

- | | |
|-----------------------------------|---|
| 1. Hydrographic Office / Service: | General, including updates for the IHO Yearbook e.g. reorganization |
| 2. Surveys: | Coverage of new surveys
New technologies and /or equipment
New ships
Problems encountered |
| 3. New charts & updates: | ENCs
ENC Distribution method
RNCs
INT charts
National paper charts
Other charts, e.g. for pleasure craft
Problems encountered |
| 4. New publications & updates: | New Publications
Updated publications
Means of delivery, e.g. paper, digital
Problems encountered |
| 5. MSI: | Existing infrastructure for transmission
New infrastructure in accordance with GMDSS Master Plan
Problems encountered |
| | Note : Use the WWNWS template for this section |
| 6. C-55: | Latest update (Tables) |

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7. Capacity Building:
 - Offer of and/or demand for Capacity Building
 - Training received, needed, offered
 - Status of national, bilateral, multilateral or regional development projects with hydrographic component. (In progress, planned, under evaluation or study)
 - Definition of bids to IHOCBC
8. Oceanographic activities General:
 - GEBCO/IBC's activities
 - Tide gauge network
 - New equipment
 - Problems encountered
9. Other activities:
 - Participation in IHO Working Groups
 - Meteorological data collection
 - Geospatial studies
 - Disaster prevention
 - Environmental protection
 - Astronomical observations
 - Magnetic/Gravity surveys
 - MSDI Progress
 - International
 - Etc
10. Conclusions

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PROCEDURE FOR THE DESIGNATION OF MACHC REPRESENTATIVES TO THE IHO COUNCIL

Designation of MACHC representatives to the IHO Council shall be determined in compliance with IHO General Regulations Articles 2 and 16.

Role and Authority of Representatives to the MACHC in the Council

1. IHO Member States representing the MACHC, shall occupy their seat on the Council for all sessions of the Council throughout the inter-sessional period between Assemblies.
2. All expenses connected with the participation of representatives to the Council shall be defrayed by their respective State, in accordance with IHO General Regulation Article 3.
3. In carrying out their role as a representative of the MACHC to the Council, the elected Member States shall take into account the views of the Member States of the Commission. A standing agenda item during the MACHC Conferences will cover IHO Council matters.

Selection Procedure (see also flowchart Appendix 1)

4. Three months before an ordinary session of the Assembly, the Secretary-General shall inform the Chair of the MACHC of:
 - a. the number of seats allocated to the MACHC, and
 - b. those Member States that are eligible for selection by the MACHC.
5. If the number of Member States eligible for selection to represent the MACHC to the Council is equal to the number of seats on the Council assigned to the MACHC by the Secretary-General under the terms of clause 4 above, then the aforementioned eligible Member States will be designated as representatives of the MACHC.
6. If the number of Member States eligible for selection to represent the MACHC to the Council is greater than the number of seats assigned to the MACHC by the IHO Secretary-General under the terms of clause 4 above, then the Chair of the MACHC will invite those Member States that have been designated as eligible for selection to the Council to indicate if they wish to be considered as candidates for selection.
 - a. If the number of candidate Member States is equal to the number of number of seats on the Council assigned to the MACHC, then these candidate(s) will be designated as representatives of the MACHC.
 - b. If the number of candidate Member States is smaller than the number of seats on the council assigned to the MACHC, the candidate(s), if any, will be automatically designated and will be complemented by the eligible Member State(s) that have not been representatives of the MACHC to the Council for the longest time. If this proves inconclusive, the Chair will designate eligible Members State(s) as representative of the MACHC.
 - c. If the number of candidate Member States is greater than the number of seats on the council assigned to the MACHC, the candidate(s) to represent the MACHC to the Council will be designated through a voting procedure.

Voting Procedure

7. The voting procedure will take place in the three months prior to the Assembly, preferably at a Conference of the MACHC otherwise by correspondence if no MACHC Conference is scheduled.

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- a. Each Member State may submit one voting paper marking as many candidate Member States from the list as seats have been assigned to the MACHC (see example of voting paper in Appendix 2).
- b. The quorum for a valid voting procedure is set at 50% of Member States casting their vote. Representatives of the MACHC to the Council are then elected by simple majority. An incomplete or blank voting paper is a valid voting option and does not count against the quorum.
- c. If no quorum is achieved, the voting window is extended for two weeks and the chair invites the missing Member States to cast their vote. The existing votes stand.
- d. If still no quorum has been achieved, the chair designates the representatives of the MACHC to the Council based on the votes cast. In case of a draw the candidate that has not been a representative of the MACHC to the Council for the longest time is designated as representative of the MACHC. If this proves inconclusive the Chair will designate a candidate as representative of the MACHC.

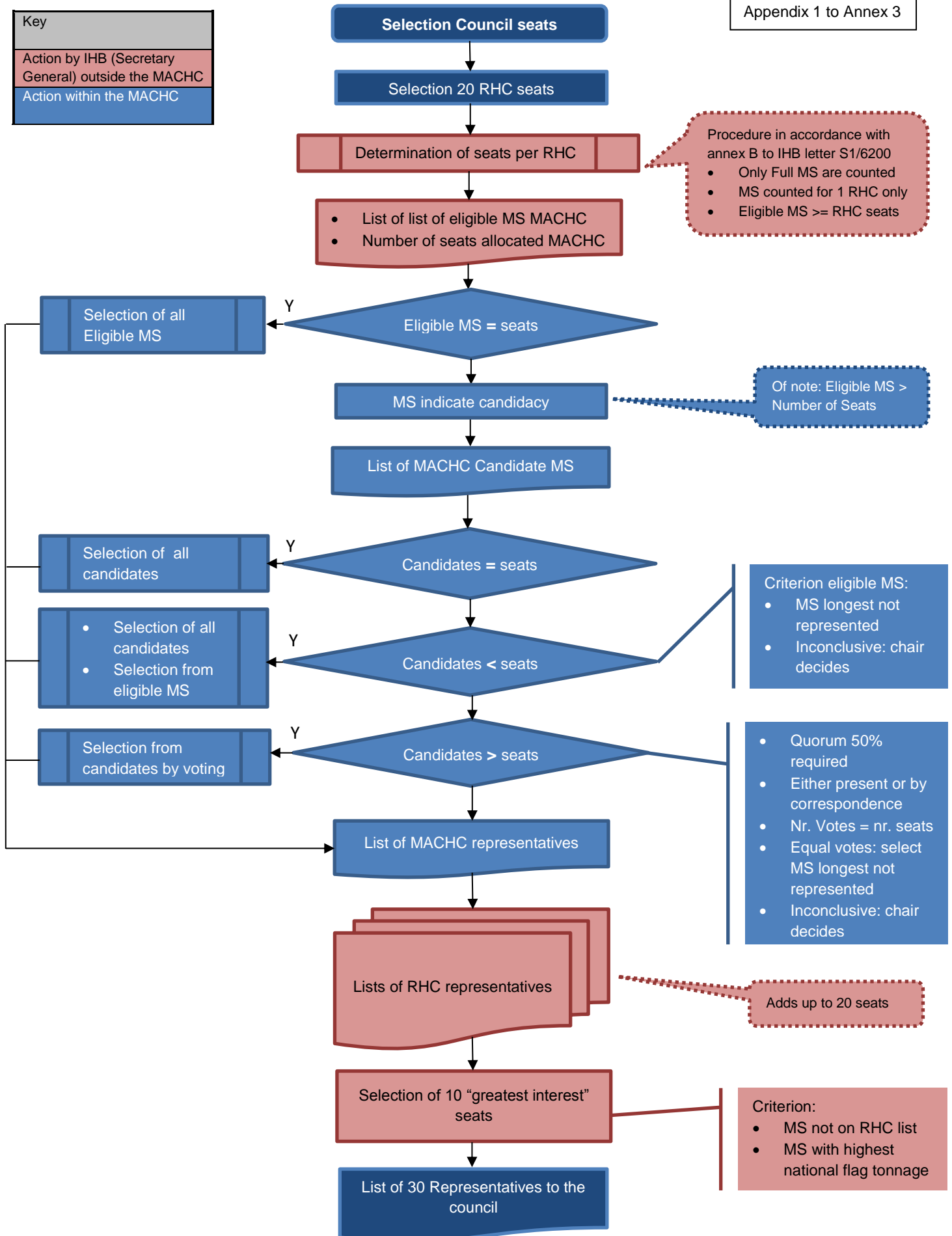
Manning of the representatives

8. The Member States selected to represent the MACHC in the Council are normally represented by the head of the Hydrographic office. Each Member State shall inform the Chair of the MACHC and the Secretary-General of the IHO of the name of its official representative. An alternate may also be designated.
9. Member States representing the MACHC shall inform the Chair of the MACHC and the Secretary-General of any changes in representation, whether permanent or temporary, as soon as practicable.

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Appendix 1 to Annex 3

Key
Action by IHB (Secretary General) outside the MACHC
Action within the MACHC



Appendix 2

Meso-American and Caribbean Sea Hydrographic Commission (MACHC)

Selection of Representative(s) to the IHO Council

Example of Voting Paper

Part A

Number of Seats on Council allocated to the MACHC: *Chair inserts number in here*

(This is the number of boxes that may be marked below)

Part B

To vote for a candidate State put an 'X' in the adjacent box. The number of boxes that may be marked is shown in Part A above.

<i>Chair inserts candidate State A in here</i>	<i>Votes indicated with an X here</i>
<i>Chair inserts State B in here</i>	<i>Votes indicated with an X here</i>
<i>Chair inserts State C in here</i>	<i>Votes indicated with an X here</i>
<i>insert other States if appropriate</i>	<i>Votes indicated with an X here</i>

Member State: Date:

Authorised By: Position: (signature)

.....

(Name)