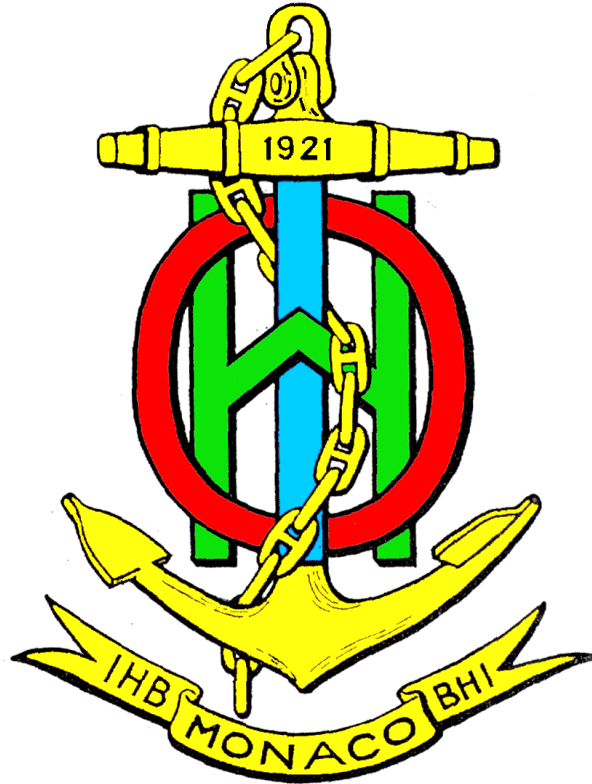


INTERNATIONAL HYDROGRAPHIC ORGANIZATION



**STATUTES OF THE NORTH INDIAN OCEAN
HYDROGRAPHIC COMMISSION (NIOHC)**

(corrected January 2019)

STATUTES OF THE NORTH INDIAN OCEAN HYDROGRAPHIC COMMISSION (NIOHC)

Article 1

- a) The North Indian Ocean Hydrographic Commission herein after referred to as “The Commission” is constituted in conformity with Resolution T1.3 of the International Hydrographic Organization (IHO), vide Annexure ‘A’. Members of the Commission shall be the countries within International Hydrographic Organization INT charting scheme Area ‘J’, included as Annexure ‘B’, herein after referred to as “Region”, who are members of the International Hydrographic Organization and whose representatives are signatories to the Statutes.
- b) The countries within the region who are not members of the International Hydrographic Organization, but who wish to co-operate in the work of the Commission, and whose representatives are signatories to the Statutes, become Associate Members.
- c) Other Member States of the International Hydrographic Organization outside the region may become Associate Members as signatories to the Statutes of the NIOHC, if they contribute to the safety of navigation by their activities in the fields of hydrography including training, nautical charting, and nautical information in the region of the NIOHC. Their applications shall be considered by the ordinary Conference mentioned in Article 4. The admission of these applications requires a simple majority of the Members of the Commission.
- d) Associate Members shall have the same rights and obligations as the Members of the Commission, except the right to vote or be elected Chairman.
- e) At the conclusion of the Conference the Vice Chairman for the next Conference shall be elected and shall take up his duties within four months following the Conference. In the normal course of events the Vice Chairman will succeed as the Chairman within four months from the end of the Conference.

Article 2

The aims of the Commission, which is an integral part of the International Hydrographic Organization, shall be:

- a) To provide, in pursuance of the resolutions and recommendations of the International Hydrographic Organization, regional co-operation and co-ordination with regard to nautical information, hydrographic surveys, production of nautical charts and documents, training, technical assistance and advice. The activities of the Commission do not extend to matters concerning international political issues.
- b) To examine the implications, in its area of interest, of matters of general interest with which the International Hydrographic Organization is concerned, avoiding any interference with the prerogatives of the International Hydrographic Bureau (IHB) and of any other bodies/Working Groups set up by the International Hydrographic Organization.
- c) To stimulate all countries in the region to widen hydrographic activity in the area and to encourage them to seek technical advice and assistance from the IHB in establishing and strengthening their hydrographic capabilities.
- d) To facilitate the exchange of information concerning surveys, research or scientific and technical developments, to aid in the planning and organization of hydrographic activities in the widest sense of the term, but without interference in the national responsibilities of each Hydrographic Office.

- e) To carry out certain studies as an International Hydrographic Organization Working Group when considered appropriate.
- f) To liaise with the adjacent Regional Hydrographic Commissions in the subjects of mutual interest.
- g) To implement the INT chart scheme for the region keeping it suitably under constant review.

Article 3

Members and Associate Members forming the Commission undertake to participate, of their own free will, on all possible occasions - whether in the form of advice or of assistance - in those hydrographic programmes requiring concerted action, but without prejudice to or interference with their national activities.

Article 4

The Commission shall meet annually, in ordinary Conference, within the region.

Article 5

- a) At the end of each Conference, the Members desirous of hosting the following Conference shall put forward their candidatures. Priority shall be given to a country, which has not yet hosted a Conference, or to the one, which did so the longest time ago. In cases of equal priority a ballot shall be held, the decisions being taken by a simple majority of Members present. The Chairman shall take up his duties within four months from the end of the Conference.
- b) Members and Associate Members shall be represented at Conferences by heads of Hydrographic Services or their representatives and where such services do not exist, by heads of national authorities responsible for Hydrography and navigation. They may also be accompanied by members of their staff.
- c) The Commission may set up small committees of Members and Associate Members interested in particular projects with the object of examining and executing such projects.
- d) The host country undertakes to assist with the arrangements for participants in the Conference to obtain any necessary authorisations and visas to enable them to attend the Conference.
- e) An invitation to attend the Conference shall invariably be addressed to the Directing Committee of the International Hydrographic Bureau.
- f) The presence of two thirds (2/3) of the Members of the Commission shall constitute a quorum.
- g) Countries within the region who are not Members or Associate Members of the Commission, as well as countries which are outside the region and are Members of the International Hydrographic Organization, but not Associate Members of the NIOHC, if they contribute to the safety of navigation by their activities in the fields of hydrography including training, nautical charting, or nautical information in the region of the NIOHC area, and those organizations, which are active in the region of the NIOHC area in the fields of hydrography, including training, nautical charting, nautical information or aids to navigation, can be invited to send representatives to attend its meetings, as observers. The observers may take part in the discussion but shall not have voting rights.
- h) Co-ordinators of adjacent INT chart regions and the countries bordering the region, who are not Members or Associate Members of the Commission, can be invited to send representatives to attend its meetings, as observers. The observers may take part in the discussions but shall not have voting rights.

Article 6

- a) In the interval between two Conferences, the outgoing Chairman shall conclude the business of the last Conference within four months. Thereafter, the incoming Chairman shall provide the Secretariat for the Commission and shall attend to all matters of interest by correspondence.
- b) If the Chairman is unable to officiate, he shall be replaced by his successor or his deputy at the Hydrographic office.
- c) The Chairman shall be responsible for the organization of the Conference for which his country shall pay the expenses.

Article 7

- a) Decisions taken during each meeting should be prepared in written form by the Chairman and supplied next day to the Members present.
- b) At the end of the Conference, the Chairman shall read the text of the decisions taken during the Conference, which will be adopted according to the provisions of Article 10.
- c) The Chairman shall despatch within two months of the close of the Conference a copy of the summary report, containing the discussions, decisions and recommendations of the Conference, for approval to each Member and for comments to Associate Members and Observers. Members shall notify within one month of the receipt their approval or objections, if any, which shall be settled by correspondence.
- d) A copy of the final report of the Conference shall be sent to the Full Members, Associate Members, Observers and the International Hydrographic Bureau (IHB).

Article 8

- a) Proposals to be included in the Agenda of a Conference must be sent to the Chairman at least four months before the date fixed for the opening of the Conference.
- b) The Chairman shall prepare the Provisional Agenda and forward it to the participants at least eight weeks before the opening of the Conference.

Article 9

- a) The Agenda shall be adopted by the Commission at the beginning of each Conference.
- b) The Commission may modify in the course of the Conference the order in which Agenda items are to be discussed.

Article 10

- a) All decisions should, as far as possible, be taken by consensus, failing which a two-thirds majority of Members present would be required for approval, the exception being the admission as Associate Members of International Hydrographic Organization members outside the region as referred to in Article 1 c. or changes to the Statutes referred to in Article 13.
- b) Only Members are entitled to vote, each country having the right to one vote. The voting shall be by show of hands.

Article 11

- a) The Chairman may call an extraordinary meeting of the Members of the Commission when their representatives are assembled for an International Hydrographic Conference, having made prior arrangements with the International Hydrographic Bureau.
- b) In the case of urgent matters, which cannot be treated by correspondence and which cannot be postponed until the next Conference, the Chairman, having taken the opinion of the Members, shall convene an Extraordinary Meeting, to be held in the country of the next Conference or the place considered most appropriate.
- c) The provisions of Article 6 are not applicable to the meetings defined in paragraphs a) and b) above, which shall be organised and presided over by the Chairman, who will remain in office after the meeting has concluded.
- d) Experts who are not Members of the Commission may be invited to Conferences or Extraordinary Meetings as observers. Experts can be defined as:
- Commercial Industry
 - Relevant Organisations
 - Subject matter experts
- e) When these meetings do not include all Members, the decisions reached shall be reported to the next Conference of the Commission, or by correspondence if the matter is urgent.
- f) Experts may be excluded from NIOHC plenary for specific agenda items at the request of Member States.

Article 12

Travelling and boarding and lodging expenses of the delegates shall be defrayed by their respective countries.

Article 13

Members and Associate Members of the Commission may propose amendments to the present Statutes. These amendments shall be discussed at a Conference and the decisions, which must be approved by two-thirds (2/3) majority of the Members of the Commission, will be included in the Report of the Conference.

Article 14

The official language of the Commission shall be English.

Article 15

The Chairman will report the Commission's activities and future plans to the relevant sessions of the International Hydrographic Conference and make contributions to the International Hydrographic Organization Annual Report. Between sessions the reports of studies or other activities, which are considered of general interest to all International Hydrographic Organization Member States, should be sent by the Chairman to the International Hydrographic Bureau for general dissemination.

Article 16

The IHB shall be the repository of the Statutes signed by the Members and Associate Members.

RECORD OF SIGNATURE BY MEMBER / ASSOCIATE MEMBER STATES

| Signature Number | Country | Member / Associate Member | Signature and Date |
|-------------------------|----------------|----------------------------------|---|
| 1. | IHB | - | xxx |
| 2. | Bangladesh | Member | Captain M.I. HAQUE, BN Director 30/12/2009 |
| 3. | Egypt | Member | |
| 4. | India | Member | Rear Admiral B.R. Rao, Chief Hydrographer to the Government of India 28/02/2007 |
| 5. | Indonesia | Member | Rear Admiral Harjo Susmoro, Indonesian Chief Hydrographer 18/01/2019 |
| 6. | Myanmar | Member | Commander Min Thein Tint Commanding Officer, Central Naval Hydrographic Depot 05/04/2007 |
| 7. | Pakistan | Member | Commodore ZAFAR MANSOOR TIPU, Hydrographer Pakistan Navy, NHQ, Karachi 22/04/2009 |
| 8. | Saudi Arabia | Member | |
| 9. | Sri Lanka | Member | Mr. M.A. Ariyawansa, Hydrographer, National Hydrographic Office 28/02/2007 |
| 10. | Thailand | Member | Vice Admiral Congvat Neelasri, Director General, Hydrographic Department, Royal Thai Navy 04/03/2008 |
| 11. | UK | Member | Rear Admiral I. Moncrieff, RN, UK National Hydrographer 28/02/2007 |
| 12. | Australia | Associate Member | Commodore Rod NAIRN, AM, RAN, Hydrographer 26/04/2012 |
| 13. | France | Associate Member | Ing. Gén. de l'Armement G. Bessero Hydrographer 15/02/2008 |
| 14. | Oman | Associate Member | Commander Mansoor Al Karousi, Head of Oman NHO 24/08/2009 |
| 15. | Mauritius | Associate Member | Mr. A. N. OOZEER Permanent Secretary, Ministry of Housing and Lands 01/03/2011 |

| Signature Number | Country | Member / Associate Member | Signature and Date |
|-------------------------|--------------------|----------------------------------|--|
| 16. | Seychelles | Associate Member | Major M. Rosette, Chief Hydrographer, Seychelles People's Defence Forces 28/03/2007 |
| 17. | USA | Associate Member | Captain J. Cousins, USN, Commanding Officer, US Naval Oceanographic Office 28/02/2007 |
| 18. | Malaysia | Observer | |
| 19. | Russian Federation | Observer | |
| 20. | Sudan | Observer | |

ANNEX A to STATUTES OF THE NIOHC**PROCEDURE FOR THE SELECTION OF NIOHC REPRESENTATIVES
TO THE IHO COUNCIL**

Designation of NIOHC 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 NIOHC in the Council

1. IHO Member States representing the NIOHC shall occupy their seats 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 NIOHC to the Council, representatives should take note of any relevant collective decisions, policies or directives established by the NIOHC and ensure that these are considered appropriately by the Council.

Selection Procedure (see also flowchart Appendix 1)

4. Three months before an ordinary session of the Assembly, the Secretary-General of the IHO shall inform the Chair of the NIOHC of:
 - a. The number of seats allocated to the NIOHC, and
 - b. Those Member States that are eligible for selection by the NIOHC.
5. If the number of Member States eligible for selection to represent the NIOHC to the Council is equal to the number of seats on the Council assigned to the NIOHC by the Secretary-General under the terms of clause 4 above, then the aforementioned eligible Member States will be designated as representatives of the NIOHC.
6. If the number of Member States eligible for selection to represent the NIOHC to the Council is greater than the number of seats assigned to the NIOHC by the IHO Secretary-General under the terms of clause 4 above, then the Chair of the NIOHC 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 NIOHC, then these candidate(s) will be designated as representatives of the NIOHC.
 - b. If the number of candidate Member States is smaller than the number of seats on the council assigned to the NIOHC, 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 NIOHC to the Council for the longest time. If this proves inconclusive, the Chair will designate eligible Members State(s) as representative of the NIOHC.
 - c. If the number of candidate Member States is greater than the number of seats on the council assigned to the NIOHC, the candidate(s) to represent the NIOHC 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 NIOHC otherwise by correspondence if no NIOHC Conference is scheduled.
 - 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 NIOHC (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 NIOHC to the Council are then elected by simple majority. An incomplete or blank voting paper is an invalid voting option and that vote will not be counted towards making the numbers necessary for a quorum.

c. When no quorum has been achieved, the voting window is extended for two weeks and the Chair invites the Member States who have not voted or cast an invalid vote to cast their vote. The existing votes stand.

d. If after a second vote no quorum has been achieved, the Chair designates the representatives of the NIOHC to the Council based on the votes cast. In the case of candidates winning equal number of votes then the Member State(s) which has not / have not been a representative of the NIOHC to the Council for the longest time is designated as representative of the NIOHC. If this proves inconclusive the Chair will designate a candidate(s) out of those who have equal votes as representative of the NIOHC.

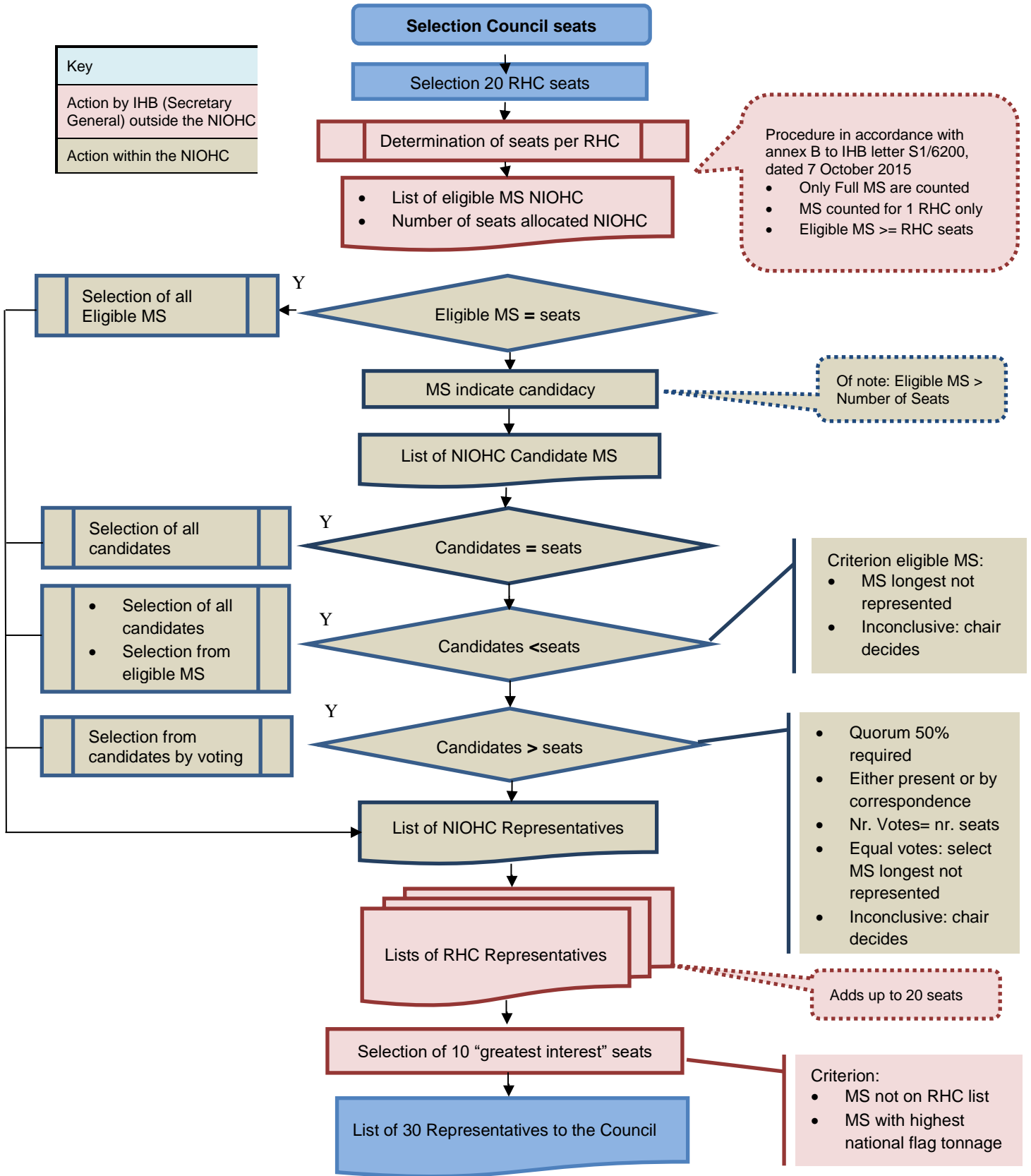
Manning of the Representatives

8. The Member States selected to represent the NIOHC in the Council are normally represented by the head of the Hydrographic Office. Each Member State shall inform the Chair of the NIOHC and the IHO Secretary-General of the name of its official representative. An alternate may also be designated.

9. Member States representing the NIOHC shall inform the Chair of the NIOHC and the Secretary-General of any changes in representation, whether permanent or temporary, as soon as practicable.

ANNEX A TO STATUTES OF THE NIOHC - Appendix 1

Flow Chart - Selection of NIOHC Representative(s) to the IHO Council



ANNEX A TO STATUTES OF THE NIOHC
Appendix 2

North Indian Ocean Hydrographic Commission (NIOHC)
Selection of Representative(s) to the IHO Council

Example of Voting Paper

Part A

Number of Seats on Council allocated to the NIOHC: 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.

| | |
|---|--------------------------------|
| Chair inserts candidate State A in here | Votes indicated with an X here |
| Chair inserts candidate State B in here | Votes indicated with an X here |
| Chair inserts candidate State B in here | Votes indicated with an X here |
| Insert other States if appropriate | Votes indicated with an X here |

Member State: Date:

Authorised by: Position:(Signature)

.....
 (Name)