

1st Meeting of the Southern Indian Ocean Fisheries Agreement (SIOFA) Scientific
Committee

21-14 March 2015, Esplanade Hotel, Fremantle

SC-01 -13 (01)

Election of the Chairperson and Vice Chairperson

Relates to agenda item: 13

Working paper info paper

Secretariat

Abstract

The SIOFA Scientific Committee is required to elect its Chairperson and Vice Chairperson from representatives of Contracting Parties or cooperating non-Contracting Parties to the Scientific Committee for a two year term. The Chairperson and Vice Chairperson elected must be from different Contracting Parties.

The elected Chairperson and Vice Chairperson shall take office from the conclusion of this Scientific Committee meeting.

Recommendations *(working papers only)*

1. That the SIOFA Scientific Committee elect a Chairperson and a Vice Chairperson for a two year term.
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Election of the SIOFA Scientific Chairperson and Vice Chairperson

According to its terms of reference, the SIOFA Scientific Committee is required to elect its Chairperson and Vice Chairperson from representatives of Contracting Parties or cooperating non-Contracting Parties¹ to the Scientific Committee. These terms of reference also require that the individual fulfilling the role of Chairperson and Vice Chairperson be able to demonstrate an understanding and proven ability to lead discussions on the technical matters dealt with by the Scientific Committee (see paragraph 5 of the ToR).

The Rules of Procedure, which apply *mutatis mutandis* to the Scientific Committee terms of reference set out the procedure for the election of the Chairperson and Vice Chairperson. Rules 5 and 12 (attachments A and B respectively) provide that:

- The Chairperson and Vice Chairperson will serve for a two year term and shall be eligible for re-election for one additional two year term.
- The Chairperson and Vice Chairperson must be from different Contracting Parties and shall take office at the conclusion of this first meeting of the SIOFA Scientific Committee. The Vice Chairperson will exercise the powers and duties of the Chairperson whenever the Chairperson is unable to act.
- The person who is elected Chairperson is not permitted to perform the duties of a representative, alternate representative, expert or adviser of a Contracting Party. This rule applies to the Vice Chairperson if they are acting as the Chairperson at the Scientific Committee meeting.
- Consistent with article 8 of the Agreement and Rule 12 of the Rules of Procedure, the election of the Chairperson and Vice Chairperson shall be taken by consensus of the Contracting Parties present unless the Scientific Committee agrees that the decision is not a matter of substance.
 - In this case, a Chairperson and Vice Chairperson may be elected, by vote, by a simple majority in accordance with the procedure set out in Rule 12 of the Rules of Procedure.

The Chairperson shall perform, *mutatis mutandis*, the functions set out in Rule 6 of the Rules of Procedure (Attachment C). The Chairperson should also present the SC's report to the Meeting of the Parties; but may delegate this responsibility to another member of the Scientific Committee.

As at 19 February 2016, the Secretariat has not received any nominations for the role of Chairperson or Vice Chairperson of the Scientific Committee.

¹ SIOFA does not currently have any cooperating non-Contracting Parties

Rule 5 – Elections

1. The Meeting of the Parties shall elect a Chairperson and Vice-Chairperson of the Meeting of the Parties from among the representatives, alternate representatives and advisers of the Contracting Parties, each of whom shall serve for a maximum of two years and shall be eligible for re-election for one additional term of two years. The Chairperson and Vice-Chairperson shall be from different Contracting Parties.
2. The Chairperson and Vice-Chairperson shall take office at the conclusion of the meeting at which they are elected, with the exception of the first ordinary Meeting of the Parties where they will take office immediately upon their election.
3. While holding that office, a person who is elected as Chairperson despite remaining designated as the representative of a Contracting Party, shall not perform the duties of a representative, alternate representative, expert or adviser of a Contracting Party.
4. Whenever the Chairperson is unable to act, the Vice-Chairperson shall exercise the powers and duties of the Chairperson. The Vice-Chairperson shall act as Chairperson until the Chairperson resumes his or her duties. Whilst acting as Chairperson at a meeting, the Vice-Chairperson will not act as representative, alternate representative, expert or adviser of a Contracting Party.
5. In the event that the office of Chairperson falls vacant due to resignation or permanent inability to act, the Vice-Chairperson shall act as Chairperson until the next ordinary Meeting of the Parties on which occasion a new Chairperson shall be elected.

Rule 12 – Procedures for taking decisions

1. Decisions of the Meeting of the Parties and its subsidiary bodies shall be taken in accordance with Article 8 of the Agreement except where the Agreement expressly provides otherwise.
2. Each Contracting Party and each participating fishing entity shall be entitled to one vote.
3. Two thirds of Contracting Parties and participating fishing entities, taken together, shall constitute a quorum. Whether a quorum has been reached is to be assessed at the time a decision is taken.
4. Decisions adopted by the Meeting of the Parties shall become binding on all Contracting Parties and participating fishing entities 90 days after the date the decision was transmitted by the Executive Secretary in accordance with Rule 16 unless otherwise decided by the Meeting of the Parties.

Votes shall be taken by show of hands unless a Contracting Party or participating fishing entity requests that the vote be taken by a roll call or secret ballot and this request is supported by at least one other Contracting Party or participating fishing entity.

Rule 6 – Functions of the Chairperson

1. In addition to exercising the powers conferred upon him or her elsewhere in these Rules of Procedure, the Chairperson shall:
 - a) convene extraordinary Meetings of the Parties in accordance with Rule 2;
 - b) declare the opening and closing of each meeting;
 - c) preside at meetings;
 - d) ensure observance of these Rules of Procedure;
 - e) rule on points of order;
 - f) call for and announce the result of votes;
 - g) approve, after consultation with the Executive Secretary, the provisional agenda for a meeting called pursuant to Part I of these Rules of Procedure;
 - h) sign, on behalf of the Meeting of the Parties, a report of the proceedings of each meeting convened pursuant to Part I, for transmission to all Official Contacts and to any State, entity, inter-governmental or non-governmental organisation which has attended the meeting;
 - i) make such decisions and give such directions to the Executive Secretary as will ensure that the business of implementing the Agreement is carried out effectively and in accordance with the decisions of the Meeting of the Parties; and
 - j) perform any other functions as may be assigned to him or her by the Meeting of the Parties.
2. The Chairperson, in the exercise of his or her functions, remains under the authority of the Meeting of the Parties.
3. The Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.