



International Oil Pollution  
Compensation Funds

<b>Reference:</b>	IOPC/2016/Circ.4
<b>Date:</b>	12 July 2016
<b>1992 Fund Assembly</b>	•
<b>Supplementary Fund</b>	

To: Member States of the International Oil Pollution Compensation Fund 1992

Subject: **Nomination of candidates for the position of Director of the International Oil Pollution Compensation Funds**

The Chairman of the 1992 IOPC Fund Assembly would like to refer to Circular IOPC/2016/Circ.3, dated 9 May 2016 inviting Member States to nominate candidates for the position of Director by 1 July 2016.

The purpose of this Circular is to inform Member States that by the deadline of 1 July 2016, no new candidatures had been received by the Secretariat apart from that of the current Director, Mr José Maura.

In accordance with 1992 Fund Resolution N°9, an election will be held during the October 2016 meetings of the 1992 Fund Assembly to re-appoint the incumbent Director for a second term of five years.

The 1992 Fund Resolution N°9, and the relevant provisions of the 1992 Fund Convention are reproduced in Annexes I and II respectively.

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## ANNEX I

### **1992 Fund Resolution N°9 on the Appointment of the IOPC Funds' Director—Term of service** (as amended by the 1992 Fund Assembly at its 16th session held from 24–28 October 2011)

THE ASSEMBLY OF THE INTERNATIONAL OIL POLLUTION COMPENSATION FUND, 1992 (1992 Fund),

**RECALLING** Article 18 of the 1992 Fund Convention,

**NOTING** that the Assembly has appointed Directors for five-year terms with provision for renewal for such further periods as may be determined by the Assembly.

**CONSIDERING** the desirability of establishing a more specific term of office for future Directors,

**CONSIDERING ALSO** the normal practice within the United Nations agencies and subsidiary bodies, and especially the International Maritime Organization precedents,

**CONSIDERING FURTHER** Rule 54 of the Rules of Procedure of the Assembly and Section IV, Regulations 17 and 18, of the 1992 Fund's Staff Regulations,

**DECIDES** that:

- 1 Future IOPC Fund Directors shall be appointed for an initial term of five years.
- 2 The incumbent Director may be re-appointed for a second term of five years by a vote pursuant to Articles 32 and 33(b) of the 1992 Fund Convention.
- 3 The second term of the incumbent Director may be extended for a limited period of time, if the Assembly so decides, in response to exceptional circumstances that would warrant such an extension.
- 4 Candidates for the appointment to the post of Director pursuant to section 1 or 2 above must notify the Secretariat at least three months before the Assembly is scheduled to meet to appoint or reappoint the Director, as the case may be.
- 5 The Resolution shall be referenced by footnote to Rule 54 of the Rules of Procedure of the Assembly.

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## ANNEX II

### INTERNATIONAL CONVENTION ON THE ESTABLISHMENT OF AN INTERNATIONAL FUND FOR COMPENSATION FOR OIL POLLUTION DAMAGE, 1992

#### *Voting*

#### **Article 32**

The following provisions shall apply to voting in the Assembly:

- (a) each member shall have one vote;
- (b) except as otherwise provided in Article 33, decisions of the Assembly shall be by a majority vote of the members present and voting;
- (c) decisions where a three-fourths or a two-thirds majority is required shall be by a three-fourths or two-thirds majority vote, as the case may be, of those present;
- (d) for the purpose of this Article the phrase "members present" means "members present at the meeting at the time of the vote", and the phrase "members present and voting" means "members present and casting an affirmative or negative vote". Members who abstain from voting shall be considered as not voting.

#### **Article 33**

The following decisions of the Assembly shall require a two-thirds majority:

- (a) a decision under Article 13, paragraph 3, not to take or continue action against a contributor;
  - (b) the appointment of the Director under Article 18, paragraph 4;
  - (c) the establishment of subsidiary bodies, under Article 18, paragraph 9, and matters relating to such establishment.
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