



International Oil Pollution
Compensation Funds

Agenda Item 6	IOPC/NOV23/6/5	
Date	28 September 2023	
Original	English	
1992 Fund Assembly	92A28	●
1992 Fund Executive Committee	92EC81	
Supplementary Fund Assembly	SA20	●

AMENDMENTS TO INTERNAL REGULATIONS^{<1>}

Note by the Secretariat

Summary:	This document sets out proposed amendments to the Internal Regulations of the 1992 Fund and the Supplementary Fund in order to take into account changes to the delegation of authority in Internal Regulation 12 as a result of staff changes.
Action to be taken:	<u>1992 Fund Assembly and Supplementary Fund Assembly</u> Approve the proposed amendments to the Internal Regulations of the 1992 Fund and the Supplementary Fund, respectively, to take into account the changes to Internal Regulation 12 in respect of the delegation of authority.

1 Introduction

- 1.1 Internal Regulation 12 of both the 1992 Fund and the Supplementary Fund deals with the delegation of authority in the absence of the Director, based on seniority of staff members on the Management Team, in order that they can act on his behalf in the fulfilment of the functions set out in Article 29 of the 1992 Fund Convention, and to be the legal representative of the 1992 Fund in his absence.
- 1.2 At the May 2023 sessions of the governing bodies, the Director referred to changes he had introduced to the structure of the Secretariat and reported that the External Relations and Conference (ERC) Department would become a section under the Administration Department as of 1 June 2023. He explained that Mr Thomas Liebert, the former Head of the ERC Department, would continue to focus on HNS-related issues as HNS Project Officer within the Director's Office (see document IOPC/MAY23/9/1, paragraph 2.1.8).
- 1.3 As a result of the changes described above, the Director is proposing amendments to Internal Regulation 12 in respect of the delegation of authority in his absence. The proposed amendments to Internal Regulation 12 for both Funds are at the Annex.
- 1.4 More information regarding the changes to the Secretariat structure is contained in document IOPC/NOV23/7/1.

^{<1>} Document IOPC/NOV23/6/2 contains a separate proposal to amend the Internal Regulations of the 1992 Fund and Supplementary Fund, specifically Internal Regulation 4. The requirement for amendments to that Regulation is dependent on whether the governing bodies take a decision relating to measures encouraging the submission of oil reports. Therefore, both decisions are contained in the same document.

2 Action to be taken

1992 Fund Assembly

- 2.1 The 1992 Fund Assembly is invited to approve the proposed amendments to Internal Regulation 12 in respect of the delegation of authority.

Supplementary Fund Assembly

- 2.2 The Supplementary Fund Assembly is invited to note the decision of the 1992 Fund Assembly and approve the corresponding amendments to Internal Regulation 12 in respect of the delegation of authority.

* * *

ANNEX

INTERNAL REGULATIONS OF THE INTERNATIONAL OIL POLLUTION COMPENSATION FUND ESTABLISHED UNDER THE 1992 FUND CONVENTION

(Proposed deletions are indicated by strikethrough of the text. New text is indicated in bold.)

Regulation 12

Delegation of authority in the absence of the Director

The Director may authorise the Deputy Director/Head of Claims Department, ~~the Head of the External Relations and Conference Department,~~ or the Head of the Administration Department, in that order, to act on his or her behalf in the fulfilment of the functions set out in Article 29 of the 1992 Fund Convention, and to be the legal representative of the 1992 Fund. The conditions and extent of such delegation shall be laid down in Administrative Instructions issued by the Director. Delegation made in accordance with this Regulation overrides any limitation of the authority of the above-mentioned officers contained elsewhere in these Regulations or in the Financial Regulations.

If ~~there is no one~~ **neither** of the said senior members of the Secretariat **are** available to assume the function of the Director, the Chair of the 1992 Fund Assembly shall appoint a member of the Secretariat, other than those mentioned in the preceding paragraph, to carry out this function until the next regular or extraordinary session of the Assembly or until ~~any~~ **the Director or either** of the said senior members of the Secretariat has been able to resume their responsibilities.

**INTERNAL REGULATIONS OF THE INTERNATIONAL OIL POLLUTION COMPENSATION SUPPLEMENTARY
FUND ESTABLISHED UNDER THE 2003 SUPPLEMENTARY FUND PROTOCOL**

(Proposed deletions are indicated by strikethrough of the text. New text is indicated in bold.)

Regulation 12

Delegation of authority in the absence of the Director

The Director may authorise the Deputy Director/Head of Claims Department, ~~the Head of the External Relations and Conference Department,~~ or the Head of the Administration Department, in that order, to act on his or her behalf in the fulfilment of the functions set out in Article 16 of the Supplementary Fund Protocol in conjunction with Article 29 of the 1992 Fund Convention, and to be the legal representative of the Supplementary Fund. The conditions and extent of such delegation shall be laid down in Administrative Instructions issued by the Director. Delegation made in accordance with this Regulation overrides any limitation of the authority of the abovementioned officers contained elsewhere in these Regulations or in the Financial Regulations.

If ~~there is no one~~ **neither** of the said senior members of the Secretariat **are** available to assume the function of the Director, the Chair of the 1992 Fund Assembly shall appoint a member of the Secretariat, other than those mentioned in the preceding paragraph, to carry out this function until the next regular or extraordinary session of the Assembly or until ~~any~~ **the Director or either** of the said senior members of the Secretariat has been able to resume their responsibilities.