



PROVISIONAL ANNOTATED AGENDAS FOR THE MEETINGS OF THE IOPC FUNDS, 23-27 OCTOBER 2006

to be held at the Headquarters of Inmarsat, 99 City Road,
London EC1Y 1AX

1 Introduction

Please find attached a provisional timetable and provisional annotated agendas for the meetings of the IOPC Funds to be held from 23 to 27 October 2006. Information is also provided about the submission of documents, the presentation of credentials and notifications and registration for the meetings.

2 Provisional timetable

The following meetings will be held during the week of 23 October 2006:

1992 Fund Assembly – Eleventh session, Monday 23 October, 9.30 am
1992 Fund Executive Committee – Thirty-fourth session, Monday 23 October, 9.45 am
1971 Fund Administrative Council – Twentieth session, Monday 23 October, 3.00 pm
Supplementary Fund Assembly – Second session, Tuesday 24 October, 11.30 am

All meetings may continue until Friday 27 October.

Working hours are normally from 9.30 to 12.30 with a break from 11.00 to 11.30 and from 2.30 to 5.30 with a break from 4.00 to 4.30.

The Director, in consultation with the Chairmen, has prepared the attached provisional timetable. It should however be noted that this timetable is subject to change at short notice.

Delegations are strongly encouraged to be present throughout all the meetings.

3 Submission of documents

Delegates are reminded that, as decided by the governing bodies in October 2002, documents prepared by delegations should in general be submitted to the Secretariat at least three weeks before the start of the meeting, ie by **Friday 29 September 2006** at the latest.

To facilitate the processing of documents, it would be appreciated if they were submitted in electronic format (preferably in Microsoft Word), either on computer diskette or by e-mail to info@iopcfund.org.

4 Credentials and notifications

In accordance with the Rules of Procedure, credentials or notifications are required in respect of each of the following meetings for representatives, alternates and other persons designated by Governments and organisations to attend the meetings:

	Credentials	Notifications
1992 Fund Assembly	1992 Fund Member States	States and organisations with observer status
1992 Fund Executive Committee	Members of the 1992 Fund Executive Committee	Other 1992 Fund Member States, States and organisations with observer status
Supplementary Fund Assembly	Supplementary Fund Member States	Other 1992 Fund Member States, States and organisations with observer status
1971 Fund Administrative Council		Former 1971 Fund Member States, States and organisations with observer status

Credentials and notifications should be sent to the Director of the IOPC Funds in advance of the opening of the meetings and preferably not later than **Friday 13 October 2006**.

Detailed guidance in respect of the form and content of credentials and notifications which was endorsed by the 1992 Fund Assembly at its March 2005 session is given in the enclosed circular (92FUND/Circ.49, 71FUND/Circ.86 and SUPPFUND/Circ.3).

5 Registration

Delegates are kindly requested to register with the IOPC Funds at least one week before the meetings, ie by **Friday 13 October 2006**, using the attached form. Delegates who have not registered with the IOPC Funds by close of business on **Thursday 19 October 2006** will need to register on-site at Inmarsat and will be required to provide evidence of their authorisation to attend the meetings.

Delegates are requested to arrive early on the first day of the meetings to allow time for the issuing of security passes, which will commence at 8.00 am.

Please note that, in order to be admitted to the Inmarsat building, **all delegates** will be required to provide proof of their identity, such as a passport, identity card or other form of official identification including a photo.

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PROVISIONAL TIMETABLE

**Note. This timetable may be subject to change at short notice.
Delegations are strongly encouraged to be present throughout all the meetings.**

Date	Time	Meeting	Main items
Monday 23 October	9.30 am	1992 Fund Assembly	Election of Credentials Committee
	9.45 am	1992 Fund Executive Committee	Incidents
	2.30 pm	1992 Fund Executive Committee	Incidents cont.
	3.00 pm	1971 Fund Administrative Council	Incidents
Tuesday 24 October	9.30 am	1992 Fund Assembly/1971 Fund Administrative Council, as required	Financial matters
	11.30 am	Supplementary Fund Assembly	Financial matters
	2.30 pm	1992 Fund Assembly/1971 Fund Administrative Council /Supplementary Fund Assembly, as required	
	evening	Reception	
Wednesday 25 October	9.30 am	1992 Fund Assembly/1971 Fund Administrative Council/Supplementary Fund Assembly, as required	
Thursday 26 October	9.30 am	1992 Fund Assembly/1971 Fund Administrative Council /Supplementary Fund Assembly, as required	
Friday 27 October	9.30 am	Joint session of 1992 Fund Assembly, 1971 Fund Administrative Council and Supplementary Fund Assembly	Address by outgoing Director
	2.30 pm	1992 Fund Assembly/1992 Fund Executive Committee/1971 Fund Administrative Council /Supplementary Fund Assembly	Adoption of Records of Decisions



INTERNATIONAL
OIL POLLUTION
COMPENSATION
FUND 1992

ASSEMBLY
11th session
Agenda item 1

92FUND/A.11/1
14 July 2006
Original: ENGLISH

PROVISIONAL ANNOTATED AGENDA OF THE ELEVENTH SESSION OF THE ASSEMBLY

to be held at the Headquarters of Inmarsat,
99 City Road, London EC1Y 1AX,
from Monday 23 October 2006, 9.30 am, to Friday 27 October 2006

Opening of the session

Procedural matters

1 Adoption of the Agenda

2 Election of the Chairman and two Vice-Chairmen

In accordance with Article 18.1 of the 1992 Fund Convention and Rule 20 of the Rules of Procedure, the Assembly will be invited to elect a Chairman and two Vice-Chairmen who shall hold office until the next regular session.

3 Examination of credentials

In accordance with Rule 10 of the Rules of Procedure, a Credentials Committee consisting of five members shall be appointed by the Assembly on the proposal of the Chairman. The Credentials Committee shall examine the credentials of delegations of Member States and report to the Assembly without delay (document 92FUND/A.11/2).

General review

4 Report of the Director

The Assembly may wish to consider the Director's report on the operations of the 1992 Fund since the Assembly's 10th session (document 92 FUND/A.11/3).

Treaty matters

5 Status of the 1992 Fund Convention and the Supplementary Fund Protocol

The Director will inform the Assembly of progress being made in various States towards accession to the 1992 Fund Convention and to the Supplementary Fund Protocol (document 92FUND/A.11/4)

6 Implementation of the 1992 Civil Liability and Fund Conventions into national law

At its 9th session, held in October 2004, the Assembly instructed the Director to write to all Member States to enquire whether the 1992 Conventions had been fully implemented into their national law. At its 10th extraordinary session, held in February 2006, the Assembly instructed the Director to make further efforts to obtain responses to the enquiries from all 1992 Fund Member States which had not already responded. The Assembly also instructed the Director to contact those States within which the 1992 Conventions had not been implemented into national law as well as States ratifying the 1992 Fund Convention and offer assistance in the preparation of the necessary legislation. The Director will report to the Assembly on this matter (document 92FUND/A.11/5).

7 Application of the 1992 Fund Convention to the EEZ or an area designated under Article 3(a)(ii) of the 1992 Fund Convention

In accordance with 1992 Fund Resolution N°4, States which establish an exclusive economic zone (EEZ) or designate an area under Article 3(a)(ii) of the 1992 Fund Convention before ratifying the 1992 Fund Convention are invited to notify the Secretary-General of IMO accordingly when they deposit their instruments of ratification in respect of that Convention, and States which establish an EEZ or designate an area after ratification are invited to notify the Director accordingly. The Director will report on the developments regarding this issue (document 92FUND/A.11/6).

8 Credentials for 1992 Fund meetings

At its 10th extraordinary session, held in February 2006, the Assembly requested the representatives of those States which had been appointed to the Credentials Committee to consider, in the light of the discussion at that session and in consultation with the Secretariat, the issue of the submission of credentials and related matters and to report to the Assembly's October 2006 session (document 92FUND/A.11/7).

Financial matters

9 Report on investments

In accordance with Financial Regulation 10.2, the Director will submit a detailed report on the 1992 Fund's investments since the 10th session of the Assembly (document 92FUND/A.11/8).

10 Report of the joint Investment Advisory Body

In accordance with the mandate of the joint Investment Advisory Body, the Body will submit, through the Director, a report on its activities since the 10th session of the Assembly (document 92FUND/A.11/9).

11 Financial Statements and Auditor's Report and Opinion

In accordance with Article 29.2(f) of the 1992 Fund Convention, the Director has prepared the Financial Statements of the 1992 Fund for the financial year 2005. The External Auditor has presented a Report and an Opinion on the Financial Statements (document 92FUND/A.11/10). The Assembly will be invited to consider the Auditor's Report and Opinion.

12 Joint Audit Body's Report and approval of Financial Statements

The joint Audit Body has produced a Report on its work (document 92FUND/A.11/11). The Assembly will be invited to consider this Report and the Body's recommendation that the Assembly approves the Financial Statements of the 1992 Fund.

13 Appointment of External Auditor

In accordance with Article 18.6 of the 1992 Fund Convention and Financial Regulation 13.1, the Assembly at its 7th session, held in October 2002, reappointed the Comptroller and Auditor General of the United Kingdom as External Auditor of the 1992 Fund for a period of four years from the financial period 2003. The Assembly will be invited to appoint the External Auditor for the next term. The Assembly will also be invited to consider the procedure for the appointment of the External Auditor for future periods. A document on these issues will be submitted by the Audit Body (document 92FUND/A.11/12).

Contribution matters

14 Report on contributions

The Director will submit a report to the Assembly on the payment of contributions to the 1992 Fund (document 92FUND/A.11/13).

15 Submission of oil reports

At its 10th session, held in October 2005, the Assembly instructed the Director to pursue his efforts to obtain the outstanding oil reports and urged all delegations to co-operate with the Secretariat in order to ensure that States fulfilled their obligations in this regard. The Director will report to the Assembly on the situation in respect of the submission of oil reports (document 92FUND/A.11/14).

At that same session, the Assembly also instructed the Director to proceed with a number of measures which had been proposed to assist States to submit oil reports. The Director will report to the Assembly on this issue (document 92FUND/A.11/14/1).

Secretariat and administrative matters

16 Operation of the Secretariat

The Director will prepare a document giving information on developments as regards the operation of the Secretariat (document 92FUND/A.11/15).

17 Amendments to Staff Rules

The Director will report to the Assembly on amendments to the Staff Rules issued by him in accordance with Staff Regulation 31 (document 92FUND/A.11/16).

18 Appointment of a substitute member of the Appeals Board

The Assembly will be invited to appoint a substitute member of the Appeals Board. A document containing the necessary information will be circulated (document 92FUND/A.11/17).

19 Headquarters Agreement

The Director will update the Assembly on the preparation of a revised Headquarters Agreement between the United Kingdom Government and the 1992 Fund (document 92FUND/A.11/18).

20 Premises for the IOPC Funds' Secretariat

The Director will inform the Assembly on the current situation in respect of premises for the IOPC Funds' Secretariat (document 92FUND/A.11/19).

21 Review of observer status

At the Assembly's 7th session, in October 2002, it was decided that a review would be carried out every three years of the list of international non-governmental organisations having observer status in order to determine whether the continuance of observer status for any particular organisation was of mutual benefit. The first such review took place at the Assembly's 8th session in October 2003, at which time it was agreed that the next review should take place at the Assembly's October 2006 session. The Director has invited the organisations having observer status to indicate why they should continue to have such status. A document setting out the observations by these organisations will be presented to enable the Assembly to carry out the review (document 92FUND/A.11/20).

Compensation matters

22 Reports of the Executive Committee on its 31st-34th sessions

The reports of the Executive Committee's 31st-34th sessions will be presented to the Assembly by the Committee's Chairman (documents 92FUND/EXC.31/2, 92FUND/EXC.32/6 and 92FUND/EXC.33/8).

23 Election of members of the Executive Committee

Pursuant to 1992 Fund Resolution N°5, the Assembly will be invited to elect new members of the Executive Committee. The Director will submit a document containing the necessary information (document 92FUND/A.11/21).

24 Technical Guidelines on methods of assessing losses in the fisheries sectors

At its 10th extraordinary session held in February 2006, the Assembly instructed the Director to continue to seek the views of interested delegations, including those who had expressed an interest but had so far not provided any input, on the draft Technical Guidelines for experts on methods for assessing losses in the fisheries sectors, for the purpose of making a recommendation to the Assembly on whether, and if so, in what form the Guidelines should be published and whether more precise guidelines should be produced for claimants. The Assembly also instructed the Director to set a final deadline for comments of 1 July 2006 (document 92FUND/A.11/22).

25 Lessons learned from the *Erika* incident

The Director will present a report on what lessons could be learned from the *Erika* incident (document 92FUND/A.11/23).

26 Admissibility criteria relating to claims for costs of preventive measures

At its 32nd session in February 2006, the Executive Committee instructed the Director to carry out an examination of the admissibility criteria relating to claims for costs of preventive measures, in particular for the extraction of oil from sunken vessels, with a view to enabling the Assembly at its October 2006 session to discuss possible alternatives for the existing criteria for admissibility within the framework of the 1992 Conventions. The Director will submit a document on this issue (document 92FUND/A.11/24).

*Budgetary matters***27 Sharing of joint administrative costs between the 1992 Fund, the 1971 Fund and the Supplementary Fund**

The Assembly will be invited to consider how the joint administrative costs for the calendar year 2007 should be apportioned between the 1992 Fund, the 1971 Fund and the Supplementary Fund (document 92FUND/A.11/25).

28 Budget for 2007 and assessment of contributions to the General Fund

A draft budget for the 1992 Fund for the calendar year 2007 dealing with the administrative expenses and the contributions to the General Fund will be submitted to the Assembly for consideration and adoption, in accordance with Article 12 of the 1992 Fund Convention (document 92FUND/A.11/26).

29 Assessment of contributions to Major Claims Funds

The Assembly will be invited to decide on the assessment of contributions to Major Claims Funds in accordance with Article 12.2(b) of the 1992 Fund Convention. The Director will submit a document on this matter (document 92FUND/A.11/27).

*Other matters***30 Report of the 4th intersessional Working Group**

At its 10th extraordinary session, held in February 2006, the Assembly established an intersessional Working Group to develop proposals in respect of non-technical measures and guidelines for Contracting States and the industry, to promote quality shipping of carriage of oil by sea. The Assembly will be invited to consider the Report of the Working Group on its 1st meeting (document 92FUND/A.11/28).

31 Implementation of STOPIA 2006 and TOPIA 2006

At its 10th extraordinary session, held in February/March 2006, the Assembly took note of the Small Tanker Oil Pollution Indemnification Agreement (STOPIA) 2006 and the Tanker Oil Pollution Indemnification Agreement (TOPIA) 2006. The Assembly will be invited to consider a document presented by the Director on the administrative procedures for the indemnification of the 1992 Fund and the Supplementary Fund under these Agreements (document 92FUND/A.11/29).

32 Application of the 1992 Conventions to ship-to-ship oil transfer operations

The Director will report to the Assembly on the results of an in-depth study of the application of the 1992 Civil Liability and Fund Conventions to ship-to-ship oil transfer operations (document 92FUND/A.11/30).

33 International Convention on liability and compensation for damage in connection with the carriage of hazardous and noxious substances by sea

The Director will inform the Assembly of developments concerning preparations for the entry into force of the International Convention on liability and compensation for damage in connection with the carriage of hazardous and noxious substances by sea (HNS Convention) (document 92FUND/A.11/31).

34 Future sessions

Article 19 of the 1992 Fund Convention provides that the Assembly shall have regular sessions once every calendar year. Tentative arrangements have been made with International Maritime Organization for a session during the week of 15 October 2007.

35 Any other business

The Assembly will be invited to consider other matters which may be proposed by Member States or by the Director.

36 Address by the outgoing Director

On the occasion of the last session of the Assembly before his successor takes up office on 1 November 2006, the outgoing Director will make a final address to the Assembly.

37 Oath of the Director Elect

Every member of the Secretariat, on taking up his or her duties, shall make and sign an oath or declaration, as set out in Staff Regulation 5. The Director Elect will be invited to make such an oath or declaration before the Assembly (document 92FUND/A.11/32).

38 Adoption of the Record of Decisions

Rule 27 of the Rules of Procedure provides that the Secretariat shall prepare a Record of Decisions of the session. The Assembly will be invited to adopt this Record of Decisions.



INTERNATIONAL
OIL POLLUTION
COMPENSATION
FUND 1992

EXECUTIVE COMMITTEE
34th session
Agenda item 1

92FUND/EXC.34/1
14 July 2006
Original: ENGLISH

PROVISIONAL ANNOTATED AGENDA OF THE THIRTY-FOURTH SESSION OF THE EXECUTIVE COMMITTEE

to be held at the Headquarters of Inmarsat,
99 City Road, London EC1Y 1AX,
from Monday 23 October 2006, 9.45 am, to Friday 27 October 2006

Opening of the session

1 Adoption of the Agenda

2 Examination of Credentials

In accordance with Rule 10 of the Assembly's Rules of Procedure, a Credentials Committee consisting of five members shall be appointed by the Assembly on the proposal of its Chairman. When the Executive Committee holds sessions in conjunction with sessions of the Assembly, as will be the case as regards the Executive Committee's 34th session, the Credentials Committee established by the Assembly shall examine also the credentials of delegations of States Members of the Executive Committee and report to the latter without delay (document 92FUND/EXC.34/2).

3 Incidents involving the 1992 Fund

The Director will inform the Executive Committee of recent developments regarding incidents involving the 1992 Fund. He will report to the Committee any settlement of claims against the 1992 Fund which have been made under his authority and will submit for the Committee's consideration any claims or other issues requiring decisions. Information will be contained in various documents.

4 Future sessions

The Committee may wish to consider the schedule of its sessions for the coming year. Tentative arrangements have been made for sessions during the weeks of 12 March, 11 June and 15 October 2007.

5 **Any other business**

The Executive Committee will be invited to consider other matters which might be proposed by Member States or by the Director.

6 **Adoption of the Record of Decisions**

The Executive Committee will be invited to adopt a Record of Decisions for submission to the Assembly.



INTERNATIONAL
OIL POLLUTION
COMPENSATION
FUND 1971

ADMINISTRATIVE COUNCIL
20th session
Agenda item 1

71FUND/AC.20/1
14 July 2006
Original: ENGLISH

PROVISIONAL ANNOTATED AGENDA OF THE TWENTIETH SESSION OF THE ADMINISTRATIVE COUNCIL

to be held at the Headquarters of Inmarsat,
99 City Road, London EC1Y 1AX,
from Monday 23 October 2006, 3.00pm, to Friday 27 October 2006

Opening of the session

1 Adoption of the Agenda

2 Election of the Chairman and Vice-Chairman

The Administrative Council will be invited to elect a Chairman and a Vice-Chairman to hold office until its session in the autumn of 2007.

3 Participation

The Director will report to the Administrative Council concerning States' participation at the session.

General review

4 Report of the Director

The Administrative Council may wish to consider the Director's report on the operations of the 1971 Fund since the Council's 17th session (document 71FUND/AC.20/2).

Financial matters

5 Report on investments

In accordance with Financial Regulation 10.2, the Director will submit a detailed report on the 1971 Fund's investments since the 17th session of the Administrative Council (document 71FUND/AC.20/3).

6 Report of the joint Investment Advisory Body

In accordance with the mandate of the joint Investment Advisory Body, the Body will submit, through the Director, a report on its activities since the previous autumn session of the Council (document 71FUND/AC.20/4).

7 Financial Statements and Auditor's Report and Opinion

In accordance with Article 29.2(f) of the 1971 Fund Convention, the Director has prepared the Financial Statements of the 1971 Fund for the financial year 2005. The External Auditor has presented a Report and an Opinion on the Financial Statements (document 71FUND/AC.20/5). The Council will be invited to consider the Auditor's Report and Opinion.

8 Joint Audit Body's Report and approval of Financial Statements

The joint Audit Body has produced a Report on its work (document 71FUND/AC.20/6). The Administrative Council will be invited to consider this Report and the Body's recommendation that the Council approves the Financial Statements of the 1971 Fund.

9 Appointment of External Auditor

In accordance with Article 18.6 of the 1971 Fund Convention and Financial Regulation 13.1, the Administrative Council at its 9th session, held in October 2002, reappointed the Comptroller and Auditor General of the United Kingdom as External Auditor of the 1971 Fund for a period of four years from the financial period 2003. The Council will be invited to appoint the External Auditor for the next term. The Council will also be invited to consider the procedure for appointment of the External Auditor for future periods. A document will be submitted by the Audit Body (document 71FUND/AC.20/7).

Contribution matters

10 Report on contributions

The Director will submit a report to the Administrative Council on the payment of contributions to the 1971 Fund (document 71FUND/AC.20/8).

11 Submission of oil reports

At its 17th session, held in October 2005, the Administrative Council instructed the Director to pursue his efforts to obtain the outstanding oil reports and urged all delegations to co-operate with the Secretariat in order to ensure that States fulfilled their obligations in this regard. The Director will report to the Council on the situation in respect of the submission of oil reports (document 71FUND/AC.20/9).

At that same session the Council also instructed the Director to proceed with a number of measures which had been proposed to assist States in submitting oil reports. The Director will submit a document on this issue (document 71FUND/AC.20/9/1).

Secretariat and administrative matters

12 Operation of the Secretariat

The Director will prepare a document giving information on developments as regards the operation of the Secretariat (document 71FUND/AC.20/10).

13 Premises for the IOPC Funds' Secretariat

The Director will inform the Administrative Council on the current situation in respect of premises for the IOPC Funds' Secretariat (document 71FUND/AC.20/11).

14 Review of observer status

In accordance with a decision taken at the October 2002 session of the 1992 Fund Assembly, the Administrative Council decided that a review would be carried out every three years of the list of international non-governmental organisations having observer status in order to determine whether the continuance of observer status for any particular organisation was of mutual benefit. The first such review took place at the Council's 12th session in October 2003, at which time it was agreed that the next review should take place at the Council's October 2006 session. The Director has invited the organisations having observer status to indicate why they should continue to have such status. A document setting out the observations by these organisations will be presented to enable the Council to carry out the review (document 71FUND/AC.20/12).

Compensation matters

15 Incidents involving the 1971 Fund

The Director will inform the Administrative Council of recent developments regarding incidents involving the 1971 Fund. He will report to the Council any settlements of claims against the 1971 Fund which have been made under his authority and will submit for the Council's consideration any claims or other issues requiring decision. Information will be contained in various documents. A summary of the situation in respect of all incidents will be submitted in document 71FUND/AC.20/13.

16 Winding up of the 1971 Fund

Since the 1971 Fund Convention ceased to be in force on 24 May 2002, procedures have to be developed for the winding up of the 1971 Fund. The Director will submit a document on this issue (document 71FUND/AC.20/14).

Budgetary matters

17 Sharing of joint administrative costs between the 1971 Fund, the 1992 Fund and the Supplementary Fund

The Administrative Council will be invited to consider how the joint administrative costs for the calendar year 2007 should be apportioned between the 1971 Fund, the 1992 Fund and the Supplementary Fund (document 71FUND/AC.20/15).

18 Budget for 2007

A draft budget for the 1971 Fund for the calendar year 2007 dealing with the administrative expenses will be submitted to the Administrative Council for consideration and adoption, in accordance with Article 12 of the 1971 Fund Convention (document 71FUND/AC.20/16).

19 Assessment of contributions to Major Claims Funds

The Administrative Council will be invited to decide on the assessment of contributions to Major Claims Funds in accordance with Article 12.2(b) of the 1971 Fund Convention. The Director will submit a document on this matter (document 71FUND/AC.20/17).

Other matters

20 Future sessions

Tentative arrangements have been made with the IMO for a session of the Administrative Council during the week of 15 October 2007. In addition, it will be necessary to make arrangements for sessions of the Council to be convened during 2007 to deal with incident-related matters.

21 Any other business

The Administrative Council will be invited to consider other matters which may be proposed by Members of the Council or by the Director.

22 Address by the outgoing Director

On the occasion of the last session of the Administrative Council before his successor takes up office on 1 November 2006, the outgoing Director will make a final address to the Council.

23 Oath of the Director Elect

Every member of the Secretariat, on taking up his or her duties, shall make and sign an oath or declaration, as set out in Staff Regulation 5. The Director Elect will be invited to make such an oath or declaration before the Administrative Council (document 71FUND/AC.20/18).

24 Adoption of the Record of Decisions

Rule 27 of the Rules of Procedure provides that the Secretariat shall prepare a Record of Decisions of the session. The Administrative Council will be invited to adopt this Record of Decisions.



INTERNATIONAL
OIL POLLUTION
COMPENSATION
SUPPLEMENTARY
FUND

ASSEMBLY
2nd session
Agenda item 1

SUPPFUND/A.2/1
14 July 2006
Original: ENGLISH

PROVISIONAL ANNOTATED AGENDA OF THE SECOND SESSION OF THE SUPPLEMENTARY FUND ASSEMBLY

to be held at the Headquarters of Inmarsat,
99 City Road, London EC1Y 1AX,
from Tuesday 24 October 2006, 11.30, am to Friday 27 October 2006

Opening of the Session

Procedural matters

1 Adoption of the Agenda

2 Election of the Chairman and two Vice-Chairmen

In accordance with Article 16.2 of the Supplementary Fund Protocol and Article 18.1 of the 1992 Fund Convention, the Assembly will be invited to elect a Chairman and two Vice-Chairmen who shall hold office until the next regular session

3 Examination of credentials

In accordance with Rule 10 of the Rules of Procedure, the Director will report to the Assembly on the credentials received from representatives of Members.

General review

4 Report of the Director

The Assembly may wish to consider the Director's report on the operations of the Supplementary Fund since the Assembly's 1st extraordinary session in October 2005 (document SUPPFUND/A.2/2).

Treaty matters

5 Status of the 1992 Fund Convention and the Supplementary Fund Protocol

The Director will inform the Assembly of progress being made by various States towards accession to the 1992 Fund Convention and the Supplementary Fund Protocol (document SUPPFUND/A.2/3).

6 Application of the Supplementary Fund Protocol to the EEZ or an area designated under Article 3(a)(ii) of the 1992 Convention

In accordance with 1992 Fund Resolution N°4, States which establish an exclusive economic zone (EEZ) or designate an area under Article 3(a)(ii) of the 1992 Fund Convention before

ratifying the 1992 Fund Convention are invited to notify the Secretary-General of IMO accordingly when they deposit their instruments of ratification in respect of that Convention, and States which establish an EEZ or designate an area after ratification are invited to notify the Director accordingly. At its 1st ordinary session, the Assembly decided that notifications from States on the establishment of an exclusive economic zone (EEZ) or designation of an area under Article 3(a)(ii) of the 1992 Fund Convention received by the Secretary-General of IMO or the Director in respect of the 1992 Fund should automatically apply in respect of the Supplementary Fund Protocol when the States became parties to that Protocol. The Director will report on the developments regarding this issue (document SUPPFUND/A.2/4).

Financial matters

7 Report of the joint Investment Advisory Body

In accordance with the mandate of the joint Investment Advisory Body, the Body will submit, through the Director, a report on its activities since the 1st extraordinary session of the Assembly (document SUPPFUND/A.2/5).

8 Financial Statements and Auditor's Opinion

In accordance with Article 16.2 of the Supplementary Fund Protocol and Article 29.2(f) of the 1992 Fund Convention, the Director has prepared the Financial Statements of the Supplementary Fund for the financial year 2005. The External Auditor has presented an Opinion on the Financial Statements (document SUPPFUND/A.2/6). The Assembly will be invited to consider the Auditor's Opinion.

9 Joint Audit Body's Report and approval of Financial Statements

The joint Audit Body has produced a Report on its work (document SUPPFUND/A.2/7). The Assembly will be invited to consider this Report and the Body's recommendation that the Assembly approves the Financial Statements of the Supplementary Fund.

10 Appointment of External Auditor

In accordance with Article 16.2 of the Supplementary Fund Protocol and Article 18.6 of the 1992 Fund Convention, the Assembly at its 1st session, held in March 2005, appointed the Comptroller and Auditor General of the United Kingdom as External Auditor of the Supplementary Fund. The Assembly decided that the appointment should be from 3 March 2005 to 31 December 2006, so that the expiry of the terms of office in respect of the three Organisations should coincide. The Assembly decided that the term of office of the External Auditor should thereafter be four years. The Assembly will be invited to appoint the External Auditor for the next term. The Assembly will also be invited to consider the procedure for the appointment of the External Auditor for future periods. A document on these issues will be submitted by the Audit Body (document SUPPFUND/A.2/8).

Contribution matters

11 Submission of oil reports

The Director will report to the Assembly on the situation in respect of the submission of oil reports (document SUPPFUND/A.2/9).

At that 1st extraordinary session, held in October 2005, the Assembly also instructed the Director to proceed with a number of measures which had been proposed to assist States to submit oil reports. The Director will submit a document on this issue (document SUPPFUND/A.2/9/1).

Secretariat and Headquarters matters

12 Operation of the Secretariat

The Director will prepare a document giving information on developments as regards the operation of the Secretariat (document SUPPFUND/A.2/10).

13 Headquarters Agreement

The Director will inform the Assembly on the preparations of a Headquarters Agreement between the United Kingdom Government and the Supplementary Fund (document SUPPFUND/A.2/11).

14 Agreement of co-operation with the International Maritime Organization

The Director will inform the Assembly on the conclusion of a co-operation agreement with the International Maritime Organization (document SUPPFUND/A.2/12).

15 Premises for the IOPC Funds' Secretariat

The Director will inform the Assembly on the current situation in respect of premises for the IOPC Funds' Secretariat (document SUPPFUND/A.2/13).

16 Review of observer status

At the Supplementary Fund Assembly's 1st session, in March 2005, it was decided that intergovernmental organisations and international non-governmental organisations that had been granted observer status in respect of the 1992 Fund should have observer status with the Supplementary Fund, unless the Assembly of the Supplementary Fund decided otherwise in respect of a particular organisation.

At the 1992 Fund Assembly's 7th session, in October 2002, it was decided that a review would be carried out every three years of the list of international non-governmental organisations having observer status in order to determine whether the continuance of observer status for any particular organisation was of mutual benefit. The first such review took place at the 1992 Fund Assembly's 8th session in October 2003, at which time it was agreed that the next review should take place at that Assembly's October 2006 session. The Supplementary Fund Assembly will be informed of the outcome of this review (document SUPPFUND/A.2/14).

Compensation matters

17 Incidents

The Director will report to the Assembly on incidents which will or may involve the Supplementary Fund, if any (document SUPPFUND/A.2/15).

Budgetary matters

18 Sharing of joint administrative costs between the Supplementary Fund, the 1992 Fund and the 1971 Fund

The Assembly will be invited to consider how the joint administrative costs for the calendar year 2007 should be apportioned between the Supplementary Fund, the 1992 Fund and the 1971 Fund (document SUPPFUND/A.2/16).

19 Budget for 2007 and assessment of contributions to the General Fund

A draft budget for the Supplementary Fund for the calendar year 2007 dealing with the administrative expenses and the contributions to the General Fund will be submitted to the Assembly for consideration and adoption, in accordance with Article 11 of the Supplementary Fund Protocol (document SUPPFUND/A.2/17).

20 Assessment of contributions to Claims Funds

The Assembly will be invited to decide on the assessment of contributions to Claims Funds in accordance with Article 11.2(b) of the Supplementary Fund Protocol, if any. The Director will submit a document on this matter (document SUPPFUND/A.2/18).

21 Implementation of STOPIA 2006 and TOPIA 2006

At its 2nd extraordinary session, held in March 2006, the Assembly took note of the Small Tanker Oil Pollution Indemnification Agreement (STOPIA) 2006 and the Tanker Oil Pollution Indemnification Agreement (TOPIA) 2006. The Assembly will be invited to consider a document presented by the Director on the administrative procedures for the indemnification of the 1992 Fund and the Supplementary Fund under these Agreements (document SUPPFUND/A.2/19).

Other matters

22 Future sessions

In accordance with Article 16.2 of the Supplementary Fund Protocol and Article 19.1 of the 1992 Fund Convention, the Assembly shall hold regular sessions once every calendar year. Tentative arrangements have been made with IMO for a session during the week of 15 October 2007.

23 Any other business

The Assembly will be invited to consider other matters which may be proposed by Member States or by the Director.

24 Address by the outgoing Director

On the occasion of the last session of the Assembly before his successor takes up office on 1 November 2006, the outgoing Director will make a final address to the Assembly.

25 Oath of the Director Elect

Every member of the Secretariat, on taking up his or her duties, shall make and sign an oath or declaration, as set out in Staff Regulation 5. The Director Elect will be invited to make such an oath or declaration before the Assembly (document SUPPFUND/A.2/20).

26 Adoption of the Record of Decisions

Rule 27 of the Rules of Procedure provides that the Secretariat shall prepare a Record of Decisions of the session. The Assembly will be invited to adopt this Record of Decisions.
