



INTERNATIONAL
OIL POLLUTION
COMPENSATION
FUNDS 1971 AND
1992

ASSEMBLY
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Agenda item 4

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Agenda item 2

71FUND/AC.16/2

GRANT OF OBSERVER STATUS TO THE SUPPLEMENTARY FUND

Note by the Director

Summary:	It is proposed that the 1992 Fund and the 1971 Fund should grant observer status to the Supplementary Fund.
Action to be taken:	Granting observer status to the Supplementary Fund.

1 **The issue**

- 1.1 The criteria for inviting organisations to participate, without voting rights, in sessions of the Assembly and Executive Committee are laid down in Rule 5 of the Rules of Procedure of the Assemblies of the 1992 and 1971 Funds which reads:

The Director shall invite to be represented by observers at any session of the Assembly:

- (a) the 1971/1992 Fund^{<1>};
- (b) the United Nations;
- (c) the International Maritime Organization;
- (d) any other specialized agency of the United Nations whose interests and those of the 1971/1992 Fund^{<1>} are of common concern;
- (e) any other inter-governmental organisation and any international non-governmental organisation which the Assembly has decided to admit to its meetings in accordance with Article 18.10 of the 1971/1992 Fund Convention^{<1>}.

<1> As appropriate

- 1.2 During its consideration in May 2004 of the preparations for the entry into force of the Supplementary Fund Protocol, the 1992 Fund Assembly agreed with the proposal submitted by the Director for amendments to its Rules of Procedure, which included a provision to the effect that the Supplementary Fund should be invited to attend meetings of the Assembly and Executive Committee of the 1992 Fund as an observer (document 92FUND/A/ES.8/4, paragraph 3.2.6).
- 1.3 It is suggested therefore that it would be appropriate for the Supplementary Fund to be granted observer status with the 1992 and 1971 Funds. It is proposed therefore that Rule 5 of the Rules of Procedure for the 1992 and 1971 Fund Assemblies should be amended to read (amendments highlighted):

The Director shall invite to be represented by observers at any session of the Assembly:

- (a) the 1971 Fund/1992 Fund^{<2>};
- (b) **the Supplementary Fund;**
- (c) the United Nations;
- (d) the International Maritime Organization;
- (e) any other specialised agency of the United Nations whose interests and those of the 1971/1992^{<2>} Fund are of common concern;
- (f) any other intergovernmental organisation and any international non-governmental organisation which the Assembly has decided to admit to its meetings in accordance with Article 18.10 of the 1971 Fund/1992 Fund Conventions^{<2>}.

2 Action to be taken by the governing bodies

The governing bodies are invited to consider granting observer status to the Supplementary Fund.

^{<2>} As appropriate