

INTERNATIONAL OIL POLLUTION COMPENSATION FUND

FONDS INTERNATIONAL D'INDEMNISATION POUR LES DOMMAGES
DUS A LA POLLUTION PAR LES HYDROCARBURES

ASSEMBLY -
2nd session
Agenda item 18

FUND/A.2/14
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DRAFT AGREEMENT FOR CO-OPERATION BETWEEN THE FUND AND THE
INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION

Note by the Director

Since the establishment of the Fund, it has been envisaged that there would be close consultation and practical co-operation between the Fund and IMCO.

At the first session, the Secretary-General of IMCO informed the Assembly that both the Council and the Assembly of IMCO had indicated their desire to extend the fullest possible co-operation to the Fund.

The Director has, in consultation with the Secretary-General of IMCO, prepared the attached draft proposed agreement for co-operation between the Fund and IMCO.

The Assembly is invited to consider this draft agreement, for approval.

The draft agreement, as approved by the Assembly, will also be submitted by the Secretary-General to the IMCO Council and Assembly later this year, for their approval.

ANNEX

DRAFT AGREEMENT FOR CO-OPERATION BETWEEN THE FUND AND THE
INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION

The Inter-Governmental Maritime Consultative Organization (hereinafter referred to as "IMCO") and the International Oil Pollution Compensation Fund (hereinafter referred to as "the Fund"),

RECOGNIZING the close relationship between their responsibilities and activities in the field of the prevention and control of marine pollution by oil and the remedying of damage caused by such pollution,

DESIRING to facilitate the attainment of their common objectives in this field through the maximum possible co-ordination of their efforts,

HAVE AGREED AS FOLLOWS:

Maintenance of Co-operation

1. IMCO and the Fund agree to establish and maintain co-operation on matters of common interest to the two Organizations. In particular, IMCO and the Fund agree to consult on all matters arising in the exercise by IMCO and its Secretary-General of depositary and other functions in respect of the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971 and, as appropriate, the International Convention on Civil Liability for Oil Pollution Damage, 1969.

Exchange of Information and Documentation

2. IMCO and the Fund agree to exchange information and documentation and to keep each other fully informed of their activities and programmes of work in the field of the prevention and control of marine pollution, subject always to such arrangements as may be necessary for safeguarding or withholding of information of a confidential nature.

Consultation on Matters of Common Interest

3. IMCO agrees to consult with the Fund in connexion with IMCO programmes or activities in which the Fund may have a substantial interest; and the Fund agrees to consult with IMCO in connexion with the Fund's programmes or activities in which IMCO may have a substantial interest.

Proposals for Consideration

4. IMCO may propose matters for consideration by the organs of the Fund. Such suggestions will be submitted by the Secretary-General of IMCO to the Director of the Fund who will, if he deems it appropriate, include any such matters on the agenda of the Fund organ concerned in accordance with the applicable Rules of procedure. Similarly, the Fund may propose subjects for consideration by the organs of IMCO. Such suggestions will be submitted by the Director of the Fund to the Secretary-General of IMCO who will, if he deems it appropriate, include such matters on the agenda of the IMCO organ concerned in accordance with the applicable Rules of Procedure.

Reciprocal Representation

5. (a) IMCO shall be invited to send representatives to sessions of the Assembly of the Fund, meetings of the Executive Committee and any subsidiary bodies. Such representatives shall participate as observers in respect of items on the agenda which are of interest to IMCO, in accordance with the applicable Rules of Procedure.

(b) The Fund shall be invited to send representatives to sessions of the organs of IMCO and to conferences convened by IMCO. Such representatives shall participate as observers in the deliberation of these bodies or conferences with regard to items on the agenda which are of interest to the Fund, in accordance with the applicable Rules of Procedure.

Administrative Arrangements

6. The Secretary-General of IMCO and the Director of the Fund may enter into such administrative arrangements for the implementation of this Agreement including arrangements for the provision of assistance and the payment or reimbursement of expenditure in connexion with any such assistance, as may be necessary or desirable.

Revision

7. This Agreement may be revised by agreement between IMCO and the Fund.

Denunciation

8. IMCO or the Fund may at any time denounce this Agreement by giving six months notice to the other party.

Entry into Force

9. This Agreement shall enter into force upon signature on behalf of IMCO and the Fund.

Done at London this day of 19 ..

For the Inter-Governmental
Maritime Consultative
Organization

For the International Oil
Pollution Compensation
Fund

Secretary-General

Director
