INTERNATIONAL
OIL POLLUTION
COMPENSATION
FUND 1992

ASSEMBLY
7th session
Agenda item 1

92FUND/A.7/1
15 July 2002
Original: ENGLISH

PROVISIONAL ANNOTATED AGENDA OF THE SEVENTH SESSION OF THE ASSEMBLY

to be held at the Headquarters of the
International Maritime Organization, 4 Albert Embankment,
London SE1, from Tuesday 15 October, 9.30 am
to Friday 18 October 2002

Opening of the session

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, 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 1992 Fund since the 6th session of the Assembly (document 92FUND/A.7/2).

Treaty questions

5 Status of the 1992 Fund Convention

The Director will inform the Assembly of progress being made in various States towards accession to the 1992 Protocol amending the 1971 Fund Convention (ie the 1992 Fund Convention) (document 92FUND/A.7/3).

6 Report of the 3rd intersessional Working Group

At its 4th extraordinary session the Assembly established an intersessional Working Group to consider whether, in the light of experience, the international compensation regime established under the 1992 Civil Liability Convention and the 1992 Fund Convention needed improvements in order to meet the needs of the international community. The Assembly will be invited to consider the report of the Working Group on its 4th meeting (document 92FUND/A.7/4).

Financial matters

7 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 6th session of the Assembly (document 92FUND/A.7/5).

8 Report of the Investment Advisory Body

In accordance with the mandate of the Investment Advisory Body, the Body shall submit, through the Director, to each ordinary session of the Assembly, a report on its activities since the previous session of the Assembly. The Assembly will be invited to consider this report (document 92FUND/A.7/6).

9 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 2001. The Assembly will be invited to consider the Auditor's Report and Opinion and to approve the accounts of the 1992 Fund (document 92FUND/A.7/7).

10 Appointment of members of the Investment Advisory Body

The Investment Advisory Body shall be composed of three experts appointed by the Assembly for one year. The Assembly will be invited to appoint members of the Investment Advisory Body for the 1992 Fund (document 92FUND/A.7/8).

11 Appointment of the 1992 Fund's and 1971 Fund's External Auditors

In accordance with Article 18.6 of the 1992 Fund Convention and Financial Regulation 13.1, the Assembly at its 3rd session, held in October 1998, 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 1999. The Assembly will be invited to appoint external auditors for the next term. A document will be submitted by the Director (document 92FUND/A.7/9).

12 Election of members of the Audit Body

The Assembly decided at its 6th session to establish, jointly with the 1971 Fund, an Audit Body with a mandate and composition as reflected in the Annex to the Assembly's Record of Decisions of its 6th extraordinary session (document 92FUND/A/ES.6/10). The Assembly will be invited to

elect the members of the Audit Body. Member States are invited to submit candidates for the election by 2 September 2002 (document 92FUND/A.7/10).

Contribution questions

13 Report on contributions

The Director will submit a report to the Assembly on the payment of contributions to the 1992 Fund (document 92FUND/A.7/11).

14 Non-submission of oil reports

At its 6th session the Assembly decided that the Chairman should send letters on its behalf to the Governments of States which had outstanding oil reports, emphasising the Assembly's serious concerns, requesting an explanation as to why reports had not been submitted and explaining the procedure for submission of oil reports. The Director will report to the Assembly on the answers received and on the situation in respect of the submission of such reports (document 92FUND/A.7/12).

Secretariat and administrative matters

15 Organisation of meetings

At its 5th session the Assembly instructed the Director to examine ways of improving the organisation of work during meetings. At the Assembly's 6th extraordinary session it was suggested that the 1992 Fund should re-examine its policy of holding meetings in public. A document will be presented on these issues (document 92FUND/A.7/13).

16 Consideration of requests for observer status

At the Assembly's 6th extraordinary session it was suggested that in future requests for the grant of observer status should be considered in detail by a small working group as is the normal practice within the International Maritime Organization (IMO). It was decided to consider this procedure for any future requests for such status (document 92FUND/A.7/14).

17 Amendment to the Executive Committee's Rules of Procedure

The Assembly will be invited to consider a proposal for an amendment to the Rule of Procedure of the Executive Committee which specifies the time limit for communication of the Committee's agenda (document 92FUND/A.7/15).

18 Working methods of the Secretariat

The Director will prepare a document giving information on developments as regards the working methods of the Secretariat (document 92FUND/A.7/16).

19 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.7/17).

20 Appointment of members and substitute members of the Appeals Board

In accordance with Section II(c) of the Statute of the Appeals Board, the Assembly will be invited to appoint members and substitute members of the Appeals Board. A document containing the necessary information will be circulated (document 92FUND/A.7/18).

Compensation matters

21 Reports of the Executive Committee on its 15th - 18th sessions

The reports of the Executive Committee's 15th - 18th sessions will be presented to the Assembly by the Committee's Chairman (documents 92FUND/EXC.15/2, 92FUND/EXC.16/6 and 92FUND/EXC.17/10).

22 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.7/19).

23 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.7/20).

Budgetary matters

24 Sharing of joint administrative costs between the 1992 Fund and the 1971 Fund

The Assembly will be invited to consider how the joint administrative costs should be apportioned between the 1992 Fund and the 1971 Fund for 2003 (document 92FUND/A.7/21).

25 Working capital

The Assembly will be invited to review the level of the working capital of the 1992 Fund, in accordance with Financial Regulation 7.1(b) (document 92FUND/A.7/22).

26 Budget for 2003 and assessment of contributions to the General Fund

A draft budget for the 1992 Fund for the calendar year 2003 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.7/23).

27 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.7/24).

Other matters

28 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.7/25).

29 Quorum at Assembly sessions

In the light of the problems experienced by the 1971 Fund in obtaining a quorum at Assembly sessions, the Assembly may wish to consider how to deal with a similar problem in the 1992 Fund Assembly (document 92FUND/A.7/26).

30 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 IMO for a session in October 2003.

31 Any other business

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

32 Adoption of the Record of Decisions

Rule 27 of the Rules of Procedure of the 1992 Fund provides that the Secretariat shall prepare a Record of Decisions of the session. The Assembly will be invited to adopt this Record of Decisions.