



INTERNATIONAL
OIL POLLUTION
COMPENSATION
FUND 1992

ASSEMBLY
3rd extraordinary session
Agenda item 9

92FUND/A/ES.3/8
20 February 1998
Original: ENGLISH

CO-OPERATION AGREEMENT WITH THE INTERNATIONAL MARITIME ORGANIZATION

Note by the Director

<i>Summary:</i>	Agreement of Co-operation with IMO has been approved by the IMO Assembly and has now been signed.
<i>Action to be taken:</i>	Information to be noted.

1 At its 1st session, the Assembly approved the text of a draft Agreement for co-operation between the 1992 Fund and the International Maritime Organization (IMO) (as contained in Annex II to document 92FUND/A.1/13), which was based on the corresponding Agreement between the 1971 Fund and IMO (document 92FUND/A.1/34, paragraph 13).

2 In November 1996 the Council of IMO approved the terms of the draft Agreement and requested the Secretary-General of IMO to submit the proposed Agreement to the IMO Assembly for approval at its session in November 1997. The IMO Council also decided that, in accordance with the practice in respect of previous agreements, the privileges and facilities envisaged in the Agreement would be extended to the 1992 Fund by IMO on a provisional basis, pending final approval of the Agreement by the IMO Assembly (IMO document C 77/SR.6, agenda item 18).

3 At its 20th session, held in November 1997, the Assembly of IMO approved the Agreement for co-operation between the 1992 Fund and IMO.

4 The Agreement was duly signed by the Secretary-General of IMO and the Director on 10 December 1997. A copy of the signed Agreement is contained in the Annex.

Action to be taken by the Assembly

5 The Assembly is invited to take note of the information provided in this document.

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ANNEX

**Agreement of co-operation between the International Maritime Organization
and the International Oil Pollution Compensation Fund 1992**

The International Maritime Organization (hereinafter referred to as "IMO") and the International Oil Pollution Compensation Fund 1992 (hereinafter referred to as "the 1992 Fund"),

Recognising 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 IMO and the 1992 Fund agree to establish and maintain co-operation in respect of matters of common interest to the two organizations. In particular, IMO and the 1992 Fund agree to consult on all matters arising in the exercise by the IMO and its Secretary-General of depository and other functions in respect of the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992 and, as appropriate, the International Convention on Civil Liability for Oil Pollution Damage, 1992.

Exchange of Information and Documentation

- 2 IMO and the 1992 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 information of a confidential nature.

Consultation on Matters of Common Interest

- 3 IMO agrees to consult with the 1992 Fund in connexion with IMO programmes or activities in which the 1992 Fund may have a substantial interest; and the 1992 Fund agrees to consult with IMO in connexion with the 1992 Fund's programmes or activities in which IMO may have a substantial interest.

Proposals for Consideration

- 4 IMO may propose matters for consideration by the organs of the 1992 Fund. Such suggestions will be submitted by the Secretary-General of IMO to the Director of the 1992 Fund who will, if he deems it appropriate, include any such matters on the agenda of the 1992 Fund organ concerned in accordance with the applicable rules of procedure. Similarly, the 1992 Fund may propose subjects for consideration by the organs of IMO. Such suggestions will be submitted by the Director of the 1992 Fund to the Secretary-General of IMO who will, if he deems it appropriate, include such matters on the agenda of the IMO organ concerned in accordance with the applicable rules of procedure.

Reciprocal Representation

- 5 (a) IMO shall be invited to send representatives to sessions of the Assembly of the 1992 Fund and to meetings of any subsidiary bodies. Such representatives shall participate as observers in respect of items on the agenda which are of interest to IMO, in accordance with the applicable rules of procedure.
- (b) The 1992 Fund shall be invited to send representatives to sessions of the organs of IMO and to conferences convened by IMO. 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 1992 Fund, in accordance with the applicable rules of procedure.

Administrative Arrangements

- 6 The Secretary-General of the IMO and the Director of the 1992 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 IMO and the 1992 Fund.

Denunciation

- 8 IMO or the 1992 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 IMO and the 1992 Fund.

Done at London this ^{10th} day of December, 1997

For the International Maritime
Organization


Secretary-General

For the International Oil Pollution
Compensation Fund 1992


Director