



INTERNATIONAL  
OIL POLLUTION  
COMPENSATION  
FUNDS 1971 AND  
1992

EXECUTIVE COMMITTEE  
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Agenda item 6

92FUND/EXC.2/8  
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EXECUTIVE COMMITTEE  
60th session  
Agenda item 6

71FUND/EXC.60/14

## IMPLEMENTATION OF ORGANISATIONAL CHANGES WITHIN THE SECRETARIAT

Note by the Director

<b>Summary:</b>	The implementation of the organisational changes and new working methods is being pursued. Recruitment of two further members of staff has been made. Steps are being taken to review the Secretariat's IT requirements. Activities in the field of information and public relations have been increased. Various options for the translation of documents are being considered.
<b>Action to be taken:</b>	Information to be noted.

### 1 Introduction

1.1 At their April 1998 sessions the Assemblies of the 1971 and 1992 Funds approved a new structure for the Secretariat (cf documents 71FUND/A/ES.4/16, paragraphs 4.1 - 4.31 and 92FUND/A/ES.3/21, paragraphs 8.1 - 8.31). At their October 1998 sessions the governing bodies of the two Organisations welcomed the measures taken by the Director by then to implement the decisions of the 1971 and 1992 Fund Assemblies with regard to the new structure of the Secretariat, the introduction of new working methods and the strengthening of Fund activities in certain fields (documents 71FUND/EXC.59/17/A.21/24, section 15 and 92FUND/A.3/27, section 14).

1.2 In this document the Director reports on the developments since the October 1998 sessions.

## **2      Structure of the Secretariat**

2.1      Recruitment has been made to the new post of Secretary to the Legal Counsel/Head of Claims Department and the new post of Accounts Assistant. The first of these posts was filled through internal recruitment whereas the other was recruited externally. No recruitment has yet been made of an additional Claims Officer and an additional Claims Clerk, nor of a Secretary (Spanish speaking) in the External Relations and Conference Department.

2.2      The present staffing of the Secretariat is set out in the Annexes.

## **3      Information technology**

3.1      During the discussions in the Assembly, a number of delegations stressed that it was important that the Secretariat should make the maximum use of information technology (IT).

3.2      The Secretariat is giving priority to the creation of an IOPC Funds' website on the Internet, and work to this effect is being carried out.

3.3      Steps are being taken to engage a consultant to review the Secretariat's IT requirements. It is intended that an initial study will be undertaken to ascertain the needs of the Secretariat, both currently and for the future, in light of the recent changes to the structure and working methods of the Secretariat. This study will form the basis of an IT strategy that will be developed during 1999.

## **4      Working methods**

4.1      Under the new structure there is a Management Team (composed of the Director, the Legal Counsel and the Heads of the three Departments), which assists in managing the operation of the Secretariat. The Management Team meets weekly or fortnightly to discuss the operation of the Funds and to co-ordinate the work of the three Departments. Departmental meetings are also being held at regular intervals.

4.2      At the 1992 Fund's 3rd extraordinary session, the 1992 Fund Assembly adopted Staff Regulations which set out the fundamental conditions of service and the basic rights and duties of staff members (document 92FUND/A/ES.3/4). The Assembly also took note of the Staff Rules which the Director intended to issue in accordance with Staff Regulation 31 (document 92FUND/A/ES.3/5). Staff Rules have since been issued as set out in that document.

4.3      Over the years the Director has issued Administrative Instructions and Circulars concerning various aspects of the operation of the Secretariat. As a result of the restructuring of the Secretariat and the changed working methods the Director is reviewing the Administrative Instructions and circulars, in consultation with the Management Team. A revised set of such Instructions and Circulars will be issued shortly.

## **5      Delegation of Director's authority**

5.1      At their October 1998 sessions, the governing bodies of the IOPC Funds took a number of decisions enabling the Director to delegate the authority to take decisions on behalf of the IOPC Funds, *inter alia* in respect of settling claims, making payments and giving instructions concerning investments. The governing bodies also approved amendments to the Internal and Financial Regulations necessary to implement these decisions. In the amended Regulations it is provided that the conditions and extent of the delegation should be set out in Administrative Instructions issued by the Director.

5.2 The Director was instructed to inform the Assembly or the Executive Committee of any delegation of authority.

5.3 The Director is issuing administrative instructions delegating authority as follows:

- (a) for the Head of the Claims Department to approve final or partial settlements and to approve provisional payments in respect of claims for compensation up to £500 000 in respect of a particular claim or payment, provided that the Director or Legal Counsel is consulted in certain circumstances, and to report any such decisions to the Director;
- (b) for the Legal Counsel to approve final or partial settlements and to approve provisional payments in respect of claims for compensation arising out of specified incidents up to £75 000 in respect of a particular claim or payment, subject to certain conditions and restrictions, and to report any such decisions to the Director or the Head of the Claims Department;
- (c) for each Claims Officer to approve final or partial settlements and to approve provisional payments in respect of claims for compensation arising out of specified incidents up to £75 000 in respect of a particular claim or payment, subject to certain conditions and restrictions, and to report any such decisions to the Head of the Claims Department; and
- (d) for the Legal Counsel and each Head of Department to commit the IOPC Funds in connection with the procurement of goods and services for amounts up to £50 000 in respect of individual expenditures falling within their respective areas of responsibility.

5.4 The Director has in addition authorised the Legal Counsel, the Heads of Departments and three other officers to act as signatories on behalf of the IOPC Funds in giving payment instructions, in accordance with Financial Regulation 9.2 of the respective Funds (cf documents 92FUND/A.3/27, paragraph 4.2 and 71FUND/EXC.59/17/A.21/24, paragraph 16.8).

## **6 Activities in the field of information and public relations**

6.1 During the discussions in the Assemblies at their April 1998 sessions it was generally considered that the IOPC Funds should strengthen their activities in the field of information and public relations. It was suggested that an increased knowledge of the international compensation system would in many cases facilitate claims handling. It was recognised, however, that there were limits to what the IOPC Funds could achieve in this respect and that the main responsibility for disseminating information within a Member State on the compensation system should lie with the competent authorities in that State.

6.2 The Secretariat has increased its participation in seminars, conferences and workshops. In November 1998 the Director participated in a conference on oil pollution in Rio de Janeiro (Brazil) and gave lectures on oil pollution liability and compensation in Buenos Aires (Argentina) and Montevideo (Uruguay). In the same month, officers took part in a workshop in Mauritania and at a meeting of focal points of the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) in Malta. In the coming three months, members of the Secretariat will participate in conferences or regional seminars in Abidjan (Ivory Coast), Bahrain, Fiji, Mumbai (India), as well as the International Oil Spill Conference in Seattle (United States). The purpose of the 1971 Fund's participation is to provide general information on the compensation system established by the 1992 Civil Liability Convention and the 1992 Fund Convention and to make States aware of the consequences of remaining in the 1971 Fund (cf document 71FUND/EXC.59/17/A.21/24).

6.3 Following the October 1998 Assembly and Executive Committee sessions, the Secretariat produced a briefing note which contained a summary of certain aspects of these sessions. It is intended that the

briefing note will be developed in terms of its format and that it will be issued periodically (for example after Assembly and Executive Committee sessions or when there are important developments in respect of ratifications, major claims settlements or new incidents). It is also intended that these briefing notes will be placed on the IOPC Funds' website.

6.4 A revised version (June 1998 edition) of the 1971 Fund's Claims Manual has been published in English and French and the 1992 Fund's Manual in English, French and Spanish.

## **7 Introduction of Spanish as an official language of the 1992 Fund**

7.1 At its 3rd extraordinary session the 1992 Fund Assembly decided to introduce Spanish as an official language and working language of the 1992 Fund with effect from 1 January 1999. It was also decided that, as regards the translation of documents, the decision to introduce Spanish as a working language would be implemented gradually along the lines proposed by the Director in document 92FUND/A/ES.3/9.

7.2 The Director has engaged a freelance translator to prepare Spanish texts of a number of important basic documents of the 1992 Fund, as these are essential for the translation of Assembly and Executive Committee documents. It is anticipated that by June 1999 all the following documents will be available in Spanish: Internal Regulations, Financial Regulations, Staff Regulations, Rules of Procedure of the Assembly and Executive Committee, 1992 Fund Assembly Resolutions and the Headquarters Agreement.

7.3 The Director was informed by IMO that its Spanish Translation Section was not able to assist in preparing any Spanish translations (except the draft Record of Decisions) for the 2nd session of the 1992 Fund Executive Committee because of the workload within that Section.

## **8 Translation services**

8.1 Since the establishment of the 1971 Fund, the Secretariat has largely depended on the services of IMO for translations from English into French. Since 1993, the 1971 Fund has financed a post of translator within IMO. The Secretary-General of IMO and the Director extended the Agreement on French translation services (which expired in June 1998) to 31 December 1998 and later to 30 June 1999.

8.2 The consultants who undertook the review of the Secretariat's working methods proposed that the IOPC Funds should consider radically changing the contract with IMO.

8.3 The Director is considering various options for the translation of documents in the medium and long term. These options include continued reliance on IMO, the inclusion in the Secretariat of posts of translators into French and Spanish, the increased use of freelance translators or a combination of these options. These options will all have budgetary implications. The Director intends to submit a document on the question of translation services to the October 1999 sessions of the Assemblies.

## **9 Office space**

9.1 As a result of the decisions of the Assemblies regarding the Secretariat structure and working methods, the IOPC Funds require significant additional office space. In October 1998 the IOPC Funds' governing bodies recognised that the implementation of the Assemblies' decisions on the new Secretariat structure and working methods depended partly on additional office space being made available and that the resolution of this issue was therefore both important and urgent.

9.2 The Secretary-General of IMO confirmed to the Director, both prior to the April 1998 Assembly sessions and again prior to the October 1998 sessions, that IMO would not be able to provide the additional office space required by the IOPC Funds.

9.3 In view of the outcome of his discussions with the Secretary-General of IMO, and on the basis of the Headquarters Agreements between the United Kingdom Government and the IOPC Funds, the Director requested that the United Kingdom Government should assist the Funds in finding premises outside the IMO building. The governing bodies of the IOPC Funds were notified in October 1998 that discussions were being held between the United Kingdom Government and the Director in which the Director had presented the needs of the IOPC Funds in respect of office space in the medium and long term. It was recognised that the IOPC Funds' Secretariat should, if possible, be located within a short distance of the IMO building, so as to enable the IOPC Funds to continue to use the conference facilities provided by IMO and to facilitate contacts between the Secretariat and Government representatives participating in IMO meetings.

9.4 In October 1998 the Director was authorised to make the necessary decisions with regard to relocation of the IOPC Funds' offices, after consultation with the Chairmen of the Assemblies and Executive Committees of the 1971 Fund and the 1992 Fund.

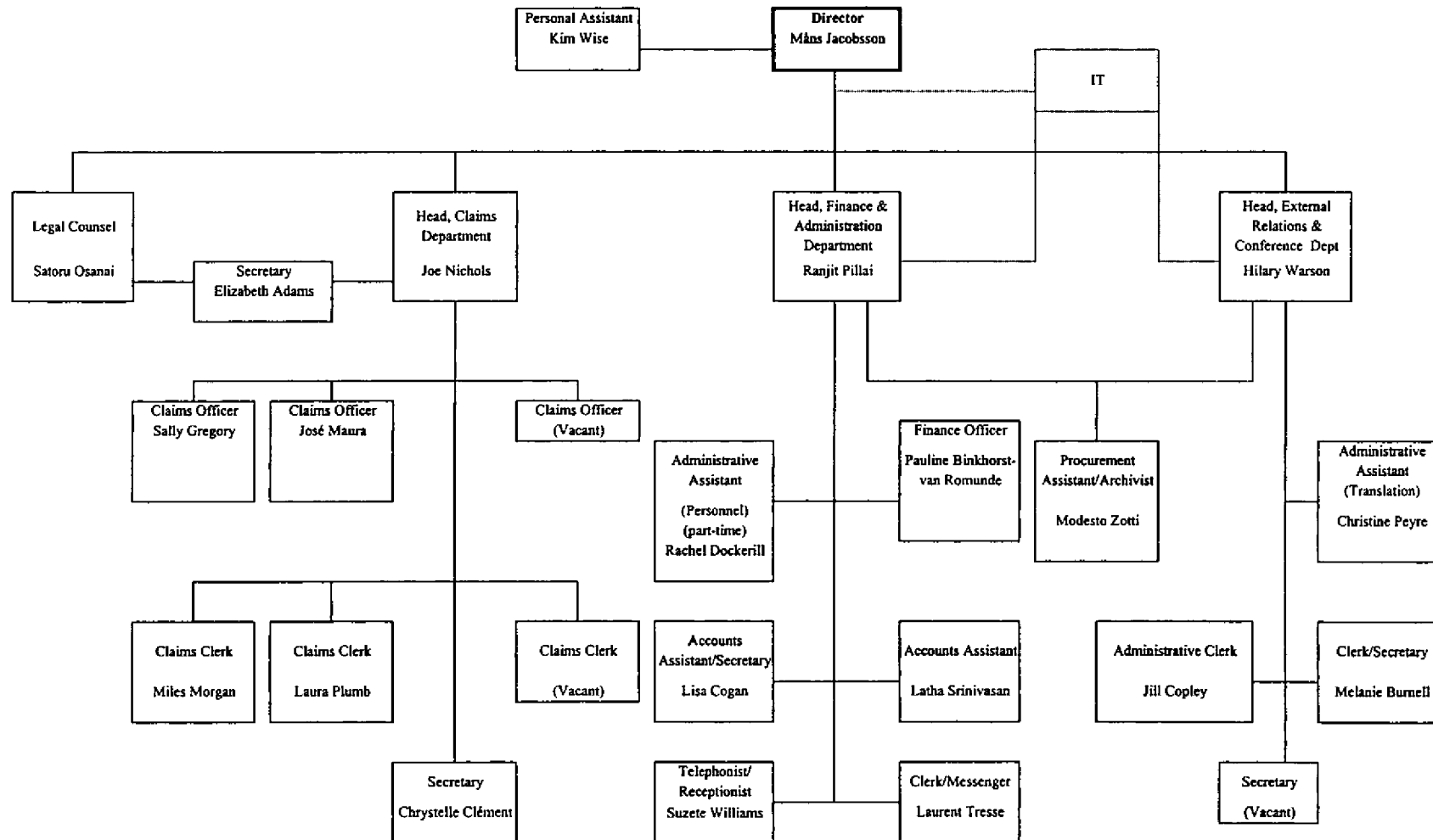
9.5 The Director is continuing his discussions with the United Kingdom Government.

**10 Action to be taken by the Executive Committee**

The Executive Committee is invited to take note of the information contained in this document.

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## STRUCTURE OF THE SECRETARIAT



**ANNEX II**

Posts	Staffing as at 1 April 1998	Staffing Approved by Assembly	Staffing as at October 1998	Current Staffing (29 January 1999)
<b>Professional Staff Group</b>				
Director	1	1	1	1
Legal Counsel	1	1	1	1
Head, Claims Department	0	1	1	1
Claims Officer	2	3	2	2
Head, Finance & Administration Department	1	1	1	1
Finance Officer	1	1	1	1
Head, External Relations & Conference Department	0	1	1	1
Administrative Officer	1	0	0	0
<i>Sub-total</i>	<i>7</i>	<i>9</i>	<i>8</i>	<i>8</i>
<b>General Service Staff Group</b>				
Personal Assistant to the Director	1	1	1	1
<i>Claims Department:</i>				
Secretary to Legal Counsel/Head of Claims Department	1	1	0	1
Claims Clerk	1	3	2	2
Secretary	2	1	1	1
<i>Finance &amp; Administration Department:</i>				
Accounts Assistant	1	1	0	1
Accounts Assistant/Secretary	1	1	1	1
Administrative Assistant (Personnel) ( <i>part-time</i> )	1	1	1	1
Procurement Assistant/Archivist	0	1	1	1
Clerk/Messenger	1	1	1	1
Telephonist/Receptionist	1	1	1	1
<i>External Relations &amp; Conference Department:</i>				
Administrative Assistant (Translation)	1	1	1	1
Administrative Clerk	0	1	1	1
Clerk-Secretary	0	1	1	1
Secretary	0	1	0	0
<i>Sub-total</i>	<i>11</i>	<i>16</i>	<i>12</i>	<i>14</i>
<b>Total Staffing</b>	<b>18</b>	<b>25</b>	<b>20</b>	<b>22</b>