

ASSEMBLY - 1st session

DRAFT RECORD OF DECISIONS

Adoption of the Agenda (Agenda item 1)

The Assembly adopted the Agenda as contained in document OPCF/A.I/1/Rev.1.

Election of the Chairman and two Vice-Chairmen (Agenda item 2)

The Assembly elected the following delegates to hold office until the second regular session of the Assembly:

Chairman:	Mr. J. Bredholt (Denmark)
First Vice-Chairman:	Mr. V. Stalio (Yugoslavia)
Second Vice-Chairman:	S.E. Monsieur S. Ben Amar (Tunisia)

Determination of Rules of Procedure (Agenda item 3)

The Assembly adopted the Rules of Procedure contained in document OPCF/A.I/5/1.

Determination of non-Contracting States to be invited as observers (Agenda item 4)

In respect of the first session, the Assembly decided to invite the following non-Contracting States to participate as observers:

Belgium	Netherlands
Brazil	Poland
Canada	Portugal
Finland	Switzerland
German Democratic Republic	USSR
Indonesia	United Republic of Cameroon
Ireland	United States
Italy	Venezuela

In respect of future sessions the Assembly decided

[to be decided]

Determination of inter-governmental and international non-governmental organizations to be invited as observers (Agenda item 5)

In respect of the first session the Assembly decided to invite the following organizations:

(a) Inter-Governmental Organizations

Council of Europe (CE of E)

European Economic Communities (EEC)

International Institute for the Unification of Private Law (UNIDROIT)

(b) Non-Governmental Organizations

The Baltic and International Maritime Conference (BIMCO)

International Chamber of Commerce (ICC)

International Chamber of Shipping (ICS)

International Law Association (ILA)

Oil Companies International Marine Forum (OCIMF)

Permanent International Association of Navigation Congresses (PIANC)

Comité Maritime International (CMI)

Oil Companies Institute for Marine Pollution Compensation Limited (CRISTAL)

International Tanker Owners Pollution Federation Limited (TOVALOP)

In respect of the second session the Assembly decided to invite, in addition to the organizations invited to the first session, a representative of the P and I Clubs.

Appointment of Director (Agenda item 6)

The Assembly appointed Mr. R. Ganten (Federal Republic of Germany) as Director of the Fund with effect from 16 December 1978 to 31 December 1982. A copy of the Director's contract of employment is contained in document [OPCF/A.I/4/1.]

Structure of the Secretariat (Agenda item 7)

The Assembly authorized the Director to recruit personnel as he deems necessary and invited him to submit detailed proposals on the Secretariat structure to the second session of the Assembly.

Adoption of Staff Regulations (Agenda item 8)

The Assembly adopted the Provisional Staff Regulations contained in document OPCF/A.I/2/1 and invited the Director to submit a set of Staff Regulations and Staff Rules to the second session of the Assembly for final adoption.

Adoption of Internal Regulations (Agenda item 9)

In a first reading, the Assembly adopted Internal Regulations for the Fund. Some of the Regulations were referred to an intersessional Working Group which was invited to consider them further and submit its proposals to the second session of the Assembly for final adoption. The text of the Internal Regulations is contained in document OPCF/A.I/3/3.

Determination of initial contributions (Agenda item 10)

The Assembly decided that, for purposes of determining the initial contributions in accordance with Article 11 of the Convention, the fixed sum for each ton of contributing oil received by a contracting State in 1977 shall amount to 0.04718 francs. The Assembly also adopted a Resolution relating to the interpretation of the franc provisions in the Convention, the text of which is reproduced in document OPCF/A.I/Res.1.

The Assembly decided to urge those contracting States which have not yet notified their total receipts of contributing oil in the calendar year 1977 to do so as soon as possible so as to allow the Director to determine the initial contributions payable by each contracting State.

Preparation of budgets for 1978 and 1979 (Agenda item 11)

The Assembly noted the provision made by the IMCO Council for a sum of \$300,000 to be made available on a reimbursable basis for the period of establishment of the Fund and decided to authorize the Director to undertake all necessary expenditures from those funds in the period prior to the second Assembly, and to request him to prepare a budget including that period and the remainder of 1979 for presentation to the second Assembly.

Determination relating to the replacement of Instruments
enumerated in Article 5(3) (Agenda item 12)

The Assembly decided in accordance with Article 5(4) that the Convention on the International Regulations for Preventing Collisions at Sea, 1972 shall replace, with effect from 1 June 1979, the International Regulations for Preventing Collisions at Sea, 1960 referred to in Article 5(3)(a)(iv).

[1969 Amendments to 1954 Oil Pollution Convention]

Determination of Headquarters State (Agenda item 13)

The Assembly decided that the Headquarters of the Fund shall be located in London.

Consideration of Headquarters Premises and matters connected thereto
(Agenda item 14)

The Assembly decided to request the intersessional Working Group to elaborate, with the assistance of the Secretary-General of IMCO, proposals on the initial accommodation of the Fund Secretariat and to submit these to the second session of the Assembly for consideration and approval.

The Assembly invited the intersessional Working Group to proceed with the negotiation of a Headquarters Agreement with the United Kingdom on the basis of the draft submitted by the United Kingdom in document OPCF/A.I/11/1 and to report on the progress of these negotiations to the second session of the Assembly.

The Assembly took note of the statement by the United Kingdom delegation to the effect that pending the conclusion of a Headquarters Agreement the Fund and its Director would, as from the date on which his contract would take effect, enjoy all privileges and immunities appropriate to an inter-governmental organization.

Appointment of Auditors (Agenda item 15)

The Assembly decided to appoint the person at any time performing the duties of the Comptroller and Auditor General of the United Kingdom as External Auditor of the Fund for a period of [four] years commencing [].

Increase of maximum liability of the Fund (Agenda item 17)

[The Assembly decided to take a decision with respect to an increase of the aggregate amount of compensation payable by the Fund in respect of any one incident as provided in Article 4(6) of the Convention at its second session.]

Relations with IMCO and other inter-governmental organizations (Agenda item 18)

The Assembly decided to invite the Director to prepare a set of draft guidelines containing suitable criteria which will assist the Assembly in deciding with which inter-governmental organizations an agreement or special arrangement might be made and which non-governmental international organizations might be admitted into a special relationship with the Fund.

Date of next session (Agenda item 19)

The Assembly decided to hold the second session of the Assembly from 17 to 20 April 1979 at the Headquarters of IMCO.
