

Rules of Procedure of the Scientific Committee

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Part I Representatives and Invited Scientists and Experts

Rule 1

Each Member of the Commission shall be a Member of the Scientific Committee and shall appoint a representative with suitable scientific qualifications, who may be accompanied by other experts and advisers.

Each Member of the Commission shall notify the Executive Secretary as early as possible before each meeting of the Scientific Committee of the name of his representative and before or at the beginning of the meeting the names of his experts and advisers.

Rule 2

The Scientific Committee may seek the advice of other scientists and experts as may be required on an *ad hoc* basis.

Such scientists and experts may submit documents and participate in discussions on the questions for which they were invited, but do not participate in the taking of decisions.

In cases when an invitation to such scientists and experts has financial implications for the Commission not provided for in its budget, such an invitation should require approval of the Commission.

Part II Conduct of Business

Rule 3

Scientific recommendations and advice to be provided by the Scientific Committee pursuant to the Convention shall normally be determined by consensus.

Where consensus cannot be achieved the Committee shall set out in its report all views advanced on the matter under consideration.

Reports of the Scientific Committee to the Commission shall reflect all the views expressed at the Committee on the matters discussed.

If a Member or group of Members in the Committee so wishes, additional views of that Member or group of Members on any particular questions may be submitted directly to the Commission.

¹ As adopted at SC-CAMLR-II (paragraph 8) and approved at CCAMLR-II (paragraph 10); amended at SC-CAMLR-III (paragraph 4.3) and approved at CCAMLR-III (paragraph 65); amended at SC-CAMLR-X (paragraph 2.2) and approved at CCAMLR-X (paragraph 4.6); amended at SC-CAMLR-XXV (paragraph 15.18) in accordance with CCAMLR-XXIV, paragraph 20.6, and subject to the decision of SC-CAMLR-XXIV (paragraph 13.56).

Where the Committee takes decisions, it will do so in accordance with Article XII of the Convention.

Part III Meetings

Rule 4

The Committee shall meet as often as may be necessary to fulfil its functions.

Regular meetings of the Committee normally shall be held once a year at the Headquarters of the Commission, unless it decides otherwise.

Rule 5

The Chairman shall prepare in consultation with the Executive Secretary a preliminary agenda for each meeting of the Committee. The Executive Secretary shall distribute the preliminary agenda to all Members of the Committee no later than 100 days prior to the beginning of the meeting.

The Executive Secretary, in consultation with the Chairman of both the Scientific Committee and of the subsidiary body, shall prepare and distribute a preliminary agenda before each meeting of that body.

Rule 6

Members of the Committee proposing supplementary items for the preliminary agenda shall inform the Executive Secretary thereof no later than 65 days before the beginning of the meeting and accompanying their proposal with an explanatory memorandum.

Rule 7

The Executive Secretary shall prepare, in consultation with the Chairman, a provisional agenda for each meeting of the Committee. The provisional agenda shall include:

- (a) all items which the Committee has previously decided to include in the provisional agenda;
- (b) all items the inclusion of which is requested by any Member of the Committee;
- (c) proposed dates for the next regular annual meeting following the one to which the provisional agenda relates.

The Executive Secretary shall transmit to all Members of the Committee, at least 45 days in advance of the Committee's meeting, the provisional agenda and explanatory memoranda or reports related thereto.

Part IV Chairman and Vice-Chairmen
Rule 8

The Committee shall elect a Chairman and two or more Vice-Chairmen on the basis of procedures referred to in Rule 3 above. The Chairman and Vice-Chairmen shall be elected for a term which shall include two regular meetings, as defined in the second sentence of Rule 4, except in the case of the first Chairman who shall be elected for a term of office which shall include three regular meetings to ensure that the terms of office of the Chairman and Vice-Chairmen shall be staggered.

The Chairman and Vice-Chairmen shall not be re-elected to their post for more than one term. The Chairman and Vice-Chairmen shall not be representatives of the same Contracting Party.

Rule 9

Amongst other duties, the Chairman shall have the following powers and responsibilities:

- (a) convene, open, preside at, and close each meeting of the Committee;
- (b) make rulings on points of order raised at meetings of the Committee, provided that each representative retains the right to request that any such decision be submitted to the Committee for approval;
- (c) put questions and notify the Committee of the results of votes;
- (d) approve a provisional agenda for the meeting after consultation with representatives and the Executive Secretary;
- (e) sign, on behalf of the Committee, the reports of each meeting for transmission to its Members, representatives and other interested persons as official documents of the proceedings;
- (f) present the report of the Scientific Committee to the Commission; and
- (g) exercise other powers and responsibilities as provided in these rules and make such decisions and give such directions to the Executive Secretary as will ensure that the business of the Committee is carried out effectively and in accordance with its decisions.

Rule 10

Whenever the Chairman is unable to act, the Vice-Chairmen shall assume the powers and responsibilities of the Chairman.

Rule 11

In the event of the office of the Chairman falling vacant between meetings, the Vice-Chairmen shall exercise the powers and perform the duties of the Chairman until a new Chairman is elected.

Rule 12

The Chairman and Vice-Chairmen shall commence the fulfilment of their obligations at the conclusion of the meeting of the Committee at which they have been elected, with the exception of the first Chairman and Vice-Chairmen who shall take office immediately upon their election.

Part V Subsidiary Bodies

Rule 13

The Committee shall establish, with the approval of the Commission, such subsidiary bodies as it deems necessary for the performance of its functions and determine their composition and terms of reference.

Where applicable, subsidiary bodies shall operate on the basis of the Rules of Procedure of the Committee.

Part VI Program of Work

Rule 14

At each annual meeting the Scientific Committee shall submit to the Commission an estimate of the budget required for the work of the Scientific Committee for the forthcoming year with a forecast for the subsequent year.

Part VII Secretariat

Rule 15

As a general rule, the Committee and its subsidiary bodies shall make use of the facilities of the Secretariat for the fulfilment of their functions.

Part VIII Languages

Rule 16

The official and working languages of the Committee shall be English, French, Russian and Spanish.

Part IX Records and Reports
Rule 17

At each meeting the Committee shall prepare, and immediately thereafter transmit, a report to the Commission in accordance with Rule 3. Such report shall summarise the discussions of the Committee. The report shall include and provide the rationale for all findings and recommendations and shall include any minority reports provided to the Chairman. A copy of the report shall be transmitted to Members of the Committee.

Rule 18

The Executive Secretary shall present as soon as possible to the Members of the Scientific Committee brief records of each plenary session, of every meeting of all subsidiary bodies, and of reports, resolutions, recommendations and other decisions taken.

Part X Observers
Rule 19

Subject to Article XII of the Convention on the Conservation of Antarctic Marine Living Resources, the Scientific Committee may:

- (a) extend an invitation to any State party to the Convention which is not entitled to be a Member of the Commission under Article VII of the Convention to attend, in accordance with Rules 21, 22 and 23 below, as Observers in meetings of the Scientific Committee;
- (b) invite, as appropriate, any other State to attend, in accordance with Rules 21, 22 and 23 below, as Observers in the meetings of the Scientific Committee unless a Member of the Scientific Committee objects;
- (c) invite, as appropriate, organisations named in Article XXIII(2) and (3) of the Convention to attend, in accordance with Rules 21, 22 and 23 below, as Observers in the meetings of the Scientific Committee;
- (d) invite, as appropriate, other intergovernmental and non-governmental organisations, to which Article XXIII(3) of the Convention may apply, to attend in accordance with Rules 21, 22 and 23 below, as observers in the meetings of the Scientific Committee unless a Member of the Scientific Committee objects;
- (e) the Scientific Committee may also invite Observers, in accordance with Rules 19(a) to (d), to the meetings of any subsidiary body of the Committee.

Observers invited under this rule shall have appropriate scientific qualifications.

Rule 20

Each observer invited in accordance with Rule 19 above shall notify the Executive Secretary as early as possible before any meeting of the name of its representative and before or at the beginning of the meeting the names of its experts and advisers.

Rule 21²

- (a) The Chairman may, when preparing with the Executive Secretary the preliminary agenda for a meeting of the Scientific Committee, draw to the attention of Members of the Scientific Committee his view that the work of the Scientific Committee would be facilitated by the attendance at its next meeting of an observer referred to in Rule 19, an invitation to which was not considered at the previous meeting. The Executive Secretary shall so inform Members of the Scientific Committee when transmitting to them the Preliminary Agenda under Rule 5;
- (b) Unless a Member of the Committee objects to the participation of an observer no later than 65 days before the beginning of the next meeting, the Executive Secretary shall issue to that observer an invitation to the next meeting of the Scientific Committee. The Executive Secretary will so inform Members of the Scientific Committee when transmitting to them the Provisional Agenda under Rule 7. An objection by a Member of the Committee in accordance with this rule shall be considered at an early point during the next meeting of the Committee.

Rule 22

If a Member of the Committee so requests, sessions of the Committee at which a particular agenda item is under consideration shall be restricted to Members of the Committee.

Rule 23

- (a) The Chairman may invite observers to address the Committee unless a Member of the Committee objects;
- (b) Observers are not entitled to participate in the taking of decisions.

² Amended at SC-CAMLR-XXIX (paragraph 15.17).

Rule 24

- (a) Observers may submit documents to the Secretariat for distribution to Members of the Committee as information documents. Such documents shall be relevant to matters under consideration in the Committee;
- (b) Unless a Member or Members of the Committee request otherwise such documents shall be available only in the language or languages and in the quantities in which they were submitted;
- (c) Such documents shall only be considered as Committee documents if so decided by the Committee.