

STATUTES
of the
SOUTH WEST PACIFIC HYDROGRAPHIC COMMISSION (SWPHC)
(revised at the 14th Meeting of SWPHC, Noumea, New Caledonia, 30 November - 1 December 2016)

1. INTRODUCTION

- a. The South West Pacific Hydrographic Commission (hereinafter referred to as “The Commission”) is hereby established in conformity with Resolution 2/1997 as amended (formerly Administrative Resolution T1.3) of the International Hydrographic Organization (IHO).
- b. The geographic area covered by the Commission (hereinafter referred to as “The Region”) shall be that defined by the IHO INT Charting Scheme Region L together with the waters of those Pacific Island States that are members of the Secretariat of the Pacific Community (SPC).

2. MEMBERSHIP

- a. Full Members of the Commission shall be IHO Member States in the Region who are signatories to these statutes.
- b. States lying within the Region who are not Members of the IHO but who are signatories of these statutes may become Associate Members of the Commission. Other Member States of the IHO who contribute to the safety of navigation through their activities in the fields of hydrography, nautical charting or nautical information in the region and are signatories to these statutes may also become Associate Members. They are represented by their national authorities responsible for hydrography and/or navigation.
- c. Associate Members shall have the same rights and obligations as the Full Members of the Commission, except the right to vote and the right to be elected as Chair or Vice-Chair.
- d. Observers. Observers may take part in the discussions but shall not have voting rights.
 - i. Adjacent Hydrographic Commissions and/or co-ordinating countries for Areas of IHO INT Charting Scheme bordering Region L (i.e. Regions A, C2, H, J and K) may be invited to send representatives to attend the Commission’s conferences as Observers.
 - ii. Other Member States of the IHO who are not signatories to these statutes but who contribute to the safety of navigation by their activities in the fields of hydrography, nautical charting or nautical information in the region may also participate as Observers.
 - iii. Other States within the region who are not members of IHO may also attend the Commission’s conferences as Observers.
 - iv. Organizations active in the region in the fields of hydrography, maritime safety, or related fields may also participate as Observers.
 - v. Commercial Industry participation will be classed as Expert Contributors. The Chair may invite Expert Contributors to attend the Commission as Observers.

3. OBJECTIVES

The objectives of the Commission, which is an integral part of the IHO, shall be:

- a. To promote technical co-operation and training and to conduct joint research where appropriate in the domain of hydrographic surveying, marine cartography, and nautical information.
- b. To examine the implications, in its area of interest, of matters of general interest with which the IHO is concerned, avoiding any interference with the prerogatives of the International Hydrographic Secretariat and of any other bodies set up by the IHO.
- c. To stimulate its Members to widen hydrographic activity in its area of interest, and to encourage them to seek technical advice and assistance from the IHB in establishing and strengthening their hydrographic capabilities.
- d. To facilitate the exchange of information concerning surveys, research or scientific and technical developments, to aid in the planning and organisation of hydrographic activities in the widest sense of the term, but without interference in the national responsibilities of each Hydrographic Office.
- e. To encourage development of INT Chart Programme and liaise with the relevant Regional International Chart Committees.
- f. To encourage implementation of the Global Maritime Distress and Safety Systems.
- g. To carry out certain studies as an IHO Working Group when considered appropriate.

4. CONFERENCES

- a. The Commission shall meet in plenary Conference within the Region, at least twice between two successive IHO Assemblies. The Conference shall normally be for three days. Time shall be allowed for bilateral discussions.
- b. An invitation to attend the Conference shall invariably be addressed to the Directing Committee of the International Hydrographic Secretariat.
- c. Members shall be represented at Conferences by heads of Hydrographic Services or their representatives, or, where such services do not exist, by heads of national authorities responsible for hydrography and navigation. They may also be accompanied by members of their staff, but it is most desirable that their number be kept to a minimum.
- d. The presence of two-thirds (2/3) of the Full Members of the Commission shall constitute a quorum.
- e. The Commission may set up small committees of Members interested in particular projects with the object of examining and executing such projects
- f. At the end of each Conference the Full Members desirous of hosting the following Conference shall put forward their candidatures. Proposals for holding the Conference in an Associate Member or Observer State may also be considered. Where no other compelling circumstances exist, priority shall be given to a Full Member state which has not yet hosted a Conference, or to the one which did so the longest time ago.
- g. Requests for extraordinary meetings of the Commission may be raised by Full Members and forwarded to the Chair. Upon receipt the Chair will canvass other Full Members to confirm the requirement for an extraordinary meeting and ascertain the most convenient venue and timing.

5. CHAIR

- a. At the conclusion of the Conference the Chair for the next Conference shall be elected and shall take up his/her duties within three months following the Conference. The Chair shall remain in office until the end of the next Conference but may stand for re-election.
- b. A Vice-Chair shall be elected at the same time, in case the Chair requires a deputy to attend to the affairs of the Commission, including chairing of the Conference in the absence of the Chair.
- c. In the interval between Conferences the outgoing Chair shall conclude the business of the last Conference within three months. Thereafter the incoming Chair shall provide the secretariat for the Commission and shall attend to all matters of interest by correspondence.
- d. If the Chair, or the Vice-Chair, is unable to officiate, he/she shall be replaced by his/her successor or deputy in his/her office.
- e. In the absence of both the Chair and Vice-Chair at a Conference, the quorum attending shall appoint a Conference Chair to facilitate proceedings.

6. RESOLUTIONS AND DECISIONS

- a. The resolutions and decisions of the Conference should normally be reached by consensus of the Members. If consensus cannot be reached, resolutions and decisions, except those relating to the Statutes, shall be by a simple majority of Full Members in attendance.
- b. Should a vote be required, in the absence of consensus of Members, Full Members only will be entitled to vote, each having the right to one vote. The voting shall be by a show of hands.
- c. At the end of the Conference, the Chair shall read the text of the decisions taken during the Conference. All decisions become operative within three months after the Conference.
- d. The Chair shall dispatch within one month of the close of the Conference a copy of the Summary Report containing the discussions, decisions and recommendations of the Conference for verification or comment to each Member, Associate Member and Observer. Comments are to reach the Chair within one month of the receipt of the Summary Report.

7. SECRETARIAT FUNCTIONS

- a. Proposals to be included in the Agenda of a Conference must be sent to the Chair with a copy to the Vice-Chair at least three months before the date fixed for the opening of the Conference.
- b. The Chair shall prepare the Provisional Agenda and List of Participants in consultation with the Vice-Chair and forward them to the participants at least one month before the opening of the Conference. One of the items of the Agenda shall be the Chair's report on the activities of the Commission since the last Conference.

- c. The Chair will report the activities and future plans of the Commission to the relevant sessions of the International Hydrographic Conference. Between sessions, reports of studies or other activities which may be considered of general interest to all Member States should be reported by the Chair to the IHB for general dissemination. The Chair will also submit a report on the activities of the Commission for inclusion in the relevant IHO reports.

8. EXPENSES

- a. The host State shall normally be responsible for the organisation of the Conference for which this host State shall pay the expenses, except expenses described in 8(b) below. Where the Commission resolves that a Conference should be held in a regional State who has not agreed in advance to host the Conference then a method of arranging and funding the Conference must be determined by the Commission with the mutual agreement of the State.
- b. Travelling, hotel and per diem expenses of delegates and other attendees shall be defrayed by their respective organization.

9. SELECTION OF COMMISSION REPRESENTATIVE(S) TO THE IHO COUNCIL

The State (s) selected to occupy the seat(s) on the IHO Council allocated to the Commission will be elected once the number of seats allocated to the Commission and the names of States eligible for selection have been advised by the Secretary-General in accordance with Article 16 (b) of the IHO General Regulations. The election will be conducted according to the procedure agreed by the Commission, as outlined in the attached 'Rules For The Designation of SWPHC Members To The IHO Council'. (**Annex A**)

10. COMMUNICATIONS

Members are required to ensure that their contact details in the IHO Yearbook (P-5) are correct. All official communications of the Commission will be dispatched to members in accordance with the IHO Yearbook details.

11. LANGUAGE

The working language of the Commission shall be English.

12. CHANGES TO THE STATUTES

Members of the Commission may propose amendments to the present Statutes. These amendments shall be discussed at the Conference and the outcome included in the report of the Conference. An amendment must be approved by a two-thirds (2/3) majority of the Full Members of the Commission. If, because of absence of Full Members, a decision cannot be reached at the Conference or due to the timing of necessary changes must be resolved before the next Conference, it may be dealt with by correspondence.

13. CUSTODIANSHIP OF THE STATUTES

The IHB will be the Custodian of the Statutes of the Commission.

Dated: 30th November 2016