

RULES OF PROCEDURE OF THE FINANCE COMMITTEE

Introductory note

On 28 July 1994 the General Assembly of the United Nations adopted the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982, (hereafter referred to as "the Agreement"). The Agreement has been provisionally applied since 16 November 1994 and entered into force on 28 July 1996.

According to the Agreement, its provisions and Part XI of the Convention are to be interpreted and applied together as a single instrument; these rules and references in these rules to the Convention are to be interpreted and applied accordingly.

I. SESSIONS

Frequency of sessions

Rule 1

The Finance Committee (hereafter referred to as "the Committee") shall meet as frequently as required for the efficient exercise of its functions, taking into account the requirement of cost-effectiveness.

Place of sessions

Rule 2

The Committee shall normally meet at the seat of the Authority. Sessions of the Committee may be held at another place in pursuance of a decision of the Assembly or the Council.

Convening of sessions

Rule 3

1. Taking into account the provisions of rule 1, sessions of the Committee shall be convened at the request of:
 - (a) The Assembly;
 - (b) The Council;
 - (c) The majority of the members of the Committee;
 - (d) The Chairman of the Committee; or
 - (e) The Secretary-General.
2. Before the Chairman or the Secretary-General make a request to convene a session of the Committee, they shall consult each other and the members of the Committee, including on the date and duration of the session.
3. Any session of the Committee called pursuant to a request of the Assembly or the Council shall be convened as soon as possible but no later than sixty days from the date of the request.

Notification of members

Rule 4

The Secretary-General shall notify the members of the Committee as early as possible of the date and duration of each session.

Temporary adjournment of session

Rule 5

The Committee may decide to adjourn any session temporarily and resume it at a later date.

II. AGENDA

Drawing up of the provisional agenda

Rule 6

The provisional agenda for each session of the Committee shall be drawn up by the Secretary-General in consultation with the Chairman of the Committee, whenever possible, and shall include:

- (a) All items proposed by the Assembly;
- (b) All items proposed by the Council;
- (c) All items proposed by the Committee;
- (d) All items proposed by the Chairman;
- (e) All items proposed by any member of the Committee;
- (f) All items proposed by the Secretary-General.

Communication of the provisional agenda

Rule 7

The provisional agenda for each session of the Committee shall be communicated to the members of the Committee and the members of the Authority as early as possible in advance of the session, but at least twenty-one days before the opening of the session. Any

subsequent change in or addition to the provisional agenda shall be brought to the notice of the members of the Committee and the members of the Authority sufficiently in advance of the session.

Adoption of the agenda

Rule 8

1. At the beginning of each session the Committee shall adopt its agenda for the session, on the basis of the provisional agenda.
2. The Committee may, if necessary, amend the agenda, provided that no item referred to it by the Assembly or the Council be deleted or modified.

III. ELECTIONS AND FUNCTIONS OF THE COMMITTEE

Elections

Rule 9

The members of the Committee shall be elected by the Assembly in accordance with the Convention and the Agreement and the rules of procedure of the Assembly.

Incompatible activities and confidentiality

Rule 10

Members of the Committee shall have no financial interest in any activity relating to matters upon which the Committee has the responsibility to make recommendations. They shall not disclose, even after termination of their functions, any confidential information coming to their knowledge by reason of their duties for the Authority.

Functions

Rule 11

The Committee shall assist the Assembly and the Council in the financial administration of the Authority by providing advice on matters which have financial or budgetary implications and shall, inter alia, submit recommendations regarding the following issues:

- (a) Draft financial rules, regulations and procedures of the organs of the Authority and the financial management and internal financial administration of the Authority;

- (b) Assessment of contributions of members to the administrative budget of the Authority in accordance with article 160, paragraph 2 (e), of the Convention;
- (c) All relevant financial matters, including the proposed annual budget prepared by the Secretary-General of the Authority in accordance with article 172 of the Convention and the financial aspects of the implementation of the programmes of work of the Secretariat;
- (d) The administrative budget;
- (e) Financial obligations of States Parties arising from the implementation of the Agreement and Part XI of the Convention as well as the administrative and budgetary implications of proposals and recommendations involving expenditure from the funds of the Authority;
- (f) Rules, regulations and procedures on the equitable sharing of financial and other economic benefits derived from activities in the Area and the decisions to be made thereon.

IV. OFFICERS

Election and term of Chairman and Vice-Chairman

Rule 12

1. Each year at its first meeting, the Committee shall elect a Chairman and a Vice-Chairman from among its members.
2. The Chairman and the Vice-Chairman shall be elected for a term of one year. They shall hold office until their successors are elected. They shall be eligible for re-election.

Acting Chairman

Rule 13

1. In the absence of the Chairman, the Vice-Chairman shall take his or her place.
2. If the Chairman ceases to hold office pursuant to rule 17, the Vice-Chairman shall take his or her place until the election of a new Chairman.

Powers of the Acting Chairman

Rule 14

A Vice-Chairman acting as Chairman shall have the same powers and duties as the Chairman.

Rapporteur

Rule 15

The Committee may appoint, if necessary, one of its members as Rapporteur for any particular question.

General powers of the Chairman

Rule 16

1. The Chairman, in the exercise of his or her functions, remains under the authority of the Committee.
2. In addition to exercising the powers conferred upon him or her elsewhere in these rules, the Chairman shall declare the opening and closing of each meeting of the Committee, direct the discussions, ensure observance of these rules, accord the right to speak, put questions to the vote and announce decisions. He or she shall rule on points of order and, subject to these rules, shall have complete control of the proceedings of the Committee and over the maintenance of order at its meetings. The Chairman may, in the course of the discussion of an item, propose to the Committee the limitation of time to be allowed to speakers, the limitation of the number of times each member may speak on any question, the closure of the list of speakers or the closure of the debate. He or she may also propose the suspension or the adjournment of the meeting or of the debate on the question under discussion.
3. The Chairman shall represent the Committee at meetings of the Assembly and the Council.

Replacement of the Chairman or the Vice-Chairman

Rule 17

If the Chairman or the Vice-Chairman ceases to be able to carry out his or her functions or ceases to be a member of the Committee, he or she shall cease to hold such office and a new Chairman or Vice-Chairman shall be elected for the unexpired term.

V. SECRETARIAT

Duties of the Secretary-General

Rule 18

1. The Secretary-General shall act in that capacity in all meetings of the Committee. He or she may designate a member of the Secretariat to act as his or her representative. He or she shall perform such other functions as are assigned to him or her by the Committee.
2. The Secretary-General shall provide and direct the staff required by the Committee, taking into account to the greatest extent possible the requirements of economy and efficiency, and be responsible for all the arrangements that may be necessary for its meetings.
3. The Secretary-General shall keep the members of the Committee informed of any questions that may be brought before it for consideration.
4. The Secretary-General shall provide to the Committee, at its request, information and reports on questions specified by the Committee.

Duties of the Secretariat

Rule 19

The Secretariat shall receive, translate, reproduce and distribute recommendations, reports and other documents of the Committee, interpret speeches made at meetings, prepare and circulate, when it is so decided, records of the session, have custody and proper preservation of the documents in the archives of the Committee, and, generally, perform all other work which the Committee may require.

VI. CONDUCT OF BUSINESS

Conduct of business

Rule 20

As far as conduct of business is concerned, the proceedings of the Committee shall be governed by general practice as reflected in section XII of the rules of procedure of the Assembly.

VII. DECISION-MAKING

Voting rights

Rule 21

Each member of the Committee, including the Chairman, shall have one vote.

Decision-making

Rule 22

1. As a general rule, decision-making in the Committee should be by consensus. If all efforts to reach a decision by consensus have been exhausted, decisions by voting on questions of procedure shall be taken by a majority of members present and voting.
2. Decisions on questions of substance shall be taken by consensus.

Meaning of the phrase "members present and voting"

Rule 23

For the purposes of these rules, the phrase "members present and voting" means members present and casting an affirmative or negative vote. Members who abstain from voting shall be considered as not voting.

Conduct of voting

Rule 24

The Committee shall apply mutatis mutandis the rules relating to the conduct of voting in rules 66 to 71 of the rules of procedure of the Assembly.

Elections

Rule 25

All elections in the Committee shall be held by secret ballot.

Conduct of elections

Rule 26

The Committee shall apply mutatis mutandis the rules relating to elections in rules 73 to 75 of the rules of procedure of the Assembly.

VIII. LANGUAGES

Languages of the Committee

Rule 27

Arabic, Chinese, English, French, Russian and Spanish shall be the languages of the Committee.

Interpretation

Rule 28

Speeches made in any of the six languages of the Committee shall be interpreted into the other five languages.

Other languages

Rule 29

Any member may make a speech in a language other than the languages of the Committee. In this case, he or she shall himself or herself provide for interpretation into one of the languages of the Committee. Interpretation into the other languages of the Committee by the interpreters of the Secretariat may be based on the interpretation given in the first such language.

Languages of recommendations and documents

Rule 30

All recommendations and other documents of the Committee shall be published in the languages of the Committee.

IX. MEETINGS

Private and public meetings

Rule 31

1. The meetings of the Committee shall be held in private unless the Committee decides otherwise.
2. At the close of a private meeting of the Committee, the Chairman may, if the Committee so decides, issue a communiqué through the Secretary-General.