

## 13<sup>th</sup> Meeting of the Advisory Committee

Cluj, Romania, 23 – 24 August 2008

### Rules of Procedure for the Advisory Committee



#### Part I

##### Delegates, Observers, Secretariat

##### Rule 1- Delegates

- (1) A Party to the Agreement (hereafter referred to as a "Party")<sup>1</sup> shall be entitled to appoint one member of the Advisory Committee (thereafter referred to as a Committee Member) and such advisers as the Party may deem necessary.
- (2) The voting rights of the Parties shall be exercised by the Committee Member. In the absence of the Committee Member, an adviser may be appointed by the Committee Member to act as a substitute over the full range of the Committee Member's functions.

##### Rule 2- Observers

- (1) The Foreign and Commonwealth Office, representing the UK in its role as the Depositary to this Agreement, the Secretariats of the Convention on the Conservation of Migratory Species of Wild Animals, the Convention on the Conservation of European Wildlife and Natural Habitats and all relevant non-Party Range States and Regional Economic Integration Organisations may be represented at the meeting by observers who shall have the right to participate but not to vote.<sup>2</sup>
- (2) The Advisory Committee may, as appropriate, invite any other body or individual qualified in bat conservation and management to participate in a meeting. Such persons shall not have the right to vote.

The Chair of the Standing Committee shall be invited as observer *ex officio*.

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<sup>1</sup> See Agreement, Article I, sub-paragraph (e), and Article XII. A Party is a Range State or a Regional Economic Integration Organisation, which has deposited its instrument of ratification or accession no less than 30 days prior to the Meeting.

- (3) Any body or individual qualified in bat conservation and management may request admittance to plenary sessions of the Advisory Committee. Applications for attendance should be received by the Secretariat at least two months before any Committee meeting, and circulated to Committee members by the Secretariat no later than one month before that meeting. Such bodies or individuals shall be permitted to attend as non-voting observers, if two-thirds of the Parties accept their application. Decisions on whether such bodies or individuals may attend Committee meetings may be decided upon by seating limitations at any given Committee meeting.<sup>3</sup>
- (4) Seating limitations may require that no more than two observers from any non-Party State or body be present at sessions of the Advisory Committee.

### Rule 3 - Credentials

- (1) Each contracting Party shall appoint a Committee member and alternate, when appropriate, to the Advisory Committee, who shall represent the Party. Contracting Parties shall submit the names of these delegates to the Secretariat through their co-ordinating authorities by the start of the Meeting.
- (2) The appointed Committee Member or alternate shall be available for consultation inter-sessionally.

### Rule 4 - Secretariat

Unless otherwise instructed by the Parties, the Secretariat shall service and act as Secretariat for the Advisory Committee at its meetings.

## **Part II**

### Officers

### Rule 5 - Chairpersons

- (1) The Advisory Committee shall, at its first session, elect a Chairperson from among the Committee Members, and a Vice-Chairperson from the Committee Members or their advisers.
- (2) The Chairperson and Vice-Chairperson of the Advisory Committee shall hold office until the first meeting of the Advisory Committee following each Meeting of

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<sup>2</sup> See Agreement Article V.3.

<sup>3</sup> See Report of the first meeting of the Advisory Committee, Vilm, Germany, 18-19 April 1996.

Parties. The Chairperson and Vice-Chairperson may be nominated for re-election at the end of a term of office.

- (3) If the Chairperson resigns during his/her term of office, the Vice-Chairperson shall take up the post as acting Chairperson until the following Meeting of the Advisory Committee. A new Chairperson shall then be elected in conformity with paragraphs 1 and 2.

#### Rule 6 - Presiding Officer

- (1) The Chairperson shall preside at all meetings of the Advisory Committee.
- (2) If the Chairperson is absent or is unable to discharge the duties of Presiding Officer, the Vice-Chairperson shall deputise.
- (3) The Presiding Officer may vote.

### **Part III**

#### Rules of Order and Debate

#### Rule 7 - Powers of Presiding Officer

- (1) In addition to exercising powers conferred elsewhere in these Rules, the Presiding Officer shall at Advisory Committee meetings:
  - (a) open and close the sessions;
  - (b) direct the discussions;
  - (c) ensure the observance of these Rules;
  - (d) accord the right to speak;
  - (e) put questions to the vote and announce decisions;
  - (f) rule on points of order; and
  - (g) subject to these Rules, have complete control of the proceedings of the Meeting and the maintenance of order.
- (2) The Presiding Officer may, in the course of discussion at a meeting, propose:
  - (a) time limits for speakers;
  - (b) limitation of the number of times the members of a delegation or observers from a State which is not a Party or a Regional Economic Integration Organisation, or from any other body, may speak on any question;

- (c) the closure of the list of speakers;
- (d) the adjournment or the closure of the debate on the particular subject or question under discussion;
- (e) the suspension or adjournment of any session; and
- (f) the establishment of drafting groups on specific issues.

#### Rule 8 - Right to Speak

- (1) The Presiding Officer shall call upon speakers in the order in which they signify their desire to speak, with precedence given to the Committee Members.
- (2) A Committee Member, adviser or observer may speak only if called upon by the Presiding Officer, who may call a speaker to order if the remarks are not relevant to the subject under discussion.
- (3) A speaker shall not be interrupted, except on a point of order. The speaker may, however, with the permission of the Presiding Officer, give way during his speech to allow any participant or observer to request elucidation on a particular point in that speech.

#### Rule 9 - Procedural Motions

- (1) During the discussion of any matter, a Committee Member may rise to a point of order, and the point of order shall be immediately, where possible, decided by the Presiding Officer in accordance with these Rules. A delegate may appeal against any ruling of the Presiding Officer. The appeal shall immediately be put to the vote, and the Presiding Officer's ruling shall stand unless a majority of the Parties present and voting decide otherwise. A delegate rising to a point of order may not speak on the substance of the matter under discussion, but only on the point of order.
- (2) The following motions shall have precedence in the following order over all other proposals or motions before the Meeting:
  - (a) to suspend the session;
  - (b) to adjourn the session;
  - (c) to adjourn the debate on the particular subject or question under discussion;
  - (d) to close the debate on the particular subject or question under discussion.

#### Rule 10 - Arrangements for Debate

- (1) The Meeting may, on a proposal by the Presiding Officer or by a Committee Member, limit the time to be allowed to each speaker and the number of times anyone may speak on any question. When the debate is subject to such limits, and a speaker has spoken for the allotted time, the Presiding Officer shall call the speaker to order without delay.
- (2) During the course of a debate the Presiding Officer may announce the list of speakers, and, with the consent of the Committee, declare the right of reply to any individual if a speech delivered after the list has been declared closed makes this desirable.
- (3) During the discussion of any matter, a Committee Member may move the adjournment of the debate on the particular subject or question under discussion. In addition to the proposer of the motion, a Committee Member may speak in favour of, and a Committee Member of each of two Parties may speak against the motion, after which the motion shall immediately be put to the vote. The Presiding Officer may limit the time to be allowed to speakers under this Rule.
- (4) A Committee Member may at any time move the closure of the debate on the particular subject or question under discussion, whether or not any other individual has signified the wish to speak. Permission to speak on the motion for closure of the debate shall be accorded only to a Committee Member from each of the two Parties wishing to speak against the motion, after which the motion shall immediately be put to the vote. The Presiding Officer may limit the time to be allowed to speakers under this Rule.
- (5) During the discussion of any matter a Committee Member may move the suspension or the adjournment of the session. Such motions shall not be debated but shall immediately be put to the vote. The Presiding Officer may limit the time allowed to the speaker moving the suspension or adjournment of the session.

### **Part IV**

#### Voting

#### Rule 11 - Methods of Voting

- (1) Without prejudice to the provisions of Rule 1, paragraph 2, each Committee Member duly accredited according to Rule 3 shall have one vote.

- (2) The Committee shall normally vote by show of hands at a meeting, but any Committee Member may request a roll-call vote. In the event of a vote during an inter-sessional period, there will be a postal ballot.
- (3) At the election of officers, any Committee Member may request a secret ballot. If seconded, the question of whether a secret ballot should be held shall immediately be voted upon. The motion for a secret ballot may be conducted by secret ballot.
- (4) Voting by roll-call or by secret ballot shall be expressed by "Yes", "No" or "Abstain". Only affirmative and negative votes shall be counted in calculating the number of votes cast by Committee Members present and voting.
- (5) If votes are equal, the motion or amendment shall not be carried.
- (6) The Presiding Officer shall be responsible for the counting of the votes and shall announce the result. The Presiding Officer may be assisted by the Secretariat. Inter-sessional voting by postal ballot will be coordinated by the Secretariat.
- (7) After the Presiding Officer has announced the beginning of the vote, it shall not be interrupted except by a Committee Member on a point of order in connection with the actual conduct of the voting. The Presiding Officer may permit Committee Members to explain their votes either before or after the voting, and may limit the time to be allowed for such explanations.

#### Rule 12 - Majority

All votes on procedural matters relating to the forwarding of the business of the meeting shall be decided by a simple majority of Parties. All other decisions shall be taken by a simple majority among parties present and voting.

### **Part V**

#### Languages and Records

#### Rule 13 - Working Language

English shall normally be the working language of any Advisory Committee meeting and working groups.

#### Rule 14 - Other Languages

- (1) An individual may speak in a language other than English at meetings, provided s/he furnishes interpretation into English.

- (2) Any document submitted to a meeting shall be in English.

#### Rule 15 - Summary Records

Summary records of Committee meetings shall be kept by the Secretariat and shall be circulated to all Parties in English.

### **Part VI**

#### Openness of Debate

#### Rule 16 - Committee meetings

All sessions of meetings shall be closed to the public.

#### Rule 17 - Sessions of the Working Groups

As a general rule, sessions of working groups shall be limited to the Committee members, their advisers and to observers invited by the Chairs of working groups.

### **Part VII**

#### Working Groups

#### Rule 18 - Establishment of Working Groups

The Advisory Committee may establish working groups as may be necessary to enable it to carry out its functions. It shall define the terms of reference and composition of each working group, the size of which may be limited according to the number of places available in assembly rooms.

#### Rule 19 - Procedure

Insofar as they are applicable, these Rules shall apply *mutatis mutandis* to the proceedings of working groups.