



INTERNATIONAL  
OIL POLLUTION  
COMPENSATION  
FUNDS 1971 AND  
1992

AGENDA/Circ.3  
14 January 2005

## PROVISIONAL ANNOTATED AGENDAS FOR THE MEETINGS OF THE IOPC FUNDS, 14 TO 23 MARCH 2005

to be held at the Headquarters of the International Maritime Organization (IMO),  
4 Albert Embankment, London SE1

### **1 Introduction**

Please find attached a provisional timetable and provisional annotated agendas for the meetings of the IOPC Funds to be held from 14 to 23 March 2005, including the first Assembly of the Supplementary Fund, at which representation has been invited by the Secretary-General of IMO.

Information is also provided about the submission of documents, the presentation of credentials and notifications and registration for the meetings.

Please note that the meeting week of 28 February-4 March has been cancelled - see Circular 92FUND/Circ.44, 71FUND/Circ.83.

### **2 Provisional timetable**

The following meetings will be held during the weeks of 14 and 21 March 2005:

1992 Fund Executive Committee - Twenty-eighth session - Monday 14 March, 9.30am  
Supplementary Fund Assembly - First session - Monday 14 March, 2.30pm  
1992 Fund Assembly - Ninth extraordinary session - Tuesday 15 March, 9.30am  
1971 Fund Administrative Council - Sixteenth session - Tuesday 15 March, 2.30pm  
1992 Fund third intersessional Working Group - Ninth meeting - Thursday 17 March, 9.30am

All meetings may continue until Wednesday 23 March.

Working hours are normally from 9.30 to 12.30 with a break from 11.00 to 11.30 and from 2.30 to 5.30 with a break from 4.00 to 4.30.

The Director, in consultation with the Chairmen and the Secretary-General of IMO, has prepared the attached provisional timetable. It should however be noted that this timetable is subject to change at short notice.

Delegations are strongly encouraged to be present throughout all the meetings.

### 3 Submission of documents

Delegates are reminded that, as decided by the governing bodies in October 2002, documents prepared by delegations should in general be submitted to the Secretariat at least three weeks before the start of the meeting, ie by **Friday 18 February 2005** at the latest.

To facilitate the processing of documents, it would be appreciated if they were submitted in electronic format (preferably in Microsoft Word), either on computer diskette or by e-mail to [info@iopcfund.org](mailto:info@iopcfund.org).

### 4 Credentials and notifications

In accordance with the Rules of Procedure, credentials or notifications are required in respect of each of the following meetings for representatives, alternates and other persons designated by Governments and organisations to attend the meetings:

	<b>Credentials</b>	<b>Notifications</b>
<b>1992 Fund Assembly</b>	1992 Fund Member States	States and organisations with observer status
<b>1992 Fund Executive Committee</b>	Members of the 1992 Fund Executive Committee	Other 1992 Fund Member States, States and organisations with observer status
<b>1992 Fund Working Group</b>		1992 Fund Member States, States and organisations with observer status
<b>1971 Fund Administrative Council</b>		Former 1971 Fund Member States, States and organisations with observer status

Credentials and notifications for these meetings should be sent to the Director of the IOPC Funds in advance of the opening of the meetings and preferably not later than **Friday 4 March 2005**. Credentials sent by telefax will be regarded as provisional and should be confirmed by presentation of the original as soon as possible.

Credentials and notifications are also required in respect of the Supplementary Fund Assembly as follows:

	<b>Credentials</b>	<b>Notifications</b>
<b>Supplementary Fund Assembly</b>	Supplementary Fund Member States	Other 1992 Fund Member States, States and organisations with observer status with the 1992 Fund

Credentials and notifications for this meeting should be sent to the Secretary-General of IMO but it would be appreciated if copies were also sent to the Director of the IOPC Funds.

#### Credentials

Credentials should be issued by the Head of State, the Head of Government, the Minister for Foreign Affairs, or any person or authority specifically authorised for that purpose by any of them. Where credentials are issued by a person other than any of the State officials mentioned above, such credentials should expressly state that authorisation to issue the credentials has been conferred upon the person issuing the credentials by one of the above-mentioned State officials.

#### Notifications

Notifications should be on official notepaper and should include the names of the person or persons who will attend and the names and dates of the relevant meetings.

## 5 Registration

Delegates are reminded that they should register with the International Maritime Organization at least one week before the meetings, ie by **Friday 4 March**, using the attached form.

Delegates are requested to arrive early on the first day of the meetings to allow time for registration. Delegates who do not send their details in advance of the meetings will need to provide them on arrival, in addition to evidence of their authorisation to attend the meetings.

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**PROVISIONAL TIMETABLE**

**Note. This timetable may be subject to change at short notice.  
Delegations are strongly encouraged to be present throughout all the meetings.**

<b>Date</b>	<b>Time</b>	<b>Meeting</b>	<b>Main items</b>
Monday 14 March	9.30 am 2.30 pm	1992 Fund Executive Committee Supplementary Fund Assembly	Incidents
Tuesday 15 March	9.30 am	1992 Fund Assembly Supplementary Fund Assembly (cont.)	Matters relating to the establishment of the Supplementary Fund
	11.30am	1992 Fund Assembly (cont.) 1992 Fund Executive Committee (cont. if required)	Incidents (cont. if required)
	2.30 pm	1971 Fund Administrative Council Supplementary Fund Assembly (cont. if required) 1992 Fund Assembly (cont. if required) 1971 Fund Administrative Council (cont. if required)	Matters relating to the establishment of the Supplementary Fund (cont.)
Wednesday 16 March	9.30 am	1992 Fund Assembly (cont.) 1971 Fund Administrative Council (cont.)	Other matters, including procedures for recruitment of the next Director
Thursday 17 March	9.30 am	1992 Fund Working Group	Review of the international compensation regime
Friday 18 March	9.30 am 2.30 pm	1992 Fund Working Group (cont.) 1992 Fund Executive Committee	Adoption of Record of Decisions
		1992 Fund Working Group (cont.)	Review of the international compensation regime (cont.)
Monday 21 March		1992 Fund Working Group (cont.)	
Tuesday 22 March		1992 Fund Working Group (cont.)	
Wednesday 23 March	9.30 am 2.30 pm	1992 Fund Working Group (cont.) Supplementary Fund Assembly	Adoption of Records of Decisions
		1992 Fund Assembly 1971 Fund Administrative Council	

As regards matters relating to the establishment of the Supplementary Fund, the intention is to run the meetings in the following order, in order to coordinate the decisions required by the governing bodies of the Supplementary Fund, the 1992 Fund and the 1971 Fund:

Supplementary Fund Assembly	Agenda items 1-27
1992 Fund Assembly	Agenda items 1-17
Supplementary Fund Assembly	Agenda items 28-39
1992 Fund Assembly	Agenda items 18-22
1971 Fund Administrative Council	Agenda items 1-10

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INTERNATIONAL  
OIL POLLUTION  
COMPENSATION  
FUND 1992

EXECUTIVE COMMITTEE  
28th session  
Agenda item 1

92FUND/EXC.28/1  
14 January 2005  
Original: ENGLISH

## PROVISIONAL ANNOTATED AGENDA OF THE TWENTY-EIGHTH SESSION OF THE EXECUTIVE COMMITTEE

to be held at the Headquarters of the  
International Maritime Organization, 4 Albert Embankment,  
London SE1, from Monday 14 March, 9.30 am, to Wednesday 23 March 2005

### *Opening of the session*

**1 Adoption of the Agenda**

**2 Examination of credentials**

In accordance with Rule 10 of the Rules of Procedure, the Director will report to the Executive Committee on the credentials received from representatives of Members.

**3 Incidents involving the 1992 Fund**

The Director will inform the Executive Committee of recent developments regarding incidents involving the 1992 Fund. He will submit for the Executive Committee's consideration any claims or other issues requiring decisions. Information will be contained in various documents.

**4 Any other business**

The Executive Committee will be invited to consider other matters which might be proposed by Member States or by the Director.

**5 Adoption of the Record of Decisions**

The Executive Committee will be invited to adopt a Record of Decisions for submission to the Assembly.

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**INTERNATIONAL  
OIL POLLUTION  
COMPENSATION  
SUPPLEMENTARY  
FUND**

ASSEMBLY  
1st session  
Agenda item 1

SUPPFUND/A.1/1  
14 January 2005  
Original: ENGLISH

## **PROVISIONAL ANNOTATED AGENDA OF THE FIRST SESSION OF THE SUPPLEMENTARY FUND ASSEMBLY**

to be held at the Headquarters of the  
International Maritime Organization, 4 Albert Embankment,  
London SE1, from Monday 14 March 2005, 2.30 pm,  
to Wednesday 23 March 2005

*Opening of the Session*

*Procedural matters*

**1 Adoption of the Agenda**

**2 Election of the Chairman and two Vice-Chairmen**

In accordance with Article 16.2 of the Supplementary Fund Protocol and Article 18.1 of the 1992 Fund Convention, the Assembly will be invited to elect a Chairman and two Vice-Chairmen who shall hold office until the next regular session (document SUPPFUND/A.1/2).

**3 Non-contracting States to be invited as observers**

In accordance with Article 16.2 of the Supplementary Fund Protocol and Article 18.10 of the 1992 Fund Convention, the Assembly shall determine which non-Contracting States shall be admitted to take part, without voting rights, in meetings of the Assembly and subsidiary bodies. The Assembly will be invited to take a decision on this matter (document SUPPFUND/A.1/3).

The Secretary-General of the International Maritime Organization (IMO) has issued invitations to send observers to the first session of the Assembly to all Member States of the 1992 Fund which will not be Members of the Supplementary Fund at that time, as well as to all States having observer status with the 1992 Fund. These invitations are subject to formal approval by the Assembly.

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Note In the present document, the following terminology has been used:  
1992 Fund Convention - the 1971 Fund Convention as amended by the 1992 Protocol thereto  
1992 Fund - the Organisation established under the 1992 Fund Convention  
Supplementary Fund Protocol - the Protocol of 2003 to the 1992 Fund Convention  
Supplementary Fund - the Organisation established under the Supplementary Fund Protocol

**4 Intergovernmental and international non-governmental organisations to be invited as observers**

In accordance with Article 16.2 of the Supplementary Fund Protocol and Article 18.10 of the 1992 Fund Convention, the Assembly shall determine which intergovernmental and international non-governmental organisations shall be admitted to take part, without voting rights, in meetings of the Assembly and subsidiary bodies. The Assembly will be invited to take a decision on this matter (document SUPPFUND/A.1/4).

The Secretary-General of IMO has invited the intergovernmental and international non-governmental organisations which have been granted observer status with the 1992 Fund to send observers to the first session of the Assembly. These invitations are subject to formal approval by the Assembly.

**5 Adoption of Rules of Procedure**

In accordance with Article 16.2 of the Supplementary Fund Protocol and Article 18.2 of the 1992 Fund Convention, the Assembly will be invited to determine its Rules of Procedure. Draft Rules of Procedure have been elaborated by the Director of the 1992 Fund (document SUPPFUND/A.1/5).

**6 Examination of credentials**

On the assumption that Rule 10 of the Rules of Procedure proposed by the Director of the 1992 Fund is adopted, he will report to the Assembly on the credentials received from representatives of Member States.

*General questions*

**7 General principles**

The Assembly will be invited to consider certain matters of a general nature, relevant to subsequent agenda items (document SUPPFUND/A.1/6).

*Treaty matters*

**8 Status of the Supplementary Fund Protocol**

The Director of the 1992 Fund will inform the Assembly of progress being made by various States towards accession to the Supplementary Fund Protocol (document SUPPFUND/A.1/7).

**9 Application of the Supplementary Fund Protocol to the EEZ or an area designated under Article 3(a)(ii)**

The Assembly will be invited to consider the application of Article 3(a)(ii) of the Supplementary Fund Protocol concerning the establishment by Contracting States of an exclusive economic zone or the designation of an area under Article 3(a)(ii) of the Supplementary Fund Protocol (document SUPPFUND/A.1/8).

*Secretariat and Headquarters matters*

**10 Headquarters State**

The Assembly will be invited to take a decision on the question of the location of the headquarters of the Supplementary Fund (document SUPPFUND/A.1/9).

**11 Secretariat of the Supplementary Fund**

Two possible solutions as to Secretariat functions may be considered. One solution would be for the Supplementary Fund to have a Secretariat totally separate from that of the 1992 Fund, which also administers the 1971 Fund. The other option would be for a joint Secretariat to administer both the 1992 Fund and the Supplementary Fund, and for the Director of the 1992 Fund to be also the Director of the Supplementary Fund. The Supplementary Fund Protocol contains a provision (Article 17.1) to the effect that the Secretariat and Director of the 1992 Fund may function also as the Secretariat and Director of the Supplementary Fund. The Director of the 1992 Fund will submit a document dealing with this issue (document SUPPFUND/A.1/10).

**12 Appointment of Director**

In accordance with Article 16.2 of the Supplementary Fund Protocol and Article 18.4 of the 1992 Fund Convention, and in the light of any decision taken concerning Secretariat functions (cf agenda item 11 above), the Assembly shall appoint a Director of the Supplementary Fund (document SUPPFUND/A.1/11).

**13 Staff Regulations and Rules**

In the light of the decision taken in respect of Secretariat functions (cf agenda item 11 above), the Assembly may wish to consider the requirement for Staff Regulations and Rules (document SUPPFUND/A.1/12).

**14 Sharing of joint administrative costs with the 1992 Fund and the 1971 Fund**

If it were decided that the Supplementary Fund, the 1992 Fund and the 1971 Fund should have a joint Secretariat (cf agenda item 11 above), the Assembly would be invited to consider how to apportion joint administrative costs between the three Organisations (document SUPPFUND/A.1/13).

**15 Headquarters Agreement**

The Assembly will be invited to consider the conclusion of a Headquarters Agreement with the Host State, following the decisions taken in respect of the Headquarters State and Secretariat functions (cf agenda items 10 and 11 above), relating *inter alia* to the privileges and immunities of the Supplementary Fund, representatives of Member States and Secretariat staff (document SUPPFUND/A.1/14).

**16 Lease agreement in respect of the premises for the Supplementary Fund Secretariat**

The Assembly will be invited to consider the question of the lease of office space to be used by the Supplementary Fund Secretariat. If it were decided that the Supplementary Fund and the 1992 Fund should have a joint Secretariat (cf agenda item 11 above), this question will relate to the 1992 Fund premises at Portland House (document SUPPFUND/A.1/15).

**17 Co-operation agreement with the International Maritime Organization**

In the light of the decision taken in respect of Secretariat functions (cf agenda item 11 above), the Assembly may wish to consider the conclusion of an agreement between the Supplementary Fund and IMO concerning co-operation between the two Organisations (document SUPPFUND/A.1/16).

**18 Agreements with IMO on administrative arrangements**

In the light of the decision taken in respect of Secretariat functions (cf agenda item 11 above), the Assembly may wish to consider the conclusion of agreements between the Supplementary Fund and IMO in respect of the meetings and offices of the IOPC Funds in the IMO Headquarters (document SUPPFUND/A.1/17).

*Contribution matters*

**19 Submission of oil reports**

The reports on the quantities of contributing oil received in Member States are vital for the functioning of the Supplementary Fund. A document dealing with the submission of these reports will be submitted by the Director of the 1992 Fund (document SUPPFUND/A.1/18).

**20 Denial of compensation due to non-submission of oil reports**

The Assembly will be invited to consider the circumstances under which compensation shall be denied, pursuant to Article 15.1 and 15.2 of the Supplementary Fund Protocol, due to a Contracting State not having fulfilled its obligations to submit oil reports (document SUPPFUND/A.1/19).

**21 Levy of contributions**

The Assembly will be invited to consider certain questions relating to arrangements for levying contributions to the Supplementary Fund (document SUPPFUND/A.1/20).

**22 Capping of contributions**

The Assembly will be invited to consider the application of the provisions in the Supplementary Fund Protocol (Article 18) on the capping of contributions (document SUPPFUND/A.1/21).

*Compensation matters*

**23 Involvement of the Supplementary Fund in the claims handling process**

The Assembly will be invited to consider the involvement of the Supplementary Fund in the claims handling process (document SUPPFUND/A.1/22).

**24 Claims Manual**

The Assembly will be invited to consider whether the Supplementary Fund should publish a Claims Manual jointly with the 1992 Fund (document SUPPFUND/A.1/23).

**25 Establishment of subsidiary bodies**

In accordance with Article 16.2 of the Supplementary Fund Protocol and Article 18.9 of the 1992 Fund Convention, the Assembly may establish any temporary or permanent subsidiary body it may consider to be necessary. The Assembly will be invited to consider whether any such bodies should be established (document SUPPFUND/A.1/24).

**26 Co-operation with P&I Clubs**

The co-operation between the 1971 and 1992 Funds and the P&I Clubs belonging to the International Group of such Clubs is governed by a Memorandum of Understanding signed in November 1980 by the International Group of P&I Clubs and the 1971 Fund and extended, by means of an exchange of letters, to cover co-operation between the P&I Clubs and the 1992 Fund. The Director of the 1992 Fund will submit a document on the application of these Memoranda to co-operation between the Supplementary Fund and the P&I Clubs concerned (document SUPPFUND/A.1/25).

**27 Sharing of joint costs in respect of incidents involving both the 1992 Fund and the Supplementary Fund**

In the light of the decision taken in respect of Secretariat functions (cf agenda item 11 above), the Assembly will be invited to consider how to apportion joint costs in respect of incidents involving both the 1992 Fund and the Supplementary Fund (document SUPPFUND/A.1/26).

*Operational matters*

**28 Adoption of Internal Regulations**

In accordance with Article 16.2 of the Supplementary Fund Protocol and Article 18.3 of the 1992 Fund Convention, the Assembly shall adopt Internal Regulations necessary for the proper functioning of the Supplementary Fund. Draft Internal Regulations have been elaborated by the Director of the 1992 Fund (document SUPPFUND/A.1/27).

**29 Adoption of Financial Regulations**

The Assembly will be invited to adopt Financial Regulations. Draft Financial Regulations have been elaborated by the Director of the 1992 Fund (document SUPPFUND/A.1/28).

**30 Appointment of External Auditor**

In accordance with Article 16.2 of the Supplementary Fund Protocol and Article 18.6 of the 1992 Fund Convention, the Assembly shall appoint an External Auditor (document SUPPFUND/A.1/29).

**31 Establishment of Audit Body**

The Assembly will be invited to consider whether the Supplementary Fund should have an Audit Body and, if so, determine its mandate and appoint its members (document SUPPFUND/A.1/30).

**32 Establishment of Investment Advisory Body**

The Assembly will be invited to consider whether the Supplementary Fund should have an Investment Advisory Body and, if so, determine its mandate and appoint its members (document SUPPFUND/A.1/31).

*Financial matters*

**33 Working capital**

The Assembly will be invited to determine the level of the working capital of the Supplementary Fund (document SUPPFUND/A.1/32).

**34 Budget for 2005**

The Assembly is required to prepare a budget for the period 3 March to 31 December 2005, in accordance with Article 11 of the Supplementary Fund Protocol (document SUPPFUND/A.1/33).

**35 Assessment of contributions**

In the light of the decision taken in respect of the budget for 2005, the Assembly will be invited to decide on the levy of contributions, in accordance with Article 11 of the Supplementary Fund Protocol (document SUPPFUND/A.1/34).

*General administrative matters*

**36 Annual Reports**

The Assembly will be invited to consider whether the Annual Report of the Supplementary Fund, to be prepared in accordance with Article 16.2 of the Supplementary Fund Protocol and Article 29.2(g) of the 1992 Fund Convention, should be published in conjunction with the Annual Report of the 1992 Fund and the 1971 Fund (document SUPPFUND/A.1/35).

**37 Other administrative matters**

Other matters of a general administrative nature will be submitted to the Assembly for consideration (document SUPPFUND/A.1/36).

*Other matters*

**38 Date of next session**

In accordance with Article 16.2 of the Supplementary Fund Protocol and Article 19.1 of the 1992 Fund Convention, the Assembly shall hold regular sessions once every calendar year. Article 16.2 of the Supplementary Fund Protocol and Article 19.2 of the 1992 Fund Convention provide for extraordinary sessions to be held.

The Assembly may wish to decide the date for its next session (document SUPPFUND/A.1/37).

**39 Any other business**

The Assembly will be invited to consider other matters which may be proposed by Member States, by the Secretary-General of IMO or by the Director of the 1992 Fund.

**40 Adoption of the Record of Decisions**

Rule 27 of the Draft Rules of Procedure of the Supplementary Fund provides that the Secretariat shall prepare a Record of Decisions of the session. The Assembly will be invited to adopt this Record of Decisions.

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INTERNATIONAL  
OIL POLLUTION  
COMPENSATION  
FUND 1992

ASSEMBLY  
9th extraordinary session  
Agenda item 1

92FUND/A/ES.9/1  
14 January 2005  
Original: ENGLISH

## PROVISIONAL ANNOTATED AGENDA OF THE NINTH EXTRAORDINARY SESSION OF THE 1992 FUND ASSEMBLY

to be held at the Headquarters of the  
International Maritime Organization, 4 Albert Embankment, London SE1,  
from Tuesday 15 March 9.30 am, to Wednesday 23 March 2005

### *Opening of the session*

**1 Adoption of the Agenda**

**2 Election of the Chairman**

At the 9th session of the Assembly held in October 2004 the present Chairman, Mr Willem Oosterveen (Netherlands), informed the Assembly that after five years in office he had decided to stand down. The Assembly will therefore be invited to elect a new Chairman who shall hold office until the next regular session.

**3 Examination of credentials**

In accordance with Rule 10 of the Rules of Procedure, the Director will report to the Assembly on the credentials received from representatives of Members.

### *MATTERS RELATING TO THE ESTABLISHMENT OF THE SUPPLEMENTARY FUND*

#### *Procedural matters*

**4 Grant of observer status to the Supplementary Fund**

The Assembly will be invited to consider granting observer status to the Supplementary Fund (document 92FUND/A/ES.9/2).

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Note In the present document, the following terminology has been used:  
1992 Fund Convention - the 1971 Fund Convention as amended by the 1992 Protocol thereto  
1992 Fund - the Organisation established under the 1992 Fund Convention  
Supplementary Fund Protocol – the Protocol of 2003 to the 1992 Fund Convention  
Supplementary Fund – the Organisation established under the Supplementary Fund Protocol

**5 Amendments to Rules of Procedure**

The Assembly will be invited to consider certain amendments to its Rules of Procedure proposed by the Director (document 92FUND/A/ES.9/3).

*Treaty matters*

**6 Status of the 1992 Fund Convention and the Supplementary Fund Protocol**

The Director will inform the Assembly of progress being made by various States towards accession to the 1992 Fund Convention and to the Supplementary Fund Protocol (document 92FUND/A/ES.9/4).

*Secretariat and Headquarters matters*

**7 Joint Secretariat with the Supplementary Fund**

If the Assembly of the Supplementary Fund were to so request, the 1992 Fund Assembly would be invited to consider whether the Secretariat and Director of the 1992 Fund, which also function as the Secretariat and Director of the 1971 Fund, should in addition function as the Secretariat and Director of the Supplementary Fund (document 92FUND/A/ES.9/5).

**8 Director's contract**

The Assembly may wish to consider whether, following any decision taken by the Assembly of the Supplementary Fund concerning the appointment of a Director, any amendments should be made to the contract of the present Director of the 1992 Fund (document 92FUND/A/ES.9/6).

**9 Amendments to Staff Regulations**

If it were decided that the 1992 Fund, the 1971 Fund and the Supplementary Fund should have a joint Secretariat (cf agenda item 7 above), the Assembly might wish to consider amending the Staff Regulations in order to allow members of the 1992 Fund Secretariat to act also for the Supplementary Fund (document 92FUND/A/ES.9/7).

**10 Sharing of joint administrative costs with the 1971 Fund and the Supplementary Fund**

If it were decided that the 1992 Fund, the 1971 Fund and the Supplementary Fund should have a joint Secretariat (cf agenda item 7 above), the Assembly would be invited to consider how to apportion joint administrative costs between the three Organisations (document 92FUND/A/ES.9/8).

**11 Headquarters Agreement**

The Assembly will be invited to consider whether the Headquarters Agreement between the Government of the United Kingdom and Northern Ireland and the 1992 Fund should be revised (document 92FUND/A/ES.9/9).

**12 Lease Agreement in respect of the premises for the Secretariat**

If it were decided that the 1992 Fund, the 1971 Fund and the Supplementary Fund should have a joint Secretariat (cf agenda item 7 above), the Assembly might wish to consider whether any amendments would be required to the lease agreement for the premises in Portland House used by the joint Secretariat (document 92FUND/A/ES.9/10).

**13 Agreements with the International Maritime Organization on administrative arrangements**

If it were decided that the 1992 Fund, the 1971 Fund and the Supplementary Fund should have a joint Secretariat (cf agenda item 7 above), the Assembly would be invited to consider whether any amendments are necessary to agreements with the International Maritime Organization (IMO) in respect of meetings and offices of the IOPC Funds in the IMO Headquarters (document 92FUND/A/ES.9/11).

*Compensation matters*

**14 Claims Manual**

The Assembly will be invited to consider whether the 1992 Fund should publish a Claims Manual jointly with the Supplementary Fund (document 92FUND/A/ES.9/12).

**15 Sharing of joint costs in respect of incidents involving both the 1992 Fund and the Supplementary Fund**

If it were decided that the 1992 Fund, the 1971 Fund and the Supplementary Fund should have a joint Secretariat (cf agenda item 7 above), the Assembly would be invited to consider how to apportion joint costs in respect of incidents involving both the 1992 Fund and the Supplementary Fund (document 92FUND/A/ES.9/13).

*Operational matters*

**16 Amendments to Internal Regulations**

The Assembly will be invited to consider certain amendments to the Internal Regulations proposed by the Director (document 92FUND/A/ES.9/14).

**17 Amendments to Financial Regulations**

The Assembly will be invited to consider certain amendments to the Financial Regulations proposed by the Director (document 92FUND/A/ES.9/15).

**18 Joint Audit Body**

The 1992 Fund and the 1971 Fund have a joint Audit Body. The Assembly will be invited to consider a proposal by the Director that the 1992 Fund/1971 Fund joint Audit Body should also be the Audit Body of the Supplementary Fund (document 92FUND/A/ES.9/16).

**19 Joint Investment Advisory Body**

The 1992 Fund and the 1971 Fund each have an Investment Advisory Body. The Assembly will be invited to consider a proposal by the Director that the 1992 Fund, the 1971 Fund and the Supplementary Fund should have a joint Investment Advisory Body (document 92FUND/A/ES.9/17).

*Financial matters*

**20 Loans to the Supplementary Fund**

The Assembly will be invited to consider any request made by the Supplementary Fund Assembly to make funds available to the Supplementary Fund in the form of loans, until the Supplementary Fund has received contributions levied under the Supplementary Fund Protocol (document 92FUND/A/ES.9/18).

*General administrative matters*

**21 Annual Reports**

The Assembly will be invited to consider whether the Annual Report of the 1992 Fund and of the 1971 Fund should be published in conjunction with the Annual Report of the Supplementary Fund (document 92FUND/A/ES.9/19).

**22 Other administrative matters**

Other matters of a general administrative nature arising as a result of the establishment of the Supplementary Fund will be submitted to the Assembly for consideration (document 92FUND/A/ES.9/20).

*OTHER MATTERS*

**23 Procedures for recruitment of the next Director**

At its 9th session the Assembly considered the procedure for recruitment of the next Director and related issues. The Assembly decided that the Audit Body should be requested to prepare a detailed job description and competence requirements for the post of Director and propose a timetable for the various stages of the process. The Assembly will be invited to consider proposals by the Audit Body in this regard and certain proposals by the Director relating to the appointment procedure (documents 92FUND/A/ES.9/21 and 92FUND/A/ES.9/21/1).

**24 Credentials for 1992 Fund meetings**

The Director will submit a document dealing with certain issues relating to credentials for 1992 Fund meetings (document 92FUND/A/ES.9/22).

**25 Review of observer status**

Following the first review of the list of international non-governmental organisations having observer status which took place at its October 2003 session, the Assembly decided at its October 2004 session that there was no further advantage to the 1992 Fund in the Advisory Committee on the Protection of the Sea (ACOPS) continuing to have observer status and decided to withdraw it. At that session the Assembly also decided to reconsider the matter at its next session (document 92FUND/A/ES.9/23).

**26 Small Tankers Oil Pollution Indemnification Agreement (STOPIA)**

The International Group of P&I Clubs has informed the Director that it will submit an offer to increase voluntarily the limitation amount applicable to small ships under the 1992 Civil Liability Convention as regards pollution damage in States Parties to the Supplementary Fund Protocol, in the form of the Small Tankers Oil Pollution Indemnification Agreement (STOPIA). The Assembly will be invited to consider this offer and proposed consequential amendments to the Memorandum of Understanding between the 1992 Fund and the International Group of P&I Clubs (document 92FUND/A/ES.9/24).

**27 Any other business**

The Assembly will be invited to consider other matters which may be proposed by Member States or by the Director.

**28     Adoption of the Record of Decisions**

Rule 27 of the Rules of Procedure of the 1992 Fund provides that the Secretariat shall prepare a Record of Decisions of the session. The Assembly will be invited to adopt this Record of Decisions.

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INTERNATIONAL  
OIL POLLUTION  
COMPENSATION  
FUND 1971

ADMINISTRATIVE COUNCIL  
16th session  
Agenda item 1

71FUND/AC.16/1  
14 January 2005  
Original: ENGLISH

## PROVISIONAL ANNOTATED AGENDA OF THE SIXTEENTH SESSION OF THE 1971 FUND ADMINISTRATIVE COUNCIL

to be held at the Headquarters of the  
International Maritime Organization, 4 Albert Embankment, London SE1,  
from Tuesday 15 March, 2.30 pm, to Wednesday 23 March 2005

*Opening of the session*

### **1 Adoption of the Agenda**

*MATTERS RELATING TO THE ESTABLISHMENT OF THE SUPPLEMENTARY FUND*

*Procedural matters*

### **2 Grant of observer status to the Supplementary Fund**

The Administrative Council will be invited to consider granting observer status to the Supplementary Fund (document 71FUND/AC.16/2).

*Secretariat matters*

### **3 Joint Secretariat with the Supplementary Fund**

If the Assembly of the Supplementary Fund were to so request, the Administrative Council would be invited to consider whether the Secretariat and Director of the 1992 Fund, which also function as the Secretariat and Director of the 1971 Fund, should in addition function as the Secretariat and Director of the Supplementary Fund (document 71FUND/AC.16/3).

### **4 Sharing of joint administrative costs with the 1992 Fund and the Supplementary Fund**

If it were decided that the 1992 Fund, the 1971 Fund and the Supplementary Fund should have a joint Secretariat (cf agenda item 3 above), the Administrative Council would be invited to consider how to apportion joint administrative costs between the three Organisations (document 71FUND/AC.16/4).

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Note: In the present document, the following terminology has been used:  
1992 Fund Convention - the 1971 Fund Convention as amended by the 1992 Protocol thereto  
1992 Fund - the Organisation established under the 1992 Fund Convention  
Supplementary Fund Protocol - the Protocol of 2003 to the 1992 Fund Convention  
Supplementary Fund - the Organisation established under the Supplementary Fund Protocol

**5 Lease Agreement in respect of the premises for the Secretariat**

If it were decided that the 1992 Fund, the 1971 Fund and the Supplementary Fund should have a joint Secretariat (cf agenda item 3 above), the Administrative Council might wish to consider whether any amendments would be required to the lease agreement for the premises in Portland House used by the joint Secretariat (document 71FUND/AC.16/5).

*Operational matters*

**6 Amendments to Financial Regulations**

The Administrative Council will be invited to consider certain amendments to the Financial Regulations proposed by the Director (document 71FUND/AC.16/6).

**7 Joint Audit Body**

The 1971 Fund and the 1992 Fund have a joint Audit Body. The Administrative Council will be invited to consider a proposal by the Director that the 1971 Fund/1992 Fund joint Audit Body should also be the Audit Body of the Supplementary Fund (document 71FUND/AC.16/7).

**8 Joint Investment Advisory Body**

The 1971 Fund and the 1992 Fund each have an Investment Advisory Body. The Administrative Council will be invited to consider a proposal by the Director that the 1971 Fund, the 1992 Fund and the Supplementary Fund should have a joint Investment Advisory Body (document 71FUND/AC.16/8).

*General administrative matters*

**9 Annual Reports**

The Administrative Council will be invited to consider whether the Annual Report of the 1971 Fund and of the 1992 Fund should be published in conjunction with the Annual Report of the Supplementary Fund (document 71FUND/AC.16/9).

**10 Other administrative matters**

Other matters of a general administrative nature arising as a result of the establishment of the Supplementary Fund will be submitted to the Administrative Council for consideration (document 71FUND/AC.16/10).

*OTHER MATTERS*

**11 Procedures for recruitment of the next Director**

At its 9th session the 1992 Fund Assembly considered the procedure for recruitment of the next Director and related issues. The 1992 Fund Assembly decided that the Audit Body should be requested to prepare a detailed job description and competence requirements for the post of Director and propose a time-table for the various stages of the process. The Administrative Council will be invited to take note of proposals by the Audit Body in this regard and certain proposals by the Director relating to the appointment procedure (documents 71FUND/AC.16/11 and 71FUND/AC.16/11/1).

**12 Review of observer status**

Following the first review of the list of international non-governmental organisations having observer status which took place at its October 2003 session, the Administrative Council decided at its October 2004 session that there was no further advantage to the 1971 Fund in the Advisory Committee on the Protection of the Sea (ACOPS) continuing to have observer status and decided to withdraw it. At that session, the Council also decided to reconsider the matter at its next session (document 71FUND/AC.16/12).

**13 Any other business**

The Administrative Council will be invited to consider other matters which may be proposed by former Member States or by the Director.

**14 Adoption of the Record of Decisions**

Rule 27 of the Rules of Procedure provides that the Secretariat shall prepare a Record of Decisions of the session. The Administrative Council will be invited to adopt this Record of Decisions.

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INTERNATIONAL  
OIL POLLUTION  
COMPENSATION  
FUND 1992

THIRD INTERSESSIONAL  
WORKING GROUP  
Agenda item 1

92FUND/WGR.3/24  
14 January 2005  
Original: ENGLISH

## PROVISIONAL ANNOTATED AGENDA OF THE NINTH MEETING OF THE 1992 FUND THIRD INTERSESSIONAL WORKING GROUP

to be held at the Headquarters of the  
International Maritime Organization, 4 Albert Embankment, London SE1,  
from Thursday 17 March, 9.30 am, to Wednesday 23 March 2005

*Opening of the meeting*

- 1 **Adoption of the Agenda**
- 2 **Review of the international compensation regime**

At its 4th extraordinary session in April 2000 the Assembly decided that it would be appropriate to consider whether, in the light of experience, the international compensation regime established under the 1992 Civil Liability Convention and the 1992 Fund Convention needed improvements in order to meet the needs of the international community. The Assembly set up a Working Group to consider the adequacy of the regime.

The Working Group held meetings in July 2000, March 2001, June 2001, April/May 2002, February 2003, February 2004 and May 2004. The sixth meeting of the Working Group, to be held on 23 October 2003, was cancelled due to insufficient time being available during the October 2003 sessions of the IOPC Funds' governing bodies.

At the 1992 Fund Assembly's 9th session held in October 2004, it was decided that the Working Group should hold a meeting in February 2005 and make final recommendations to the October 2005 session of the Assembly on whether or not the Conventions should be revised, and if so, which items required revision for consideration at its October 2005 session (document 92FUNDA.9/31, paragraph 7.11).

The Chairman will prepare a document for consideration by the Working Group.

- 3 **Adoption of the Report to the Assembly**

The Working Group will be invited to consider the procedure for preparing its report to the Assembly.

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