

Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals

**Sub-Committee of Experts on the Globally Harmonized
System of Classification and Labelling of Chemicals**

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Implementation issues:

Cooperation with other international organizations

Comments on INF.29: Organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies

Note by the secretariat

In relation to the proposal contained in paragraphs 3 and 4 of INF.29, the secretariat would like to draw the attention of the Sub-Committee to the “Guidelines on the organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies”.

The Sub-Committee may wish to note, in particular, the rules applicable to the review of work programmes (paragraphs 2.9 to 2.20), the submission of proposal for new items (paragraphs 2.21 to 2.30) and the working arrangements for the Committee, their Sub-Committees, and any working, drafting, correspondence, intersessional or other working groups (section 3) established by them.

The guidelines are reproduced hereafter.



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MSC-MEPC.1/Circ.2
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**GUIDELINES ON THE ORGANIZATION AND METHOD OF WORK OF THE
MARITIME SAFETY COMMITTEE AND THE MARINE ENVIRONMENT
PROTECTION COMMITTEE AND THEIR SUBSIDIARY BODIES**

1 The Marine Environment Protection Committee, at its fifty-seventh session (31 March to 4 April 2008), and the Maritime Safety Committee, at its eighty-fourth session (7 to 16 May 2008), having reviewed the Guidelines on the organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies, with a view to further rationalizing the work of the Committees and their subsidiary bodies, approved amendments to the Guidelines (MSC-MEPC.1/Circ.1), which reflect relevant decisions taken by MSC 83, MEPC 57 and C/ES.24, and requested the Secretariat to prepare the revised Guidelines, incorporating the aforementioned amendments, and disseminate them by means of the circular. In pursuance of the above request, the Secretariat has prepared the final text of the revised Guidelines as set out in the annex.

2 Member Governments are invited to apply the annexed revised Guidelines as appropriate and to bring them to the attention of their representatives at relevant IMO meetings, advising them to strictly observe the Guidelines.

3 This circular revokes circular MSC-MEPC.1/Circ.1.

ANNEX

**GUIDELINES ON THE ORGANIZATION AND METHOD OF WORK OF THE
MARITIME SAFETY COMMITTEE AND THE MARINE ENVIRONMENT
PROTECTION COMMITTEE AND THEIR SUBSIDIARY BODIES**

Table of contents

	Page
1 INTRODUCTION	2
2 CO-ORDINATION OF WORK AND REVIEW OF WORK PROGRAMMES	
General	2
New work programme items	3
Format for submission of proposals for new items	6
Other considerations	7
3 WORKING ARRANGEMENTS	
Committees and subsidiary bodies	9
Agenda management procedure	10
Procedures for the selection of agenda items	11
Guidance for the selection of agenda items	12
Working, drafting, correspondence, intersessional working and other groups	12
4 PROCEDURES FOR PREPARATION AND SUBMISSION OF DOCUMENTS	
Preparation of documents	16
Submission of documents	18
5 OBSERVANCE OF THE GUIDELINES	20

1 INTRODUCTION

1.1 The purpose of these Guidelines is to provide a uniform basis for the Maritime Safety Committee (MSC) and the Marine Environment Protection Committee (MEPC) and their subsidiary bodies to conduct their work in an efficient and effective manner having regard to the available resources of the Organization. This will enable the Committees to respond successfully to the needs for enhanced maritime safety and protection of the marine environment, thus providing an efficient mechanism towards achieving the desired goals of the Organization.

1.2 Proper application of the Guidelines will also enhance the ability of Committee members and delegations to subsidiary bodies of the Committees to cover the full spectrum of IMO activities relevant to their work and thus provide for their effective participation in the rule-making process of the Organization. It is also expected that the Guidelines will enable the Committees to further improve their decision-making functions.

1.3 The Guidelines are applicable to the work of the Committees and their subsidiary bodies as well as to working groups, drafting groups and correspondence groups set up by these bodies. The Chairmen of the Committees, subsidiary bodies, working groups, drafting groups and correspondence groups should make all efforts to ensure strict compliance with the Guidelines.

1.4 The Guidelines will be kept under review and they will be updated as necessary in the light of experience gained in their application.

2 CO-ORDINATION OF WORK AND REVIEW OF WORK PROGRAMMES

General

2.1 The Committees should function as policy-making bodies and the subsidiary bodies as purely technical bodies.

2.2 The Committees should periodically examine their technical work programmes, establish priorities, allocate work to their subsidiary bodies and review the allocation of meeting weeks to each body and their future work programmes and provisional agendas, taking into account any recommendations made by meetings of the Committees' and subsidiary bodies' Chairmen convened as provided in paragraph 2.5.

2.3 The Committees should set aside sufficient time at future sessions for consideration of high-level actions and their associated priorities in order to ensure that they both accurately and concisely describe its planned activities.

2.4 The Committees should regularly review the status of all conventions, protocols and other major instruments under their purview.

2.5 The Committee Chairmen may convene a meeting of Chairmen of the Committees' subsidiary bodies, preferably once a year immediately after the spring session of the MSC, to advise the Committees on subjects such as those referred to in paragraph 2.2, to ensure co-ordination of the work and examine other matters pertinent to the effective conduct of business and management of the work of the Committees and their subsidiary bodies.

2.6 The Committee Chairmen should, at the end of every second year, submit to their respective Committees a joint plan covering the activities, priorities and meetings of their subsidiary bodies over the following two years.

2.7 When both Committees have been charged by the Council, Assembly or a conference with the consideration of a specific item and one Committee has finalized its consideration, the other Committee should consider it at its first subsequent session as a high priority issue.

2.8 When an issue is transferred to the Committee by another Committee of the Organization for specific action, the Committee, before including the subject in question in the work programme, must decide that the requirements of paragraph 2.9 are fully satisfied, even if the issue, in accordance with the criteria of the referring Committee, satisfies the requirements of resolutions A.500(XII) and A.777(18).

New work programme items

2.9 In compliance with resolutions A.500(XII) and A.777(18), the Committees, in determining inclusion of new work programme items, should be guided by priorities established in accordance with the guidelines set out in paragraphs 2.10 to 2.20.

General acceptance

2.10 Before deciding to include a new item in the work programme of an IMO body, the following considerations should be taken into account:

- .1 has a need for the measure proposed been documented and, in case of proposals calling for new conventions or amendments to existing Conventions, has a compelling need been demonstrated?
- .2 is the subject addressed by the proposal considered to be within the scope of IMO's objectives and the Strategic Plan for the Organization?
- .3 do adequate industry standards exist or are they being developed thereby reducing the need for action within IMO?
- .4 do the benefits vis-à-vis enhanced maritime safety, maritime security or protection of the marine environment expected to be derived from the inclusion of the new item proposed justify such action?
- .5 has the analysis of the issue sufficiently addressed the cost to the maritime industry as well as the relevant legislative and administrative burdens?
- .6 the achievability in the number of sessions.

2.11 Notwithstanding the considerations listed above, the following should apply when the Committees are invited to consider proposals for the inclusion of new items in their work programmes:

.1 Proposals for new items (other than proposals for new, or amendments to existing, mandatory instruments)

In such cases, specific indication of the action required should be included in the proposal and the proponent should document the need for the measure proposed and its relation to the objectives of the Organization, determining its scope and analysing the issues involved, having regard to the costs to the maritime industry, the legislative and administrative burden involved and benefits which would accrue therefrom and indicating, where possible, its degree of priority and a target completion date or the number of sessions needed for completion of the item so that the Committee(s) may make an informed decision as to the action to be taken. Decisions on what should be achieved should be made following thorough discussions in plenary; and

.2 Proposals for new, or amendments to existing, mandatory instruments

In such cases, a compelling need for such amendments should be demonstrated by the proponent(s), and an analysis of the implications of such amendments, particularly those with far-reaching implications and consequential proposals for other amendments, having regard to the costs to the maritime industry, the legislative and administrative burden involved and benefits which would accrue therefrom, should be provided so as to give Member Governments a clearer perception of the scope of the proposed new requirements and an improved basis on which to take decisions. A certain degree of flexibility might be allowed in the application of this paragraph in exceptional circumstances, in particular in the case of proposed amendments on operational safety matters.

2.12 The objective of the Committee(s) when considering proposals for new work programme items is to decide whether the new item should or should not be included in the subsidiary body's work programme, based upon justification provided by Member Governments in accordance with these Guidelines. A decision to include a new item in a subsidiary body's work programme does not mean that the Committee agreed with the technical aspects of the proposal. If it was decided to include the item in a subsidiary body's work programme, detailed consideration of the technical aspects of the proposal and the development of appropriate requirements and recommendations should be left to the subsidiary body concerned.

2.13 Member Governments should refrain from submitting to the Committee(s) proposals for new work programme items under specific agenda items and the Secretariat should not accept such submissions and advise the submitting Administration accordingly.

Establishment of priorities

2.14 In deciding the priority of an item proposed for the work programme of the two Committees and their subsidiary bodies, a higher priority should be assigned to items that can be shown, or estimated, to have the greatest effect on safety of life, prevention of serious injury, protection of the marine environment and the highest ratio of benefit to be gained from the implementation of the proposal compared with the cost of its implementation. In addition, the following points should also be taken into account, where subparagraphs .1 to .6 below would indicate a higher priority and subparagraphs .7 to .9 would indicate a lower priority:

- .1 measures to promote the widest possible implementation and enforcement of IMO instruments by the shipping community as a whole;
- .2 measures aimed at substantially preventing maritime casualties or marine pollution incidents;
- .3 measures following a major maritime casualty involving substantial loss of life, significant injuries to persons or major marine pollution;
- .4 measures following a series of incidents causing or indicating risk of loss of life, significant injuries to persons or major marine pollution;
- .5 measures aimed at improving the safety and health of ships' crews or personnel;
- .6 measures to correct significant inadequacies identified in existing instruments;
- .7 measures necessary to align IMO rules and standards with those of other relevant international instruments and organizations;
- .8 measures required to take into account the introduction of new technology and methods in maritime transportation, including the carriage of new hazardous substances; and
- .9 measures other than those referred to above.

2.15 Follow-up action in response to specific requests for action emanating from the Assembly and diplomatic conferences convened by IMO, UN conferences and bodies, regional intergovernmental conferences and other international and intergovernmental organizations, etc., should be evaluated in the light of paragraph 2.14, unless identified as urgent matters.

2.16 Certain IMO activities are dictated by the need to take action on specific areas of maritime safety, maritime security and environmental protection irrespective of any order of priority. Such activities concern work on subjects such as those listed below undertaken by the IMO body concerned:

- .1 amendments to the IMDG Code;
- .2 routeing of ships;
- .3 evaluation of safety and environmental hazards of chemicals; and
- .4 analysis of casualty statistics and analysis of maritime casualties and marine pollution incidents reported.

2.17 When setting the priorities, a certain flexibility should be allowed for initiatives that cannot be foreseen.

2.18 Once a decision has been made on the basis of the above for a new item to be included in the work programme of an IMO body, an appropriate target completion date or the number of sessions needed for completion of the item, as appropriate, taking account of the importance and urgency of the matter concerned, should be established.

2.19 Based on the above guidelines, the Committees should:

- .1 decide on items to be included in the work programmes of their subsidiary bodies with clear and detailed instructions for the work to be undertaken;
- .2 establish priorities and target completion dates or the number of sessions needed for the completion of the consideration of such items;
- .3 discourage subsidiary bodies from proposing continuous and umbrella items for inclusion in their work programmes and agendas; where this is not possible, the subsidiary body concerned should provide an appropriate justification for the Committee(s) to consider; and
- .4 assign work on such new items to appropriate subsidiary bodies.

2.20 In order to facilitate consideration by the Committee(s), the Chairman of the Committee concerned should, with the support of the Secretariat, undertake a preliminary assessment of whether each new work programme item complies with the criteria for general acceptance provided in paragraph 2.10 and assign preliminary priorities to new work programme items according to paragraphs 2.14 to 2.16, and submit the outcome of such preliminary assessment and assignment of priorities to each session of the Committee concerned for approval.

Format for submission of proposals for new items

2.21 Submissions by Member Governments, intergovernmental organizations or non-governmental organizations co-sponsored by a Member Government, containing proposals for the inclusion of new work programme items, as referred to in paragraph 2.11, should, taking into account the criteria for general acceptance set out in paragraph 2.10 and priority setting provided in paragraphs 2.14 to 2.16, be prepared in accordance with the format set out in paragraph 2.23. Where the information thus required cannot be provided, the reasons therefor should be clearly indicated.

2.22 Notwithstanding the above provision that proposals for the inclusion of new work programme items, submitted by non-governmental organizations, should be co-sponsored by Governments, such organizations should not be restrained from submitting comments and recommendations on items on the agenda of any IMO body, thus providing expert advice, contributing to the discussion and enabling the bodies concerned to reach optimal decisions.

2.23 Documents containing proposals for the inclusion of new work programme items should contain the following sections and the information required therein:

- .1 With regard to the information under paragraphs 2.11.1 and 2.11.2 of these Guidelines:

- .1.1 scope of the proposal;
 - .1.2 need or compelling need, as required in paragraphs 2.11.1 and 2.11.2;
 - .1.3 analysis of the issues involved, having regard to both the costs to the maritime industry, as well as the associated legislative and administrative burden, at global level;
 - .1.4 benefits which would accrue from the proposal;
 - .1.5 priority and target completion date; and
 - .1.6 specific indication of the action required including draft texts of the proposed requirements, if possible.
- .2 Remarks on the criteria for general acceptance, as provided in paragraph 2.10:
- .2.1 is the subject of the proposal within the scope of IMO's objectives?
 - .2.2 how is the proposed item related to the scope of the Strategic plan for the Organization and fits into the High-level action plan?
 - .2.3 do adequate industry standards exist?
 - .2.4 do the benefits justify the proposed action?
- .3 Identification of which committee/subsidiary body(ies) are essential to complete the work:
- .3.1 estimation of the number of sessions needed to complete the work.”

Other considerations

2.24 Submissions to the Committee(s) or subsidiary bodies highlighting problems or shortcomings identified in a particular area(s) of maritime safety, maritime security or protection of the marine environment should, in general and where possible, also suggest appropriate solutions thereto.

2.25 When new constructional requirements have been proposed for new ships, the Committee(s) and its subsidiary bodies should, in order to minimize the unavoidable gaps in safety standards between new and existing ships, consider applying the proposed new requirements, or any modification of same, to existing ships using the Interim guidelines for the systematic application of the grandfather clauses (MSC/Circ.765-MEPC/Circ.315).

2.26 Recognizing the human factor as an integral part of any effort to enhance maritime safety and protection of the marine environment, the subsidiary bodies should consider the involvement of the human factor whenever new requirements are developed and existing requirements are reviewed, taking into account the human element principles addressed in MSC/Circ.763-MEPC/Circ.313, particularly when:

- .1 reviewing the adequacy of requirements and recommendations for equipment* and operating manuals on board ships, including the simplification and standardization of terminology. In this respect, when developing new or amending existing performance standards, careful consideration should be given to including recommendations on:
 - .1.1 user-friendliness;
 - .1.2 safety of use of the equipment;
 - .1.3 harmonization of essential safety features of the equipment; and
 - .1.4 the need for clear, easily understandable and updated operating and technical manuals and drawings;
- .2 reviewing the adequacy of requirements and recommendations for operational guidelines on board ships, in particular with respect to them being easily understandable;
- .3 continuing the simplification and standardization of symbols and signs used on board ships; and
- .4 identifying words and phrases used in IMO instruments such as “adequate”, “sufficient”, “to the satisfaction of the Administration”, etc. and determine the extent to which they can be more specifically defined.

2.27 Items for which extensive work is required, such as the preparation of codes, should, when appropriate, be placed on the agendas of alternate sessions of the bodies concerned to allow adequate time for the preparatory work of delegations.

2.28 In respect of subjects requiring research, contributions from other organizations and appropriate entities should be encouraged and taken into account. Exchange of information on technological development should be encouraged.

2.29 In the context of resolution A.911(22) – Uniform wording for referencing IMO instruments, subsidiary bodies should be guided in their work, as appropriate, by the Guidelines annexed thereto.

2.30 Substantial modifications to draft amendments to mandatory instruments being considered by the Committees with a view to adoption should only be accepted for discussion if they have been submitted in writing in accordance with the provisions of paragraphs 4.10 to 4.13, as appropriate. However, in exceptional circumstances where the draft amendments under consideration include significant discrepancies or omissions, or where serious difficulties in their application can be foreseen, the Committees may accept to discuss oral proposals aiming at resolving any problems identified.

* For computer-based interactive systems reference may be made to ISO 13407:1999.

3 WORKING ARRANGEMENTS

Committees and subsidiary bodies

3.1 The subsidiary bodies should, as necessary, operate under the instructions of both the Maritime Safety Committee and the Marine Environment Protection Committee and should report on specific items directly and separately to the Committee that has sought their expert advice, rather than reporting to both Committees.

3.2 The subsidiary bodies should periodically review their terms of reference to ensure that they accurately reflect the work being carried out.

3.3 The Committees should periodically review the necessity for the continued existence of their subsidiary bodies.

3.4 The subsidiary bodies should not recommend the convening of working groups during sessions of the Committee(s) concerned without prior consultation of the Chairman of the subsidiary body concerned with the Chairman of the Committee(s).

3.5 When work is undertaken involving more than one subsidiary body, one of them should be designated to co-ordinate the work so as to avoid duplication, maintain consistency in the standards being developed and ensure effective communication between the subsidiary bodies concerned. When deciding on the target date for completion of such work and selecting the item for inclusion in the agenda of a particular session of the subsidiary bodies involved, special attention should be given to ensuring that the co-ordinating subsidiary body can finalize the work by the date decided.

3.6 In order to avoid superfluous work and documentation when assigning work to subsidiary bodies, the Committee(s) should ensure that only those subsidiary bodies essential for the completion of the task in hand should be so involved.

3.7 A subsidiary body may request contribution from another body, in which case the latter should be allowed sufficient time to prepare its contribution, subject to the provisions of paragraph 3.20.

3.8 The Committees should not, as a rule, permit any subsidiary body to commence work on the review or improvement of provisions already approved by it, until sufficient experience has been gained from the operation of such existing provisions.

3.9 Subsidiary bodies should not include in their work programmes new subjects or expand existing subjects unless directed or authorized to do so by the Committee(s). Subsidiary bodies should not develop amendments to, or interpretations of, any relevant IMO instrument without authorization from the Committee(s). However, when seeking the Committee's authorization to act as provided in the previous two sentences, subsidiary bodies should ensure that their request complies with the provisions of paragraphs 2.11.1 and 2.11.2. As subsidiary bodies may not have sufficient time to develop the required information, given that usually their work programmes are only discussed at the end of their sessions, interested delegations should, in consultation with the subsidiary body Chairman and the Secretariat, prepare the information

which should accompany the proposal necessary for the Committee(s) to decide whether a new item should be included in the subsidiary body's work programme.

3.10 The Secretariat should not accept for circulation to subsidiary body meetings proposals for new work programme items. Where a Member Government considers a matter is of sufficient urgency and importance, a well-documented proposal may be submitted simultaneously to the Committee and to the relevant subsidiary body(ies); however, any further work by subsidiary body(ies) on such a proposal should be subject to the approval of the Committee(s) (see paragraph 3.21). In addition, a subsidiary body may deal with urgent matters requested by other subsidiary bodies, pending formal approval by the Committee(s).

3.11 Subsidiary bodies should not, as a rule, issue circulars which are supposed to be issued only after approval by the Committee(s). However, in exceptional cases, subsidiary bodies may issue circular(s) within their area of competence subject to endorsement of their action by the Committee(s) concerned at their first subsequent session(s).

3.12 Subsidiary bodies should avoid developing unified interpretations for guidelines. In cases where the existing text of guidelines is vague and therefore needs modification, the subsidiary body concerned should amend the guidelines accordingly in lieu of developing unified interpretations.

Agenda management procedure

3.13 With a view to keeping the workload of the Committees at a manageable level, subsidiary bodies should propose to the Committee(s) for approval the agenda of their next session drafted in accordance with the provisions of the agenda management procedure set out in paragraphs 3.14 to 3.27.

3.14 Without impairing work on substantive safety and pollution prevention issues and, at the same time, keeping the volume of documentation at a reasonable level, the following should be pursued:

- .1 the workload of each session of the subsidiary bodies should be managed with a view to ensuring that they concentrate on important and urgent issues with sufficient time for their proper consideration and sound technical evaluation before decisions are made, thus maintaining the high level of performance expected by the Committees;
- .2 the number and volume of documents to be considered by each subsidiary body session should be reduced to the extent possible;
- .3 the workload of each subsidiary body session should be maintained at an appropriate manageable level ensuring high quality output within the available budget and resources. Information on the workload of the subsidiary bodies managed under the proposed procedure would facilitate relevant budgetary considerations; and

- .4 notwithstanding the above, subsidiary bodies' agendas should be managed so that meeting weeks are fully utilized by plenary. Where there is insufficient work on the agenda for plenary, delegates have the option of joining working and drafting groups.

3.15 When considering their work programmes and/or their provisional agendas for the following session, subsidiary bodies should seek the Committee(s) advice in the case of items for which no submissions have been received for two consecutive sessions.

Procedures for the selection of agenda items

3.16 The provisional agenda of each subsidiary body session should include only selected agenda items (SAIs), which should be selected from its work programme by the subsidiary body concerned and approved by the Committee(s), in accordance with the guidance for the selection of agenda items set out in paragraphs 3.22 to 3.25.

3.17 Member Governments and international organizations should not, as a rule, submit any documents (except information documents) on work programme items which have not been included in the agenda of a particular subsidiary body session. However, if such documents are submitted, they should be issued as information documents and should be placed under the "Any other business" agenda item of the session concerned.

3.18 At each session, the subsidiary body should:

- .1 only deal with SAIs; and
- .2 prepare a provisional agenda for its next session by selecting items from its work programme and assigning them a preferred order of priority.

3.19 At each session, the MSC and the MEPC should, as appropriate:

- .1 review the work programmes of the subsidiary bodies, assessing the work finalized, adding new items and adjusting target completion dates or the number of sessions needed for completion of items, as appropriate, and priorities, as necessary; and
- .2 decide on the provisional agendas of the subsidiary bodies for their next sessions.

3.20 To avoid overburdening the subsidiary bodies, when they are invited to consider, in addition to those items on their agenda approved by the Committee(s), other items (usually placed under the "Any other business" item) requested by other subsidiary bodies to enable them to make progress on items on their agenda, the Chairmen of the subsidiary bodies concerned should, as necessary, consult each other to find out whether and which of those items referred to above could be deferred to the first subsequent session of the subsidiary body concerned, taking also into account the priorities assigned when preparing the provisional agenda (see paragraph 3.18.2).

3.21 Notwithstanding the provisions of paragraphs 3.17 and 3.18, a subsidiary body may deal with exceptionally urgent matters which are not included in the SAIs, as provided in paragraph 3.10. In such cases, the following procedure should be followed:

- .1 Member Governments wishing to raise exceptionally urgent matters should, when submitting documents on such matters, expressly request that the special procedure provided in this paragraph be applied; and
- .2 the Chairman of the subsidiary body concerned, having carefully scrutinized the submitted proposal and having consulted the Secretary of the subsidiary body, should decide whether the proposal should be accepted.

Guidance for the selection of agenda items

3.22 Subsidiary bodies should select, from their work programme, SAIs in a manner which would ensure that proper consideration is given to important and urgent issues, taking into account:

- .1 the number of working days of each session; and
- .2 the number of working groups and drafting groups which the subsidiary body intends to establish.

3.23 SAIs should, in principle, be selected first from high priority items and then from lower priority items included in the subsidiary bodies' work programmes, as approved by the Committee(s).

3.24 The total number of SAIs and the workload of the subsidiary bodies agendas should be kept at an appropriate manageable level ensuring high quality output. New item(s) should be included in the subsidiary bodies agendas only when existing agenda item(s) are completed and the capacity of the subsidiary body allows the inclusion of new item(s) from the workload point of view, bearing in mind the workload reduction resulting from completed items.

3.25 The remaining work programme items not selected will be kept in abeyance and will be transferred to the agenda of the subsidiary bodies as and when selected by them and endorsed by the Committee(s), having regard to the overall workload of the subsidiary bodies responsible for the work in hand.

Working, drafting, correspondence, intersessional working and other groups

Working groups

3.26 The Committee and their subsidiary bodies should keep the number of working groups formed during their sessions to a minimum; however, a maximum of three working groups could be established, where necessary, bearing in mind the difficulties small delegations experience in being represented in such groups and the fact that such groups work without interpretation. When a working group has completed its task and has been terminated, another working group should not be convened in its place during the same session. To such an end, subsidiary bodies should endeavour to consider, as appropriate, items on their agenda in plenary, rather than establishing groups to deal with them.

3.27 Where more than three working groups are needed to deal with different subjects in one session, the Committee(s) and subsidiary body(ies) should establish a priority order for possible subject items and decide accordingly. Where more than three unrelated topics need to be covered by independent working groups over several sessions, arrangements could be made for groups concerned to meet at alternate sessions of the Committee and subsidiary body concerned within the maximum of three groups per session.

3.28 Working groups could start work on the morning of the first day of the meeting on the basis of the draft terms of reference presented by the Chairman of the committee or sub-committee concerned, pending formal discussion of those terms of reference under the relevant agenda item. However, these measures should be an option and be decided at the meeting with caution. It should be encouraged that, whenever possible, terms of reference of working groups should be agreed at the previous sessions of the parent committee(s) or sub-committee(s). Another option would be that the draft terms of reference of working and drafting groups issued at the beginning of the session, in accordance with paragraph 3.45 of these Guidelines, also identify items on which the groups could start, if so decided, working on the morning of the first day of the meeting, without prior consideration of the related agenda items in plenary.

3.29 In principle, there should be no splinter group(s) of a working group. However, where the establishment of a splinter group(s) is necessary for the facilitation and efficiency of the work, the working groups should have a unanimous agreement on its establishment and the outcome of the group(s) work should be considered and agreed by members of the working group and incorporated in the report of the working group. Splinter group(s), if established, should meet outside normal working hours, unless the working group decides otherwise in view of the efficiency of the work.

3.30 Subsidiary body working groups, if circumstances and time constraints so dictate, may submit their reports directly to the committees, if authorized by the parent sub-committee, following consultation among the Chairman of the group, the Chairman of the parent sub-committee and the Chairmen of the Committees concerned.

3.31 When appropriate, working groups should make full use of the five working days of a session, submitting their reports to the next session of their parent body. When working group reports are to be prepared during a session, all efforts should be made to keep such reports as short as possible.

3.32 Permanent working groups should be avoided and, if there ever is a need for such a group, clear justification and appropriate terms of reference should be provided by the subsidiary body concerned.

Drafting groups

3.33 In addition to working groups, the Committees and their subsidiary bodies may form drafting groups. In no case should more than five groups (e.g., three working and two drafting groups) meet simultaneously during a session. If additional drafting groups are needed, they should meet outside normal working hours.

Other groups

3.34 In addition to working and drafting groups, the Committee and their subsidiary bodies may form other groups, such as technical or review groups as required under relevant conventions. Depending on the necessity and urgency of the issue to be considered, such groups may meet in addition to or in lieu of working or drafting groups.

Correspondence groups

3.35 To facilitate the consideration of an issue, correspondence groups may be established by a Committee or its subsidiary bodies and instructed to work on the basis of a consolidated draft text prepared by a “lead country” or the Secretariat, thereby, through consultation between interested delegations by correspondence, decreasing the volume of papers submitted and processed, after the body concerned has agreed to consider the issue and has endorsed terms of reference for the group (see also paragraph 3.45).

3.36 Correspondence groups should utilize modern communication technology, such as the Internet, as much as possible.

3.37 The work of a correspondence group (e.g., the receipt and processing of comments and suggestions) should not pre-empt formal consideration of the relevant issue by the parent body concerned or the positions taken by Member Governments or international organizations participating in the correspondence group.

3.38 In normal circumstances, the Committees and subsidiary bodies should not establish more than three correspondence groups although this number may be increased where the urgency of the matter under consideration so justifies. These correspondence groups should, as a rule, be established only for high priority agenda items. Sub-groups within a correspondence group should not be established. No official meetings of members of correspondence groups should be held without the prior approval of the Committee(s).

3.39 Participation in correspondence groups is open to all delegations (Governments and organizations) which can provide the necessary expertise on a timely basis or which have a particular interest in the issue under consideration. Any Member Government or international organization can join in the work of the correspondence group subsequent to the establishment of the group and any contribution should be accepted at any stage of the work of the group.

3.40 When establishing a correspondence group, a “lead country”, “lead organization” or the Secretariat should be designated to co-ordinate the work of the group. Responsibilities of group co-ordinators should include:

- .1 preparation, maintenance and circulation of list of participants;
- .2 establishment of deadlines for the preparation of draft texts and receipt of comments and proposals thereon;
- .3 preparation and circulation of draft texts and comments thereon;

- .4 preparation and submission to the Secretariat of the report of the correspondence group including any consolidated draft texts (see paragraph 3.44); and
- .5 introduction of the above-mentioned report and consolidated draft texts to the appropriate Committee or subsidiary body.

3.41 Responsibilities of participants should include:

- .1 active participation in the work of the group;
- .2 compliance with the deadlines established for the submission of comments on draft texts, proposals, etc.; and
- .3 relaying to other group members copies of comments, proposals, etc., submitted to the group co-ordinator.

3.42 The responsibilities of the Secretariat, in those cases where the Secretariat acts as a group co-ordinator, should be the same as those listed under paragraph 3.40 above. The Secretariat may also be requested to circulate consolidated draft texts, etc., on behalf of the group co-ordinator.

3.43 The results of work carried out by correspondence groups should normally take the form of a consolidated draft text reflecting the information received from members of the group. Such texts should be accompanied by a succinct report summarizing the work and indicating which members have provided input to the process. Where it has not been possible to prepare an agreed consolidated draft document, texts or issues on which there was a disagreement should be clearly indicated in the draft document or the report, as appropriate.

3.44 Correspondence groups' reports should be submitted to the first session of the parent body to meet following conclusion of the groups' work in time to meet the deadline established for consideration of substantive documents, in accordance with the provisions of paragraph 4.10. Normally the work of the correspondence groups should not overlap with sessions of the parent Committee or subsidiary body. In case the group has not finalized its work in time to meet such a deadline, a progress report should be made to the parent body.

Terms of reference of working, drafting and correspondence groups

3.45 When working, drafting and correspondence groups are formed, draft terms of reference should be prepared following consultations between the Chairman of the relevant Committee or subsidiary body and the Secretariat for approval by plenary. In the case of working and drafting groups, the aforementioned draft terms of reference should be issued by the Secretariat at the beginning of the session for agreement by plenary before the groups in question start their work. Thereafter, the agreed terms of reference should not be modified or extended without the parent body's prior consent.

Intersessional working groups

3.46 Subject to approval by the Council, intersessional meetings of working groups may be convened without interpretation services. Intersessional meetings should only be held if considered to be absolutely essential and after careful consideration of their need by the

Committee(s) on a case-by-case basis, taking into account the priority and urgency of the specific matter such meetings will be invited to address. Intersessional meetings of such groups should be held at IMO Headquarters immediately before or after an agreed session of the parent body concerned. Other arrangements may be considered; however, no arrangements should be made with respect to intersessional meetings until such meetings have been approved by the Committee(s). Intersessional working groups and technical groups should not be held at the same time as Committee or sub-committee meetings.

4 PROCEDURES FOR PREPARATION AND SUBMISSION OF DOCUMENTS

Preparation of documents

4.1 Documents should be prepared in single spacing and be as concise as possible so as to facilitate their timely processing. In order to enhance the clear understanding of documents, the following should be observed:

- .1 all documents should be preceded by a brief summary prepared in the form, and containing the information indicated in the box set out below. Documents – especially proposals for new work programme items – should demonstrate, where feasible, the linkages to the Strategic and High-level Action Plans by including, in the summary, references to the related strategic direction(s), high-level action(s) and planned output(s):

SUMMARY	
<i>Executive summary:</i>	This description should be brief, outlining the proposed objective (an amendment, an Assembly resolution, a circular, information only, etc.), and include information on whether a proposal will have any financial implications for the shipping industry or for the IMO budget.
<i>Strategic direction:</i>	A reference should be made to one or more relevant strategic directions in the Organization’s Strategic Plan (see the annex to resolution A.989(25) or the annex to resolution A.990(25)).
<i>High-level action:</i>	A reference should be made to one or more corresponding high-level actions in the Organization’s High-level Action Plan (see the annex to resolution A.990(25)).
<i>Planned output:</i>	A reference should be made to one or more corresponding planned outputs for 2008-2009, in the Organization’s High-level Action Plan (see the annex to resolution A.990(25)). If there is no corresponding planned output, an appropriate descriptive text should be included.

<p><i>Action to be taken:</i></p> <p><i>Related documents:</i></p>	<p>A reference should be made to the paragraph of the document which states the action to be taken by the Committee, Sub-Committee, etc.</p> <p>Other key documents should be listed to the extent they are known to the originator of the document.</p>
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- .2 substantive documents should conclude with a summary of the action the relevant body is invited to take; and
- .3 information documents should conclude with a summary of the information contained therein.

4.2 To facilitate their processing, documents should be accompanied by computer diskettes, preferably in Microsoft Word. Documents may also be submitted via e-mail in Microsoft Word to IMO's e-mail address "info@imo.org". In such cases, documents should be confirmed by hard copies to facilitate processing of the document, i.e. attachment of annexes to main texts, and to check that none of the text has been garbled during sending or conversion. Requirements for the submission of documents set out in paragraph 4.10 should also be applicable when such documents are submitted by electronic means.

4.3 Documents made available at IMO 13 weeks or more before a session should not be introduced in the plenary unless the Chairman decides that this is essential for the proper consideration of the matter concerned.

4.4 To indicate the importance of documents containing proposed amendments to maritime safety and protection of the marine environment-related IMO instruments approved for adoption by the MSC or the MEPC and to make them distinctive from other documents, such documents should be printed on pink paper.

4.5 Reports of the Committees and their subsidiary bodies should, in general, contain, under each section only:

- .1 a summary of key documents and listing of other documents submitted by Governments, international organizations and the Secretariat;
- .2 a summary of views expressed during consideration of an item, which may have influenced the decision taken by the reporting body (thus not allowing the reports to turn into summary records, and statements by delegations should be included therein only at their express request during the session); and
- .3 a record of the decisions taken.

4.6 In drafting recommendations, codes or guidelines, cross references may, whenever possible, be made to texts and terminology previously developed by IMO or other organizations. This will avoid unnecessary duplication and will reduce the need for excessively detailed provisions and for subsequent harmonization.

4.7 Whenever possible, each subsidiary body should indicate in its report the progress made towards the target completion date set by the Committee(s) for each major item.

4.8 Chairmen of subsidiary bodies should not introduce their reports to the Committee(s) as these should be taken as read.

4.9 With respect to urgent matters emanating from subsidiary body meetings which have taken place less than 13 weeks before a session of the Committee, the Committee would consider only such urgent matters as may be specified by it at a prior session. As a general rule, the Committee would not consider reports or matters emanating from any subsidiary body meeting which has taken place less than 9 weeks prior to the Committee's session. In exceptional cases, a subsidiary body may invite the Committee to take action on a matter the subsidiary body considers to be urgent and important emanating from a meeting which took place less than 9 weeks prior to the Committee's meeting. In such cases, the subsidiary body Chairman should consult the Committee Chairman seeking the latter's approval of the contemplated action.

Submission of documents

4.10 To ensure that all documents are available at IMO Headquarters in all three working languages well in time before a session of a Committee or subsidiary body, so as to enable the timely studying of documents and thus promoting the participation of all members in the decision-making process of the Committees and their subsidiary bodies, the following provisions should apply:

- .1 as a general rule, documents, other than information documents, should not contain more than 50 pages. In the case of reports from working, drafting or correspondence groups and in other exceptional circumstances, this number of pages may be exceeded, provided that the appropriate deadline for receipt of the document by the Secretariat, as specified in subparagraphs .2 and .3 below, is put back by one week for every 20 pages exceeding 50 pages;
- .2 documents containing proposals for new work programme items should be received by the Secretariat not later than 13 weeks before the opening of any session of the Committee(s). They should be made available at IMO Headquarters and the IMO documents website, in the Organization's three working languages, not later than 5 weeks before the opening of the session;
- .3 documents (including information documents) containing more than 6 pages of text (bulky documents) should be received by the Secretariat not later than 13 weeks before the opening of any session of the Committee(s) and their subsidiary bodies. However, bulky information documents, submitted in electronic format, may be accepted by the Secretariat, if they are received not later than 9 weeks before the meeting concerned. They should be made available at IMO Headquarters and the IMO documents website, in the Organization's three

working languages, except for information documents which should not be translated, not later than 5 weeks before the opening of the session;

- .4 non-bulky documents commenting on those referred to in subparagraphs .2 and .3 above, or on items already on the agenda should be received by the Secretariat not later than 9 weeks before the opening of any session of the Committee(s) and their subsidiary bodies. They should be made available at IMO Headquarters and the IMO documents website, in the Organization's three working languages, not later than 5 weeks before the opening of the session;
- .5 notwithstanding the provisions of subparagraph .4 above, documents commenting on those referred to in subparagraphs .2 and .3 above containing 4 pages or less should be processed if received by the Secretariat not later than 7 weeks before the opening of any session of the Committee(s) and their subsidiary bodies. These documents should start with a paragraph clearly indicating the document on which comments are made and stating that the document is submitted in accordance with the provisions of paragraph 4.10.5 of the Guidelines. They should be made available at IMO Headquarters and the IMO documents website, in the Organization's three working languages, not later than 4 weeks before the opening of the session;
- .6 non-bulky information documents should be received by the Secretariat not later than 9 weeks before the opening of any session of the Committee(s) and their subsidiary bodies. They should not be translated and should be made available at IMO Headquarters and the IMO documents website not later than 5 weeks before the opening of the session. No action will be taken on the basis of an information paper only, other than to take note of it;
- .7 in addition and with reference to reports of subsidiary bodies on the basis of which the Committee(s) are normally invited to take action, every possible effort should be made that such reports are made available at IMO Headquarters and the IMO documents website, in the Organization's three working languages, not later than 5 weeks before the opening of the session; and
- .8 in the case of basic documents submitted to Committee(s) reporting on urgent matters emanating from sessions of subsidiary bodies referred to in paragraph 4.9, which met less than 13 weeks before the Committee(s)' meeting, such basic documents should annex the text (e.g., draft Assembly resolutions, draft MSC circulars, etc.) on which the Committee(s) will be invited to take action.

4.11 The Secretariat should make every effort to ensure the timely posting of documents on the IMO document website. Member Governments and international organizations should also endeavour to submit documents as early as possible and not just on the deadlines of the submission of documents.

4.12 The Secretariat should strictly apply the rules concerning the submission of documents and not accept late submissions from Governments or delegations. Any exemption from these provisions should have the prior authorization of the Chairman of the Committee concerned following consultations with the Secretariat. In emergency circumstances requiring immediate

action by the Committee, a document to that end consisting of no more than 4 pages should be received by the Secretariat not later than 9 weeks before the opening of the session of the body concerned and made available at IMO Headquarters, in the Organization's three working languages, not later than 5 weeks before the opening of the session. Such a document will be considered by the Committee only if the Committee decides to do so at the opening of its session.

4.13 In the exceptional cases referred to in paragraph 4.9, when a subsidiary body invites the Committee to take action on urgent matters emanating from a subsidiary body's session which took place less than 9 weeks prior to the Committee's session, documents commenting on those urgent matters containing 4 pages or less should be processed if received by the Secretariat not later than 7 weeks before the opening of any session of the Committee concerned. Such documents should start with a paragraph clearly indicating the document on which comments are made and stating that the document is submitted in accordance with the provisions of paragraph 4.13 of these Guidelines. They should be made available at IMO Headquarters, in the three working languages, not later than 4 weeks before the opening of the session.

5 OBSERVANCE OF THE GUIDELINES

These Guidelines should be observed strictly. This will assist delegations in preparing adequately for each meeting and enhance their participation in the debate and decision-making process during meetings. It will also prevent delegations from experiencing difficulties when developing national positions on subjects on the agenda of the two Committees or their subsidiary bodies. In order to promote efficiency in the conduct of work overall, Committee members should ensure that their colleagues attending sessions of the other Committee are fully informed of the outcome of the meeting they have attended. Committee members should also ensure that their experts attending meetings of subsidiary bodies, working groups, drafting groups or correspondence groups are adequately informed and instructed on any action necessary to give effect to decisions made by the Committees.
