



**SUBMISSION TO THE EUROPEAN COMMISSION ~~AND~~ MEMBER STATES FOR THE  
ESTABLISHMENT OF A REGIONAL ADVISORY COUNCIL FOR THE NORTH WESTERN  
WATERS**

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Although the North Western Waters Regional Advisory Council operates through three languages:  
English, French and Spanish, the definitive language for the text of this document is English.

The text in French and Spanish is for information ~~pu~~poses only.

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NWWWRAC Rules of Procedure  
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## PREAMBLE

### Introduction

This submission has been prepared by the RAC Development Working Group of the Western Waters Trans-National Partnership. It proposes the establishment of a Regional Advisory Council for the North Western Waters (NWWRAC), to be co-ordinated by the Secretariat to the North Western Waters RAC, Bord Iascaigh Mhara (BIM), the Irish Sea Fisheries Board.

The founding membership, which has been consulted on this submission, is listed in the Provisional Lists of Organisations and will be supplemented by additional members, to be agreed by concerned Member States as the NWWRAC develops and extends its activities.

It is planned that the First General Assembly of the North Western Waters RAC will take place in September 2005.

### Rationale

It is accepted, throughout the European Union, that there is a need to adapt and improve the governance of the Common Fisheries Policy; not only to open up the policy-making process to interested parties but also to promote greater accountability and responsibility for all those involved. The Commission has proposed the establishment of RACs to ensure greater stakeholder involvement at the regional and local level.

RACs may

- Submit recommendations and suggestions of their own accord or at the request of the Commission or Member State, on matters relating to fisheries management to the Commission or the Member States concerned;
- Give an opinion on Commission or Member State proposals on conservation and management dealing with a fishery relevant to the region concerned;
- Inform the Commission or the Member State concerned, of problems relating to the implementation of Community rules and submit recommendations and suggestions, addressing such problems, to the Commission or the Member State concerned;
- Conduct any other activities necessary to fulfill their functions.

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Although the Commission and Member States concerned will not be bound by the recommendations and suggestions of the RACs, the Commission and, where relevant, the concerned Member States, will reply precisely to them within a reasonable time period and, at the latest, within three months.

This proposal, which originated within the Western Waters Trans-National Partnership, is for a North Western Waters RAC, which will fulfill the Commission's specification for a RAC, act in the capacity of a RAC and establish the principles and procedures for efficient operation as a RAC. At the end of a three year period, the operation and effectiveness of the RACs will be reviewed and evaluated.

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The participants intend that the North Western Waters RAC will act as a testing ground where stakeholders can agree and commit themselves to specific initiatives, which may subsequently develop into recommendations for policy instruments for managing the North Western Waters fisheries.

The RAC will operate within the context of the Common Fisheries Policy. The RAC may also concern itself with wider activities in the marine environment, including marine spatial planning, dumping and dredging, oil and gas exploration and development, offshore wind farms, conservation activities, marine protected areas and other factors, which might have major impacts upon the fisheries and their management.

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The North Western Waters RAC will co-operate with RACs established for other regions, especially with respect to straddling fish stocks and wide-ranging, non-target species and will adopt joint recommendations if appropriate.

## STATEMENT OF OBJECTIVES

Regional Advisory Councils are provided for in Articles 31 and 32 of European Council Regulation (EC) No. 2371/2002 of the 20th December 2002, *on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy* and subsequently implemented in Council Decision (EC) No. 585/2004 of 19 July 2004, *establishing Regional Advisory Councils under the CFP*.

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In accordance with these regulations, the principal objective of the RAC will be to contribute to the achievement of the objectives of the CFP and in particular to advise the Commission on matters of fisheries management in respect of the North Western Waters. This advice will incorporate the social, economic and environmental dimensions of fisheries as well as the Ecosystem Based Approach and Precautionary Approach to management and will be prepared with the general aim of attaining sustainable fisheries management.

Advice from the RAC shall be provided to the Fisheries Council of the European Community, the European Commission, The European Parliament, individual Member States of the European Community, and other bodies. It shall also be forwarded to the Commission's Advisory Committee on Fisheries and Aquaculture (ACFA), the International Council for the Exploration of the Sea (ICES), the Regional Authorities and other interested parties.

The North Western Waters RAC will develop and refine its objectives, operational priorities, structure and procedures as it evolves. From its inception, the North Western Waters RAC will give priority to refining the:

- Objectives
- Operating principles
- Rules of procedure
- Budget estimate

A large proportion of the North Western Waters RAC's deliberations will be in response to opinions sought by Member States and the Commission. Priority items will include: multi-annual fishing plans, multi-species management, development of an ecosystem based approach towards fisheries management, improvements in scientific, technical and economic advice, improvements in inspection, monitoring and control, and other topics of relevance to the North Western Waters fisheries. In addition, it is anticipated that a substantial part of the RAC's workload will involve own initiative policies and programmes. In this area of activity, it will be important to avoid duplicating the efforts of established bodies such as committees, institutions or agencies.

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The experience and expertise contributed by NWWRAC members, in conjunction with specialist input from external sources, will enable the NWWRAC encourage fisheries management strategies that promote economic, environmental and stock, sustainability.

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## OPERATING PRINCIPLES

The North Western Waters RAC (NWWWRAC) will operate according to the general principles stipulated in Council Regulation 2371/2002 and Council Decision 585/2004/EC establishing Regional Advisory Councils under the CFP.

### Membership

The North Western Waters RAC is designed to address all the functions specified in these regulations, and to include all relevant parties. Therefore, membership rules for the RAC need to be flexible enough to ensure participation of all parties with an interest in the fisheries issues concerned. Hence, those involved, as members, will include amongst others: commercial fishermen, catching sub-sector, including shipowners, small-scale fishermen, self-employed/employed fishermen, producer organizations, processors, traders and other market organizations, women's networks, environmental organisations and groups, aquaculture producers, consumers and recreational or sport fishermen.

Representatives of the European Commission, Member States and Regional Authorities may attend as active observers. Scientists and/or technical experts from national and regional institutes or international bodies and other qualified scientists, academics or economists may be invited to assist in the work of the RAC.

Representatives of Non-EU countries with a fishing interest in the areas covered by the North Western Waters RAC will also have a right to participate as active observers when issues which affect them are discussed<sup>1</sup>.

European and national organisations representing the fisheries sector and other interest groups may propose members to the Member States concerned. These Member States shall agree on the members of the General Assembly.

### Structure

In order to achieve a balance between the need for efficiency and inclusiveness, the RAC will consist of a **General Assembly**, made up of a balanced representation of all interests, affected by the CFP, within the North Western Waters. The General Assembly will meet at least once a year.

The General Assembly will appoint an **Executive Committee** to act as a focus for the activities of the North Western Waters RAC. The Executive Committee will manage the work of the RAC and adopt its opinions and recommendations. The Executive Committee will be restricted in size to a maximum of 24 members and will have a balanced representation of all parties affected by the Common Fisheries Policy. Meetings of the Executive Committee will take place at least three times each year.

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In the General Assembly and Executive Committee, two thirds of the seats shall be allotted to representatives of the fisheries sector and one third to representatives of the other interest groups affected by the Common Fisheries Policy, as defined in Article 1 of Council Decision 585/2004/EC.

Two members of the catching sector from each Member State concerned will be represented on the Executive Committee. However, these arrangements shall not prejudice any future arrangements made and agreed by the General Assembly of the North Western Waters.

<sup>1</sup> For the purposes of the North Western Waters RAC, representatives from the fisheries' sector and other interest groups from the United Kingdom Crown Dependencies, namely the Isle of Man and the Channel Islands, shall be eligible for involvement in the RAC as stakeholders with a fishing interest in accordance with article 5.1 of the Council Decision (EC) 585/2004.

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The RAC for the North Western Waters will concern itself with fisheries within ICES Area VI (West of Scotland) and the whole of ICES Area VII including Sub-areas VIId and VIIe. Given the size of the area, it proposed that work for the North Western Waters RAC should function on the basis of four, clearly defined, geographical sub-areas:

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- West of Scotland → ICES sub-areas Vb (EC) VIa, VIb
- Western Approaches, West of Ireland and Celtic Sea → ICES sub-areas VIIb<sub>j</sub> (except d, e & a)
- English Channel → ICES sub-areas VIId and VIIe
- Irish Sea → ICES sub-area VIIa

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Four Working Groups will be established based on these sub-areas, to assist the Executive Committee in developing fishing-area-specific proposals and advice within the overall objectives of the North Western Waters RAC. These Working Groups will enable a wide range of technical experts to take part as well as expanding the scope for stakeholder participation. Voting members of Working Groups must be members of the North Western Waters RAC General Assembly.

These groups shall not preclude any changes to the area coverage of the working groups, the establishment of additional single or multiple issues focused working groups, or any other sub-groups, at the determination and direction of the Executive Committee. Annex 1 provides an overview of the initial structure of the RAC which can be amended to reflect any additional working groups as determined by the Executive Committee.

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The Executive Committee of the NWWRAC will coordinate the day-to-day activities of the NWWRAC and its Working Groups and will be the final arbitrator of all advice and opinion issued by the NWWRAC. Working Groups, established by the NWWRAC, will report directly to the Executive Committee, will operate within prescribed rules and procedures established by the NWWRAC. Working Groups may exercise latitude appropriate to the diversity of characteristics and fisheries that fall within their remit, when undertaking their work programme.

### Organisation of Chairs

*There will be a separate Chairperson of the General Assembly and of the Executive Committee.*

#### General Assembly:

- The Chairperson of the General Assembly will be known as the 'Honorary President of the NWWRAC'.
- The Honorary President of the NWWRAC will chair the Annual General Assembly of the RAC.
- The Honorary President of the NWWRAC will be an *ex-officio* member of the Executive Committee.

#### Executive Committee:

- The Chairperson of the Executive Committee will be known as the 'Chairperson of the NWWRAC'.
- The Chairperson of the NWWRAC will chair meetings of the Executive Committee.
- The Chairperson of the NWWRAC will speak for the NWWRAC and will be responsible for liaison with Member States, the European Commission, and the wider public and media (alone or with the assistance of the NWWRAC Vice-Chairs) on all matters pertaining to the day-to-day workings of the NWWRAC, its Executive Committee and Working Groups.
- The Chairperson of the NWWRAC will be responsible for liaison with the secretariat on all matters of governance and all matters pertaining to the day-to-day services to the NWWRAC, its Executive Committee and Working Groups.

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- Liaison with Member States, the European Commission, the wider public and media will be coordinated through the secretariat.
- The Chairperson of the NWWRAC, in conjunction with the Executive Committee, will initially appoint the members of the Working Groups.
- The Chairperson of the NWWRAC will report annually to the General Assembly of the NWWRAC.

*Neither the Honorary President nor the Chairperson of the NWWRAC will be entitled to vote at meetings of the Executive Committee.*

#### Decision Making

The NWWRAC will, where possible, adopt recommendations by consensus. If no consensus can be reached, dissenting opinions, expressed by members, shall be clearly recorded in the recommendations adopted by the majority of the Executive Committee members by one of the following two procedures: decisions made by members present at a meeting (whenever quorum is achieved) or, in those justified cases, by electronic “fast track” procedure.

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**Deleted:** Voting Procedures

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All NWWRAC members will be required to use and develop skills and procedures necessary to build agreements that are more imaginative, in construction, than simple compromise and more constructive in foresight than agreement on “status quo” or no change.

#### Voting Procedures

The decisions reached by the NWWRAC should be based, where possible, on reliable technical and scientific information, which incorporates the views of fishermen and other stakeholders.

Emergency measures proposed by the European Commission or urgent advice needed, which requires rapid responses from the NWWRAC, can only be delivered if consultation is facilitated by the Commission in the three working languages of the NWWRAC (i.e. English, French and Spanish).

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#### Data Availability

Wide use will be made of scientific, technical and economic advice and information from existing sources, including that made available by the European Commission and Member States. It will be important that Member States and the Commission make available to the North Western Waters RAC on a regular basis appropriate and relevant data collected from the fisheries that fall within the remit of the NWWRAC, and from scientific or economic surveys, so that the NWWRAC is as well informed as possible.

#### General Assembly

The annual General Assembly will provide an effective means for communicating with the wider constituency of stakeholders and the public and will provide a forum for fishermen and other stakeholders to debate points of interest and concern with members of the Executive Committee and the membership in general.

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The General Assembly will provide an opportunity for an annual review of the performance of the RAC and will ratify the annual report and accounts presented by the Chairperson of the NWWRAC and/or the Secretariat. In addition, the General Assembly will also provide a platform for the Chairperson of the NWWRAC and/or the Secretariat to present a preview of the work programme and priorities for the coming year and seek debate, input and ultimate approval of the annual strategic plan for the RAC.

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### Transparency and Accessibility

All decisions and deliberations of the RAC should be as open, transparent and accountable as possible.

Representatives from the fisheries sector and other interest groups affected by the Common Fisheries Policy, along with the wider public that have a legitimate interest in fisheries matters, are entitled to information on the deliberations and workings of the RAC. As a result, meetings of the General Assembly shall be open to the public. Meetings of the Executive Committee shall likewise be open to the public unless otherwise decided by a majority decision of the Executive Committee at the beginning of the meeting. If a proposal is made in advance by the Chairman of the RAC a note to this effect will appear on the agenda for the meeting. Furthermore, by rotating the location of meetings whenever possible for budgetary and logistic reasons it is intended that as many stakeholders as possible should participate and assume ownership of the process.

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As part of an active communications programme, the RAC will maintain a web site, produce press releases and provide full and timely reports on all its activities. Recommendations adopted by the Executive Committee shall be made available immediately to the General Assembly, the Commission, the concerned Member States, the European Parliament and, upon request, to any member of the public.

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### Rules of Procedure

The rules of procedure for the North Western Waters RAC are provided below. These rules were ratified at the First General Assembly of the NWWRAC held the 30<sup>th</sup> of September 2005 including the full range of organizations agreed with Member States. The Executive Committee was subsequently appointed by the first General Assembly.

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The terms of Reference for the Working Groups and a Communications Strategy and Protocol will then be produced and agreed by the Executive Committee.

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## RULES OF PROCEDURE

### Name

1. The North Western Waters Regional Advisory Council (~~henceforth~~ NWWRAC)

### Objectives

2. The NWWRAC will contribute to the achievement of the objectives of the Common Fisheries Policy by advising the Commission on matters of fisheries management in respect of the North Western Waters. This advice will incorporate the social, economic and environmental dimensions of fisheries as well as the Ecosystem Based Approach and Precautionary Approach to management and will be prepared with the general aim of attaining sustainable fisheries management.
3. That advice shall be provided to the Fisheries Council of the European Union, the European Commission, individual Member States of the European Union, The European Parliament and other bodies, as decided by the NWWRAC. The advice shall also be forwarded to the Commission's Advisory Committee on Fisheries and Aquaculture (ACFA), the International Council for Exploration of the Sea (ICES) and other bodies as decided by the NWWRAC.
4. The NWWRAC shall fulfill the role of a Regional Advisory Council (RAC) as described in European Council Regulation (EC) No. 2371/2002 of the 20<sup>th</sup> December 2002, and the subsequent Fisheries Council Decision (EC) 585/2004 establishing Regional Advisory Councils under the Common Fisheries Policy.
5. For the purposes of the NWWRAC, the North Western Waters shall consist of ICES Areas VII, VI and V excluding Va and only including EC waters in Vb (the North Western Waters). When considering straddling stocks and wide-ranging non-target species within the North Western Waters, whose unity requires special attention, the NWWRAC's interests shall also extend to other areas adjacent to the North Western Waters and shall involve liaison with other RACs and other similar partnerships for these adjacent areas.
6. The activities of the NWWRAC shall be open and transparent. The NWWRAC shall disseminate full and timely reports on all its activities to its members and interested parties. Agreed draft reports of each meeting of the General Assembly and Executive Committee will be placed on the NWWRAC's website within two months of the meeting taking place, and subsequently formally adopted at the forthcoming meeting. The General Assembly shall be open to the public. The meetings of the Executive Committee shall be open to the public unless decided otherwise by a majority of the Executive Committee.
7. The NWWRAC shall be an equal opportunities organization and shall not discriminate against membership on the grounds of race, gender or disability.

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### Powers

8. The NWWRAC shall have powers to do all things necessary within its legal competency for the fulfillment of its objectives.

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9. The NWWRAC shall be established as a legal entity, in a form fully acceptable to the European Commission and Member States for fulfilling the role of a Regional Advisory Council and for receiving funding for that purpose.

### **Organization and Structure**

10. The NWWRAC shall consist of members, attending a General Assembly, which shall meet annually, or more frequently as required, and an Executive Committee, with a membership drawn from particular organizations nominated by the General Assembly.
11. Members shall have the right to attend the General Assembly, nominate and appoint a Chairperson for the General Assembly, participate in the appointment of the Executive Committee and the nomination of a Chairperson for the Executive Committee and shall be able to present their views on relevant issues to the Executive Committee.
12. The Executive Committee, shall exercise the powers of the Council, decide upon general policy, direct the affairs of the Council and be responsible for the preparation and forwarding of advice on the North Western Waters fisheries to the bodies defined in paragraph 3. The Executive Committee shall meet at least three times each year.

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13. The General Assembly and the Executive Committee shall have separate Chairpersons.
14. Four sub-area Working Groups will be established, as described in Annex I, to develop area specific advice within the overall objectives of the North Western Waters RAC. This shall not preclude any changes to the area coverage of the working groups, the establishment of additional issue focused working groups, or any other sub-groups, at the determination and direction of the Executive Committee. Working Group Chairmen, who are not members of the Executive Committee may attend the Executive Committee meetings as non voting members. Working Group Chairmen may also present the actions agreed at its respective Working Group for adoption at the Executive Committee.

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15. The Sub Area Working Groups may establish Steering Groups or Technical Focus Groups, to assist the Working Groups, or Executive Committee in its task of preparing advice. These Groups may be ad hoc, appointed for a specific purpose for a limited duration, or may be permanent. Members of the Working Groups shall be nominated by members and appointed by the Executive Committee.

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### **Members**

16. Membership of the General Assembly of the NWWRAC shall be open to representatives from the fisheries sector and other interest groups from the concerned Member States which are affected by the Common Fisheries Policy in the North Western Waters, as outlined in article 5 of the Council Decision (EC) 585/2004 and who support the objectives of the NWWRAC as set out in these rules of procedure and who are admitted to membership in accordance with paragraph 17 below<sup>2</sup>.

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17. European and national organizations (including regional and local organizations) representing the fisheries sector and other interest groups may propose members for the NWWRAC to the concerned Member States. The concerned Member States shall agree on the members of the General Assembly.

<sup>2</sup> For the purposes of the North Western Waters RAC, representatives from the fisheries' sector and other interest groups from the United Kingdom Crown Dependencies, namely the Isle of Man and the Channel Islands, shall be eligible for involvement in the RAC as stakeholders with a fishing interest in accordance with article 5.1 of the Council Decision (EC) 585/2004.

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Further subsequent applications for membership of the General Assembly shall be made in writing to the Secretary of the North Western Waters RAC.

The Secretariat of the NWWRAC shall refer all applications to the Member States for decision by common agreement. Should the decision will be favorable, the application will then be submitted to the Executive Committee for endorsement.

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18. The Executive Committee of the NWWRAC, in consultation with the Member States concerned, may seek to terminate the membership of any person or organization which in their opinion is not affected by the Common Fisheries Policy in the North Western Waters or does not support the objectives of the NWWRAC as laid out in these rules of procedure. The final decision on termination of membership shall be decided by common agreement between the concerned Member States.

19. The Executive Committee shall prepare an annual report and an annual strategic plan for the members of the General Assembly which shall be approved by the General Assembly at its annual meeting and forwarded to the Commission, Member States and the Advisory Committee on Fisheries and Aquaculture (ACFA). Recommendations adopted by the Executive Committee shall be made available to the General Assembly, the Commission, concerned Member States, the European Parliament, ACFA and, upon request, to any member of the public. Members of the General Assembly may comment upon the activities of the Executive Committee and raise issues of relevance to the NWWRAC at that General Assembly or at any time through the Secretariat.

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20. Meetings of the General Assembly shall be open to the public. The meetings of the Executive Committee shall be open to then public unless decided otherwise by a majority of the Executive Committee.

21. Meetings of the General Assembly and Executive Committee shall be open to observers who are additional representatives from the fisheries sector and other interest groups affected by the Common Fisheries in the North Western Waters, as well as Member States, the European Parliament and ACFA.

22. The General Assembly shall appoint the Executive Committee. Members of the Executive Committee of the NWWRAC shall consist of:

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- Two representatives of the catching sub-sector (ship-owners, small-scale fishermen, employed fishermen and producer organizations) from each of the concerned Member States.
- Other representatives of the North Western Waters fisheries (including processors, traders and other market organizations and women's networks).
- Representatives of other interest groups (including environmental organizations and groups, aquaculture producers, consumers and recreational or sport fishermen) with an interest in the fisheries of the North Western Waters.

23. In both the General Assembly and the Executive Committee two thirds of the seats shall be allotted to representatives of the fisheries sector (as described in article 22 a. and b.) and one third to representatives of the other interest groups (as described in article 22.c) affected by the Common Fisheries Policy.

24. The Executive Committee shall consist of up to 24 members, at least two thirds of which must be present for the Executive Committee to perform its full functions.

25. The General Assembly shall appoint, for a period of three years, organizations which will make up the Executive Committee and which in turn will appoint a representative. Any changes to the persons nominated as members by their organization shall be made in advance of any meeting of the Executive

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Committee, in writing, to the Secretariat of the NNAFO with copy to the Chairperson of the Executive Committee.

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26. If an organization terminates its membership of the General Assembly or Executive Committee then its nominated representative on either the General Assembly or Executive Committee shall also terminate membership.

27. Members of the Executive Committee shall behave in the best interests of the NNAFO to further the aims and objectives laid down in this document and shall be accountable to the General Assembly. They shall also have responsibilities to the organizations which nominated them and which they represent. Members shall report back to their nominating organizations and associates at frequent intervals, more than once per year.

28. The members of the Executive Committee shall, where possible, adopt recommendations by consensus. If no consensus can be reached, dissenting opinions expressed by members shall be recorded in the recommendations adopted by the majority of the members of the Executive Committee. Upon receipt in writing of the recommendations, the Commission and, where relevant, the concerned Member States shall reply precisely to them within a reasonable time period and, at the latest, within three months, as specified by the Council Decision (EC) No 505/2004. If a vote is taken at Executive Committee meetings, only members of the Executive Committee (excluding the Chairperson) shall be entitled to vote, and at least two thirds of the Executive Committee shall be present.

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29. At the discretion of the Executive Committee, one or more representatives of the national fishers' organization from a Third Party State outside the European Union, including representatives from Regional Fisheries Organisations, having a fishing interest in the area or fisheries covered by the NNAFO may be invited to attend Executive Committee meetings, Working Group meetings or parts of those meetings, as active observers.

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30. Additional representatives of member organizations of the Executive Committee shall be permitted to attend any meeting of the RAC as active observers.

31. Representatives of each concerned Member State shall be able to attend any meeting of the RAC as active observers.

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32. Representatives of the European Commission and the European Parliament shall be able to attend any meeting of the RAC as active observers.

33. A representative of the Advisory Committee on Fisheries and Aquaculture (ACFA) shall be able to attend any meeting of the RAC as an active observer.

34. The Council shall not be responsible for meeting the costs of attendance of observers. Observers shall not be entitled to vote.

35. Members of the Executive Committee shall be assisted at Executive Committee Meetings by scientists from institutes of the Member States concerned or international bodies and other qualified scientists or technical experts (including economists and academics) invited by the Executive Committee to provide scientific, technical, economic, legal or other relevant advice. Experts shall not be entitled to vote.

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36. In the event that rapid consultation of the NNAFO is required by the European Commission or another body then it shall be the responsibility of the Chairperson and the Secretariat of the NNAFO

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to establish quickly, by electronic or other means, the views of members of the Executive Committee and communicate these to the Commission within the established deadline.

37. An Annual General Assembly shall be organized by the Executive Committee and the Secretariat on behalf of the NWRAC.
38. At the Annual General Assembly the Chairperson of the NWRAC and the Secretariat will report to the Council on the year's activities and present the annual accounts on behalf of the Executive Committee. Members shall also be able to express their views on relevant topics to the Executive Committee at the Annual General Assembly. Decisions by the General Assembly shall be decided by consensus or by a simple majority vote.

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### The Office Bearers

The Office Bearers of the NWRAC shall be:

39. The Chairperson of the General Assembly,

To be known as the Honorary President of the RAC, shall be nominated from and elected by majority of the members of the General Assembly for a (renewable) term of three years. The Chairperson of the General Assembly shall play an impartial and independent role. The Chair shall not have a vote within the General Assembly.

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40. The Chairperson of the Executive Committee,

To be known as the Chairperson of the RAC, shall be nominated and elected by majority of the members of the Executive Committee for a (renewable) term of three years. The Chairperson may be a member of the Executive Committee or may be appointed from amongst the membership of the General Assembly. The Chairperson shall play an impartial role, independent of the different interests represented on the Executive Committee. In the event that the Chairperson is drawn from the members of the Executive Committee, a substitute member shall be nominated in writing by the organization which the Chairperson formerly represented. The Chairperson of the NWRAC shall not have a vote within the Executive Committee.

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41. The Vice Chairperson(s) of the Executive Committee,

To be appointed by the members of the Executive Committee for a (renewable) term of three years. The Vice-Chairperson(s) shall be a member(s) of the Executive Committee and shall have a vote.

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42. The Executive Secretary of the NWRAC

To be appointed by the host organization chosen by the Executive Committee to provide the Secretariat, with the approval of the Executive Committee for a (renewable) term of three years. The Executive Secretary shall not have a vote.

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43. The Rapporteur of the NWRAC

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To be appointed by the members of the Executive Committee for a (renewable) term of three years. The Rapporteur does not need to be a member of the Executive Committee. The Rapporteur shall not have a vote unless is a member of the Executive Committee.

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### The Secretariat

44. The Secretariat shall be appointed for a (renewable) term of three years, by the Executive Committee, and shall act independently and without bias in furthering the objects of the NWWRAC. The Secretariat shall be a properly constituted body.

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45. The Secretariat, guided by the Chairperson of the Executive Committee, shall consolidate the principles for the operation of the NWWRAC, and for resolving disputes.

46. The Secretariat may receive nominations for membership of the General Assembly. Full membership shall require decision of concerned Member States and endorsement by the Executive Committee as laid down in Para 17.

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47. The Secretariat shall keep the accounts of the NWWRAC and prepare the accounts for the Annual General Assembly. The Secretariat shall also arrange for auditing the accounts and for satisfying any reporting conditions laid down by fund providers. The Secretariat shall liaise with potential and actual fund providers to achieve funding of the NWWRAC.

48. The Secretariat shall arrange meetings of the General Assembly, Executive Committee, Sub Area Working Groups and other technical groups, and pay expenses, and make travel and accommodation arrangements where appropriate.

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49. The Secretariat shall liaise with the Rapporteur and Chairperson of the NWWRAC, and the Rapporteurs and Chairmen of Sub Area Working groups and other Working Groups to follow up outstanding actions and produce timely and accurate reports on the NWWRAC's activities. The Secretariat shall maintain a website operative for the NWWRAC.

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50. The Secretariat shall appoint an Executive Secretary, approved for a (renewable) term of three years by the Executive Committee, to attend Executive Committee Meetings and the General Assembly and to report to the NWWRAC on the Secretariat's activities.

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51. To further the objects of the NWWRAC, The Secretariat shall maintain a register of members, and may, with the approval of the Executive Committee:

- employ and pay any person/s to supervise, organize and carry out the work of the NWWRAC;
- engage and pay fees to professional and technical advisors or consultants to assist in the work of the NWWRAC;
- bring together in conference and work in liaison with representatives of other organizations, government departments, the European Commission, and other statutory authorities and individuals including the Advisory Committee on Fisheries and Aquaculture (ACFA);
- ensure that properly qualified experts attend the meetings of such organizations as are considered to be in the interests of and compatible with the objects of the NWWRAC;
- promote and support or assist in promoting or carrying out research, surveys and investigations and where appropriate publish or disseminate the results;
- arrange and provide for or join in arranging and providing for the holding of exhibitions, seminars and meetings;

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- g. cause to be prepared and printed or otherwise reproduced and circulated, free of charge or for payment, such papers, books, periodicals, pamphlets or other documents, films, recorded tapes or other electronic media as shall further the objects of the NWWRAC;
- h. purchase, take on lease, hire, or otherwise acquire any equipment or apparatus considered appropriate for the work of the NWWRAC;
- i. seek funds to pursue the objects of the NWWRAC;
- j. do all other such lawful things as are incidental or conducive to the attainment of the objects of the NWWRAC.

#### **Amendments to the Rules of Procedure**

- 52. These Rules of procedure shall be agreed between the General Assembly and the Member States concerned. Any amendments must be presented to members for comment at the Annual General Assembly and agreed by a two-thirds majority of members of the Executive Committee and must have the consent of the European Commission and concerned Member States. Any modification of the aims and objectives of the North Western Waters RAC shall also have the consent of the European Commission and Member States concerned.

#### **Dissolution**

- 53. Dissolution of the NWWRAC shall require a two-thirds majority of the members of the General Assembly.
- 54. After all debts and liabilities have been met and funding conditions satisfied any remaining assets shall be passed to an organization having similar objectives.



## Annex 1

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GENERAL ASSEMBLY

EXECUTIVE COMMITTEE

ICES AREA VI  
WEST OF  
SCOTLAND  
WORKING GROUP

ICES AREA VIIa  
IRISH SEA  
WORKING  
GROUP

ICES AREA VII  
(EXCEPT VIIa & VIId&e)  
CELTIC SEA, WEST OF IRELAND &  
WESTERN APPROACHES  
WORKING GROUP

ICES AREA VIId&e  
ENGLISH  
CHANNEL  
WORKING GROUP

SPECIALISED WORKING GROUPS

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