

**STATUTES OF THE MESO-AMERICAN-CARIBBEAN HYDROGRAPHIC COMMISSION (MACHC)**

*as adopted by the 5th Conference of the Commission in Biloxi, Mississippi, USA.  
(November 2002)*

**ARTICLE 1: OF THE COMMISSION**

- a) The Meso-American-Caribbean Sea Regional Hydrographic Commission has been constituted in conformity with Administrative Resolution T1.3 of the International Hydrographic Organization (IHO), included as Annex 1, and shall be governed according to these Statutes.
- b) The geographic Region covered by the Commission shall be that defined by the IHO INT Charting Scheme Regions A1 and B, included as Annex 2, hereafter referred as "the Region".

**ARTICLE 2: OF THE MEMBERS**

- a) Full Members of the Commission shall be IHO Member States within the Region who are signatories of these Statutes.
- b) Associate Membership is open to any non-IHO Member State within the Region who is a signatory of these Statutes. Other Members of the IHO who contribute to the safety of navigation through their activities in the fields of hydrography, nautical charting or nautical information in the Region and are signatories to these Statutes may be accepted as Associate Members. Associate Members have the same rights and obligations as the Full Members of the Commission except the right to vote or to be elected Chairman.
- c) The Chairman shall also invite other IHO Member States who are not signatories to these Statutes but who contribute to the safety of navigation by their activities in the fields of hydrography, nautical charting or nautical information in the Region, or organisations active in the region to attend as observers.

**ARTICLE 3: OF THE AIMS**

- a) The Commission, which is an integral part of the IHO and which promotes the aims of the Organization at the regional level, shall have an advisory, scientific and technological character; it shall not exert any authority over the Hydrographic Services or institutions responsible for hydrography and navigation of the Member ~~States~~ and activities shall not extend to matters concerning international political issues.
- b) Particular aims of the Commission are:
  - 1) To promote technical co-operation and training in the domain of hydrographic surveying, marine cartography and nautical information.
  - 2) To examine in its area of interest, matters with which the IHO is concerned, avoiding any interference with the prerogatives of ~~the Administrative Officials or leadership of the IHO~~ and of any other bodies set up by the IHO.
  - 3) To stimulate all countries of the Region to expand their hydrographic activities and to encourage them to seek advice and technical assistance from the ~~IHO~~ and other organisations in order to strengthen their hydrographic capabilities.

**Comentario:** The term "Countries" was changed to "States" for consistency with other basic documents of the IHO.

**Eliminado:** countries

**Comentario:** Reference to IHB was removed and replaced with the more general reference "Administrative Officials or leadership" which will still be appropriate, should the new IHO Structure be adopted.

**Eliminado:** International Hydrographic Bureau (IHB)

**Eliminado:** ¶

**Comentario:** Technical Assistance is not restricted to the IHB, but rather from the entire organization.

**Eliminado:** IHB

**Eliminado:** ¶

- 4) To facilitate the exchange of information related to surveys, research and/or scientific and technical development to assist in planning and organizing the hydrographic activities in the widest sense of the aims, but without interference in national responsibilities.
- 5) To implement the INT Chart Scheme for the Region and to monitor its suitability.
- 6) To carry out studies and projects through committees or working groups of the Commission or as a working group of the IHO when deemed necessary.

**Comentario:** The term "committee" was inserted to allow flexibility for the Commission to convene either a committee or working group.

**ARTICLE 4: OF THE ORDINARY CONFERENCE**

- a) The Commission shall meet regularly in ordinary Conference in a country of the Region with the proviso that the interval between consecutive conferences is not to exceed three years.
- b) The Members shall be represented at the Conferences by the heads of the Hydrographic Authorities or their nominees or, where such services do not exist, by heads of national authorities responsible for hydrography and navigation.
- c) The presence of at least one-half (½) of the Full Members of the Commission shall constitute the necessary quorum to hold the conference.
- d)
- e) The Chairman shall invite those countries of the Region that are not Members of the Commission and the Coordinators of adjacent INT-Chart Regions to send representatives to attend the Commission Conferences as Observers. Any Members may propose to the Chairman the invitation of technical experts as Observers. Observers can participate in the discussions and in the working groups set up by the Commission but shall not have voting rights.
- f) The host country may limit the number of participants to not more than two per country pending availability of facilities.

**Comentario:** The existing statute ties the Commission Conference to the IH Conferences. Since this is likely to change and since the MACHC seems to be meeting more frequently now, it seems appropriate to revise this statute to allow more flexibility as to the frequency of the conferences as long as it convenes at least once every 3 years. This will also be in line with the new structure of the IHO.

**Eliminado:** at least twice

**Eliminado:** ¶ between two successive ordinary sessions of the International Hydrographic Conference (IHC).

**Comentario:** This is primarily an editorial revision to preserve consistency with the other articles, which refer to conference.

**Eliminado:** meeting

**Comentario:** Paragraph "d)" is redundant and therefore not required since Article 1, a) states that this Commission is in conformity with Administrative Technical Resolution T1.3, which in paragraph 6 makes note of this invitation.

**Eliminado:** An invitation to attend the Conference shall always be sent to the Directing Committee of the IHB

**Comentario:** The term "new" was inserted for editorial reasons only.

**Comentario:** Much of the original text is redundant with Technical Resolution T1.3, making a detailed statement unnecessary.

**Eliminado:** sessions of the IHC and make contributions to the IHO Annual Report. Between IHC sessions, ¶ reports of studies or other activities which may be considered of general interest to all IHO ¶ Member States should be reported by the Chairman to the IHB for general dissemination.

**ARTICLE 5: OF THE CHAIRMAN**

- a) The Conferences of the Commission shall be presided over by its Chairman. The Chairman shall be from a Full Member State of the Commission, elected on a rotational basis. Therefore, those Full Members desirous of chairing the next conference shall put forward their candidature during an ordinary Conference. Priority shall be given to a country which has not yet chaired a Conference or to the one which had not done so for the longest time. In cases of equal priority, a secret ballot shall be held with the decision being taken by a simple majority of Full Members present. The new Chairman shall take office six months before the beginning of the next Conference.
- b) In the interval between Conferences, the Chairman shall assume the Secretariat of the Commission and shall see that all matters arising are addressed by correspondence. The Chairman shall also prepare a complete report on the activities performed by the Commission during his term and shall submit it as the first item of the Agenda for the next Conference.
- c) The Chairman will report the activities and future plans of the Commission to the relevant bodies of the IHO in compliance with Administrative Technical Resolution T1.3, paragraph 7.
- d) In case the Chairman of a Conference is replaced from office at the relevant Service, the successor shall become the new Chairman.

**ARTICLE 6: OF THE SEATS OF THE CONFERENCES**

- a) The Chairman-elect of the Commission shall make arrangements for hosting the next Conference in a country in the Region.
- b) The host country will assist with the arrangement of authorizations and visas, so as to facilitate attendance at the Conference.

**ARTICLE 7: OF THE AGENDA OF THE CONFERENCE**

- a) The proposals considered by the Members, which should be included in the Agenda of a Conference, should be sent to the Chairman for the next Conference at least two(2) months in advance of the date agreed for the commencement of the Conference.
- b) The Chairman shall prepare the Provisional Agenda in conjunction with the Members at least two (2) months before its opening.
- c) The Agenda shall be adopted by the Commission at the beginning of each Conference.
- d) The Commission can modify during the Conference the order of discussion of the different items of the Agenda.
- e) Proposals of any Member which are not considered in the Agenda shall be submitted to the Chairman and, with the agreement of the Members, shall be included in the Agenda for their consideration.

**Comentario:** Four months is a long lead time for Proposals. Two or perhaps three months may be more reasonable.

**Eliminado:** four (4)

**ARTICLE 8: OF RESOLUTIONS AND DECISIONS**

- a) The resolutions and decisions of the Conference shall be adopted by the simple majority of its Full Members; votes in favour shall be indicated by a show of hands. In case of an equal number of votes (tie), a second vote shall take place after listening to the comments of the representative of the IHO Administration.
- b) The Chairman each day shall prepare a written text of the decisions taken on each item of the Agenda and shall see to its distribution to all the attendees present for the next day.
- c) Each Full Member has only one vote.
- d) At the end of the Conference, the Chairman shall read the text of the resolutions and decisions taken. All decisions become operative immediately.

**Comentario:** Removing reference to IHB will be in line with the new structure of the IHO while it will still work with the old structure.

**Eliminado:** IHB

**ARTICLE 9: OF CORRESPONDENCE**

- a) The Chairman shall send, within two months after the closing of the Conference, one (1) copy of the Draft Report regarding the discussions and decisions taken during the Conference to each of the Full Members for its approval, and for Associate Members and Observers to comment. The Full Members shall send back their approval or any amendments within two months after its receipt. Any objection shall be resolved by correspondence. A signature page shall be circulated to obtain final approval.
- b) A copy of the Final Report of the Conference shall be sent to the Full Members, Associate Members, Observers and the IHO Administration.

**Comentario:** Removing reference to IHB will be in line with the new structure of the IHO while it will still work with the old structure.

**Eliminado:** IHB

**ARTICLE 10: OF EXTRAORDINARY CONFERENCES**

- a) The Chairman may convene an Extraordinary Conference of the Members of the Commission when their representatives are assembled for a formal session of the IHO, inviting others qualified to attend as Observers.
- b) In the case of urgent matters, which cannot be treated by correspondence nor can be delayed for the next Conference, the Chairman, in agreement with the Full Members may convene an Extraordinary Conference.

**Comentario:** Removing reference to IHC will be in line with the new structure of the IHO while it will still work with the old structure.

**Eliminado:** IHC

**ARTICLE 11: OF EXPENSES**

- a) The Chairman and the host country shall be responsible for the organisation of the Conferences and shall pay the expenses except those described below.
- b) Traveling, hotel and per diem expenses of the delegates shall be defrayed by their respective organizations.

**ARTICLE 12: OF THE STATUTES**

- a) The IHO Administrative Office shall be the custodian of these Statutes.
- b) The modification of the Statutes requires the approval of at least two-thirds (2/3) of the Full Members of the Commission.
- c) If modifications to the present Statutes are agreed by those Full Members attending a Conference, but they do not receive the approval of at least two-thirds (2/3) of the Full Members as required, the Chairman shall submit the proposal(s) by mail to all Full Members with information copies to Associate Members. Final approval shall be subject to the provisions of Article 12b. All approved modifications to the Statutes shall then appear in the report of the Conference.

**Comentario:** Removing reference to IHB will be in line with the new structure of the IHO while it will still work with the old structure.

**Eliminado:** IHB

**ARTICLE 13: OF THE LANGUAGE OF THE COMMISSION**

- a) The working language of the Commission shall be English.