

General Conference

PROVISIONAL RULES OF PROCEDURE OF THE BOARD OF GOVERNORS

On 17 October 1957 the Board of Governors requested the Secretary General to issue its Provisional Rules of Procedure as an information paper for the General Conference.

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PROVISIONAL RULES OF PROCEDURE FOR THE BOARD OF GOVERNORS

I - REPRESENTATION OF MEMBERS

Rule 1. Governors: Each Member of the Board of Governors (hereinafter referred to as "the Board") shall designate one person as its Governor. Each Governor may be accompanied by alternates, experts and advisers. The Governor and all such alternates, experts and advisers shall constitute the Member's delegation to the Board.

Rule 2. Alternates: Each Governor may designate a member of his delegation to act in his place on the Board. The Chairman of the Board shall be notified of all such designations.

Rule 3. Accrediting of Governors: The written credentials of each Governor shall be submitted to the Director General before or at the first meeting which he is to attend. These credentials shall be issued by the Head of State or Government, or by the Minister of Foreign Affairs of the Member concerned. Each Governor shall notify the Director General of the names of the alternates, experts and advisers in his delegation in writing.

Rule 4. Examinations of Credentials: The credentials of each Governor shall be examined by the Director General, who shall submit a report thereon to the Board for approval.

II - OFFICERS OF THE BOARD

Rule 5. Chairman and Vice-Chairmen: The Chairman and two Vice-Chairmen shall be elected from among the accredited Governors at the first meeting of the Board after the end of each regular annual session of the General Conference, and shall hold office until the election of their successors at the first meeting of the Board after the following regular annual session of the General Conference. On completion of their terms of office the Chairman and the Vice-Chairmen shall not be eligible for re-election to the same posts for the following term of office.

Rule 6. Presiding Officer: The Chairman shall preside at all

meetings of the Board. If the Chairman is absent during a meeting or any part thereof, he shall appoint one of the Vice-Chairmen to take his place, who, while acting as Chairman, shall have the same powers and duties as the Chairman. The Chairman and the Vice-Chairmen may at all times participate in the discussions of the Board as Governors and may also vote in that capacity. Alternatively the Chairman or a Vice-Chairman acting as Chairman may designate another member of his delegation to participate in the discussion and vote in his place.

Rule 7. Replacement of the Chairman or the Vice-Chairmen: If the Chairman or one of the Vice-Chairmen is unable to perform his functions, the Board shall elect a new Chairman or Vice-Chairman for the unexpired term of office.

III - THE SECRETARIAT

Rule 8. Duties of the Director General:

(a) The Director General shall, in accordance with Article VII.B of the Statute, be under the authority of and subject to the control of the Board. He shall perform his duties in accordance with regulations adopted by the Board and shall be guided by the policy of the Agency. He shall report to the Board at least every two months on all major developments in the Agency's work. He shall bring to the Board's notice as a matter of urgency any fact which may require its intervention, in order to enable it to take any necessary action within the scope of its functions.

(b) The Director General shall act in that capacity at all meetings of the Board, its committees and other subsidiary bodies but shall not have the right to vote. He may designate a member of his staff to represent him at any such meeting. The Director General or his representative may at any time, with the approval of the presiding officer, make oral or written statements to any such meeting.

Rule 9. Direction of the Staff: The Director General shall provide and direct the staff required by the Board, its committees and other subsidiary bodies, and shall be responsible for all the

arrangements required for meetings of the Board, its committees and other subsidiary bodies.

Rule 10. Duties of the Secretariat: Under the direction of the Director General, the Secretariat shall prepare papers on any matter submitted to it by the Board; receive, translate, reproduce and distribute documents of the Board, its committees and other subsidiary bodies; prepare and circulate summary records of meetings, resolutions adopted by the Board and any other documentation required; interpret speeches made at meetings; have custody of documents of the Board in the archives of the Agency; and generally perform all other work which the Board, its committees and other subsidiary bodies may require.

IV - MEETINGS OF THE BOARD

Rule 11. Meetings of the Board: The Board shall be so organized as to enable it to function continuously and shall meet as often as may be necessary. For this purpose, each Member of the Board should be prepared, at short notice, to attend meetings of the Board. In particular:

(a) The Board shall meet without delay and in any case within forty-eight hours after the General Conference has referred a matter back to it,

(b) The Board shall meet at the request of the Chairman, of any Member of the Board, or of the Director General, and

(c) The Board shall meet at the request of any Member of the Agency to consider any matter of an urgent character arising out of Article XII.A.6 of the Statute which that Member wishes to bring to the attention of the Board.

Rule 12. Place of Meetings: Meetings shall normally be held at the Headquarters of the Agency unless the Board decides otherwise. Any Governor or the Director General may propose that the Board should meet at another place.

Rule 13. Notice of Meetings: No advance notice of the calling of a meeting shall be required when the date and time have been decided by the Board at an earlier meeting. The Director General

shall notify each Governor as far in advance as possible and in any case not less than seventy-two hours in advance of the calling of other meetings. In the case of a meeting called pursuant to Rule 11 (a) of these Rules and in other exceptional circumstances as the Chairman or, in his absence or disability, the Vice-Chairman acting as Chairman may decide this time limit shall not apply.

V - AGENDA OF THE BOARD

Rule 14. List of Matters which are under consideration by the Board: The Director General with the approval of the Board of Governors shall from time to time, as the Board deems necessary, communicate to all Members of the Agency a list of matters of general interest which may be under consideration by the Board.

Rule 15. Provisional Agenda: The following text has been provisionally agreed upon: The Director General shall prepare in consultation with the Chairman, or in his absence or disability, the Vice-Chairman acting as Chairman, the provisional agenda for meetings of the Board. The provisional agenda shall include:

- (a) All items which the Board has previously decided to include in the provisional agenda;
- (b) All items referred to the Board by the General Conference;
- (c) All items the inclusion of which is requested by any Member of the Agency;
- (d) All items which may be referred to the Board through the Director General in accordance with the relationship agreement between the Agency and the United Nations;
- (e) Reports of the Director General, including reports concerning action taken on decisions and recommendations of the Board;
- (f) Such other items as the Director General shall consider it necessary to include, after consultation with the Chairman, or in his absence or disability, the Vice-Chairman acting as Chairman; and
- (g) Other items required by the Statute.

Rule 16. Circulation of the Provisional Agenda: Except as provided in Rule 11(a) of these Rules, the provisional agenda for meetings and the supporting documents shall be sent to each Governor as far in advance as possible, and in any case not less than seventy-two hours before the meeting. In exceptional circumstances the Chairman

or, in his absence or disability, the Vice-Chairman acting as Chairman may waive this time limit.

Rule 17. Explanatory Memoranda: Each matter brought to the attention of the Board by the Director General or proposed by any Member of the Agency or by the United Nations for inclusion in the Agenda shall be accompanied by an explanatory memorandum and, if possible, by basic documents or by a draft resolution.

Rule 18. Circulation of documents of particular importance: Documents of particular importance such as reports prepared for the United Nations and drafts of the budget estimates of the Agency and of the Board's annual report to the General Conference, shall be sent to each Governor as far in advance as possible, and in any case not less than forty-five days before the meeting at which they are to be considered.

Rule 19. Adoption of the Agenda: The Board shall normally adopt the agenda for a meeting at the beginning of that meeting. However the Board may at any time decide in advance upon its agenda for a subsequent meeting or meetings, in which case no provisional agenda shall be laid before that meeting or those meetings, for adoption.

Rule 20. Revision of the Agenda: During any meetings other than meetings called pursuant to Rule 11 (a) of these Rules, the Board may revise its agenda by adding, deleting, deferring or amending any item. During meetings called pursuant to Rule 11 (a) of these Rules the Board may add items to the agenda.

VI - CONDUCT OF BUSINESS AT MEETINGS

Rule 21. Private and Public Meetings: The Board may decide to hold meetings in private or public. In the absence of a decision to hold public meetings, meetings shall be in private.

Rule 22. Quorum: Two-thirds of the Governors shall constitute a quorum.

Rule 23. Functions of the Presiding Officer:

(a) The presiding officer shall declare the opening and closing of each meeting of the Board, direct the discussions, ensure observance of these Rules, accord the right to speak, put questions, and announce decisions. He shall rule on points of order and,

subject to these rules, have control of the proceedings of the Board and over the maintenance of order at its meetings.

(b) The presiding officer may propose to the Board the limitation of the time to be allowed to speakers, the limitation of the number of times each Governor may speak on any question, the closure of the list of speakers or the closure of the debate. He may also propose the suspension or adjournment of the meeting or the adjournment of the debate on the item under discussion.

(c) The presiding officer shall, in exercising his functions, remain under the authority of the Board.

(d) No Governor may address the Board without having previously obtained the permission of the presiding officer. The presiding officer shall call upon speakers in the order in which they signify their desire to speak. The presiding officer may call a speaker to order if his remarks are not relevant to the subject under discussion.

Rule 24. Points of Order: During the course of debate, a Governor may rise to a point of order and the point of order shall be immediately decided by the presiding officer in accordance with these Rules. A Governor may appeal against the ruling of the presiding officer. The appeal shall be immediately put to the vote and the presiding officer's ruling shall stand unless overruled. A Governor rising to a point of order shall not speak on the substance of the matter under discussion.

Rule 25. Time Limit on Speeches: The amount of time to be allowed to each speaker and the number of times each Governor may speak on any question, may at any time be limited by a majority vote of the Governors present and voting. When debate is so limited and a Governor has spoken his allotted time, the presiding officer shall call him to order without delay.

Rule 26. Adjournment of the Debate: During the debate on any matter, a Governor may move the adjournment of the debate on the item under discussion. In addition to the proposer of the motion, two Governors may speak in favour of and two against the motion, after which it shall be immediately voted upon. If the Board is in

favour of the adjournment, the presiding officer shall declare the adjournment of the debate. The presiding officer may limit the time to be allowed to speakers under this Rule.

Rule 27. Closure of the Debate: A Governor may at any time move the closure of the debate on the item under discussion whether or not any other Governor has signified his wish to speak. Permission to speak on the motion shall be accorded only to two Governors opposing the closure, after which the motion shall be immediately put to the vote. If the Board is in favour of the closure, the presiding officer shall declare the closure of the debate. The presiding officer may limit the time to be allowed to speakers under this Rule.

Rule 28. Suspension or Adjournment of Meetings: During the debate on any matter, a Governor may move the suspension or the adjournment of any meeting. Such motions shall not be debated but shall be immediately voted upon.

Rule 29. Order of Procedural Motions: The following motions shall have precedence in the following order over all other proposals or motions before the meeting except points of order:

- (a) To suspend the meeting;
- (b) To adjourn the meeting;
- (c) To adjourn the debate on the item under discussion;
- (d) To postpone until a later fixed date a decision on the substance of any proposal; and
- (e) For the closure of the debate on the item under discussion.

Rule 30. Decision on Competence: Subject to Rule 29 of these Rules, any motion calling for a decision on the competence of the Board to adopt a proposal before it shall be voted upon before a vote is taken on such proposal.

Rule 31. Proposals and Amendments: Proposals and amendments shall normally be introduced in writing and handed to the Director General, who shall circulate copies to all the Governors. As a general rule, no proposal shall be discussed or put to the vote unless it has been circulated to all the Governors not later than

the day preceding the meeting. The presiding officer may, however, permit the discussion and consideration of amendments or of motions as to procedure even though such amendments or motions have not been circulated or have only been circulated the same day.

Rule 32. Withdrawal of Proposals: A proposal may be withdrawn by its proposer at any time before voting upon it has begun. A proposal which has thus been withdrawn will be put to the vote if re-introduced by any Governor, and shall have the same right of precedence as the original motion or draft resolution would have had if it had not been withdrawn.

Rule 33. Reconsideration of Proposals or Amendments:

(a) When a proposal or an amendment has been adopted or rejected, it may not be reconsidered within four months unless the Board, by a two-thirds majority of the Governors present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be immediately voted upon.

(b) After the lapse of four months a proposal or amendment which has been previously adopted or rejected may be reconsidered at any meeting provided that a proposal for reconsideration has been placed on the agenda of that meeting.

Rule 34. Proposals involving Expenditure: A proposal involving expenditure by the Agency shall not be voted upon in the absence of a report from the Director General on the administrative and financial implications of the proposal.

VII - VOTING

Rule 35. Voting Rights: Each Governor shall have one vote.

Rule 36. Two-Thirds Majority: Decisions of the Board of Governors on the following questions shall be made by a two-thirds majority of the Members present and voting:

- (a) The amount of the Agency's budget;
- (b) The appointment of the Director General;
- (c) Decisions pursuant to Rule 33 of these Rules to reconsider

a proposal or an amendment which has been adopted or rejected;

(d) Decisions of the Board on amendments to proposals which require a two-thirds majority, and decisions on parts of such proposals put to the vote separately;

(e) Decisions of the Board pursuant to Rules 59 and 60 of these Rules to amend or suspend any of these Rules; and

(f) Decisions on other categories of questions as decided by the Board pursuant to Rule 37 of these Rules.

Rule 37. Simple Majority: Other decisions of the Board, including the determination of additional questions or categories of questions to be decided by a two-thirds majority, shall be taken by a majority of the Governors present and voting.

Rule 38. Meaning of "Governors present and voting": For the purpose of these Rules, the phrase "Governors present and voting" shall mean Governors casting a valid affirmative or negative vote. Governors who abstain from voting shall be considered as not voting.

Rule 39. Methods of Election: All elections shall be held by secret ballot. There shall be no nominations.

Rule 40. Method of Voting:

(a) Voting on all matters other than elections shall be by show of hands, unless before any vote a Governor specifically requests a roll-call vote.

(b) Whenever a roll-call vote has been requested, it shall be taken in the English alphabetical order of the names of the Members of the Board, beginning with the Member of the Board whose name is drawn by lot by the presiding officer. Each Governor shall reply "yes", "no" or "abstention". The vote of each Member of the Board participating in a roll-call vote shall be inserted in the record.

Rule 41. Conduct during Voting: After the voting has begun, no Governor shall interrupt the voting except on a point of order in connection with the actual conduct of the voting.

Rule 42. Explanation of Vote: The presiding officer may permit Governors to explain their votes, either before or after the voting, except when the vote is taken by secret ballot. The presiding

officer may limit the time to be allowed for such explanations. The presiding officer shall not permit the proposer of a proposal or of an amendment to explain his vote on his own proposal or amendment.

Rule 43. Division of Proposals and Amendments: A Governor may move that parts of a proposal or an amendment shall be voted on separately. If objection is made to the request for division, the motion for division shall be voted upon. Permission to speak on the motion for division shall be given only to two speakers in favour and two speakers against. If the motion for division is carried, those parts of the proposal or amendment that are subsequently approved shall be put to the vote as a whole. If all the operative parts of the proposal or amendment have been rejected, the proposal or amendment shall be considered to have been rejected as a whole.

Rule 44. Voting on Amendments:

(a) When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Board shall first vote on the amendment deemed by the presiding officer to be the furthest removed in substance from the original proposal, and then on the amendment next furthest removed therefrom, and so on, until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon.

(b) A motion shall be considered an amendment to a proposal if it merely adds to, deletes from, or revises a part of that proposal.

Rule 45. Voting on Proposals: If two or more proposals relate to the same subject, the Board shall, unless it decides otherwise, vote on the proposals in the order in which they were submitted. The Board may, after voting on each proposal, decide whether to vote on the next proposal.

Rule 46. Equally Divided Votes: If a vote is equally divided in

voting other than in elections, the proposal shall be considered as not adopted.

VIII - DESIGNATIONS FOR MEMBERSHIP ON THE BOARD OF GOVERNORS

Rule 47: Not less than sixty days before the opening of each regular session of the General Conference, the outgoing Board shall, pursuant to and in accordance with Article VI.A.1 and 2. of the Statute, designate Members of the Agency to be Members of the Board from the end of that session of the General Conference.

IX - APPOINTMENT OF THE DIRECTOR GENERAL

Rule 48: The Director General shall be appointed by the Board with the approval of the General Conference for a term of four years, in accordance with Article VII.A. of the Statute.

X - REPRESENTATION OF THE UNITED NATIONS, STATES, ORGANIZATIONS AND INDIVIDUALS

Rule 49. Representation of the United Nations: The Secretary-General of the United Nations or a representative designated by him, shall be entitled to attend meetings of the Board and to participate without vote when matters of common interest to the Agency and the United Nations are being discussed.

Rule 50. Representation of States, Organizations and Individuals: The Board may invite any State which is a Member of the Agency but not a Member of the Board, any State which is not a Member of the Agency, any specialized agency, other intergovernmental organization or non-governmental organization, or any individual to be represented at or to attend any meeting of the Board.

XI - LANGUAGES AND RECORDS

Rule 51. Official Languages: Chinese, English, French, Russian and Spanish shall be the official languages of the Board.

Rule 52. Working Languages: English, French, Russian and Spanish shall be the working languages of the Board. Speeches made in any of the working languages shall be interpreted into the other working languages.

Rule 53. Interpretation from Other Languages: Any Governor may make a speech in a language other than a working language provided, however, that if he does so he shall himself provide for interpretation into one of the working languages. In such case, interpretation into the other working languages by the interpreters of the Secretariat may be based on the interpretation provided by the Governor.

Rule 54. Languages of Records and Other Documents: Summary records of meetings, resolutions adopted by the Board and other important documents shall be made available in the working languages.

Rule 55. Records of Meetings: Summary records, in provisional form, of meetings of the Board shall be prepared by the Secretariat and distributed as soon as possible to the Governors. Each Governor shall inform the Secretariat in writing, within three working days after distribution of a record, of any corrections he wishes to have made. The summary records, with any such corrections incorporated, shall be distributed promptly to all Members of the Board.

Rule 56. Records of Meetings of Committees and Other Subsidiary Bodies: Summary records of the meetings of committees and other subsidiary bodies of the Board shall be prepared by the Secretariat when required.

XII - COMMITTEES AND OTHER SUBSIDIARY BODIES

Rule 57. Establishment: The Board may establish such committees and other subsidiary bodies and appoint such rapporteurs as it may deem desirable.

Rule 58. Conduct of Business in Committees and Other Subsidiary Bodies: Subject to any decision of the Board and subject to these Rules, the conduct of business in committees and other subsidiary bodies shall conform as far as is appropriate to these Rules.

XIII - AMENDMENT, SUSPENSION AND INTERPRETATION OF RULES

Rule 59. Amendment: These Rules may be amended, subject to the provisions of the Statute, by a decision of a two-thirds majority of the Governors present and voting.

Rule 60. Suspension of Rules: Any of these Rules may be suspended, subject to the provisions of the Statute, by a decision of a two-thirds majority of the Governors present and voting.

Rule 61. Interpretation of Rules: The description of these Rules in the table of contents and the description prefixed to each Rule shall be disregarded in the interpretation of these Rules.
