



Finnish Transport Agency

NHC58 Conference
Revision of NHC Statutes

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1. Background

Background

- Nordic Hydrographic Commission (NHC) was established in 1929.
- The original Statutes were signed on 18 March 1929.
- This has been revised several times, the latest version from 1992.
- Nordic Cooperation Agreement on Nautical Charting and Hydrographic Surveying was signed in 2001.

Statutes*	City	Country	Date	Notes
Original Statute	Stockholm	Sweden	18.03.1929	
First Amendment	Stockholm	Sweden	16.03.1932	
Second Amendment	Stockholm	Sweden	16.03.1937	
Third Amendment	Stockholm	Sweden	11.09.1948	
Fourth Amendment	Helsinki	Finland	04.08.1950	
Fifth Amendment	Stavanger	Norway	29.04.1968	
Sixth Amendment	Norrköping	Sweden	15.06.1979	
Seventh Amendment	Reykjavik	Iceland	18.08.1992	
Eighth Amendment	Stavanger	Norway	20.04.2001	Translated into English

NHC Statutes 1929, as amended 1992

(doc)

<p style="text-align: center;">U. bil. 2</p> <p style="text-align: center;">STATUTES of the NORDIC HYDROGRAPHIC COMMISSION (NHC)</p> <p>Adopted at the Ordinary Conference of March 18th 1929</p> <p>As amended March 16th 1932 March 16th 1937 September 11th 1948 August 4th 1950 April 29th 1968 June 15th 1979</p> <p>Completely revised and subsequently adopted at the Ordinary Conference of August 18th 1992.</p> <p style="text-align: center;">1 §</p> <p>1. The Hydrographers of Denmark, Finland, Iceland, Norway and Sweden have agreed to collaborate in hydrographic activities of mutual interest and to create a collaborative organization for this purpose.</p> <p>2. The Nordic collaborative organization for hydrographic activities shall be called the NORDIC HYDROGRAPHIC COMMISSION (NHC).</p> <p>3. The NHC is a "Regional Commission" within the International Hydrographic Organization.</p> <p style="text-align: center;">2 §</p> <p>The NHC shall be active within: Hydrographic surveying, the production of nautical charts and nautical publications.</p> <p style="text-align: center;">3 §</p> <p>The members of the NHC are the Hydrographers of Denmark, Finland, Iceland, Norway and Sweden.</p>	<p style="text-align: center;">4 §</p> <p>1. The NHC shall hold a Ordinary Conference normally every second year. An Extra Ordinary Conference may be held if such is needed, for example in association with the International Hydrographic Conference in Monaco.</p> <p>2. The Ordinary Conference shall be held in a member state in accordance with the following sequence: Iceland, Norway, Denmark, Sweden, Finland.</p> <p>3. The Ordinary Conference shall normally last from Monday evening until Thursday afternoon.</p> <p>4. The Conference Chairman shall be the Hydrographer from that state in which the Conference is being held. The chairmanship shall change on the closing of the Conference.</p> <p>5. Only the Hydrographers of the member states shall normally take part in the Conference. The chairman may be accompanied by a secretary. If a Hydrographer is unable to participate, he shall be represented by an official deputy.</p> <p>6. Decisions may only be made if members are unanimous.</p> <p style="text-align: center;">5 §</p> <p>1. The Chairman shall request suggestions for subjects to be considered by the Conference from the members, no later than three months before the Conference.</p> <p>2. The Chairman shall provide members with a Provisional Conference Agenda no later than two months before the Conference.</p> <p>3. The retiring Chairman shall provide members with a proposed Minutes of the Conference, no later than one month after the closing of the Conference. Changes suggested by members shall reach the retiring Chairman within one month. The retiring Chairman shall prepare and - if necessary together with the secretary - sign the final Minutes of the Conference. The Minutes of the Conference shall be provided to members no later than three months after the closing of the conference.</p> <p style="text-align: center;">6 §</p> <p>1. The NHC shall also arrange separate technical conferences. The technical conferences shall be held every second year, but they shall be held in that year when there is no NHC Ordinary Conference.</p> <p>2. The technical conferences shall be held in the member countries in accordance with the following sequence: Norway, Sweden, Iceland, Denmark, Finland.</p> <p>3. The technical conferences shall be ordinarily attended by two, or a maximum of three representatives for each member state. The state that hosts the conference may be represented by additional delegates.</p>	<p>4. The technical conferences shall have a main theme, for example hydrographic surveying, bathymetry, etc.</p> <p>5. The Chairman for the technical conference shall be an official of the host state appointed by the Hydrographer of that state.</p> <p>6. The technical conferences shall normally be last from Monday evening until Wednesday afternoon.</p> <p>7. The time and theme for the technical conferences shall be decided by the NHC.</p> <p>8. No decisions may be made at the technical conferences.</p> <p>An elementary record of proceedings shall be produced by the Chairman. This shall be provided to the Hydrographers and delegates to the technical conference no later than one month after the closing of the conference.</p> <p style="text-align: center;">7 §</p> <p>If a matter arises between two Conferences and that it is considered unnecessary call an Extraordinary Conference for, then the matter shall be dealt with through correspondence.</p> <p style="text-align: center;">8 §</p> <p>Changes to these Statutes may be made only at Ordinary or Extraordinary Conferences.</p>
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Nordic Cooperation Agreement 2001

([doc](#))

Nordic Cooperation Agreement on Nautical Charting and Hydrographic Surveying

Version 1.1 September 2001

Nordic Cooperation Agreement on Nautical Charting and Hydrographic Surveying

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September 2001
Version 1.1

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Background

- At NHC 57th meeting it was noted that the NHC Statutes were partly outdated and there was some confusion the NHC Co-operation Agreement signed in 2001.
- At that time it was also estimated that the IHO amended Convention may enter into force in 2014 and that has influences to RHCs.
- NHC57 Action 12 tasked “*Chair to revise the statutes and iterate by correspondence to NHC members and prepare for decision at NHC58. First iteration in September 2013.*”

Background

September 2013 Finland forwarded a Questionnaire to NHC Members asking for some basic issues for revising the statutes.

- Decide NHC to continue as a RHC (not joining e.g. to NSHC or BSHC)
- Is it feasible to state that the NHC Members are the Hydrographic Offices of Denmark, Finland, Iceland, Norway and Sweden? Not to mention the names of the administrations.
- Are there any needs for *Associate Members* or *Observers*?
- Needs to state something about *stakeholders*? [ref. Action IRCC5/07].
- Do we state something about the Vice-Chair ?
- Define rules for selection of Council members [Ref. IHO General regulations Articles 2 and 16, one seat for NHC?
- The frequency of meetings (annual?, extraordinary meetings?)
- Are the annual meeting called as "*Conferences*" or "*Meetings*"?
- How much practical details e.g. for meetings are needed to state in statutes? Should we specify more specific *Rules of Procedures*?
- The depository of the approved Statutes should be defined.
- Do we need a NHC Logo?

Background

Feedback to the questionnaire was positive and constructive.

Proposed Revision of the NHC Statutes Issues to be considered						
On 30 September 2013 the first plans to revise the NHC statutes were distributed to NHC Members. It included a list of issues which should be considered when planning of the revised Statutes. Finland proposed some opinions on these. The following replies to the Finnish proposals were received:						
Issue	Denmark	Finland	Iceland	Norway	Sweden	Summary/Conclusion
Date of reply	23.1.2014	30.9.2013	2.12.2013	29.11.2013	9.12.2013	
			Agree to NOR Comments			
Decide NHC to continue as a RHC (not joining e.g. to NSHC or BSHC)	Denmark supports that NHC should continue as RHC	Yes.		NOR support the continuation of NHC. The RHCs will constitute 2/3 of the members of the Council (when in force) and the "Nordic voice" will be best represented with the continued existence of NHC	SE: Supports the continuation of NHC.	General support to continuation of NHC.
Is it feasible to state that the NHC Members are the Hydrographic Offices of Denmark, Finland, Iceland, Norway and Sweden?	Denmark supports that the NHC Members are mentioned as the Hydrographic Offices.	Not to mention the names of the administrations because there seems to be quite frequent organisational changes (ref Annex 4 where can be noted that the names of the most of the organisations are not anymore valid).		NOR agree.	SE: Support the proposal.	To name only general HOs.
Are there any needs for Associate Members or Observers?	Denmark supports that Observers may participate on Chair's approval.	Associate members not allowed. Observers may participate on Chair's approval.		NOR: We see no need for associate membership, but it might be that the new regulations (not yet in force) expect RHCs to accept associate members?	SE: Agree	To be clarified in statutes.

Background

February 2014 Finland forwarded in a proposal for revised NHC Statutes ([Version 0.1](#)) for review and comments.

- Based on the [feedback](#) to the questionnaire
- Comments received to that draft dealt mainly the Chairmanship of NHC.

April 2014 Finland forwarded the second draft proposal of revised NHC Statutes to NHC Members ([Version 0.2](#)).

- There were proposed some alternative ways for defining the Vice-chairmanship.
- No comments were received to that draft.

In the document *NHC58_E1* proposes Version 0.3 for approval.

- Vice-chair is defined as the deputy of the Chair.
- This is justified by the practice that the country chairing the Commission also organises its meetings.

Background

- The ratification of IHO Convention is still ongoing.
- When the new Convention enters into force, the NHC Statutes should be amended at least on those parts dealing with the NHC representative to the IHO Council.
- These parts are written in blue colour.
- Further guidance for that may be expected from IHB.

2. Proposed Revised Statutes

Proposed
Draft Revised Statutes
of
the Nordic Hydrographic Commission
(NHC)

Draft Version 0.3

25 June 2014

Proposed Draft Revised NHC Statutes (Version 0.3)

Article 1. Preamble

Considering that the International Hydrographic Organization (IHO) is a competent international organization recognized in the United Nations Convention on the Law of the Sea (UNCLOS);

Considering that the IHO has a consultative and technical nature;

Considering that the IHO aims at coordinating on a worldwide basis the setting of standards for the production of hydrographic data and the provision of hydrographic services as well as facilitating capacity building of national hydrographic services;

Considering that the IHO has approved its amended Convention in 2005, and when this enters into force it has implications to Regional Hydrographic Commissions;

Considering the guidance in the IHO Resolution 2/1997 as amended regarding the Establishment of Regional Hydrographic Commissions;

Considering that the Nordic Hydrographic Commission (NHC) has been established in 1929, and has worked actively and successfully since that;

The Hydrographic Offices of Denmark, Finland, Iceland, Norway and Sweden have agreed to continue the existence of the NHC and to review and update these NHC Statutes.

Proposed Draft Revised NHC Statutes (Version 0.3)

Article 2. Interpretation

These Statutes are not binding under international law. Activities by Members, Associate Members and Observers under the Statutes are undertaken voluntarily, on a consultative basis, and are subject to the availability of funds. The NHC has no authority over Members or Associate Members.

Article 3. Objectives of the NHC

The NHC has the following objectives:

- a) To promote technical cooperation in the domain of hydrographic surveying, marine cartography and nautical information;
- b) To facilitate the exchange of information concerning surveys, research or scientific and technical developments and hydrographic activities; and
- c) To contribute to the work of the IHO, as found feasible.

Proposed Draft Revised NHC Statutes (Version 0.3)

Article 4. Membership

- a) Full Members are the Hydrographic Offices of Denmark, Finland, Iceland, Norway and Sweden.
- b) Associate Members may be approved according to the IHO Resolution 2/1997 as amended.
- c) Approval of Associate Members will be made by consensus amongst full Members.
- d) IHO representative enjoys the same status as an Associate Member.

Proposed Draft Revised NHC Statutes (Version 0.3)

Article 5. Chairmanship and Secretary

- a) The NHC Chair and Vice-Chair will be elected on NHC Ordinary meetings.
- b) The Chair should preferably be the head of a Member's Hydrographic Office. Vice-Chair is normally the deputy of the Chair.
- c) The Chair and Vice-Chair assume their responsibilities from closing the Meeting where elected to the closing of the next Ordinary Meeting.
- d) The order of the Chairmanship is Iceland, Norway, Denmark, Sweden, Finland.
- e) The Chair is responsible of the Secretary services for the NHC and its Meetings.

Proposed Draft Revised NHC Statutes (Version 0.3)

Article 6. Meetings

- a) Normally, only Members may participate to the Meetings.
- b) Observers or Stakeholders may participate on Chair's approval, according to the IHO Resolution 2/1997 as amended.
- c) Ordinary meetings should be held at least twice between IHO Conferences. [When the 2005 approved amended IHO Convention enters into force Ordinary Meetings should be held at least once between Assemblies.](#)
- d) In exceptional cases, the Chair may invite Extraordinary meetings.
- e) The Chair is responsible for organising and preparing the Meetings. The Chair conducting a Meeting is responsible for the Minutes of that Meeting.
- f) Working language of the NHC is English.
- g) In connection to NHC Meetings there may be open forums where Observers or Stakeholders may be invited by the Chair.

Proposed Draft Revised NHC Statutes (Version 0.3)

Article 7. Decisions and Resolutions

- a) Decisions and Resolutions should be approved as far as possible by consensus amongst the Members.
- b) If voting is needed, each Member has one vote and the decisions will be made by simple majority of votes of all Members.

Article 8. Participation to the IHO Council

[To be specified when the 2005 approved amended IHO Convention enters into force. More guidance expected from IHB].

Article 9. Working Groups

- a) NHC may establish Working Groups when found feasible.

Article 10. Expenses

- b) All expenses connected to meetings or working groups shall be defrayed by the participants.

Proposed Draft Revised NHC Statutes (Version 0.3)

Article 11. Enter into force, amendments and abrogation

- a) These Statutes enter into force when signed by all Members.
- b) These Statutes replace all previous NHC statutes.
- c) These Statutes may be amended by consensus decision of the Members.
- d) These Statutes may be dissolved by consensus decision of the Members.
- e) The International Hydrographic Bureau (IHB) is the repository of these Statutes. [When the 2005 approved amended IHO Convention enters into force the IHB will be replaced by the "IHO Secretariat"](#).

Proposed Draft Revised NHC Statutes (Version 0.3)

Signatures

Member State	Duly authorized representative	Date	Signature
Denmark	<u>Mrs Anne-Sofie Jensen</u>		
Finland	<u>Mr Rainer Mustaniemi</u>		
Iceland	<u>Georg Kr. Lárusson</u>		
Norway	<u>Mr Evert Flier</u>		
Sweden	<u>Mr Patrik Wiberg</u>		

3. Actions for NHC58

NHC58 is asked to

- approve the proposed Revised NHC Statutes (with minor editorial corrections)
- agree on the procedure for signing it

Thank you!
Juha.Korhonen@fta.fi

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Finnish Transport Agency