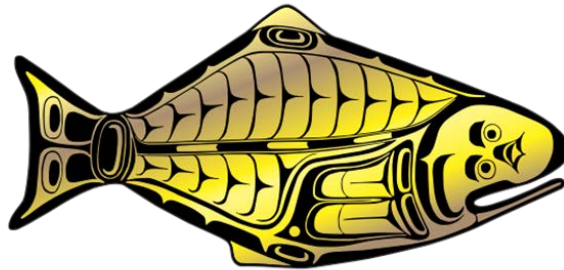


INTERNATIONAL PACIFIC HALIBUT COMMISSION
RULES OF PROCEDURE
(2021)

INTERNATIONAL PACIFIC



HALIBUT COMMISSION

Commissioners

Canada	United States of America
Paul Ryall	Glenn Merrill
Neil Davis	Robert Alverson
Peter DeGreef	Richard Yamada

Executive Director

David T. Wilson, Ph.D.

BIBLIOGRAPHIC ENTRY

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Rule 1 – Definitions

For the purpose of these Rules of Procedure, the following definitions apply:

Convention: the Convention between Canada and the United States of America for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, signed at Ottawa, Canada on 2 March 1953, as amended by the Protocol Amending the Convention, signed at Washington 29 March 1979, and includes the regulations promulgated thereunder.

Commission: the International Pacific Halibut Commission provided for by Article III, paragraph 1 of the Convention.

Contracting Parties: Consisting of the two Members, Canada and the United States of America (3 Commissioners from each Party).

Delegation: the delegates and their alternates, experts and/or advisers from each Contracting Party.

Executive Director: the Director of the Commission.

Members: the representatives of a Contracting Party as specified in Article III of the Convention.

Observer: the representative of an Observer Nation, Observer Intergovernmental Organisation or Observer Non-Governmental Organisation.

Pacific halibut: fish of the species *Hippoglossus stenolepis*.

Session: Any meeting of the Commission or its subsidiary bodies

Rule 2 – Authority, Purpose and Scope

1. **Authority:** These Rules of Procedure consist of rules and regulations adopted by the International Pacific Halibut Commission, hereinafter referred to as “the Commission,” pursuant to the *Convention between Canada and the United States of America for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea*, hereinafter referred to as “the Convention,” signed first in 1923 and revised several times since, most recently in 1953, as amended by the Protocol signed by both countries, hereinafter referred to as “the Contracting Parties,” in 1979.
2. **Purpose:** The purpose of this document is to provide the rules of procedure for the internal organisation and operation of the Commission, and to establish the procedure by which a network of subsidiary bodies shall operate.



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3. **Scope:** All subsidiary bodies shall operate under the Rules of Procedure of the Commission *mutatis mutandis*, except where specific provisions are laid down in the Convention or in these Rules of Procedure.

Rule 3 – Representation

1. The Commission shall be composed of not more than six Commissioners, three from each of the Contracting Parties, pursuant to Article III, Paragraph 1 of the Convention. Commissioners shall be appointed through the national process of the Contracting Party they represent, and they shall serve as long a term and be reappointed as many times as the Contracting Party decides.
2. The Contracting Parties shall provide documentation of Commissioner appointments, which the Executive Director shall keep on file.

Rule 4 – Advisors to the Commission

1. Each Contracting Party may appoint Scientific and Financial Advisors and/or other experts to assist its Commissioners in their areas of expertise. Except at such meetings as the Commission shall decide otherwise, Commissioners may be accompanied by one or more of these advisors and/or experts.

Rule 5 – Seat of the Commission

1. Unless otherwise agreed by the Contracting Parties, the seat of the Commission shall be at Seattle, Washington, U.S.A. The legislation implementing the Convention in the United States, the Northern Pacific Halibut Act of 1982, stipulates that the U.S. will provide facilities for the Commission on or near the campus of the University of Washington, without regard to the cost-sharing provisions in the Convention.
2. The Executive Director and the Staff of the Secretariat, hereinafter referred to as the “Secretariat,” shall be based at the seat of the Commission.



Rule 6 – Sessions of the Commission

Regular Sessions

1. The Commission may alternate its regular Sessions of the Annual Meeting and its Interim Meeting between Canada and the United States of America, or via electronic means in exceptional circumstances, and may hold other meetings as it may determine necessary.
2. Meetings of the Commission may be open to Observers and the general public.
3. Meetings of the Commission shall be available via electronic communication means approved by the Commission, unless the Commission otherwise decides.
4. Meetings with representatives of the Pacific halibut fishing industry may be held annually at the seat of the Commission or at any other place that the Commission shall determine, and arrangements for such meetings shall be determined by the Chairperson in consultation with the Executive Director.
5. Invitations to meetings of the Commission shall be prepared by the Executive Director and issued no later than **90 days** in advance of the date fixed for the opening of the Session.

Special Sessions

6. The Commission may hold Special Sessions of the Commission as it may determine necessary, if so requested by the Chairperson and Vice-Chairperson.
7. Invitations to Special Sessions shall be issued not less than **15 days** in advance of the date fixed for the opening of the Session.
8. Any documents to be discussed at a Special Session of the Commission shall be submitted to the Executive Director no less than **10 days** before the date fixed for the opening of the Special Session, unless otherwise decided by the Commission. Documents received later than 10 days in advance of the Special Session shall be deemed as Information Papers only.
9. Amendments to existing IPHC Fishery Regulations shall be submitted to the Executive Director no less than **15 days** before the date fixed for the opening of the Special Session at which they are to be considered, unless otherwise decided by the Commission. The Executive Director shall make the proposals available on the public access area of the IPHC website no later than one (1) business day after receipt.
10. The procedures of the Special Session established in accordance with paragraph Rule 6, para 6 shall be governed mutatis mutandis by the Rules of Procedure of the Commission.



Rule 7 – Credentials

1. At each Session of the Commission's Annual Meeting and Interim Meeting, the Executive Director shall receive a *Letter of Credentials* of each delegation issued by, or on behalf of, the competent authority, indicating clearly the Commissioners, as well as the list of advisors and experts who will be part of the delegation. Such *Letter of Credentials* shall conform to the standard set out in [Appendix I](#). The Executive Director shall report to the Commission the *Letter of Credentials* received.

Rule 8 – Order of Business

1. A provisional agenda for each Session of the Commission shall be prepared by the Executive Director in consultation with the Chairperson and Vice-Chairperson. It shall be transmitted by the Executive Director with the invitation sent in accordance with [Rule 6.5](#) and with an indication of the relevant documents to all Official Contacts referred to in [Rule 3](#) and [Rule 4](#), and to Observers referred to in [Rule 12](#).
2. Any Contracting Party of the Commission, the Chairperson, or the Executive Director may, at least **45 days** before the date fixed for the opening of the meeting, request the inclusion of supplementary items in the provisional agenda. A request for a supplementary item on the provisional agenda shall be accompanied by a memorandum and any relevant documents on the proposed supplementary item.
3. At the beginning of a Session, the Commission shall adopt its agenda on the basis of the provisional agenda and any supplementary items. At that time, any Contracting Party or the Executive Director may request placement of additional items of an urgent nature on the agenda. Such items shall be included on the agenda subject to the approval of the Commission. If any Contracting Party of the Commission indicates to the Chairperson that they are not in a position to take a decision on such supplementary items of an urgent nature at that meeting, the Chairperson shall direct that the decision may be taken intersessionally, or deferred until the next Session of the Commission.

Working documents/papers

4. Any documents to be discussed at a Session of the Commission shall be submitted to the Executive Director no less than **30 days** before the date fixed for the opening of the Session, unless otherwise decided by the Commission. Documents received later than 30 days in advance of the Session shall be deemed as Information Papers only.

Regulatory Proposals



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5. New regulatory proposals or amendments to existing regulations (including catch limit proposals) shall be submitted to the Executive Director no less than **30 days** before the date fixed for the opening of the Session at which they are to be considered. The Executive Director shall make the proposals available on the public access area of the IPHC website no later than one (1) business day after receipt.
 6. The Executive Director shall not accept any new Regulatory Proposals or amendments to existing Regulations if received after the deadline stated in [Rule 8.5](#). Regulatory Proposals received later than **30 days** in advance of the Session shall be deemed as Information Papers only.

Reports of the Commission's subsidiary bodies

7. Reports of the Commission's subsidiary bodies shall be presented at each Annual Meeting of the Commission by one or more of the officers of that subsidiary body, or their delegate.

Rule 9 – Selection of Chairperson and Vice-Chairperson

1. The Commission shall elect from its Commissioners, a Chairperson and Vice-Chairperson, each of whom shall be elected for a term of one year and shall serve until the day following the election of their successors. The Chairperson and Vice-Chairperson shall be from different Contracting Parties. Each year these offices shall rotate between the Contracting Parties.

Rule 10 – Functions of Chairperson and Vice-Chairperson

1. The powers and duties of the Chairperson shall be:
 - a) To preside at all Sessions of the Commission;
 - b) To rule on all points of order raised at the meetings of the Commission, subject to the right of any Commissioner to request that any ruling of the Chairperson shall be submitted to the Commission for decision by vote;
 - c) To call for votes and announce the results of the vote to the Commission;
 - d) To approve on behalf of the Commission the publication of a report of the proceedings of each annual or other Session of the Commission for transmission to the Contracting Parties, Commissioners, and others approved by the Commission, including the general public via the Commission's website or other electronic communication means approved by the Commission, as an authoritative record of what transpired;



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- e) Generally, to make such decisions and give directions to the Executive Director, especially in the interval between the meetings of the Commission, to carry out the business of the Commission efficiently and in accordance with its decisions;
 - f) To take such other actions on behalf of the Commission as may be assigned by decision of the Commission.
2. The Vice-Chairperson shall act as Chairperson if the office of the Chairperson becomes vacant, or the Chairperson is unable to act, or the Chairperson requests the Vice-Chairperson temporarily to perform the duties of the Chairperson, until such time as the Chairperson is able to resume carrying out his/her functions or a new Chairperson is elected. Temporarily performing the duties of Chairperson by the Vice-Chairperson shall not affect the rotation of offices in the succeeding year.

Rule 11 – Decision making

Decision-making at Sessions of the Commission

1. As a general rule, decision-making in the Commission should be by consensus. For the purposes of these rules, “consensus” means the absence of any formal objection made at the time the decision was taken.
2. If it appears to the Chairperson that all efforts to reach a decision by consensus have been exhausted, decisions will be made in accordance with Article III, paragraph 1 of the Convention.
3. Each Commissioner shall be entitled to one vote, and in accordance with Article III, Paragraph 1 of the Convention, all decisions of the Commission shall be made by a concurring vote of at least two of the Commissioners of each Contracting Party. At meetings, a public vote shall be taken by show of hands or roll call of the Commissioners, whether in person or via electronic communication, on each issue.

Intersessional decision-making

4. In case of the need for adoption of an emergency measure between Sessions, or where a decision needs to be taken intersessionally, the Chairperson may propose that a decision be taken by mail, telephone, or electronic communication.
5. When a decision is to be taken by electronic means, the Executive Director shall transmit the proposed decision to all Commissioners.
6. Commissioners shall promptly acknowledge receipt of any proposed decision by electronic means. If no acknowledgement is received from any particular Commissioner within one week



of the date of transmittal, the Executive Director will retransmit the proposed decision, and will use all reasonable means to ensure that it has been received.

7. Members shall have **10 days** to respond, unless a longer period is specified by the Executive Director in the transmittal.
8. If no reply from a Commissioner reaches the Executive Director within the period established under [Rule 11.8](#), that decision shall be deferred to the next session of the Commission.
9. All inter-sessional decisions must be made by consensus.
10. The Executive Director shall promptly ascertain and transmit the decision to all Commissioners via an IPHC Circular. The date of that transmittal shall be the 'date of notification'. Such decisions shall be duly recorded in the Commission's records by the Executive Director. Copies of such decisions shall be published with unique Intersessional Decision (ID) numbering on the IPHC website, via an IPHC Circular.

Rule 12 – Observers and the general public

1. In accordance with [Rule 6.2](#), all sessions of the Commission and its subsidiary bodies may be open to Observers and the general public, and/or made available to the public via electronic means approved by the Commission, unless the Commission decides otherwise. Release of information shall be subject to any rules relating to the confidentiality of certain data and other commercially sensitive information that the Commission may decide.

Observers

2. The Commission may, upon their request, invite the following Observers in their official capacity:
 - a) Any State or any other entity that has jurisdiction over waters adjacent to the Convention Area;
 - b) Other States with an interest in the work of the Commission that are not Contracting Parties of the Commission, invited by the Commission;
 - c) Other regional fisheries management organisations and other relevant governmental or intergovernmental organisations, invited by the Commission;
 - d) Non-governmental organisations having special competence in the field of activity of the Commission, to attend such of its meetings as the Commission may specify.



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3. Any Observer to a meeting of the Commission, may submit memoranda as either Regulatory Proposals, Position Statements or Information Papers, no later than **30 days** prior to the commencement of the session.
 4. Observers may participate in the deliberations of the Commission and its subsidiary bodies during the Observer testimony periods, but shall not be entitled to participate in the taking of decisions.
 5. The Commission may enter into agreements or arrangements with other inter-governmental organisations and institutions, especially those active in the fisheries sector, which might contribute to the work and further the objectives of the Commission. Such agreements or arrangements may provide that these organisations or institutions may be represented as Observers in the Sessions of the Commission.

General public

6. Any member of the general public may attend sessions of the Commission and/or its subsidiary bodies and may submit stakeholder statements at any time prior to the commencement of the session.
7. The general public may participate in the deliberations of the Commission and its subsidiary bodies during the public testimony periods, but shall not be entitled to participate in the taking of decisions.

Rule 13 – Functions of Executive Director and Assistant Director

1. The Commission shall appoint an Executive Director who shall be the ex-officio Secretary of the Commission, and whose tenure and rate of remuneration shall be determined by the Commission, in general agreement with U.S. Civil Service guidelines, based on the modified IPHC-GS15, 13 step scale as used by the IPHC. The duties of the Executive Director shall be:
 - a) To sign on behalf of the Commission all official communications to the Contracting Parties, unless signed by the Chairperson or otherwise directed by the Commission;
 - b) To receive and transmit to the Commissioners communications from the Contracting Parties as required;
 - c) To keep the records of meetings and to prepare reports thereof for transmission to the Contracting Parties, Commissioners, and others concerned, including Observers and the general public via the Commission's website or other electronic communication means approved by the Commission, after approval by the Chairperson;
 - d) To maintain the official files of the Commission, including documentation of Commissioner appointments and records of voting actions taken;



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- e) To perform such other duties and functions as are set forth in these Rules or as may be assigned to the Executive Director by the decision of the Commission or the Chairperson;
 - f) To be responsible for the development and periodic review of the IPHC Employee Manual and associated Staff Regulations contained within, in line with international best practice;
 - g) To appoint members of the Staff to the positions established by the Commission, grant promotions and in-grade increases, manage the Staff's activities, and enforce Staff regulations;
 - h) To fix the rate of remuneration of the Staff in general agreement with U.S. Civil Service guidelines, based on the modified IPHC-GS1-15, 13 step scale as used by the IPHC;
 - i) To be responsible to the Commission for the management of its office and for the budgeting, receipt, and disbursement of all monies received by the Commission, pursuant to the IPHC Financial Regulations established by the Commission;
 - j) To make all necessary arrangements and prepare agendas for Commission meetings;
 - k) To direct the scientific investigation program approved by the Commission;
 - l) As requested by the Commission, to recommend structure and/or membership for the subsidiary bodies established by the Commission;
 - m) To facilitate communication between the Commission and its subsidiary bodies as well as communication among the subsidiary bodies themselves.
2. The Executive Director shall recruit and appoint an Assistant Director (Chief Operations Officer), under the guidance of the Commission.
 3. In fulfilling their functions, the Executive Director and the Secretariat staff shall not act in any manner that is incompatible with the objectives and provisions of the Convention, these Rules, or the Staff Regulations contained within the Employee Manual, nor shall they use their position to benefit financially from Commission activities. They shall also maintain as confidential, while they are employed by the Commission and thereafter, any confidential information they obtain or to which they have access during their employment.

Rule 14 – Subsidiary Bodies

1. The Commission may establish or dissolve subsidiary bodies to assist its work, as it deems necessary. At the Commission's request, the Executive Director may make recommendations concerning subsidiary body structure and/or membership.



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2. All subsidiary bodies shall operate under the Rules of Procedure of the Commission *mutatis mutandis*, except where specific provisions are laid down in the Convention or in these Rules of Procedure.
 3. Officers and Members of the Commission's subsidiary bodies shall operate in accordance with the IPHC Code of Conduct, as provided at [Appendix II](#).
 4. Members of the Commission's subsidiary bodies, acting as individuals and/or representatives, shall be responsible for communicating Commission activities to relevant stakeholders, and shall receive IPHC correspondence on their behalf.
 5. Each subsidiary body may propose modifications of their Rules of Procedure, as necessary for the conduct of its meetings and for the exercise of its functions and duties, in accordance with the Commission's Rules of Procedure and subject to the Commission's approval.
 6. Pursuant to [Rule 14.1](#), the Commission establishes the following Committees which will act as advisory bodies to the Commission:
 - a) Finance and Administration Committee (FAC)
 7. Pursuant to [Rule 14.2](#), the terms of reference, and Rules of Procedure outlined in the following Appendices shall govern the procedures to be applied to the Committees:
 - a) [Appendix III](#) - Finance and Administration Committee (FAC)
 8. Pursuant to [Rule 14.1](#), the Commission establishes the following Boards which will act as subsidiary bodies to the Commission:
 - a) Conference Board (CB)
 - b) Management Strategy Advisory Board (MSAB)
 - c) Processor Advisory Board (PAB)
 - d) Research Advisory Board (RAB)
 - e) Scientific Review Board (SRB)
 9. Pursuant to [Rule 14.2](#), the terms of reference, and Rules of Procedure outlined in the following Appendices shall govern the procedures to be applied to the Boards:
 - a) [Appendix IV](#) - Conference Board (CB)
 - b) [Appendix V](#) - Management Strategy Advisory Board (MSAB)
 - c) [Appendix VI](#) - Processor Advisory Board (PAB)



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- d) [Appendix VII](#) - Research Advisory Board (RAB)
 - e) [Appendix VIII](#) - Scientific Review Board (SRB)
10. Documents prepared for, and submitted to, the subsidiary bodies of the Commission shall be made available to the general public via the Commission's website and/or other electronic communication means approved by the Commission.
 11. Individuals may serve on more than one subsidiary body.
 12. The Commission may defray the travel and living expenses of subsidiary body members at such meetings as it deems necessary, and may provide honoraria on occasion. The amount of such expenses and the number of representatives whose expenses may be defrayed shall be the decision of the Commission, upon recommendation of the Executive Director.

Rule 15 – Reports and Records

1. A report shall be adopted at the end of each Session of the Commission, and shall be recorded in accordance with instructions of the Commission.
2. The report shall embody the Commission's decisions and recommendations, including, when requested, a statement of minority views.
3. Copies of final reports prescribed in [Rule 15.1](#) and [Rule 15.2](#) shall be forwarded by the Executive Director to the Contracting Parties and to the Commissioners no later than **15 days** after the close of the Session.
4. The Commission shall publish additional reports from time to time as it may deem desirable.
5. All reports published by the Commission shall be available at the Commission's website.

Rule 16 – Privileges and Immunities

1. The legal personality, privileges and immunities which the Commission and its Secretariat shall enjoy in the territory of a Contracting Party shall be determined by that Contracting Party.



Rule 17 – Grievances

1. The Commission shall sit as a body to hear grievances from Staff members regarding personnel actions instituted by the Executive Director, where other levels of internal review prescribed by the IPHC Employee Manual have not led to resolution. The Commission shall render its decision on a grievance hearing within **90 days**, which shall constitute a final decision on the grievance. The Commission's decision is not subject to appeal.
2. The Commission may instruct the Executive Director to undertake other personnel actions where the Commission deems that a grievance hearing is not appropriate.

Rule 18 – Dissolution of the Commission

1. Upon dissolution of the Commission, all assets of the Commission will be divided according to the assigned equity proportions determined by the most recent financial audit approved by the Commission and returned to the international fisheries divisions of the U.S. State Department and the Canadian Department of Fisheries and Oceans, to be used in the interest of the general public for the management of the international fisheries resources of the two Contracting Parties.

Rule 19 – General Provisions

1. These Rules of Procedure should be reviewed for their consistency and appropriateness at least biennially.
2. These Rules of Procedure may be amended from time to time by vote of the Commission in accordance with the voting procedure noted in [Rule 11](#), provided such amendment is not inconsistent with the provisions of the Convention.
3. Copies of superseded Rules of Procedure shall be archived by the Executive Director.
4. These Rules of Procedure were adopted by consensus on 7 February 2020, and supersede those previously adopted by the Commission on 01 February 2019.



Appendix I
Letter of Credentials

Dear IPHC Executive Director,

Upon instructions of [...relevant authority...] I wish to inform you that [... name of the IPHC Contracting Party...] will participate in the 93rd Session of the International Pacific Halibut Commission (IPHC) Annual Meeting (AM093) and will be represented by the following delegation:

Commissioners

[..Title and Name...] – Lead Commissioner

[..Title and Name...] – Commissioner

[..Title and Name...] – Commissioner

Advisors

[..Title and Name...] – Scientific Advisor

[..Title and Name...] – Financial Advisor

[..Title and Name...] – Legal Advisor

[..Title and Name...] –Other.... Advisor

[Title and Name], Lead Commissioner or, in his/her absence, either of the two other Commissioners, is authorized to fully take part in the proceedings of the Session and take, on behalf of the [... name of the IPHC Contracting Party...], any action or any decision required in relation with this Session.

.....Signature.....

[on behalf of]



Appendix II

IPHC Code of Conduct for Officers and Members

I. Application

1. This Code of Conduct (Code) applies to all IPHC officers and members. The Code is designed to be a useful guide for officers and members as they carry out their ethical responsibilities.

II. Standards

2. The Code provides aspirational ethical standards. While adherence to the aspirational ethical standards is not easily measured, conducting themselves in accordance with these ethical standards is an expectation that officers and members have of themselves as professionals. Among the aspirational ethical concepts this Code embraces are those of respect, responsibility, fairness, and honesty.
3. **Respect:** Respect is demonstrating a high regard for oneself, others, and the resources entrusted to them. Those resources may include people, time, money, reputation, the safety of others, and natural or environmental resources. An environment of respect engenders trust, confidence, and performance excellence by fostering mutual cooperation — an environment where diverse perspectives and views are encouraged and valued.
4. **Responsibility:** Responsibility is taking ownership for the decisions one makes or fails to make, the actions one takes or fails to take, and the consequences that result.
5. **Fairness:** Fairness is making decisions and acting impartially and objectively. An officer's or member's conduct must be free from competing self-interest, prejudice, and favoritism.
6. **Honesty:** Honesty is understanding the truth and acting in a truthful manner both in one's communications and in one's conduct.

III. Responsibilities

7. IPHC officers and members shall perform all duties associated with their positions diligently, impartially, conscientiously, in a civil manner and to the best of their ability. In the performance of their duties they must:



- a. be able to express views clearly and concisely and be prepared to negotiate to achieve acceptable outcomes and compromises where necessary;
 - b. be respectful towards other officers and members;
 - c. act in the best interests of the resource as a whole;
 - d. be prepared to observe confidentiality and exercise tact and discretion when dealing with sensitive issues;
 - e. contribute to discussion in an objective and impartial manner and avoid pursuing personal agendas or self-interest;
 - f. be prepared to make the necessary commitment of time to ensure that they are fully across matters which are the subject of consideration at a meeting;
 - g. with the exception of the Conference Board, and the Processor Advisory Board, during the course of a meeting, disclose all interests, pecuniary or otherwise, in matters being considered or about to be considered by the meeting before those matters are discussed and abide by the decisions of a meeting in relation to their participation in discussions relating to those matters;
 - h. have confidence and authority of their stakeholder group to undertake their functions as an officer or member and be prepared to consult with members of their stakeholder group as necessary to effectively contribute to discussions.
8. Confidentiality and non-disclosure
- a. In general, officers and members are able to consult with their constituents before and after meetings. However, officers and members must not disclose confidential IPHC information.
 - b. All information received from IPHC, and not otherwise publicly available, is confidential. Officers and members may receive confidential information and are required to follow the IPHCs instructions as to its use. These instructions include



taking measures for the prevention of loss, theft, corruption, and unapproved copying or other duplication.

9. Public comment

- a. Officers and members, as members of the community, have the right to make public comment and to enter into public debate on political issues. However, there are some circumstances in which public comment is inappropriate, in particular where there is an implication that the public comment, although made in a private capacity, is in some way an official comment of the IPHC. Officers and members should avoid making public statements about matters relating to the IPHC unless it is made clear that they are speaking as a private citizen.

10. Conflict of Interest

- a. Officers and members may have conflicts of interest (actual or perceived) during the course of their duties. All interests in the matter being considered, not limited to pecuniary gain, must be declared. If there is any doubt as to the relevance of an interest, an officer or member must declare it so that any potential conflicts can be considered. IPHC subsidiary bodies are made up of relevant experts, so there is an expectation that members, in maintaining their expertise, may have some interest relevant to the resource. Having knowledge or a point of view about the fishery or the applicable science does not of itself create a conflict.
- b. Examples of interests that officers and members must declare (with the exception of the Conference Board, and Processor Advisory Board) include but are not limited to:
 - i. a financial or economic interest such as the ownership or control of concessions, businesses or assets related to the resource;
 - ii. any employment by a business or organisation relevant to the resource;
 - iii. any membership of a group or organisation relevant to the resource;



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- iv. projects or campaigns that the officer/member or the officer/member's organisation/group has or has planned that are relevant to the resource;
 - v. a direct family member or close associate having such an interest.
- c. Any of these interests may or might reasonably appear to be thought to impair the ability of the officer or member to perform their duties properly and objectively in relation to the matter being considered.
 - d. Determining if a conflict of interest exists should be undertaken by the IPHC or subsidiary on a case by case basis and may evolve or become evident during a discussion. The process for declaring and dealing with a conflict of interest is outlined in the section below.

11. Managing conflicts of interest

- a. Conflicts of interests should be disclosed as soon as they become known recorded either in the meeting report, or in the files of the IPHC Secretariat.
- b. The disclosure must include:
 - i. the nature and extent of the interest
 - ii. how the interest relates to the issues under discussion.
- c. Unless the IPHC or subsidiary bodies decides otherwise, the officer or member making the disclosure must leave the meeting while deliberations and decisions are made about the matter where a conflict exists. This includes any discussions about decisions to allow the officer or member to be present during deliberations on the matter in conflict. The decision that is made about them remaining in any deliberations or recommendation making is made without them present. This should then be recorded in the meeting report.
- d. If the IPHC or subsidiary body decides at any time that a conflict of interest exists and that this conflict is likely to interfere with the meetings consideration of a particular issue(s), the IPHC or subsidiary body may:
 - i. decide that the officer or member who has disclosed the conflict of interest should participate in the discussions concerning the issue, but not in formalising the advice/recommendations (in such cases, the officer or



- member should be asked to retire from the meeting while the decision about their participation is made); or
- ii. ask to hear the officer's or member's views on the issue and then require him/her to retire from the meeting while it is discussed by the other officers/members and the advice/recommendation is formalised.
- e. Where an officer or member considers that another officer or member may have a conflict of interest which has not been previously declared, that officer or member who raised the matter should alert the Chairperson of the body and seek to have it clarified.
- f. Documents for all IPHC meetings are published no less than **30 days** prior to each session. Thus, officers and members are responsible for making a decision as to the need to disclose any relevant interest and its nature prior to the meeting. Once disclosed other officers or members should then discuss the nature of the interest, decide if there is any conflict of interest, and what action should be taken when that item is discussed.



Appendix III
Finance and Administration Committee (FAC) – Terms of Reference and Rules of Procedure

I. Terms of reference

1. The Finance and Administration Committee (FAC) shall advise the Commission on such matters of an administrative and financial character as are remitted to it by the Commission and shall annually:
 - a) examine the operating budget for the current year;
 - b) examine the draft budget for the ensuing and following year.
2. The FAC may draw to the attention of the Commission any matter of an administrative or financial character.
3. The FAC may appoint from amongst its members a smaller, informal group to give preliminary consideration, in consultation with the IPHC Executive Director, to matters before it.
4. The FAC shall prepare a report of each meeting of the Committee for transmission to the Commission.

II. Rules of Procedure

5. The procedures of the FAC shall be governed *mutatis mutandis* by the Rules of Procedure of the Commission.



Appendix IV
Conference Board (CB) – Terms of Reference and Rules of Procedure

I. Terms of reference

1. The Conference Board (CB) is a subsidiary body to the Commission on which individuals represent Pacific halibut harvesters organisations and associations from each Contracting Party. The CB shall:
 - a) provide a forum for the discussion of management and policy matters relevant to Pacific halibut and provide advice to the Commission on management and policy matters relevant to Pacific halibut;
 - b) review IPHC Secretariat reports and recommendations, regulatory proposals received by the Commission, and provide its advice concerning these items to the Commission at its Annual Meeting, or on other occasions as requested.
2. The CB Chairpersons shall communicate with the Commission and the other IPHC subsidiary bodies on the CB's behalf. The Commission's Executive Director may facilitate this communication.

II. Representation

3. CB members are Pacific halibut harvester organisations and associations from each Contracting Party and include commercial, guided sport/recreational, unguided sport/recreational, subsistence, and First Nations/Tribal interests. Members are responsible for designating their individual delegate(s) and no delegate may vote on behalf of more than one CB member.
4. The CB regulates its membership by accrediting members at the beginning of each CB session. Accreditation is documented using the Accreditation Questionnaire provided at [Annex 1](#). The CB members shall compose nationals from Canada and the United States of America.
5. CB members may be re-accredited for successive meetings for a period of five (5) years from their initial accreditation by a simple roll call at the beginning of the CB session if



they have participated in at least three (3) CB annual meetings within the five (5) year period. CB members not meeting this criteria or their five year accreditation cycle has elapsed fill out Accreditation Questionnaire provided in Annex 1. Returning CB members who need to fill out the Accreditation Questionnaire and potential CB members seeking accreditation for the first time are encouraged to notify the IPHC Secretariat at least two weeks before the beginning of the Annual Meeting of the CB session they wish to attend.

6. Members serve without compensation from the Commission.

III. Officers

Co-Chairperson/s and Vice-Chairperson/s

7. The CB is Co-Chaired by two members, one from each of the two Contracting Parties. The Co-Chairpersons convene and adjourn meetings and preside over them, ensuring that meetings are conducted in an orderly and businesslike manner.
8. The Co-Chairpersons present the CB's decisions, recommendations, and advice to the Commission.
9. The Co-Chairpersons may appoint a Secretary, or one of the Co-Chairpersons may fulfill secretarial duties, including accepting the services of the IPHC Secretariat.
10. The Co-Chairpersons may be supported by up to two Vice-Chairpersons, as the CB may desire, one from each of the two Contracting Parties.
11. The Co-Chairpersons and Vice-Chairpersons are entitled to vote if the member organisation/association they represent does not have a participating representative at the CB.

Terms of office and election

12. CB members of each Contracting Party elect the Co-Chairperson from their Contracting Party for terms of two (2) years, with no limit to the number of terms an individual Co-Chairperson may serve.



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13. Election of new Co-Chairpersons whose two-year term has expired will be at the beginning of the annual meeting of the Conference Board.
 14. Election of Vice-Chairpersons will follow the election of the Co-Chairperson(s) if required. Vice-Chairperson term is for one (1) year.
 15. If a Co-Chairperson becomes unable to serve during the annual CB meeting, his/her Contracting Party shall elect another member as Co-Chairperson. If a Co-Chairperson becomes unable to serve sometime after the completion of the Session, the office will remain vacant until the Contracting Party members elects a replacement at the beginning of the next CB Session.

IV. Sessions of the Conference Board

16. **Time and place:** The CB typically meets once each year, in conjunction with the IPHC Annual Meeting.
17. **Agenda:** The agenda for the CB will be proposed by the Co-Chairpersons and approved by the membership at the beginning of the Session. The CB typically meets to discuss the issues and proposals under consideration. The CB may call on the IPHC Secretariat or other organisations to clarify or provide more information during its deliberations.
18. **Conduct of meetings:** Parliamentary procedure according to [Roberts Rules of Order](#) will be used as a guideline in the conduct of CB meetings, unless otherwise specified in the IPHC Rules of Procedure. The CB may set up its own subgroups or committees to consider specific issues or to produce specific documents or other products.
19. **Decision-making:** Each accredited CB member shall have one vote.
 - a) Following a vote on any issue the Co-Chairpersons shall announce the result by Contracting Party, which shall be recorded in the record of the meeting (i.e. Canada: In favor/Against (#for and #against); U.S.A.: In favor/Against (#for and #against). When it is clear that the vote reflects differences of opinion within a Contracting Party the Co-Chairpersons shall ensure that minority viewpoints are summarized and reported to the Commission.



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- b) Decisions regarding the CB's recommendations for mortality limits and fishery regulations, must be made by a recorded vote of members present.
 - c) Other decisions may be made by voice vote of CB members present, unless the Co-Chairpersons decide that a recorded vote is necessary.

V. Intersessional process and ad-hoc working groups

- 20. During the annual CB meeting, ad-hoc working groups may be created to work on issues or projects, or to represent the CB's interests.
- 21. The work of such ad-hoc working groups may not exceed the mandate approved for them by the CB.
- 22. Completed documents and other work materials from the CB's ad-hoc working groups should be posted for public access on the Commission website.
- 23. Decisions requiring a vote or approval of the CB, regarding or resulting from work undertaken intersessionally, may only be made at the annual CB meeting.

VI. Reports and Records

- 24. A report shall be adopted at the end of each Session of the CB. The draft report will be sent to all CB attending members for review, and suggested edits will be adopted or rejected by the CB Co-Chairpersons. If no edits are received then the draft report will be deemed final.
- 25. The report shall embody the CB's recommendations, including, when requested by a minority of stakeholders within a Contracting Party, a statement of minority views.
 - a) If requested, divergent views within a Contracting Party will be documented in minority reports by accredited organisations of the minority.
 - b) Participants requesting the inclusion of a minority report must provide the Co-Chairpersons with a clear and concise serviceable draft in an electronic version "word document" within four (4) hours of the conclusion of the days CB meeting, or within two (2) hours of the conclusion of the annual CB meeting.
 - c) Draft minority reports are limited only to information and material discussed during the CB session.



- d) The Co-Chairpersons reserve the right to edit draft minority reports for accuracy and brevity. All attendant documents shall be considered part of the Report.
26. A copy of the final report from each CB meeting shall be forwarded by the IPHC Executive Director to the Contracting Parties and to the Commissioners no later than **15 days** after the close of the Session.
27. All reports shall be available on the Commission's website.
28. The CB recommendations and advice will be presented by the Co-Chairpersons to the Commission prior to the Commission making final decisions on management and policy matters relevant to Pacific halibut.



Annex 1
IPHC CONFERENCE BOARD MEMBER ACCREDITATION QUESTIONNAIRE

1. NAME AND ADDRESS OF ORGANISATION:

Mailing Address

City	State/Province	Zip/Postal Code	Telephone
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FAX	E-mail
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2. NAME AND TITLE OF OFFICERS:

3. PRIMARY PURPOSE OF ORGANISATION (GENERALLY, WHO DO YOU REPRESENT?)

4. DATE ORGANISATION WAS FORMED:

5. DATE OF LAST MEETING:

6. HOW MANY MEMBERS IN YOUR ORGANISATION?

7. NAMES OF DELEGATES FOR INITIAL MEETING:

**8. HAS YOUR ORGANISATION EVER VOTED ON THE CONFERENCE BOARD? YES _ NO
WHAT YEAR?**

Authorized Signature

Date of Application



Appendix V
Management Strategy Advisory Board (MSAB) – Terms of Reference and Rules of Procedure

I. Terms of reference

1. The Management Strategy Advisory Board (MSAB), on which individuals representing harvesters (commercial, sport, and subsistence), fisheries managers, processors, IPHC Secretariat, science advisors and other experts as required may be represented. The primary role of the MSAB is to advise the Commission on the Management Strategy Evaluation (MSE) process.
2. The MSAB will:
 - a) define clear measurable objectives and performance measures for the fishery;
 - b) define candidate management strategies, which include aspects of the fishery that can be managed (e.g. regulatory requirements); and
 - c) advise the IPHC Secretariat about plausible scenarios for investigation, which include aspects of the fishery that cannot be managed by the IPHC (e.g. environmental conditions and removals under the management authority of a domestic management agency).
 - d) Gather and clearly articulate the interests and concerns of constituents and incorporate them into the MSAB's discussions;
 - e) Encourage and allow members to test tentative ideas and exploratory suggestions without prejudice to future discussions;
 - f) Represent information, views, and outcomes of the MSAB discussions to external parties accurately and appropriately;
 - g) Encourage the understanding and support of their constituencies for the MSAB process and for consensus positions developed by MSAB.



II. Representation

3. The MSAB will include the following interests (in alphabetical order): harvesters (commercial, sport, and subsistence), fisheries managers, processors, IPHC Secretariat, science advisors and other experts as required may be represented.
 - a) Harvesters: Commercial fisheries (6-8)
 - b) First Nations/Tribal fisheries (2-4)
 - c) Government agencies (incl. domestic management representatives and science advisors to each Contracting Party) (4-8)
 - d) Processors (2-4)
 - e) Recreational/Sport fisheries (2-4)

Efforts will be made to ensure representation is distributed from throughout IPHC Regulatory Areas.

4. The term of MSAB members will be four years, and members may serve additional terms at the discretion of the IPHC. Member terms have a staggered expiry such that no more than half of the member terms expire at a given time. Member continuity on the MSAB is key to the success of the MSE process. However, MSAB members serve at the discretion of the IPHC.

III. Officers

5. The MSAB will be co-chaired, one from Canada and one from the United States of America. Co-Chairpersons will be appointed by the MSAB.
6. The Co-Chairpersons will:
 - a) convene and adjourn meetings and preside over them, ensuring that meetings are conducted in an orderly, efficient, transparent, and respectful manner;
 - b) present the MSAB's decisions, recommendations, and advice to the Commission;



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- c) Promote interactive dialogue, and enable all perspectives to be heard within the constraints of the time available;
 - d) Support bringing issues to closure by ensuring that there is clarity on the topics being discussed, a summation of the collective advice of MSAB, and acknowledgement of any outstanding issues or concerns; and
 - e) Identify areas where there are conflicts and support processes through which those conflicts can be addressed.
7. The term of the Co-Chairpersons will be two years, and they may serve additional terms at the discretion of the MSAB.

IV. Sessions of the MSAB

8. **Time and Place:** The MSAB normally meets twice per year. The MSAB may meet more or less frequently as business requires.
9. **Agenda:** As per the Commission's Rules of Procedure.

V. Intersessional process and ad-hoc working groups

10. **Ad-Hoc Working Groups:** If the MSAB determines it is necessary, the MSAB may convene ad-hoc working groups comprised of MSAB members and experts. Ad-hoc working groups will report only to the MSAB and serve at the discretion of the MSAB.

VI. Reports and Records

11. A report shall be adopted at the end of each Session of the MSAB.
12. The report shall embody the MSAB's recommendations, including, when requested, a statement of minority views.
13. A copy of the final report from each MSAB meeting shall be forwarded by the IPHC Executive Director to the Contracting Parties and to the Commissioners no later than **15 days** after the close of the Session.
14. All reports shall be available on the Commission's website.



Appendix VI

Processor Advisory Board (PAB) – Terms of Reference and Rules of Procedure

I. Terms of reference

1. The Processor Advisory Board (PAB) is a subsidiary body of the International Pacific Halibut Commission (IPHC) that represents the commercial Pacific halibut processing industry from Canada and the United States of America. It advises the Commission on issues related to the management of the Pacific halibut resource in the Convention Area.
2. The PAB encourages stability and growth of the North American Pacific halibut industry by fostering a cooperative relationship, better understanding, and a spirit of mutual benefit among seafood processors, fishermen, the Commission, and all other stakeholders.

II. Representation

3. Any company or association, including sole-proprietorships, corporation, or partnerships whose direct business is purchasing, processing and selling Pacific halibut caught in Alaska, British Columbia, Washington, Oregon, or California is eligible for PAB membership.
4. Potential members shall present authorization from their company to represent that company in PAB deliberations. Such authorization will be presented to the general membership of the PAB at its annual meeting. If this authorization is not valid, the member will be removed from the PAB membership list.
5. PAB members agree to carefully and objectively consider all aspects of an issue.
6. PAB members serve without compensation from the Commission.
7. Membership is renewed each year, upon attending the PAB annual meeting.
8. The Halibut Association of North America (HANA) shall serve as the PAB's organisational, administrative, communications, and recruitment facilitator.



III. Officers

9. The PAB's annual meeting shall be convened by the President of HANA for the purpose of nominating and electing the PAB Chairperson and Vice-Chairperson. Once nominations are made, the election is confirmed by a simple majority vote of PAB members present.
10. In years when the Commission's Annual Meeting is held in Canada, the PAB Chairperson shall be a Canada-based member and the Vice-Chairperson shall be a U.S.A.-based member. In years when the Commission meets in the U.S.A., the PAB Chairperson shall be a U.S.A.-based member and the Vice-Chairperson shall be a Canada-based member.
11. Officers' terms shall be for one year, or until a replacement is elected.

IV. Sessions of the PAB

12. **Time and place:** The PAB meets once a year over the course of a few days, in conjunction with the IPHC Annual Meeting. A quorum is established each year.
13. **Agenda:** The PAB's draft agenda will be presented by the Chairperson and approved by the membership at the beginning of the meeting. Members may suggest changes to the agenda prior to approval.
14. **Conduct of meetings:** Parliamentary procedure will be used in the conduct of the PAB meeting.
15. **Decision-making:** Only one vote per company member is allowed.
 - a) If a company has more than one representative in attendance, those representatives will choose from among them one individual to cast the company's single vote on any issue.
 - b) Proxies are allowed only from members who have attended the last two sequential meetings of the PAB.
 - c) Only one Proxy per member is allowed.
 - d) Proxies will be submitted to a PAB member or the executive director of HANA prior to the PAB meeting in written or electronic form.



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- e) If a Proxy is submitted to a PAB member, that member must submit the Proxy to the Executive Director of HANA. At the meeting, HANA's executive director will submit all Proxies to the chairperson of the PAB.
 - f) A General Proxy will authorize a designated PAB member to vote on any or all topics brought before the PAB, on behalf of a PAB member who cannot attend. A Specific Proxy will authorize a PAB member to vote on specifically named topics (listed on the proxy itself) on behalf of the PAB member who cannot attend.

V. Intersessional process and ad-hoc working groups

- 16. The PAB may establish ad-hoc working groups to address issues or projects, or to represent the PAB's interests. Completed documents and other work materials from the PAB working groups will be posted for public access on the IPHC website.
- 17. Additional work group members outside of the PAB membership may be added as judged appropriate by the Chairperson.
- 18. When determined by the PAB Chairperson and Vice-Chairperson as necessary, Special Sessions of the PAB may be called. These meetings shall be for a purpose requiring discussion or other action by a quorum of PAB members.
- 19. A quorum is established by a majority of the PAB members who were present at the current PAB meeting. Minutes and other reports of the Special Meeting will be distributed to the Commission for posting on the IPHC website in a timely manner by the Executive Director of HANA or his/her designee.
- 20. Attendance, discussion, voting, reportage, and all other aspects of the Special Meeting may be done electronically.

VI. Reports and records

- 21. A report shall be adopted at the end of each Session of the PAB.
- 22. The report shall embody the PAB's recommendations, including, when requested, a statement of minority views.



23. A copy of the final report from each PAB meeting shall be forwarded by the IPHC Executive Director to the Contracting Parties and to the Commissioners no later than **15 days** after the close of the Session.

24. All reports shall be available on the Commission's website.



Appendix VII

Research Advisory Board (RAB) – Terms of Reference and Rules of Procedure

I. Terms of reference

1. The Research Advisory Board (RAB) is composed of members of the Pacific halibut community that shall:
 - a. suggest research ideas,
 - b. review IPHC research proposals, and
 - c. provide the IPHC Secretariat staff (who participate in Sessions of the RAB as Observers) with direct input and advice from industry during the development of research plans.
2. The RAB may also make recommendations to the Scientific Review Board concerning research plans and priorities for its consideration.
3. The Executive Director shall Chair the RAB's meetings, as well as communication with the Commission and the other IPHC subsidiary bodies on the RAB's behalf.

II. Representation

4. RAB members are Pacific halibut industry representatives from each Contracting Party and may include commercial, guided sport, unguided sport/recreational, subsistence, and First Nations/Tribal interests.
5. The RAB shall consist of ten to fifteen members.
6. New RAB members shall be nominated by current members, by other IPHC subsidiary bodies, or by the IPHC Secretariat staff. The nominees are reviewed and approved by the IPHC Secretariat staff. Nominees must be members of the Pacific halibut community with an expressed interest in scientific research. They must be available for meetings and willing to participate in candid discussions about the IPHC research program. It is not necessary to achieve a particular regional or sector balance in the membership of the RAB.



7. The term for RAB membership is two years. There is no limit to how many terms a RAB member may serve.
8. RAB members serve without compensation from the Commission.

III. Officers

9. The IPHC Executive Director shall act as Chairperson of the RAB and the IPHC Biological and Ecosystem Science Branch Manager shall act as the Vice-Chairperson of the RAB, unless the RAB decides otherwise.

IV. Sessions of the RAB

10. **Time and place:** The RAB shall meet once each year at the IPHC offices in Seattle. The RAB may also meet at other times and places, or via electronic means, to consider specific issues or to produce specific documents or other products.
11. **Agenda:** The agenda for the RAB meeting is proposed by the Commission's Executive Director and approved by the membership at the beginning of the meeting, in accordance with the Commission's rules of procedure. The agenda will include time for broad discussion of scientific issues between the RAB and the IPHC Secretariat.

V. Intersessional process and ad-hoc working groups

12. The RAB may set up ad-hoc working groups to consider particular issues and report back to the RAB.

VI. Reports and Records

13. A report shall be adopted at the end of each Session of the RAB.
14. The report shall embody the RAB's recommendations, including, when requested, a statement of minority views.



15. A copy of the final report from each RAB meeting shall be forwarded by the IPHC Executive Director to the Contracting Parties and to the Commissioners no later than **15 days** after the close of the Session.

16. All reports shall be available on the Commission's website.



Appendix VIII
Scientific Review Board (SRB) – Terms of Reference and Rules of Procedure

I. Terms of reference

1. The Scientific Review Board (SRB) shall provide an independent scientific peer review of Commission science/research proposals, programs, and products, including but not limited to:
 - a. Data collection;
 - b. Historical data sets;
 - c. Stock assessment;
 - d. Management Strategy Evaluation;
 - e. Migration;
 - f. Reproduction;
 - g. Growth;
 - h. Discard survival;
 - i. Genetics and Genomics.
2. Undertake periodic reviews of science/research strategy, progress, and overall performance.
3. Review the recommendations arising from the MSAB and the RAB.

II. Representation

4. The SRB shall be comprised of 4-5 members of the scientific community. The members may be associated or unassociated with the Contracting Parties.
5. The SRB may be expanded based on the technical review needs of the Commission and its activities.



6. The term for SRB membership is three years, with no more than one renewal. To ensure continuity of SRB expertise, the Executive Director may extend the services of one SRB member for one additional term on an as needed basis.

III. Officers

7. The SRB shall elect a Chairperson and may elect a Vice-Chairperson at the SRB's discretion.

IV. Sessions of the SRB

8. **Time and place:** The SRB shall meet twice each year at the IPHC offices in Seattle. The SRB may also meet at other times and places, or via electronic means, to consider specific issues or to produce specific documents or other products.
9. **Agenda:** The agenda for the SRB meeting shall be proposed by the Commission's Executive Director, in accordance with the Commission's rules of procedure.

V. Intersessional process and ad-hoc working groups

10. The SRB may set up ad-hoc working groups to consider particular issues and report back to the SRB.

VI. Reports and Records

11. A report shall be adopted at the end of each Session of the SRB.
12. The report shall embody the SRB's recommendations, including, when requested, a statement of minority views.
13. A copy of the final report from each SRB meeting shall be forwarded by the IPHC Executive Director to the Contracting Parties and to the Commissioners no later than **15 days** after the close of the Session.
14. All reports shall be available on the Commission's website.