



**RULES OF PROCEDURE
OF THE
IMPLEMENTATION COMMITTEE OF THE CO-MANAGEMENT PLAN FOR THE MAHE PLATEAU
DEMERSAL TRAP AND LINE FISHERY**

*[These Rules of Procedure were approved by the Minister
in advance of the 3rd meeting held on 27 March 2019]*

1. NAMES

In this document and for the purposes of this Committee:

“Management plan” or “co-management Plan” refers to the “Co-management Plan for the Mahe Plateau demersal trap and line fishery”.

“Committee” or “Implementation Committee” refers to the Implementation Committee of the Co-management Plan for the Mahe Plateau demersal trap and line fishery.

“SFA” refers to the “Seychelles Fishing Authority” and the “Seychelles Fisheries Authority”.

“Primary stakeholders” are those that benefit directly from or are adversely affected by actions of the management plan. They may be wholly dependent on the fishery resource or related services for their well-being and have few other options when faced with change.

“Secondary stakeholders” are those other people and institutions with a stake or interest in the resources, services or area being considered.

2. AUTHORITY

The authority to implement Management Plans and Management Measures exists under the 2014 Fisheries Act. Plans for management of fisheries are covered under Part II – Sub Part1, section 5 and 6 of the Fisheries Act, 2014. Section 5 (4) also makes provision for the SFA to enter

into a co-management arrangement and Section 5 (6) and 5 (7) make provision for the plan to be approved by the Minister and to be Gazetted.

Cabinet Memorandum of 30th August 2017 authorised the implementation of the co-management plan and the establishment of an Implementation Committee

3. ROLES AND RESPONSIBILITIES

The role of the Committee is to oversee the implementation of the co-management plan for the demersal trap and line fishery of the Mahe Plateau and provide regular and ongoing recommendations to the Minister responsible for fisheries. It will discuss progress and recommend changes to the plan, as appropriate and oversee each subsequent review and the associated processes. It will have oversight on the plan's day to day management, and its related education, awareness and enforcement programmes. It will monitor the performance of the fishery in meeting its objectives according to a performance monitoring system developed together with the plan, consider reports on compliance, updates on the status of fish stocks and changes to fisheries regulations. It will assist in the preparation of education and awareness strategies, monitor their performance and provide recommendations for their improvement. The Committee will ensure that relevant information and its reports on the fishery are made publicly available.

4. MEMBERSHIP

1. The membership of the Committee will consist of a maximum of 14 members comprising of equal numbers of primary and secondary stakeholders (Annex 1).
2. Each fisher association, non-governmental organisation, civil society body, Agency, Authority or Government Department designated as a member of the Committee shall, before the date of the first meeting of the Committee, communicate to the Minister the name of its representative and at least one alternate, who should have experience or responsibilities such as: elected representative of the association or organization; harvesting, processing, production, or marketing fish or fish products; managing or conserving living marine resources; recreational or sport fishing; finance, collection of revenues or enforcement.
3. Any subsequent changes to the representative or alternate of a member of the Committee must be communicated to the Minister at least three days in advance of a Meeting.
4. The Secretariat is to be notified at least 24 hours in advance if the representative is unable to attend the Meeting.

5. An Alternate may attend the meeting on behalf of a Member in the event that he or she is unable to attend the meeting. The Secretariat is to be notified at least 24 hours in advance of the replacement.

6. The Minister will nominate a representative and alternate for those stakeholder members that are not formed into a representative body, or who are otherwise unable to provide an elected representative and alternate.

7. The representative of a member and an alternate nominated by the Minister shall serve for a period of two years, renewable for one further period, or until such time the member is formed into a representative body and is able to provide a representative and alternate, and the Minister so decides.

8. Upon the resignation of the member, a new member shall be elected.

9. The Committee may terminate the appointment of a member that misses two consecutive meetings, unless excused for good cause by the Chairperson or the Vice-Chairperson.

5. OFFICERS

1. The Minister shall nominate a Chairperson who shall remain in office until the nomination of a new Chairperson.

2. The Vice-Chairperson shall be elected from either primary or secondary stakeholder groups but both Officers must not be from the same stakeholder group.

3. The Chairperson, or in his/her absence the Vice-Chairperson, shall preside at meetings of the Committee and exercise such other functions as may be required to facilitate the work of the Committee. The Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.

4. The Vice-Chairperson shall hold office for a period of two years and may be eligible for re-election.

5. The Seychelles Fisheries Authority shall temporarily exercise the functions of the Chairperson in the absence of both the Chairperson and the Vice-Chairperson.

6. FUNCTIONS AND RESPONSIBILITY OF THE CHAIR AND VICE-CHAIR PERSON

1. The Chairperson shall exercise the functions conferred on him/her in these Rules of Procedure and, in particular, shall:

- (a) declare the opening and closing of each Meeting of the Committee;
- (b) direct the discussions at such meetings and ensure observance of these Rules, accord the right to speak, put questions and announce decisions;
- (c) rule on points of order;
- (d) call for votes and announce the results of votes;
- (e) sign on behalf of the Committee a summary report of the proceedings of each meeting of the Committee for transmission to the Minister or his/her representative and the Members;
- (f) perform any other function that may be decided by the Committee.

2. The Chairperson, or the Vice-Chairperson when acting as Chairperson, shall have a casting vote in addition to an original vote in the event of an equality of votes.

3. In the interval between meetings of the Committee, the Chairperson shall exercise his/her functions in accordance with these Rules of Procedure, as well as any function entrusted to him/her by the Committee.

4. Upon the resignation of the Chairperson and/or Vice-Chairperson, a new Chairperson and/or Vice-Chairperson shall be elected.

7. SECRETARIAT

- 1. The SFA shall perform the duties of the Secretariat of the Committee as well as member of the Committee.
- 2. The Secretariat may consist of such persons that the SFA considers necessary for the proper administrative support of the Committee as well as such technical or other advisers that may be required for any particular meeting.
- 3. The Secretariat will monitor and coordinate the preparatory work for the Committee Meetings. The expenses of the Secretariat shall be determined and paid for by the SFA within the limits of the relevant appropriations approved by its Board.
- 4. In addition to any function assigned to it on the basis of these Rules of Procedure, the Secretariat shall perform the following functions and responsibilities:
 - a) arranging for and providing administrative support for Meetings of the Committee, and for any sub-committees and ad hoc meetings as may be established or convened;

- b) assisting the Committee in carrying out its functions, including the performance of specific tasks as may be requested by the Committee;
- c) maintaining records of the proceedings of Meetings of the Committee and any other sub-committees as may be established by the Committee;
- d) facilitating the collection of information and data necessary to accomplish the objectives, principles, functions and responsibilities of the Committee;
- e) facilitating cooperation between the Committee and other relevant organizations on matters of mutual interest;
- f) performing of such other duties as may be requested by the Committee in accordance with the SFA mandate; and
- g) reporting on its activities to the Committee on a 12-monthly basis.
- h) Draft a summary report and the minutes of each meeting to be submitted to the Chairperson and members of the Committee for their approval.
- i) Circulate the approved minutes of each meeting to all members and stakeholders.

8. MEETINGS

1. The Committee shall hold regular Meetings at least every 3 months.
2. Meetings of the Committee shall be held at such other times as the Chairperson may decide, or at the request of the Members of the Committee, provided that adequate funds are available for such extraordinary Meetings in the SFA budget, or from other supporting projects.
3. The Meetings of the Committee shall be convened by the Chairperson, in consultation with the Secretariat, who shall decide on the place where they are to be held, taking into account the views expressed by the Committee.
4. Notice of the date and place of each Meeting of the Committee shall be communicated at least two weeks before the Meeting to all Members of the Committee, and to such other relevant stakeholder associations that are not Members of the Committee.
6. Meetings of the Committee shall be held in private unless the Committee decides otherwise.
7. A majority of the Members of the Committee shall constitute a quorum.
8. The conduct of meetings should, as much as possible, be based on consensus.

9. AGENDA

1. The Chairperson, in consultation with the Secretariat, shall prepare a provisional agenda for each Meeting of the Committee.

2. No matter referred to the Committee by the Minister may be omitted from the provisional agenda.

3. The provisional agenda of each regular meeting shall include:

- a) as the first item, the adoption of the agenda;
- b) consideration of the time and place for the next meeting of the Committee;

4. The provisional agenda may also include:

- a) items that were not fully reviewed and discussed at the previous meeting;
- b) items proposed by a Member, the Chairperson or the Secretariat
- c) proposals for amendments to the Rules of Procedure as appropriate.

5. The provisional agenda shall be circulated by the Secretariat at least two weeks before the date of the Meeting.

6. Any Member of the Committee may, after the dispatch of the provisional agenda, but not later than one week before the date of the Meeting propose the inclusion of specific items in the agenda. Such proposals shall be accompanied by a written explanation of the reasons why the inclusion of the items in the agenda is considered desirable. These items shall be placed on a supplementary list, which shall be dispatched to all Members of the Committee, failing which the items shall be communicated by the Chairperson during the adoption of the Agenda.

7. Documents to be submitted to the Committee at any Meeting shall be furnished by the Secretariat to the Members of the Committee, at the time the agenda is dispatched, or as soon as possible thereafter.

8. Except for paragraph 2 of this Rule, the Committee may, at any Meeting, decide by a two-thirds majority to amend the agenda by the deletion, addition or modification of any item.

9. The agenda for a special meeting shall consist only of items relating to the purpose for which the special meeting was called.

10. VOTING PROCEDURES

1. Each Member of the Committee shall have one vote.

2. Voting by Members of the Committee shall be governed by the procedures of the SFA Board.

3. Decisions of the Committee shall be taken by a majority of the votes cast, unless otherwise provided in these Rules.

4. Upon the request of any Member of the Committee, voting shall be by roll-call, in which case the vote of each Member shall be recorded.
5. When the Committee so decides, voting shall be by secret ballot.
6. Voting in the Committee shall be carried out *mutatis mutandis* in accordance with the pertinent procedures of the SFA Board.

11. OTHER STAKEHOLDERS AND ORGANIZATIONS

1. A primary stakeholder Association that is not a Member of the Committee may, upon request communicated to the Chairperson, nominate a member of its governing body to attend Meetings of the Committee, in an observer capacity.
2. The Committee may, through the SFA, invite Government Departments, Agencies, NGOs or experts, in their individual capacity, to attend Meetings of the Committee, its sub-committee and *ad hoc* meetings, in an observer capacity.
3. Observers can participate in the discussions however they will not have voting power.

12. SUB-COMMITTEES

1. The Committee may establish such sub-committees as it may require to provide advice on particular matters that it is unable to resolve.
2. A sub-committee shall report back to the Committee within a period of time decided by the Committee.
3. A sub-committee may seek the assistance of an external party subject to the approval of the Committee.
4. The chairperson of the sub-committee shall be a Committee member selected by the Committee for that particular purpose.
5. The rules of procedure of the Committee shall apply *mutatis mutandis* to the sub-committee
6. SFA shall perform the duties of Secretariat of the sub-committee

13. RECORDS AND REPORTS

1. Following each meeting, the Secretariat will provide the Chairperson, for his approval, the minutes of the meeting embodying the Committee's views, recommendations and decisions including, when requested, a statement of minority views. Upon his approval, the report will be circulated to all members for their endorsement or input within two days of their receipt.
2. The Chairperson shall submit a summary report enclosing the conclusions and recommendations of the Meeting to the Minister within two weeks after the holding of the meeting.
4. The Chairperson and/or Vice-Chairperson may be requested by the Minister to supply further information in relation to the meeting in order for the Minister to decide on the actions he/she may wish to take with regard to the decisions and recommendations of the Committee.
5. The approved minutes of each Committee meeting shall be distributed to all Committee members and stakeholders no later than 15 days following the meeting.
6. The Committee shall, every 12 months, review a report of implementation submitted by the SFA and make recommendations on same to be submitted to the Minister responsible for Fisheries.

14. AMENDMENTS OF RULES OF PROCEDURE

1. Amendment of, or addition to, these Rules may be adopted by a two-thirds majority of the membership of the Implementing Committee. Amendments or additions to these Rules shall come into force upon approval by the Minister.

15. EXPENSES RELATED TO THE RUNNING OF THE IMPLEMENTATION COMMITTEE

SFA shall meet the expenses related to holding of the meetings of the Implementation Committee and its Sub-committees, the provision of a Secretariat, related working and information documents, and reports.