



REPORT OF THE 27TH SESSION OF THE IALA
LEGAL ADVISORY PANEL (LAP)

30 October 2024

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Legal Advisory Panel (LAP)
30 October, 2024
Executive Summary

The 27th session of the Legal Advisory Panel was held at IALA Headquarters and by video conference on 30 October 2024, with Christina Schneider as Chair, Thomas Arculus as Vice-chair and Audrey Guinault as Secretary.

The LAP noted the reports from Council 80, Transition Council 1 & 2, PAP 53 & 54 and the last committee sessions.

The LAP was briefed on the transition period, the latest ratifications of the Convention and the preparations for the General Assembly to be held in February 2025 in Singapore.

The LAP discussed the status of advertising under the IGO and proposed a way forward.

The LAP discussed a document on emerging technologies from the DTEC committee and issued a recommendation for the committee to consider.

The rest of the meeting was routine business.

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Report of the 27th session of the IALA

Legal Advisory Panel (LAP)

The 27th session of the Legal Advisory Panel was held at IALA Headquarters and by videoconference on 30 October 2024 with Christina Schneider as Chair, Thomas Arculus as Vice-chair and Audrey Guinault as Secretary.

1. INTRODUCTION FROM LAP CHAIR AND SECRETARY-GENERAL

The Chair welcomed the participants to this hybrid meeting.

The Secretary-General also welcomed participants remotely. He reminded the panel that this was an important time for IALA as the Organization is currently in the transition phase.

2. APPROVAL OF THE AGENDA

The Agenda (paper LAP27-2.1) was adopted.

The Agenda is provided at ANNEX A.

3. REVIEW OF ACTION ITEMS FROM LAP23

Input paper LAP27-3.1 refers.

There were no action items from the previous meeting.

4. REVIEW OF INPUT PAPERS

A list of input papers is provided at ANNEX C.

5. REPORT OF COUNCIL SESSION 80 AND TRANSITION COUNCIL 01 & 02

Input paper LAP27-5.1 refers.

Technical Operations Manager Minsu Jeon reported on the outcomes of the Council meetings.

The following workshops were approved:

- 2nd IALA IHO Joint Workshop on S-100/200, 9-13 September 2024, Annapolis, USA
- Aids to Navigation Engineering Workshop, 14-18 October 2024, Sydney, Australia
- VTS Competent Authority Workshop, 20-24 January 2025, Rome, Italy
- Workshop on Sustainability and ENG 21, 6-17 Oct 2025 in Dublin, Ireland.
- Future of Radionavigation and Radiocommunication Workshop, 2026, Edinburgh, UK
- International Conference Lighthouse Tourism & Maritime Heritage, Dublin Castle, 7-8 October 2025
- Workshop Proposal on Application IMT to Marine AtoN

The Council approved the proposed protocol for Product Specifications and Technical Service versioning and approval. The versioning and approval process includes:

Development Phase: Documents before edition 1.0.0 are working documents.

Testing and Validation: Documents versioned 1.0.0 to 1.9.9 are intended for testing and validation but not for publication or implementation.

Implementation: Once ready for implementation, documents undergo an official approval procedure and are numbered as 2.0.0 for publication.

The Transition Council 1 was held on 22 Aug 2024 as an online meeting and agreed the approval of the logo of the organization, the transition arrangements and agreed to convene the GA in Singapore.

The Transition Council 2 was held on 18-19 Sep 2024 as a hybrid meeting. The Staff Rules were approved, and the Transition budget, transition arrangements and arrangements for the General Assembly were discussed.

The LAP noted the reports.

6. REPORT OF PAP SESSION 53 & 54

Input paper LAP27-6.1 refers.

Minsu Jeon reported on the meetings. PAP53 was held on 30 April 2024 as an online meeting. PAP 54 was held on 16-17 Sep 2024 at IALA Headquarters.

The following topics were discussed: IALA's work on MASS, STCW revision contribution, S-200 development, training, testbed and roadmap, Report on S-200 Product Specification development (C80-10.8.1), IALA Dictionary and Questionnaire.

The LAP noted the reports.

7. REPORT ON THE COMMITTEES' WORK

Minsu Jeon, gave a brief report on the committees' work to update the panel on the developments since the last LAP meeting. He reported that all committees have convened, and two workshops have been conducted. Each committee has continued to work diligently, aligning their efforts with the established committee work programme.

The LAP noted the report.

8. UPDATE ON THE CHANGE OF STATUS

The Secretary-General Francis Zachariae briefed the panel on the Change of Status of the association to an inter-governmental organization. He indicated that to this date, 35 Member States have ratified, acceded or accepted the Convention which entered into force on 22 August 2024. He reminded the panel that in order to be eligible to stand for election to the council states would have to deposit their instrument of ratification and declare their candidacy two months before the General Assembly at the latest.

He then showed that the Basic Documents would consist of the Convention, The General Regulations, Rules of Procedure and the Staff Rules. He explained that the Staff Rules were approved at the second transition council and the General and Financial Regulations were thoroughly discussed at a conference held in Tokyo in November 2023 and were ready for the General Assembly in Singapore.

The transition arrangements were going smoothly but the transfer of all assets and liabilities from the old association would take some time. The association would still exist in parallel of the new organization until the transfer of assets is complete.

The third transition council was planned in December 2024 and should be the last.

9. UPDATE ON THE GENERAL ASSEMBLY

The Secretary-General showed the detailed timeline and specific deadlines for the General Assembly. He indicated that the third transition council should review the papers in time for the deadline to the General Assembly which was set at 18 December 2024. He then presented the programme of the week for the General Assembly as well as the draft agenda.

He also indicated that there would be an Industrial Affiliate Members General Assembly and the first Council of the IGO that would be held immediately after the General Assembly.

10. REQUEST FROM THE COUNCIL ABOUT ADVERTISING UNDER THE NEW STATUS

Input paper LAP27-10.1 refers.

The Chair Christina Schneider introduced the input paper. She specified that this issue was considered by a French lawyer who advised that if there was not profit made from advertising, it should be acceptable under the IGO status.

The delegate from France raised a few questions:

- Quoting 13.1(c) of the Convention, which deals with funding of the IGO and says that funding may come from 'other sources agreed by Council', the delegate from France asked whether advertising revenues could be classed as 'another source'.
- Should potential advertisers be required to be up to date with membership fees before they can publish advertisements?
- Should there be guidelines on advertising to ensure impartiality and protect reputation?
- Should advertising opportunities be open to any third parties or just to Affiliate Industrial members? If so, should there be some rules or a system for ensuring fair treatment and a transparent pricing structure?
- If there is a surplus of income, what will be done with it?

As a comparison, the delegate from the Netherlands indicated that the organisations that are part of the United Nations do not have advertisement in their publications, however, IALA is not a body of the United Nations and therefore not bound by these rules.

The delegate from Australia added that the organisation is unusual in having an industrial members category unlike other organizations and that this was a long-standing benefit for the members. There may be however a need for more transparency of the process.

The delegate from Brazil added that the income received from advertising by industrial members was important to the feasibility of hosting events such as Conventions and General Assemblies.

The delegate from Finland added that IMO has an advertising policy for its magazine and IALA may want to seek inspiration from it to draft its own policy.

The LAP was not able to identify any legal problems with the concept of advertising in the e-bulletin and considered that the key considerations related to governance issues such as conflict of interest and undue influence resulting.

The chair summarized the outcome of the comments received from the floor and concluded that there was a necessity for a more formal way to proceed regarding advertising in the e-Bulletin of the Organization. She suggested that the Secretariat develop internal guidance on this.

The delegate from Portugal enquired about other instances where the Organization may need to develop guidance for Industrial members to advertise or sponsor events.

The chair added that the document to be prepared by the secretariat should include the different types of advertising and sponsoring opportunities offered to industrial members by the Organization and address the questions raised by the French delegate.

Action item 1

The Secretariat will draft a liaison note to the transition Council and prepare a draft policy on advertising and sponsoring of events as an input paper to LAP 28.

11. LIAISON NOTE FROM DTEC ABOUT EMERGING TECHNOLOGIES

Input paper LAP27-11.1 refers.

The Technical Operation Manager Minsu Jeon introduced the document.

LAP27 has discussed in principle the status of G1153 after the change of status to an IGO. During the discussion, it was taken into account that G1153 currently follows two objectives, supporting national administrations in their conduct to follow and assess emerging technologies and providing a template for the work of the working group in DTEC to follow and assess emerging technologies being considered an internal paper within the Committee. After some discussions, the panel recommended:

- Deletion of all references to the working group and the internal work of the DTEC Committee on assessing emerging technologies in the Guideline.
- Keeping G1153 as a Guideline including the template to assess emerging technologies and as a result give support and help to IALA members in conducting such assessments, e.g. on a national level.
- Using the assessment of emerging technologies as conducted by the working group of DTEC as an internal paper of the Committee supporting its work.

Action item 2

The Secretariat will draft a liaison note about the decision by LAP including the proposed and adapted draft G1153 for DTEC to consider.

12. ANY OTHER BUSINESS

There was no other business.

13. REVIEW OF OUTPUT AND WORKING PAPERS

There were 2 liaison notes from this meeting, one for the Transition Council and one for the DTEC committee.

14. REVIEW OF ACTION ITEMS

There were 2 action items from this meeting.

15. DATE AND PLACE OF NEXT MEETING

LAP28 was scheduled to take place on 13-14 May 2025.

16. APPROVAL OF THE REPORT

The report of LAP27 was to be approved by correspondence.

TWENTY-SEVENTH MEETING OF THE LEGAL ADVISORY PANEL - LAP 27

Legal Advisory Panel

27th Session

Agenda item 2

LAP 27-2

October 30, 2024

Hybrid meeting

The 27th meeting of the Legal Advisory Panel will be held on 30 October 2024 at the Organization's Headquarters, 10 rue des Gaudines, Saint-Germain-en-Laye, France and by video conference. The meeting will start at 10:00 CET and is expected to end at 13:00 CET.

LAP 27 - PROVISIONAL AGENDA

1. Welcome and introduction from LAP chair and Secretary General
2. Approval of the agenda
3. Review of action items from LAP 26
4. Review of input papers
5. Report from IALA Council 80 and Transition Council 01&02
6. Report from PAP 53 & 54
7. Report from the Committees work
8. Update on the Change of Status
9. Update on the General Assembly
10. Request from the Council for the Legal Advisory Panel to advise on whether advertising (in the e-Bulletin) will be possible under the new status.
11. Liaison note from the DTEC about emerging technologies
12. Any other business
13. Review of output and working papers
14. Review of action items
15. Date and place of next meeting
16. Approval of the report

ANNEX B LIST OF PARTICIPANTS

LAP Chair	Christina Schneider Federal Waterways and Shipping Agency Germany
LAP Vice-Chair	Thomas Arculus Trinity House UK
Australia	Mary Dean Australian Maritime Safety Authority
Belgium	Chantal Crombez Shipping Assistance Division
Brazil	Marcos Almeida Marinha do Brasil
Colombia	Natalia Suarez Trivinio Direccion General Maritima
Ecuador	Mauricio Cruz Reyes Instituto Oceanografico De La Armada
Finland	Henri Hassi Finnish Transport Infrastructure Agency Ana Mesimaki Finnish Transport And Communications Agency
France	Fleur Vitoux General directorate for maritime affaires, fisheries and aquaculture
Netherlands	Maarten Berrevoets Ministry of Infrastructure and Water Management
Norway	Jeanette Assev-Lindin Norwegian Coastal Administration
Portugal	Tiago Bennavente Direção de Faróis
Philippines	Lyn Alquizar Philippine Coast Guard Headquarters Rizalyn Angeles Philippine Coast Guard Headquarters
Saudi Arabia	Munirah Alhumidan Saudi Ports Authority
Sweden	Ulrika Borg Swedish Maritime Administration

IALA

Secretary-General
Francis Zachariae

Technical Operations Manager
Minsu Jeon

Communication Officer
Audrey Guinault

Meeting	Agenda Item	Title / Author (if required)	Source	Output papers
LAP27-	2.1	Provisional Agenda	Secretariat	
LAP27-	3.1	Review of action items from LAP26	Secretariat	
LAP27-	4.1	Review of input papers	Secretariat	
LAP27-	5.1.	Report of C80	Secretariat	
LAP27-	5.2	Report of TC01	Secretariat	
LAP27-	5.3	Report of TC02	Secretariat	
LAP27-	6.1	Report of PAP53	Secretariat	
LAP27-	6.2	Report of PAP54	Secretariat	
LAP27-	10.1	Note on the request for advice from C80	Secretariat	
LAP27-	11.1	Liaison note from DTEC	DTEC	

Meeting	No.	Title	Action
LAP27-	17.1	Liaison note to Council	To Council to consider
LAP27-	18.1	Liaison note to DTEC	To DTEC to consider

Action item 1

The Secretariat will draft a liaison note to the transition Council and prepare a draft policy on advertising and sponsoring of events as an input paper to LAP 28.

Action item 2

The Secretariat will draft a liaison note about the decision by LAP including the proposed and adapted draft G1153 for DTEC to consider.

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