**ANNEX B – additional documents**

1. *Changes to the IALA Constitution*
2. *Attachment to draft Council Paper*

General Assembly Approval

Agenda item XXX

Submitted by Council

Approval of Changes to the IALA Constitution

# Summary

This paper presents changes to the IALA Constitution for approval by the General Assembly.

## Purpose of the paper

The purpose of this paper is to provide the opportunity for the General Assembly to review and approve changes to the IALA Constitution.

## Related documents

Annex A contains proposed amendments to IALA’s current Constitution.

# Background

## 2.1 The current IALA Constitution is the governing instrument for IALA. It requires changes to allow IALA to continue to operate efficiently in the period between this General Assembly in 2014 and the entry into force of the International Agreement. The duration of this period will be determined by the time taken for the required number of Contracting Parties (currently set at 15, one of which must be the Government of the French Republic) to agree to be bound by the International Agreement. The current estimate for this is in the order of 2 years from now.

## 2.2 In light of support for the move toward International Organisation status the Constitution could also be amended at this time to allow the Association, through its governing bodies, to exercise the necessary powers to terminate the Association when the circumstances are appropriate to do so. It is suggested that this change could allow for automatic termination on entry into force of the International Agreement.

# Discussion

## Changes to the IALA Constitution

### The proposed changes to the IALA Constitution are shown in Annex A in mark-up. The majority of the changes to the Constitution are minor, and have been requested by Council in response to matters raised since the last General Assembly in 2010.

### The most significant change is the proposed amendment of Article 13. This change is required to facilitate the winding up of the IALA Association upon entry into force of the International Agreement. It is suggested so that the transition process is both certain and smooth.

## General Assembly Approval

### General Assembly approval of the changes noted in Annex A is recommended by Council. These changes will facilitate the operation of IALA until such time as the International Agreement enters into force. They will also allow for the winding up of the current IALA Association when it is appropriate to do so.

### The changes suggested to Article 13 will ensure that there is no confusion about the process or timing for changing the legal structure under which the IALA of the future will operate. These mechanisms have been reviewed by IALA’s Legal Advisory Panel and are consistent with the related processes in the draft International Agreement.

### Changes to the IALA Constitution will take effect immediately upon approval.

# References

Nil.

# Action requested of General Assembly

General Assembly is requested to:

# Note the interaction between the IALA constitution and the draft International Agreement as described above.

# Approve changes to the IALA Constitution as provided in Annex A.