

RULES OF PROCEDURE OF THE INTERNATIONAL NICKEL STUDY GROUP

As amended and approved April 2015

HEADQUARTERS

Rule 1

The headquarters of the Group shall be in Lisbon, Portugal until the Group decides otherwise.

OFFICIAL AND WORKING LANGUAGES

Rule 2

English, French, Russian and Spanish shall be the official and working languages of the Group for interpretation purposes at general and special sessions and for all official documents relating to the general and special sessions. Any delegates wishing to speak or to receive official documentation in any other language shall be responsible for interpretation and translation.

Rule 3

Written communications to the Group may be made in any of the official languages.

SESSIONS

Rule 4

The Group shall hold one General Session each calendar year at such a date and place as it may decide.

Rule 5

The Group may hold Special Sessions whenever so requested by a simple majority of its Members, or by the Secretary-General in agreement with the Chairman.

Rule 6

Notice of any session and the provisional agenda for the session shall be communicated to the Members by the Secretary-General in consultation with the Chairman at least 42 days in advance, except in cases of emergency, when a notice may be communicated at least 15 days in advance. In cases of emergency, the notice shall state the nature of the emergency.

Rule 7

The provisional agenda for each session shall be prepared by the Secretary-General in consultation with the Chairman. If a Member wishes a particular matter to be discussed at a session it shall, if possible, notify the Secretary-General 60 days before the commencement of the session, including in that notification a written explanation.

Rule 8

Each Member shall endeavour to notify the Secretary-General not later than five days before the commencement of the session of the names of the delegates, alternates and advisers designated to represent it at a session.

CONDUCT OF BUSINESS**Rule 9**

The quorum for any meeting shall be the presence of a simple majority of the Members.

Rule 10

The Group shall elect for each calendar year a Chairman, a First Vice-Chairman and a Second Vice-Chairman.

Rule 11

In the temporary absence of the Chairman, his/her duties shall be exercised by the First Vice-Chairman or, in his/her absence, by the Second Vice-Chairman. In the event of the permanent absence of all of them, the Group, which shall be temporarily presided over by the Secretary-General, may elect new officers from among the delegates or alternates as may be required.

Rule 12

Decisions shall normally be taken by consensus and without a vote. If a vote is necessary, it may be taken by a show of hands, roll-call or secret ballot, in accordance with the request. A simple majority vote of the Members present will confirm any decision except where otherwise specified in the Rules of Procedure.

Rule 13

During the discussion of any matter, any delegate may raise a point of order and may move the closure or adjournment of the debate. In each such case the Chairman shall immediately state his/her ruling, which shall stand unless overruled by the meeting.

Rule 14

Each Member State shall be entitled to one vote.

Rule 15

A delegate exercising the function of Chairman shall have no vote while presiding, but may appoint another member of his/her, or of another delegation to vote in his/her place.

Rule 16

When abstaining a Member shall be deemed not to have cast its vote.

Rule 17

The Chairman of the Standing Committee may arrange for the Group to reach decisions on any matter by correspondence. For this purpose a communication shall be sent to Members inviting them to record their votes within a specified time limit, which shall not be less than 45 days. The communication shall state clearly the matter at issue and the proposals in respect of which Members are invited to vote for or against. At the end of the specified time limit, the Secretary-General shall notify all Members of the decision reached. If the replies of three or more Members contain objections to the correspondence procedure, no vote will be recorded and the matter shall stand over for decision at the next session of the Group.

Rule 18

Minutes of meetings shall consist of a summary record of the proceedings, including details of voting; such record shall be provisional in the first instance. If any delegation wishes to amend any of its statements reported in the provisional record, such amendment shall be made by notification to the Secretary-General within 30 days of the issue of that record and no other changes shall be made unless approved by the Group at its next session.

Rule 19

Information which is the property of the Group, reports of proceedings and all other documents of the Group and its various committees and other bodies shall be confidential until and unless the Group, or the Standing Committee as appropriate, decides otherwise.

Rule 20

Meetings of the Group shall be private unless the Members present decide otherwise.

Rule 21

The Group shall keep such records as are required for the performance of its functions under the Terms of Reference.

Rule 22

The Group may invite any non-member State or any appropriate intergovernmental or non-governmental organization interested in some or all aspects of the nickel economy to attend, as observers, any of the meetings of the Group.

FINANCE

Rule 23

The Budget of the Group shall be prepared and its accounts kept in the currency of the host country. The financial year of the Group shall be from 1 January to 31 December. If the Group is established on or before 30 June, its initial budget shall be for the remainder of the calendar year. If it is established on or after 1 July, its initial budget shall be for the period up to 31 December in the succeeding year. In either case the initial budget shall be prepared and approved by the Group at its first session. Thereafter, the annual budget for the ensuing year shall be drawn up by the Secretary-General and submitted for consideration by the Standing Committee and for approval by the Group at its General Session. The Secretary-General shall also prepare a provisional schedule of contributions together with the Budget, for the information of Members pending formal approval of the schedule according to rule 24. Approval of the Budget shall normally be by consensus and without a vote but, if a vote is necessary, a two-thirds majority vote of Members present shall be required.

Rule 24

The annual schedule of budget contributions, which is to be based on the Budget as approved by the Group according to Rule 23, shall normally be determined by the Standing Committee at its last scheduled meeting of each year for the ensuing year and by consensus and without a vote. If a vote is necessary, a two-thirds majority vote of the Members present shall be required.

Rule 25

Each Member shall contribute to the expenses of the Group. The contribution of each Member shall consist of an equal share of 50 per cent of the Budget, the balance to be apportioned among Member States on the basis of the average share of each Member State in world primary nickel^{1[1]} trade in the latest three calendar years for which

^{1[1]} Primary nickel is nickel contained in ores, concentrates, mattes or oxides and other forms of nickel up to and including the refined metal stage.

statistics are available. For Members which import over 95 per cent of their nickel matte, nickel oxide or other intermediate nickel products for processing and export over 95 per cent of their refined nickel production, the proportion of their contribution based on trade shares shall be one-half the rate of other Members. Following approval of the schedule of contributions, the Secretary-General shall immediately notify each Member of the amount of its contribution. Contributions shall be due and payable in the currency of the host country on 1 January and should be paid by 30 June of the same year. Should any Member not have paid its contribution by the time of the meeting of the Standing Committee in the second half of the financial year, it shall explain the delay at that meeting. Any Member in arrears at that time for the preceding financial year shall normally be deprived of its voting rights and may, by decision of the Group, be suspended from membership for so long as it remains in arrears.

Rule 26

Any Member joining the Group in the course of a financial year shall pay a pro-rata contribution for the remainder of the year according to the formula set out in rule 25. Contributions received from new Members shall not affect contributions by existing Members in the financial year in question, but shall be taken into account in assessing contributions in the ensuing year.

Rule 27

The Secretary-General shall be responsible for the administration of the Group's accounts.

Rule 28

The Secretary-General shall circulate annually to all Members a statement of account certified by the Finance Member of the Standing Committee, the Secretary-General and an independent auditor of recognized standing.

Rule 29

The adoption of a budget shall be the authority to incur the expenditures set out therein. Within the limit of the overall budget and with the approval of the Standing Committee through such mechanism as it may establish, any appropriation under any one heading of the budget may be applied to any other heading.

Rule 30

Travel and subsistence expenses of delegations of Members to the Group or to any of its committees or subsidiary bodies shall not be a charge upon the funds of the Group.

STANDING COMMITTEE

Rule 31

The Standing Committee shall elect for each year its Chairman, two Vice-Chairmen and the Finance Member.

Rule 32

The Standing Committee shall be governed by the Rules of Procedure established by the Group but these rules may be supplemented by the Committee's own rules where the authority therefor has been delegated by the Group.

Rule 33

The Standing Committee shall hold at least two regular meetings each calendar year at such place as it may from time to time decide. As a general rule, at least one of those meetings shall be held in the half of the year other than that in which the General Session is held.

Rule 34

The Standing Committee shall keep the nickel situation under review and make such recommendations to the Group as it may deem advisable. It shall carry out such other tasks as may be delegated to it by the Group. In addition, it shall exercise appropriate responsibility for the work of the Secretariat's preparation of a draft budget and other financial action in accordance with rule 23. All financial transactions on behalf of the Group shall be notified regularly to the Standing Committee.

OTHER COMMITTEES OR SUBSIDIARY BODIES

Rule 35

The Group may establish subsidiary committees or bodies and delegate to any of them the exercise of any of its powers, except those which, in accordance with the provisions of its Terms of Reference, require a two-thirds majority vote of the Members present. Notwithstanding such delegation, the Group may at any time discuss and decide any issue that may have been delegated to any of its subsidiary committees or bodies. If a vote is requested on the question of the establishment of a subsidiary committee or body, it shall require a two-thirds majority vote of the Members present.

Rule 36

Officers of committees or subsidiary bodies established by the Group shall be elected each year.

Rule 37

Committees or subsidiary bodies shall report to the Group at least once a year on their work and on all decisions taken by them.

Rule 38

The Group may revoke any power delegated to a committee or subsidiary body.

SECRETARIAT**Rule 39**

The Group shall appoint the Secretary-General. When the Secretary-General selected differs from one or both of the other Study Groups, the Study Group will, together with the other co-located Study Groups, follow the same procedure to select the Secretary-General as that agreed by the three Study Groups in 2005 to elect a common Secretary-General at that time (Ni/21 – Provisional Agenda for the INSG 5th Special Session of 14-15 November 2005 refers). The procedure is to ensure that a common Secretary-General is appointed in all circumstances even when there are different candidates gaining majority support in different Study Groups. In this procedure, a Joint Selection Committee involving all the co-located Study Groups will be established when appropriate to manage the recruitment, selection and appointment of a common Secretary-General.

Rule 40

The terms and conditions of appointment of the Secretary-General and the terms and conditions of employment of staff shall be determined by the Group and shall include provisions expressly prohibiting any conflict of interest.

Rule 41

The Secretary-General shall appoint the staff in accordance with decisions of the Group. The number of staff to be appointed shall be determined by the Group. If a vote is requested, a two-thirds majority vote of the Members present shall be required. The staff shall be responsible to the Secretary-General.

Rule 42

In the performance of their duties, the Secretary-General and other staff shall not seek or receive instructions relating to Nickel from any Member or from any other authority external to the Group. They shall refrain from any action which might reflect on their positions as international officials ultimately responsible to the Group. Each Member shall respect the exclusively international character of the responsibilities of the Secretary-General and the other staff and shall not seek to influence them in the discharge of their responsibilities.

DISPUTES

Rule 43

Disputes concerning the interpretation or application of these Rules of Procedure shall be referred to the Chairman of the Group for decision by the Group, in accordance with Rule 12.

AMENDMENT

Rule 44

The Rules of Procedure shall normally be amended by consensus and without a vote. If a vote is necessary, it shall require a two-thirds majority vote of the Members present at a General Session or a Special Session of the Group. Proposed amendments shall be circulated by the Secretary-General to all Members at least two months in advance of the session.