

Constitution and Rules of Procedure

**ECAC.CEAC Doc No. 20
9th Edition**

European Civil Aviation Conference



ECAC Constitution and Rules of Procedure <<<

This ninth edition of ECAC. CEAC Doc No. 20 consolidates the ECAC Constitution, as adopted in 1993, and the Rules of Procedure, as adopted in 1994, taking into consideration:

- an amendment to Article 13 paragraph 2 of the ECAC CONSTITUTION (Doc 20, 8TH EDITION/AUGUST 2019) reflecting the administrative separation of ECAC from ICAO which became effective on 31 August 2020;
- an amendment to the Terms of Reference of the Focal Point for Remotely Piloted Aircraft Systems replacing “Remotely Piloted Aircraft Systems” by “Unmanned Aircraft Systems (UAS)” to reflect the most commonly used terminology to characterise this type of aircraft, and the terminology used in most European regulations and reference documents,

adopted by the 38th Special Plenary Session of ECAC (ECAC/38) on 10 December 2020.

A LIST OF AMENDMENTS to ECAC publications and decisions with respect to its Constitution and Rules of Procedure is included.

Paris

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CONSTITUTION

Article 1

OBJECTIVE AND FUNCTIONS

- (1) **The objective of the European Civil Aviation Conference, hereinafter called “the Conference”, shall be to promote the continued development of a safe, efficient and sustainable European air transport system.**
- (2) The Conference shall bring within its scope all matters relevant to this objective, taking into account the following principles regarding the selection of items for the work programme:
 - a) importance and interest of the subject to a large number of Member States or to other European organisations;
 - b) possibility of an acceptable solution to the problems involved;
 - c) cooperation with, and possibility of making an effective contribution to the work of, ICAO and other organisations.
- (3) The functions of the Conference shall be consultative and its resolutions, recommendations or other conclusions shall be subject to the approval of governments.
- (4) The Conference may foster the conclusion and implementation of multilateral instruments or arrangements by a number of Member States in furtherance of the objective and functions of the Conference. Such instruments or arrangements may, where appropriate, establish joint procedures for carrying out some of the national responsibilities of the Member States concerned in a coordinated manner.

Article 2

MEMBERSHIP OF THE CONFERENCE

- (1) The Conference is composed of the States which founded it in 1954 under the auspices of ICAO and of the Council of Europe, together with such other European States as the Conference has unanimously admitted or may unanimously admit as members. Unless otherwise unanimously agreed by the Conference in exceptional circumstances, Member States of the Conference shall be ICAO Contracting States.
- (2) All Member States shall have an equal right to be represented at meetings of the bodies of the Conference. No person shall represent more than one State.

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Article 3

RELATIONS WITH ICAO AND OTHER ORGANISATIONS

The Conference shall maintain a close relationship with ICAO in order, through regional cooperation, to further the aims and objectives of the Convention on International Civil Aviation (the Chicago Convention). It shall establish such relations with other governmental or non-governmental international organisations as it considers necessary for the achievement of the objective of the Conference.

Article 4

BODIES AND ASSOCIATED BODIES OF THE CONFERENCE

- (1) The bodies of the Conference, which are assisted by the Secretariat of the Conference, shall be:
 - a) the Plenary Conference in the form of Triennial Sessions and Special Plenary Sessions;
 - b) the meetings of Directors General of Civil Aviation; and
 - c) Groups established from time to time by Directors General of Civil Aviation to carry out specific tasks under the work programme.
- (2) The associated bodies of the Conference shall be any Boards established, under the terms of the multilateral instruments or arrangements referred to in Article 1(4), for the purpose of steering activities performed under such instruments or arrangements, and listed in the Annex to this Constitution. The working methods and procedures of Boards thus established, and arrangements for meeting the costs of their activity, shall be in accordance with the provisions of the relevant multilateral instrument or arrangement.
- (3) The activities of the bodies and the associated bodies of the Conference are coordinated by the Coordinating Committee, which is assisted by the Secretariat of the Conference.
- (4) The reports of all meetings of the bodies of the Conference shall be public documents, unless the meeting in question decides otherwise.

Article 5

TRIENNIAL SESSIONS

- (1) The Plenary Conference shall hold every third year a session called a Triennial Session.
- (2) The powers and duties of the Triennial Session shall be to:
 - a) elect the President and the Vice-Presidents;

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- b) elect the other members of the Coordinating Committee;
 - c) consider reports on the activity of the Conference since the last Triennial Session;
 - d) establish the general work programme for the next three years and methods for fulfilling this programme;
 - e) approve estimates of expenditures for the next three years; and
 - f) adopt recommendations, resolutions, guidelines or other conclusions.
- (3) Triennial Sessions shall, unless the Session in question decides otherwise, be open to invited observers. Delegations of Member States will normally be led by Directors General of Civil Aviation or other officials of high level.

Article 6

SPECIAL PLENARY SESSIONS

- (1) The Plenary Conference shall hold Special Plenary Sessions as necessary in the intervals between Triennial Sessions to adopt formal recommendations or resolutions prepared by subordinate bodies.
- (2) Special Plenary Sessions will normally be attended by Directors General of Civil Aviation, accompanied or represented by a limited number of other officials of high level, and will be open to invited observers.
- (3) Special Plenary Sessions may, at the suggestion of a meeting of Directors General of Civil Aviation, be held at Ministerial level. In such cases, the Session shall be convened and chaired by the Minister responsible for civil aviation in the same Member State as that of the President of the Conference.

Article 7

MEETINGS OF DIRECTORS GENERAL OF CIVIL AVIATION

- (1) Meetings of Directors General of Civil Aviation may be convened whenever the Coordinating Committee deems appropriate.
- (2) The powers and duties of meetings of Directors General of Civil Aviation shall be to:
 - a) adopt conclusions, including guidelines, other than those presented to Triennial or Special Plenary Sessions for adoption;
 - b) review policy developments;

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- c) prepare the triennial work programme and amend it as necessary during the triennium;
 - d) prepare triennial estimates of expenditures, and adjust such estimates annually if changes in the work programme, in priorities or in general economic factors so require, as the basis for calling Member States' contributions;
 - e) establish broad priorities for the execution of the agreed work programme, and establish the Groups and other working methods necessary to achieve them; and
 - f) consider any matters arising under Article 8(4) and conduct any elections necessary under Article 8(5).
- (3) At these meetings, Directors General of Civil Aviation may be accompanied or represented by a limited number of other officials of high level.

Article 8

OFFICERS OF THE CONFERENCE

- (1) The Conference, at each Triennial Session, shall elect the President, not more than three Vice-Presidents, the chairpersons of associated bodies unless otherwise provided in the arrangements governing any such body, and the other members of the Coordinating Committee. Any such election of Chairperson of an associated body shall be by the States members of that body.
- (2) All such Officers shall be Directors General of Civil Aviation in Member States or other officials of high level.
- (3) The newly elected Officers shall assume office at the closing of the Triennial Session and shall, subject to the provisions of (4) and (5) below, continue until the end of the next Triennial Session.
- (4) Any Officer may be removed from office at any time by a decision taken by an absolute majority of the Directors General of Civil Aviation, provided that a motion for that purpose has been proposed in writing by not less than one-third of the Directors General. Pending a decision on the motion, the Officer shall refrain from carrying out the normal functions of the office. A meeting of Directors General of Civil Aviation to consider the motion for removal from office shall be convened as soon as possible, giving thirty days notice of the date of the meeting.
- (5) In the event of the death, removal from office, or resignation of an Officer, or if he or she is otherwise unable to complete his or her term of office, a successor shall be elected at the first meeting of Directors General of Civil Aviation compatible with the provisions for notice in paragraph (6) below. The new Officer shall hold office for the remainder of the term of his or her predecessor.

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- (6) Nominations for election as Officers of the Conference shall be invited at least sixty days, and put forward at least thirty days, before the opening date of the Triennial Session or the meeting of Directors General of Civil Aviation at which the election is to take place. Such nominations shall be notified immediately by the Secretariat to all Member States.
- (7) The Officers of the Conference shall be elected by a simple majority.
- (8) The President can be re-elected to serve only two consecutive three-year terms of office in addition to any term of office served following an election under paragraph (5) of this Article.

Article 9

POWERS OF THE PRESIDENT

- (1) Except as provided in Article 6(3), the President shall preside over the Sessions of the Conference and the meetings of Directors General of Civil Aviation and of the Coordinating Committee.
- (2) He or she shall represent the Conference between its Sessions; he or she can to this end delegate authority to the Vice-Presidents.
- (3) Except as provided in Article 6(3), the President shall convene the Sessions of the Conference and the meetings of the Directors General of Civil Aviation and of the Coordinating Committee.
- (4) The President shall establish provisional agenda for the meetings of Directors General of Civil Aviation and of the Coordinating Committee.
- (5) He or she shall decide upon the advisability of inviting to the meetings of Directors General of Civil Aviation any person or organisation as expert or observer.
- (6) He or she may consult with representatives of Member States or with any other person or organisation, with a view to carrying out the tasks assigned to him or her.
- (7) If the President is not available, the Vice-Presidents shall assume his or her functions in order of seniority.

Article 10

COORDINATING COMMITTEE

- (1) Between the Sessions of the Conference, a Coordinating Committee composed of the President of the Conference, the Vice-Presidents, the chairpersons of any associated bodies established in accordance with Article 4(2), and other members of the Committee, up to a maximum total of eleven, shall assume the functions set forth in paragraph (2) below.

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- (2) The Coordinating Committee shall meet under the chairmanship of the President of the Conference, and shall be empowered to:
 - a) establish the general calendar of all meetings requiring the use of the Conference's resources;
 - b) establish provisional agenda for Triennial and Special Plenary Sessions;
 - c) coordinate the activity of the bodies and, to the extent appropriate, associated bodies of the Conference and take the necessary action to complete the work undertaken. The Coordinating Committee may delegate such responsibility in one or more fields of activity to any of its members;
 - d) approve lists of non-Member States and organisations to be invited as observers to open sessions in each field of the Conference's work;
 - e) ensure that expenses remain within the limits of the budget; and
 - f) manage the resources of the Conference, and exercise such powers under Article 13(1) as the Conference may delegate.
- (3) The Coordinating Committee shall meet as necessary and at least once a year, when it is convened by the President of the Conference.

Article 11

WORKING METHODS

- (1) Groups shall be established as necessary under the work programme to prepare the work in each field of the Conference's activity. Their chairpersons shall be appointed by meetings of Directors General of Civil Aviation.
- (2) Each Group shall report directly to Plenary Sessions or meetings of Directors General unless the Coordinating Committee considers that further coordination procedures are necessary before a Group so reports.

Article 12

DECISIONS BY BODIES OF THE CONFERENCE

Except as provided in Articles 2(1), 8(1), 8(4) and 16, the decisions of the bodies of the Conference shall be taken by a majority of the votes cast by the States represented. An abstention shall not be considered as a vote.

Article 13

SECRETARIAT OF THE CONFERENCE

- (1) The Conference shall be served by its own Secretariat, the number, duties and level of posts in which it shall determine, and appointments to which shall be subject to its approval.
- (2) The regular staff of the Secretariat shall comprise EUROCONTROL staff members on exclusive assignment to the Conference according to the ECAC-EUROCONTROL Agreement dated 26 March 2020, and may be supplemented, where the Conference deems necessary for specific tasks, by staff and experts employed under such other arrangements as it may decide (e.g. secondment from Member States). All members of the Secretariat shall hold the nationality of a Member State of the Conference.
- (3) The Secretariat shall carry out its work under the direction of the Executive Secretary of the Conference who shall be responsible to the Coordinating Committee for the proper execution of the Secretariat's tasks and to the meetings of Directors General of Civil Aviation for the handling of the Conference's funds.
- (4) No member of the Secretariat may seek or accept from any Government or other authority external to the Conference any instructions in regard to the discharge of his or her official business.

Article 14

FINANCIAL PROVISIONS

- (1) The costs attributable to the activity of the Conference shall be the responsibility of the Member States of the Conference, and shall be apportioned among them in proportion to the number of units of their contribution to ICAO for the year in which any payment is to be made, or, where a Member State is not a Contracting State of ICAO, on such basis as the Conference may decide. This shall not apply to the costs attributable to the activity of associated bodies, where these have separate budgets and financial arrangements.
- (2) Member States' contributions shall be payable in advance to the Conference in euros. Interest, at rates to be determined from time to time by meetings of Directors General of Civil Aviation, shall be due on contributions more than one year in arrears.
- (3) The Conference may receive, hold and disburse funds and have accounts in any currency in so far as is necessary for the execution of the transactions required for its objective.

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Article 15

LANGUAGES

- (1) English and French shall be the working languages of the bodies of the Conference.
- (2) Interpretation from Spanish and from other languages will be supplied in so far as resources permit.
- (3) The English and the French texts of this Constitution shall be regarded as equally authentic.

Article 16

AMENDMENT OF THE CONSTITUTION

This Constitution may be amended in Plenary Session by an absolute majority of all Member States. The Annex may be amended in Plenary Session or in a meeting of Directors General of Civil Aviation by an absolute majority of all Member States.

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ANNEX TO THE CONSTITUTION

ASSOCIATED BODIES OF THE CONFERENCE

Under the terms of Article 4(2) of the Constitution, the JAA Training Organisation is an associated body of the Conference.

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APPENDIX TO THE CONSTITUTION

CRITERIA AND PROCEDURES TO BE USED IN CONSIDERING APPLICATIONS FOR MEMBERSHIP OF ECAC

1. The basic criteria for membership as laid down in Article 2(1) of the Constitution are as follows:
 - i) that part or all of the territory of an applicant State must, in all cases, be geographically situated within Europe for it to be eligible for membership of ECAC;
 - ii) that, unless otherwise unanimously agreed by the Conference in exceptional circumstances, an applicant State must be an ICAO Contracting State for it to be eligible for membership of ECAC; and
 - iii) that admission must be unanimously decided by the existing Member States.
2. States seeking admission to ECAC must also provide assurances not only that they are ready to play an active part in furthering ECAC's objective as set forth in Article 1(1) of the ECAC Constitution, but also that they will comply fully with all other parts of the Constitution, inter alia with the financial obligations. It is also expected that they will not require the introduction of further working languages.
3. In reaching the decision referred to in 1. iii) above, Member States shall have regard to further criteria (not necessarily to be met simultaneously or to the same extent), including the following:
 - i) that the applicant State enjoys full sovereignty and exercises it in civil aviation matters;
 - ii) that, given the references in the Constitution to ECAC's relationship to ICAO, the applicant State is Party to the International Air Services Transit Agreement (1944); and
 - iii) that the applicant State's standards are consistent with ECAC's objective in such fields as safety (e.g. flight inspection, airport construction and airworthiness) and security.
4. Member States shall bear in mind the implications of expanded ECAC membership for ECAC's associated bodies.
5. In order to provide Member States with the necessary information to apply the foregoing criteria:
 - a) each applicant State shall be requested to present a written description of its civil aviation arrangements, covering the structure, organisation and functions of its civil aviation administration and its international commitments, as well as the volume, nature and international dimension of its civil aviation industry (including airlines, airports and, where appropriate, aeronautical manufacturing);
 - b) an ECAC team shall visit the applicant State, and report its findings on relevant matters to Directors General; and
 - c) policy-level discussions between the President of ECAC and the heads of the applicant civil aviation administration shall be held when a) and b) above have been deemed satisfactory by Directors General.

RULES OF PROCEDURE

Rule 1 **DELEGATIONS**

- (1) Delegations of Member States may be composed of delegates, alternates and advisers. One of the delegates shall be designated as Chief Delegate. In case of his or her absence, the Chief Delegate may designate another member of his or her delegation to serve in his or her stead.
- (2) States not in membership of the Conference and organisations invited to attend Sessions or meetings of the Conference shall be represented by observers. Where a delegation consists of two or more observers, one of them shall be designated as Chief Observer.

Rule 2 **CREDENTIALS**

- (1) The Coordinating Committee can decide to require for a particular Plenary Session of the Conference that every member of a delegation shall be provided with credentials from the State or organisation concerned, duly authenticated and specifying his/her name and status. The credentials shall be deposited with the Executive Secretary of the Conference or his/her representative.
- (2) The Executive Secretary of the Conference shall examine the credentials and report to the Conference without delay.

Rule 3 **PARTICIPATION IN SESSIONS**

Delegates, alternates, advisers and observers shall be entitled, pending the presentation of a report on credentials by the Executive Secretary and action thereon by the Conference, to attend Sessions and participate in them, subject, however, to the limits set forth in these Rules. The Conference may debar from participation in its work any delegate, alternate, adviser or observer whose credentials it finds to be defective.

Rule 4 **AGENDA**

- (1) a) The provisional agenda for the Triennial Sessions shall be communicated to Member States so as to reach them at least two months before the opening of the Session.
- b) The provisional agenda shall comprise at least the following items:
 - report of the President on action taken since the previous Session;
 - election of the President and Vice-Presidents of ECAC and of other Officers of the Conference;

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- approval of a general work programme for a period of three years;
 - expenditure estimates for the three-yearly period.
- c) The Triennial Session shall approve the final agenda at the commencement of the Session. It may, during the Session, modify the order of items on the agenda for the better conduct of its work.
- (2) The provisional agenda for the Special Plenary Sessions prepared by the Coordinating Committee shall be communicated to Member States so as to reach them at least one month before the opening of the Session. The Special Plenary Session shall approve the final agenda at the commencement of the Session.

Rule 5 **COMMITTEES AND GROUPS**

- (1) Normally, only an Executive Committee shall sit during Triennial and Special Plenary Sessions.
- (2) The Conference may set up working groups or groups of experts open to all States members of the Conference and, if it sees fit or necessary, groups of restricted membership. The Conference itself, or its President, shall lay down the terms of reference of such working groups or groups of experts. The chairpersons of the latter shall be persons appointed by meetings of Directors General of Civil Aviation, in accordance with Article 11(1) of the Constitution. Failing such appointment, the groups shall choose their own chairpersons.

Rule 6 **DOCUMENTATION AND REPORTS**

- (1) Documentation relating to the provisional agenda for Triennial Sessions shall, in principle, be dispatched to Member States six weeks before the opening date of the Session. States which have taken the initiative of having an item included in the agenda shall submit the document concerning that item at least two months in advance so that the Secretariat may circulate it to Member States six weeks before the opening of the Session.
- (2) Documentation relating to Special Plenary Sessions and to other meetings shall be dispatched in time so as to permit adequate preparation by Member States.
- (3) Documentation relating to meetings of Directors General shall be available in English and French two weeks before the meeting. The same shall apply for meetings of working groups, except in exceptional circumstances.
- (4) Reports of Triennial and Special Plenary Sessions shall be distributed to States members of the Conference, to the European Commission, to the Council of Europe and to the ICAO Council, and to other bodies as

decided by the Conference. The reports of all meetings of the bodies of the Conference shall be public documents, unless the meeting in question decides otherwise.

Rule 7 **PUBLIC AND PRIVATE MEETINGS**

Plenary meetings at Triennial Sessions shall be held in public, and Special Plenary Sessions and meetings of Directors General of Civil Aviation, working groups and subordinate organs in private, unless in any case the body concerned decides otherwise.

Rule 8 **PARTICIPATION OF OBSERVERS**

Observers shall have the right to attend all public meetings and such private meetings as the Conference, or, in the absence of a decision by the Conference, as the private meeting may decide. Observers shall have the right to participate in discussions of the meetings that they are allowed to attend and to present documents, but not to vote or to make or second proposals.

Rule 9 **QUORUM**

- (1) A majority of the States members of the Conference, having delegations registered and not known to have withdrawn the same, shall constitute a quorum for the plenary meetings of the Conference.
- (2) The Conference shall determine the quorum for other meetings if, in any case, it is considered necessary that a quorum be established for such bodies.

Rule 10 **POWERS OF THE PRESIDING OFFICER**

The presiding officer of the Sessions and meetings shall declare the opening and closing of each meeting, direct the discussion, ensure observance of these Rules, accord the right to speak, put questions and announce decisions. He or she shall rule on points of order and, subject to these Rules, shall have complete control of the proceedings of the body concerned and maintain order at its meetings.

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Rule 11

SPEAKERS

- (1) The presiding officer shall call upon speakers in the order in which they have expressed their desire to speak. He or she may call a speaker to order if his or her observations are not relevant to the subject under discussion.
- (2) Generally, no delegation may speak a second time on any question, except for clarification, until all other delegations have had an opportunity to do so.
- (3) At Plenary Sessions and meetings of Directors General, the chairperson of a working group may be accorded precedence for the purpose of explaining the conclusions arrived at by the body concerned. In meetings of a working group, similar precedence may, for the same purpose, be accorded to the chairpersons of any other body of the Conference.

Rule 12

TIME LIMIT OF SPEECHES

A presiding officer may limit the time allowed to each speaker, unless the body concerned decides otherwise.

Rule 13

POINTS OF ORDER

- (1) Notwithstanding the provisions of Rule 11, a delegate may at any time raise a point of order, and the point shall immediately be decided by the presiding officer.
- (2) Any delegate may make a motion appealing against such decision. In that case, and subject to the provisions of Rule 14, the procedure specified in Rule 15 (2) shall be followed. The decision given by the presiding officer under paragraph (1) shall stand unless overruled by a majority of the votes cast.

Rule 14

MOTIONS AND AMENDMENTS

- (1) A motion or amendment shall not be discussed until it has been seconded.
- (2) Motions and amendments may be presented and seconded only by members of the delegations of States members of the Conference.
- (3) No motion may be withdrawn if an amendment to it is under discussion or has been adopted.
- (4) Proposals for formal action shall not be discussed until 24 hours after they have been submitted in writing, except in the absence of objection to earlier discussion.

Rule 15

PROCEDURAL MOTIONS

- (1) Subject to the provisions of Rule 14, any delegate may move at any time the suspension or adjournment of the meeting, the adjournment of the debate on any question, the deferment of discussion on an item, or the closure of the debate on an item.
- (2) After such a motion or one under Rule 13(2) has been made and explained by its proposer, only one speaker shall normally be allowed to speak in opposition to it and no further speeches shall be made in its support before a vote is taken. Additional speeches in such motion may be allowed at the discretion of the presiding officer. A delegate speaking on such a motion may speak only on that motion and not on the substance of the matter which was under discussion before the motion was made.

Rule 16

ORDER OF PROCEDURAL MOTIONS

The following motions shall have priority over all other motions, and shall be taken in the following order:

- a) to suspend the meeting;
- b) to adjourn the meeting;
- c) to adjourn the debate on an item;
- d) to defer the debate on an item;
- e) for closure of the debate on an item.

Rule 17

REOPENING OF DEBATE

Reopening within the same body and at the same Session of a debate already completed by a vote on a given item shall require a majority of votes cast. Permission to speak on such a motion shall normally be accorded only to the proposer and to one speaker in opposition, after which it shall be immediately put to vote. Additional speeches may be allowed at the discretion of the presiding officer, who shall decide the priority of recognition. Speeches on a motion to reopen shall be limited in content to matters bearing directly on the justification for reopening.

Rule 18

DISCUSSIONS IN SUBORDINATE ORGANS

A subordinate organ established by a working group may conduct its deliberations informally, save that it may at any stage decide that these Rules shall be observed at its meetings.

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Rule 19 **VOTING RIGHTS**

Each State member of the Conference, if duly represented, shall have one vote at Sessions and meetings of the Conference.

Rule 20 **VOTING OF PRESIDING OFFICER**

Subject to the provisions of Rule 19, the presiding officer of the Sessions and meetings shall have the right to vote on behalf of his or her State.

Rule 21 **METHOD OF VOTING**

- (1) Except as otherwise provided in the Constitution or in these Rules and subject to paragraphs (2) and (3) hereof, voting shall be by voice, by show of hands, or by standing, as the presiding officer may decide.
- (2) Voting may be by secret ballot if a Session or meeting so decide by majority vote of the Member States represented there.
- (3) In Sessions of the Conference and in meetings of Directors General of Civil Aviation and of working groups there shall be a roll-call vote if requested by two States members of the Conference. The vote or abstention of each State participating in a roll-call vote shall be recorded.

Rule 22 **DIVISION OF MOTIONS**

On request of any delegate, and unless the meeting otherwise decides, parts of a motion shall be voted on separately. The resulting motion shall then be put to a final vote in its entirety.

Rule 23 **VOTING ON AMENDMENTS**

Any amendment to a motion shall be voted on before a vote is taken on the motion. When two or more amendments are moved to a motion, the vote should be taken on them in the order of their remoteness from the original motion, commencing with the most remote. The presiding officer shall determine whether a proposed amendment is so related to the motion as to constitute a proper amendment thereto, or whether it must be considered as an alternative or substitute motion.

Rule 24

VOTING ON ALTERNATIVE OR SUBSTITUTE MOTIONS

Alternative or substitute motions shall, unless the meeting otherwise decides, be put to vote in the order in which they are presented, and after the disposal of the original motion to which they are alternative or in substitution. The presiding officer shall decide whether it is necessary to put such alternative or substitute motions to vote in the light of the vote on the original motion and any amendment thereto. Such decisions may be reversed by a majority of the votes cast.

Rule 25

TIE VOTE

In the event of a tie vote, a second vote on the motion concerned shall be taken at the next meeting, unless the Conference or body concerned decides that such second vote be taken during the meeting at which the tie vote took place. Unless there is a majority in favour of the motion on this second vote, it shall be considered lost.

Rule 26

ELECTION OF THE PRESIDENT, VICE-PRESIDENTS AND OTHER OFFICERS, AND APPOINTMENT OF CHAIRPERSONS OF WORKING GROUPS

The election of the President, Vice-Presidents and other Officers referred to in Article 8 of the Constitution shall be governed by the procedure stated in Rule 21. The same shall apply to the appointment of the Chairpersons of Working Groups referred to in Article 11(1) of the Constitution.

Rule 27

RECORDS OF PROCEEDINGS

Unless otherwise decided by the Conference, records of the proceedings of Triennial and Special Plenary Sessions, meetings of Directors General of Civil Aviation, working groups, groups of experts and subordinate organs shall not take the form of minutes but of reports and, in certain cases, of brief summaries or summaries of decisions.

Rule 28

AMENDMENT OF THE RULES OF PROCEDURE

These Rules or any portion thereof may be amended or suspended at any time by the Conference in Plenary Session by a majority of the Members present, or in meetings of Directors General of Civil Aviation by an absolute majority of all Member States.

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>>> Terms of Reference for Focal Points

**TERMS OF REFERENCE FOR
FOCAL POINTS**

Terms of Reference for Focal Points <<<

FOCAL POINTS ...

- a) shall be members of the Coordinating Committee and exercise their functions in their specific field of activity under authority delegated by the Coordinating Committee, in accordance with Article 10(2)c) of the Constitution.
- b) shall be responsible for the implementation of the work programme in their field of activity, within the overall work programme established by a Triennial Session (or as amended during a triennium by a meeting of Directors General).
- c) subject to h) below, shall be empowered to convene meetings of groups under their chairmanship; establish task forces/appoint their chairpersons, approve their terms of reference, and their membership (including observers).
- d) shall maintain regular contact with the chairpersons/rapporteurs of task forces in order to monitor the progress of the work. They shall also be available to provide guidance, if requested by chairpersons/rapporteurs during the course of the work of task forces.
- e) shall report at regular intervals to meetings of the Coordinating Committee/ Directors General, as appropriate, or as requested, on the progress of work in their area of activity. They shall also submit a final report on the outcome of this work.
- f) shall be responsible for the preparation of working papers and full reports on their field of activities for consideration at ECAC Plenary Sessions.
- g) shall, subject to the approval of the Coordinating Committee, be empowered to organise events such as symposia, workshops, etc., in their field of activity or to represent ECAC at such events involving their field of activity.
- h) shall submit for approval to the Coordinating Committee their proposals as regards meetings anticipated in their field of activity involving the use of Conference resources, within the framework of Article 10(2)a), 10(2)e) and 10(2)f) of the Constitution.

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>>> Terms of Reference for Focal Points

The following Terms of Reference for each Focal Point are included in this document for ease of reference. These were adopted by the 163rd meeting of the Coordinating Committee on 20 March 2012 and at subsequent meetings of the Committee.

TERMS OF REFERENCE: FOCAL POINT FOR EXTERNAL RELATIONS

1. The Focal Point for External Relations, a position which shall normally be filled by the President of ECAC, shall take the lead in ensuring the delivery of the strategy laid down in the ECAC External Relations Policy Statement, as amended periodically.
2. In doing so the Focal Point shall -
 - a) establish and maintain a framework of positive relationships with other international aviation organisations, key States and aviation industry bodies, in order to promote ECAC's interest and policies and to provide a context within which other European aviation bodies may more easily pursue their own targeted and operational dialogues;
 - b) liaise with the relevant ECAC Focal Point when considering invitations to attend or speak at international conferences, symposia etc in policy areas for which there is a specific Focal Point lead;
 - c) ensure that whenever appropriate there is liaison with other European organisations, particularly with the European Commission, EASA and EUROCONTROL, in order that the European aviation organisations deliver consistent messages to the region's external partners and in global aviation forums; and
 - d) ensure that the Coordinating Committee is kept informed of the outcome of external relations activities, and of plans for forthcoming activities.
3. The Focal Point will present to Directors General a report on the state of ECAC's external relations at their final meeting of each calendar year, to include both a review of the activities undertaken during the previous twelve months and a description in broad terms of the activities and initiatives planned for the year to come.

Terms of Reference for Focal Points <<<

TERMS OF REFERENCE: FOCAL POINT FOR SAFETY

1. The Focal Point for Safety shall be appointed from amongst the members of the ECAC Coordinating Committee, and shall ensure the delivery of ECAC's safety work programme, for the benefit of all of its Member States.
2. To this end, the Focal Point shall -
 - a) maintain a close familiarity with all of the initiatives being pursued by ECAC in the safety field, in particular the furtherance of the "bridging" concept in relation to ECAC's EU and non-EU Member States, and work in relation to accident and incident investigation;
 - b) monitor the activities of ECAC's safety working groups;
 - c) represent ECAC's interest and priorities in international meetings and conferences on safety issues, in coordination with the ECAC Secretariat;
 - d) lead the preparation of European positions for ICAO meetings and conferences in the safety field (including in particular ICAO Assemblies), in concert with the ECAC Secretariat and in coordination with the EU Presidency and the European Commission; and
 - e) engage as appropriate with other civil aviation bodies on safety initiatives, in particular with the European Commission, the European Aviation Safety Agency and EUROCONTROL, where this could bring wider benefits for civil aviation in Europe.
3. The Focal Point for Safety shall update the Coordinating Committee periodically on the implementation of ECAC's policies and initiatives in the safety field.

>>> Terms of Reference for Focal Points

TERMS OF REFERENCE: FOCAL POINT FOR ENVIRONMENTAL MATTERS

1. The Focal Point for Environmental Matters shall be appointed from amongst the members of the ECAC Coordinating Committee, and shall ensure the delivery of ECAC's environmental work programme, for the benefit of all of its Member States.
2. To this end, the Focal Point shall -
 - a) maintain a close familiarity with all of the initiatives being pursued by ECAC in the environment field, in particular implementation of ICAO Resolution 37/19 on climate change (mindful of Europe's reservations against parts of that Resolution), and pursuit of a balanced approach to the mitigation of aviation's noise impacts;
 - b) monitor the activities of ECAC's environment working groups;
 - c) represent ECAC's interest and priorities in international meetings and conferences on environmental issues, in coordination with the ECAC Secretariat;
 - d) lead the preparation of European positions for ICAO meetings and conferences in the environmental field (including in particular ICAO Assemblies), in concert with the ECAC Secretariat and in coordination with the EU Presidency and the European Commission; and
 - e) engage as appropriate with other civil aviation bodies on environmental initiatives, in particular with the European Commission and EUROCONTROL, where this could bring wider benefits for civil aviation in Europe.
3. The Focal Point for Environmental Matters shall update the Coordinating Committee periodically on the implementation of ECAC's policies and initiatives in the environmental field.

Terms of Reference for Focal Points <<<

TERMS OF REFERENCE: FOCAL POINT FOR FACILITATION AND SECURITY

1. The Focal Point for Facilitation and Security shall be appointed from amongst the members of the ECAC Coordinating Committee, and shall ensure the delivery of ECAC's facilitation and security work programmes, for the benefit of all of its Member States.
2. To this end, the Focal Point shall -
 - a) maintain a close familiarity with all of the initiatives being pursued by ECAC in the fields of facilitation and security, in particular the ECAC Audit and Capacity Building Programme and the Common Evaluation Process of security equipment;
 - b) chair meetings of the Facilitation Programme Management Group and the Security Programme Management Group, and monitor the activities of ECAC's various facilitation and security groups;
 - c) represent ECAC's interest and priorities in international meetings and conferences on facilitation and security issues, in coordination with the ECAC Secretariat;
 - d) lead the preparation of European positions for ICAO meetings and conferences in the facilitation and security fields (e.g., in the ICAO Facilitation and Aviation Security Panels, and at ICAO Assemblies), in concert with the ECAC Secretariat and in coordination with the EU Presidency and the European Commission; and
 - e) engage as appropriate with other civil aviation bodies on facilitation and security initiatives, in particular with ICAO, the US Transportation Security Administration and the European Commission, where this could bring wider benefits for civil aviation in Europe.
3. The Focal Point for Facilitation and Security shall update the Coordinating Committee periodically on the implementation of ECAC's policies and initiatives in the fields of facilitation and security.

>>> Terms of Reference for Focal Points

TERMS OF REFERENCE: FOCAL POINT FOR ECONOMIC MATTERS

1. The Focal Point for Economic Matters shall be appointed from amongst the members of the ECAC Coordinating Committee, and shall ensure delivery of the ECAC work economics programme, for the benefit of all of its Member States.
2. To this end, the Focal Point shall -
 - a) maintain a close familiarity with all of the initiatives being pursued by ECAC in the economic field;
 - b) monitor the activities of any ECAC groups established in the economic field;
 - c) represent ECAC's interest and priorities in international meetings and conferences in relation to economic matters, in coordination with the ECAC Secretariat;
 - d) lead the preparation of European positions for ICAO meetings and conferences, in concert with the ECAC Secretariat and in coordination with the EU Presidency and the European Commission; and
 - e) engage as appropriate on economic initiatives with other European civil aviation bodies, in particular with the European Commission, where this could bring wider benefits for civil aviation in Europe.
3. The Focal Point for Economic Matters shall update the Coordinating Committee periodically on any initiatives undertaken in the field of economic issues. These might concern for example competition issues, market access, taxation, inter-modality, and the implications for aviation of periods of serious economic downturn.

Terms of Reference for Focal Points <<<

TERMS OF REFERENCE: FOCAL POINT FOR PAN-EUROPEAN MATTERS

1. The Focal Point for Pan-European Matters shall have a general cross-cutting role to help ensure that ECAC's activities reflect equally the interests of all of its Member States, and that those interests are also recognised by other European civil aviation bodies.
2. To this end, the Focal Point shall -
 - a) maintain a close familiarity with all of the initiatives being pursued by ECAC;
 - b) be available to engage informally with ECAC's other Focal Points, where it is agreed that this would be useful, to help ensure that the work programmes for which they are individually fully responsible are appropriately informed by a pan-European perspective;
 - c) be available for discussions with any ECAC Director General who has ideas for strengthening that perspective;
 - d) contribute (additionally) from a pan-European perspective during discussions at DGCA meetings, as necessary; and
 - e) discuss as appropriate with other European civil aviation bodies how taking a pan-European perspective might add value to their own activities and initiatives, and bring wider benefits for civil aviation in Europe.
3. The Focal Point for Pan-European Matters shall from time to time offer views to the Coordinating Committee on how far ECAC's activities generally are being informed by a pan-European perspective; and on how far other European civil aviation bodies, in their own activities, are taking into account the interests of the ECAC States which are not also members of those bodies.

>>> Terms of Reference for Focal Points

TERMS OF REFERENCE: FOCAL POINT FOR UNMANNED AIRCRAFT SYSTEMS (UAS)

1. The Focal Point for Unmanned Aircraft Systems (UAS) shall be appointed from amongst the members of the ECAC Coordinating Committee, and shall have a general cross-cutting role to help ensure that all areas of activities of the organisation would consider and support the development of the UAS sector in harmonised fashion among ECAC Member States.
2. To this end the Focal Point shall:
 - a) maintain a close familiarity with all of the initiatives being pursued by ECAC Member States, European and international organisations in the field of UAS;
 - b) monitor the activities of the European Commission and EASA in order to help consolidate a European regulatory framework within ECAC Member States in the field of UAS;
 - c) monitor the activities of any ECAC groups which may be established in the field of UAS;
 - d) promote ECAC's interest and priorities in international meetings and conferences in relation to UAS matters, in coordination with the Focal Point for Safety and the Focal Point for Facilitation and Security as well as the ECAC Secretariat;
 - e) coordinate the preparation of cross-domain European positions on UAS matters for ICAO meetings and conferences; and
 - f) engage as appropriate, and in coordination with the Focal Points for Safety and Facilitation and Security, with other civil aviation bodies on UAS initiatives, in particular with the European Commission, EASA, EUROCONTROL, JARUS and FAA, where this could bring benefits to the UAS sector and ECAC Member States.
3. The Focal Point for UAS shall update the Coordinating Committee and Directors General periodically on the implementation of ECAC's policies and initiatives in the field of UAS.

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LIST OF AMENDMENTS

ECAC INFORMATION PAPER No. 6 - CONSTITUTIONAL DOCUMENTS AND RULES OF PROCEDURE

Revised December 1964 - published April 1965. Produced in compliance with a proposal made at ECAC/4. This groups together in one document the statutory texts of ECAC, its Rules of Procedure and other matters of general interest.

Superseded by

ECAC INFORMATION PAPER No. 13 - CONSTITUTION AND RULES OF PROCEDURE

Published October 1969. This contains the final text of the Constitution and Rules of Procedure of ECAC as adopted by the First Intermediate Session of the Conference (17-18 June 1968). The decision to publish the Constitution was taken by INT.S/2 (10-12 July 1969).

Replaced by

ECAC.CEAC Doc No. 20 - CONSTITUTION AND RULES OF PROCEDURE

Published September 1979. This includes amendments agreed by INT.S/8 (3-5 June 1975), ECAC/9 (21-25 June 1976) and ECAC/10 (12-15 June 1979).

Second Edition

Published March 1991. This reflects the amendments agreed by INT.S/14 (19-21 June 1984), INT.S/16 (16-18 June 1987) and INT.S/17 (21 and 23 June 1989), together with the consequential amendment adopted by INT.S/16 to the Rules of Procedures.

Third Edition

Published April 1994. This presents the new version of the ECAC Constitution as adopted by INT.S/22-(SP) on 22 April 1993.

Fourth Edition

Published December 1996. This combines the new version of the ECAC Constitution as adopted in 1993 and the Rules of Procedure as adopted by ECAC/17(SP) on 16 December 1994.

Fifth Edition

Published July 2003. This includes an amendment to the ANNEX TO THE ECAC CONSTITUTION adopted by DGCA/101 on 17-18 December 1997; an amendment to the CONSTITUTION as regards ARTICLE 10 (1) adopted by ECAC/23(SP) on 15 December 1999; and an editorial amendment to Article 14 (2) reflecting the change of currency for the ECAC budget from French Francs to Euros.

Sixth Edition

Includes an amendment, adopted in 2008, to the ANNEX TO THE ECAC CONSTITUTION reflecting the disbandment of the Joint Aviation Authorities (JAA) and the establishment of the JAA Training Organisation (JAA TO) as Associated Body of ECAC.

Seventh Edition

Includes an amendment, adopted in 2015 by ECAC/34, to the ANNEX TO THE ECAC CONSTITUTION, reflecting the establishment of the European Aviation Security Training Institute (EASTI) as Associated Body of ECAC.

>>> ECAC Constitution and Rules of Procedure

Eight Edition

Published August 2019. This includes an amendment to the ANNEX TO THE ECAC CONSTITUTION reflecting the decision taken in December 2018 by DGCA/151 to withdraw the associated body status of the European Aviation Security Training Institute (EASTI); an amendment to the CONSTITUTION reflecting a decision adopted by the 37th Special Plenary Session of ECAC (ECAC/37) on 30 August to remove the Terms of Reference for the Focal Point for Training following cancellation of the position in 2018, and to insert Terms of Reference for the Focal Point for Remotely Piloted Aircraft Systems adopted by the Coordinating Committee in 2016.

Ninth Edition

Published December 2020. This includes amendments adopted by the 38th Special Plenary Session of ECAC (ECAC/38) on 10 December 2020 to:

- Article 13 paragraph 2 of the ECAC CONSTITUTION (DOC 20, 8TH EDITION/AUGUST 2019) reflecting the administrative separation of ECAC from ICAO which became effective on 31 August 2020;
- the Terms of Reference of the Focal Point for Remotely Piloted Aircraft Systems replacing “Remotely Piloted Aircraft Systems” by “Unmanned Aircraft Systems (UAS)” to reflect the most commonly used terminology to characterise this type of aircraft, and the terminology used in most European regulations and reference documents.

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