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**INTERNATIONAL CONVENTION FOR THE PROTECTION OF PERFORMERS,  
PRODUCERS OF PHONOGRAMS AND BROADCASTING ORGANIZATIONS  
(ROME CONVENTION, 1961)**

**INTERGOVERNMENTAL COMMITTEE  
Nineteenth Ordinary Session**

**(Paris, 27-28 June, 2005)**

Item 9 on the provisional agenda

**PROPOSAL FOR AMENDMENT OF RULE 11  
OF THE RULES OF PROCEDURE**

*Memorandum prepared by the Secretariat*

1. The Intergovernmental Committee of the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention), hereinafter referred to as the “Committee” convened in accordance with Article 32.6<sup>1</sup> of the Convention and Rule 11 of the Rules of Procedure of the Committee, held its eighteenth Ordinary Session at the International Labour Office (ILO) in Geneva from 27 to 28 June 2001.
2. During the eighteenth session, the Chairperson invited the delegations’ views on whether the two-year cycle of the Committee’s sessions should be maintained or modified.
3. Delegations agreed that the periodicity of sessions had to be adapted to developments affecting the Rome Convention’s legal framework.
4. Following the discussion, the Chairperson suggested to the Committee the suspension of Rule 11.

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<sup>1</sup> 32.6 : Meetings of the Committee, which shall be convened whenever a majority of its members deems it necessary, shall be held successively at the headquarters of the International Labour Office, the United Nations Educational, Scientific and Cultural Organization and the Bureau of the International Union for the Protection of Literary and Artistic Works.

5. The Committee decided to suspend Rule 11 and to convene the nineteenth session in 2005. The Committee also decided that the agenda of the 19<sup>th</sup> session would include an item on the amendment of Rule 11.

6. It should be recalled that Article 32.6 of the Convention provides that meetings of the Committee shall be convened whenever a majority of its members deems it necessary. Rule 11 of the Rules of Procedure of the Committee provides that “the Committee shall meet in ordinary session once in each odd-numbered calendar year”. It should also be recalled that in accordance with Rule 35(1) of the Rules of Procedure the Committee may amend its Rules of Procedure. Thus, the Committee may decide to modify the frequency of the sessions or to suspend its meetings *sine die*.

7. Hence, the Secretariat proposes that the Committee decides:

- (i) to decrease the frequency of its sessions and to amend Rule 11 of its Rules of Procedure to read as follows:

Alternative A : “the Committee shall meet in ordinary session every three years ”

Alternative B : “The Committee shall meet in ordinary session every four years ” ; or

- (ii) to postpone its sessions *sine die*.

Alternative C: “The Committee shall meet at any time at the request of the majority of its members” (similar to Rule 12 of the Rules of Procedure concerning the Committee’s extraordinary sessions, and in accordance with article 32.6 of the Rome Convention).

8. In case Alternative A or Alternative B is adopted, no other amendments to the Rules of Procedure would be necessary.

9. On the other hand, if Alternative C is adopted, Rule 12 of the Rules of Procedure should be deleted, and the numbering of the rules, which follow Rule 12, should be amended accordingly.

10. It should be recalled that according to Rule 35(2) of the Rules of Procedure, any amendments shall enter into force after the conclusion of the session at which it was adopted, unless the Committee unanimously decides otherwise.

11. Rule 11 and Rule 12 are annexed to this document.

[Annex I follows]

## **ANNEX I**

### **RULES OF PROCEDURE OF THE INTERGOVERNMENTAL COMMITTEE**

established under article 32 of the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations, done at Rome on 26 October 1961  
(adopted by the Committee at its fourth ordinary session)

#### **IV. SESSIONS OF THE COMMITTEE**

##### **Rule 11 - Ordinary sessions**

The Committee shall meet in ordinary session once in each odd-numbered calendar year.

##### **Rule 12 - Extraordinary sessions**

The Committee shall meet an extraordinary session at the request of the majority of the members of the Committee.

[End of memorandum]