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COUNCIL

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Council

**ASSESSMENT OF THE 2006 GOVERNANCE SYSTEM:
REPORT BY THE EXECUTIVE COMMITTEE**

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English - Or. English

1. Resolution C(2006)78/FINAL on a New Governance Structure for the Organisation, adopted by Council in May 2006, contains a revision clause (§54) providing that “*an assessment of the new governance system including the QMV formula will be conducted no later than after four years of experience or before, if Council so decides*”.

2. After some preliminary discussions, Council gave the following mandate to the Executive Committee at its session of 26 November 2009 [C/M(2009)22, Item 289]:

- i) assess, in the light of the experience and practice since June 2006, the roles and mandates of the Standing Committees and Advisory Groups as well as the list of Fundamental Issues, Special Cases and Delegated Issues set out respectively in Sections I, II, V and VI of Chapter 3 of Resolution C(2006)78/FINAL;
- ii) develop, as appropriate, recommendations to ensure that Council’s immediate sub-structure operates in the smoothest and most efficient way, and that the catalogue of issues submitted to the decision-making system established by Resolution C(2006)78/FINAL be as complete and clear as possible;
- iii) submit its final report by the end of April 2010* to assist the Council assessment and possible decision by the end of June 2010, and report on progress to Council as appropriate.

5. As presented in further detail by the Chair of the Executive Committee in his report (Annex I), the Committee conducted its assessment from February to December 2010. A consensus emerged in the Executive Committee on several proposals for change. The Chair’s report also highlights a number of other proposed changes that received significant attention or that were discussed at length but on which no agreement could be reached.

6. The draft revised Chapters 3 and 4 of the Resolution, set out in Annex III, represent what was agreed in the Executive Committee, notably: 1) the discontinuation of the Committee on Public Affairs and Communication (CPAC); 2) an expansion of the use of QMV through the reclassification of some issues as special cases; 3) an amendment to the chapeau paragraph to the mandates of the standing committees, reaffirming the latter’s role in preparing Council discussions and decisions; 4) a number of simplifications, additions and clarifications of a more technical nature, mainly to the sections dealing with the categories of issues and problems of classification.

7. The Executive Committee also suggests, in the light of its debate, that a new review be carried out no later than four years after the entry into force of the revised Resolution.

8. Once adopted by Council, all the amendments will be reproduced in a final version of the revised Resolution [C(2006)78/REV1/FINAL], notably for inclusion in the updated brochure entitled “Rules of Procedure of the Organisation”.

9. In the light of the preceding, Council is invited to adopt the following draft conclusions:

THE COUNCIL

- a) noted document C(2010)140;

* At its session on 29 April, Council agreed to extend this Executive Committee mandate until the end of July 2010.

- b) noted the report by the Chair of the Executive Committee, set out in Annex I to C(2010)140;
- c) noted the statement by the Permanent Delegations of Belgium, Hungary, Italy, Japan, Luxembourg, the Slovak Republic and the United States, as well as the statement by the Permanent Delegation of the United Kingdom, set out in Annex II to C(2010)140;
- d) agreed to abolish the Committee on Public Affairs and Communications (CPAC);
- e) agreed to the revised Chapters 3 and 4 of the *Council Resolution on a new Governance Structure for the Organisation* [C(2006)78/REV1/FINAL], as set out in Annex III to C(2010)140.

ANNEX I

THE EXECUTIVE COMMITTEE'S ASSESSMENT OF THE GOVERNANCE SYSTEM: REPORT BY THE CHAIR

Introduction

1. Over the course of the last eleven months, the Executive Committee has been engaged in a re-assessment of the Organisation's Governance system that was introduced in 2006. The process was formally launched on 26 November 2009, when Council approved the Executive Committee's mandate for the exercise, but for various organisational and scheduling reasons, the actual assessment did not gain momentum until February 2010. It was initially conducted in a series of informal sessions, and was subsequently scheduled for the afternoons of nearly every Executive Committee session until early December. In all, twenty-two sessions were held.

2. Early on in the process, it became clear that most Members were of the view that the current Governance system functions fairly well, and that radical changes to it would not be necessary. The discussions thus focussed on evolutionary changes, mainly intended to increase the efficiency and effectiveness of the governing bodies of the Organisation, Council in particular.

3. The discussions were somewhat difficult at times, in particular on the roles and mandates of the standing committees, as described in further detail below. Nevertheless, agreement was reached on several proposals for change, as set out in Annex III to this document.

4. The proposed changes, while not revolutionary, will, if agreed on by Council, contribute to a smoother functioning of the governing bodies of the Organisation, while at the same time maintaining the balance between those bodies that was embodied in the Governance reform of 2006.

The Proceedings

5. The Committee initiated its assessment of the Governance system with a series of informal sessions, the first one taking place on 10 February. To help launch the discussions, the Secretariat tabled a paper that described how the system worked in practice and set out some examples of elements that could justify further analysis [CE(2010)2].

6. The general mood at this stage seemed to be that the goal should be a more streamlined, efficient governance structure with duplication reduced as far as possible. Views varied considerably, however, on how drastic the means to achieve that goal should be. A few Delegations argued that efficiency would best be achieved through structural changes, e.g. through making the Executive Committee the main management committee; merging the Budget Committee and the Executive Committee; and abolishing the External Relations Committee. However, it soon became clear that the perceived need for sweeping changes to the structure of the Governance system was limited.

i) The Roles and Mandates of the Standing Committees and the Advisory Groups

7. The Committee's discussion on the mandates of the standing committees was initiated on 3 March and continued on 12 March, 20 April, 3 and 18 May, 10 and 25 June, concluding at the session on 7 July. Some Delegations saw a need to be more specific about the roles of the standing committees and

several proposals by individual and groups of Members were made in this respect* in the course of the discussions, which were strenuous at times. I held a series of informal consultations with the countries behind the proposals, but consensus proved difficult.

8. The main proposals, which concentrated on the revision of paragraphs 26 and 31, focussed on the following aspects: 1) defining more precisely the role of the standing committees in the preparation of Council's discussions or expanding that role 2) explicitly mentioning some elements in the mandates, such as Enhanced Engagement in ERC's mandate and Accession in ExCo's, 3) addressing the overlap between the ExCo and BC mandates on the priorities of the Organisation. The Chairs of the BC and ERC were invited to participate in the discussion regarding mandates and both considered that the current mandates of their respective committees were adequate.

9. While there was no agreement on the more far-reaching proposals (such as the one advocating that all items on the Council's agenda should first be reviewed by a standing committee), consensus was indeed reached on clarifications and improvements to the current text of paragraph 26. The proposed new text of this paragraph reaffirms the role of the standing committees in ensuring that Council concentrates on strategic issues by assisting it with substantive issues and handling operational issues. However, the Committee remained divided on what to do with the detail of the committee mandates (paragraph 31). As there was no agreement on any of the proposed revisions despite prolonged discussions, I concluded on 7 July that the necessary consensus in the Executive Committee to recommend to Council changes to this paragraph did not exist.

10. Members agreed that alternative ways can be found to deal with the issue of overlapping competencies and, as was suggested by the Chair of the Budget Committee, that joint bureau meetings could be organised among the standing committees. As I have reported to Council, a meeting between the Bureaus of the Executive Committee and Budget Committee has already been held, with good results, and I would suggest that they become a regular feature on the calendar, possibly on a quarterly basis. Additionally, the Secretary-General holds monthly meetings with all Standing Committee Chairs; these occasions too could be used to ensure that agendas are fully coordinated.

11. The Executive Committee proposes that Council abolish the Committee on Public Affairs and Communications (CPAC), referred to in paragraph 33 of the Governance Resolution. Council would continue to be the decision-making body on communication policy frameworks, with the Executive Committee preparing the decisions when necessary, and dealing with their implementation as provided for in paragraph 51 a ii.

12. Paragraphs 32 and 33 of the Resolution have been amended to reflect the discontinuation of CPAC, and other developments. The title of Section II has been changed to "Special Bodies" to encompass the different missions of these kinds of groups.

ii) The list of Fundamental Issues, Special Cases and Delegated Issues

13. On 12 and 22 March and 20 April, a general discussion was held on the categories of issues. Several Delegations advocated expanding the category of special cases (and thus the possibility of an expanded use of QMV), particularly having in mind future enlargements; others advocated looking at the possibility of merging fundamental issues and normal cases. One delegation went further in suggesting that

* For reference: Executive Committee Room Document No. 1 of 20 April; Nos. 1, 3 & 4 of 10 June; Nos. 1 & 2 of 25 June; No. 2/REV1 of 1 July, and CE/M(2010)14/CORR1.

QMV become the default decision making mechanism, instead of the current helped mutual agreement together with the “a point” device applied to normal cases. No consensus was achieved on any of these proposals.

14. A review of the existing lists of issues in relation to decision making mechanisms was also conducted. The Committee first examined whether issues could be moved from fundamental to special cases, with rather limited suggestions for change. To help move the process forward, the Secretariat presented, at the session of 18 May, a table setting out all normal cases dealt with by Council since June 2006, and on 25 June a Room Document outlining some items which could be considered for conversion to special cases (Room Document No. 3). On 1 July, the Secretariat presented a Room Document containing further proposals regarding the lists and categories of issues aimed at clarifying where certain issues fell and/or improving the efficiency of decision making as a whole (Room Document No. 2), which was further revised (Room Document No. 2/REV1 of 1 July). A new revision was circulated as Room Document No. 1 of 6 October.

15. The Committee discussed the lists of issues at its sessions of 1 and 23 July, 22 September and 6 October on the basis of Secretariat submissions. A consensus emerged on several proposals addressing presentational as well as substantive issues. On the presentational aspects, the proposed revised text incorporates a number of practical improvements (more refined numbering, harmonisation of language, more logical organisation of cases, identification of competent standing committees). On the substantive aspects, the lists of special cases attributed to Council and to the standing committees have been extended to improve the efficiency of decision-making in the areas of Evaluation Committee recommendations, follow-up to Council Acts, organisation of sectoral ministerial meetings and of some finance and budget matters. Some changes have also been introduced that aim at clarifying certain elements of the lists. Finally, the so-called “interpretation clause” of paragraph 52 was also modified, establishing that Council has the final say.

16. A few of the issues pertaining to the lists were discussed at length. One such issue was whether the Budget Committee or the External Relations Committee should have the right to decide on non-Members’ fees. On this issue, a solution was agreed upon whereby the decisions would be taken by the ERC after consultation with the BC.

17. An issue that may require a follow-up is whether the establishment of regional programmes and networks should remain delegated cases to the External Relations Committee decided by consensus, as they have been since 2006 [C(2006)168/FINAL, footnote 4], or decided by Council to highlight the strategic aspect of such decisions. Several Delegations advocated the latter, with reference mainly to the increased importance and profile of these programmes, but not all agreed.

Concluding Remarks

18. The session on 8 December marked the end of the Committee’s substantive assessment of the Governance system. As mentioned, the changes proposed by the Executive Committee are modest but not insignificant. They will, if agreed by Council, lead to a somewhat more streamlined and clear governance system and thus, in the end, to some efficiency gains for the Organisation as a whole.

19. Some parts of the discussions, while not resulting in proposals for change, may nevertheless have served an important purpose. The discussion on the mandates of the standing committees may be an example; it did not lead to agreement, but it highlighted which issues a broad section of the membership

considers, in the light of the practice, desirable that the standing committees deal with. The discussion itself thus carried with it an important message.

20. Finally, a word on the follow-up. Any process of revision such as this is inevitably affected by the particular political context in which it takes place. Equally, the manner in which the Governance rules of any organisation are implemented depends partly on the composition of the organisation at any given time. These are, in my view, two important reasons why the membership should undertake a new assessment of the Governance system within a few years, in the light of the experience. The changes Council agrees to this time around may prove to work less well than we had hoped. And the changes we did not agree on may very well be achievable in a different political context.

ANNEX II

Statement by the Permanent Delegations of Belgium, Hungary, Italy, Japan, Luxembourg, the Slovak Republic and the United States

The Permanent Delegations of Belgium, Hungary, Italy, Japan, Luxembourg, Slovak Republic and USA thank Ambassador Neple for his balanced report [Annex I of C(2010)140] that illustrates the results of the “assessment of the 2006 governance system”, express their satisfaction for the changes agreed to paragraph 26 of document C(2006)78/FINAL and offer the following additional comments:

- Paragraph 9 of the said Chair Report correctly concludes that no consensus was reached to recommend to Council the changes [see Annex II of CE/M(2010)14/PROV/CORR1] proposed to paragraph 31 of document C(2006)78/FINAL aimed at a better clarification of the responsibilities of the Standing Committees. It is fair to register however that at no point in time during our prolonged discussions neither national delegations nor the Secretariat denied that such proposed changes to para 31 would be against our modus operandi. On the contrary, even those who were not in agreement with the proposed amendments, recognized that the standing committees were already exercising, within the framework of the current governance system, the functions spelled out in Annex II of CE/M(2010)14/PROV/CORR1.
- We would like to underline the conclusion of Paragraph 11 of the Chair report, according to which, in the light of the discontinuation of the CPAC, “Council would continue to be the decision-making body on communication policy frameworks, with the Executive Committee preparing the decisions when necessary, and dealing with their implementation as provided for in paragraph 51 a ii.

Statement by the Permanent Delegation of the United Kingdom

The UK is grateful to the Executive Committee and in particular to its Chairman, Ambassador Neple, for the time and effort it has expended on its review of the 2006 governance system of the OECD.

We note that on this occasion the Executive Committee has recommended only modest changes to the governance system. We welcome the provision for a further review. It will be particularly important to assess whether any changes in the OECD’s decision-making procedures are required as a result of the organisation’s recent increase in size. The review should take place before any significant further increase in membership, even if this means conducting it well before the deadline indicated in the revised governance resolution.

The major change proposed by the Executive Committee is the abolition of the Committee on Public Affairs and Communications. We support this. We note the conclusion in paragraph 11 of the Chair’s Report about the role of the Executive Committee. We believe that the strategic issues and priorities on which it is the mandate of the Executive Committee to advise Council (paragraph 31 of the 2006 governance resolution) include communications issues. We believe that it should be the norm for the Executive Committee to prepare Council decisions on communications policy frameworks, in order to lighten the load of the Council. We believe that, in order for the Executive Committee to fulfil its remit to

deal with the implementation of such decisions, it should consider such issues on an approximately six-monthly basis. This implementation monitoring should include oversight of PAC's budget.

Such a role for the Executive Committee would not replicate that of CPAC. It would involve significantly less committee time (perhaps two-three hours per year instead of eighteen hours per year). The Executive Committee would, both in its decision-preparing and its implementation-monitoring roles, give guidance to PAC on its strategic direction. But it would not need the detailed reporting on communications activity that CPAC received. And of course it would not seek to second-guess the professional judgement of PAC staff on technical issues.

ANNEX III

REVISED CHAPTERS 3 AND 4 OF THE COUNCIL RESOLUTION ON A NEW GOVERNANCE STRUCTURE FOR THE ORGANISATION [C(2006)78/FINAL]

CHAPTER 3: STRUCTURE AND DECISION-MAKING MECHANISMS

25. The governance structure for the OECD must serve the needs of the Organisation and all its Members, both at present and after enlargement. In this regard, the structure has the following objectives:

- Ensuring that Council has the time to focus on strategic direction by removing non-essential issues from its agenda;
- Improving responsiveness, flexibility, effectiveness and efficiency by delegating and by significantly expanding the use of Qualified Majority Voting (QMV).

I. Standing Committees

26. Council operates as the strategic governing body. It is assisted by its standing committees in the preparation of discussions and decisions on substantive issues. Operational issues are handled by its standing committees. The work in these bodies proceeds under the direction of Council, in accordance with the mandates and delegated authorities for each of the standing committees.

27. There are three plenary standing committees: Executive Committee (ExCo), Budget Committee (BC) and an External Relations Committee (ERC). Each of the three bodies is responsible for a cohesive group of functions and issues.

28. Each standing committee has a Chair and one or two Vice-Chairs to assist her/him. They are elected yearly by mutual agreement through a transparent and fair process. Chairs are elected by the Council, Vice-chairs by their committee. Chairs and Vice-Chairs are eligible for re-election once.

29. Each standing committee decides by mutual agreement how to further organise its work, including the possibility of establishing a bureau.

30. Working groups can be created by mutual agreement by the three standing committees in order to explore specific topics. The mandates of these working groups will be decided by mutual agreement, including their composition, working methods, the scope of their activities and a specific end date. These groups will report to the standing committee that created them. Their membership can be restricted or open-ended. They will only make recommendations to their standing committee.

31. The following outlines the general mandates and overall responsibilities of the three standing committees:

- The Executive Committee (ExCo)
 - assists the Council by preparing for its decisions on reports and proposals – including draft Acts of the Organisation and agreements elaborated by the substantive committees or other such specialist bodies;
 - advises the Council on preparations and follow-up to Ministerial meetings of OECD bodies; and on committee structures, mandates and evaluation;
 - advises the Council on strategic issues and priorities, including those regarding the management and operations of the Organisation, where these fall within the competence of Council and which are not otherwise covered by other standing committees;
 - advises the Council on policy issues not covered by the mandates of the other bodies directly subordinate to the Council;
 - carries out any functions delegated to it by Council, and reports to it as appropriate.
- The Budget Committee (BC)
 - assists and advises the Council in preparing for its discussions and decisions on the budget priorities and envelope and on the biennial Programme of Work and Budget including amendments to the PWB,
 - monitors the implementation of the agreed budget, the allocation/reallocation of financial resources and reports to and advises Council on these, as appropriate;
 - assists the Council in preparing for discussions and decisions on elements of the integrated management cycle, such as the MTO and the PIR;
 - advises the Council on the management of funds and voluntary contributions, the closing of accounts of each financial year and on the Financial Regulations;
 - carries out any functions delegated to it by the Council, and reports to it as appropriate.
- The External Relations Committee (ERC)
 - assists the Council in preparing for its discussions and decisions on strategies, policies and guidelines on external relations and relations with non-Members and international organisations, including conditions of their participation in the work of the Organisation;
 - monitors the implementation of these decisions and advises the Council;
 - advises the Council on the co-ordination of activities and programmes with non-Members;
 - assists the Council in ensuring that the global relations of the Organisation are taken into account in the preparation of the PWB;
 - carries out any functions delegated to it by Council, and reports to it as appropriate.

II. Special Bodies

32. In the past, special bodies, restricted or plenary, were created by Council for a particular substantive, advisory or functional mission. Some of them have been discontinued (e.g. the Informal Group on the Site and the Committee on Public Affairs and Communications). As these special bodies' activities

are more focused on specific areas, their interaction with Council, if any, is less intense than is the case between Council and standing committees. These bodies have proven their usefulness and added value.

33. Currently, these are: the Audit Committee, the Pension Budget and Reserve Funds Management Board and the Evaluation Committee.

III. Mutual agreement and qualified majority

34. Mutual agreement is the absence of objection by any Member to a draft proposal. Unanimity is the agreement of all Members to a draft proposal.

35. QMV is a mechanism that is used successfully in many international institutions to facilitate reaching agreement. The QMV formula agreed by Council in 2004 allows for decisions to be taken if supported by 60% of Member countries, unless opposed by three or more members who represent at least 25% of the Part I scale of contributions.

36. The application of QMV involves a process of several steps. The Chair will first make every effort to reach mutual agreement. If unable to reach mutual agreement, the Chair will call for a short pause for reflection and will set a final date for reaching a decision. If mutual agreement is still not achieved by that time, the Chair will call for a vote by QMV.

IV. Categories of cases

The normal cases

37. All issues will follow the normal cases procedure, except fundamental cases, special cases and delegated cases, as explained below.

38. The decisions on “normal cases” will be made by mutual agreement at the Council level, after preparation in the standing committees.

39. “A” points are those items prepared by bodies directly subsidiary to the Council and likely to be adopted without debate, mentioned in each Council session agenda. They follow the procedure as set out below.

40. The Chairs of the standing committees will prepare draft decisions and, in most cases, will send the proposed decisions to the Council as “a” points. They should send the draft decision to the Council as an “a” point only if confident that it enjoys broad and substantial support of the Members. Once on the Council agenda as an “a” point, the draft decisions may only be reopened at the request of at least 15% of the Membership or if any Member country invokes the safeguard mechanism.

41. An “a” point sent to Council will be adopted by mutual agreement unless at least 15% of the Member countries (rounded up to the nearest unit) request the issue to be re-opened. In this case, the issue will be discussed by Council, which will either adopt a decision by mutual agreement or refer the issue back to the standing committee for further work. The requests to reopen the issue will be made by the Heads of the Delegation before the meeting of Council.

42. The safeguard mechanism: if a very important interest of a Member country is endangered by a draft decision prepared by a standing committee and sent as an “a” point to Council, the Secretary-General, upon written request of that Member, shall call for a special meeting of the Council to address the issue. At

this meeting, the Member invoking its national interest will explain the problem and will be expected to suggest a solution. The Council will either adopt a decision by mutual agreement or refer the issue back to the standing committee for further work.

Fundamental cases (see list below)

43. This category contains those strategic issues that should be addressed by Council and for which decisions should be taken by mutual agreement because some of these issues are highly political in nature, because they create political or legal obligations for Members, because they require a whole-of-membership perspective or because they involve the overall stewardship of the Organisation. These cases will normally form “b” points on the Council agenda (for discussion and decision by Council) although it is possible for such cases to be presented to Council as “a” points. Decisions on these cases may be prepared by a standing committee, the Secretary-General or some other body, or may first arise in Council itself.

Special cases (see list below)

44. The Convention (Article 6.1) provides that decisions are taken by mutual agreement of all Members unless the Council unanimously agrees otherwise for special cases.

45. In 2004, the Council decided that the decision-making mechanism for special cases would be QMV, both at the level of Council and in the standing committees. Special cases can either be decided by Council or, if delegated, by standing committees.

46. All decisions taken by a standing committee in application of a delegation by Council to that standing committee will be formally recorded by the Secretary-General.

V. The Lists of Fundamental, Special, and Delegated Cases

47. Existing Council decisions which attribute decision-making authority by mutual agreement to standing and substantive committees remain unchanged unless otherwise indicated below or decided in the future by Council.

48. ***The following fundamental cases are decided by Council by mutual agreement or unanimity, and can be prepared by standing committees also by mutual agreement):***

- i. Approval of the Organisation’s governance structures;
- ii. Revision of the mandates of standing committees;
- iii. Creation of special cases including the cases to be delegated (unanimity is required under Article 6 of the Convention);
- iv. Adoption and revision of the Rules of Procedure of the Organisation, including its language regime;
- v. Approval of priorities, strategic and budget orientations and policy frameworks;
- vi. Adoption and revision of Acts (Decisions, Recommendations) and Agreements under Article 5 of the Convention;
- vii. Decision on new membership (unanimity is required under Article 16 of the Convention);

- viii. Approval of policy frameworks with respect to relations with non-Members, international organisations, Parliaments and other public authorities and civil society, including academia;
- ix. Approval of new invitations and new participation of non-Members in the work of the Organisation;
- x. Adoption of the budget envelope, defined as the sum of appropriations financed from assessed contributions and other income, and special budgets;
- xi. Approval of supplementary budgets which induce an increase in the assessed contributions of current members/participants;
- xii. Approval of the principles and rules on the scales of contributions;
- xiii. Closing of annual accounts and discharge to the Secretary-General;
- xiv. Decisions on appointments, elections and designations attributed to the Council;
- xv. Decisions on the Headquarters (Article 18 of the Convention).

49. ***The following cases are delegated to the standing committees identified below and are to be decided there by mutual agreement:***

(a) Executive Committee:

- i. Decisions regarding the implementation of policy frameworks towards civil society.

(b) External Relations Committee:

- i. Decisions regarding the implementation of policy frameworks on relations with non-Members;
- ii. Decisions regarding the implementation of policy frameworks on relations with International Organisations;

50. ***The following special cases are decided by QMV by Council:***

- i. Creation, continuation and abolition of substantive committees and programmes, including revision of their mandates;
- ii. Adoption and revision of Staff Regulations and Rules;
- iii. Adoption and revision of Financial Regulations and related rules;
- iv. Decisions implementing the Financial Regulations and related rules (attributed to Council therein), including those concerning modifications to the Programme of Work or to the allocation of resources and the carry forwards of resources;
- v. The Organisation's Programme of Work and Budget, within a consensus-agreed budget envelope, and any related decisions which allocate resources down to the Output Area level, with decisions prepared in the Budget committee and taken at Council, both bodies acting on the qualified majority voting basis, if required;¹
- vi. MTO and PIR methodology;

1. Cf. the Council decision of 22 April 2004 [C/M(2004)10, Item 143].

- vii. Decisions regarding the Evaluation Committee's recommendations to substantive committees;
- viii. Decisions regarding the monitoring of the implementation by substantive committees of the Evaluation Committee's recommendations;
- ix. Decisions regarding the follow-up to reports on the implementation of Acts;
- x. Decisions to hold sectoral ministerial meetings and decisions regarding their themes and dates.²

51. *The following special cases are delegated to standing committees identified below, and are decided there by QMV:*

(a) Executive Committee:

- i. Decisions implementing CCR recommendations (except methodology and use of the affordability clause);
- ii. Decisions regarding the implementation of policy frameworks related to communications and publishing;
- iii. Decisions regarding the implementation of policy frameworks related to patronage and sponsorship and OECD centres;
- iv. Decisions concerning continuation of subsidiary bodies of substantive committees under Article 21 of the Rules of Procedure.

(b) Budget Committee:

- i. Annual approval of the scales of contributions;
- ii. Decisions on the implementation of the Programme of Work and Budget;
- iii. Decisions implementing the Financial Regulations and related rules (attributed to the Budget Committee therein), including those concerning modifications to the Programme of Work, the reallocation of resources, commitments in a future financial period, commitments in the current financial period for expenditure to be made after the end of that period and the approval of grants and voluntary contributions;
- iv. Approval of supplementary budgets which do not induce increases in the assessed contributions of current members/participants;
- v. Decisions on the management of the Pension Budget and Reserve Fund.

(c) External Relations Committee:

- i. Decisions on non-Members' fees, after consultation with the Budget Committee;³

2. As well as locations of ministerial meetings other than those of the bodies of the Organisation.

3. Consultation would concern the level of fees. If, after the consultation with the Budget Committee, views differ, the ERC should advise the BC accordingly and provide it with another opportunity to offer its views before taking the final decision.

- ii. Decisions on evaluation and renewal of regular observers.

VI. Interpretation regarding classification

52. Any problem of interpretation on the classification of a specific issue into one of the categories will be prepared by the Executive Committee and decided by Council as a normal case.

VII. Cloture of debates

53. Chairs will decide on the cloture of debates and will implement the decision-making mechanism, whether mutual agreement or qualified majority, as soon as she/he feels that all arguments have been examined and discussed. It is the prerogative of the Chair to take such a decision. Members may invite the Chair to proceed with the cloture of debates.

CHAPTER 4: REVISION AND IMPLEMENTATION

Revision Clause

54. An assessment of the governance system will be conducted no later than four years after entry into force of the revised Resolution or before, if Council so decides. In the meantime, and if necessary, moving a specific issue from the delegated to the non-delegated list, from the special cases to the delegated special cases lists or removing an issue from the special cases list will be done by QMV by Council. Moving a fundamental case (paragraph 48) or a delegated case to be decided by mutual agreement (paragraph 49) to another category will require mutual agreement. The creation of new special cases will require unanimity according to Article 6.1 of the Convention.

Implementation

55. This revised Resolution will enter into force on 1 January 2011.