

ment, there may be, with the express consent and approval of those concerned, either:

- (i) joint membership for that Contracting Party together with these territories, or
 - (ii) when that Contracting Party has made a notification under paragraph 3 of Article 38, separate membership, singly, all together or in groups for the territories that would individually constitute an exporting Member and separate membership for the territories that would individually constitute an importing Member.
- (b) When a Contracting Party makes a notification under paragraph 1 (b) and a notification under paragraph 3 of Article 38 there shall be separate membership as set out in sub-paragraph (a) (ii) above.

3. A Contracting Party which has made a notification under paragraph 1 (b) of Article 38 and has not withdrawn that notification shall not be a Member of the Organization.

Article 5

Composition of the International Sugar Council

1. The highest authority of the Organization shall be the International Sugar Council, which shall consist of all the Members of the Organization.

2. Each Member shall be represented by a representative and, if it so desires, by one or more alternates. A Member may also appoint one or more advisers to its representative or alternates.

Article 6

Powers and functions of the Council

1. The Council shall exercise all such powers and perform or arrange for the performance of all such functions as are necessary to carry out the express provisions of the Agreement.

2. The Council shall adopt by special vote such rules and regulations as are necessary to carry out the provisions of the Agreement and are consistent therewith, including Rules of Procedure for the Council and its committees and the financial and staff regulations of the Organization. The Council may, in its Rules of Procedure, provide a procedure whereby it may, without meeting, decide specific questions.

3. The Council shall keep such records as are required to perform its functions under the Agreement and such other records as it considers appropriate.

4. The Council shall publish an annual report and such other information as it considers appropriate.

Article 7

Chairman and Vice-Chairman of the Council

1. For each calendar year the Council shall elect from among the delegations a Chairman and a Vice-Chairman, who shall not be paid by the Organization.

2. The Chairman and the Vice-Chairman shall be elected, one from among the delegations of the importing Members and the other from among those of the exporting Members. Each of these offices shall, as a general rule, alternate each calendar year between the two categories of Members; provided, however, that this shall not prevent the re-election under exceptional circumstances of the Chairman or Vice-Chairman or both when the Council so decides by special vote. In the case of such re-election of either officer, the rule set out in the first sentence of this paragraph shall continue to apply.

3. In the temporary absence of both the Chairman and the Vice-Chairman or the permanent absence of one or both, the Council may elect from among the delegations new officers,

temporary or permanent as appropriate, taking account of the principle of alternating representation set out in paragraph 2 of this Article.

4. Neither the Chairman nor any other officer presiding at meetings of the Council shall vote. He may, however, appoint another person to exercise the voting rights of the Member which he represents.

Article 8

Sessions of the Council

1. As a general rule, the Council shall hold one regular session in each half of the calendar year.

2. In addition to meeting in the other circumstances specifically provided for in the Agreement, the Council shall meet in special session whenever it so decides or on the request of:

- (a) any five Members; or
- (b) Members having at least 250 votes; or
- (c) the Executive Committee.

3. Notice of sessions shall be given to Members at least thirty days in advance, except in case of emergency when such notice shall be given at least ten days in advance, and except where the provisions of the Agreement prescribe a different period.

4. Sessions shall be held at the headquarters of the Organization unless the Council decides otherwise by special vote. If any Member invites the Council to meet elsewhere than at its headquarters, that Member shall pay the additional costs involved.

Article 9

Votes

1. The exporting Members shall together hold 1,000 votes and the importing Members shall hold 1,000 votes.

2. No Member shall hold more than 200 votes or less than 5 votes.

3. There shall be no fractional vote.

4. The total 1,000 votes of exporting Members shall be distributed among them pro-rata to the weighted average, in each case, of (a) their net free market exports, (b) their total net exports and (c) their total production. The figures to be used for that purpose shall be, for each factor, the highest figure in any year in the period 1968 to 1972 inclusive. In calculating the weighted average for each exporting Member, a weight of 50 per cent shall be allocated to the first factor and a weight of 25 per cent to each of the other two factors.

5. The total of 1,000 votes of the importing Members shall be distributed among them on the following bases (the statistics to be used shall be those of the calendar year 1972):

- (a) 700 votes on the basis of each Member's share in net imports from the free market; and,
- (b) 300 votes on the basis of each Member's share in total special arrangement imports.

6. The Council shall, taking into account paragraph 3 of this Article, establish in the rules and regulations described in Article 6 appropriate procedures to ensure that no Member receives more than the maximum number of votes or less than the minimum number of votes permitted under this Article.

7. At the beginning of each calendar year, the Council shall, on the basis of the formulae referred to in paragraphs 4 and 5 of this Article, establish the distribution of votes within each category of Members which shall remain in force during that calendar year, except in so far as is provided in paragraph 8 of this Article.