Rules of Procedure\(^1\)

**Quorum**

**Article 1**

For both plenary and commission meetings, delegations of the majority of the States participating at the Diplomatic Session shall constitute a quorum. This provision shall be applied *mutatis mutandis* to meetings of the Council on General Affairs and Policy and of Special Commissions.

**Article 1A**

To the furthest extent possible, all decisions shall be taken by consensus. If exceptionally it is not possible to attain consensus, decisions shall be taken by vote in accordance with the following rules.

**Voting rights**

**Article 2**

Each delegation shall have one vote. A delegation may not represent and vote for another delegation.

A Member Organisation may exercise on matters within its competence, in any meetings of the Conference in which it is entitled to participate, a number of votes equal to the number of its Member States which have transferred competence to the Member Organisation in respect of the matter in question, and which are entitled to vote in and have registered for such meetings. Whenever the Member Organisation exercises its right to vote, its Member States shall not exercise theirs, and conversely.

**Majority required**

**Article 3**

Decisions of the Conference shall be made by a majority of the votes cast by delegations present at the time of the vote; abstentions shall not be counted as votes.

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\(^1\) As amended (in respect of Articles 1, 1A, 2(2) and 4), and as declared generally applicable to Diplomatic Sessions, meetings of the Council on General Affairs and Policy and of Special Commissions, by the Twentieth Session of the Hague Conference on Private International Law (Final Act, 30 June 2005, under C 4.), and subsequently amended (by the insertion of Article 5A by the Council on General Affairs and Policy at its meeting of 17-20 April 2012 (cf. Final Act, Nineteenth Session, 13 December 2002, under B 1 c)).
Method of voting

Article 4

The Conference shall vote by show of hands or, if the Chairman or any delegation so requests, by roll-call. The roll-call shall be taken in the alphabetical order of the French names of the States or Member Organisations participating in the Conference, beginning with the delegation designated by the Chairman. The name of each delegation shall be called in any roll-call vote and one of its members shall reply “for”, “against” or “abstention”, or shall make known his or her choice if two opposing proposals are put before the Conference.

Conduct during voting

Article 5

After the Chairman has announced the beginning of voting, no representative may interrupt the voting except on a point of order in connection with the conduct of the voting. The Chairman may permit one member of each delegation to explain the vote of his delegation, either before or after the voting but not during the voting.

Chairs and Vice-Chairs

Article 5A

I. Diplomatic Sessions

Chair and Vice-Chairs

1. a. Plenary meetings of the Diplomatic Sessions shall be chaired by the Chair of the Netherlands Standing Government Committee (Art. 4(5) of the Statute).
   b. The plenary meeting shall, upon the proposal of the Chair, elect one or more Vice-Chairs of the Diplomatic Session as well as the Chairs of the Commissions of the Session.
   c. During Diplomatic Sessions, the Council on General Affairs and Policy shall sit as the Session’s Commission on General Affairs and Policy.

The Bureau

2. a. The Chair, the Vice-Chairs, and the Chairs of the Commissions, shall, together with the Rapporteurs and Chairs of Drafting Committees, constitute its Bureau.
   b. The Bureau shall assist the Chair of the Diplomatic Session in conducting the meeting.

II. Council of Diplomatic Representatives

3. The Council of Diplomatic Representatives shall be chaired by the Minister of Foreign Affairs of the Kingdom of the Netherlands (Art. 10(3) of the Statute).
III. Council on General Affairs and Policy

Chair and Vice-Chair

4. a. The Council on General Affairs and Policy (Art. 4(1) of the Statute – hereinafter: the Council) shall be chaired by a delegate or expert of a Member elected by the plenary meeting of the Diplomatic Sessions or, in the interval between Diplomatic Sessions, by the Council, in either case upon the proposal of the Chair of the Diplomatic Session.
   b. The Council shall, upon the proposal of its Chair, elect one Vice-Chair. The Chair and the Vice-Chair shall be drawn from different geographic regions.
   c. The Vice-Chair shall assist the Chair in conducting and preparing the meetings of the Council, ensuring continuity between its meetings as necessary, and executing other specific tasks delegated by the Council.

Terms of office

5. a. The term of office of the Chair and Vice-Chair of the Council is from one Diplomatic Session to the next, with a maximum of four years.
   b. The term of office may be renewed.
   c. Officials elected by the Council to replace the Chair, or the Vice-Chair, shall complete their predecessor’s term.

IV. Special Commissions

6. a. Special Commissions (Art. 8 of the Statute) shall be chaired by an expert of a Member elected by the Special Commission upon the proposal of the Chair of the Diplomatic Session.
   b. The Special Commission shall, upon the proposal of the Chair of the Special Commission, elect one or more Vice-Chairs.
   c. The Chair and Vice-Chairs of the Special Commission shall constitute its Bureau.
   d. The Bureau shall assist the Chair in conducting the Special Commission.

General powers of Chairmen

Article 6

In addition to exercising the powers entrusted to him by virtue of the other provisions in these rules, the person presiding over each meeting shall maintain order over the proceedings, shall accord the right to speak, shall put questions to the vote and shall announce the results of the voting. He shall rule on points of order and he may propose the limitation of the time to be allowed to speakers, the limitation of the number of times each representative may speak on any one item, the closure of the list of speakers or the closure of the proceedings. He may also propose the suspension or the adjournment of the debate in the item under discussion.
**Speeches**

*Article 7*

No one may take the floor without having previously obtained the permission of the Chairman. The Chairman may call a speaker to order if his remarks are not relevant to the subject under discussion.

**Time-limit on speakers**

*Article 8*

The Conference may decide to limit the time to be allowed to each speaker and the number of times each representative may speak on any one item. When debate is limited and a speaker has exceeded his allotted time, the Chairman shall call him to order without delay. The Chairman may, if need be, decide that each delegation may only speak once on a point in discussion.

**Closing of list of speakers**

*Article 9*

During a debate, the Chairman may, with the consent of the Conference, declare the list of speakers closed. He may nevertheless accord a right of reply to any representative if an observation made after the closure of the list of speakers makes such a course of action desirable.

**Points of order**

*Article 10*

During the discussion of any matter, a representative may raise a point of order and the Chairman shall give a ruling thereon without delay in accordance with the present rules of procedure.

Any representative may appeal against a ruling of the Chairman. The appeal shall at once be put to the vote. The ruling of the Chairman shall stand unless it is overruled by a majority of the delegations present at the vote. A representative who raises a point of order may not speak, in connection therewith, on the substance of the item under discussion.

**Adjournment of debate**

*Article 11*

During the discussion of any matter, a representative may move the adjournment of the debate on the item under discussion. In addition to the proposer of the motion, one representative may speak in favour of, and two against, the motion, after which the motion shall be immediately put to the vote.
Closure of debate

Article 12

A representative may at any time move the closure of the debate on the item under discussion, even if other representatives have signified their wish to speak. Permission to speak shall be accorded only to one representative seconding, and two opposing, the closure, after which the motion shall be immediately put to the vote. If the Conference is in favour of the motion, the Chairman shall declare the debate closed. The Chairman may close the debate on a given matter at any moment, if he determines that the point at issue has been discussed sufficiently.

Order of procedural motions

Article 13

Subject to the provisions of Article 10, the following motions shall have priority, in the order indicated hereafter, over all proposals and motions submitted:

a) to adjourn the debate on the item under discussion;

b) to close the debate on the item under discussion.

Proposals and amendments

Article 14

Proposals and amendments shall in principle be handed in writing to the Secretariat of the Conference which shall circulate them to the delegations. As a general rule, any delegation may object to a proposal being discussed or put to the vote at any meeting if the text thereof has not been circulated in writing.

Voting on proposals

Article 15

If two or more proposals relate to the same question, the Conference shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted.

Where the Conference decides to have one vote on two opposing proposals, the one having obtained the majority of votes shall be adopted and the other shall be held to have been rejected.

Reconsideration of proposals

Article 16

Once a proposal has been adopted or rejected, it may only be reconsidered if the Conference makes a decision to do so by an absolute majority of the delegations present at the vote. Permission to speak on a motion to reconsider shall be accorded only to two speakers in favour of, and to two speakers opposing, the motion, after which it shall be immediately put to the vote.
Voting on amendments

Article 17

When an amendment is moved to a proposal, the amendment shall be put to the vote first. When two or more amendments are moved to a proposal, the Conference shall vote first on the amendment furthest removed in substance from the original proposal, then on the amendment next furthest removed, and so on, until all the amendments have been put to the vote. However, where the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote, unless it is decided otherwise by the delegations present. It may occur that two amendments are opposed to each other. In this case Article 15 shall be applied mutatis mutandis. If one or more amendments are adopted, a vote shall be taken on the proposal as amended. A motion is considered to be an amendment to a proposal if it adds to, deletes from or revises part of such proposal.

Article 16 shall apply, mutatis mutandis, to the reconsideration of an amendment which has been adopted or rejected.

Equally divided votes

Article 18

If a vote is equally divided, the motion, proposal or amendment shall be put once more to the meeting. If on a second vote there is an equal division, the motion, proposal or amendment shall be regarded as rejected.