



## **Pacific Islands Law Officers' Network Charter**

### **Article 1**

#### **Establishment of PILON**

1. This Charter establishes PILON as an association of senior law officers.
2. In this Charter, 'senior law officer' means a person who is responsible at the highest level of the public service of a member country for:
  - a. providing or settling legal advice to government;
  - b. drafting or administering legislation in the law and justice sector; or
  - c. taking legal proceedings on behalf of the government or state.
3. A senior law officer may delegate his or her role to another person for a meeting by advising the PILON Secretariat in writing of the delegation. The Executive Committee may reject the delegation on the basis that the intended delegate would not in all the circumstances be an appropriate delegate.

### **Article 2**

#### **Purpose of PILON**

1. The purpose of PILON is to:
  - a. provide a network for senior law officers in the Pacific to identify and discuss key regional law and justice issues;
  - b. facilitate dialogue and cooperation between member countries on regional approaches to law and justice issues;

- c. engage with regional and international organisations to address legal issues;
- d. develop regionally supported law and justice policies for consideration by appropriate decision making bodies; and
- e. develop connections with other law officer networks.

### **Article 3**

#### **Membership**

1. The founding member countries of PILON are Australia, the Cook Islands, the Federated States of Micronesia, Fiji, Kiribati, Nauru, New Zealand, Niue, Palau, Papua New Guinea, the Republic of the Marshall Islands, Samoa, the Solomon Islands, Tonga, Tuvalu, and Vanuatu.
2. A member country of PILON may include a territory of a country.
3. The founding observer members of PILON are the Commonwealth Secretariat, the International Committee of the Red Cross, the Pacific Islands Forum Fisheries Agency, the Pacific Islands Forum Secretariat, the Pacific Legal Information Institute, the Pacific International Maritime Law Association, the Pacific Regional Environment Programme, the Secretariat of the Pacific Community, and the University of the South Pacific.
4. A country or territory may apply to the Secretariat to become a member country of PILON.
5. A country, territory or organisation may apply to the Secretariat to become an observer member of PILON.
6. Upon receiving an application for membership of PILON under clauses 4 or 5, the Secretariat must:
  - a. circulate the request to each PILON member before the annual meeting; and
  - b. place the observer member request on the agenda for the next annual meeting; and
  - c. reply to the country, territory or organisation in writing concerning PILON's endorsement or rejection of its request.
7. A new member may only be admitted to PILON by the unanimous agreement of the member countries present at an annual meeting.
8. The Chair may permit a country, a territory or an organisation that is not a member country or an observer member of PILON to attend a PILON meeting as an observer.

9. The Secretariat must be advised the name and title of each senior law officer and, if applicable, the identity of the contact person for that officer on PILON matters.

#### **Article 4 Meetings**

1. PILON is to hold annual meetings.
2. An annual meeting must be open to each member country and observer member.
3. PILON must, if possible, determine the member country to host the next annual meeting during each annual meeting.
4. If a Chair appointed under article 10 for a meeting is unable to host the meeting, the Secretariat in consultation with the Executive Committee must attempt to find an alternative Chair.
5. The purpose of each annual meeting is to:
  - a. provide members with an opportunity to address common issues with regard to law and justice within the region;
  - b. share information about each member by preparing a country report;
  - c. establish action based outcomes and make decisions as a result of meeting discussions;
  - d. give direction to the Secretariat in accordance with article 6;
  - e. endorse membership of the Executive Committee in accordance with article 8;
  - f. establish an issue specific committee in accordance with article 9; and
  - g. report to members on the progress of each committee and the Secretariat since the last meeting.
6. PILON may only hold a special meeting with the agreement of the Executive Committee.
7. More than one senior law officer may attend a PILON meeting on behalf of a member country. If more than one senior law officer will be attending a PILON meeting, the Secretariat must be advised which officer is the head of the delegation.

## **Article 5**

### **Procedure of meetings**

1. PILON may establish rules for the operation of a meeting in accordance with this Charter.
2. PILON may amend the rules from time to time in accordance with article 12.

## **Article 6**

### **Secretariat**

1. The Secretariat is responsible for the coordination and management of PILON meetings and such other tasks as PILON or the Executive Committee direct.
2. The function of the Secretariat includes, but is not limited to:
  - a. facilitating the implementation of resolutions passed by PILON at its annual meeting in accordance with the PILON Strategic Plan and annual Work Plan;
  - b. providing an information-sharing and communication network for PILON members;
  - c. providing a focal point for liaison with other regional and international organisations and law and justice mechanisms; and
  - d. providing secretariat services to PILON members, the Executive Committee, and the Chair.

## **Article 7**

### **Staff of Secretariat**

1. This article comes into force upon the establishment of a permanent Secretariat.
2. The Secretariat comprises:
  - a. the Secretariat Coordinator who is responsible for coordinating and managing the activities of the Secretariat; and
  - b. an Assistant Coordinator who is responsible to the Secretariat Coordinator for legal policy and research tasks, and providing administrative assistance for the functions of the Secretariat.
3. The Executive Committee may direct the process for appointment of the Secretariat Coordinator.

4. The Secretariat Coordinator may appoint the Assistant Coordinator or additional staff with the approval of the Executive Committee.

5. The staff of the Secretariat may be appointed for up to three years unless otherwise engaged.

6. The staff of the Secretariat may only be reappointed with the agreement of the Executive Committee.

## **Article 8 Executive Committee**

1. PILON must appoint a permanent Executive Committee to oversee PILON matters and to provide guidance to the Secretariat between meetings.

2. PILON may only appoint a member of the Executive Committee during an annual meeting.

3. The Executive Committee comprises:

- a. the Chair;
- b. the incoming Chair, when identified; and
- c. at least two other PILON member country representatives.

4. The Executive Committee may only comprise one representative per member country.

5. If a representative is unable to continue as a member of the Executive Committee during the interval between annual meetings, the representative must:

- a. inform the Secretariat Coordinator in writing that he or she will no longer be able to hold the position; and
- b. arrange a replacement representative from that member country.

## **Article 9 Establishment of issue specific committees**

1. PILON may appoint a committee to address a specific issue or to conduct a specific activity for a set period or indefinitely.

2. PILON may only appoint the committee by majority resolution.

3. PILON may disband a committee if the task or activity:

- a. has been completed;
- b. is no longer required; or
- c. is unable to be completed.

#### **Article 10 Chair**

1. The Chair is a nominated senior law officer of a host country who is responsible for arrangements concerning a meeting of PILON.
2. If possible, the host country for the next PILON meeting should be identified at each annual meeting. The incoming Chair is a nominated senior law officer of the host country for the next meeting.
3. The incoming Chair becomes the Chair at the commencement of the meeting for which their country is the host

#### **Article 11 Quorum**

1. A majority of member countries must be present at a PILON meeting to constitute a quorum.
2. If a PILON meeting is not quorate, the outcomes of the meeting remain provisional until communication of acceptance by a majority of member countries is received by the Secretariat. Where a member country does not communicate its position within one month of being advised of a provisional outcome, the country will be deemed to accept the outcome.
3. If a decision requires a consensus of member countries present at a meeting, one objection received within the period specified in clause 2 will defeat the provisional outcome.

#### **Article 12 Amendments**

1. A member may propose an amendment to this Charter for consideration at a PILON meeting.
2. A member must request the Secretariat to circulate an amendment to the Charter no less than one month before the annual meeting, or before a special meeting.

3. PILON may only amend the Charter or the Rules if the amendment is accepted by a consensus of member countries present at a quorate meeting..

4. An endorsed amendment comes in to effect when it is agreed unless otherwise specified.