

WIPO AUDIT COMMITTEE

RULES OF PROCEDURE¹

I. Background

1. The WIPO Audit Committee serves the WIPO Member States in an expert advisory capacity to assist it in fulfilling its oversight responsibilities as set out in its Terms of Reference.²
2. The rules of procedure are adopted by the WIPO Audit Committee, hereinafter referred to as “the Committee”. The rules supplement the terms of reference of the Committee and shall always be read together with and construed in a manner consistent with the terms of reference.

II. General Provisions

3. All members of the Committee shall reflect the highest level of integrity and shall serve in their personal capacity, and in performing their duties they shall not seek or receive instructions from any Government.
4. The members cannot delegate their duties and cannot be represented by any other person in the sessions of the Committee.
5. The Committee shall elect a Chairperson and a Vice-Chairperson for a one-year renewable term commencing on 1 January of each year. Before the term ends, the members shall elect a Chairperson and Vice-Chairperson for the next term.
6. The chairpersonship shall be automatically declared vacant if the Chairperson no longer holds membership in the Committee. The chairpersonship may be declared vacant if the incumbent is disabled or is otherwise unable to discharge his/her responsibilities for the balance of his/her term.
7. In case of a vacancy in the office of the Chairperson, the Vice-Chairperson shall assume the office of Chairperson until the expiration of his/her predecessor’s term of office. Members of the Committee shall appoint an acting Vice-Chairperson from among the other members of the Committee.
8. In the event that the Vice-Chairperson ceases to hold membership in the Committee the members of the Committee shall appoint another Vice-Chairperson from among the other members of the Committee. The vice-chairpersonship may be declared vacant if the incumbent is disabled or otherwise unable to discharge his/her responsibilities for the balance of the term.

¹ As adopted by the WIPO Audit Committee on December 3, 2009

² WIPO document WO/GA/34/15

9. Under the authority of the Committee, the Chairperson shall represent the Committee, shall attend hearings to respond to questions on the activities and findings of the Committee and shall serve as the chief spokesperson of the Committee before the press or other key stakeholders based on input received from the Committee. In the absence of the Chairperson, the Vice-Chairperson or another Committee member designated by the chairperson shall act on his/her behalf.

III. Plan of Activities

10. The organization of activities of the Committee shall be carried out on the basis of an annual workplan to be adopted at a formal session of the Committee.

IV. Sessions

11. The Committee shall meet regularly every quarter in formal meeting, whenever possible in coordination with the relevant activities of the WIPO governing bodies.

12. The Committee may convene at such times as may be necessary for the performance of its duties at the call of the Chairperson or at the request of any member of the Committee and as agreed to by the full Committee. The dates for sessions of the Committee are to be established by the Chairperson in consultation with the members and the Secretariat.

13. The Chairperson will prepare a provisional agenda in consultation with the members. Members shall receive the provisional agenda and accompanying documents at least two weeks before the meeting is convened.

14. The Committee shall normally hold closed sessions. The Committee may invite to its sessions individuals or parties it deems appropriate, including representatives of the WIPO secretariat and representatives of the External Auditor and of the Internal Audit and Oversight Division.

15. The Chairperson, in cooperation with Members of the Committee, shall prepare the draft report of the sessions of the Committee and shall submit it for the review and approval of all Committee members.

16. The Chairperson shall submit a report of each session in accordance with the Committee's Terms of Reference. Prior to that, the draft report will be sent to the Secretariat for correction of factual errors. Other comments by the Secretariat will be considered.

V. Information and Decisions

17. The Committee shall make every effort to arrive at its recommendations and advice by consensus. However, in the event that one of the members does not agree, then such member shall have the right to briefly state his/her view in any related publication of the Committee. However, such a minority view is not binding on the Committee. A member unable to attend a session of the Committee may make his/her views on the matters to the

Chairperson or Vice-Chairperson to be considered in writing, or by way of telephone or videoconference.

VI. Duties of Officers

18. The Chairperson shall:

- (a) Convene the sessions in accordance with article **IV** of these rules;
- (b) Present the provisional agenda for the session;
- (c) Conduct the meetings of the session;
- (d) Issue such correspondence on behalf of the Committee as may be required;
- (e) Represent the Committee, or nominate a Committee Member to act on his/her behalf, before such bodies, committees and the like as may be required;
- (f) Submit the Committee reports to the Programme and Budget Committee on behalf of the Committee;
- (g) Serve as the chief spokesperson of the Committee.

19. The Vice-Chairperson shall:

- (a) Conduct the meetings during periods of absence of the Chairperson;
- (b) Represent the Committee before such bodies, committees and the like as the Chairperson may request;
- (c) Assume the functions of the Chairperson in the event the Chairperson ceases to be a member of the Committee or resigns from office.

VII. Agenda

20. The Chairperson shall direct the preparation of the provisional agenda for each session after consulting with the other members of the Committee.

21. Notwithstanding the general requirement that members receive at least 15 calendar days' notice of the provisional agenda for each session, additional items shall be included on the provisional agenda of a session of the Committee if a member requests the Chairperson to do so at least five days before the date set for the session.

22. An item may be deleted from or added to the provisional agenda of a meeting during the meeting with the unanimous approval of the members.

23. At the beginning of each session, the Committee shall adopt the agenda for its session.

VIII. Official Correspondence of the Committee

24. Each member will promptly circulate among members of the Committee any communications related to the functions of the Committee that he/she either receives or originates.

25. If a decision of the Committee is required between sessions and in the opinion of the Chairperson a special session is not required but the consent of the members is needed, the Chairperson may solicit the views of the members by direct communication and give effect to the opinion as a Committee decision.

IX. Confidentiality of Information

26. The Committee members, the Committee secretariat, observers and any third party invited by the Committee to attend its sessions or servicing them shall not make any document or information public without the Committee's prior authorization and shall be advised accordingly.

27. Any Committee member reporting on the Committee's work shall ensure that confidential materials are secured and shall keep other members adequately informed.

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