(a) the Commission;

(b) the Compliance and Scientific Committees, as subsidiary bodies, and any other subsidiary bodies that the Commission shall establish from time to time to assist in meeting the objective of this Convention; and

(c) the Secretariat.

3. The Organisation shall have legal personality and shall enjoy in the territory of each of the Contracting Parties such legal capacity as may be necessary to perform its functions and achieve the objective of this Convention. The privileges and immunities to be enjoyed by the Organisation and its staff in the territory of a Contracting Party shall be determined by agreement between the Organisation and the Contracting Party concerned.

4. The official languages of the Organisation shall be English and Portuguese.

5. The headquarters of the Organisation shall be established in Namibia.

Article 6. THE COMMISSION

1. Each Contracting Party shall be a member of the Commission.

2. Each member shall appoint one representative to the Commission who may be accompanied by alternate representatives and advisers.

3. The functions of the Commission shall be to:

(a) identify conservation and management needs;

(b) formulate and adopt conservation and management measures;

(c) determine total allowable catches and/or levels of fishing effort, taking into account total fishing mortality, including of non-target species;

(d) determine the nature and extent of participation in fishing;

(e) keep under review the status of stocks and gather, analyse and disseminate relevant information on stocks;

(f) encourage, promote and, where appropriate by agreement, coordinate scientific research on fishery resources within the Convention Area and in adjacent waters under national jurisdiction;

(g) manage stocks on the basis of the precautionary approach to be developed in accordance with article 7;

(h) establish appropriate cooperative mechanisms for effective monitoring, control, surveillance and enforcement;

(i) adopt measures concerning control and enforcement within the Convention Area;

(j) develop measures for the conduct of fishing for scientific research purposes;

(k) develop rules for the collection, submission, verification of, access to and use of data;

(l) compile and disseminate accurate and complete statistical data to ensure that the best scientific advice is available, while maintaining confidentiality, where appropriate;

(m) direct the Compliance and Scientific Committees, other subsidiary bodies, and the Secretariat;

(n) approve the budget of the Organisation; and

(o) carry out such other activities as may be necessary to fulfil its functions.

4. The Commission shall adopt its rules of procedure.

5. The Commission shall adopt measures, in accordance with international law, to promote compliance by vessels flying the flag of non-parties to this Convention with measures agreed by the Commission.

6. The Commission shall take full account of the recommendations and advice from the Scientific and Compliance Committees in formulating its decisions. The Commission shall, in particular, take full account of the biological unity and other biological characteristics of the stocks.

7. The Commission shall publish its conservation and management and control measures which are in force, and, as far as practicable, shall maintain records of other conservation and management measures in force in the Convention Area.

8. The measures referred to in paragraph 3 may include the following:

(a) the quantity of any species which may be caught;

(b) the areas and periods in which fishing may occur;

(c) the size and sex of any species which may be taken;

(d) the fishing gear and technology which may be used;

(e) the level of fishing effort, including vessel numbers, types and sizes, which may be used;

(f) the designation of regions and sub-regions;

(g) other measures regulating fisheries with the objective of protecting any species; and

(h) other measures the Commission considers necessary to meet the objective of this Convention.

9. Conservation and management and control measures adopted by the Commission in accordance with this Convention shall become effective in accordance with article 23.