

DRAFT OF PROPOSED NEW STATUTES AND BYLAWS OF IUPAP ANNOTATED

IUPAP Officers

17 September 2019

This annotated draft is to be considered at the C&CC meeting in London in October. Items which are unchanged from the present Statutes and By Laws are in black type, changes and new items are in red and comments are in blue. the version as amended at that meeting is to be distributed for comment to Members. the officers will consider comments, and propose modifications to the Executive Council, which shall approve the form to be presented to the 2020 General Assembly for amendment and adoption

In the present Statutes and By Laws “Council” is often used as a shorthand for “Executive Council”. That abbreviation has been removed in this version without further comment when that is the only change in a section. Email Bruce if some abbreviations remain

1 THE STATUTES OF THE INTERNATIONAL UNION OF PURE AND APPLIED PHYSICS DRAFT OF PROPOSED NEW STATUTES V6 ANNOTATED

I. MISSION

- A. The mission of IUPAP is to assist in the worldwide development of physics, to foster international cooperation, in physics, and to help in the application of physics toward solving problems of concern to humanity.
- B. IUPAP carries out this mission by sponsoring international meetings; fostering communications within the physics community, between physicists and other scientists and and between physicists and the general public; encouraging research and education; fostering inclusiveness and diversity in physics; upholding openness, honesty and integrity in the practice, application and promotion of physics; supporting the free circulation of scientists; promoting international agreements on symbols, units and nomenclature; and cooperating with other organizations on disciplinary and interdisciplinary problems.

changed to reflect the present situation. It was suggested to put “scientific integrity” rather than “integrity”, but I think that *integrity* encompasses both scientific and personal integrity, and that both are important

II. MEMBERSHIP

- A. The Members of IUPAP are communities of physicists engaged in independent scientific activity each within a definite territory and listed under a name that avoids any misunderstanding about the territory represented. The word “territory” does not imply any political position on the part of the Union, which seeks to assist physicists everywhere in carrying out its mission.
- B. A Member adheres to the Union through an appropriate body: either its principal scientific academy, or its national research council, its government, or any other institution or association of institutions representing its broad physics community.
- C. The Adhering Body will set up a Liaison Committee to maintain relations between its physics community and the Union. It is suggested that the Liaison Committee have representatives of the appropriate physics societies whether or not they are the adhering body. The Adhering body should advise IUPAP of the members of the Liaison Committee three months before each General Assembly, and when membership is changed. added to improve relationships between IUPAP, the Liaison Committees and physics societies of members These Liaison Committees will, within their respective communities, encour-

age and promote the aims of the Union. An Adhering Body through its Liaison Committee designates its Delegates to the General Assemblies of the Union and a Delegation Head.

- D. The Union may accept regional physical societies and other international scientific organizations as Official Observers. Official Observers may be invited to send a representative to participate in Executive Council meetings and General Assemblies without voting privileges. **It is expected they they will in turn invite IUPAP to send representatives to meetings of appropriate bodies in their structure.** added to emphasise the reciprocity of the relationship

III. GENERAL ASSEMBLY

- A. The General Assembly is the highest governing body of the Union. It:
 - 1. Creates and amends these Statutes by a two-thirds majority of the votes present **or cast *in absentia* under Section VIII.** Changed to clarify the position of absent voters
 - 2. Sets and amends the procedural By-laws by a three-fifths majority of the votes present **or cast *in absentia* under Section VIII.** Changed to clarify the position of absent voters
 - 3. Elects the Executive Council that oversees Union activities between General Assemblies.
 - 4. **Determines the location of the IUPAP secretariat and office for the period until the next General Assembly.** Introduced to formalise the present *ad hoc* situation
 - 5. Elects members of its Commissions.
 - 6. Sets the Member's dues.
- B. The General Assembly may:
 - 1. Set policy.
 - 2. Establish or disestablish Commissions that are assigned specific tasks in their charter, and elect their members.
 - 3. **Recognize, as an Affiliated Commission, an international group of scientists, constituted as an independent body, whose field does not coincide with that of an IUPAP Commission.** wording changed for clarity. "an international group of scientists," used to be "outside the Union"
 - 4. Decide to participate in interdisciplinary or other international scientific bodies.

5. Enter agreements of cooperation with other interantional scientific unions or similar internal bodies representing scientists. introduced to formalise the present situation
 6. Accept new members.
- C. The General Assembly meets every three years. the notice required is specified in the By-laws. added for clarity
 - D. Special General Assemblies:
The Executive Council will call a Special General Assembly at the request of one-third of the members, or on its own initiative. In either case the Special General Assembly will consider only those matters which are specified when the request is made or the initiative is taken. If the Executive Council so resolves, the Special General Assembly may be conducted electronically, rather than in a physical meeting. expanded to allow for electronic meetings and to restrict the business of the Special General Assembly
 - E. The President presides over the General Assembly and a Special General Assembly. expanded to clarify the situation at a Special General Assembly
 - F. The Secretary-General is responsible ensuring that a record is kept of all decisions of the General Assembly and a Special General Assembly. expanded to clarify the situation at a Special General Assembly
 - G. Election procedures are specified in the By-laws.
 - H. A quorum of the General Assembly consists of sufficient Members to produce two-thirds of all votes available to Members. On items for which written votes have been received, these count towards the quorum. expanded for clarity

IV. EXECUTIVE COUNCIL AND OFFICERS

- A. An Executive Council oversees and administers the activities of the Union between General Assembly meetings. It normally meets at least once per year, and may conduct business by email or other means of communication as it deems necessary. added to legitimise present procedure
- B. **The Executive Council is composed of the President, President-Designate, nine Vice Presidents, the Secretary-General, the Associate Secretary-General and the Treasurer; all elected by the General Assembly, plus the immediate Past President.** This introduces the named position of Treasurer, and reduces the number of Vice Presidents at Large from five to four to avoid increasing the size of the Executive Council. The requirement "At least one of the members shall be from a developing country." has been moved to the next section to require a higher level representation from a developing country

- C. The President, President-Designate, Secretary-General, Associate Secretary-General, Treasurer and immediate Past President, shall be collectively referred to as the Officers of the Union. At least one of the officers shall be from a developing country. They may individually or collectively advise the Executive Council, but cannot make decisions on its behalf unless they have been authorised to do so. Introduced to reflect present practice, with the strengthening of developing country representation noted above
- D. The term of office of Executive Councillors normally begins and ends at the end of each General Assembly. In exceptional circumstances the General Assembly may extend the term of office of any or all of the Executive Councillors.
- E. The President may not be re-elected. The President-Designate normally will be elected to the Presidency. Four of the Vice Presidents shall be elected at large and may be re-elected once. The Executive Council may assign areas of responsibility to the Vice Presidents elected at large and invite nominations for Vice Presidents at large with those responsibilities. Five Vice Presidents shall be elected from among the Chairs of the Commissions, and may be re-elected once as a Vice-President at large. Consideration shall be given to an appropriate sub-disciplinary balance, gender balance and geographic balance on the Executive Council. Normally, at least one of the President, President-Designate and Immediate Past President will be a woman, and at least one shall be a man. As well as the change in number of Vice Presidents at large, the fact that a Vice President who is a Commission Chair may be elected as a Vice President at large for an additional term is made explicit. Note that the term of the Treasurer, Secretary General and Associate Secretary General are not specified. The explicit gender balance of the presidential line is new
- F. The Executive Council shall invite nominations for the positions of President, President-Designate, four Vice Presidents elected at large, the Secretary-General, the Associate Secretary-General and the Treasurer. Introduced to make current practice explicit
- G. If the President is unable to serve on a temporary or permanent basis, the President-Designate shall assume the Presidency. If the President will not resume the Presidency at a later time, the Executive Council will then call for nominations for the vacant position of President-Designate, and shall give notice of a Special General Assembly to elect the new President-Designate, unless notice of a General Assembly has already been given. The Special General Assembly will determine the term of office of the new President and President-Designate. The first sentence, omitting “on a temporary or permanent basis”, was a part of §IVE. It has been made a new clause and expended to indicate in detail what is to happen in these circumstances
- H. The Executive Council has all of the authority of the General Assembly between General Assemblies except those items specified in Section IIIA of these

statutes, subject to ratification at the next General Assembly. Nevertheless, it may fill vacancies in the Executive Council (except in the position of President) and in Commissions that occur between General Assemblies. added to reflect present practice

- I. When there are circumstances which make it desirable to act quickly on items in Section IIIA the Executive Council may convene an electronic Special General Assembly to complete these items. new
- J. The Secretary-General carries out the Administration of the affairs of the Union with the assistance of the Associate Secretary-General, and the Secretariat.

The Executive Council may appoint a Deputy Secretary-General, on the recommendation of the Secretary-General, to assist and act for the Secretary-General, and to deputise for the Secretary at meetings of the Executive Council, the Commission on Finance and Policy, or the General Assembly as necessary and appropriate. added to allow the arrangements introduced at the Singapore General Assembly to continue when necessary

- K. The Executive Council shall appoint an auditor to certify an annual financial report, which will be provided to the Executive Council at its annual meeting.
- L. At its annual meeting the Executive Council shall determine the activities of the following year, and the budgetary provision for those activities. added to reflect current practice

V. COMMISSIONS

- A. The Commissions promote the objectives of the Union within their areas of expertise and provide advice to IUPAP on the activities and needs of the subfields of physics they represent.
- B. The Commissions are elected according to procedures specified in the By-Laws. ~~Affiliated Commissions are groups of scientists recognized by the General Assembly but appointed by other scientific bodies.~~ Deleted because it is covered in §III(B)3

VI. FUNDING and FINANCIAL ARRANGEMENTS

- A. A Member joins the Union with a number of shares negotiated by the Executive Council and approved by the General Assembly. A Member's dues are equal to the number of shares multiplied by the dues per share determined by the General Assembly.
- B. Dues are payable on the first day of each year, and are the responsibility of the Adhering Bodies.
- C. A Member in arrears for three years loses its right to vote in the General

Assembly, but may continue to participate in the activities of the Union and may nominate members to Commissions. A Member in arrears for six years is excluded from the Union. Any member ceasing to belong to the Union forfeits all rights to Union assets.

- D. A Member which has resigned from the Union, or been excluded under section VIC may apply to rejoin the Union under terms negotiated by the Executive Council, and approved by the General Assembly. introduced to codify existing practice
- E. In exceptional circumstances, the Executive Council may make a temporary adjustment to a Member's dues.
- F. Executive Council may introduce special classes of membership, enabling members in one of these special classes to pay reduced fees for a limited period. this was introduced earlier, and subsequently dropped. I have reinstated it
- G. The Union may accept grants, contracts, and donations in furtherance of its Mission.
- H. The Union will take such steps as are necessary in the jurisdictions in which it maintains its accounts to ensure that it is subject to the minimum possible local taxes. introduced to codify existing practice
- I. Dues and other funds received may be used to cover administrative expenses as well as carrying out activities in furtherance of the Mission of the Union. As well as the uses specified below, these funds may be used by IUPAP and its Commissions to provide prizes and awards to recognise contributions made in the service of physics and its disciplines. introduced to codify existing practice
- J. Executive Council may employ members of a Secretariat to carry out the administrative tasks of the Union. In the event that the Secretariat is hosted by another organisation, IUPAP shall enter into a contract with that organisation, specifying the services to be provided and the costs of those services. This contract should be for a period not exceeding three years, but may be renewable.
- K. All members of Executive Council, and the Commissions and Working Groups serve in a honorary capacity, but may be reimbursed for reasonable expenses incurred in the course of their duties. §§VIJ, VIK introduced to codify existing practice

VII. GENERAL ASSEMBLY and SPECIAL GENERAL ASSEMBLY VOTING RIGHTS AND PROCEDURES

- A. The number of votes of a Member is related to its number of shares as follows:

one share gives one vote; two or three shares give two votes; four to six shares give three votes; seven to nine shares give four votes; ten to fifteen shares give five votes; sixteen or more shares give six votes.

- B. Members may not subscribe to less than one share, but may be allowed by the Executive Council to subscribe to a share at a discounted rate for a limited period “Members paying less than one share have no vote” has been removed and the statute altered to reflect current practice
- C. The number of official delegates a Member has to the General Assembly is equal to its number of votes.
- D. Each Chair of a Commission or an Affiliated Commission, or, in the Chair’s absence, its Vice-Chair or Secretary is an official delegate to the General Assembly and has one vote.
- E. Members of the Executive Council who are not also Commission Chairs do not vote, except that the President may make a casting vote to break tied votes. Note that under this section the President does not have a deliberative vote. the last sentence is added to clarify the implication of the previous version
- F. Motions concerning scientific issues will be decided by a majority of the individual official Delegates present and voting.
- G. On all other motions, the Heads of Delegations cast all of the Delegation’s votes. The question is decided by a majority of votes cast.
- H. In the event of a question on the category of a motion, the President will decide.
- I. A Member whose Delegation is unable to attend may submit a written vote, communicated to the Secretary-General by mail, facsimile or email, introduced to clarify “written” on any matter on the initial agenda. It must be received before the General Assembly for the vote to be valid. It is not practical to extend this privilege to questions arising at the General Assembly.

VIII. DURATION OF THE UNION

- A. The life of the Union is not limited.
- B. The Union may be dissolved by a Special General Assembly convened for this purpose of which 4 months notice has been given to the Members.
- C. The resolution dissolving the Union must be carried by a two-thirds majority of the total votes of the Members.
- D. In the event that the Union is dissolved, the remaining assets of the Union will be allocated by the Special General Assembly to one or more educational, charitable or scientific organizations. the previous version of the dissolution

mechanism had it considered at a General Assembly, and a Special General Assembly is required under the proposed changes. The is consistent with the present practice in other organisations

IX. DOMICILE

- A. The legal domicile of the Union shall be Switzerland **Cecilia attempted to find the basis for this without success. if we want this to be true we need to act to make it so. Else we should remove this statement.**

2 BY-LAWS

Draft Revision v4

I. GENERAL ASSEMBLY

A. Location and date

1. The Executive Council determines the location and date of a General Assembly and notifies the Members at least six months in advance.

B. Agenda

1. The Agenda of the General Assembly is to be sent to all Members at least three months in advance.
2. The Agenda may be modified at the General Assembly by a majority of the votes of the Members present.
3. All Commissions, Working Groups, Affiliated Commissions, and Liaisons with other organisations shall make a written report to the General Assembly. The Executive Council shall provide opportunities for participants at the the General Assembly to question any of these and codifying existing practice shall designate any that are to make an oral presentation.

C. Observers

1. In addition to a Member's official Delegation, all other members of Liaison Committees may attend as observers without vote.
2. The President may invite Guest Observers without vote as deemed appropriate.

D. Voting Procedure

1. On all matters where the statues or by laws specify a vote, except where a specified majority is required or the vote is for the election of Commissions or the Executive Council, the result of voting may be determined by the President. The General Assembly may, by a simple majority, request that the votes be formally counted, before or after the President determines the result.
2. When a formal count of votes is required, two tellers appointed by the General Assembly count votes. Assistance may be provided, if desired, by Secretariat personnel. a new section, introduced to codify existing practice

II. COMMISSIONS

A. Membership

1. Commissions shall be composed of a Chair, Vice-Chair, Secretary and eleven other members. **Collectively the Chair, Vice-Chair, and Secretary are referred to as the officers of the Commission, and normally at least one of them shall be a woman, and at least one shall be a man. To reflect current practice**
2. Normally, the members of a Commission will be from different IUPAP Members. Some Commissions may believe their work would be hindered by this rule. They may ask the Executive Council for an exception. If the Executive Council believes the exception is warranted, it will propose an exception to the General Assembly for ratification before the election.
3. **When representatives of international organisations are members of Commissions representing that organisation, for example the Director of Bureau Internationale de Poids et Mesures (BIPM) as an ex officio member of C2, they are not representing an IUPAP member and the provisions of §II(A)2 do not apply. new, introduced to codify existing practice**
4. Commissions may have important links to other Commissions, Scientific Unions or international organisations. To maintain these links, each Commission may propose to the Executive Council up to four associate members. The Executive Council will appoint associate members about one year after the election of regular members. Associate members do not vote at Commission meetings and are not eligible for IUPAP travel funds. **Because we give so little money to Commissions, and the limit to four associate members is largely for economic reasons we could remove or increase this limit. Or we can insert §II(A)5 The October 2019 meeting of the Executive Council should decide which it prefers** The officers recommend that “four” and §II(A)5 be deleted.
5. **Commissions may request Executive Council to appoint observers to the Commission, specifying the reason for the appointment in their request.**
6. To the extent practical, at least one member shall be involved in the applications of the relevant field of physics. If a Commission believes that this requirement is not practical, it shall inform the Executive Council of its reasoning.
7. When new Commissions are formed the Executive Council will make ad hoc arrangements for membership until the normal rotation of membership can be established.

B. Terms of Office

1. All elections are for a term of three years.
2. Chairs may not be re-elected to any position on the Commission beyond their term as Chair, and Vice Chairs/Secretaries may not be re-elected to the same positions nor be re-elected as an ordinary member - except in extraordinary circumstances, and, in such circumstances, special approval by the General Assembly is required. Ordinary members may be elected twice.
3. When a member is appointed following the resignation of another member, if they serve more than half of the term they are regarded as having served a term, and if they serve less than half the term they are regarded as not having served a term. to codify the practice introduced by the Executive Council before the last GA
4. Ordinary members of a Commission, who have served two terms and have been absent from the Commission for two terms, may be reelected for no more than one further term. New, proposed because it may be useful to improve geographical or gender representation
5. Normally the Secretary, Vice-Chair and Chair are to be chosen from among those who have served at least one term on the Commission.
6. Service in all capacities shall not exceed three terms, whether or not those terms are consecutive.
7. The General Assembly may grant exceptions to the provisions of §IIB for those Commissions that undertake long-term projects or where continuity is particularly important.

III. ELECTION OF MEMBERS OF COMMISSIONS AND THE COUNCIL extended for clarity

A. Nominations

1. A call for nominations to Commissions and the Executive Council shall be sent to all Liaison Committees and Commissions at least eight months before a General Assembly.
2. Because there is a notional quota that each member will have a number of members of Commissions equal to its number of shares, and because of the special considerations taken into account in preparing the slate of Commission members, each Member should submit at a number of nominations at least as large as the smallest integer which exceeds 1.33 times their number of shares. New, to codify existing practice
3. Nominations from Liaison Committees and nominations from Commissions must be received by the Secretary-General no later than dates determined by Executive Council and specified in the call for nominations.

A statement of the candidate's qualifications sufficient to allow an evaluation of the candidate must accompany nominations. **Nominations should be submitted electronically on the appropriate website, but in special circumstances will be accepted if submitted by other means. Executive Council may approve the acceptance of late nominations.** expanded to codify existing practice

4. The Executive Council will prepare a slate of nominees for the Commissions and Executive Council from the nominations and may itself suggest names (in which case a statement of qualifications will be prepared and provided to the General Assembly). Special consideration will be given to continuity, geographic distribution, gender distribution and coverage of major sub-fields within the Commissions. **Executive Council may appoint a nomination sub-committee to assist it in the process of determining a slate.** added to codify existing practice. **The Council may call a meeting of Chairs of Commissions with the nomination subcommittee or with the Executive Council to assist in the determination of a slate.** introduced as a result of comments at the 2017 General Assembly
 5. Nominations and the Slates for the Commissions and the Executive Council as determined by the Executive Council shall be provided to delegates at the General Assembly **and to Liaison Committees electronically at the start of the General Assembly.** added to codify existing practice **This section may need to be modified if we change the nomination procedure as discussed.**
 6. It may be necessary because of unforeseen circumstances, such as the unavailability of a candidate due to changed circumstances, to make nominations at the General Assembly. If so, nominations can be made by the Heads of Delegations, Commission Chairs, or Members of the Executive Council. Such nominations require a seconder.
 7. Liaison Committees may resubmit their nominations at the General Assembly of persons not on the Executive Council's slate, but these renominations must be supported by at least one other delegation. The Executive Council then will prepare a final ballot with its recommendations and any renominations for a position.
- B. **Ballot procedure changed to better describe the actions**
1. If more names are included on the final ballot than there are positions, the election will be by secret ballot. Each Delegation Head will vote its block of votes.
 2. **The votes shall be counted as specified in Section I(D)2.** wording changed to avoid repetition

IV. CONFERENCES

A. Conference Sponsorship

1. The Union may sponsor and contribute to the support of conferences related to its mission. The Executive Council in consultation with the Commission Chairs grants sponsorship **in the year before the conference occurs.**

B. Conference Endorsement

1. **The Union may in consultation with relevant commissions endorse conferences at any stage in advance of the date of the conference.**
2. **In the year before they occur, Endorsed Conferences may apply for sponsorship added to confirm with existing practice**

C. Procedures

1. The Executive Council may set rules for sponsorship and endorsement. Such rules should be clearly posted on the Union's website.
2. Liaison Committees should be promptly informed of conferences proposed to take place in their territory.

V. **WORKING GROUPS This section is new and is open for comment by the C&CC and decision by the Executive Council**

- A. **The General Assembly may establish Working Groups where such the activity of such Working Groups will contribute to the achievement of the aims of IUPAP. The Executive Council will determine the budgetary allocation for each working group.**
- B. **Working Groups will provide written reports to each meeting of the Executive Council and to the General Assembly.**
- C. **Unless otherwise specified by a resolution of the General Assembly, a working group shall be established for a period of 6 years. At that time the General Assembly shall review the operations of the Working Group and decide whether or not the Working Group should be extended for a further period.**
- D. **The Executive Council will determine the membership of each Working Group.**

VI. STATEMENTS

- A. Statements in the name of IUPAP may only be made by majority vote of the General Assembly.
- B. Should it be necessary between General Assemblies to issue a statement on a pressing issue

1. the Executive Council may convene a Special General Assembly, which may be electronic, to issue the statement agreed by a majority vote in the name of IUPAP, or added
 2. the Executive Council by majority vote may issue the statements in the name of the IUPAP Executive Council.
- C. Commissions or Working Groups may issue statements in their own name in their area of expertise subject to approval by the President.