



## **Annex – Revised ISoP Statutes**

### **Comments from ISoP membership received as June 8<sup>th</sup> 2016**

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Dated from 8 May

\*\*\*Many thanks. I have a few small suggestions:

Previous Presidents could have the title "President Emeritus" conferred retrospectively.

7.12 Add after "until the next President is elected", ", when the Past President becomes a President Emeritus."

Conferring the title of President Emeritus on previous Presidents encourages them to maintain their association with and support of the Society.

8.1. Add "No President Emeritus shall be eligible to be elected as President."

11.7 Change "A simple majority is a majority in which the highest number [of] votes cast for any one candidate, issue or item exceeds the second-highest number, while not constituting an absolute majority" to "In a simple majority the highest number of votes cast for any one candidate, issue or item exceeds the second-highest number, but does not necessarily constitute an absolute majority".

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Dated 20 May

The procedure you chose to change the ISoP constitution is totally inadequate, tricky and outrageous and a shame to an international scientific society with the reputation and claim to place a high value on democracy. You know as well as everyone else that on two consecutive formal meetings in London only extremely few (maybe not even a handful) ISoP members will decide on the most fundamental issue considering our society. Clearly the most effective way to get as many votes as possible and thus the most democratic way would be a written procedure or a voting on the next general assembly in the context of the annual meeting in India. Should the procedure you chose be formally legal according to our current constitution (which I doubt) this possibility should be the first thing to change. I reserve the right to formally challenge your procedure at a civil court.

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Dated from 30 May

7.3 The day to day leadership and management of ISoP is conducted by the Executive Committee, which shall comprise the President, the Vice-President, the Secretary, the Treasurer and at least one representative of the ISoP Secretariat.

From what is written above, it is not clear whether:

a.) The EC includes 4 members i.e. President, Vice President, Secretary and Treasurer and that 1 or more (non-Board) member of the Secretariat supports the EC and attend their meeting but are not EC members.

b.) Or if those non-Board member(s) of the Secretariat are core members of the EC. In such a case, section 7.3 make possible for an unlimited number of non-Board secretariat members to become EC Members.

If members of non-Board secretariat members are appointed Core EC members (option b), I would recommend specifying the structural roles and mode of appointment of those Secretariat members.

Need clarification for:

7.8 Candidates for election to the Board will be proposed by the Past President from among eligible members.

While it is clear the Past President can propose candidates to the Board. However, I would recommend specifying the following:

a.) The definition of an "Eligible member" i.e. what are the criteria that qualify for it?

b.) Can members meeting the criteria for "Eligible member" but not proposed by the Past President apply for being candidate?

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Dated from 31 May

1. Many thanks to all involved in drafting for progressing new statutes and therefore the activities of ISoP.
2. I agree very much with the objectives as worded.

3. In 3.1 and 3.2 should better say “individual” rather than “person” (as organisations can also be a legal person).
4. 3.3 says that “any individual or corporate entity can become a benefactor of ISO P”, but this could be interpreted that e.g. a pharmaceutical company, a government office or a single major foundation could become benefactor, and this could jeopardise independence. We should add wording to clarify how ISO P prevents potential loss of independence.
5. The statutes are silent with regard to who proposes and who accepts benefactors. As this is an important point it should be clarified in the statutes whether the Board or GA accepts them.
6. I wonder if the option for affiliate members could result in one person being represented twice in ISO P membership, i.e. as ISO P active member and as member of an affiliate member. I wonder if this could cause any problem. Maybe this is a theoretical issue without practical relevance, but consideration should be given to this question.
7. 5.2 says that ISO P will follow “national data protection recommendations”. It should more clearly say “the data protection legislation and recommendations of Switzerland or of the country where the ISO P Secretariat is located, whichever offers the higher standard in data protection”.
8. 7.8 says that board members are from eligible members without defining eligibility. This should be defined as active members, except those who hold non-renewable board membership. Or is anything else foreseen? Benefactors should explicitly be excluded from eligibility.
9. It seems that one cannot volunteer as candidate for board but depends on the past president’s decision to become candidate. Why could active members not just volunteer?
10. 9.1, 10.1, 11.4 should add that minutes are circulated to ISO P membership.
11. 9.2 and 10.2 should better say “voluntary, unpaid basis, but...” rather than only “voluntary”.
12. 20.2 says that the by-laws are approved by the EC, but should that not rather be the board? It might depend on precise scope of the by-laws.
13. The by-laws are often said to define roles and functions of various entities. I think however the roles should be defined by the statutes, as the roles are the mandates (which they cannot give to themselves), and how the entities function can then be defined in the by-laws.
14. 11.6 rightly says that budget is approved by GA. 12.2 however says budget is approved by EC. 12.2 should be aligned with 11.6
15. The EC and the board can operate through electronic mail/vote, and it should be added for the GA too that they can have electronic consultations and voting.
16. I wonder if changes to the statutes should not be subject to the majority rules as dissolution.

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Dated from 31 May

I agree in general with two comments.

First, virtually shared General Assemblies should be foreseen in the future, in order to allow people who can’t travel to attend them. Or an electronic vote or e-mail vote should be allowed.

The second one refers to nomination of the Board, which should be in principle open and only in case that number of candidates is not reached, nominated by the PP. Requirements for the nomination should be stated in advance.