

## **4 – Approval of amendments to the Constitution**

### **Proposed amendments to the Constitution**

Note by the Secretariat

#### **1. BACKGROUND**

The proposed change is to the Convention Article 7.3, second bullet point and aims to clarify voting rights for National members in the Council elections when one country has more than one National member.

Very few countries have more than one National member in IALA. The Constitution permits this. However Article 8.1 already restricts the declaration for candidature to the Council in such a situation as it states that “...only one National member from any country may be elected to the Council”.

While the issue of voting rights was not a problem during the Council election at the General Assembly in 2018, a Country with two National members has in the meantime specifically raised that question.

The Legal Advisory Panel has discussed the issue and identified a gap in the text of the Constitution. In order to guarantee equal rights in Council elections when a country has more than one National member, it is suggested to limit the vote per country. Otherwise, countries could be encouraged to increase the number of their National members with the sole purpose of obtaining more than one vote and as such enhancing the probability of being elected to the Council. This violates the main principles of IALA and international cooperation which are based on equal rights.

At its last meeting, the Legal Advisory Panel has prepared and agreed the following proposed change to the Constitution:

#### **7.3. RULES ON VOTING**

- Only National members have voting rights at a General Assembly.
- Each National member has one vote. *[When a country has more than one National member, that country still has only one vote.]*
- Decisions of the General Assembly, other than those relating to the Constitution (see Article 12) are taken on a simple majority of the votes cast. In the event of a tie vote, the President shall have a second, and deciding, vote.

#### **2. ACTION REQUESTED OF THE GENERAL ASSEMBLY**

The General Assembly is invited to **approve** the change to the Constitution Article 7.3.