

# **PROPOSED CHANGES TO THE ISTA CONSTITUTION**

**FOR CONSIDERATION AND DECISION AT THE  
ORDINARY MEETING 2005**



## **INTRODUCTION**

The Executive Committee of ISTA is suggesting to amend the ISTA Constitution and is therefore seeking approval by the Designated Members of proposed changes in the following sections:

- I. The introduction of the fixation of the subscription fees for ISTA on an annual basis.
- II. Changes of the publication of the statement showing the financial position of the Association.
- III. Changes in the submission and notification period for ISTA Constitution Change Proposals.

At the upcoming Ordinary Meeting 2005 in Bangkok, Thailand, the Designated Members designated by their respective Designated Authority to vote on behalf of the Government in their country, will be asked to vote section by section.

In this document you will find the current text of the Constitution Article of concern on the left side and the proposed new version of the same Constitution Article on the right side. In order to make the necessary changes in the Constitution in one section, it is possible that more than one Article of the Constitution needs to be changed. However, please keep in mind that voting will not be made Article by Article but as a package section by section.

Please take into consideration that according to ISTA Constitution Articles XII (a) and (b), modifications of the text presented in the Constitution Change Proposals can not be made during the Ordinary Meeting.

The Executive Committee of ISTA recommends all of the presented Constitution Change Proposals for adoption by the Designated Members entitled to vote.

According to ISTA Constitution Articles IX (b) and XII (c), the motion to alter the Constitution requires for adoption at least a two-thirds majority of those Designated Members voting, provided a quorum is present.

Pieter Oosterveld  
ISTA President

Zurich, December 20, 2004



# I.

## **PROPOSED CONSTITUTION CHANGES**

***Fixation of the subscription fees on an  
annual basis***



**The following changes and amendments of the current Constitution of the International Seed Testing Association are proposed for adoption at the next Ordinary Meeting of the Association to be held in Bangkok, Thailand, April 2005.**

I. 1.) It has been proposed to change Article XI (c) as follows:

CURRENT VERSION:

PROPOSED VERSION:

ARTICLE XI	ARTICLE XI
<i>Finances</i>	<i>Finances</i>
(c) The amount of the annual subscription for <del>Designated Members,</del> Members and Accredited Laboratories shall be determined <del>for at least a three year period</del> at an ordinary meeting of the Association, due to consideration being given to statements submitted in accordance with Article VII (c)(9) and paragraph (g) of this Article. Notification of proposals to change the rate of annual subscriptions shall be sent to the Designated Authorities, <del>Designated Members</del> and Members at least <del>six</del> months prior to an Ordinary Meeting.	(c) The amount of the annual subscription for Members and <u>the additional fee for</u> Accredited Laboratories shall be determined <u>annually</u> at an ordinary meeting of the Association, due to consideration being given to statements submitted in accordance with Article VII (c)(9) and paragraph (g) of this Article. Notification of proposals to change the rate of annual subscriptions shall be sent to the Designated Authorities and Members <u>of the Association</u> at least <u>two</u> months prior to an Ordinary Meeting.
<b>Deleted Text:</b> 'Designated Members,'	<b>Replaced by:</b> <i>not replaced</i>
	<b><u>Rationale for this change:</u></b> <i>At the moment there is no difference between the membership subscription of a Designated Member and a Member. So, in this paragraph the mentioning of a Designated Member is superfluous.</i>
<b>Deleted text:</b> 'for at least a three-year period'	<b>Replaced by:</b> 'annually'
	<b><u>Rationale for this change:</u></b> <i>The change to annual determination of membership subscription fees will give more flexibility and speed to the Association in regards to the finances.</i>
<b>Deleted text:</b> 'at least six months'	<b>Replaced by:</b> 'at least two months'
	<b><u>Rationale for this change:</u></b> <i>By installing annual meetings with annual determinations of the membership subscription fees, a notification period of six months as fixed in the current ISTA Constitution is unworkable. In a 12 months circle a two months notification period seems to be appropriate. Also two months should be in today's business world sufficient time to discuss the proposal with the relevant bodies in the country.</i>



I. 2.) It has been proposed to change Article XI (b) as follows:

CURRENT VERSION:

PROPOSED VERSION:

<p><b>ARTICLE XI</b></p> <p><i>Finances</i></p> <p>(b) The income of the Association shall be derived from annual subscriptions <del>paid by Governments, Designated Authorities, Designated Members, or by Members</del>, and from payments and donations received from persons, organisations, or governments for specified or general purposes.</p>	<p><b>ARTICLE XI</b></p> <p><i>Finances</i></p> <p>(b) The income of the Association shall be derived from annual <u>membership</u> subscriptions, and from payments and donations received from persons, organisations, or governments for specified or general purposes.</p>
<p><b>Deleted Text:</b> 'paid by Governments, Designated Authorities, Designated Members, or by Members'</p>	<p><b>Replaced by:</b> 'membership'</p> <p><b><u>Rationale for this move:</u></b> <i>To remain consistent with article XI (c) and to remove subscription categories which do not exist.</i></p>

I. 3.) It has been proposed to change Article X(e) as follows:

CURRENT VERSION:

PROPOSED VERSION:

<p><b>ARTICLE X</b></p> <p><i>Meetings of the Association</i></p> <p>(e) The agenda for an ordinary meeting of the Association shall include:</p> <ol style="list-style-type: none"> <li>(1) Call to order.</li> <li>(2) President's address.</li> <li>(3) Roll call of Designated Members entitled to vote.</li> <li>(4) Reading and acceptance of Minutes.</li> <li>(5) Report of the Executive Committee.</li> <li>(6) Report of the Secretary General.</li> <li>(7) Consideration and adoption of reports.</li> <li>(8) Announcement of the place and date for the next ordinary meeting of the Association.</li> <li>(9) Any other business raised by a Member, of which notice in writing has been received by the Secretary General at least two months prior to the date of the meeting.</li> <li>(10) Any other business raised by consent of the Executive Committee.</li> <li>(11) President's closing address.</li> <li>(12) Adjournment.</li> </ol> <p>And additionally at the ordinary meeting held in</p>	<p><b>ARTICLE X</b></p> <p><i>Meetings of the Association</i></p> <p>(e) The agenda for an ordinary meeting of the Association shall include:</p> <ol style="list-style-type: none"> <li>(1) Call to order.</li> <li>(2) President's address.</li> <li>(3) Roll call of Designated Members entitled to vote.</li> <li>(4) Reading and acceptance of Minutes.</li> <li>(5) Report of the Executive Committee.</li> <li>(6) Report of the Secretary General.</li> <li><u>(7) Fixation of annual subscriptions.</u></li> <li><u>(8) Consideration and adoption of reports.</u></li> <li><u>(9) Announcement of the place and date for the next ordinary meeting of the Association.</u></li> <li><u>(10) Any other business raised by a Member, of which notice in writing has been received by the Secretary General at least two months prior to the date of the meeting.</u></li> <li><u>(11) Any other business raised by consent of the Executive Committee.</u></li> <li><u>(12) President's closing address.</u></li> <li><u>(13) Adjournment.</u></li> </ol> <p>And additionally at the ordinary meeting held in</p>
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<p>the third year after the ordinary meeting at which officers and members-at-large of the Executive Committee were appointed:</p> <ul style="list-style-type: none"><li>(13) Discharge of the Executive Committee</li><li>(14) Election of Officers and members-at-large of the Executive Committee.</li><li>(15) Installation of new Officers.</li><li>(16) <del>Fixation of annual subscriptions.</del></li></ul>	<p>the third year after the ordinary meeting at which officers and members-at-large of the Executive Committee were appointed:</p> <ul style="list-style-type: none"><li><a href="#">(14)</a> Discharge of the Executive Committee.</li><li><a href="#">(15)</a> Election of Officers and members-at-large of the Executive Committee.</li><li><a href="#">(16)</a> Installation of new Officers.</li></ul>
<p><b>Deleted Text:</b> None.</p>	<p><b>Change made:</b> Previous X (e) 16 becomes X (e) 7, and all other items moved down one place on the list (i.e. renumbering)</p> <p><b><u>Rationale for this move:</u></b> <i>To be consistent with the proposed Constitution change XI (c).</i></p>



## II.

### **PROPOSED CONSTITUTION CHANGES**

***Publication of the statement showing  
the financial position of the  
Association***



**The following changes and amendments of the current Constitution of the International Seed Testing Association are proposed for adoption at the next Ordinary Meeting of the Association to be held in Bangkok, Thailand, April 2005.**

II. 1.) It has been proposed to change Article XI (g) as follows:

CURRENT VERSION:

PROPOSED VERSION:

ARTICLE XI <i>Finances</i> (g) A statement showing the financial position of the Association , examined and certified by the Auditor, shall be circulated annually to the Members of the Association and published in <del>“Seed Science and Technology”</del> .	ARTICLE XI <i>Finances</i> (g) A statement showing the financial position of the Association , examined and certified by the Auditor, shall be circulated annually to the Members of the Association and published in <a href="#">the “Activity Report of the ISTA Committees”</a> .
<b>Deleted Text:</b> “Seed Science and Technology”	<b>Replaced by:</b> ‘the “Activity Report of the ISTA Committees”’  <b><u>Rationale for this change:</u></b> <i>As ‘Seed Science and Technology’ (SST) today is a purely scientific journal, it is recommended to publish the financial statement in the “Activity Report of the ISTA Committees”.</i>



### III.

## PROPOSED CONSTITUTION CHANGES

*Changes in the submission and  
notification period for ISTA Constitution  
Change Proposals*



**The following changes and amendments of the current Constitution of the International Seed Testing Association are proposed for adoption at the next Ordinary Meeting of the Association to be held in Bangkok, Thailand, April 2005.**

III. 1.) It has been proposed to change Article XII (a) and (b) as follows:

CURRENT VERSION:

PROPOSED VERSION:

<b>ARTICLE XII</b>  <i>Amendments</i>  (a) Any proposal to alter the provisions of this Constitution must be received in writing by the Secretary General at least <del>four</del> months prior to the date of the meeting of the Association at which it is to be considered.	<b>ARTICLE XII</b>  <i>Amendments</i>  (a) Any proposal to alter the provisions of this Constitution must be received in writing by the Secretary General at least <u>three</u> months prior to the date of the meeting of the Association at which it is to be considered.
<b>Deleted Text:</b> 'at least four month prior to the date'	<b>Replaced by:</b> 'at least three month prior to the date'  <b>Rational for this move:</b> <i>The cutting of the notification period is necessary to come to a workable and appropriate time frame to allow for annual constitution changes .</i>
<b>ARTICLE XII</b>  <i>Amendments</i>  (b) The Secretary General shall communicate any such proposal to each Member of the Association at least <del>three</del> months prior to the date of such meeting of the Association and shall maintain records showing evidence of such communications.	<b>ARTICLE XII</b>  <i>Amendments</i>  (b) The Secretary General shall communicate any such proposal to each Member of the Association at least <u>two</u> months prior to the date of such meeting of the Association and shall maintain records showing evidence of such communications.
<b>Deleted Text:</b> 'at least three month prior to the date'	<b>Replaced with:</b> 'at least two month prior to the date'  <b><u>Rational for this change:</u></b> <i>The cutting of the notification period is necessary to come to a workable and appropriate time frame to allow for annual constitution changes.</i>