



INTERNATIONAL SEED TESTING ASSOCIATION

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Proposed Changes to the ISTA Constitution

This document was prepared by the Constitution Working Group of the Executive Committee and has been endorsed by the ISTA Executive Committee to be submitted as proposal to the ISTA Ordinary Meeting 2007 for voting by the nominated ISTA Designated Members voting on behalf of their respective Government.

It is submitted to all ISTA Designated Authorities, ISTA Members and ISTA Observer Organisations for information two months prior to the ISTA Ordinary Meeting.

It will be discussed and voted on at the Ordinary Meeting 2007 to be held on Friday, May 11, 2007 at the Rafain Hotel, Iguazu Falls, Parana, Brazil under Agenda point 9. Constitution changes.

According to the ISTA Constitution Article XII, modifications of the text presented in the Proposed Changes to the ISTA Constitution can not be made during the Ordinary Meeting at which the change is to be voted on.

According to the 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.



Proposed Changes to the ISTA Constitution

- PROPOSAL 1 -

INTRODUCTION OF THE DEFINITION OF GOVERNMENT

1.1 Background

At the 26th ISTA Congress, the ISTA voting delegates made a decision on the definition of the word ‘Government’ for use in the ISTA Constitution. However, this definition has as yet not been included in the ISTA Constitution.

The Executive Committee of ISTA now feels that it is important to include this definition and is therefore proposing to include this definition in the ISTA Constitution.

The below proposal is for the inclusion of the definition of government as made in the year 2001 and the inclusion of that definition under Article IV with the creation of a new clause (a).

As a consequence of the introduction of that definition, the Executive Committee considers it sufficient to use the word ‘Government’ in all other text.

This would mean the deletion of the phrase ‘country or Distinct Economy as recognised by international fora’ in the definition of a Designated Authority in the present clause (a) of Article IV.

1.2 Proposal

That the present Article IV of the ISTA Constitution be changed to:

CURRENT VERSION:

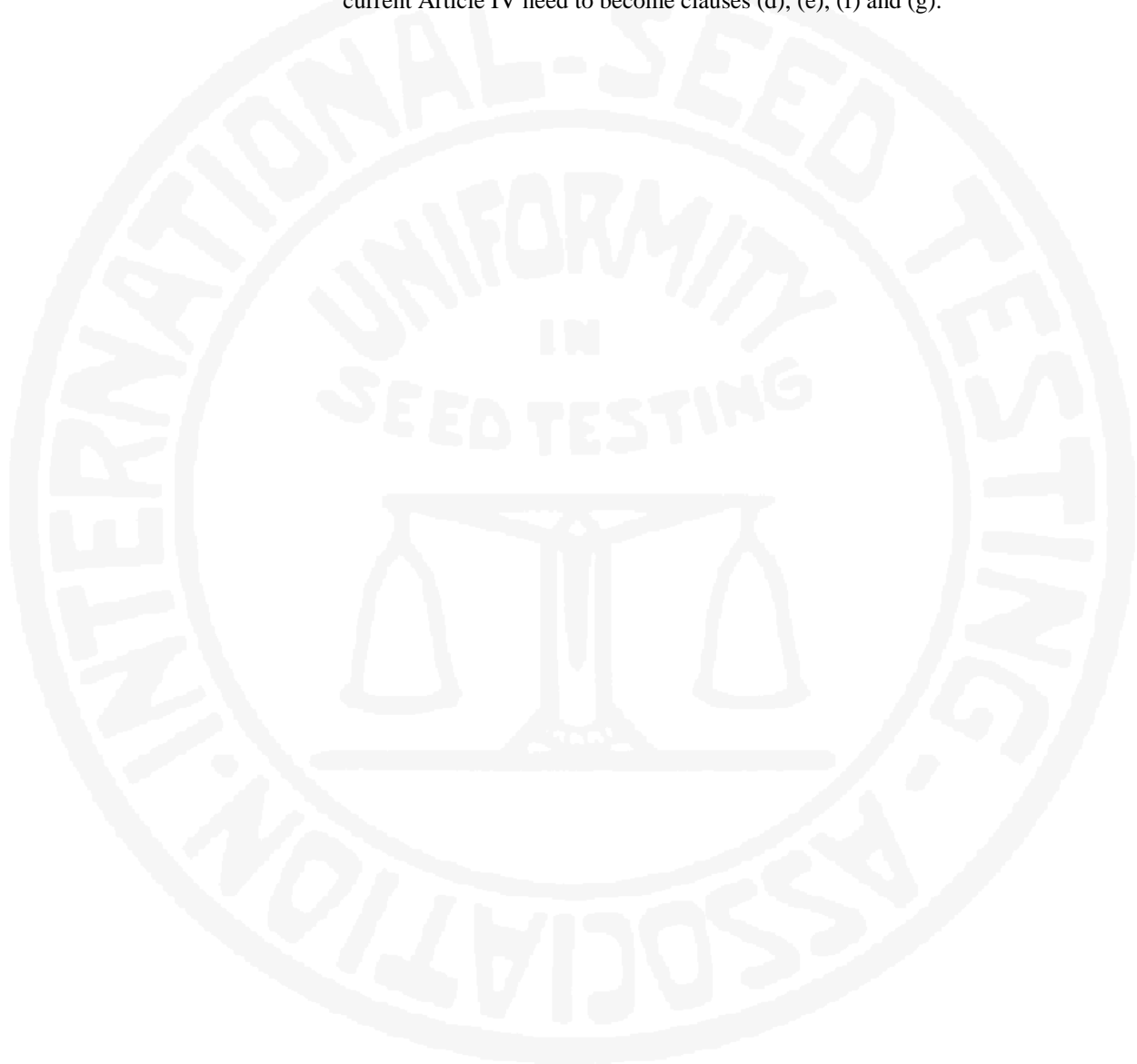
PROPOSED VERSION:

CURRENT VERSION:	PROPOSED VERSION:
ARTICLE IV	ARTICLE IV
	<u>Government</u>
	(a) <u>The word Government shall mean a member of the United Nations or its specialised agencies</u> or Distinct Economies as recognised by international fora.
<i>Designated Authority</i>	<i>Designated Authority</i>
(a) A Designated Authority is an authority designated by a government of a country or Distinct Economy as recognised by international fora to act on its behalf in designating Designated Members and in liaison with the Association.	(a) (b) A Designated Authority is an authority designated by a <u>G</u> overnment of a country or Distinct Economy as recognised by international fora to act on its behalf in designating Designated Members and in liaison with the Association.



<i>Designated Member</i>	<i>Designated Member</i>
(b) A Designated Member is a Personal Member designated by their Designated Authority and, subject to the provisions of Article IX, entitled to vote in meetings of the Association.	(b) (c) A Designated Member is a Personal Member designated by their Designated Authority and, subject to the provisions of Article IX, entitled to vote in meetings of the Association.

Editorial Note: If this proposal is accepted, clauses (c), (d), (e) and (f) of the current Article IV need to become clauses (d), (e), (f) and (g).





- PROPOSAL 2 -

ALIGN THE ISTA CONSTITUTION TO BE CONSISTENT WITH ITS CURRENT MEMBERSHIP CATEGORIES

2.1 Background

To align Article XV with the newly founded membership categories as laid down in Article IV, the Executive Committee is proposing to delete the term 'Member Laboratory/Personal Member' used in Article XV *Withdrawal* and replace it by simply using the term Member.

2.2 Proposal

That the present Article XV of the ISTA Constitution be changed to:

CURRENT VERSION:

PROPOSED VERSION:

CURRENT VERSION:	PROPOSED VERSION:
<p style="text-align: center;">ARTICLE XV</p> <p style="text-align: center;"><i>Withdrawal</i></p> <p style="text-align: center;">...</p> <p>(d) Any Member Laboratory/Personal Member may withdraw its Membership from the Association by giving notice of withdrawal at any time. Such notice shall be communicated to the Secretary General who shall inform all Members thereof.</p> <p>(e) If a Member Laboratory/Personal Member states, in its notice, that its withdrawal is because it cannot comply with an amendment adopted under Article XII, such withdrawal shall be effective on the date of the entry into force of such amendment, provided the Secretary General has received the notice not more than 30 days after the entry into force of the amendment. Withdrawal under any other circumstances shall become effective at the end of the calendar year in which the notice for that purpose is given.</p> <p>(f) The financial obligation to the Association of a Member Laboratory/Personal Member which has given notice of withdrawal shall include the entire calendar year in which the notice is given, except that, if the withdrawal is effective on the</p>	<p style="text-align: center;">ARTICLE XV</p> <p style="text-align: center;"><i>Withdrawal</i></p> <p style="text-align: center;">...</p> <p>(d) Any Member Laboratory/Personal Member may withdraw its<u>their</u> Membership from the Association by giving notice of withdrawal at any time. Such notice shall be communicated to the Secretary General who shall inform all Members thereof.</p> <p>(e) If a Member Laboratory/Personal Member states, in its<u>their</u> notice, that its<u>the</u> withdrawal is because it<u>they</u> cannot comply with an amendment adopted under Article XII, such withdrawal shall be effective on the date of the entry into force of such amendment, provided the Secretary General has received the notice not more than 30 days after the entry into force of the amendment. Withdrawal under any other circumstances shall become effective at the end of the calendar year in which the notice for that purpose is given.</p> <p>(f) The financial obligation to the Association of a Member Laboratory/Personal Member <u>for</u> which has given notice of withdrawal <u>has been given</u> shall include the entire calendar year in which the notice is</p>



date of the entry into force of an amendment as provided above, the Member Laboratory/Personal Member shall have no further liability for subscription after that date.

given, except that, if the withdrawal is effective on the date of the entry into force of an amendment as provided above, the Member ~~Laboratory/Personal Member~~ shall have no further liability for subscription after that date.

