

**INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE:  
BYLAWS OF THE COMMISSION**

(Adopted at the general meeting of the Commission, Bangalore, India, 2 October 1976;  
amended in October 1988 [Bylaw 3] and in February 2009 [Bylaws 3g, 5c-e, 11b, 11d, 12b, 37])

**Members of the Commission.**

Nominations

1. The Commission is responsible for the nomination of candidates who best satisfy the provisions of Article 2b and c of the Constitution and who are considered most likely to further the work of the Commission. A candidate shall be nominated on the basis of his personal qualifications for the work of the Commission, rather than as a representative of his nation, but having regard to a balanced representation of zoologists from different parts of the world and of those working in the principal divisions of the animal kingdom.
  
2. When a vacancy occurs on the Commission, the following procedure shall be followed in order to make sure that a nominee satisfies the provisions of Article 2b and c of the Constitution:
  - (a) the Secretary shall notify each member of the Commission not less than one year before the end of his term of service asking him whether he wishes to be considered for re-election, or if he prefers to nominate one or more zoologists qualified to replace him;
  - (b) the Secretary shall inform the members of the Commission whenever a vacancy on the Commission occurs or is imminent and shall announce his intention of immediately advertising in zoological journals in various countries the fact that the Commission will receive and consider the names of persons for membership of the Commission;
  - (c) the Secretary shall publish the notice of the impending vacancy in the *Bulletin of Zoological Nomenclature* and also, if possible, in one, or preferably several suitable journals of wide distribution, including journals in the field of the vacating member of the Commission, inviting nominations of qualified candidates;
  - (d) names may be submitted by individuals, national or international societies, congresses, organizations of zoologists, academics and other institutions.
  - (e) If necessary, the Council of the Commission may solicit nominations.
  - (f) The Secretary of the Commission shall keep a list of all nominations.
  
3. *Slate of Nominees, Voting and Determining the Result* (Bulletin of Zoological Nomenclature 46( 1) March 1989: 7-8)
  - (a) The Commission shall present a slate of nominees to the Section of Zoological Nomenclature. In preparing the slate, the Commission shall receive all names submitted under the provisions of Bylaw 2 and shall consider for the slate all those qualified to meet the conditions of Articles 2(b) and (c) of the Constitution and Bylaw 1. At that time the Commission may consider additional nominees of its own choice. Retiring members of the Commission who are proposed for re-election (subject to Article 3(b) of the Constitution) shall be indicated on the slate. The Commission may explicitly recommend any nominee whom it considers particularly well qualified, but such recommendation is not binding on the Section of Zoological Nomenclature.
  - (b) In the event that there are insufficient nominees who the Commission is prepared to nominate, the Commission may propose that a vacancy remain unfilled and dealt with as though it were a casual vacancy.
  - (c) The Commission shall endeavour to nominate, wherever possible, two candidates for each vacancy. The slate shall not contain more than twice the number of names required to fill the vacancies.
  - (d) The election shall be conducted by the Officers and Council present at the meeting of the Section of Zoological Nomenclature provided that no person who is a candidate for the election shall conduct the election. In the event that no Officer or member of the Council is present and eligible the members of the Commission present shall appoint some from their number to conduct the election.
  - (e) Voting on the slate shall be by secret ballot of members of the Section of Zoological Nomenclature present in person.
  - (f) The ballot of each member voting shall consist of a ballot paper containing the names of the persons on the slate and no others.
  - (g) Each member may vote for as many candidates as are required to fill the vacancies. A vote indicated in an ambiguous manner will not be counted. A completed ballot paper containing more votes than there are vacancies shall be void and not counted.

- (h) The result of the ballot shall be ascertained by counting the votes given to each candidate and the candidate or candidates to whom more votes have been given than to the other candidates, up to the number of members of the Commission to be elected, shall be declared to have been elected.
- (i) If an equality of votes is found to exist between any candidates and the addition of a vote would entitle any of those candidates to be declared elected, the President, or in the absence of the President the Vice-President or the person appointed in accordance with Bylaw 18 to preside over the meeting of the Commission at which the slate was prepared, shall determine which of them is deemed to be elected, giving consideration to the need to secure a balanced-representation in the composition of the Commission in accordance with Article 2(c) of the Constitution.'

#### Election of Members of the Commission.

- 4. At Congresses. The election of members of the Commission at a Congress shall be conducted as specified in the Constitution of the Commission (Article 4).
- 5. Between Congresses.
  - (a) By authority given to it by Article 4f [4.6] of the Constitution the Commission may fill casual vacancies arising between Congresses.
  - (b) The Secretary shall transmit to the Council a list of the nominees (see Bylaws 1 and 2) together with suitable statements on them.
  - (c) The Council shall determine the suitability of the nominees, according to the provisions of Articles 2.2 and 2.3 of the Constitution, and with the aim of producing a slate of suitable nominees numbering no more than twice the number of vacancies.
  - (d) The nominations made by the Council, together with relevant statements on the nominees, shall be submitted to the Commission for a vote under the Three-Month Rule.
  - (e) The format of the ballot and voting procedures shall be as specified under Bylaws 3(f) – 3(i), except that “member” shall mean “Commissioner” and a candidate must receive votes from at least half of the Commissioners voting to be elected.

#### Retiring members of the Commission.

- 6. Members of the Commission are eligible for re-election on the expiration of their term unless this is precluded under the terms of Article 3b of the Constitution.

#### Membership of the Commission.

- 7. To determine the number of members of the Commission in accordance with Article 2a of the Constitution, the Council may submit for a vote under the Three-Month Rule a proposal for a new total of members. If the Council's proposal does not achieve a simple majority, then the number at that time shall not be varied.
- 8. A new vacancy created under this Bylaw may be filled as though it were a casual vacancy.
- 9. A reduction in numbers under this Bylaw may be brought about by not filling a vacancy.

#### Officers and Council.

##### Date of Elections:

- 10. At each Congress, the Commission shall determine the date upon which the Commission shall proceed to elect Councillors and the President or Vice-President.

##### Elections:

##### 11. President:

- (a) The President shall be elected for a term of six years, but this may vary depending upon the date of the election of his successor.
- (b) The Nominating Committee (the Council and two additional members of the Commission appointed for the purpose by the Commission), shall propose two nominees for the Office of President. The Executive Secretary shall call for a vote under the One-Month Rule.
- (c) At the end of the voting period, the Secretary shall declare elected the candidate who receives the greater number of votes.
- (d) In the event of a tied vote, the Executive Secretary shall refer the matter to the Nominating Committee for a decision.

##### 12. Vice-President:

- (a) The Vice-President shall be elected in the same manner as the President.
- (b) The Vice-President shall be elected for a term of six years, but this may vary depending upon the date of the election of his successor.

13. Councillors:

- (a) Ordinary members of the Council shall be elected for a term of six years but this may vary depending upon the date of the election of their successors.
- (b) Three months before the date set for the election, the Secretary shall send a Notice to each member of the Commission calling for nominations under the One-Month Rule to fill vacancies on the Council. The names of the retiring Councillors shall be specified in the notice.
- (c) The Secretary shall issue to each member of the Commission a voting paper under the One Month Rule listing in alphabetical order the names of those nominated and willing to serve. Members shall vote by indicating the two candidates of their choice.
- (d) The Secretary shall declare elected the two candidates receiving the highest number of votes. In the event of a tied vote, the President shall have a casting vote.
- (e) In the event of fewer than four nominations being received, the President shall add to the nominations to enable the Commission to exercise its choice among not fewer than four candidates.
- (f) Any vacancy on the Council arising from prior termination of membership of the Council under Bylaw 21 may be filled either on the date for elections set by the Commission at the Congress or separately at the discretion of the President.
- (g) A separate election to fill such a vacancy shall be conducted in the manner provided for ordinary elections to the Council under these Bylaws.
- (h) A member of the Commission elected to a vacancy on the Council caused by prior termination of membership (Bylaw 21) shall serve for the remainder of the term of the member whose membership of the Council has terminated.

NOTE. - In adopting this electoral procedure, the Commission notifies its intention to increase the number of Councillors to 6 by appropriate amendment to the Constitution at the next Congress. It is intended that the amendment would remove from the Council the ex-officio appointment of the immediate past President and would add two additional members. Thus, two members and either the President or Vice-President would be elected at each election, thereby giving the Council continuity.

14. The President, Vice-President and members of the Council are eligible for re-election.

15. The term of office of a new Officer or Councillor shall begin and the term of his predecessor shall simultaneously expire one month after the declaration of the results of the election by the Secretary.

Duties of the Elected Officers.

- 16. President.- The President shall be the chief executive officer of the Commission. It shall be his duty to preside at all meetings and to determine points of order and procedure (subject to appeal from his ruling) both during and between meetings. He shall be ex-officio a member of all committees, but he shall have the option to decide whether or not to take an active part in their deliberations and votes. He shall make such nominations as are required of the President under the Bylaws. He shall appoint all committees and determine the business of the Council.
- 17. Vice-President.- The Vice-President shall preside at meetings in the absence of the President. He shall assume any duty of the President delegated to him by the President except this power of delegation.
- 18. Councillors.-
  - (a) Councillors shall participate in the business of the Council as prescribed in the Constitution and directed by the President. In the absence of the President and Vice-President from a meeting of the Council or Commission, the Councillors shall elect a Chairman from among their members.
  - (b) The Council or a Councillor may not delegate the chairmanship of a meeting of the Commission to a member who is not a Councillor, but in the event of the absence of all the Officers and Councillors from a meeting of the Commission, those members of the Commission present shall elect a Chairman from among their number.
  - (c) Councillors shall cast their votes on Council matters, if by mail, under the One-Month Rule. The receipt of three votes is to be regarded as equivalent to a quorum.

Prior Termination of Membership.

19. President.- In the event of the death, effective resignation or incapacity of the President or of his ceasing to be a member of the Commission, the Vice-President shall become the President and shall serve as President for the remainder of the latter's term of office.
20. Vice-President.- In the event of the death, effective resignation or incapacity of the Vice-President or of his ceasing to be a member of the Commission, a Vice-President shall be elected as prescribed in these Bylaws, but the Vice-President so elected will be elected for the remainder of the term of the vacant office.
21. Councillors.-
  - (a) In the event of the death, effective resignation or incapacity of a member of the Council or of his election as Vice-President or President, or of his ceasing to be a member of the Commission, a Councillor may be elected to the vacancy as provided for and in the manner prescribed in these Bylaws, but the Councillor so elected will serve for the remainder of the term of the vacant office.
  - (b) The membership of a member of the Commission on the Council shall be terminated.
    - (i) if he ceases to be a member of the Commission;
    - (ii) if he tenders his resignation in writing to the President and the resignation is accepted by the President; or
    - (iii) by majority vote of the Council if, not being on leave of absence, he persistently fails to deal with Council business without an explanation acceptable to the Council.

### **The Secretariat.**

22. The routine work of the Commission shall be performed by the Secretary and any available staff.
23. The duties of the Secretariat are:
  - (a) To conduct the correspondence, record the transactions and keep the archives of the Commission.
  - (b) To prepare and edit for publication the *Bulletin of Zoological Nomenclature*, successive instalments of the official lists and indexes (Constitution Art. 14c), and editions of the Code, Constitution and Bylaws.
  - (c) To verify so far as practicable (without reducing the author's responsibility: see Code Article 81) the correctness of the facts and references given in each application to the Commission and in comments thereon.
  - (d) To ensure that the detailed proposals are those required to achieve the ends sought by each applicant.
  - (e) To send for publication applications which have been prepared to the Secretary's satisfaction.
  - (f) To submit applications, with published and unpublished comments thereon, directly to the Commission for a vote under the appropriate rule (see Bylaws 32 and 33).
  - (g) To submit every proposal for amendment of the Code, Constitution and Bylaws, to the Council for approval of the wording before it is published.
  - (h) To send for publication as soon as possible any decision by the Commission (Constitution Art. 14a [14.1]; but see Bylaw 24).
24. Where, after the issue of a voting paper, it is discovered that the application presented was incorrect or incomplete, the Secretary shall have discretion to defer publication of the decision taken by the Commission, and shall at once notify the Commission.
25. If any member of the Commission is not satisfied with the Secretary's grounds for re-opening a case, he may, within one month of receiving the information specified in Bylaw 24, ask the Council to examine the matter. The Council may then either declare that the vote is cancelled or direct the Secretary to publish the decision taken by the vote in question. If there is no appeal against the Secretary's decision, the vote is deemed to be cancelled.
26. In the event that a new vote is to be taken on the case, the applicant shall be informed.
27. A member of the Commission may request the Secretary to take the action specified in Bylaw 24 above.
28. When the Secretary receives a request under Bylaw 27 he shall
  - (i) if he agrees, take the action requested as though he were acting on his own discretion, or (ii) if he disagrees, refer the matter to the Council.

**Applications.**

29. Each application shall be examined in the Secretariat and, if found to be defective, shall be corrected in consultation with the applicant.
30. In preparing an application for publication, the Secretary may consult other zoologists, on condition that the outcome of such consultations be divulged to the applicant. The Secretary may ask the President to appoint a committee to advise him in cases of particular complexity, to specify the terms of reference of such a committee and to set a date for its report to the Council through the Secretary.
31. The decision of the Commission on an application may be reached only by postal vote. Voting papers may be distributed only by the Secretariat and must clearly specify, by statement or reference, the issues to be decided. References to published comments and copies of unpublished, comments must accompany each voting paper.

**Voting Rules (Constitution Art. 12)**

32. The Three-Month Rule.- In all new applications, in all questions involving the use of the plenary powers, in all proposed amendments to the Code, Constitution and Bylaws and in all nominations (Bylaws 1-3) and elections to the Commission between Congresses, a vote of the Commission shall be deemed to be complete when a period of three months has elapsed from the dispatch of the voting paper and when votes have been received from at least one fourth of those who were members on the date of dispatch.
33. The One-Month Rule.- In questions involving additional details or corrections of factual errors regarding authors and dates, or second votes (see Bylaw 34) not involving further use of the plenary powers and in elections to the Council, a vote of the Commission shall be deemed to be complete when one month has elapsed from the dispatch of the voting paper and when votes have been received from at least one fourth of those who were members on the date of dispatch.
34. If at the end of a voting period under Bylaw 32 or 33 fewer than one fourth of the members have recorded their votes, the Secretary shall cancel the voting paper and issue another with its own date of dispatch, under the same rule as the first.
35. If, in a case involving the use of the plenary powers, a majority smaller than a two-thirds majority is in favour of the application in question, the vote shall be taken as a preliminary vote only. The Secretary must then
  - (a) report the result of the preliminary vote to the Commission;
  - (b) issue simultaneously a second voting paper under the Three-Month Rule calling for a final decision, and include any comments not already communicated to the Commission;
  - (c) state clearly the alternative nomenclatural consequences of acceptance or rejection of the request for the use of the plenary powers.
36. In a case submitted for a second vote under Bylaw 35, a two-thirds majority is required for a favourable vote. If a majority smaller than two-thirds is in favour, the application shall be treated as having been rejected and the consequences of rejection (see Bylaw 35c above) shall be deemed to have been approved by the Commission.
37. Voting by e-mail fulfils the requirements of a postal ballot.

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