

**THE CONSTITUTION
OF
THE *INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE***

Article 1. Status and functions of the Commission. The status, duties and powers of the Commission are defined in the *International Code of Zoological Nomenclature*.

Article 2. Membership of the Commission.

2.1 **Number.** The Commission shall ordinarily consist of 18 members or such larger number as the Commission may decide. The names and addresses of the members at any given time shall be published in the *Bulletin of Zoological Nomenclature*.

2.2 **Qualifications.** The members of the Commission shall be eminent scientists, irrespective of nationality, with a distinguished record in any branch of zoology, who are known to have an interest in zoological nomenclature.

2.3 Representation of diverse interests. As far as practicable, the composition of the Commission shall be such as to secure a balanced representation:

- 2.3.1. of systematists in the principal divisions of the animal kingdom;
- 2.3.2. of zoologists from different parts of the world;
- 2.3.3. of palaeozoologists;
- 2.3.4. not only of systematic zoologists, but also of those workers in general zoology and the applied biological sciences (e.g., medicine, agriculture, etc.) who, as users of zoological names, are directly interested in the problem of nomenclature, and who have shown an understanding of the general principles underlying zoological nomenclature.

Article 3. Term of service of members of the Commission.

3.1. Normal term. The normal term of service of a member of the Commission shall be reckoned as follows:

- 3.1.1. Members shall be grouped into classes according to the date of their election or most recent re-election. A class consists of the members elected at a particular session of the Section of Zoological Nomenclature of the International Union of Biological Sciences (IUBS) (or of a body succeeding IUBS in accordance

with Article 77 of the Code) together with those elected at byelections following that session but preceding the next;

3.1.2. within a class all members shall have equal seniority and, subject to Article 3.2, the term of their service ends at the close of the general session of the Commission [Art. 11.1] at which their class is the most senior;

3.1.3. for the purposes of this Article a class continues to exist until the close of the general session at which it is the most senior even if all its members have already left the Commission under the provisions of Article 3.3 or by death or otherwise.

3.2. Maximum term of service and eligibility for re-election. A member whose normal term of service terminates may be re-elected but:

3.2.1. upon completing a continuous period of service of eighteen years (or, if the member is President of the Commission, twentyfour years) a person shall cease to be a member at the close of the next general session of the Commission;

3.2.2. on completion of the maximum period specified in Article 3.2.1. three years must elapse before a former member of the Commission is eligible for re-election;

3.2.2.1. this provision [Art. 3.2.2] shall not apply when a retiring or former member is pre-elected by the Commission to continue as or to become its President if re-elected as a member;

3.2.3. as a transitional arrangement, no service prior to 1 January 1985 shall be taken into account for the purposes of this Section.

3.3. Prior termination of membership. The membership of any member of the Commission shall terminate:

3.3.1. on the date of his or her 75th birthday;

3.3.2. on acceptance by the Council of notice of resignation tendered in writing to the Secretary;

3.3.3. if, not being on leave of absence, he or she fails on five consecutive occasions to record a vote or abstention on questions put to the Commission for decision, provided that within a period of three months following such failure no written explanation has been made which the Council finds adequate.

Article 4. Election of members of the Commission.

4.1. Notice. The Commission shall publish, not less than one year before a general session of the Commission [Art. 11.1], a notice which:

- 4.1.1. gives the names, nationalities and fields of specialization of the members whose terms of service will end at the close of that session in accordance with Article 3;
- 4.1.2. quotes Article 2.2 and invites nominations for membership of the Commission;
- 4.1.3. gives a date, not more than three months before the forthcoming general session, by which nominations must be received.

4.2. Circulation. The notice specified in Article 4.1 shall be submitted to IUBS (or to its successor body, if any), to the organizers of the Congress where the general session is to be held, and to appropriate journals in different parts of the world, with a request for its dissemination.

4.3. Nominations. Nominations, accompanied by a statement of the fields of specialization and qualification under Article 2.2 of each nominee, are to be sent to the Secretary of the Commission. Unless the nomination contains the information, the Secretary shall require each nominee to give consent to the nomination and to provide a curriculum vitae, a list of publications and a statement of his or her nomenclatural experience.

4.4. List of candidates. The Commission shall at a general session:

- 4.4.1. determine the number of places, which shall be not less than half the number of members retiring at the close of the session, to be filled by a ballot of the Section of Zoological Nomenclature;
- 4.4.2. consider the nominations which have been made in accordance with Article 4.3 and prepare from them a list of twice as many candidates as the number of places to be filled by ballot in accordance with Article 4.4.1.

4.5. Election. The Commission shall present the list of candidates to the Section of Zoological Nomenclature for an election by secret ballot.

4.6. By-elections. The Commission may by a postal ballot fill vacancies arising from prior termination of membership [Art. 3.3], or which have not been filled by election at a session of the Section of Zoological Nomenclature [Art. 4.4.1], or which result from an increase in the number of members decided by the Commission in accordance with Article 2.1.

Article 5. Duties of members of the Commission.

5.1. At sessions. It shall be the duty of a member of the Commission to attend each session of the Commission if it is possible for him or her to do so, and to attend each meeting during a session unless excused for compelling reasons by the presiding officer.

5.2. Between sessions. It shall be the duty of a member of the Commission to vote, within the prescribed period, upon each question submitted to him or her for that purpose by the Secretary.

5.3. Leave of absence. A member of the Commission who is temporarily unable to perform his or her duties should apply through the Secretary (if possible in advance) for leave of absence for a specified period.

Article 6. Officers. The Officers of the Commission shall be a President, a Vice-President, and such other officers as the Commission shall decide. The duties of the Officers shall be stated in the Bylaws.

Article 7. Council. The President, the Vice-President and four elected members of the Commission shall form a Council. This Council is charged to perform, on behalf of the Commission, the duties assigned to it specifically under the provisions of this Constitution and to supervise the work of the Commission between sessions, not specifically assigned to an officer or to the Secretariat nor deemed by the President to require a formal vote by the Commission. The Council may designate members of the Commission to serve in a special capacity.

7.1. The Secretary to the Commission is also the Secretary to the Council but neither he nor any other member of the Secretariat shall vote in its deliberations.

Article 8. Election of Officers and members of Council. The Officers and members of Council shall be elected by the Commission by secret ballot as specified in the Bylaws.

Article 9. Secretariat. The Council may appoint an Executive Secretary for such a term and with such duties as may be fixed in the Bylaws; a member of the Commission may be appointed similarly as Secretary-General. The Executive Secretary may be an employee of an appropriate body, such as the International Trust for Zoological Nomenclature.

Article 10. Committees.

10.1. Appointment and functions. The Council, through the President, may appoint advisory and *ad hoc* committees to facilitate the editorial or fact-finding tasks of the Secretariat or to assist the Commission in any other way. Zoologists who are not members of the Commission are eligible to serve on such committees.

10.2 Submission of reports. Each *ad hoc* Committee shall report to the Council or the Commission at the time stated in the terms of its

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appointment or when called upon by the Council or Commission to do *so. Ad hoc* Committees dissolve on submitting their final report or if they are previously terminated by the Council.

Article 11. Sessions.

11.1 General Sessions.

11.1.1. The President shall convene general sessions at intervals not exceeding six years (or as close to six years as the timing of the relevant Assemblies or Congresses permits), to be held in conjunction with General Assemblies of IUBS, International Congresses of Systematic and Evolutionary Biology (ICSEB), or other international Congresses which are widely attended by zoologists.

11.1.2. A general session shall include a meeting for the preparation of a list of candidates for election to the Commission, and the presentation of that list to the Section of Zoological Nomenclature of IUBS (or of its successor body, if any) for election by secret ballot (Article 4.5).

11.1.3. A general session may begin before and continue after the Congress with which it is associated, provided that all members of the Commission are notified in advance and that elections to the Commission are held only during the period of the Congress.

11.2. Special sessions. The Commission may convene a special session at any time or place of its choice, provided that:

11.2.1. the business to be transacted at that session is made known in advance to all members of the Commission;

11.2.2. only the business so made known is transacted in the course of the session;

11.2.3. no elections take place at a special session.

Article 12. Voting. Unless otherwise specified in the Code or in this Constitution, the following procedures shall apply when the Commission votes on matters of zoological nomenclature.

12.1. In ordinary cases. In cases not involving the use of the plenary power, an affirmative decision shall be deemed to have been taken by the Commission when a simple majority of those voting votes in favour within the time period stipulated on the voting paper.

12.2. In cases involving the use of the plenary power or amendments to the Code or Constitution. In such cases (see Articles 78 to 81 of the Code for the use of the plenary power and Article 16 of this Constitution

for amendments to the Code or Constitution) an affirmative decision shall be deemed to have been taken only when two thirds of the votes validly cast in a postal vote lasting three months are in favour of the proposal, and provided that notice of the proposal had been published in the *Bulletin of Zoological Nomenclature* and submitted for publication to at least three appropriate journals at least six months (in the case of amendments to the Code or Constitution, twelve months) prior to the vote.

Article 13. Financial arrangements. The Commission when not prepared to raise or administer its own funds is empowered for such purposes to enter into a beneficent relationship with a body such as the International Trust for Zoological Nomenclature, that undertakes to act in accordance with the policy of the Commission and IUBS (or its successor body, if any). The Commission may terminate such a relationship at its discretion.

Article 14. Editorial duties of the Commission. The Commission shall issue and, finances permitting, may itself publish various communications, to be prepared and edited in the office of the Secretary under the guidance of the Council.

14.1. Decisions. It shall be the duty of the Commission to publish Declarations and Opinions embodying the decisions of the Commission, as specified in Articles 77 and 80 of the Code.

14.2. Information. Finances permitting, it shall be the duty of the Commission to publish a periodical, the *Bulletin of Zoological Nomenclature*, for the purpose of keeping zoologists informed on cases pending before the Commission, for publishing the procedures of the Commission, for announcements, and for the general discussion of nomenclatural questions.

14.3. Maintenance of Official Lists and Indexes. The Commission shall compile and maintain the undermentioned Lists and Indexes:

14.3.1. *Official List of Family-Group Names in Zoology*; 14.3.2.

Official List of Generic Names in Zoology; 14.3.3. *Official List of Specific Names in Zoology*;

14.3.4. *Official Index of Rejected and Invalid Family-Group Names in Zoology*;

14.3.5. *Official Index of Rejected and Invalid Generic Names in Zoology*;

14.3.6. *Official Index of Rejected and Invalid Specific Names in Zoology*;

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14.3.7. Official List of Works Approved as Available for Zoological Nomenclature;

14.3.8. Official Index of Rejected and Invalid Works in Zoological Nomenclature.

14.4. List of Available Names in Zoology. The Commission may consider, adopt and publish notices concerning the *List of Available Names in Zoology* (or Parts thereof) as prescribed in Article 79 of the Code.

Article 15. Emergency powers. In the event of an emergency the Council or, failing this, the President may assume and exercise such extraordinary powers as it (or the President, if relevant) may consider necessary to secure the continued function of the Commission, provided that:

15.1. the powers shall cease as soon as the state of emergency permits;

15.2. they shall not include powers to vary the Code, or to issue Declarations or Opinions which have not been approved by the Commission;

15.3. they, the reasons for their assumption, and their duration, shall be reported to the Commission and to HUBS (or its successor body, if any) as soon as circumstances permit.

Article 16. Amendments to the Code and Constitution

16.1. Procedure The Commission shall:

16.1.1. publish proposed amendments (unless they are amendments to the Code determined by Article 78 therein not to be major changes) in accordance with Article 12.2 of this Constitution;

16.1.2. receive and consider comments from zoologists that are received within one year of the publication of the proposals;

16.1.3. notify proposed major changes of principle to the Section of Zoological Nomenclature of IUBS (or of its successor body, if any), with the recommendation that the Section should approve the major changes and support ratification of the amendments agreed by the Commission;

16.1.4. vote on the proposed amendments (which may be modified in the light of the comments by zoologists and the Section) in a postal vote lasting three months [Art. 12.2];

16.1.5. submit the amendments subject to their approval by two thirds of the votes validly cast in the postal vote, and with the support of the Section for the major principles, to IUBS (or to its successor body, if any) for ratification [Article 90 of the Code];

16.1.5.1. provisional ratification of the proposed amendments may be sought from IUBS (or its successor body, if any) in advance of the Commission's vote, such ratification to become effective on the approval of the amendments by the Commission;

16.1.6. publish its decision and the date on which the ratified amendments come into force.

16.2. **Editorial Committee.** In acting under this Article the Commission may be assisted by an ad hoc Editorial Committee appointed and acting in accordance with Article 10.

Article 17. Bylaws. The Commission is empowered to adopt a set of Bylaws governing those of its regulations and activities not covered by the Constitution. The Commission has authority to modify these Bylaws by a majority vote as the occasion demands. These Bylaws will deal with such matters as the duties of the Officers, the methods by which nominations are to be obtained for vacancies on the Commission, the relations between the Commission and the Secretariat, regulations concerning the treatment to be given to applications and the adoption of time schedules and priorities, and with other business matters of the Commission.

Article 18. Inauguration. This Constitution and all amendments to it shall take effect when it and they have been approved by the Commission and ratified by IUBS (or its successor body, if any) in accordance with Article 16.