

BYE-LAWS RELATING TO ELECTIONS AND VOTING

(in force since June 2013)

The present Bye-Laws are adopted by the General Assembly on the basis of Article 15.4 of the EBU Statutes. They elaborate upon elections and voting and are set out in three parts:

- Part I: Elections within the General Assembly
- Part II: Elections within all EBU bodies except the General Assembly
- Part III: Voting on proposals.

PART I

Elections within the General Assembly

1. General voting and eligibility provisions (for the posts of President, Vice-President and seats on the Executive Board)

1.1. *Right to vote and eligibility*

Only Active Members have the right to vote and the right of eligibility.

Candidates for membership of the Executive Board should be well acquainted with at least some sectors of EBU activities, have broad, relevant managerial experience and responsibilities at a very senior level within their own organisation and possess the ability to work in at least one of the official languages of the EBU. They shall, furthermore, undertake to give absolute priority to regular attendance in person at the meetings of the Executive Board.

1.2. *Documentation from candidates*

Each candidacy shall include an attestation by the respective Member of its official support for the candidacy (unless the candidate is the President or Director General of the organisation), as well as the candidate's curriculum vitae and, optionally, a motivation statement.

1.3. *Ineligibility*

Members which are subject to Level 1 sanctions under 4.3.1 of the Code of Finance are not entitled to put forward a candidate for election or re-election to the Executive Board.

1.4. *Voting strength*

The Active Member or Members in each country have a total of 24 votes. Where there are two or more Members in a given country, they advise the Director General in writing of any agreed apportionment of their votes which differs from that which would result from a strict application of Article 15.2 of the Statutes.

Notification of the apportionment must reach the Director General at least one month prior to the first session at which it is to apply. It remains in force until repealed by one of the Members concerned, by written notice to the Director General.

If the strict application of Article 15.2 of the Statutes leads to fractions of votes, a rounding-up is made to the benefit of the Member with the highest fraction. Where the fractions are equal, rounding-up is made to the benefit of the Member with the highest membership fee.

Unless indicated otherwise, the above-mentioned apportionment notified to the Director General applies with regard to all bodies and groups of the Union.

1.5. *Delegation of voting powers*

Members may delegate their voting power to other Members. Written notification from the Member delegating its votes must reach the Director General at least 24 hours before the opening of the session of the General Assembly.

1.6. Majority required

Except where otherwise specified herein, an absolute majority (i.e. more than half) of the votes validly cast is required. Abstentions and blank or invalid voting slips are not taken into account in determining the number of votes required for an absolute majority.

Where a two-thirds majority is required, (see 2.3 below) blank or invalid voting slips (as well as abstentions in the case of a vote by show of hands) shall be regarded as votes cast.

1.7. Quorum and procedure prior to voting

Prior to voting in the General Assembly, the President ensures that Active Members holding together a majority of the total EBU vote are present or represented.

In the case of delegation of voting powers, the President indicates which Member has delegated its votes to which other Member.

If the required quorum is not present the matter is held over until the next session or meeting, unless the President decides to convene another session or meeting to take place within a period of no fewer than ten and not more than 30 days. If on that occasion the necessary quorum is likewise not present, the General Assembly may validly vote regardless of the number of votes that may be cast by those present.

The names of all candidates are clearly posted prior to each election, in alphabetical order of surnames.

Before a secret ballot is held, three tellers from different countries are appointed upon the proposal of the President.

1.8. Voting session

The President, Vice-President and Executive Board members are elected by secret ballot if there are two or more candidates for the same post or seat. Where there is only one candidate, election shall be by show of hands, except that where a candidate for the office of President or Vice-President is seeking a fourth or further term, election shall always be by secret ballot. If the President is not certain of the result of a vote by show of hands, or if the result announced is questioned by at least three Members from different countries, voting shall be repeated by secret ballot.

For election by secret ballot, each Member receives an envelope containing a pad of voting slips, and any corresponding envelopes for Members which have delegated their votes to it. The voting slips are marked A, B, C, etc. and are used in that order, for the successive rounds of voting. A cross is placed in the box corresponding to the chosen candidate's number on the posted list of candidates. Only candidates whose names have been posted are eligible.

Each completed voting slip is placed in a ballot box, folded but without the envelope. The votes are counted by the three tellers, who pass the result to the President, who announces it. After the session the voting slips are destroyed.

1.9. Successive rounds of voting

When voting is inconclusive there is a second and, if necessary, a third, round of voting. Any candidates requiring a two-thirds majority shall withdraw after an inconclusive second round of voting, and new candidates may be proposed for the final third round. If in this last round there are three or more candidates, the candidate who obtains the highest number of votes shall be elected, except that any new candidate who would require a two-thirds majority must still obtain that majority to be elected. Otherwise, lots shall be drawn between the candidates with an equal number of votes.

1.10. Vacancies

If a vacancy arises on the Executive Board during the term of office, the General Assembly shall elect, at the earliest opportunity, a replacement to complete the rest of the term.

2. Election of the President and Vice-President

2.1. Term of office

From among the representatives of Active Members, the Summer session of the General Assembly elects for a period of two consecutive calendar years a President and a Vice-President, who also assume these respective functions as of right on the Executive Board. If the President-elect and Vice-President-elect are not already members of the Executive Board, they shall each assume non-voting Observer status on the Board until their term of office begins on 1 January. A mandate shall automatically cease if the office-holder leaves his or her organisation.

2.2. Voting session

The President and Vice-President are elected on the basis of a secret ballot if there are two candidates or more for the same post. If there is only one candidate for a given post, he or she is elected by a show of hands, except that if a candidate is seeking a fourth or subsequent term, election shall be by secret ballot.

When voting is inconclusive, there is a second and, if necessary, a third, round of voting. A candidate requiring a two-thirds majority shall withdraw after an inconclusive second round of voting, and new candidates may be proposed for the final third round. If in this last round there are three or more candidates, the candidate who obtains the highest number of votes shall be elected, except that any new candidate who would require a two-thirds majority must still obtain that majority to be elected. Otherwise, lots shall be drawn between the candidates with an equal number of votes.

2.3. Re-election

If the incumbent President is a candidate for re-election, the voting procedure is chaired by the Vice-President, unless the latter is a candidate.

At the end of their period of office, the President and Vice-President are eligible for re-election to the office which they hold once only in accordance with the same procedure. Upon termination of this new mandate, they may be re-elected only if they obtain at least two-thirds of the votes that are cast by those present on their own behalf or on a proxy basis.

2.4. Absence or incapacity

In the event of absence or incapacity, the President is replaced in office by the Vice-President. If the President or the Vice-President cannot, in the view of the Executive Board, carry out his or her mandate for the remainder of the term, the next session of the General Assembly shall elect another President or Vice-President to replace him or her for the rest of the term. Whatever the length or conditions of any replacement, they are not taken into account for the purposes of subsequent re-election.

3. Election of the remaining nine members of the Executive Board

3.1. Procedure involving the Board Nomination Committee

The President and the Vice-President elected for the next term co-opt a third person chosen for having experience in how the EBU operates. Together, they constitute the Board Nomination Committee. The Committee is *in situ* for the full two-year term of the Executive Board.

Candidacies for a seat on the Board must be announced to the Board Nomination Committee (to the attention of the Director General) not later than ten weeks before the Winter session of the General Assembly. Each candidacy shall include an attestation by the respective Member of its official support for the candidacy (unless the candidate is the President or Director General of the organisation), as well as the candidate's curriculum vitae and, optionally, a motivation statement.

Within one week following that deadline the Board Nomination Committee sends all Active Members a complete list of candidacies received. Members may, within three weeks, submit to the Board Nomination Committee any comments on the candidacies. At least five weeks before the General Assembly's session the Board Nomination Committee, having noted these comments, sends to all Active Members its list of nine candidates, which shall be balanced and include persons from the main contributors to the Union and from other categories of Members, reflecting the geographical and cultural diversity of the Union.

In sending its list the Board Nomination Committee shall explain its reasons for choosing each listed candidate, as well as its rationale for the list as a whole.

Within two weeks of despatch of the Board Nomination Committee's proposals, unlisted candidates (either persons not selected by the Board Nomination Committee or new candidates) shall inform the Director General of the seat for which they wish to be listed as an alternative candidate. It should, as far as possible, be a seat for which the listed candidate comes from a comparable Member. If such comparability is disputed, the Board Nomination Committee may express its opinion thereon. Any new candidates at this stage shall provide the above-mentioned supporting documentation.

The final list of nine candidates, together with all alternative candidacies, shall be notified to all Active Members with the agenda for the General Assembly's session. The working document shall include the above-mentioned supporting documentation.

3.2. Voting session

If there are no candidates in addition to the nine listed candidates, election shall be by show of hands, collectively for all the candidates, irrespective of the majority which individual candidates may require.

If there are alternative candidates, election shall be by show of hands collectively for all the uncontested candidates listed, irrespective of the majority which individual candidates may require. Where there are two or more candidates for a given post, election for that post shall be by secret ballot, in alphabetical order of the relevant candidates listed.

3.3. Re-election

Seats on the Executive Board are held for two consecutive calendar years starting on 1 January of the year after election. At the end of their term of office, members of the Executive Board are eligible for re-election to the office which they hold once only in accordance with the same procedure. For a third or subsequent mandate they may be re-elected only if they obtain at least two-thirds of the votes that are cast by those present on their own behalf or on a proxy basis.

3.4. Vacancies

As soon as reasonably possible, the General Assembly takes steps to fill seats on the Executive Board of any members whose mandate has ceased because

- they have relinquished their mandate,
- they have left their organisation,
- they have been excluded, following a motion by the Executive Board, for not having participated in scheduled Board meetings or for being unable to carry out their mandate for the remainder of the term, or
- their organisation has resigned from the EBU or is the subject of measures involving cessation of membership or expulsion.

To ensure continuity in the overall balance of the composition of the Board, replacement candidates should as far as possible come from a Member which is comparable to the outgoing Board member's organisation. The replacement member completes the outgoing member's term of office; this period, however long, is disregarded in determining the majority required for any subsequent re-election.

PART II

Elections within all EBU bodies except the General Assembly

(These bodies comprise the Specialised Assemblies and any other Groups which elect their own Chairman and Vice-Chairmen.)

1.1. General voting and eligibility provisions

Only Active Members have the right to vote and the right of eligibility.

Members which are subject to Level 1 sanctions under 4.3.1 of the Code of Finance are not entitled to put forward a candidate for election or re-election to any EBU body.

1.2. Voting strength

The Active Member or Members in each country have a total of 24 votes. Where there are two or more Members in a given country, they advise the Director General in writing of any agreed apportionment of their votes which differs from that which would result from a strict application of Article 15.2 of the Statutes.

If the strict application of Article 15.2 of the Statutes leads to fractions of votes, a rounding-up is made to the benefit of the Member with the highest fraction. Where the fractions are equal, rounding-up is made to the benefit of the Member with the highest subscription.

Three voting lists (General, Radio-only bodies and Television-only bodies) exist to reflect the fact that in countries with more than one Member the sharing of the 24 votes is weighted according to whether the individual Members operate both a radio and a television service, or only one of the two.

Unless indicated otherwise, and subject to the provision above regarding the Radio, Television, Legal and Public Affairs, Technical, Sports and News Assemblies, the apportionment notified to the Director General applies with regard to all bodies and groups of the Union.

Notification of the apportionment must reach the Director General at least one month prior to the first meeting at which it is to apply. It remains in force until repealed by one of the Members concerned, by written notice to the Director General.

1.3. Delegation of voting powers

Members may delegate their voting power to other Members. However, no Member may act as proxy for more than one other Member, not counting the Members in its own country. Written notification from the Member delegating its votes must reach the Secretary at least 24 hours before the scheduled starting time of the first or only day of the meeting.

1.4. Quorum

No quorum requirements apply.

1.5. Terms of office/re-election

Each body elects from among the representatives of Active Members a Chairman and one or more Vice-Chairmen, for a period of two consecutive years. The date on which the term of office begins is decided upon by the body itself.

Post-holders are eligible for re-election. However, after completion of a second full term they may be re-elected only if they obtain at least two-thirds of the votes that are cast by those present. For this purpose, blank or invalid voting slips (as well as abstentions in the case of a vote by show of hands) shall be regarded as votes cast.

A secret ballot is used only where there are two or more candidates for the same post. Where there is only one candidate, election shall be by show of hands, except that where a candidate is seeking a fourth or further term, election shall always be by secret ballot. If the Chairman is not certain of the result of a vote by show of hands, or if the result announced is questioned by at least three Members from different countries, voting shall be repeated by secret ballot.

If the incumbent Chairman is a candidate for re-election, the voting procedure is chaired by the eldest Vice-Chairman, unless that Vice-Chairman is a candidate. The election of the Vice-Chairmen, to be held after that of the Chairman, is conducted office by office, by order of age of the incumbent office holders, beginning with the eldest.

1.6. Majority required

Except where otherwise specified herein, an absolute majority (i.e. more than half) of the votes validly cast is required. Abstentions and blank or invalid voting slips are not taken into account in determining the number of votes required for an absolute majority.

1.7. Procedure prior to voting

For each post to be filled the Chairman invites candidacies. The names of all candidates are clearly posted prior to each election, in alphabetical order of surnames.

Before proceeding to a secret ballot, three tellers from different countries are appointed upon the proposal of the Chairman.

In the case of delegation of voting powers, the Chairman indicates which Member has delegated its votes to which other Member.

1.8. Voting session

For election by secret ballot, each Member receives an envelope containing a pad of voting slips, and any corresponding envelopes for Members which have delegated their votes to it. The voting slips are marked A, B, C, etc. and are used in that order, for the successive rounds of voting. A cross is placed in the box corresponding to the chosen candidate's number on the posted list of candidates. Only candidates whose names have been posted are eligible.

Each completed voting slip is placed in a ballot box, folded but without the envelope. The votes are counted by the three tellers, who pass the result to the Chairman, who announces it. After the session the voting slips are destroyed.

1.9. Successive rounds of voting

When voting is inconclusive there is a second and, if necessary, a third, round of voting. Any candidates requiring a two-thirds majority shall withdraw after an inconclusive second round of voting, and new candidates may be proposed for the final third round. If in this last round there are three or more candidates, the candidate who obtains the highest number of votes shall be elected, except that any new candidate who would require a two-thirds majority must still obtain that majority to be elected. Otherwise, lots shall be drawn between the candidates with an equal number of votes.

1.10. Block voting

Block voting may be used only for the composition of the Radio, Television, Legal and Policy, Sports, News and Technical Committees.

If requested by Members holding together at least one-third of the votes that may be cast by those present, block voting is applied. If the number of candidates happens to be identical to the number of posts to be filled, all candidates are automatically presumed to have been elected, regardless of the majority required. Otherwise, the names of all candidates are clearly posted prior to each election in alphabetical order of surnames. By secret ballot, Members may (but do not have to) choose as many candidates from the list as there are posts to be filled. The requisite number of candidates who have obtained the required two-thirds majority, as well as the requisite number of other candidates who have obtained the most votes, are duly elected. If there is a tie for the last post, a further secret ballot is held to choose between the candidates.

1.11. Number of Vice-Chairmen

The number of Vice-Chairmen is freely decided upon by the Specialised Assemblies, except in the case of the Legal and Public Affairs Assembly, where there shall be one Vice-Chairman. In the case of other groups, their governing bodies decide on the number of Vice-Chairmen. Where there is no governing body, the group itself decides. In all cases, any decision about the number of Vice-Chairmen requires a majority of at least two-thirds of the votes that are cast by those present.

1.12. Vacancies

If a vacancy arises for an elected post during the term of office, the relevant body shall elect, at the earliest opportunity, a replacement to complete the rest of the term.

1.13. Other provisions

Where appropriate, other provisions regarding the composition of the individual bodies are laid down in their respective Terms of Reference.

PART III
Voting on proposals
(in all bodies of the EBU)

1.1. General provisions

In the case of voting on proposals, the relevant body's rules on voting strength, quora, delegation of voting powers, etc. are applicable.

Within the Executive Board and the Committees, each member has one vote. Only those present are entitled to vote. When voting in the Executive Board results in a tie, the President has the casting vote.

1.2. Quorum and procedure prior to voting

In the General Assembly, the President ensures that Active Members holding together a majority of the total EBU vote are present or represented. If the required quorum is not present in the General Assembly the matter is held over until the next session or meeting, unless the President decides to convene another session or meeting to take place within a period of no fewer than ten and not more than 30 days. If on that occasion the necessary quorum is likewise not present, the General Assembly or the Executive Board may validly vote regardless of the number of votes that may be cast by those present.

In all bodies the President or Chairman indicates which Member has delegated its votes to which other Member.

1.3. Secret ballot

In the case of a secret vote on a given proposal, a reference indicating "yes" or "no" must be marked on the voting slip.

1.4. Vote by show of hands

In the General Assembly, voting on proposals is by show of hands unless a roll-call vote is proposed by the President or requested by at least one quarter of the Active Members present. However, a secret ballot is used in cases where such a request is made by at least five Active Members from different countries in the General Assembly or by at least three members of the Executive Board.

With regard to all bodies of the Union, when a vote by show of hands takes place, the President or Chairman announces the result where it appears beyond any doubt. If the President or Chairman is not certain of the result, or if the result announced is questioned by at least three Members from different countries, the voting is repeated by roll-call.

1.5. Roll-call voting

Roll-call voting takes place in the case referred to above or if the President or Chairman proposes it from the very beginning, or at least one quarter of the Members present request it. The Director General or Secretary counts the votes Member by Member, in French alphabetical order of the countries of the Members, after which the President or Chairman announces the result.