

## Introduction

ICA has a long history of constitutional reforms. At nearly every International Congress on Archives, held every four years, one or more articles have been the subject of revision.

The purpose of the 2007 revision was to continue those started of 2000 and 2004, making ICA more effective in its management, more democratic in its governance and accountable to its membership while respecting global representation and fairness by balancing influence and responsibility:

- 2000:
  - bringing back regional branch presidents on to the Executive Board,
  - introduction of audit
  - introduction of a programme commission
- 2004:
  - introduction of elections for office bearers
  - clarification of the role of office bearers
  - bringing chairs of Sections on to the Executive Board for the first time in the history of ICA,
  - integration of CITRA in to ICA
  - changing the programme cycle from four to two years to accelerate product delivery
  - developing FIDA into a Trust for professional development
- 2007:
  - changing the governance cycle from four to two years for most key officers to generate more involvement in ICA's overall management
  - consolidating involvement of national archivists in ICA's governance
  - introduction of vice-presidents for key positions
  - fine tuning responsibilities of office bearers
  - fine tuning mandates of governing bodies

The Constitution 2007 came into force on 16 November 2007 after approval by the Annual General Meeting of 15-16 November 2007.

## CONSTITUTION 2007

### I PREAMBLE

Archives constitute the memory of nations and of societies, shape their identity, and are a cornerstone of the information society. By providing evidence of human actions and transactions, archives support administration and underlie the rights of individuals, organisations and states. By guaranteeing citizens' rights of access to official information and to knowledge of their history, archives are fundamental to democracy, accountability and good governance.

The mission of the International Council on Archives (ICA) is to promote the preservation and use of archives around the world. In pursuing this mission, ICA works for the protection and enhancement of the memory of the world and to improve communication while respecting cultural diversity.

### II NAME AND SECRETARIAT

#### **Article 1**

- 1 The International Council on Archives (ICA) is an international non-governmental and non-profit making organisation.
- 2 ICA has its registered office in Paris, France.
- 3 ICA is entitled to adopt a logo.

### III AIMS AND OBJECTIVES

#### **Article 2**

The aim of ICA is to promote the management and use of records and archives and the preservation of the archival heritage of humanity around the world, through the sharing of experiences, research and ideas on professional archival and records management matters and on the management and organisation of archival institutions.

#### **Article 3**

The objectives of ICA are to:

- a encourage and support the development of archives in all countries, in co-operation with other organisations, including international agencies, governmental and non-governmental;
- b promote, organise and co-ordinate best practice, the development of standards and other activities in the field of records and archives management;
- c establish, maintain and strengthen relations between archivists of all countries and between all institutions, professional bodies and other organisations, public and private, wherever located, which are concerned with the administration or preservation of records and archives, or with the professional training of archivists, especially through the exchange of information;
- d facilitate the interpretation and use of archives by making their content more widely known and by encouraging greater access to them; and
- e undertake any relevant activities which support its aim.

## IV MEMBERSHIP

### **Article 4**

ICA is composed of

- a central archives directorates or national archival institutions, and equivalent bodies of member states of federal or similar countries;
- b-1 national associations composed of persons or corporate bodies, interested professionally in the administration or preservation of records and archives or in archival training and education;
- b-2 international associations composed of persons or corporate bodies, interested professionally in the administration or preservation of records and archives or in archival training and education;<sup>1</sup>
- c institutions concerned with or interested in the administration or preservation of records and archives, or with archival training and education;
- d individuals working in the field of the administration or preservation of records and archives, or of the archival training and education, in the past or present.

### **Article 5**

- 1 Delegates from institutions and associations mentioned in article 4.a and 4.b are entitled to :
  - a attend and vote at ICA's Annual General Meeting;
  - b vote or stand in elections of ICA officers;
  - c receive the journals and publications of ICA;
  - d join regional branches and sections;
  - e nominate members for committees;
  - f take part in the International Conference of the Round Table on Archives (CITRA) and
  - g take part in International Congresses on Archives.
- 2 The right of these members to vote is suspended automatically if membership fees are in arrears at the opening of an Annual General Meeting.
- 3 Membership ceases automatically if membership fees are more than one year in arrears at the opening of an Annual General Meeting. Membership will be restored automatically as soon as the arrears have been paid.

### **Article 6**

- 1 Delegates from institutions mentioned in article 4.c and individuals mentioned in article 4.d are entitled to participate, but not to vote, in the Annual General Meeting. They are also entitled to submit proposals or written communications to the Annual General Meeting through the representatives of their branch or section and through the Secretary General. In addition, they are entitled to:
  - a receive the journals and publications of ICA;
  - b join regional branches and sections;
  - c nominate for committees;
  - d participate in International Congresses on Archives.
- 2 Membership ceases automatically if membership fees are more than one year in arrears at the opening of an Annual General Meeting. Membership will be restored automatically as soon as the arrears have been paid.

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<sup>1</sup> Qualifying on 2007-11-16: ACARM, AIAF, ARMA, GSU

**Article 7**

- 1 Membership of institutions and associations mentioned in article 4.a and 4.b shall be subject to the approval of the Executive Board, which shall submit to the Annual General Meeting applications which it has been unable to approve unanimously.
- 2 Membership of institutions and individuals mentioned in article 4.c and 4.d shall be subject to the approval of the Management Commission which shall submit to the Executive Board applications which it has been unable to approve unanimously.
- 3 Applicants are not entitled to any membership benefits until their application has been accepted and their membership fees have been paid.

**Article 8**

The Annual General Meeting shall establish a scale for the membership fees and decide on its application to members.

**Article 9**

The membership year is the calendar year.

**Article 10**

Notice of arrears shall be sent at least three months before the date when membership of ICA would lapse.

**Article 11**

All members of ICA may join one or more of the regional branches and sections of ICA on payment of the appropriate fees for each additional branch or section joined, if applicable.

**V HONOURS**

**Article 12**

- 1 The Annual General Meeting may
  - a confer the status of fellow on any individual who has given eminent service to ICA;
  - b confer the status of honorary member on an individual working in the field of administration or preservation of records and archives or in archival training and education, in the past or present, who have given eminent service to the profession. The Annual General Meeting may not confer this distinction on more than one individual annually.
- 2 The Executive Board may confer an award on persons who have given outstanding service to the international archival community. The Executive Board may not confer this distinction upon more than two individuals annually.

**Article 13**

- 1 Honorary members are entitled to:
  - a speak at the Annual General Meeting;
  - b submit proposals or written communications to the Annual General Meeting through the Secretary General;
  - c receive the journals and internal publications of the ICA; and
  - d participate in International Congresses on Archives.
- 2 Honorary members are exempt from the payment of membership fees.

**VI ANNUAL GENERAL MEETING****Article 14**

- 1 The Annual General Meeting shall meet in ordinary session once a year.
- 2 It may meet in extraordinary session if summoned by the President, by the Executive Board or on the demand of at least two-thirds of the members mentioned in article 4.a and 4.b.

**Article 15**

The Annual General Meeting consists of:

- a Delegates of the institutions and associations mentioned in article 4.a and 4.b.
- b Delegates of the institutions mentioned in article 4.c and persons mentioned in article 4.d.
- c Elected officers:
  - i Members of the Executive Board;
  - ii Members of the Audit Commission;
  - iii Members of the CITRA bureau;
  - iv the Election Officer;
- d the Secretary General and the Deputy Secretary General(s);
- e Professional officers:
  - i Members of the Programme Commission;
  - ii the chairs and secretaries of committees;
- f Honorary members;
- g Observers invited by the Executive Board.

**Article 16**

- 1 The delegation from each country to the Annual General Meeting shall comprise:
  - a a maximum of three persons for all members in article 4.a;
  - b a maximum of two persons for all members in article 4.b-1;
- 2 The delegation of a member in article 4.b-2 to the Annual General Meeting shall comprise a maximum of two persons.
- 3 The delegations of steering bodies of regional branches and sections to the Annual General Meeting shall comprise a maximum of two persons.

**Article 17**

A draft agenda, established by the Management Commission and taking into consideration proposals submitted by members, regional branches, sections and other bodies of ICA, shall be circulated by the Secretary General to all members of the ICA at least two months before the date of the Annual General Meeting.

**Article 18**

Draft resolutions and recommendations arising from any International Congress on Archives (see article 49) or Conference of the Round Table on Archives (see article 51) will be considered by the Annual General Meeting held in association with it. Such resolutions and recommendations shall be drawn up by the CITRA Bureau. Resolutions and recommendations on professional matters adopted by the Annual General Meeting shall have authority only insofar as they are an expression of professional opinion within the countries represented in ICA, but they are not otherwise binding on members.

**Article 19**

Voting rights at the Annual General Meeting are allocated as follows:

- a each delegation from institutions and associations mentioned in Article 4.a and 4.b shall have two votes;
- b elected officers mentioned in Article 15.c shall have one vote;
- c professional officers mentioned in Article 15.e shall have one vote each;
- d no individual shall exercise more than one right of vote;
- e ICA salaried staff including staff seconded or attached to the ICA office shall not have voting rights.

**Article 20**

Speaking rights at the Annual General Meeting are allocated to:

- a each delegation from institutions mentioned in article 4.c and persons mentioned in article 4.d;
- b the Secretary General and Deputy Secretary General(s);
- c honorary members.

**Article 21**

- 1 In any country where there is more than one member under article 4.a or 4.b-1 of this Constitution, it is the responsibility of the members concerned to establish procedures for the composition of the delegation to the Annual General Meeting and for the exercise of their votes. If there is no agreement, the appointment will be made by drawing lots.
- 2 Only members who are registered as delegates at the Annual General Meeting are entitled to vote.
- 3 Decisions of the Annual General Meeting shall be by a simple majority of votes of those present, except for changes to this Constitution which require a majority of at least two thirds of the votes of those present.

**Article 22**

- 1 The quorum of the Annual General Meeting shall be twenty five percent of the number of members entitled to vote, coming from at least three of the four different geographical groupings, as follows:
  - a Africa and the Arab countries;
  - b Asia and Oceania;
  - c Europe and North America;
  - d Latin American and the Caribbean.
- 2 If there is no quorum, the Annual General Meeting may sit as a consultative session. The powers of the Annual General Meeting will be vested in the Executive Board. These decisions of the Executive Board remain in force until a next meeting of the Annual General Meeting.

**Article 23**

The Annual General Meeting shall:

- a decide on the strategic orientation of ICA and consider business relating to the management and activities of the organisation;
- b approve the report of the President on the activities of ICA and decide on any response to matters raised;
- c approve the appointment of the Secretary General by the Executive Board;
- d receive the report of the Vice-President Finance and approve the accounts certified by the external auditor and to discharge the Vice-President Finance;
- e approve the budget and decide on the membership fees in conformity with article 8; and
- f approve changes to the Constitution.

**Article 24**

- 1 The Annual General Meeting decides on the establishment of regional branches, responsible for carrying out the policy and programmes of ICA in their region.
- 2 The Annual General Meeting may establish sections at the request of members of ICA sharing common professional interests or concerned with professional activities of a similar nature.
- 3 The Annual General Meeting may establish standing commissions responsible to the Executive Board and the Annual General Meeting for the functioning of ICA. These commissions have power to act within their terms of reference.

**VII ELECTIONS****Article 25**

- 1 Elections shall be conducted by correspondence every two years for the following posts:
  - a the President, who will serve until the closure of the first Annual General Meeting held after the election of his/her successor;
  - b the Vice-President Marketing and Promotion;
  - c the Vice-President Programme.
- 2 Elections shall be conducted by correspondence every four years for the following posts:
  - a the Vice-President CITRA who should be a director or senior member of staff in a member institution under article 4.a;
  - b the Vice-President Finance;
  - c the Internal Auditor.
- 3 Elections shall be conducted by correspondence every two years for
  - a three of the six members of the CITRA Bureau, representing the four geographical groupings defined in Article 22.1; and
  - b two of the four members of the Audit Commission.
- 4 Elections shall be organised by the Secretariat and supervised by an Election Officer elected by and from the Executive Board.
- 5 Members with the right to vote at the Annual General Meeting are entitled to vote in the elections.
- 6 The Secretariat shall call for nominations from all members at least six months before the opening of the Annual General Meeting.
- 7 Ballot papers will be sent to all those eligible to vote at least two months before the opening of the Annual General Meeting.
- 8 Subject to this article, the Executive Board may make rules of procedure governing the conduct of elections by postal, fax and/or electronic ballot.
- 9 Those who receive the highest number of votes are elected.
- 10 Office bearers elected for a term of two years can candidate for re-election three times.
- 11 Office bearers elected for a term of four years can candidate for re-election once.

**VIII PRESIDENT AND VICE-PRESIDENTS****Article 26**

- 1 The President of ICA will exercise the functions provided for in this Constitution and will undertake his or her duties in accordance with the views expressed by the Annual General Meeting and the Executive Board.
- 2 The President shall take office at the closure of the Annual General Meeting following his or her election.
- 3 The President shall preside over meetings of the:
  - a Annual General Meeting;

- b Executive Board;
- c Management Commission;
- d International Conference of the Round Table on Archives (CITRA).

**Article 27**

The Host of the next International Congress on Archives is designated ex officio as Vice-President Congress.

**Article 28**

- 1 The Vice-President CITRA shall preside over the CITRA bureau and substitute for the President as mentioned in article 32.
- 2 The Vice-President Finance shall have responsibility for the management of all funds belonging to the ICA and shall:
  - a prepare budgetary proposals for submission to the Management Commission, the Executive Board and the Annual General Meeting;
  - b supervise the financial administration;
  - c report on the management of the accounts to the Management Commission, the Executive Board and the Annual General Meeting;
  - d submit the accounts of the ICA for annual audit by an external auditor.
- 3 The Vice-President Marketing and Promotion shall undertake ICA promotional and marketing activities.
- 4 The Vice-President Programme shall preside over the Programme Commission.
- 5 The Vice-Presidents shall take office at the closure of the first Annual General Meeting held after their election

**Article 29**

The chair of the Section of Records Management and Archival Professional Associations (SPA) shall serve as Vice-President Associations.

**Article 30**

At the first meeting of a new Executive Board

- a The Regional Branch presidents shall elect one of their number to serve as Vice-President Regional Branches and one more of their number to sit on the Management Commission and their substitutes, and
- b The Section chairs having members in at least three of the four regions mentioned in article 22.1 shall elect one of their number to serve as Vice-President Sections and his or her substitute.

**Article 31**

The President or his substitute, or, if neither is available, one of the other Vice-Presidents is the legal representative of the ICA. The President or his or her substitute may authorise the Secretary General to represent the President.

**Article 32**

- 1 the Vice-President CITRA will carry out the duties of the President whenever the Presidency is temporarily vacant.
- 2 If the Vice-President CITRA is unable to carry out duties as in article 32.1, the Vice-President senior in age shall act as President until the next meeting of the Executive Board.

**IX EXECUTIVE BOARD**

**Article 33**

The Executive Board shall consist of:

- a the Management Commission (see article 44);
- b the presidents of the regional branches;
- c the chairs of the sections having members in at least three of the four regions mentioned in article 22.1,

**Article 34**

- 1 The Executive Board is responsible for carrying out the policies and programme, adopted by the Annual General Meeting.
- 2 The Executive Board may, in the interval between Annual General Meetings, take any measure necessary for the functioning of ICA that is in accordance with this Constitution
- 3 The Executive Board shall appoint:
  - a the Secretary General;
  - b the Deputy Secretary General(s);
  - c the Election Officer;
  - d the Trustees of the Fund for International Archival Development (FIDA).
- 4 The Executive Board may establish committees and give them terms of reference.
- 5 The Executive Board shall contract the External Auditor.

**Article 35**

If an Executive Board member is replaced by the Regional Branch or Section he or she represents, his or her replacement will complete this term. This member may serve no more than two consecutive full terms in the same position.

**Article 36**

- 1 The Executive Board shall meet at least once a year and whenever convened by the President or upon the request of one-third of its members.
- 2 In the case of a tied vote in the Executive Board, the President shall have a casting vote.
- 3 The quorum of the Executive Board shall be half of its members.
- 4 Voting members of the Executive Board shall receive no remuneration for this office.

**Article 37**

If no regional branch exists in a geographical area, it shall be open to the Executive Board to choose a member from that area to serve on the Executive Board.

**Article 38**

- 1 The substitutes for presidents of the regional branches will be elected by and from the bureaus of those branches.
- 2 Substitute members of the Executive Board take office, if called upon to do so by the President, when a vacancy occurs.
- 3 If the host of the next International Congress on Archives is unable to carry out his or her duties, the host country may nominate a replacement.

**Article 39**

The holders of elected posts on the Executive Board must be working in the field of the administration or preservation of records and archives, or of archival training and education.

**X THE SECRETARY GENERAL AND DEPUTY SECRETARY GENERAL(S)****Article 40**

- 1 The Secretary General is employed by ICA as its Executive Director. He or she is responsible for the administration of the business of ICA and the management of the ICA Secretariat and staff
- 2 The Secretary General is accountable to the Executive Board in accordance with the terms of his or her contract with ICA. The appointment of the Secretary General shall be approved by the Executive Board by a majority of two thirds of the votes of those members present and requires the consent of the Annual General Meeting by a simple majority.
- 3 The Secretary General shall plan and co-ordinate the programme activities of ICA and its subordinate bodies, circulate information relating to the business of ICA and prepare for the Annual General Meeting and meetings of the Executive Board and the Management Commission. The Secretary General shall maintain relations between ICA and other organisations, and shall be authorised to sign contracts and agreements approved in principle by the Executive Board.

**Article 41**

- 1 The Deputy Secretary General (Deputy Secretaries General) is (are) appointed on contract on the recommendation of the Secretary General. The contract is approved by the Executive Board by a two thirds majority of those present. Each Deputy Secretary General is responsible to the Executive Board.
- 2 The Deputy Secretary General(s) shall be responsible for the planning and execution of the ICA programme as directed by the Secretary General.

**Article 42**

If the Secretary General is absent or is unable to carry out his or her duties, or if the office is temporarily vacant, these duties shall be assumed by a Deputy Secretary General.

**XI THE EXTERNAL AUDITOR****Article 43**

The Executive Board shall contract an External Auditor on the basis of proposals from at least two companies.

**XII THE MANAGEMENT COMMISSION****Article 44**

The Management Commission is composed of

- a the President;
- b the Vice-President CITRA;
- c the Vice-President Congress;
- d the Vice-President Finance;
- e the Vice-President Marketing and Promotion;
- f the Vice-President Programme;
- g the Vice-President Associations;
- h the Vice-President Regional Branches mentioned in article 30.a;
- i the Vice-President Sections mentioned in article 30.b;
- j a President of a Regional Branch;
- k the Secretary General who does not have voting rights, and
- l the Deputy Secretary General(s) who do not have voting rights.

**Article 45**

- 1 The Management Commission shall be responsible for any matters delegated to it by the Executive Board and for management decisions between meetings of the Executive Board.
- 2 The Management Commission shall prepare the meetings of the Executive Board,
- 3 The Management Commission shall appoint
  - a the members of the Programme Commission;
  - b the chairs of committees;
  - c the members of project groups;
  - d the editors of ICA publications.

**Article 46**

Minutes of all Management Commission meetings shall be sent to the members of the Executive Board.

**XIII THE AUDIT COMMISSION****Article 47**

- 1 The Audit Commission consists of the chair, known as the Internal Auditor, and four members all of whom are elected by correspondence under article 25.3.b. The Commission elects a vice-chair and a secretary from its members. Members of the Commission shall hold no other function in ICA.
2. The Audit Commission shall be responsible for the evaluation of the performance of the ICA programmes and of its external and internal communications.
- 3 The Audit Commission reports to the Executive Board and to the Annual General Meeting.
- 4 The Internal Auditor may have access to any document produced by ICA and may participate or be represented at the meeting of any ICA body.
- 5 The Audit Commission shall have access to the budget necessary to carry out its mission.

**XIV THE PROGRAMME COMMISSION****Article 48**

- 1 The Programme Commission consists of the Vice-President Programme, who acts as chair, and of a number of members to be decided upon and to be appointed by the Management Commission. The Vice-President Finance, the Secretary General and the Deputy Secretary General(s) are members ex officio.
- 2 The Programme Commission shall be responsible for the preparation and execution of the professional and technical programme of ICA, for monitoring the activities of regional branches, sections and committees, in consultation with the CITRA Bureau for the professional content of ICA international congresses, conferences, seminars and symposia, and for advising on grants from the Fund for International Archival Development (FIDA).
- 3 The members of the Programme Commission shall propose a roster of staggered resignations that ensures continuity of expertise on the commission.
- 4 The Secretary-General will provide the secretariat.
- 5 The Programme Commission reports to the Executive Board.

**XV THE INTERNATIONAL CONGRESS ON ARCHIVES****Article 49**

- 1 The International Congress on Archives shall meet once every four years at a time and place to

be determined by the Annual General Meeting.

- 2 The Annual General Meeting shall decide on the venue of the Congress on the proposal of the Executive Board at least four years in advance.

#### **Article 50**

- 1 The Executive Board and the Programme Commission shall collaborate with the organising committee of each International Congress. The Executive Board shall approve the Congress theme four years in advance and the professional programme two years in advance.
- 2 The Congress host shall be a member of the CITRA Bureau.
- 3 The CITRA Bureau shall prepare resolutions and recommendations for the Annual General Meeting, in consultation with the Programme Commission.
- 4 The CITRA Bureau may co-opt further members for the resolutions.

## **XVI THE INTERNATIONAL CONFERENCE OF THE ROUND TABLE ON ARCHIVES**

#### **Article 51**

- 1 The International Conference of the Round Table on Archives (CITRA) is the annual professional meeting of the delegations to the Annual General Meeting of ICA as mentioned in article 15.a; of the officers mentioned in articles 15 c, d and e; of the honorary members mentioned in article 15.f and of observers mentioned in article 15.g. It is held in the years between International Congresses on Archives.
- 2 The purpose of CITRA is to serve as a forum for international debate on matters of strategic or major professional interest.

#### **Article 52**

- 1 The CITRA Bureau shall consist of:
  - a the Vice-President CITRA;
  - b the Vice-President Finance;
  - c a Deputy Secretary General, who will serve as CITRA Secretary;
  - d six members all of whom are elected by correspondence under article 25.3.and four of whom are elected from the four regions as mentioned in article 22.1;
  - e hosts of the CITRAs for the period concerned;
  - f the host of the next International Congress on Archives; and
  - g the Secretary General.
- 2 The CITRA Bureau is responsible for the organisation of the annual International Conferences of the Round Table on Archives, and shall draw up the CITRA programme.
- 3 The CITRA Bureau shall prepare resolutions and recommendations for the Annual General Meeting, in consultation with the Programme Commission.

#### **Article 53**

The Executive Board shall decide on the venue of the CITRA, on the proposal of the CITRA Bureau, at least three years in advance.

#### **Article 54**

The CITRA Bureau may establish its own internal regulations, which shall be consistent with this Constitution and which shall be approved by the Executive Board.

**XVII REGIONAL BRANCHES****Article 55**

- 1 Members of ICA wishing to further the aims of ICA and to strengthen co-operation within a particular geographical area, may group themselves into regional branches. Regional branches must meet the following conditions:
  - a at least half of the members under article 4.a and 4.b with their headquarters located within the region must belong to the regional branch;
  - b any institution or association qualifying for membership under article 4.a and 4.b must become a member of the ICA before joining a regional branch, which membership shall be administered by the Secretariat;
  - c regional branches shall be free to grant regional branch membership to members mentioned in article 4.c and 4.d or to other institutions, associations and individuals;
  - d members of the ICA shall be free to join a regional branch in addition to the branch for their own geographical area, subject to the agreement of the bureau of the additional regional branch they wish to join;
  - e regional branches elect their president, and substitute (who will serve on the Executive Board in case of absence), secretary general and other officers, who together make up the bureau that is responsible for managing the Branch's business and programme;
  - f members of a regional branch shall meet at least every two years.
- 2 Before requesting establishment as a regional branch by the Annual General Meeting, members shall be entitled to group themselves in a provisional regional branch for no more than eight years. Provisional regional branches must observe the relevant articles of this constitution.

**Article 56**

- 1 Regional branches may establish their own regulations, which must be consistent with this Constitution and which shall be approved by the Executive Board.
- 2 A regional branch may register its legal status in the country in which its secretariat is located.
- 3 The programme and activities of the regional branch must be consistent with this Constitution.
- 4 Any regional branch ceasing to fulfil the aims set out in articles 2 and 3 may be deprived of the right to use the name of ICA by the Annual General Meeting by a simple majority vote.

**Article 57**

The president and officers must be working in the field of the administration or preservation of records and archives, or of archival training and education.

**Article 58**

The president of a regional branch shall hold office for a maximum of eight years.

**Article 59**

- 1 Regional branches shall be responsible for their own operating budget.
- 2 Regional branches shall be entitled to apply for grants from ICA funds on condition that two thirds of those members of the branch which are members mentioned in article 4.a and 4.b have paid the membership fees due to the ICA in the previous calendar year.
- 3 Regional branches shall be entitled to apply for grants from the Fund for International Archival Development (FIDA) for professional projects or activities.

**Article 60**

- 1 Regional branches may be invited by the Executive Board to take responsibility for parts of the policy and programme of ICA.
- 2 Regional branches must report to the Programme Commission on the execution of allocated parts of the professional programme.

- 3 Regional branches may run their own publications and communications, in which they shall hold copyright.
- 4 Regional branches may establish their own secretariat for administrative support, responsible to the branch secretary general.

**Article 61**

- 1 Any regional branch that terminates its activities or gives up the title of regional branch must communicate that decision to the President of ICA.
- 2 The Annual General Meeting may decide to dissolve a regional branch if it is no longer in compliance with this constitution.

**XVIII SECTIONS****Article 62**

- 1 Members of ICA sharing common professional interests or activities and wishing to further the aims of ICA and to strengthen co-operation within their professional competence may group themselves in sections.
- 2 Members of sections shall meet at least every two years and have the right to vote at these meetings.
- 3 Each section shall elect a bureau at the meeting of its members held in association with the International Congress on Archives.
- 4 The bureau shall consist of a chair, up to two vice-chairs, up to two secretaries and at least three other members, who must be working in the field of the administration or preservation of records and archives, or of archival training and education and who may serve no more than two consecutive terms in the same position.
- 5 The bureau shall meet at least once a year and whenever convened by its chair or upon the request of one-third of its members.
- 6 The membership of sections shall be administered by the ICA Secretariat.
- 7 Before requesting establishment as a section by the Annual General Meeting, members shall be entitled to group themselves in a provisional section for no more than eight years. Provisional sections must observe the relevant articles of this constitution.

**Article 63**

Sections may establish their own regulations, which must be consistent with this Constitution and which shall be approved by the Executive Board.

**Article 64**

- 1 Sections shall administer their own budget under the supervision of the Vice-President Finance.
- 2 Sections shall be entitled to apply for grants from ICA funds on condition that two thirds of those members of the section which are members have paid the membership fees due to the ICA in the previous calendar year.
- 3 Sections shall be entitled to apply for grants from the Fund for International Archival Development (FIDA) for professional projects or activities.

**Article 65**

- 1 Sections shall draw up programmes of activities in co-operation with the Programme Commission.
- 2 Sections may be invited by the Executive Board to take responsibility for parts of the programme of ICA.
- 3 Sections must report to the Programme Commission on the execution of allocated parts of the professional programme.

- 4 Sections may run their own publications and communications.

**Article 66**

- 1 Any section that terminates its activities or gives up the title of section must communicate that decision to the President of ICA.
- 2 The Annual General Meeting may decide to dissolve a section if it is no longer in compliance with this constitution.

**XIX COMMITTEES****Article 67**

Committees are established by the Executive Board and must not exceed the terms of reference given without authorisation from the Programme Commission. A committee may be dissolved by decision of the Executive Board.

**Article 68**

The chair of each committee shall be appointed by the Management Commission for a specific term which may be renewed. The secretary and other members of committees shall be appointed by the Secretary General. The chairs and secretaries of committees shall be members of staff of institutions and associations under article 4.a, 4.b or 4.c or persons under article 4.d.

**Article 69**

The chairs of committees shall, on request, have access to meetings of the Programme Commission.

**XX FUND FOR INTERNATIONAL ARCHIVAL DEVELOPMENT****Article 70**

The Fund for International Archival Development (FIDA) supports actions to further the objectives of ICA namely:

- a promoting archives;
- b encouraging and supporting the development of archives in all countries;
- c developing and implementing best practice and standards and other activities in the field of records and archives management;
- d furthering relations between archivists of all countries and between all institutions, involved in the field of the administration or preservation of records and archives, or of the training and education for archives;
- e encouraging access to archives; and
- f undertaking other activities that will further the objectives of ICA.

**Article 71**

- 1 The Fund for International Archival Development will seek donations from third parties provided these do not compromise the autonomy of ICA.
- 2 The Fund for International Archival Development receives a grant from ICA to be determined annually by the Executive Board.

**Article 72**

- 1 The Fund for International Archival Development will be governed by a Board of Trustees appointed by the Executive Board. The Trustees shall choose their chair from among their number.
- 2 The Trustees shall present a report annually for approval to the Executive Board with details of

money raised and granted.

- 3 The Board of Trustees shall establish its own regulations, which shall be consistent with this Constitution and which shall be approved by the Executive Board.
- 4 Members of the Board of Trustees shall receive no remuneration for this role.

#### **Article 73**

Regional branches and sections of ICA can apply for grants from the Fund for International Archival Development.

### **XXI SPECIAL APPOINTMENTS**

#### **Article 74**

The President of ICA may be authorised by the Executive Board to appoint persons to carry out specific missions or tasks. The term of office of such a person expires on the election of a new President.

#### **Article 75**

The Management Commission may appoint project groups to carry out specific missions or tasks.

### **XXII WORKING LANGUAGES**

#### **Article 76**

- 1 The working languages of ICA shall be English and French. The working languages of the Annual General Meeting, Congress, CITRA, Executive Board, commissions, sections and committees shall be English and French. The official communications and correspondence of these bodies shall be in English and/or French.
- 2 In order to encourage multilingualism, the Annual General Meeting may adopt further working languages provided that all additional costs are met by the members interested.
- 3 Regional branches are free to work in other languages, but shall communicate with the ICA Secretary General in either English or French.

### **XXIII GIFTS, GRANTS AND SUBVENTIONS**

#### **Article 77**

ICA may receive gifts, grants and subventions made by members or by any public or private person or institution, provided these do not compromise the autonomy of the organisation. The Vice-President Finance and the Secretary General, in consultation with the President, will determine whether to accept any offer. The Secretary General shall submit to the Executive Board or Annual General Meeting offers which they have been unable to accept unanimously.

### **XXIV ICA PUBLICATIONS AND COMMUNICATIONS**

#### **Article 78**

The Secretary General is responsible for all official publications and communications of ICA, whether print or electronic.

#### **Article 79**

- 1 The Management Commission appoints the editors of ICA publications on the proposal of the

Programme Commission.

- 2 Editors shall, on request, have access to meetings of the Executive Board, the Management Commission and the Programme Commission.

**Article 80**

Regional branches and sections may run their own publications and communications.

**XXV REPORTS**

**Article 81**

- 1 A report of each Executive Board meeting and Annual General Meeting, with information on decisions taken and programme activities, shall be made available to members.
- 2 Annual reports shall be submitted by ICA bodies to the Executive Board. The Board will report regularly to members on the activities of ICA bodies.

**XXVI COPYRIGHT**

**Article 82**

- 1 Copyright in all papers commissioned by ICA, whether original texts or translations into other languages, and in all publications of ICA and its constituent bodies, except regional branches, is vested in ICA.
- 2 Permission to reproduce any copyright material, and consent to transfer copyright to another person or organisation, may only be given in writing by the Secretary General.
- 3 The official logo of ICA may only be used with the written permission of the Secretary General.

**XXVII ARCHIVES OF THE INTERNATIONAL COUNCIL ON ARCHIVES**

**Article 83**

The archives of ICA will be deposited with the National Archives of France. They will be open for consultation and will remain the property of the ICA.

**XXIX REVISION OF THE CONSTITUTION - DISSOLUTION OF THE INTERNATIONAL COUNCIL ON ARCHIVES**

**Article 84**

This Constitution can be revised or amended only by an Annual General Meeting. Proposals for amendment may be submitted by the Executive Board, by members and by subordinate bodies of ICA. Such amendments must be submitted in writing to the Secretary General at least ninety days prior to the meeting of the Annual General Meeting at which they will be considered. The Secretary General will circulate copies of the proposals to all members of ICA at least sixty days prior to that meeting. Any amendment shall require a two-thirds majority of delegates present at the Annual General Meeting.

**Article 85**

In the event of the dissolution of ICA, the Executive Board shall determine the method of winding up and shall distribute the assets of ICA in conformity with the aims and objectives set out in articles 2 and 3.

**XXIX IMPLEMENTATION OF THE CONSTITUTION**

**Article 86**

- 1 Subject to the transitional articles described below, this Constitution shall come into force immediately following its adoption by the General Assembly.
- 2 In implementing the provisions of this Constitution, the Annual General Meeting is empowered to approve by-laws, which shall remain in force until amended or repealed by the Annual General Meeting.

**Article 87**

The Executive Board may, by a simple majority vote, adjudicate on any disputes which may arise in respect of the interpretation and implementation of this Constitution.

**Article 88**

Any decision by the Executive Board under article 87 may be rescinded or modified by a majority vote of the Annual General Meeting.

**XXX TRANSITIONAL ARTICLES**

**Article 89**

Half of the members of the Audit Commission and the members of CITRA Bureau for Africa and Arabic region, Europe, Latin America and Caribbean, elected under article 25 in the 2004-06 elections, will continue to serve until the elections of 2010.

**Article 90**

The Constitution 2007 will come into force at the closure of the Annual General Meeting voting amendments to the Constitution 2004.