

Proposed Changes to the Archimedean's Constitution for the 2004 AGM

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I propose the following Constitutional changes. The accompanying notes are intended to be explanatory, and do not form part of the proposals.

Proposed Constitutional Change 1

Section 9, item 8: to add a full stop after the word “received”.

Notes on proposal: A simple typographical correction.

Proposed Constitutional Change 2

Section 9, item 2: to insert the word “second” between the words “the” and “Lent”.

Notes on proposal: This clarifies an ambiguity in the Constitution. The intention was that the new Committee would (re-)appoint Subcommittee Members and Agents.

Proposed Constitutional Change 3

Section 9, item 13: to replace the word “Michaelmas” with the words “second Lent”.

Notes on proposal: This has (mistakenly) not been changed from a previous constitutional draft, when it was proposed that the tenures of Subcommittee Members and Agents should terminate in the Michaelmas Term. It should never have made it into the Constitution!

Proposed Constitutional Change 4

Section 9, item 2: to insert the words “and Agents” after the word “Members”.

Section 9, item 3: to insert the words “and Agents” after the word “Members”.

Section 9, item 11: to insert the words “and Agents” after the word “Members”; to add a footnote after the number “6”, to read “for posts that are mentioned in section 6; appointments to such posts should be prior to other appointments”.

Section 9, item 12: to remove the first “The” and the “the” before the word “voting”; to replace each incidence of “in” with “for”; to replace “leave” with “have left”; to replace each incidence of “election” with “election or appointment” (so that the item reads “Candidates for election or appointment shall have left the room during voting for that election or appointment.”).

Section 9, item 15: to insert the words “and Agents” after the word “Members”; to insert the words “or as an Agent” after the second incidence of the word “Subcommittee”; to replace each incidence of “Subcommittee Member” with “Subcommittee Member or Agent”.

Notes on proposal: A last minute change was made to the draft Constitution proposed at the October EGM, which separated Subcommittee Members from Agents. This has not been reflected in some sections of the Constitution. The proposal also extends to appointments the provision that those standing for a post should leave the room whilst the decision is made.

Proposed Constitutional Change 5

Section 6, item 12(d): to replace the contents of the list item with “all those who have been Officers of the Society within the previous year, except those previous Officers who have opted out of Plenum membership under this category (footnote: i.e. when an Officer leaves his post, he shall remain on the Plenum for a year unless he opts out of such Plenum membership);”

Section 6, item 13: to add to the end of the item: “If the entire Plenum has been invited, with at least 24 hours’ notice, to a Committee Meeting, then during that meeting a Plenum Meeting may be held. Plenum Meetings may not be convened in any other way. The only function of a Plenum Meeting shall be to consider and make changes to the Standing Orders (see section 12).”

Section 6: to add a new item 14, to read “Simultaneous meetings of the Committee and/or Subcommittees may not take place, unless all those entitled to attend the multiple simultaneous meetings (whether by right or by invitation) consent.”

Notes on proposal: Some of those who are currently Plenum members do not wish to continue to receive Society correspondence. The first proposal allows such people to opt out of Plenum membership. The function of the Plenum is not currently defined. It is clear that it alone may change the Standing Orders, but it is not clear, for example, whether a Special Committee Meeting is a Plenum Meeting. The second proposal reflects current practice. In addition, the formalising of Subcommittees leads to the possibility of simultaneous meetings, which is considered here.

Proposed Constitutional Change 6

1. If proposal 5 should have been passed:

Section 6: to add a new item 15, to read: “A Committee Member, Subcommittee Member or Agent who produces a copyright work in the course of his service to the Society grants to the Society a non-exclusive, royalty free, perpetual world copyright licence to perform any act restricted by copyright in the work.”

Section 6: to add a new item 16, to read: “A Committee Member, Subcommittee Member or Agent who produces in the course of his service to the Society a work in which he holds database rights grants to the Society a non-exclusive, royalty free, perpetual world licence to perform any act restricted by database right in the work.”

2. If proposal 5 should not have been passed:

Section 6: to add a new item 14, to read: “A Committee Member, Subcommittee Member or Agent who produces a copyright work in the course of his service to the Society grants to the Society a non-exclusive, royalty free, perpetual world copyright licence to perform any act restricted by copyright in the work.”

Section 6: to add a new item 15, to read: “A Committee Member, Subcommittee Member or Agent who produces in the course of his service to the Society a work in which he holds database rights grants to the Society a non-exclusive, royalty free, perpetual world licence to perform any act restricted by database right in the work.”

3. Regardless of whether proposal 5 should have been passed:

Section 7, item 4: to add the list item “have authority to grant licences for the reproduction of works in which copyright or database right is held by the Archimedean, in accordance with item 12 of this section.”

Section 7: to add a new item 12, to read: “The Editors of Eureka and QARCH shall have authority to grant licences to perform specified acts restricted by copyright or by database right relating to works, including changes to works and typographical arrangements, in which the Society owns or may acquire any copyright or database right (including prospective future copyright or database right on works or changes to works or typographical arrangements yet to be created), provided that:

- (a) The work has been accepted for publication in the journal under the editor’s control;
- (b) The licence is granted to the original author of the work (or, in the case of works with multiple authors, to any of the original authors of the work) only;

- (c) The licence grant is non-exclusive (footnote: it may be sub-licensable; particularly it may be sub-licensable to parties to whom the Editor is not permitted by this section to grant licences);
- (d) The licence grant takes place not more than one year after the publication of the issue of the journal in which the work is included, and not more than five years after the acceptance of the work for publication;
- (e) The licence grant only permits reproduction in accordance with the Objects of the Society.”

Section 7: to add a new item 13, to read: “The Committee shall have authority to grant licences to perform acts restricted by copyright relating to works in which the Society holds copyright, and to grant licences to perform acts restricted by database right relating to works in which the Society holds database right, only restricted by the provision that such grants must further the Objects of the Society.”

Section 12: to renumber item 2 as 3; to add a new item 2, to read: “A proposed amendment to the Constitution must be accompanied by waivers of the moral right of paternity relating to the proposed amendment by all persons entitled to assert the right.”

Notes on proposal: This proposal implements a recommendation of the Copyright Working Group, set up “to investigate and produce a draft policy regarding the Society’s position on the copyright in the documents it publishes”. It clarifies the Society’s copyright position, and allows those connected with the Society journals to administer the copyright related to the journals. The provisions in this proposal have been added to the Standing Orders already, as an interim measure.

Proposed Constitutional Change 7

Section 6, Item 4(d): to replace “keep” with “be responsible for keeping”; to replace “appoint” with “appointing”.

Notes on proposal: Before the October EGM, the Secretary could more accurately be described as an External Secretary than as a Minutes Secretary. Because of this first rôle, it is thought advantageous that the Secretary should be able to delegate responsibility for taking minutes, in order to take part in Committee meetings to fulfil his major functions (e.g arranging meetings).

Proposed Constitutional Change 8

Section 7, Item 5: to add “shall usually” between “and” and “take”.

Notes on proposal: The Constitution is currently rather inflexible in requiring the Eureka Assistant Editor always to take minutes of Publications Subcommittee meetings. This becomes a particular problem in circumstances such as the current ones, where the Eureka Assistant Editor holds three other positions on the Subcommittee.

Proposed Constitutional Change 9

Section 6, Item 2: to relabel part (e) as part (f), and to add a new part (e), to read: “seek contact with the mathematical societies of other universities;”.

Section 7, Item 4: to delete part (b) and relabel the other parts accordingly.

Notes on proposal: At the moment, the Constitution gives all tasks related to contacting other universities’ mathematical societies to the Eureka and QARCH Editors. This does not work particularly well, especially as these positions are not Committee positions.

Proposed Constitutional Change 10

Section 6, Item 2(e): to replace “execute” with “ensure the execution of”.

Notes on proposal: It seems unnecessary that the President should be required to execute personally the duties of vacant Committee posts; this change alters the wording so that the President can delegate responsibility.

Proposed Constitutional Change 11

Section 3, Item 3: to replace “changes” with “change”; to insert after “Archimedean” the phrase “not more than fourteen days after the relevant change”.

Section 3, Item 4: to replace each instance of “Society” with “College Society”; to replace “Societies” with “College Societies”.

Section 3, Item 4(a): to replace “sections” with “paragraphs”.

Section 3, Item 4: to add after the word “cases” the words “(except for failure to comply with paragraph 3 of this section)”; to add to the end of the item the sentence “In the case of failure to comply with paragraph 3 of this section, the Committee may decide that the College Society shall not continue to be recognised as an affiliated College Society, in which case its name shall be removed from the list of recognised College Societies in the Standing Orders.”

Notes on proposal: The current wording, whilst not unenforceable, is open to interpretation. This proposal seeks to clarify the situation so as to avoid the future possibility of having to contact the Junior Proctor on this matter. It also stops automatic disaffiliation of a College Society on failure to notify the Society of a change in Officers, and gives the Committee the power to disaffiliate the Society in this case. This fits with the intention of the requirement, i.e. to keep the College Society in contact with the Archimedean’s Committee.