

# **APEC COOPERATION FOR EARTHQUAKE SIMULATION (ACES) BY-LAWS**

## **ARTICLE I**

### **Name**

**Section 1,** The name of The Cooperation is the APEC Cooperation for Earthquake Simulation (ACES).

## **ARTICLE II**

### **Participant Economies**

**Section 1, Founding Economies:** The founding economies are:

Australia (Originating Economy)  
China  
Japan  
USA

**Section 2, Participant Economies:** ACES is open to participation by any APEC Member Economy. Countries or Economies that are not APEC members may join as a Participant Economy subject to endorsement by a majority vote of the nominated representatives of the Participant APEC Economies. Non-APEC Participant Economies will have the same rights as APEC Member Economies except that they may not hold the office of Executive Director.

**Section 3, Process to join ACES as Participant Economy:** Economies or countries that wish to join ACES as a Participant Economy must express their wish in writing to the International Science Board through the Executive Director, and agree to comply with the By-Laws and any related understandings between the relevant government agencies.

**Section 4, Executive Office:** The Executive Office will act as ACES Headquarters and play the role of coordinating ACES activities and act as a central point for scientific interchange via a Visitors Program. The Executive Office will operate through a combination of pooled resources obtained from Participant Economy contributions, funding for specific events and activities supplied by ACES participants, and other funds raised by the Executive Office.

## ARTICLE III

### International Science Board

**Section 1, Powers:** Full power to specify the science plan and program of activities of ACES shall be vested in the International Science Board (ISB). To this end, the ISB shall have power to authorize such action on behalf of ACES, make rules or regulations for its management, create offices or committees and select, employ or remove such of its officers, agents, or employees as it shall deem best. The ISB shall have the power to fill vacancies in, and change the membership of, such committees as are constituted by it.

**Section 2, Composition:** The ISB shall be composed of one nominated representative from each Participant Economy.

**Section 3, Term of Office:** Each member of the ISB shall continue in office until a successor is chosen and qualifies; or until he/she dies, resigns, or is replaced by the relevant agency of the Participant Economy.

**Section 4, Resignation:** Any ISB Member may resign at any time. Such resignation shall take effect at the time of receipt of the notice by the Chairperson of the ISB and shall specify an interim successor to fill the vacancy until a new nomination is received from the relevant agency of the Participant Economy by the Chairperson of the ISB. The Chairperson shall request a new nomination upon receipt of written notification of resignation.

**Section 5, Alternate Representatives:** Participating Economies shall nominate alternates for their representative on the ISB to act as a replacement in the event of sickness, death or any other event that prevents the nominated ISB member from fulfilling their duties. Alternates have all the powers of an ISB member unless otherwise specified in the written notification of alternate representation.

## ARTICLE IV

### Meetings of the International Science Board

**Section 1, Annual Meeting:** One meeting of the ISB is to be held each year, normally in conjunction with an Annual Workshop, Symposium or other ACES scientific event.

**Section 2, Special Meetings:** Special Meetings can be called by the Executive Director.

**Section 3, Quorum:** The ISB may not make decisions without a quorum of the ISB, deemed as a 2/3 majority attendance of the nominated ISB representatives. Participation in an ISB meeting via video or teleconference links by an ISB member is deemed as attendance for the purposes of the quorum.

**Section 4, Voting:** Each ISB member will have one vote. Except where otherwise specified by these By-Laws, all matters shall be decided by affirmative vote of a majority of the ISB present at the time of vote, if a quorum is present. In the event of a voting deadlock, the Chairperson of the ISB will cast a deciding vote.

**Section 5, Action Without a Meeting:** Any action required or permitted to be taken, by the ISB, Executive Director, or any Committee thereof, may be taken without a meeting, if a 2/3 majority of the ISB consent in writing or e-mail to the adoption to the resolution authorizing the action. The resolution and written consents shall be filed with the minutes of the subsequent meeting of the ISB.

## ARTICLE V

### Offices

**Section 1, Offices:** The offices of ACES shall consist of an Executive Director who shall serve as Chairperson of the International Science Board, and a Deputy Chairperson or such other offices appointed by the ISB or Executive Director.

**Section 2, Executive Director and Chairperson:** The Executive Director will call and conduct International Science Board meetings and shall have responsibility for the science program and the budget of ACES. The Executive Director oversees development and implementation of the science plan for ACES in consultation with the other ISB members. The Executive Director will manage ACES activities. The Executive Director, in close consultation with the Board, will take the leadership role in the development of ACES initiatives.

**Section 3, Deputy Chairperson:** The ISB shall select a Deputy Chairperson from within its members. The Deputy Chairperson will fulfill the role of Chairperson of the ISB in the absence of the Executive Director.

**Section 4, Election and Term in Office:** The Executive Director will be elected by a majority vote of the ISB for a fixed term of office. The term for the founding Executive Director shall be until 31 December 2001. Subsequent terms shall be three years in duration. At an annual ISB meeting not less than 3 months before the expiration of the fixed term, the ISB will vote on whether to reappoint the Executive Director. A decision not to reappoint the Executive Director would require a 2/3 majority vote. In this event, a new Executive Director will be elected by procedures specified in these By-Laws.

**Section 5, Resignation:** The Executive Director may resign at any time. Such resignation shall take effect at the time of receipt of the notice by the Deputy Chairperson of the ISB. In this event, the duties and powers vested in the Executive Director shall pass to the Deputy Chairperson who shall ensure that an election for new Executive Director be held within 3 months.

**Section 6, Other Offices:** The ISB has the power to establish additional offices in accordance with these By-Laws. In this event, such additional offices may be removed by an affirmative vote of the ISB. Offices may also be established by the Executive Director in order to carry out his/her functions, and implement the science plan and program of activities specified by the ISB. In this case, such offices may be removed at the discretion of the Executive Director. Records must be filed of any offices established or removed by the Executive Director during the subsequent ISB meeting.

## ARTICLE VI

### Committees, Workings Groups and Advisory Board

**Section 1, Establishment of Committees and Standing Committees:** The ISB may establish Committees or Standing Committees for specified terms or without time limit. Actions by the ISB to create such Committees shall specify the scope, functions and powers of each Committee and method of appointment of Committee members. Committees may not set policy or take binding action or publish documents without the consent of the ISB. Committees may not create or appoint Sub-committees without the consent of the ISB.

**Section 2, Ad-Hoc committees and Panels:** The Executive Director may appoint Ad-Hoc Committees or Panels to assist in carrying out the business of ACES. Chairs of these committees or panels will report to the Executive Director.

**Section 3, Working Groups:** Working Groups will be specified by the ISB to address the major scientific programs of the research plan. Working Groups will consist of researchers of participant groups, centres or institutions of the Participant Economies.

**Section 4, Advisory Board:** The Executive Director, in consultation with the ISB, may establish an Advisory Board.

## ARTICLE VII

### Amendment

**Section 1, Amendments:** These By-Laws may be amended by the affirmative vote of the ISB at any annual or special meeting, the notice, or waiver of notice, of which shall specify the proposed amendment.