

# Guideline: Appointment of the ccNSO Representative on the Empowered Community Administration

Version #1

Date of adoption by the ccNSO Council: 1 September 2016

## 1 Introduction and Background

According to the ICANN Bylaws Section 6.1.a, the ccNSO as defined in section 10.1 of the Bylaws is one of associates or Decisional Participant of the Empowered Community (hereafter, "EC"), a non-profit association formed under the laws of the State of California (USA).

The sole purpose of the EC is to exercise its rights and perform its obligations under ICANN's Articles of Incorporation and the ICANN Bylaws, and the EC shall have no other powers or rights except as expressly provided in the ICANN Bylaws. The EC may only act as provided in these Bylaws. Any act of the EC that is not in accordance with these Bylaws shall not be effective.

The ccNSO, as Decisional Participant, shall act through its respective chair or such other person as may be designated by the ccNSO (collectively, such persons from all communities are the "EC Administration"). Each Decisional Participant shall deliver annually a written certification from its chair or co-chairs to the ICANN Secretary designating the individual who shall represent the Decisional Participant on the EC Administration.

## 2 Purpose of the Guideline

The purpose and scope of this guideline is to document processes and procedures pertaining to the appointment of the representative of the ccNSO, as one of the Decisional Participants, on the EC Administration and the scope of the mandate of the ccNSO Representative on the EC Administration.

### 2.1 General Information and the Scope of Mandate of the ccNSO Appointed Representative

The ccNSO shall act through its representative on the EC Administration. Unless the ccNSO designates another person, the representative of the ccNSO is the Chair of the ccNSO Council.

The ccNSO representative shall act solely as directed by the ccNSO Council in accordance with this and other related ccNSO guidelines.

## 2.2 Appointment of the ccNSO Representative

The ccNSO representative will be appointed yearly by a simple majority of the ccNSO Councillors eligible to vote and present at the meeting at which the ccNSO representative is appointed. Only ccNSO Councillors who do not volunteer are eligible to vote. The appointment is aligned with the yearly elections of the Chair and Vice-chairs of the ccNSO.

If no volunteer steps forward or cannot be appointed, the Chair of the ccNSO Council shall be the ccNSO representative on the EC Administration.

## 2.3 Removal of ccNSO Appointed Representative

The ccNSO representative on the EC Administration may be removed and replaced at any time by the ccNSO Council.

## 2.4 Vacancy

In the event of the death, resignation or removal of the ccNSO representative on the EC Administration, or the unwillingness or inability of that representative to further serve thereon, the Chair of the ccNSO shall take the seat until such time the ccNSO Council decides otherwise.

## 2.5 Certification

Annually or in case the ccNSO representative on the EC Administration is changed, the Chair of the ccNSO will send a written certification to the ICANN Secretary informing about the ccNSO representative on the EC Administration.

## 3. Role and Responsibilities of the ccNSO Representative on the EC Administration

Subject to the direction by the ccNSO Council as specified in Section 2.1 above, the ccNSO representative on the EC Administration shall:

- actively participate in the work of the EC Administration
- regularly, at least once per month, inform the ccNSO Council on the discussions on the EC Administration
- provide all communications and notices required or permitted to be given under the ICANN Bylaws by the ccNSO as Decisional Participant.

- in representing the EC Administration, act as required for the EC to follow the applicable procedures in Annex D, and to implement EC decisions made in accordance with such procedures.

Further, ICANN shall be entitled to rely on notices from the ccNSO representative or an individual serving on the EC Administration delivered in accordance with Section 21.5 as evidence that the actions set forth therein have been approved by or are the actions of the ccNSO, the EC or the EC Administration, as applicable, pursuant to and in compliance with the requirements of the ICANN Bylaws (including Annex D).

## **4 Miscellaneous**

### **4.1 ccNSO Internal Guideline**

This Guideline is an internal rule of the ccNSO in accordance with Article 10 section 3.11 and Article 10 section 4.2 of the ICANN Bylaws. This Guideline should also be considered as the internal procedure of the ccNSO respecting Empowered Community Administration.

### **4.2 Omission in or Unreasonable Impact of the Guideline**

In the event the Guideline does not provide guidance and/or the impact is unreasonable to conduct the business of the ccNSO or the ccNSO Council, the Chair of the ccNSO will decide.

### **4.3 Publication and Review of the Guideline**

The Guideline will be published as part of the rules and guidelines of the ccNSO after adoption by the ccNSO Council.

The Guideline will be always reviewed after review of the charter of the CSC, or adjusted when considered necessary. In order to become effective the updated Guideline must be adopted by the ccNSO Council and published on the ccNSO website.

Before publishing the updated Guideline, the Secretariat will adjust the version number and insert the date the Guideline was reviewed and adopted by the ccNSO Council.