

REGULATIONS

of

**COMMITTEE ON
PUBLICATION ETHICS
(COPE)**

2008-2009

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These Regulations of the Committee on Publication Ethics (“COPE”) are made by the Council on _____ pursuant to the power granted to it by Article 71 of the Articles of Association of COPE and may be repealed, varied or added to by the Council.

The definitions and interpretation which apply to the Memorandum and Articles of Association of COPE shall apply equally to these Regulations.

1 FIRST OFFICERS AND OTHER MEMBERS OF THE COUNCIL

1.1 The first Officers and other members of the Council shall be as follows:

OFFICE	NAME	DATE OF RETIREMENT
Chairman	Harvey Marcovitch	March 2009 (1 st term)
Vice Chairman	Sabine Kleinert	March 2009 (1 st term)
Treasurer	Jeremy James Theobald	March 2011 (1 st term)
Secretary	Elizabeth Wager	August 2010 (1 st term)
Ombudsman	Richard Green	March 2009 (1 st term)
Ordinary Council Member	Timothy John Clement Albert	March 2008 (1 st term)
Ordinary Council Member	Virginia Mary Barbour	March 2009 (1 st term)
Ordinary Council Member	Patricia Hamilton Groves	June 2010 (1 st term))
Ordinary Council Member	Charlotte Johanne Haug	March 2009 (1 st term)
Ordinary Council Member	Peter Anthony Hall	June 2010 (1 st term)
Ordinary Council Member	Constance Margaret Pascal Rees	March 2009 (1 st term)
Ordinary Council Member	Pritpal S Tamber	March 2010 (2 nd term)
Ordinary Council Member	Steven Marc Yentis	March 2009 (1 st term)

and such persons shall hold office for the period until the date of retirement set opposite his or her name. For the purposes of the Articles the period of office above shall be the first term held by a person in that office.

2 MEMBERSHIP

Conditions for acceptance for each class of membership are as follows:

2.1 Full Members

2.1.1 Eligibility Criteria

The applicant must be

2.1.1.1 an Editor in Chief of a peer reviewed scholarly journal or their nominated representative; or

2.1.1.2 a company or body whose primary business and object is publishing which includes the publishing of peer reviewed scholarly journals. The company or body must nominate a representative to COPE

2.1.2 Admission

An applicant for Full Membership shall complete and submit an application form (copies of which are available on the COPE website or from the administrator) by post, fax or electronically to the administrator who shall present the application at the next Council meeting. Admission as a Full Member shall be at the discretion of the Council.

2.1.3 **Benefits**

Upon payment of the Full Membership subscription a Full Member shall be entitled to:

- The right to attend, speak and vote at General Meetings of COPE
- The right to present a case to Council or any of its committees and to seek advice from them
- The right to use the COPE logo in their journal
- Any other benefits decided by the Council

2.2 Associate Members

2.2.1 **Eligibility Criteria**

The applicant must be a person who is interested in COPE's objects and who is working in or associated with the publication of scientific journals or has a significant interest in safeguarding the integrity of the scientific record and who is not eligible for Full Membership or an organisation which is involved with publishing but which does not publish journals. The organisation should nominate a representative to COPE.

2.2.2 **Admission**

An applicant for Associate Membership shall complete and submit an application form (copies of which are available on the COPE website or from the administrator) by post, fax or electronically to the administrator who shall present the application at the next Council meeting. Admission as an Associate Member shall be at the discretion of the Council.

2.2.3 **Benefits**

Upon payment of the Associate Membership subscription an Associate Member shall be entitled to:

- The right to attend, speak and vote at General Meetings of COPE
- The right to present a case to Council or any of its committees and to seek advice from them
- Any other benefits decided by the Council

2.3 Honorary Members

2.3.1 **Admission**

Honorary Members shall be individuals admitted by the Council at their discretion.

2.3.2 **Benefits**

An Honorary Member shall be entitled to:

- Receive notice of General Meetings of COPE and to attend and speak but not vote at General Meetings
- The right to present a case to Council or any of its committees and to seek advice from them
- Any other benefits decided by the Council

2.4 COPE Code of Conduct

As a condition of acceptance to any class of Membership each Member agrees to comply with COPE's Code of Conduct.

3 **SUSPENSION OF MEMBERSHIP**

The Council may suspend Membership and the privilege of Membership if:

- Article 18 applies to the Member; or
- Council decides, after due enquiry, that the interests of COPE so require

4 APPOINTMENT OF ORDINARY COUNCIL MEMBERS

Ordinary Council Members shall be appointed in accordance with the procedures set out below:

- 4.1 A candidate for appointment as an Ordinary Council Member must be a Full or Associate Member or a director, officer or employee of a Full Member that is a corporation or a proxy of a Full Member whose appointment as a proxy must not expire earlier than three years from the date he would take office (if appointed).
- 4.2 When a vacancy arises the position shall be advertised via the COPE website or in any other publication produced by COPE as the Officers deem appropriate
- 4.3 In response to an advertised vacancy a candidate must nominate themselves by informing Council of their intention to be a candidate for the advertised vacancy. The candidate, or the organization they represent, must have been a member of COPE for at least one year
- 4.4 Where the number of nominations is less than or equal to the number of vacancies each nominee will be appointed if approved by a majority of the Members of Council. Where the number of nominations exceeds the number of vacancies the Officers shall review the nominations and produce a shortlist of approved nominees.
- 4.5 A candidate for membership must be nominated by two other current members. If the candidate is the nominated representative of a member, at least one of the nominees for Council membership must not be employed by the same organisation as the nominee
- 4.6 Council members shall be elected by the full and associate members with voting rights. In the event of a tied vote, the Chairman or (if the vote is taken at a meeting) the chairman of the meeting will have a casting vote.
- 4.7 The appointment(s) shall be announced and take effect from the next meeting of Council.
- 4.8 Composition of Council: the Council shall be representative of the COPE membership and shall encourage applications from areas of the membership not currently represented on Council, if such exist at the time a position becomes vacant.

5 ELECTION OF OFFICERS

- 5.1 A person will only be eligible to be elected an Officer if he is a Full or Associate Member or if he is a director, officer or employee of a Full Member who is a corporation or proxy of a Full Member whose appointment as a proxy must not expire earlier than three years (as defined in the Article 57) from the date he would take office (if elected).
- 5.2 Candidates for Officers must have been COPE council members for at least one year before standing for election as an officer.
- 5.3 Officers shall be elected by the Full and Associate Members with voting rights.
- 5.4 The Secretary shall give to all Full and Associate Members with voting rights notice of and publish the vacancies among the Officers to be filled at the forthcoming election and inviting nominations for such vacancies. At the same time COPE shall explain that elections shall be conducted by electronic voting for those Full and Associate Members with voting rights who have consented to communicate via email and supplied an email address for this purpose or via post for all other Full and Associate Members with voting rights.
- 5.5 The notice shall specify the closing date by which nominations must be received by the Secretary.
- 5.6 In order for the nomination to be valid, each nominee must be proposed and seconded by two persons being a Full or Associate Member with voting rights and consent to

- his/her nomination. The nominee must email or post the completed nomination together with a curriculum vitae and reasons for wanting to serve in office. The proposer and seconder must email or post in their support for the nomination. One of the persons nominating the nominee must be an existing Council member
- 5.7 A Full and Associate Member with voting rights may nominate more than one person for each vacancy.
 - 5.8 All nominations must be received by the Secretary before the closing date.
 - 5.9 Where the nomination for a vacancy is unopposed and if the nominee is approved by a majority of Council members he shall be deemed to have been elected thereto. Where there is more than one nomination for a vacancy the following procedures shall apply.
 - 5.10 The Secretary shall collate the nominations and supporting information and Council shall review the nominations and produce a shortlist of approved nominees and send a list of the short listed names of approved nominees to fill vacancies for the Officers posts for which elections are to be held and copies of their curriculum vitae and reasons for wanting to serve together with a ballot paper by email to all Full and Associate Members with voting rights who have consented to communication via email and who have supplied an email address for this purpose and all other Full and Associate Members shall be sent the same information by post.
 - 5.11 The ballot papers shall specify a date not later than fourteen (14) days before the date of the Annual General Meeting at which the election is to take effect by which they must be returned to the Secretary
 - 5.12 Each Full and Associate Member with voting rights shall be entitled to vote for one candidate for each Officer vacancy on the ballot paper. The candidate receiving the highest number of votes shall be deemed elected to the office.
 - 5.13 In the event of a tied vote the Chairman shall have the casting vote.
 - 5.14 Ballot papers (whether returned by email or post) shall be kept in the custody of the Secretary and the votes cast shall be counted before the Annual General Meeting.
 - 5.15 The results of such election shall be declared at the Annual General Meeting next following the election.
 - 5.16 In the event of a computer failure or postal failure which results in any electronic or postal votes cast being irretrievably lost the electronic votes or postal votes cast but lost shall be declared null and void by the Secretary whose decision shall be final.

6 THE OMBUDSMAN

The duties of the Ombudsman shall be as follows:

The Ombudsman shall be responsible for:

- 6.1.1 Receiving and investigating any failure alleged against COPE in dealing with a complaint against a Member for not following the COPE Code of Conduct.
- 6.1.2 Receiving and investigating complaints involving a failure to deal in a satisfactory way with any other matter a Member may have raised with COPE.
- 6.1.3 Investigating and making recommendations when two or more Full Members cannot agree on how to handle a complaint involving both their publications.

7 APPOINTMENT OF A PROXY

- 7.1 A proxy shall be appointed by Full Members or their duly authorised attorney in accordance with the Articles.
- 7.2 A Full Member or his duly authorised attorney wishing to appoint a proxy must complete and sign a proxy instrument in the following form:

“I [*insert name*]
of [*insert address*]
a Full Member /duly authorised attorney of a Full Member of Committee on
Publication Ethics hereby appoint [*insert name of proxy*] of [*insert address of proxy*]
as my/our proxy to vote for me/us and act on my/our behalf at all General Meetings of
Committee on Publication Ethics. This appointment shall continue until [*insert date
appointment expires*] or is revoked by me in writing to the Secretary (whichever
occurs first).
Signed on [*insert date*]

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