

## ERS By-Laws

### Article I. Definition of Officers.

1. Definition of "Officer": Members of the Executive Committee, Internal Auditors, Assembly Secretaries, Group Chairs and Secretaries, Members of the Standing Committees as defined in the Bylaws, Early Career Members Committee Chair and Members, the Congress Chair and Co-Chair, Editors of European Respiratory Society (ERS) publications, appointed Directors, and appointed Deputy Editors.
2. Definition of "Senior Officer": Members of the Management Group.
3. An Officer must be a member of the Society for the duration of the mandate.

#### 4. No Officer may hold more than one position at the same time

- a) If a member holding an office is participating in elections for another position, the member may apply for the other position only during the last year of the current mandate so that mandates do not overlap.
- b) If a member's current mandate is ending when the mandate, they are applying for is starting, the Officer is **not** required and should **not** resign from their current position to participate in the elections.
- c) If a member has been holding an office for less than 2 years, the member may step down from the position to run for election but will not be eligible to apply for another open position in the same year.
- d) Shadowing years as Officers-Elect within the Management Group are considered as regular positions and should not overlap with other mandates.

Any member of the ERS may stand for an open election if they fulfil the required criteria for the position. Any member of the ERS may stand for an open election if they fulfil the required criteria for the position. Members of the Management Group and Assembly Early Career Representatives must be European based for the duration of the mandate.

4. A member may stand for only one election at a time.
5. The ERS Office establishes timelines for the application collection phase and voting periods with the approval of the Secretary General. Applications that are not received within the deadlines will not be considered for election.
6. In the case of a tied election, the successful candidate will be the one with the longest continuous membership of the Society.
7. Any Officer or member who is discovered to have a criminal record or shown to have been convicted of scientific or commercial fraud or falsification can be removed from office with the approval of at least two-thirds of all the members present at the Executive Committee.
8. For the purposes of these articles, Europe is as defined by the WHO.
9. The results of elections are communicated without the percentages or numbers of votes. The percentage will be shared upon request of the candidates.
10. The election procedures are explained in Appendix I.

### Article II. Membership.

1. Members of the Society must be certified health care professionals, researchers, or scientists with a professional interest in the field of respiratory medicine.
2. Membership can be obtained in the following ways:
  - a. Society membership agreement: Members must belong to one of the societies that the ERS has a society membership agreement with. Membership of the societies must be applied for separately.

- b. Direct membership: Members must either 1) state that they do not wish to belong to their corresponding national societies and are only interested in ERS membership, or 2) be members in countries in which the ERS does not have a membership agreement.
  - c. Employees from international organisations (such as the WHO, ECDC, and Global Fund) with an interest in the respiratory field and from other interdisciplinary societies with an interest in respiratory medicine can join as members with full rights at a fee defined by the agreement that the ERS holds with the international organisation.
- 3. Honorary membership: Individuals who have made an outstanding contribution to the Society or those with a record of high achievement and significant contribution in the field of respiratory medicine may be appointed as honorary members by the General Assembly upon proposal by the Executive Committee.
- 4. Dual membership: Dual members must belong to one of the societies that the ERS has a dual membership agreement with. Membership must be applied for separately in each society.
- 5. The annual fee shall cover membership and subscription to the ERS publications in electronic format and shall be paid in the amounts and within the periods set by the General Assembly. Membership ceases upon failure to pay the annual fee. There will be two levels of membership fees:
  - a. A reduced membership fee that is applied to society membership agreement and dual members.
  - b. A regular membership fee that is applied to direct members.

In the case of a society membership agreement, the annual fee shall be paid according to the corresponding clauses of the agreement with the partner society.

- 6. If membership is not activated through a partner society, applications for membership shall be sent to the ERS Office, accompanied by proof of payment of the appropriate membership fee. Membership becomes effective upon confirmation by the ERS Office.
- 7. An invitation to renew direct membership will be sent to all members, up to 2 months before their membership expires and after this date by the ERS Office.
- 8. ERS members with the necessary requisites are eligible to be nominated for the title of Fellows of the ERS ("FERS"). This title is aimed at recognising the extraordinary contribution of given ERS members in the field of respiratory medicine. Applications for the title of FERS must be supported by three existing Fellows of ERS. The Nomination Committee will screen the applications and propose those who are eligible to receive the title. The Chair of the Nomination Committee, together with the ERS Office, defines deadline for the application submissions for FERS. Hirsch index, research, and clinical practice, as well as contribution to the ERS are taken into consideration when future Fellows of ERS are chosen by the Nomination Committee.

A FERS carries out certain responsibilities in accordance with their status, such as contributing to ERS activities and meetings, and participating in speaking engagements at non-ERS events.

An individual will remain a FERS for as long as their membership of the ERS remains active.

Please, refer to Appendix II FERS Terms of Reference for more detailed information.

### **Article III. Assembly and Group Elections: Eligibility and Procedure.**

- 1. Scientific Assemblies may be subdivided into Scientific Groups. Each Scientific Group is headed by a Chair and a Secretary. Scientific Groups shall be established and dissolved by the Scientific Assemblies with the approval of two-thirds of the members present and voting at the Annual Business Meeting of the Assembly or by electronic vote, if necessary. The decision is subject to approval by the Science Council and the Executive Committee. As a rule, changes should be made every 3 years.
- 2. Members may belong to three Groups across all Scientific Assemblies but have voting rights in one Group of one Scientific Assembly only.
- 3. Each Scientific Assembly appoints a Long-Range Planning Committee (LRPC) with the following tasks:

- Planning long-term activities of the Scientific Assembly that clearly extend beyond the term of one Assembly Head and Secretary.
- Assisting the Assembly Officers on scientific, educational, advocacy and membership matters.
- Ensuring that Early Career Members are actively involved in the Society's activities.

The LRPC also assists the Assembly Heads with:

- Member recruitment.
- Nominations for election.
- Proposals for Task Forces (Guidelines, Statements and Technical Standards).
- The sharing of important developments in other related associations.
- Managing the Assembly portfolio of activities including Task Forces, awards, Clinical Research Collaborations (CRC), research seminars, and educational activities.
- Long-term activities of the Scientific Assembly that clearly extend beyond the term of one Head and Secretary.
- Liaising on behalf of the Scientific Assembly, in cooperation and coordination with the Assembly Officers, with bodies external to the ERS (societies, groups and individuals).

LRPCs are consulting bodies that have no decision-making rights except those delegated by the Assembly Heads and agreed by the Executive Committee.

LRPCs will be composed of:

- The Head of the Assembly (who is the chair of the LRPC), for the duration of their mandate.
- The immediately preceding Head of Assembly, for a term of 3 years.
- The Assembly Secretary, for the duration of their mandate.
- The Early Career Committee Member representative of the Assembly.
- Up to five additional members elected by the Assembly at the Annual Business Meeting for a term of 3 years, which is non-renewable.

LRPCs should meet at the ERS International Congress. Any other meetings of the LRPC should not incur any cost to the ERS and should follow ERS rules for sponsorship.

The LRPC Chair reports to:

- The Executive Committee.
  - The Office to:
    - i. Record all new nominations.
    - ii. Report information on activities.
    - iii. Schedule formal meetings at the ERS Congress, e.g., booking rooms (convening LRPC members and drafting the agenda are the LRPC Chair's responsibility).
4. Candidates for the position of Head of Assembly should be voting members of the individual Assembly. Following the call for candidates, the Nomination Committee appoints at least two candidates.

Candidates for the position of Head of Assembly should, where possible, have held a previous position within the ERS.

5. The Head, Chair and Secretary of each Scientific Assembly and Group are elected from, and by, members of the Assembly or Group by electronic vote.
6. The Head of each Scientific Assembly will be assisted by the other Officers and/or members of the Scientific Assembly. An Assembly Head cannot be elected as an Assembly Secretary or a Group Officer after having served as Head of any Assembly. Similarly, a Group Chair cannot be elected as a Group Secretary after having served as a Chair of any Group.

Members cannot hold the same position twice within any Assembly or Group.

7. Arrangements will be made for replacement when an Assembly or Group Officer is elected to another office. The ERS Office will organise the elections.

8. The mandate for Assembly Heads, Assembly Secretaries and Group Officers is 3 years, and is non-renewable. However, the duration of the mandate may be adjusted to align with other Assembly and Group mandates (refer to Article III).
  - If the Officer resigns within the 18 first months of the 3-years mandate, the newly appointed Officer will have a shortened mandate of 2-years.
  - If the Officer resigns with the 18 last months of the 3-years mandate, the new officer will have a prolonged mandate of 4-years.
9. Self-promotion for any position at any level is not permitted using ERS communication channels (including Officer Email Tool). The candidates will have the opportunity to display their personal statements and mini-CVs on the ERS elections platform.

#### **Article IV. Executive Committee.**

1. The composition of the Executive Committee is defined in the ERS Constitution. The Executive Committee can invite the attendance of any Officer, on an *ad hoc* basis, following approval by the Management Group.
2. Members of the Executive Committee carry out their duties on behalf of the Society on a voluntary basis and are only entitled to refund of documented expenses incurred during the conduct of these duties, as per the ERS travel policy. The Executive Committee may award an allowance to the employers of Senior Officers if deemed necessary, in compensation for absence due to ERS duties.
3. Members of the Presidential cycle, during their term of office, may not simultaneously hold the position of president of national society or a position in the ruling body of an international society, unless on behalf of the ERS.
4. The Presidential cycle will consist of the Vice-President, the President-Elect, the President, and the Past President.
5. The President, the President-Elect, the Secretary General, and the Treasurer, should be based in different countries.
6. The period of office is as follow:
  - a. Vice-President, President-Elect, President and Past President: 1 year, non-renewable. After termination of their period of office, the Vice-President shall automatically become President-Elect, the President-Elect shall automatically become President and the President shall automatically become Past President.
  - b. Chair of the Science Council, Chair of the Education Council, Chair of the Advocacy Council, Chair of the Publications Committee, Treasurer and Secretary General: 1 year as Officer-Elect followed by a single 3-year term with no re-election.
7. The ERS Executive Director has observer status at the Executive Committee meetings and at any other Committee meetings. The Executive Director may request the attendance of any relevant staff member at the Executive Committee meeting or at any other Committee meeting, with observer status. Officers in Elect position have observer status in all Committees of which are a member.
8. The Executive Committee shall make decisions by majority vote; 50% + 1 of the members shall constitute a quorum.
9. Assembly Secretaries shall attend meetings of the Executive Committee when the Assembly Head is unable to, substituting for the Assembly Head with full voting rights.
10. When repeated attempts to contact an Officer have failed or an Officer has not attended two successive meetings of the Executive Committee (without notifying the Office or without major reason), the Executive Committee can take steps to replace the Officer concerned.
11. Any Officer can be removed from office by a vote of no confidence by the Executive Committee, following formal written request signed by at least 50% + 1 of the members of the Executive Committee. Confirmation

of removal from office requires a vote in favour by at least two-thirds of all members of the Executive Committee.

12. Committee/Council competences: Decisions made by the Councils and Committees listed below must be ratified by the Executive Committee. The decisions must be made by majority vote; 50% + 1 of the members shall constitute a quorum. The decisions include those relating to activities requiring ERS funding, nomination of Directors or Working Group/Committee members and for any award or collaborative activity.
  - The Science Council.
  - The Education Council.
  - The Advocacy Council.
  - The Publications Committee.
  - The European Lung Foundation (ELF) Council.
  - The Early Career Members Committee (ECMC).

#### **Article V. Emergency Procedures.**

In the case of removal from office, long-term incapacity or death of one of the members of the Executive Committee, the following rules will apply:

1. President: The President-Elect will immediately become President. When replacing the President, the President-Elect will serve out the remainder of the President's term of office followed by the normal term as President.
2. President-Elect: The Vice-President will immediately become President-Elect. Should the President-Elect be replaced, the Vice-President will serve out the remainder of the President-Elect's term of office followed by the normal term as President. A new Vice-President shall be elected.
3. Past President: The immediate Past President will assume the roles of the current Past President.
4. Secretary General, Treasurer, Chair of the Science Council, Chair of the Publications Committee, Chair of the Education Council and Chair of the Advocacy Council: The Officer-Elect will immediately replace the corresponding office holder and serve out the remainder of the term of the office of the person they have replaced, plus the whole of their own term of office. If the Officers-Elect have not yet been selected, the procedures for an emergency election should be followed.
5. Editor(s) of the ERS publications: The procedures for an emergency election should be followed.
6. Head of Assembly: The Assembly Secretary will act as Head. An election will be organised, and the new Head of Assembly will take office immediately on completion of the election. If the new Head of Assembly was the previous Assembly Secretary, an election will be organised, and the new Assembly Secretary will take office immediately on completion of the election.

#### **Article VI. Emergency Election**

The Nomination Committee must put forward at least one candidate for the position. The candidate will need to be approved, by email, by the Executive Committee members.

The election will run for 3 weeks only.

The elected candidate will start the mandate immediately. The newly elected Officer will serve out the remainder of the term of office of the person replaced.

#### **Article VII. Standing Committees/Duties**

1. Directors: Directors within Councils are appointed by the Executive Committee on the recommendation of the specific Councils. For each position, the Council should consider at least three candidates. The mandate of Directors is for 3 years and is non-renewable.

2. Nomination Committee: The Nomination Committee is responsible for considering, seeking the agreement of and presenting to the Executive Committee candidates for office as defined in Articles VII and VIII of these Bylaws. The Nomination Committee must ensure that expertise and geographical and gender balance are taken into consideration when shortlisting the candidates. The Committee shall be composed of:
  - The two most recent Past Presidents plus the current Past President (who will chair the Committee).
  - The Secretary General.
  - The immediate past Chairs of the Education Council, Science Council, Advocacy Council and Publications Committee; if any of these Chairs holds another position, their predecessor is to replace that person.
3. Science Council: The function of the Science Council is to contribute to the advancement of science in respiratory medicine, by means of Fellowships, Research Seminars, the Lung Science Conference, CRCs and Task Forces. The Science Council shall be composed of:
  - The Chair of the Science Council.
  - Heads of the Scientific Assemblies.
  - The Conference and Seminars Director.
  - The Guidelines Director.
  - The Fellowships and Awards Director.
  - The CRC Director.
  - The Chair-Elect of the Science Council, the Editor(s) of the *European Respiratory Journal (ERJ)*, the Editor of *European Respiratory Review (ERR)*, the Editor of the *ERJ Open Research*, the Director of Scientific Relations with the EU and the ERS Executive Director (who are observers *ex officio*).
  - The representative of the ECMC.

Assembly Secretaries shall attend meetings of the Science Council when the Assembly Head is unable to, substituting for the Assembly Head with full voting rights.

The Science Council is authorised to establish Working Groups to oversee specific activities, where appropriate. The mandate of their members is for 3 years and is renewable once. The constitution and members of the Working Groups must be endorsed by the Executive Committee.

When repeated attempts to contact an Officer have failed or an Officer has not attended two successive meetings of the Science Council (without notifying the Office or without major reason), the Science Council can take steps to replace the Officer concerned.

4. Education Council: The ERS Education Council shall promote and support training and continuous medical education in respiratory medicine in Europe and in other countries if requested. The Education Council shall be composed of:
  - The Chair of the Education Council.
  - The Curriculum Development Director.
  - The Educational Programmes Director.
  - The Learning Resources Director.
  - The Assessments Director.
  - The Editor of *Breathe*.
  - The Editor of the *ERS Monograph*.
  - Scientific Assembly Secretaries.
  - The representative of the ECMC.
  - The Chair-Elect of the Education Council and the ERS Executive Director (who are observers *ex officio*).

The Education Council is authorised to establish Working Groups to oversee various educational activities, where appropriate. The mandate of their members is for 3 years and is renewable once under exceptional circumstances. The constitution and members of the Working Groups must be approved by the Executive Committee.

When repeated attempts to contact an Officer have failed or an Officer has not attended two successive meetings of the Education Council (without notifying the Office or without major reason), the Education Council can take steps to replace the Officer concerned.

5. Advocacy Council: The objective of the Advocacy Council is to promote respiratory health and alleviate suffering from respiratory disease. Advocacy is a core pillar of the Society and is coordinated *via* the Advocacy Council. The Council promotes awareness of respiratory disorders as a major health issue in EU institutions and international health-related organisations and agencies. It will coordinate all matters pertaining to advocacy in the ERS including the work of the Tobacco Control Committee, the Environment and Health Committee and any advocacy Working Groups. It will further link up with the European National Respiratory Societies and other societies and organisations to promote awareness and reduce the burden of respiratory disorders.

The Council shall be composed of:

- The Chair of the Advocacy Council
- The President.
- The President-Elect.
- The Vice-President.
- The ELF Chair.
- The Chair of the Tobacco Control Committee.
- The Chair of the Environment and Health Committee.
- The Director of Scientific Relations with the EU.
- Flexible *ad hoc* members from Scientific Assemblies and Groups.
- Experts on designated areas of advocacy priority for the ERS.
- The Chairs of *ad hoc* Working Groups.
- A representative of the Biomed Alliance, as necessary.
- The Advocacy Council Chair-Elect and ERS Executive Director (who are observers *ex officio*).

The Advocacy Council (including its Committees) is authorised to establish Working Groups to oversee specific activities, where appropriate. The mandate of their members is for (a maximum) 3 years and is non-renewable. The constitution and members of the Working Groups must be approved by the Executive Committee. When repeated attempts to contact an Officer have failed or an Officer has not attended two successive meetings of the Advocacy Council (without notifying the Office or without major reason), the Advocacy Council can take steps to replace the Officer concerned.

6. International Congress Programme Committee: The function of the Programme Committee is to organise the programme of the Annual Congress. The International Congress Programme Committee shall be composed of:
- The Chair of the Science Council, who will co-chair the Committee.
  - The Chair of the Education Council, who will co-chair the Committee.
  - The Chair and Co-Chair of the Current Congress.
  - Heads of the Scientific Assemblies.
  - Secretaries of the Scientific Assemblies.
  - Two members of the ECMC.
  - The ERS Executive Director (who is observer *ex officio*).
7. Finance and Budget Committee: The Finance and Budget Committee is a technical Committee with no final decision-making power. The Committee prepares the budget proposal for discussion of and approval by the Executive Committee and regularly monitors its execution, including proposals for corrective action. It monitors and assesses financial, legal and other risks and defines and monitors the ERS investment policy. The Committee shall be composed of the members of the Management Group. The Treasurer chairs the meeting.
8. Internal Auditors: Two Internal Auditors check the Treasurer's report, oversee the overall financial management of the Executive Committee, report to the General Assembly on the financial management of the Society, recommend approval or rejection of the Society's annual accounts and financial report and make recommendations on the future financial policies of the Society.

To achieve this, the Internal Auditors may meet once a year, in person or by teleconference, with the Treasurer, Executive Director and Director of Finance to discuss the financial statements and the External Auditors' reports on the Society's financial accounts, minutes of the meetings of the Executive Committee and other documentation as may be necessary for them to accomplish their tasks.

9. UK Charity Trustees: The UK Charity Trustees are the members of the European Respiratory Society (UK) Limited, a company limited by guarantee and not having a share capital.

The UK Charity Trustees are composed of:

- The Secretary General.
- The Treasurer.
- A British member of the Executive Committee as appointed by the Executive Committee. If there are no British members of the Executive Committee, the Executive Committee may appoint a person of British nationality with close links to the Society.

10. Publications Committee: The Publications Committee coordinates and supervises the aims, targets and scope of the various publications. It advises the individual editorial boards and controls the technical production of the publications. The Publications Committee shall be composed of:

- The Chair of the Publications Committee.
- The Guidelines Director.
- A representative of the Advocacy Council.
- A representative of the Education Council.
- A representative of the Science Council.
- A representative of the ECMC.
- The Treasurer.
- The Secretary General.
- The ERS Executive Director (who is an observer *ex officio*).

The representatives will be proposed by the relevant Committee and approved by the Executive Committee. The Editor(s)-in-Chief of the *ERJ*, the Editor of the *ERS Monograph*, the Editor of the *ERR*, the Editor of *Breathe* and the Editor of *ERJ Open Research* have observer status and shall be invited as appropriate. Two external consultants from the publishing industry may be invited as observers.

When repeated attempts to contact an Officer have failed or an Officer has not attended two successive meetings of the Publications Committee (without notifying the Office or without major reason), the Publications Committee can take steps to replace the Officer concerned.

11. Tobacco Control Committee: The function of the Committee is to coordinate and supervise the activities of the ERS in relation to tobacco control.

The Tobacco Control Committee shall be composed of:

- The Chair of the Committee, who is proposed by the Nomination Committee and appointed by the Executive Committee.
- The Chair of Group 6.03: Tobacco, Smoking Control and Health Education.
- The Head of Assembly 6: Epidemiology and Environment.
- The ELF Chair.
- A representative of the Education Council, if necessary.
- Up to three experts proposed by the Chair to be approved by the Executive Committee.
- The Chair of the Advocacy Council.
- The ERS Executive Director, who is observer *ex officio*.

Up to three additional experts, may be co-opted as required, for specific tasks, subject to the approval of the Executive Committee.

The mandate is for 3 years, and is non-renewable for the Chair and renewable once for the experts.

12. Environment and Health Committee: The functions of the Environment and Health Committee are to advise the ERS in all matters pertaining to the impact of environmental factors on respiratory health, to provide the information needed to improve the prevention and management of environmental factors related to respiratory diseases and to contribute to the improvement of respiratory health in Europe and elsewhere by the provision of information to policy making agents and the public.

The Environment and Health Committee shall be composed of:



- The Chair, who is proposed by the Nomination Committee and appointed by the Executive Committee.
- Up to three experts proposed by the Chair and approved by the Executive Committee.
- The Chair of the Advocacy Council.
- The ELF Chair.
- The Head of Assembly 6: Epidemiology and Environment.
- Up to three additional experts, who may be co-opted as required for specific tasks, subject to the approval of the Executive Committee.
- The ERS Executive Director (who is an observer *ex officio*).

The mandate is for 3 years and is non-renewable for the Chair and renewable once for the experts.

13. Ethics and Integrity Committee: The function of the Ethics and Integrity Committee is to advise the ERS on ethical matters pertaining to the scientific and professional integrity of Society members, its employees, and its subcontractors. Its activities relate to investigating and resolving cases of non-compliance or violation of the ERS statutes with respect to membership of the Society and its scientific, educational and advocacy activities (for example, conflicts of interest and relationships between ERS members and external organisations), with the exception of matters related to the ERS publications (where provisions are already made under the guidelines and standards set by the independent organisation the Committee on Publications Ethics [COPE]) and personal disputes.

The Ethics and Integrity Committee will act on referrals from any member, Officer, Standing Committee, member of staff or external person or organisation *via* an independent point of contact. The Secretary General will be informed of pending Committee activities. The Committee will meet on an *ad hoc* basis and report, in writing, to the Executive Committee, including (if necessary) recommendations for actions to be taken. The composition of the Committee will be approved by the Executive Committee and/or General Assembly if needed. The following members are appointed for a 3-year period (renewable for one additional 3-year period for all, except the staff representative):

- The Committee Chair (an ERS member who does not hold any ERS position or function and who is not a member of any current Committee of the Society).
- Committee members.
- Up to five members of the Society.
- A patients' representative
- A delegate of the ERS staff (excluding the Executive Director, Executive Department staff and Heads of Departments).
- A non-ERS member with specific expertise (ethical or legal).

Members will be appointed by the Executive Committee and will preferably have experience in ethics and bioethics or be familiar with current standards and practice.

14. Corporate Relations Committee: The function of the Committee is to ensure that corporate activities at Congress, and the investment of industry in other ERS ventures, are in the best interests of the Society. The Committee will review and approve potential, new or alternative revenue generating opportunities with a view to protecting the financial well-being and integrity of the Society. It will plan the long-term strategy for revenue-generation and forecast the expected degree of support. It will also be the arena wherein matters concerning industry such as changes in industry regulations, future collaborations and long-term initiatives involving industry should be discussed (in conjunction with and following the Major Sponsors forum). It will serve as the point of contact for other Committees should there be any questions regarding industry activities that appear to contravene the existing guidelines and will approve changes to guidelines and policy where appropriate. The Corporate Relations Committee shall be composed of:

- The President, who will chair the Committee.
- The President-Elect.
- The Treasurer.
- The Vice-President.
- The Secretary General.
- The Chair of the Education Council.
- The Chair of the Science Council.

- The ERS Executive Director (who is an observer *ex officio*).

15. Early Career Members Committee (ECMC): The function of the ECMC is to ensure that members under 40 years of age are actively involved in the Society's activities. The ECMC shall be composed of:

- One representative from each Assembly.
- The Chair and co-Chair (if different from Assembly representatives)
- The Secretary General (non-voting member).
- The ERS Executive Director (who is an observer *ex officio*).

The ECMC representatives are elected from within the Assembly's electorate and should be active members of appropriate age at the time of the election.

With the approval of the Committee and related Assembly Officers, the Chair can decide to prematurely end the mandate of a member who has not fulfilled their assigned tasks and thus has been inactive for a period of 1 year.

The Chair of the ECMC shall be elected by the Society's Early Career Members. At least two candidates shall be brought forward by the ECMC to the office for election, and the voting shall be processed, with the electorate voting with Alternative Vote. The winning candidate will be elected Chair. The co-Chair will be designated from the non-elected candidates by the ECMC, and, if needed, voting results, diversity, and previous ECMC experience will be taken into consideration. The term of the mandate shall be for 3 years and is non-renewable. The Chair and the co-Chair shall stay in the Committee for the 3 years of the mandate, regardless of how long the member has been in the Committee prior to the election.

During the Chair and/or the co-Chair mandate, they can decide to step down as Assembly representative and keep only the role of Chair/co-Chair. In this case a new election for Assembly representative will be open. In this case, Chair and co-Chair will not have voting rights within the ECMC, and voting rights will be limited to the 14 Assembly representatives.

#### **Article VIII. Nomination Procedures.**

1. The Nomination Committee will present to the Executive Committee a minimum of two unranked candidates for election to the following offices:
  - Vice-President.
  - Secretary General-Elect.
  - Treasurer-Elect.
  - Chair-Elect of the Science Council.
  - Chair-Elect of the Education Council.
  - Chair-Elect of the Advocacy Council.
  - Chair-Elect of the Publications Committee.
  - Internal Auditors.
  - Assembly Heads.
  - Tobacco Control Committee members.
  - Environment and Health Committee members.

If the Nomination Committee's candidates are not accepted by the Executive Committee, no other names can be accepted by the Executive Committee onsite. The Nomination Committee will have to present new candidates at the next Executive Committee meeting.

The Nomination Committee must present its nominees to the Executive Committee for approval by the time of the first Executive Committee meeting of the year. The Executive Committee will forward the approved names, without ranking them, to the electorate, which will have the final vote. If the Executive Committee does not agree with any of the names proposed, the Nomination Committee will be asked to produce further name(s).

The nominations must respect gender balance and diversity, unless proven impossible when lacking eligible candidates.

2. Editor(s)-in-Chief of the *ERJ*: An Advisory Committee is appointed by the Executive Committee; it is composed of the Past President, who will chair the Committee, and members chosen by the Executive Committee to reflect

appropriate expertise. The Committee reviews applications, shortlists, and interviews candidates, and recommends an individual or individuals to the Executive Committee for ratification.

The mandate of the Editor(s)-in-Chief is normally for 5 years and is non-extendable and non-renewable.

The Editors of the other ERS publications are nominated by the Publications Committee and ratified by the Executive Committee. The mandate of the *ERS Monograph* Editor is normally for 4 years and is non-extendable and non-renewable. The mandate of the Editors of the other publications is normally for 3 years and is non-renewable and non-extendable.

The mandate of the Editors is to start at the same time as the mandate of other Officers, i.e., after the Congress.

#### **Article IX. Declaration of Conflict of Interest.**

1. All candidates standing for election must complete and save the Disclosure of Conflict of Interest (“DoI”) form to the ERS Office prior to the opening of the election.
2. Candidates are not eligible if they have been a full- or part-time employee of the pharmaceutical or medical device industry during the 2 years prior to applying for the position within the ERS.
3. ERS Officers holding any position must complete the DoI annually.
4. Chairs and members of Task Forces must complete the DoI prior to appointment. Chairs and members of Task Forces cannot be full- or part-time employees of the pharmaceutical or medical device industry.
5. Participation in the Society’s activities is not open to faculty with any real or perceived, direct or indirect, links to the tobacco industry. The Society reserves the right to fully preserve its interests. The practical application of this rule is governed by the ERS policy on conflicts of interest and disclosure forms (refer to the Constitution Art III.3).
6. The DoI must be updated yearly. The Secretary General will ensure that the update has taken place and will report yearly to the Executive Committee. The Secretary General will report failure to update the disclosure to the Ethics and Integrity Committee.
7. Failure to comply with the Rules of Disclosure will be examined by the Ethics and Integrity Committee.
8. Officers who do not file an annual Declaration of Interest, after they have been asked twice and personally contacted with a request to do so, are automatically removed from office. They will have the right to appeal to the General Assembly.
9. No Officer or member representing the ERS at an event may accept a travel grant from a commercial source to attend that event. The Society will provide reimbursement for this purpose.
10. Management Group members, the Congress Chair and Co-Chair, the Guidelines Director, and the Editor(s)-in-Chief of the ERS Journals (including the Deputy Editor) may not be involved as a Speaker or Chair in any industry-organised symposia at the ERS International Congress. This includes observers of the Management Group, such as Science Council Chair Elect, Education Council Chair Elect, Publication Council Chair Elect, ELF Chair Elect, Treasurer Elect and Secretary General Elect.
11. The ERS publications are guided by the *ERS* conflicts of interests’ policy<sup>1</sup> and will not consider for publication papers reporting work funded, in whole or in part, by a tobacco company or tobacco industry organisation. The publications will also not consider for publication papers by authors who accept tobacco industry funding, including funding for research costs, for all or part of any author’s salary, or other forms of personal remuneration. The same applies for publication papers by authors who accept funding from the industry behind alternative nicotine delivery products such as e-cigarette and heated tobacco products, including funding for research costs, for all or part of any author’s

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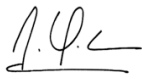
<sup>1</sup> The Policy can be found alongside the governance documents on the ERS [website](#).

salary, or other forms of personal remuneration. For further information, refer to the ERS conflicts of interest policy. Failure to declare competing interests at submission, or when an article is commissioned, can result in immediate rejection of the paper. If a competing interest comes to light after publication, the relevant journal will issue a formal correction to or retraction of the whole paper, as appropriate.

#### **Article X. Amendments to the Bylaws.**

Amendments to the Bylaws must be proposed by the Executive Committee, or in writing to the Secretary General by at least 50 members, not less than 2 months before the General Assembly. These amendments must be acted upon at the succeeding meeting, notice of which shall be contained in the text of the proposed amendments: Such amendments shall require for their adoption approval of two-thirds of the members present and voting at the General Assembly.

Date: September 15<sup>th</sup>, 2021



ERS President



ERS Secretary General

#### **Appendix**

The Alternative Vote (AV) is a preferential system, in which the voter can rank the candidates in order of preference. The voter places a "1" by their first choice, a "2" by their second choice and so on, until they no longer wish to express a further preference or run out of candidates.

Candidates are elected outright if they gain more than half of the first preference votes. If this does not occur, the losing candidate (the one with the least first preference votes) is eliminated, and this candidate's votes are redistributed to the second or next available preference elected during the electronic voting. This process continues until one candidate has half of the votes and is elected.