

IPC Membership Regulations

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1. Introduction

- 1.1 These IPC Membership Regulations (**these Regulations**) set out (i) the procedures for applying for admission to IPC Membership and for resolving competing membership claims; and (ii) the procedures for sanctioning IPC Members for failure to comply with their obligations as IPC Members.
- 1.2 Unless specified otherwise, defined terms used in these Regulations (denoted by initial capital letters) have the meaning given to them in the Constitution, and the rules of interpretation set out in Appendix 1 to the Constitution apply to these Regulations.

PART I: APPLICATIONS FOR IPC MEMBERSHIP

2. Applications for IPC Membership and transfers of IPC Membership

- 2.1 Only the General Assembly may admit an organisation as a full IPC Member.
- 2.2 An organisation wishing to become an IPC Member must apply in writing to the IPC, in accordance with these Regulations and any supplementary procedures issued from time to time by the Governing Board.
- 2.3 An IPC Member may not transfer its membership of the IPC to any other organisation without the prior written permission of the IPC. To obtain such permission, the IPC Member and the proposed transferee must jointly submit an application to the IPC, in accordance with these Regulations and any

supplementary procedures issued from time to time by the Governing Board. The application will be treated as an application by the transferee for IPC Membership.

- 2.4 The application for IPC Membership (including any transfer of IPC Membership) must be addressed to the President and must include:
 - 2.4.1 a duly completed application form, in the form specified by and containing or accompanied by all of the information required by the IPC; and
 - 2.4.2 accompanying documentation or other materials establishing that the applicant satisfies all of the requirements for IPC Membership as set out in the Constitution.
- 2.5 The Management Team will carry out an initial review of the application and accompanying materials provided by the applicant and will assist the Governing Board as necessary in its review of the application.
- 2.6 The Management Team and/or the Governing Board may require the applicant to provide any additional information that it considers may be necessary or relevant.
- 2.7 If and when the Governing Board is satisfied that the application complies with Article 2.4, it will present the application to the next Ordinary General Assembly in the form of a motion, together with its recommendation in relation to that application/motion.

3. Resolving competing claims to membership

- 3.1 If a particular category of IPC Membership is vacant and more than one organisation applies to be admitted as the IPC Member for that category, or if an IPC Member has been suspended and another organisation applies to be admitted to membership in place of that suspended IPC Member, or in other circumstances where there are competing claims to be the IPC Member for a particular category of IPC Membership, the competing claims will be treated as competing applications for IPC Membership and will be resolved as follows:
 - 3.1.1 The Governing Board will specify the criteria by which the competing claims are to be assessed.
 - 3.1.2 The Governing Board will appoint appropriate persons to a Sub-Committee to consider the respective claims of the competing organisations, in accordance with a fair and impartial process, and to make a written recommendation as to which of those bodies, in the Sub-Committee's view, best meets the specified criteria and so should be the IPC Member.

- 3.1.3 The Governing Board will submit the Sub-Committee's recommendation to the next Ordinary General Assembly, along with its own recommendation (if different). The recommendation(s) will be submitted in the form of a motion. However, the Governing Board may choose to accept the recommended organisation as a provisional IPC Member pending that meeting, provided that the organisation has complied with all of the requirements for IPC Membership. Such provisional membership is strictly without prejudice to the power of the General Assembly to accept or reject the recommended organisation as a full IPC Member as it sees fit. If the General Assembly does not admit a provisional IPC Member as a full IPC Member, the provisional membership terminates with immediate effect.
- 3.1.4 At the next Ordinary General Assembly, the General Assembly will consider the motion reflecting the Sub-Committee's recommendation and (if different) the Governing Board's recommendation. Before a vote is taken on the motion(s), each of the competing organisations will be given an equal opportunity to be heard by the General Assembly, either in writing and/or orally.

4. Waiver of rights

- 4.1 Any organisation that applies for IPC Membership is deemed to have agreed, as a condition of making that application, that if its application for IPC Membership is rejected or if it has any claim of any kind that it wishes to assert against the IPC in relation to that application, it may only submit an appeal or claim to the Judicial Tribunal in accordance with its procedural rules, to the exclusion of any other court, tribunal, or forum, except as mandated under German law.

PART II: PROCEDURES FOR SANCTIONING IPC MEMBERS FOR BREACH OF THEIR MEMBERSHIP OBLIGATIONS

5. Procedures to be followed by the Governing Board

- 5.1 Before imposing any sanction on an IPC Member pursuant to Article 15 of the Constitution, the Governing Board will:
- 5.1.1 send an initial notice to the IPC Member of the alleged breach(es) of the Constitution and/or Regulations, and give the IPC Member at least 30 days (unless the Governing Board considers there is urgency that justifies a shorter deadline) to cure the breach(es);

- 5.1.2 where the IPC Member is unable or unwilling to cure the breach(es), or where the Governing Board is otherwise not satisfied with the IPC Member's response to the initial notice:
 - 5.1.2.1 send a formal notice to the IPC Member in writing, setting out the alleged breach(es) of the Constitution and/or Regulations and the proposed or potential sanction(s) for such breach(es);
 - 5.1.2.2 give the IPC Member at least 14 days (unless the Governing Board considers there is urgency that justifies a shorter deadline) to respond to the formal notice in writing, explaining (with reasons) whether or not it admits the alleged breach(es) and setting out its position on the proposed or potential sanction(s); and
 - 5.1.2.3 if the Governing Board sees fit, give the IPC Member the right to be heard orally by the Governing Board.
- 5.2 After considering the position of the IPC Member, the Governing Board will issue a written decision with reasons, explaining whether or not the IPC Member committed any breach(es) of the Constitution and/or Regulations, and explaining the legal basis for any sanction(s) imposed and why it considers such sanction(s) to be necessary and proportionate. The decision of the Governing Board will be notified to the IPC Member without delay, may be published by the Governing Board, and will be subject to appeal by the IPC Member in question in accordance with Article 18 of the Constitution.
- 6. Procedures to be followed by the General Assembly**
 - 6.1 Before the General Assembly resolves to suspend or expel an IPC Member pursuant to Article 16 of the Constitution:
 - 6.1.1 a motion seeking suspension or expulsion must be submitted in accordance with the requirements of the Constitution;
 - 6.1.2 following submission of the motion, the Governing Board will:
 - 6.1.2.1 notify the IPC Member in writing of the motion; and
 - 6.1.2.2 give the IPC Member at least 30 days to respond to the motion in writing (which response will be circulated to the General Assembly in advance of the meeting); and
 - 6.1.3 the IPC Member will be given the right to be heard orally at the meeting of the General Assembly where the motion is considered.

- 6.2 A motion passed by the General Assembly to suspend or expel an IPC Member will be notified by the Governing Board to the IPC Member concerned without delay. Such resolution will be considered the final decision of the General Assembly, and will be subject to appeal by the IPC Member in question in accordance with Article 18 of the Constitution.

7. Reporting

- 7.1 The CEO will report on the status of all IPC Member suspensions currently in place at each in-person meeting of the Governing Board.
- 7.2 The Governing Board will update the IPC Members at each Ordinary General Assembly regarding all IPC Member suspensions in place.
- 7.3 The suspension or expulsion of, or imposition of any other sanction(s) on, any IPC Member will be promptly notified by the IPC to all IPC Members, and must be respected and enforced by all IPC Members.