

**Council of Graduate Students
Bylaws
The Ohio State University**

Article I – Membership

Section I.1: Members - The term "member" of the Council of Graduate Students (hereinafter also referred to as "the Council" or "CGS") shall refer to all delegates and voting members of the Executive Committee who are not Executive Officers.

Section I.2: Units of representation - Units of representation of CGS shall be determined by the Organization and Elections Committee. Units will be based on, but not necessarily limited to, graduate program areas: exceptionally large programs may be split and exceptionally small ones grouped.

Section I.3: Apportionment - CGS shall be composed of not more than one hundred fifty voting delegates and no fewer than one hundred thirty. The number of delegates per unit of representation shall not exceed twelve. Each spring, the Organization and Elections Committee shall apportion these positions to the graduate programs on the basis of autumn semester enrollment. Each unit of representation shall have at least one delegate. Each regional campus with graduate representation shall be allotted one delegate seat. The number of regional seats shall not exceed five.

Section I.4: Delegate selection - The selection of graduate students to fill positions on CGS as delegates from a particular unit of representation can only occur in the following ways:

I.4.A. Direct election: A vote open to the entire regular graduate student enrollment of a particular unit of representation utilizing the online system supported by the Council of Graduate Students during spring semester. A second opportunity for a direct election through the online system will occur between the first and second delegate meetings of autumn semester.

I.4.B. Appointment: In the event that the above method fails to fill a delegate seat, appointment by the Graduate Studies Chairperson (or designated alternate) shall constitute proper practice for filling a vacant CGS position during summer term until the first meeting of autumn semester and for the remainder of the delegate term after the third meeting of autumn semester. Any student who receives appointment by the graduate studies chair must provide a petition of support for their delegacy signed by either fifty percent or twenty-five (whichever is less) of the graduate students in the unit of representation.

Section I.5: Delegate certification - The certification of delegates and alternates, along with the development of guidelines for the conduct of elections, shall be the responsibility of the Organization and Elections Committee. After a proper hearing, this committee can declare an election or appointment invalid if it feels its legitimate guidelines have not been followed.

Section I.6: Committee service

I.6.A. Each delegate is expected to perform committee service beginning no later than the semester or term after admission to the Council.

I.6.B. The delegate will indicate a committee preference upon application. These preferences will be used by the Organization and Elections Committee to make committee assignments.

I.6.C. Selection to the Athletic Council, the Council on Academic Affairs, the Student Health Insurance Committee, the University Research Council, and the Student Trustee Selection Committee requires the concurrence of the CGS President.

I.6.D. The Organization and Elections Committee shall determine and publish a list of acceptable outlets for this committee service. In all cases, this list must include service on a CGS standing or ad hoc committee, a university-wide committee, and the University Senate. The Organization and Elections Committee may, at its discretion, allow noncommittee service to substitute for this requirement.

I.6.E. Regardless of the nature of the service, regular attendance and participation will be expected.

Section I.7: Term of Service

I.7.A. Delegates shall be elected in spring semester for a term of service consecutively consisting of summer term, autumn semester and spring semester beginning in the following summer term.

I.7.B. Delegates filling a vacancy shall take office immediately.

I.7.C. All delegates-elect will serve as non-voting members of the Council until their term of service begins (per I.7.A).

Section I.8: Removal

I.8.A. Delegates not fulfilling their required duties in a responsible manner, may be removed by the Organization and Elections Committee, acting either on its own initiative, or at the request of students from a delegate's unit of representation.

I.8.B. The Organization and Elections Committee shall consider lack of responsibility to include, but not be limited to, the following:

I.8.B.i. Excessive absence from CGS meetings;

I.8.B.ii. Failure to make requested reports to constituents, the Council of Graduate Students, and/or the Council's Executive Officers;

I.8.B.iii. Failure to inform the alternate or the Council office if meetings cannot be attended; and

I.8.B.iv. Failure to fulfill committee service obligations as mentioned in section I.6 above.

I.8.C. Delegates who have been removed from their positions may appeal this decision directly to the Council of Graduate Students, whose decision is final.

Section I.9: Alternates - When a delegate is unable to attend a meeting of the council, he or she shall notify their alternate in advance of the meeting. An alternate may also fill a vacancy in the event of a delegate's resignation until a new delegate can be selected. Alternates can be selected in any of the methods mentioned in section 3 above or designated by the delegate. An alternate so designated will then have the same general powers and privileges in the Council as the delegate replaced.

Section I.10: Visitors - At the discretion of the chair, any visitor may be extended privileges of the floor. The decision of the chair may be appealed to the full Council.

Section I.11: Roles and Responsibilities of Delegates – The roles and responsibilities of a Delegate include, but are not limited to, the following:

1. Delegates must maintain attendance or representation at all Delegate meetings and meetings for the committee they may sit on (for special accommodations contact the CGS Secretary),
2. Delegates must sit on at least one of the CGS Committees (the Vice President maintains an ongoing list of internal CGS Committees, or those committees originated and maintained by the Council of Graduate Students),
3. Delegates must sit on at least one external University Committee (the Vice President maintains an ongoing list of the University Committees or those committees not originated by the Council of Graduate Students),
4. Delegates must keep the appropriate Committee Chair informed (by regular written or verbal communication) of their University Committee efforts so that Committee Chairs can maintain an accurate record of the organization's work and involvement,
5. Delegates must regularly meet and communicate with their constituencies and department chairpersons or graduate studies chairs to stay informed of issues and questions and to inform constituents and administration of current efforts,
6. Delegates must maintain and support the overall mission of the organization and stay familiarized with the organization's mission and unity statements

Article II - Officers and Advisor

Section II.1: Advisor - The Executive Committee shall select three advisors: a member of the University Faculty, an administrator from the Graduate School, and an administrative professional from within the Office of Student Life.

II.1.A. The faculty advisor shall assist the treasurer in finding faculty representation for the Edward J. Ray Travel Award Committee. The faculty advisor and Graduate School advisor shall also assist the Vice President in finding faculty representation for the Edward F. Hayes Research Forum.

II.1.B. The advisors shall attend one executive or delegate meeting a semester.

II.1.C. The faculty advisor and Graduate School advisors shall serve a renewable, one-year term.

II.1.D. The Student Life Advisor Shall Serve a renewable, two-year term.

Section II.2: Election of Officers

II.2.A. All Executive Officers are elected at the third regular meeting of spring semester (or no later than the second week of April in years when more than four spring semester meetings are scheduled). These officers-elect shall sit (without authority) in Executive Committee meetings with the outgoing Executive Committee during the remainder of the spring semester. Newly elected officers will take office within seven days of spring commencement.

II.2.B. Any eligible graduate student may apply for election or may be nominated by another graduate student. The Organization and Elections Committee will attempt to present at least two candidates each for the offices of President, Vice President, Secretary, and Treasurer to the Council at the regular meeting preceding elections. A person may not be a candidate for more than one office. If a person receives more than one nomination, that person must decline all but one. All nominations must be made at the aforesaid meeting or received in writing at the CGS office no less than ten business days prior to the elections meeting.

II.2.C. In the event that there are no nominations for an office, nominations shall remain open until an election for that office is held.

II.2.D. The chair of the Organization and Elections Committee shall conduct the officer elections. In the event that the chair is a candidate for an Executive Officer position or is otherwise unable to conduct the elections, the Executive Committee shall designate another individual to conduct the elections. A notice of officer elections, elections procedures, and any financial benefits of the positions must be posted on The Council of Graduate Students website at least one week prior to nomination deadline. Additional notification of election shall be sent out via

electronic mail to all Graduate Students at least one week prior to the nomination deadline.

II.2.E. The officers shall be elected in the following order: Treasurer, Secretary, Vice President, and President.

II.2.F. Immediately prior to the election, each candidate for a particular officer position will have the opportunity to address the Council for a maximum of ten minutes. After all candidates for that position have spoken, the delegates may ask questions targeted at all candidates. Each candidate shall have the opportunity to respond to each question. The Organization and Elections chair or designee may set limits on the maximum length of the question period as well as the maximum length of any single response. Such limits must be the same for all candidates for a particular office and be made known to them at the beginning of the meeting at which the elections are held.

II.2.G. Voting shall be by secret ballot in contested elections and by Objection to Consent in uncontested elections. Write-in votes and blank ballots shall be invalid and not counted in the total.

II.2.H. A simple majority of those delegates voting is required to elect an officer. If no candidate receives a majority, then at the same meeting the Council shall vote again between the two candidates receiving the most votes (or between all candidates receiving a maximal number of votes). This procedure shall be repeated as necessary until a candidate is elected.

Section II.3: Vacancies In the event that an officer-elect, except the President-elect, shall decline the office or otherwise be unable to serve, a new election will be held no later than the second meeting of the Council following the occurrence of the vacancy. Election procedures will be in accordance with the current provisions of the CGS Constitution and these Bylaws. In the event that the President-elect shall decline the presidency or otherwise be unable to serve, section V.8.A of the CGS Constitution shall apply.

Article III - The University Senate

Section III.1: General - The Council of Graduate Students holds the authority to select student members of the University Senate to represent the interests of all graduate students. The Council of Graduate Students shall elect one graduate student from any department, found to be in good standing with the graduate school to represent one of the ten college clusters, which are: 1) Arts; 2) Biological Sciences; 3) Business; 4) Education; 5) Engineering; 6) Food, Agriculture, and Environmental Sciences and Human Ecology; 7) Humanities; 8) Mathematical and Physical Sciences; 9) Medicine and Public Health, Dentistry, Nursing, Optometry, Pharmacy, and Veterinary Medicine; and 10) Social and Behavioral Sciences, Social work, and Law.

Section III.2: Duties - These Senators will regularly attend the meetings of their respective organizations, will report to CGS as necessary or as directed, and will consult with the President and the Council to develop and promote graduate student positions on the issues or proposals considered by those bodies. Their term of office will extend one year beginning with autumn semester.

Section III.3: Nominations

III.3.A. Any eligible graduate student may apply for election or may be nominated by another graduate student. The Organization and Elections Committee may establish a deadline for nominations. Such a deadline shall be no earlier than the first meeting of spring semester. The committee may, at its discretion, extend the deadline for particular positions or consider applications received after such a deadline.

III.3.B. All applications will be considered by the Organization and Elections Committee using whatever means (interview, screening of resumes, references, etc.) the committee deems appropriate.

III.3.C. A majority vote of the members of the Organization and Elections Committee shall be required for a candidate's name to be presented to the Council.

III.3.D. Upon completion of their review process, the Organization and Elections Committee shall present the names of all candidates deemed qualified to the Council to stand for election.

Section III.4: Elections

III.4.A. The initial election of Senators to take office in the autumn semester of a given calendar year shall take place in the spring semester of that year, no earlier than the fourth meeting of that semester.

III.4.B. Additional names may be placed on the ballot at the time of election by a majority vote of Council members.

III.4.C. Immediately prior to the election, each candidate will have an opportunity to address the Council and/or respond to members' questions for a maximum of five minutes.

III.4.D. Voting shall be by secret ballot in contested elections and by Objection to Consent in uncontested elections. Write-in votes and blank ballots shall be invalid and not counted in the total.

III.4.E. A simple majority vote is required to elect a Senator. If no candidate receives a majority, then at the same meeting the Council shall vote again between the two candidates receiving the most votes (or between all candidates

receiving a maximal number of votes). This procedure shall be repeated as necessary until a candidate is elected.

Section III.5: Alternates - Senators may name an Alternate. The Alternate must be approved by the Organization and Elections committee and shall have all the rights and privileges of the Senator.

Section III.6: Term - All Senators are elected for terms that begin in the autumn semester and last until the end of the following summer term. Vacancies in Representative positions may be filled at any Council meeting in an election following the procedures outlined above.

Section III.7: Removal - If a Senator or Alternate does not fulfill his or her required duties in a responsible manner, the Organization and Elections Committee, acting either on its own initiative or upon request by relevant parties, may recommend removal. Such a recommendation shall be preceded by a hearing that considers chronic absence, failure to make required reports to the Council, and other relevant matters. The Council's vote on the Organization and Elections Committee's recommendation is final.

Article IV - Appointments to University Committees

Section IV.1: General - The Council of Graduate Students holds the authority to appoint graduate student members of university committees (including boards, commissions, committees, councils, courts, or similar planning and advisory groups). The duties of these appointees will be determined by the respective committee; in all cases, the student shall consult with the President and the Council to develop and promote graduate student positions on the issues or proposals considered by those bodies. Terms of office shall normally be one year, beginning autumn semester. In the event that an appointment shall be for a different time period, the student must be so informed.

Section IV.2: Application - Graduate students may submit applications themselves or nominate others to be considered for appointment. Individuals who are not currently enrolled in the graduate school may also apply, provided they plan to be enrolled by the first meeting of the committee they are applying for. All applications will be considered by the Organization and Elections committee, using whatever means (interview, screening of resumes, references, etc.) the committee deems appropriate.

Section IV.3: Appointment - The Organization and Elections Committee shall have the primary authority of appointment. The Council may review the appointments of the Organization and Elections Committee at the meeting immediately subsequent to such appointments and rescind, by simple majority vote, any it deems inappropriate.

Section IV.4: Removal

IV.4.A. If a representative does not fulfill required duties in a responsible manner, the Organization and Elections Committee may remove the representative, acting either on its own initiative or at the request of relevant parties.

IV.4.B. The Organization and Elections Committee shall consider lack of responsibility to include, but not be limited to, the following:

IV.4.B.i. Excessive absence from meetings; and

IV.4.B.ii. Failure to make requested reports to constituents, the Council of Graduate Students, and/or the Council's Executive Officers.

IV.4.C. Representatives who have been removed from their positions may appeal this decision directly to the Council of Graduate Students, whose decision is final.

Section IV.5: Vacancies - In the event of an appointee's resignation, removal, or vacancy for other reason, the council shall appoint a new member as described in Section 2 and Section 3 of this Article.

Article V – Committees

Section V.1: The Executive Committee

V.1.A. Duties and powers

V.1.A.i. The Executive Committee transacts the business of the Council between its meetings. All actions taken by the Committee shall be reported to the Council at its next meeting. The Executive Committee shall bring before the Council any matter coming within its knowledge that needs the consideration or action of the Council.

V.1.A.ii. A quorum shall consist of seven voting members of the committee.

V.1.A.iii. The Executive Committee prepares the agenda for each Council meeting and recommends actions to be taken by the Council.

V.1.A.iv. The Executive Committee is responsible for selecting the recipients of the Larry Lewellen Service Awards and the James M. Siddens Award For Distinguished Faculty Advising.

V.1.A.v. The Executive Committee may not take the following actions:

V.1.A.v.(1). Any actions that would directly conflict with a previous directive of the full council.

V.1.A.v.(2). Approval of non-budgeted expenses in excess of \$500, except in those instances in which the treasurer deems "a dire emergency."

V.1.A.v.(3). Election to the position of Senator, except in response to a prior directive of the Council explicitly directing the committee to do so.

V.1.A.v.(4). Other restrictions as imposed by the Council.

V.1.B. Membership - The membership of the Executive Committee shall be determined as follows:

V.1.B.i. All four executive officers and standing chairpersons shall be *ex-officio* voting members.

V.1.B.ii. One graduate student representative each from the Council on Academic Affairs, the University Research Council, and the University Senate shall be appointed by the President as voting members.

V.1.B.iii. Emeritus officers, the Parliamentarian, the Chief of Staff, and the two student members of The Ohio State University Board of Trustees shall be considered *ex-officio* non-voting members of the Executive Committee.

V.1.B.iv In all cases, voting members of the Executive Committee must be graduate students in good standing.

V.1.C. Transition Membership - During summer term, the Executive Committee shall consist of those individuals who were members during the spring semester of the previous academic year, the newly elected officers, and all new members as they are identified.

V.1.D. Meetings - The President (or his or her designee) chairs the Executive Committee and shall call such meetings as deemed necessary but must call at least four meetings per semester. During the summer term, up to two meetings may be cancelled if need be.

Section V.2: The Organization and Elections Committee

V.2.A. The Organization and Elections Committee shall be chaired by the Vice President and the Vice-Chair shall be the Chief of Staff.

It shall have the following charge:

V.2.A.i. To determine departmental representation and delegate eligibility;

V.2.A.ii. To review the qualifications of Executive Office and University Senate candidates;

V.2.A.iii. To appoint to university committees; and

V.2.A.iv. To conduct all CGS elections.

Section V.3: Standing committees

V.3.A. General - The Council shall have standing committees as designated by the President, subject to ratification by the Council at the first meeting of the President's term. The Council may also create such additional standing committees and ad hoc committees as it deems necessary. Standing committees shall serve until the first Council meeting following the next presidential election, unless designated otherwise.

V.3.B. Membership - Each committee will consist of a chair appointed by the President and members selected from the graduate student body by the President and/or the chair. The President serves as an *ex officio* non-voting member of all standing committees.

V.3.C. Purpose - The purpose and function of each committee shall take the form of a short statement directing the committee to perform specified functions. This statement, either provided by the President or drafted by the full Council, must be made available upon request.

Article VI - Budgeting and financial affairs

Section VI.1: Budget

VI.1.A. Definition - The financial resources of the Council must be allocated in accordance with an annual budget.

VI.1.B. Budget Approval - A proposed budget will be prepared by the Treasurer in consultation with the President, reviewed by the Executive Committee, and presented to the Council at the last regular meeting of Spring semester. This budget, or an amended version thereof, must be adopted by a simple majority vote of the Council at the first regular meeting of Summer term.

VI.1.C. Budget Amendments - This budget may be revised at any time during the year by a simple majority vote of the Council.

Section VI.2: Expenditures

VI.2.A. Authority - Only the President and Treasurer may make financial commitments on behalf of the council, including purchases, travel, repair service, and related business affairs. Expenditures from the checking and banking accounts may only be performed by the President or Treasurer, with the written approval of the Advisor. The President or Treasurer may only perform expenditures from the CGS business account.

VI.2.B. Unauthorized Commitments - Persons making unauthorized purchases or other commitments may be held personally liable for the payment of such transactions.

VI.2.C. Reimbursement - The Treasurer, with the consent of the President and the Executive Committee, may establish procedures for notification, receipts, reimbursement, and other associated tasks. These procedures must be documented and made available upon request. The Treasurer, except where notice is otherwise given, must reimburse individuals within two weeks of the completed request for reimbursement.

VI.2.D. Timeliness - All bills for authorized expenditures must be paid by the Treasurer by the due date or within such period necessary to take advantage of cash discounts and to avoid service charges, provided there are sufficient funds in the respective CGS budget account. If the Treasurer fails to comply with this requirement, the President may pay the bill.

Section VI.3: Records and Reports

VI.3.A. Fiscal Year - The fiscal year of the council will extend from the first day of July through the last day of June.

VI.3.B. Recording - All income and expenditures of the Council must be recorded every other week.

VI.3.C. Semester Reports - A summary of current and proposed expenditures and the status of all budget categories, including totals in restricted and unrestricted funds (as defined by the Council on Student Affairs), must be prepared by the last day of each semester, and presented to the Council at the first meeting of the following semester.

VI.3.D. Inventory - By the end of each spring semester, the Treasurer-elect and Treasurer, with the Office Manager's assistance, must jointly inventory all equipment owned by the Council for which more than \$100 was paid. A copy of this inventory will be revised as necessary and filed in the CGS office.

Article VII – Meetings

Section VII.1: Special Meetings - Meetings held at the request of the Executive Committee or the written request of ten members must be held within nine days of such request, provided that the University is in session on the ninth day. Otherwise, they must be held on or before the third succeeding day on which the University is in session.

Section VII.2: Attendance by Representatives - All graduate students as well as graduate student representatives from the University Senate and University Committees shall be encouraged to attend CGS meetings as visitors.

Section VII.3: Debating Legislation - According to Article IX, Section 1 of the Council's Constitution, the current edition of Robert's Rules of Order, Newly Revised governs all meetings of the Council except where conflicting with the Council's

Constitution or Bylaws. Consideration of legislation before the Council shall follow the rules set forth in this section.

VII.3.A. Proposing Legislation - Legislation may be brought before the Council by the Executive Committee, any standing or *ad hoc* committee of the Council, or by any voting member of the Council. In order for legislation to appear on the Council's agenda, the author must inform the President that legislation will be brought forward two weeks prior to a Council meeting. The legislation must be submitted in proper format (see guidelines) to the Secretary one week prior to the Council meeting. Legislation not presented to the Council in proper format in time to make it in the meeting packet will be removed from the agenda.

VII.3.B. Main Motion - Proposed legislation, in order as assigned by the Executive Committee on the Council's agenda, is read to the delegate body by one author. At the discretion of the author, a full reading of the legislation may be waived. Legislation may only be considered during the Old and New Business portions of a Council meeting.

VII.3.C. Second Needed - A second will be needed from the general body to continue. The second can be given by raising a placard and calling "second" . The exception to this rule is when legislation is sponsored by the Executive Committee, or any standing or *ad hoc* committee of the Council. Committee-sponsored legislation is considered automatically seconded.

VII.3.D. Author(s)' Rationale - The author(s) will have two minutes to state why they are proposing the legislation.

VII.3.E. Questions for Author(s) - The delegate body may ask the author(s) questions concerning the main motion for a period of five minutes

VII.3.F. Motion to Extend - The time period for questions, and later, debate, may be extended when time has expired if the delegate body deems it necessary. To extend, someone will need to make a motion to extend, a second is needed, no debate is accepted, and a two-thirds vote is needed to pass the extension.

VII.3.G. Debate - After questions for the author(s), debate begins. The debate period is ten minutes, but may be extended if the body deems it necessary (see Section VII.3.F). Debate will end if no speaker is waiting for the floor, when time expires, or when someone calls the question.

VII.3.H. Amendments to the Main Motion - Amendments can be made at the time of debate only. The amendment should be read to the Council and then submitted in writing to the Secretary. Upon receiving a second deliberation on the amendment begins with the author(s) rationale and proceeds through debate. Amendments can be amended.

VII.3.1. Calling the Previous Question - Once the question is called, debate is ended and the Council moves into a vote on the main motion, unless an objection is raised. If there is an objection, then a vote is taken (without debate and requiring a two-thirds majority to pass) to decide whether to end debate and move on to a vote on the issue being discussed.

Section VII.4: Timed Agenda - The Council shall follow a timed agenda as approved by the Executive Committee. That is, each agenda item will be published with a maximum duration. For each meeting, the chair shall appoint a timekeeper (who must be distinct from the individual serving as recording secretary). When the time allotted to an agenda item is announced as having expired, all presentations, discussion, and debate immediately ceases and cannot be resumed without a motion to alter the agenda. If a motion is on the floor, the Council immediately proceeds to a vote on that motion. A motion to amend the agenda requires a second, is not debatable, and requires a two-thirds vote. Whenever discussion on a given agenda item finishes before its allotted time, the chair will move the Council on to the next item.

Section VII.5: Beginning and Ending Times - Each agenda is published with a beginning and ending time. These times are estimates only and therefore non-binding; the meeting begins when the secretary establishes that a quorum is present and ends after the last agenda item (perhaps as amended) has been handled.

Section VII.6: Guest Speakers - CGS meetings are often preceded, followed, or suspended for guest speakers that are not part of the meeting agenda. These speakers are, by default, selected by the President in consultation with the Executive Committee. Any delegate may informally propose a potential speaker by communicating directly with the President; should a binding proposal (either to request an entity to speak or to enjoin an entity from speaking) be desired, a motion to that effect may be made during New Business at any meeting of the Council.

Article VIII- Other Positions

Section VIII.1: Parliamentarian- a parliamentarian may be appointed by the president of the Council of Graduate Students.

VIII.1A Duties- the duties of the parliamentarian are:

VIII.1A.i. To advise the President and other members of CGS on Section IX.2 of the Constitution of the Council of Graduate Students and other relevant manners;

VIII.1.A.ii. To serve as a non-voting member of the Executive Committee;

VIII.1.A.iii. To assist CGS in reviewing and revisiting the Constitution, Bylaws, and Standing Rules as needed;

VIII.1.A.iv. to assist the Vice President in educating delegates on parliamentary procedure during new delegate orientation; and

VIII.1.A.v To advise the graduate student member of the University Senate Rules Committee on parliamentary procedure

VIII.1.B: if applicable, when a current delegate is appointed as the Parliamentarian of the Council, that person will resign his or her delegate seat when the term of office begins.

Section VIII.2: Chief of Staff- The chief of staff shall be appointed by the President of the Council of Graduate Students

VIII.2.A: Duties- The duties of the chief of staff are:

VIII.2.A.i To assist the executive officers as directed by the President of CGS;

VIII.2.A.ii To serve as the Vice-Chair of the Organization and Elections Committee; and

VIII.2.A.iii To Serve as a non-voting member of the Executive Committee

VII.2.B When a current delegate is appointed as the Chief of Staff of the Council. That person will resign his or her delegate seat when the term of office begins

(as revised, 30 August 2013, and last amended, 19 July 2013)