

**Committee on ICANN Evolution and Reform**  
**Proposed Corrections and Modifications to New**  
**Bylaws**  
**8 December 2002**

The Evolution and Reform Committee (ERC) recommends that the Board adopt the following corrections and modifications to the New Bylaws adopted by the Board in Shanghai on 31 October 2002. An explanation of the reasons for the ERC's recommendations is included in the ERC's Fourth Supplemental Implementation Report. Added words are underlined and in magenta and ~~deleted words are stricken out and in red~~.

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**Article IV, Section 2(16):**

16. To protect against abuse of the reconsideration process, a request for reconsideration may be dismissed by the Reconsideration Committee where it is repetitive, frivolous, non-substantive, or otherwise abusive, or where the affected party had an notice and opportunity to, but did not ~~was unwilling, to~~ participate in the public comment period relating to the contested action, if applicable. Likewise, the Reconsideration Committee may dismiss a request when the requesting party does not show that it will be affected by ICANN's action.

**Article IV, Section 3(12):**

12. Declarations of the IRP shall be in writing. The IRP shall make its declaration based solely on the documentation, supporting materials, and arguments submitted by the parties, and in its declaration shall specifically designate the prevailing party. The party not prevailing shall ordinarily be responsible for bearing all costs of the IRP Provider, but in an extraordinary case the IRP may in its declaration allocate up to half of the costs of the IRP Provider to the prevailing party based upon the circumstances, including a consideration of the reasonableness of the parties' positions and their contribution to the public interest. Each party to the IRP proceedings shall bear its own expenses.

**Article X, Section 3(1):**

1. Subject to the provisions of the Transition Article of these Bylaws, the GNSO Council shall consist of two representatives selected by each of the Constituencies described in Section 5 of this Article, and three persons selected by the ICANN Nominating Committee. There may also be ~~a~~ two liaisons to the GNSO Council, one appointed by each of the Governmental Advisory Committee and the At-Large Advisory Committee from time to time, who shall not be ~~a~~ members of or entitled to vote on the GNSO Council, but otherwise shall be entitled to participate on equal footing with members of the GNSO Council.

## **Article X, Section 4(2):**

2. ICANN shall provide administrative and operational support necessary for the GNSO to carry out its responsibilities. Such support shall not include **an obligation for ICANN** to fund travel expenses incurred by GNSO participants for travel to any meeting of the GNSO or for any other purpose.

## **Article XI, Section 6:**

### **Section 6. COMPENSATION**

Committee members shall receive no compensation for their services as a member of a committee, ~~other than reimbursement of expenses if and as determined appropriate by the ICANN Board~~. The Board may, however, authorize the reimbursement of actual and necessary expenses incurred by committee members, including Directors, performing their duties as committee members.