

## **Proposed New Section 5 of Article IV of the ICANN Bylaws**

### **ARTICLE IV, SECTION 5. SPECIAL ICANN COMMUNITY VOTE FOR BOARD TO RE-EXAMINE A BOARD DECISION**

1. ICANN shall have in place a process by which the ICANN community can require the Board to reexamine a Board decision taken by resolution.
2. The ICANN community may require a re-examination of Board decision taken by resolution by a vote of:
  - a. A two-thirds majority vote of the Councils of two-thirds of ICANN's Supporting Organizations, as defined at Articles VIII, IX and X of these Bylaws; and
  - b. A two-thirds majority vote of the members of each Advisory Committee as set forth in Article XI of these Bylaws.
3. Any vote for re-examination must occur within ninety days after the challenged Board decision taken by resolution is first published in a preliminary report or minutes of the Board meetings. In the event that an ICANN international public meeting did not reach conclusion during that ninety-day period, the time for any vote for re-examination shall not expire until the conclusion of the next ICANN international public meeting.
4. Each ICANN Supporting Organization or Advisory Committee shall promptly communicate the result of a vote for re-examination of a Board decision taken by resolution to the Secretary of the Board. In the event the Secretary receives notification of votes sufficient to invoke this Section, the Secretary shall post a Secretary's Notice informing the Board and the community of the call for re-examination.
5. At the next meeting of the ICANN Board after a call for re-examination, the Board shall re-examine the challenged decision taken by resolution, unless such re-examination is impractical at that time, in which case the Board shall report to the community the circumstances that prevented it from re-examination and a best estimate of the time required to undertake a good-faith review of the challenged decision taken by resolution.
6. The votes described in subsection 2 shall occur in accordance with the relevant Supporting Organization's or Advisory Committee's operating rules and procedures. For the Governmental Advisory Committee (GAC) it will be sufficient to meet the two-thirds rule in subsection 2 through a consensus statement from all the GAC members present at a physical meeting, provided the GAC meets its quorum requirements at the physical meeting in accordance with its operating procedures.