

Modification Proposal 0312 – “Introduction of Two-Thirds Majority Voting to the UNC Modification Panel”

Business Rules: *Draft for Discussion*

- In order to circumvent the potential problem of understanding what is ‘in’ or ‘out’ of scope of this proposal; all UNC Modification Proposals shall be subject to two-thirds majority voting for the purposes of the Modification Panel making a determination as to whether to recommend implementation.
- However, simple majority voting shall apply (instead of two thirds majority voting) where the Modification Proposal is not related to a licence direction or a Significant Code Review (SCR).
- Therefore, the burden of proof shall be on the proposer to demonstrate to the satisfaction of the UNC Modification Panel that a proposal should be subject to simple majority voting.
- To help facilitate this, a new section in the Modification Proposal template is required, requiring a declaration by the proposer (and supporting information explaining why / how) that this proposal is not directly related to a licence direction / SCR.
- Each Modification Proposal and each alternative Modification Proposal shall be treated individually and on its own merits. Therefore, for instance, it does not automatically follow that if an original Modification Proposal has been determined by the Modification Panel to be subject to simple majority voting that the alternative Modification Proposal shall be, also.
- Before making a determination on whether to recommend implementation, the Modification Panel shall make a determination for each Modification Proposal and alternative Modification Proposal (where applicable), as to whether it should be subject to simple majority voting. In forming their view on this matter, the following test shall apply: “*Would implementation of the Modification Proposal meet the requirements of a licence direction in full or in part?*”
- Each vote shall be an affirmative vote that in the view of the Modification Panel member, “yes” the Proposal does not meet the requirements of a licence direction in full or in part.
- Where the Panel is unable to achieve a simple majority at this stage, the Modification Proposal shall remain subject to two-thirds majority voting for the purposes of the Modification Panel making a determination as to whether to recommend implementation.
- Where a simple majority is achieved at this stage, the Modification Proposal shall be subject to simple majority voting for the purposes of the Modification Panel making a determination as to whether to recommend implementation.

Illustration of process for UNC Modification Panel to follow:

