



CoreTrustSeal Foundation Statutes and Rules of Procedure

As approved by the CoreTrustSeal Board

The Hague, 23 January 2018

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STATUTES (STATUTEN)

I. DENOMINATION AND DOMICILE

1. **CoreTrustSeal Foundation**—abbreviated CoreTrustSeal for internal use—is an international non-governmental and non-profit organization established under Dutch law (*CoreTrustSeal* Stichting).
2. *CoreTrustSeal* emerged from a partnership between the Data Seal of Approval (DSA) and the ICSU World Data System (ICSU-WDS). *CoreTrustSeal* replaces the DSA and subsumes the certification of ICSU-WDS Regular Members. The legal domicile of CoreTrustSeal is The Hague, Netherlands.

II. MISSION AND OBJECTIVES

3. The principal objectives of the *CoreTrustSeal* are to:
 - a. Provides a core level certification for data repositories based on a set of requirements and procedures;
 - b. Build a global framework for repository certification moving from the CoreTrustSeal for Data Repositories to the extended (nestor-Seal/DIN 31644), and to the formal (ISO 16363) level; and ultimately
 - c. Provide core level certification for other research entities.

III. DECISION-MAKING BODIES

4. **CoreTrustSeal Standards and Certification Board**—abbreviated to CoreTrustSeal Board for internal use—is the governing body of CoreTrustSeal. It consists of 12 elected members plus ex officio members representing CoreTrustSeal Supporting Organization as defined in Articles V.10-12. CoreTrustSeal Board members are appointed for a three-year term renewable once. Each Board Member, including ex officio, has one vote on the Board and the Chair has a casting vote.



The CoreTrustSeal Board responsibilities are to:

- a. maintain and revise the CoreTrustSeal Data Repositories Requirements and guidance and decide on the approval for CoreTrustSeal applications;
 - b. maintain and update the Statutes and Rules of Procedure;
 - c. maintain and revise training requirements and materials for reviewers;
 - d. define the Review and Certification Procedures and assign reviewers;
 - e. define and maintain a business plan to ensure sustainability;
 - f. supervise and control CoreTrustSeal business and secure sufficient administrative support;
 - g. convene and organize Statutory Meetings with support from the Secretariat;
 - h. publicize and promote the CoreTrustSeal; and
 - i. provide activity reports to the community.
5. The Board elects CoreTrustSeal Directors: a Chair, Vice Chair, Secretary and Treasurer. Directors' responsibilities are to:
- a. monitor the preparation and progress of CoreTrustSeal activities closely;
 - b. ask the Board (critical) questions;
 - c. obtain third party advice or information; and
 - d. if necessary, provide guidance to the Board by formulating frameworks, giving specific assignments and attaching conditions to the required (statutory) approval relating to (parts of) the project.
6. The Board meets regularly via teleconferences to conduct its business and a minimum of once per year for a statutory meeting as defined in IIX. STATUTORY MEETINGS.
7. Board votes are by a simple majority and votes may be cast electronically or in person.

IV. ADVISORY BODIES

8. **CoreTrustSeal Advisory Committee** is a Standing Committee set up by the CoreTrustSeal Board. Advisory Committee members are appointed for a three-year term renewable once, to assist the CoreTrustSeal Board in fulfilling the governance objectives of CoreTrustSeal.
9. **Special Committees** are set up by the CoreTrustSeal Board for a limited duration and include the **Nominations Committee**.



V. SECRETARIAT AND ADMINISTRATOR

10. The CoreTrustSeal Secretariat administers day-to-day operations and supports the CoreTrustSeal Board in organizing meetings, administering the certification process, and communicating with applicants and external organizations.
11. The CoreTrustSeal Administrators form the CoreTrustSeal Secretariat staff and are designated by the CoreTrustSeal Board to organize CoreTrustSeal activities.
12. The CoreTrustSeal Secretariat is internationally distributed and CoreTrustSeal Administrators are seconded by a maximum of four Supporting Organizations.
13. Supporting Organizations host the CoreTrustSeal Secretariat and provide *pro bono* support. A Memorandum of Understanding (MoU) or similar agreement between CoreTrustSeal and Supporting Organizations will define the scope and duration of the support. Each Supporting Organization has the right, but not the obligation, to appoint a named ex officio Board member for a period aligned with the MoU.
14. The CoreTrustSeal Board shall develop a business plan and raise funding to support the CoreTrustSeal Secretariat and Administrators.

VI. ASSEMBLY OF REVIEWERS

15. CoreTrustSeal Reviews are undertaken by qualified members of the Assembly of Reviewers consisting of:
 - a. CoreTrustSeal Board members
 - b. WDS Scientific Committee members part of a CoreTrustSeal certified Data Repository
 - c. Qualified volunteer Reviewers designated by CoreTrustSeal certified Repositories.
16. Members of the Assembly of Reviewers are representatives of CoreTrustSeal certified repositories who can stand for election on the CoreTrustSeal Board and vote in Board elections. One vote for each repository will be accepted.

VII. FINANCE

17. The funds of CoreTrustSeal are obtained from:
 - a. Monetary and in-kind contributions from CoreTrustSeal Supporting Organizations
 - b. Administrative fees for processing certifications



- c. Subventions, donations, and other financial support accepted by the CoreTrustSeal Board

VIII. STATUTORY MEETINGS

18. The following statutory meetings will take place:
 - a. **CoreTrustSeal Board meeting:** The CoreTrustSeal Board will meet at least once a year face-to-face.
 - b. **CoreTrustSeal Board elections:** The Assembly of Reviewers will meet every three years to elect CoreTrustSeal Board Members as defined in the Rules of Procedure.

IX. LEGAL ENTITY AND LIABILITY

19. CoreTrustSeal is registered as a legal entity under Dutch law with a notary and registered with the Chamber of Commerce.
20. The Chair, or in the absence of the Chair, the Vice-chair or the Secretary, is the legal representative of CoreTrustSeal. The Chair, or his or her legal representative, may authorize the CoreTrustSeal Administrator to represent the Chair.
21. Directors are in principle not personally liable for the actions or debts of the CoreTrustSeal Foundation with the exception of mismanagement or unlawful acts.

X. DISSOLUTION AND MERGER

22. The CoreTrustSeal may be dissolved or merged on the initiative of the CoreTrustSeal Board. A decision to dissolve or merge the CoreTrustSeal shall require a two-thirds vote by CoreTrustSeal Board Members. Proposed CoreTrustSeal dissolution or merger must be sent to the Chair of the CoreTrustSeal Board at least two months before the yearly Statutory Meeting of the CoreTrustSeal Board.
23. If the CoreTrustSeal is dissolved, the CoreTrustSeal Board will appoint two liquidators to conclude its affairs. They shall determine the allocation of resources belonging to the CoreTrustSeal, in accordance with its mission and non-profit nature contained in the Statutes. If the CoreTrustSeal is merged, the net assets should be passed to the successor body upon such terms as are agreed for the merger.

XI. MODIFICATION OF THE STATUTES

24. No change may be made in the Statutes except with the approval of the CoreTrustSeal Board by two-thirds votes cast by the Members present or represented. Proposed changes in the Statutes must be sent in writing to the Chair of the CoreTrustSeal Board at least two



months before the yearly Statutory Meeting of the CoreTrustSeal Board.

XII. INTERPRETATION OF THE STATUTES

25. The current version of these statutes (available at: <https://doi.org/10.5281/zenodo.1142960>) shall be governed by and interpreted in accordance with the law of The Netherlands. In case of conflict between the English and Dutch versions of these Statutes, the English version shall prevail.

RULES OF PROCEDURE

1. QUORUM

- 1.1. In Statutory Meetings a quorum shall consist of a minimum of 50 per cent of the voting members.

2. TERMS OF REFERENCE OF ADVISORY BODIES

- 2.1. The **Advisory Committee** provides a link with CoreTrustSeal stakeholders and the wider data community, including other certification standards. It consists of six members nominated by CoreTrustSeal Supporting Organizations and appointed by the CoreTrustSeal Board. The Advisory Committee provides guidance and advice to the CoreTrustSeal Board as required.
- 2.2. The **Nominations Committee** is responsible for selecting nominated candidates from the Assembly of Reviewers to be elected to the Standards and Certification Board every three years. The Nominations Committee is composed of six members: three members selected from the CoreTrustSeal Board, including the Chair, and three selected from the Advisory Committee.

3. ELECTION OF BOARD MEMBERS

- 3.1. Twelve Board Members are elected from the Assembly of Reviewers.
- 3.2. The Nominations Committee proposes twelve candidates nominated from the Assembly of Reviewers for election. Candidates for election must be endorsed by at least two other members of the Assembly of Reviewers. The proposed slate of nominees must be gender and geographically balanced insofar as possible and should not include more than one

candidate from the same organization.

- 3.3. The twelve CoreTrustSeal Board members are elected by the Assembly of Reviewers during statutory CoreTrustSeal Board elections.
- 3.4. Voting for CoreTrustSeal Board elections can be organized electronically.
- 3.5. Board Members are elected in their personal capacity and Board membership cannot be delegated.
- 3.6. Elected Members of the CoreTrustSeal Board can only serve as long as they are part of the Assembly of Reviewers. Board Members who fail to conduct CoreTrustSeal reviews are excluded from the Board.
- 3.7. Board Members may resign from office with at least three months' notice.
- 3.8. The new Board takes effect immediately after completion of the CoreTrustSeal Board elections.
- 3.9. If the number of CoreTrustSeal Board members drops below nine and there are more than nine months before a Board election is due, the Board will arrange extraordinary CoreTrustSeal Board elections to designate interim replacements.
- 3.10. Interim Board Members elected through extraordinary CoreTrustSeal Board elections take office immediately after the election but their term completes in line with the full Board.
- 3.11. CoreTrustSeal Directors have the following responsibilities:
 - a) The Chair shall chair all meetings of the Board and Directors.
 - b) The Vice-chair or the Secretary assume the responsibilities of the Chair and the legal representation of CoreTrustSeal (as defined in Article IX.2 of the Statutes) in case of absence of the Chair;
 - c) The Secretary shall serve as Secretary of the Board which includes:
 - preparing meeting agendas;
 - being the custodian of the Statutes and Rules of Procedure;
 - overseeing reporting and monitoring of the agreed actions of the Board;
 - receiving Certification applications; and
 - any other duties assigned by the Board.
 - d) The Treasurer shall:
 - oversee the administration of the finances of the CoreTrustSeal, including annual budgets, audits and accounts;
 - report on financial matters to the Board;

- assist with fundraising for the Board's activities;
- advise on investments;
- oversee risk management and the implementation of internal organisational policies and procedures; and
- any other duties assigned by the Board.

4. REVIEW AND CERTIFICATION PROCEDURE FOR REPOSITORIES

- 4.1. The CoreTrustSeal Board has the responsibility to define and organize the CoreTrustSeal Data Repositories certification peer-review process and to assign Reviewers.
- 4.2. The CoreTrustSeal Board can consider revisions to the CoreTrustSeal Data Repositories Requirements (ANNEX 1) and Review and Certification Procedure (Article 4 of CoreTrustSeal RULES OF PROCEDURE) during their elected term. A final decision on the revision can be made once a year during the CoreTrustSeal Board Statutory Meeting.
- 4.3. Revisions to any of the above documents (stated in 4.2.) will be brought into force for new and renewal of CoreTrustSeal certifications started after the date of the CoreTrustSeal Board decision to revise the documents.
- 4.4. CoreTrustSeal Data Repositories Requirements and associated guidance are licensed under a Creative Commons Attribution 4.0 International License:
<https://creativecommons.org/licenses/by/4.0/>
- 4.5. The CoreTrustSeal online Application Management Tool and supporting documentation will be updated using the latest approved version of the CoreTrustSeal Data Repositories Requirements (ANNEX 1) and Review and Certification Procedure (Article 4 of in CoreTrustSeal RULES OF PROCEDURE).
- 4.6. CoreTrustSeal Reviewers must have completed at least one review of a CoreTrustSeal Data Repositories application, which resulted in the award of the CoreTrustSeal Repository certification.
- 4.7. CoreTrustSeal Reviewers sign a Conduct Agreement (ANNEX 2) before conducting the first review. The Conduct Agreement states the conduct expected from Reviewers in particular in case of conflict of interest. Reviewers are expected to review and assess evidence in a timely, complete, and impartial manner while ensuring that CoreTrustSeal applications stay



confidential until the CoreTrustSeal certification is awarded.

4.8. The CoreTrustSeal Review Process includes the below steps:

- a) An organization applies for the CoreTrustSeal Repository certification using the CoreTrustSeal Application Management Tool.
- b) CoreTrustSeal Administrators open a self-assessment for the applicant on the CoreTrustSeal Application Management Tool.
- c) Applicant completes the self-assessment.
- d) Applicant may submit a request for feedback or clarifications to the CoreTrustSeal Helpdesk
- e) Applicant submit the self-assessment for formal review.
- f) The CoreTrustSeal Administrators send the invoice for the processing fee to the applicant.
- g) The applicant pays the processing fee.
- h) CoreTrustSeal Administrators assign two Reviewers from the Assembly of Reviewers in consultation with the CoreTrustSeal Board.
- i) The two assigned reviewers perform the reviews in parallel and within two months of the assignment date.
- j) The CoreTrustSeal Administrator approves the application if the two reviewers are in agreement. If the two reviewers are not in agreement, the CoreTrustSeal Board is consulted for reconciliation and final decision. If there are disagreements that cannot be resolved, a third reviewer will be requested to help the CoreTrustSeal Board make a final decision about the assessment.
- k) In the case that there is a need for additional evidence for one or more requirements, the assessment will be sent back to applicant.
- l) Applicant updates and resubmits the self-assessment within one month of the reviewer's feedback provision date.
- m) Steps h through k can be repeated for a maximum of 5 times.
- n) Successful applicants receive a notification of successful CoreTrustSeal Repository certification valid for 3 years starting from the award date.
- o) The certified repository is required to display the CoreTrustSeal logo using the provided widget code on a single website corresponding to the certified entity stated in the original application



- p) The certified repository can but has no obligation to nominate representatives on the Assembly of Reviewers who will conduct a minimum of 2 CoreTrustSeal reviews per year to be in good standing and allowed to participate in Board elections.
- q) CoreTrustSeal certified repositories are invited to become an ICSU-WDS Regular Member on a voluntary basis provided they meet additional requirements.
- r) An organization not awarded the CoreTrustSeal Repository certification after peer-review may appeal to the Board in writing. The appeal must clearly state the rationale behind the appeal.
- s) The Board will review the appeal rationale and take a decision on a course of action. The action may include, but is not limited to: (a) affirming the earlier decision; or (b) restarting the application process, with a new peer reviewer assigned.
- t) The CoreTrustSeal Board will inform the organization of its decision.
- u) A completed assessment document is assigned a Digital Object Identifier, and linked to the CoreTrustSeal Repository seal when awarded, which is displayed at an agreed to location on the organization's website such that the assessment is publicly accessible.
- v) Certified repositories will be invited to renew their certification every three years.
- w) In steps h, j and s above, CoreTrustSeal Board members shall disclose any conflict of interest regarding a specific application and recuse themselves from the discussion and abstain from voting.

4.9. Withdrawal of CoreTrustSeal certification can be decided in the following cases:

- 1) If it becomes apparent that in achieving CoreTrustSeal Repository certification, an organization wilfully withheld information or supplied incorrect information about their repository, the CoreTrustSeal Board will manage the process as follows:
 - a) The organization will be informed and asked to amend the relevant information within one month
 - b) The CoreTrustSeal Board will review the amendments
 - c) The decision to revoke the CoreTrustSeal will be taken by the CoreTrustSeal Board and requires a majority of 10 votes.
 - d) The CoreTrustSeal Board will inform the organization of its decision.
 - e) The organization has the right to appeal the Board's decision within one month and



provide additional evidence.

f) The CoreTrustSeal Board will review the appeal rationale and make a final decision and inform the organization

2) If an certified repository fails to renew the CoreTrustSeal Certification

a) The organization will be invited to renew its CoreTrustSeal Repository certification

b) The CoreTrustSeal certification is revoked if the organization fails to renew its certification within 6 months of the notification

4.10. Data Networks and consortia may use the CoreTrustSeal Data Repositories requirements for self-assessment and the CoreTrustSeal Certification as part of their membership criteria. The CoreTrustSeal Board will liaise with these organizations if and when required.

5. MODIFICATION OF THE RULES OF PROCEDURE

5.1. No change may be made in the Rules of Procedure except with the approval of the CoreTrustSeal Board by two-thirds votes cast by the Members present or represented. Proposed changes in the Rules of Procedure must be sent in writing to the Chair of the CoreTrustSeal Board at least two months before the yearly Statutory Meeting of the CoreTrustSeal Board.



ANNEX 1: CORE TRUSTWORTHY DATA REPOSITORIES REQUIREMENTS

The requirements are available here: <https://doi.org/10.17026/dans-22n-gk35>



ANNEX2: CONDUCT AGREEMENT BETWEEN CORETRUSTSEAL BOARD AND ASSEMBLY OF REVIEWERS MEMBER

This Conduct Agreement is between the CoreTrustSeal Standards and Certification Board (hereinafter 'CTS Board') and [Representative Name], a member of the Assembly of Reviewers (hereinafter 'member'). It states the conduct expected of the CTS Board—and by extension the CTS Secretariat—and the member during the review of a repository's application for certification under the CTS Data Repository Certification standard. This document is not legally binding.

By undertaking CTS application reviews,

1. The member confirms that they will give the CTS Board full disclosure of any potential or known conflicts of interest before commencing each review they conduct. Furthermore, if it becomes apparent to the member during the review process that such a conflict exists, they will reveal this to the CTS Secretariat immediately.
2. The member agrees that all information contained in a repository's CTS application will be kept confidential until a public version is made available and will not be discussed with a third party—including with other colleagues in the member's organization—without the permission of the CTS Board.
3. The member's identity will not be disclosed by the CTS Board or Secretariat at any point before, during, or after their review of a repository's application to either representatives of the repository or any party deemed to be a stakeholder in the application. The integrity of the CTS Data Repository Certification is thus ensured, since the member is free to be entirely honest when conducting their review.
4. The member will not communicate with the applicant repository directly during the review process. If the reviewer needs to contact the repository (e.g., to clarify a response), they will do this via the CTS Secretariat.
5. The member will express any wish to collaborate with a repository whose application is under their review to the CTS Secretariat, who will initiate an introduction once the review process is completed.
6. The member will inform the CTS Secretariat in advance if it knows of any circumstances that could delay delivery of a review by a designated due date. The member also agrees to contact the CTS Secretariat as soon as they realize during the review process that other engagements might postpone delivery or prevent completion of a review entirely.
7. The member will notify the CTS Secretariat at once if they become aware of a reason, outside of articles 1–6, as to why they might be unable to perform a review with the necessary impartiality, confidentiality, and timeliness required.

SIGNED (On behalf of the CTS Board)

SIGNED (The member)

Date: [dd/mm/yyyy]

Date: [dd/mm/yyyy]

Name: Mustapha Mokrane

Name:

Position: Chair, CTS Standards and Certification Board

Position:



ANNEX 3: GLOSSARY

CoreTrustSeal: By obtaining the CoreTrustSeal data repository certifications, a repository becomes a Trustworthy Data Repository according to the CoreTrustSeal requirements.

CoreTrustSeal Requirements: The primary reference document describing the 16 CoreTrustSeal Trustworthy Data Repository requirements (ANNEX 1) .

CoreTrustSeal Assessment Guidance: The supporting documents that provides information on the CoreTrustSeal assessment and how to complete it, including the peer-review process.

CoreTrustSeal Website: The website is available publicly at this URL:
<https://www.coretrustseal.org/>

CoreTrustSeal Application Management Tool: A web-based service that enables online applications against the CoreTrustSeal Requirements. It is available on the CoreTrustSeal Website.

CoreTrustSeal Logo: The standard logo representing the CoreTrustSeal brand that repositories are permitted to display using a widget code provided CoreTrustSeal on a single website (one URL) corresponding to the certified entity stated in the original application.

CoreTrustSeal Certification Period: Three-year period during which a CoreTrustSeal certification is valid.