



## **RULES OF THE ASSOCIATION**

Made by the Directors and approved by an ordinary resolution of the Company  
in General Meeting on 29/11/2017  
in accordance with Article 16 of the Articles of Association

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**LIFTING EQUIPMENT ENGINEERS ASSOCIATION**

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## **RULES OF THE ASSOCIATION**

### **Rule (1) Membership**

1. The classes of membership shall be as follows: Full Member  
Associate Member  
Development Member  
Provisional Member
2. Eligibility for membership shall be determined according to the scope of work of the prospective member. Prospective members shall only be eligible for one classification except that those eligible for Full Member are also eligible for the class of Development Member and/or provisional member.
3. A Full Member, Associate Member or Development Member with one or more branches or wholly owned subsidiary companies are entitled to have any or all of those branches or subsidiaries recognised as being within their membership if they so wish, subject to the branch or subsidiary complying with the Association's current technical audit procedure.
4. Associate companies linked to a member only by common shareholders or trade agreements and subsidiary companies which are not wholly owned are not entitled to be recognised as being within the membership unless they apply for and are accepted as members in their own right.
5. For the purposes of these rules a 'wholly owned subsidiary' is a subsidiary in which the member has a controlling interest.
6. Each member with an entitlement to vote shall have a single vote. Members with any branches, wholly owned subsidiary companies or multi country memberships shall not be entitled to any additional voting rights.
7. Compliance with the Association's rules, technical audit procedures and technical requirements is a condition of membership.
8. The technical audit procedures shall be determined by the Directors and published.
9. The technical requirements and guidance for members shall be determined by the directors and published.
10. All members shall provide information annually for each location within membership giving details of their scope of work, personnel and facilities relating to their lifting equipment activities.

11. A member who is facing investigation or prosecution by any enforcing authority shall notify the Association as soon as they are aware of the allegation and shall provide details of the allegation. Such information will be kept confidential and the Association will, within its capability, be willing to advise the member.
12. All members shall nominate a person for the purpose of communication and shall notify the Association in writing of any change of such person.
13. All members shall be prepared to participate actively in the work of the Association.
14. The requirements for eligibility and qualification together with the entitlements of the various classes of membership are as follows:
15. **Full Member**

#### Eligibility

An organisation which is engaged for profit in the verification of lifting equipment, and which, in the opinion of the Directors is competent and can give an adequate service.

#### Qualification

The capability of the organisation, in relation to lifting equipment activities, shall be assessed in accordance with the Association's technical audit procedures and the Association's technical requirements.

#### A Full Member shall be entitled to:

- (a) A vote in General Meetings.
- (b) Nominate candidates for election as Directors and committee members of the Association in General Meeting. Nominees for directorships shall be employees or shareholders of full members.
- (c) Use the title 'Full Member of the Association' in a manner and layout approved by the Association.
- (d) Use the Association's Logo in a manner and layout approved by the Association.
- (e) When accepted as a LEEA accredited training centre, use the LEEA accredited training centre logo in the format approved by the Association
- (f) Full members who as a result of audit failures do not meet the criteria for full membership shall be given written notice by the executive to meet the criteria within 6 months or shall revert to Development Member

## 16. **Associate Member**

### Eligibility

An organisation which is engaged for profit in any of the following related to lifting equipment and which in the opinion of the Directors is competent and can give an adequate service.

- (a) Design
- (b) Manufacture
- (c) Supply
- (d) Hire
- (e) Service or Repair
- (f) Training of personnel

Alternatively a government department, nationalised body, or any other organisation approved by the Directors and which in support of its main activity and not directly for profit or by way of trade is engaged in any of the following activities related to lifting equipment:

- (a) Design
- (b) Manufacture
- (c) Test and Examination
- (d) Inspection
- (e) Service or Repair
- (f) Training of Personnel

An Associate Member shall be entitled to:

Use the title 'Associate Member of the Association' in a manner and layout approved by the Association.

An Associate Member shall be prepared to use the services of the Association's members as far as practicable.

An Associate Member is permitted to use the Association's Logo appended with the words "Associate Member" in a manner and layout approved by the Association. In addition when the member is an LEEA Accredited Training Centre they may use the LEEA Accredited Training Centre Logo in the format approved by the Association.

An Associate Member is not entitled to a vote in General Meetings.

## 17. **Development Member**

### Eligibility

An applicant for membership in the class of Full Member which, as a result of audit, is not considered to be qualified for immediate membership may be granted Development Membership.

A Development Member who after 2 years is deemed by the executive not to be effectively working towards full membership shall be given 6 months written notice to improve their status or face having their membership withdrawn

A Development Member shall be entitled to:

- (a) Assistance from the Association.
  - (i) as normally given to any member during day-to-day activities
  - (ii) in carrying out those things considered necessary for the Development Member to qualify as a Member. Where a visit is considered necessary the Development Member shall be liable for the cost.
- (b) Use the title 'Development Member of the Association' in a manner and layout approved by the Association.

A Development Member shall be prepared to use the services of the Association's members as far as practicable.

A Development Member is permitted to use the Association's Logo appended with the words "Development Member" in a manner and layout approved by the Association. In addition when the member is an LEEA Accredited Training Centre they may use the LEEA Accredited Training Centre Logo in the format approved by the Association.

A Development Member is not entitled to a vote in General Meetings.

## 18. **Provisional Member**

Eligibility

New applicants must have a minimum of 12 months trading history, work in the lifting Equipment Industry or related industries or receiving services such that membership would be beneficial. Applicants who pass the Pre-Audit assessment will be offered Provisional Membership prior to the completion of a Technical Audit. Members can be Provisional Members for a maximum of 12 months.

A Provisional Member shall be entitled to:

- (a) Assistance from the Association.
  - (i) as normally given to any member during day-to-day activities
  - (ii) in carrying out those things considered necessary for the Provisional Member to qualify as a Member. Where a visit is considered necessary the Provisional Member shall be liable for the cost.
- (b) Use the title 'Provisional Member of the Association' in a manner and layout approved by the Association.

A Provisional Member shall be prepared to use the services of the Association's members as far as practicable.

A Provisional Member is not permitted to use the Association's Logo.

A Provisional Member is not entitled to a vote in General Meetings.

## 19. Individual Trainee

### Eligibility

An individual with the necessary qualifications, status or experience may register for a fee (decided annually by the directors and approved at general meeting) to access the associations training courses.

## **Rule (2) Honorary Life Member**

1. Honorary Life Membership may be granted in General Meeting, upon recommendation of the Directors, to individuals who have rendered exceptional service to the Association.
2. Such Honorary Life Members shall not be liable to any subscription or entrance fee.
3. An Honorary Life Member may, by invitation serve, as a supernumerary member of any committee, or in any other post in the Association for which his/her knowledge and experience render him/her suitable.
4. Honorary Life Members shall be entitled to attend General Meetings in a non-voting capacity.

## **Rule (3) Officers**

1. The board of directors shall elect a candidate for Chair by ballot, the candidate shall have served a term of at least two years on the board of directors, they shall be approved annually at the Annual General Meeting and shall be eligible to serve for a maximum term of two consecutive years. On completion of their term as Chair they shall not be eligible to stand again for an officer's position for a period of four years.
2. The board of directors shall elect a candidate for Vice Chair by ballot, the candidate shall have served a term of at least one year on the board of directors, they shall be approved annually at the Annual General Meeting and shall be eligible to serve for a maximum term of two consecutive years.
3. The Association in General Meeting may create the office of President and appoint a person, being from a member of the Association or otherwise, to hold office for a term of two years. Any such person elected should have rendered exceptional services to the Association or to the industry in general. The President shall be an ex-officio member of all committees but shall not be entitled to a vote in meetings of Directors.

## **Rule (4) Management**

- 1.1 The general management shall be vested in the Directors consisting of those

holding the offices of Association Chair, Vice-Chair, Chair of the Technical Committee and Chair of the Learning and Development Committee together with between seven and eleven other Directors, one of whom shall be the Immediate Past Chair if available and willing to serve.

- 1.2 In addition, if a local international members group is established which represents more than 15 Full Member companies then Full Member companies within that group shall be entitled to elect a director to represent their interests on the LEEA board.
- 1.3 No member company shall occupy more than one board position.
- 1.4 No member company shall occupy more than one officer's position.
- 1.5 A director shall cease to be a director if they leave the Full Member company under whose employment they were elected or appointed and are not re-employed by another LEEA Full Member company within a three month period.
- 1.6 Any director absent from three consecutive meetings of the board without offering adequate apologies shall be subject, whether present or not, at the fourth meeting of the board to an automatic resolution of termination of appointment as a director, and the resolution and voting on it shall be recorded in the minutes. A director who is the subject of such a resolution shall not be entitled to vote upon it.
- 1.7 Voting at Directors' meetings shall be by a simple majority of those present, if a director is unable to attend a board meeting they shall be entitled to a proxy vote which shall be exercised by the Chair, the Chair of the meeting to have a casting vote.
- 1.8 The quorum for any board meeting shall be 50% plus one member of the eligible directors.

#### **Rule (5) Technical Committee**

1. There shall be a Technical Committee, to be responsible to the Directors. The Technical Committee shall consist of not fewer than nine, nor more than twenty, technically qualified persons representing Members, duly proposed and elected annually at the Annual General Meeting.
2. The President, Chair and Vice-Chair of the Association for the time being, the Chief Executive, LEEA General Manager and LEEA technical staff shall be ex-officio members.
3. A Technical Committee Chair shall be nominated by the board and approved by the members annually at the Annual General Meeting.
4. The Technical Committee shall elect a Deputy Chair annually from the elected Technical Committee members.

5. The Technical Committee shall deal with technical matters within their terms of reference and have no executive powers.
6. The Committee shall have the power to co-opt.
7. Technical Committee meetings shall include an open forum session to which any member of the Association may send a representative after having received notification of committee meetings and upon giving due notice to the Chief Executive.

#### **Rule (6) Learning and Development Committee**

1. There shall be a Learning and Development Committee, to be responsible to the Directors.
2. A Learning and Development Committee Chair shall be nominated by the board and approved annually by the members at the Annual General Meeting
3. The Committee shall comprise the Committee Chair, course mentors, Training Services Manager, Training Supervisor and at least two, member representatives.
4. The President, Chair and Vice-Chair of the Association for the time being and the Chief Executive and General Manager shall be ex-officio members.
5. The Learning and Development Committee shall deal with examination and qualification matters within their terms of reference and have no executive powers.
6. The Learning and Development Committee shall have overall responsibility for the running of the examinations and qualification scheme in accordance with the general policy laid down by the Directors.
7. The Chief Assessor shall be the committee Chair.
8. The Registrar shall be the Chief Executive of the Association.
9. The Committee shall have the power to co-opt

#### **Rule (7) General Meetings**

1. The Annual General Meeting of the Association shall be held between the 1st September and 30th November each year.
2. Notification of Annual General Meetings and circulation of the agenda shall be not less than twenty one days prior to the meeting.
3. If a member with voting rights wishes to propose any change to these Rules, they shall forward their proposal, duly seconded by another member with voting rights,



to the Association's offices. This proposal must be received at least six weeks before the General Meeting at which the proposal is to be considered.

### **Rule (8) Application for Membership**

1. All applications for membership including those for branches and wholly owned subsidiaries of existing members shall be in writing and shall include an undertaking that the applicant will, if elected, comply with the Association's technical audit procedures, technical requirements, code of conduct and rules. Applicants eligible for the class of Full Member shall also agree to become a member of the company as detailed in the Memorandum and Articles of Association.
2. All applicants including branches and wholly owned subsidiaries of existing members shall submit to the appropriate technical audit procedure and pay the fee determined by the Directors. Applications for membership will be vetted by the executive after audit and a recommendation for membership status determined subject to board approval.
3. The decision of the Directors shall be final in all matters relating to membership applications.
4. The Directors reserve the right to decline membership without assigning reasons.

### **Rule (9) Audit / Assessment Fees, Entrance Fee, Subscriptions and Membership Certification**

1. The Directors shall make such charges for the audit / assessment procedures as they deem appropriate.
2. The entrance fee shall be decided annually by the Directors.
3. The annual subscription shall be such sum as the members may decide by an ordinary resolution in General Meeting.
4. All subscriptions shall be payable annually in advance on the anniversary date of the company joining the Association.
5. For member companies with wholly owned subsidiary businesses in a number of different countries the membership subscription for those additional businesses shall be reduced in proportion to the number of those businesses. The reduction to be determined by the members in general meeting.
6. Membership certificates will be issued annually upon receipt of the subscription for the year and will be valid for the dated period.
7. The Directors may raise a special levy not exceeding fifty per cent of each member's subscription in any one year for any extraordinary purpose.

## **Rule (10) Register of Members**

The Association shall keep a register of members containing such information as may be required by the Directors.

## **Rule (11) Resignation, Suspension, Exclusion, Determination of Membership and Reinstatement Etc.**

1. Any member may be suspended from membership if, in the absolute opinion of the Board of Directors, that member is acting, or has acted, in breach of these rules
2. Any member may be excluded from the Association by resolution of two-thirds of the members present and voting in General Meeting or by an electronic ballot of full member companies.
3. Members may be excluded from the Association if they cease to be eligible for membership as defined in Rule (1) and following an ordinary resolution in General Meeting.
4. Membership shall also cease:
  - (a) If a member being a corporate body or limited company be dissolved or go into liquidation.
  - (b) If a member becomes bankrupt.
  - (c) If based outside of the UK, be equivalent to being bankrupt.
  - (d) If the member's annual subscription is in arrears for three months.  
(Such a member may be reinstated at the Directors' discretion on payment of outstanding dues. In addition in such cases, the Directors may ask for the entrance fee to be paid).
5. The privileges of membership shall not be transferable.
6. Each member shall at all times comply with the Associations rules, technical audit procedures, technical requirements and Code of Conduct (the latter of which is set out at Appendix A and forms part of these rules).
7. If, for any reason, a member shall cease to be a member, the annual subscription for the year in which membership ceases shall remain due in full and it shall forfeit all interest in the funds.

## **Rule (12) Credit**

1. All members may be granted a credit account with the Association at the discretion of the Chief Executive provided all transactions are made in accordance with the Association's current terms and conditions. Such terms and conditions shall be determined by the Directors.
2. All members with any branches or wholly owned subsidiaries recognised within their membership must arrange for all credit transactions to be made through their account and must accept liability for any transactions undertaken by such

branches or subsidiaries.

**Rule (13)      Accounts**

1. The Directors shall, prior to the Annual General Meeting, cause to be sent to each member an audited statement of accounts.
2. The Bankers shall be such bank as the Directors may decide.

**Rule (14)      Auditors**

The Auditors shall be elected annually.

**Rule (15)      Expenses**

1. Representatives of members of the Association shall be entitled to the repayment of reasonable expenses for journeys authorised by the Directors.
2. A Director of the Association shall not normally be entitled to expenses incurred in fulfilling the duties of Director. In exceptional circumstances, reasonable expenses may be authorised by the Directors and members shall be entitled to know of such decisions.

**Rule (16)      Advice**

Advice is given to Full, Associate, Development and Provisional Members, by or on behalf of the Association and its members and all employees and representatives thereof, on the understanding that, whilst such advice is given in good faith, the Association, its members and their employees and representatives cannot accept any responsibility for errors or omissions therein of whatsoever nature and howsoever arising.



## **Appendix A \***

### **LEEA Members Code of Conduct**

The members of LEEA are committed through this statement to uphold the highest possible standards of professional conduct.

All members of LEEA undertake the following:

- To uphold the standing of LEEA, its members, and the wider lifting industry by seeking to achieve and maintain the highest standards of business and professional expertise
- To abide by all applicable laws, regulations and codes of practice and protect customers against fraud and unfair practices.
- To maintain the highest level of safety for all products and services and to support the ongoing development of industry standards and safe practices.
- To provide services only within their areas of competence and be responsible for the actions of all their staff and sub-contractors
- To use appropriately trained staff and ensure on-going staff training and development
- To respect all intellectual property rights.
- To provide a safe working environment for staff and members of the public.
- To deliver products and services honestly and without misrepresentation.
- To support LEEA by taking an active role in Association activities and promoting LEEA to the industry and end users of lifting equipment.
- To work together to advance the industry while respecting commercial confidentiality.
- To recognise the rights of others to legally compete for business.
- To use the LEEA logo in the format appropriate to their level of membership

This code of conduct is intended as a guideline but does not reflect the entire scope of ethical behaviour and good conduct expected of members. Acceptance of and adherence to this code is a condition of membership.

\* NB LEEA-043 Appendix A is published as a separate form and given the reference "LEEA-043 Annex 1"