

# **ILIASA**

**INDEPENDENT LIFT INSPECTORS ASSOCIATION OF SOUTH AFRICA**

## **ARTICLES OF ASSOCIATION**

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## I. NAME, HEADQUARTERS AND OBJECTIVES

### Article 1 Name, Headquarter and Duration

1. The Independent Lift Inspectors Association of SA (Iliasa) is filliated and recognised as an Association with E.C.S.A. Iliasa's headquarters is located in Johannesburg with an Executive Committee being responsible for the Management and Administration of Iliasa.
  - 1.1 By a decision of the Executive Committee, Regional Committees were established in Pretoria, Cape Town, Port Elizabeth, Durban and Bloemfontein.
2. The duration of any Committee Member is for an original two-year period or as determined by members (see Article 19)
3. By a decision of the Executive Committee, Regional Chairman are Ex Officio Members of the Executive Committee

### Article 2 Objectives

1. Iliasa aims to support and develop the ECSA registered Lift Inspectors by:
  - 1.1 Promoting and encouraging unbiased professional inspections through communication, discussion and exchange of views between members regarding Lift and Escalator regulations applicable to the design, manufacture, supply and service of Lift and Escalators.
  - 1.2 Promoting a Professional code of practice amongst the members and between Iliasa and ECSA, Department of Labour, SABS, Leasa, Iliasa and other bodies and associations directly or indirectly affecting the design, manufacture, supply and service of Lifts and Escalators.
  - 1.3 Safeguarding the interests of the Registered Lift Inspectors, particularly on economic, technical and legislation matters.
  - 1.4 Encouraging continued professional development (CPD) and safety in the field of Lift and Escalators.
  - 1.5 Assisting in the amendment of legislation, standardisation and testing procedures at National and International levels to facilitate the EN81 and parallel codes of manufacture and installation.
  - 1.6 Assisting and advising relevant authorities, at national and Sabel Country level on all matters concerning Lift and Escalators.
2. The services covered by Iliasa are listed in Appendix A.

**2. MEMBERSHIP**

**Article 3 Full Members**

1. Full members will be persons registered by ECSA in the Cadre of Lift Inspectors.
2. By a decision of the Executive Committee, the membership can be extended to RLI's outside the Republic of South Africa.
3. Members will comply with all appropriate OHSACT legislation, in particular with the LER (Lift and Escalator Regulations) and SANS standards.
4. Members will at all times be fully committed to the Objectives in Article 2 in respect of the Lift and Escalators Industry.

**Article 4 Associate Members**

1. Associate Members will be admitted, where their qualifications do not meet RLI registration criteria.
2. The membership of Associate Members shall be on such terms as may from time to time be determined by the Executive Committee.
3. Associate Member shall be entitled to participate in all the activities of the Association and to attend General meetings but shall not be entitled to vote, nor to serve on the Executive Committee or Regional Committees.

**Article 5 Admission**

1. Applications for admission must be made in writing to the National Executive Secretary in Johannesburg.
2. Admission is decided on by the Executive Committees after consultation with the Regional Committee concerned.
3. On admission and thereafter upon the request of the National Executive Secretary, every Member and Associate Member may be required to provide proof of their activities as an RLI, specifically with their CPD.

**Article 6 Resignation**

1. Any member having given three months notice to the National Executive Secretary by written letter, can resign from Iliasa.
2. A resignation does not dispense with the financial commitments for the current year's

subscription or other outstanding dues.

**Article 7**      **Expulsion**

1. Members who counteract the statutes or offend against the interests of Iliasa in other ways can be expelled by a two-thirds majority vote of the Executive Committee on request of the Secretary of any Regional Committee.
2. Members who do not pay their subscription fee for two consecutive years and after having been reminded twice in writing, can be expelled by the simple majority at a meeting of the Executive Committee.
3. Expulsion does not dispense with financial commitments for the current year's subscription or other outstanding dues.

**3.**      **FINANCIAL MATTERS**

**Article 8**      **Funds**

1. The expenses of Iliasa are covered by the subscriptions of the members and any other income which may from time to time arise. The rate of subscription will be decided by the Executive Committee at any AGM.
2. Iliasa can accept contributions or donations offered by any public or private bodies.
3. All costs incurred by the Secretariat in the Administrative duties of Iliasa, will be paid from the Iliasa General Account.
4. Reasonable costs for Regional Representatives requested by the Executive Committee to attend meeting in Johannesburg on behalf of Iliasa, are to be paid by Iliasa as negotiated and confirmed in advance.
5. Members who resign or are expelled have no claim against the assets of Iliasa.

**Article 9**      **Financial Year**

1. The Financial and Membership Year begins on 1<sup>st</sup> April and ends at 31 March.
2. Subscriptions are due on 1<sup>st</sup> April of each year.

**Article 10**      **Indemnity**

1. Members acting for Iliasa in an official capacity, and the Secretariat, shall be entitled to be indemnified by the Members jointly and severally against all claims, demands, costs

and damages which they or any of them may incur or suffer arising out of anything done or omitted by them in the exercise by them of any powers or Duties or discretion invested in them or pursuant to any of these Articles of Association.

#### **4. ORGANISATION**

##### **Article 11 Management**

1. The Management of Iliasa is

1.1 National Executive Committee

National Executive Chairman  
National Executive Deputy Chairman  
National Executive Secretary  
4 Additional Members  
Regional Chairmen

1.2 Regional Committees

Regional Chairman  
Regional Deputy Chairman  
Regional Secretary  
Two to Three Additional Members

2. The functions of the Management Committees will be as determined by the Executive Committee and authorised by the Annual General meeting.

##### **Article 12 Decisions and Quorum**

1. Unless the statutes determine otherwise, decisions of the National and Regional Committees are taken by a simple majority of the votes cast.
2. Meetings of the Iliasa Regions are valid if the number of participants at the meeting is at least 50% +1 of the full members of the Region, including proxies/Ex Officios.
3. Questions that have been voted on can only come up for discussion again, if the simple majority of the delegates present agree. All motions for reconsideration are to be submitted in writing fourteen days before the meeting. After plea and counterplea such motions are voted on without any further discussion,

##### **Article 13 National Executive Committee**

*(a) Duties and Powers*

1. The National Executive Committee decides the objectives and the general policy of Iliasa.
2. It has the following Duties and Powers.
  - 2.1 deciding on all matters relating to the purpose of the Association and taking all necessary measures to safeguard its interests.
  - 2.2 decision on questions submitted by the Executive Committee.

2.3 election of the members of the National Executive Committee the Secretary/

Treasurer and the External Accounting Auditor.

2.4 approval of accounts and rate of subscription.

2.5 designation of the National Executive Secretary or his Assistant and possible External Consultants.

2.6 changes in the statutes.

2.7 dissolution of the Association.

*(b) Convocation*

1. The Annual General meeting usually takes place:

1.1 as an ordinary AGM once every year in June/July.

1.2 as an Extraordinary General Assembly whenever the Executive Committee judges it necessary or where a quarter of the full members of the Association wishes it.

2. Convening notices must be mailed with the agenda at least 28 days before the meeting. Note: Notices may also be given by electronic means such as facsimile or E-mail.

3. The venue of the AGM will be decided by the Executive Committee.

*(c) Composition/voting rights*

1. The AGM is composed of:-

1.1 National Executive Chairman and Deputy Chairman.

1.2 Chairman of each Regional Committee.

1.3 The National Executive Committee Secretary.

1.4 The Individual Members.

2. The distribution of the votes shall be as follows:

(i) members qualifying under category A1 membership in Article 3 have a maximum one vote each.

(ii) There shall only be one vote in respect of each main item raised for voting.

*(d) Proxy*

1. Members may be represented at the AGM by proxy provided written authority is given. No participant at the meeting may have more than one proxy.

2. Proxies will be presented to the National Executive Secretary at least 48 hours before the AGM meeting.

*(e) Management of Affairs*

1. All affairs submitted to the AGM must be discussed and evaluated by the Executive Committee.
2. The AGM is chaired by National Executive Chairman, or in his absence by the National Executive Deputy Chairman or in his absence by any of the Regional Chairmen.
3. Decisions are taken by the simple majority of the votes cast.
4. In the case of parity of votes the decision shall lie with the Chairman of the meeting.

**Article 14**      **National Executive Committee**

*(a) Duties*

1. The Executive Committee is responsible for the operational direction of Iliasa as its executive body within the framework of the policies decided by the AGM.
2. Its duties include mainly the following points:-
  - 2.1 preparation of the affairs of the AGM.
  - 2.2 supervision of the course of business of Iliasa.
  - 2.3 discussion of objectives of Iliasa.
  - 2.4 recommending the rates of subscription.
  - 2.5 administration of funds according to the decisions of the AGM.
  - 2.6 decision on co-ordination the work of the Regions.
  - 2.7 organisation of any congress, conference or other event relevant to all
  - 2.8 safeguarding the interests of Iliasa.
  - 2.9 arbitration (according to article 18)
  - 2.10 transitory appointment of the National Executive Secretary/ Treasure in case of need or his Assistant.
  - 2.11 co-ordination of the work of consultants.
3. The Executive Committee presents its Annual Report to the AGM and submits to its proposals concerning the targets for the new term of office.

*(b) Composition/Election*

1. The Executive Committee is composed of seven elected members and the Chairmen



of the Regions who shall also be equal to Deputy Chairmen of the Association.

2. By a decision of the AGM the elected members may be more than seven.
3. The Assistant Secretary/Treasurer attends meetings of the Executive Committee and AGM in a consultative capacity without voting right.
4. The members of the Executive Committee pursue their functions in the interest and for the good of Iliasa and not as representatives of their company or Employer.
5. Only persons holding active executive positions in the National or Regional Committees of Iliasa, are eligible for nomination by Iliasa to serve on the Industry Technical Works Committees.
  
6. A minimum of two members out of five elected members or three out of seven elected members, of the National or Regional Committees must be retained at AGM voting sessions to ensure continuity in any one year.
7. The seven National Executive members are elected by the AGM - following communication for 28 days of their nomination. These seven members will once elected decide amongst themselves on the positions of Chairman, Deputy Chairman and Secretary
8. The initial term of office of the National Executive Chairman, Deputy and Secretary is 3(three) years After that time, the term of office of the Executive Committee members will be decided on by the voting members at the AGM. The outgoing National Executive Chairman may be re-elected for a second consecutive two year's mandate.
9. Any person may be elected by the Executive Committee to fill a vacancy among the elected members and hold office until the next AGM.

*(c) Proxy*

1. Regional Committees may be represented at AGM's by proxy provided written authority is given. No participant at the meeting may have more than 1 proxy.
2. Proxies will be presented to the National Executive Secretary at least 48 hours before the AGM meeting

*(d) National Executive Committee Meetings*

1. Meetings are presided over by the National Executive Chairman or in his absence, by the National Executive Deputy Chairman or one of the Regional Chairmen
2. Decisions are taken by the simple majority of the votes cast.
3. In the case of parity of votes the decision shall lie with the Presiding Chairman.
4. The venue of the Executive Committee meeting will be decided by the Chairman and Secretary.

5. The Executive Committee can invite other people to meetings as observers and to present specialised topics.

*(e) Right of Objection*

1. Within the month following circulation of the minutes of a Executive Committee or AGM meeting, any member of the meeting having voting rights may state his objection to any decision in writing to the Secretariat. This objection will be passed to Executives Committee for consideration.
2. If at least one quarter of members with voting rights object to any decision, an extraordinary General meeting will be convened within 21 days, which will either be Chaired by the Chairman or an unbiased Ombudsman.

**Article 15**      **National Executive Chairman**

1. On the authority of the AGM and the Executive Committee, the National Executive Chairman is responsible for the implementation of their decisions. He takes the necessary measures for the successful functioning of Iliasa within the framework of their directives.
2. The National Executive Chairman presides over meetings of the Executive Committee and the AGM. He has the power to delegate his authority.
3. He represents Iliasa in all circumstances in every Regional and National situation.
4. In the case of being unable to continue in this capacity, the National Executive Chairman shall be replaced, for the remaining period of his term of office, by one of the Deputy Chairmen who will be appointed by the Executive Committee in sitting.

**Article 16**      **National Executive Secretary/Treasurer and External Accounting Auditor**

1. The National Executive Secretary is appointed and removed by the AGM that also fix his salary and expenses. He has the care of the administrative interests of Iliasa under the direction of the National Executive Chairman and takes the necessary measures for satisfactory co-operation.
2. The National Executive Secretary may delegate authority to other persons for the day to day administration of the Association, such as an Assistant Secretary.
3. The Treasurer is appointed and removed by the AGM. The National Executive Secretary may also act as Treasurer.
4. The External Accounting Auditor is appointed and removed by the AGM

**Article 17**      **Consultants**

1. By proposal of the Executive Committee (with the approval of the AGM that also fix expenses /costs), Iliasa may use external consultants within an agreed budget.

2. The consultant works under the charge of the National Executive Chairman and reports to the Executive Committee and the AGM.

## **Article 18**      **Regions**

### *(a) Membership*

Every member is a member of the Region in which he resides and where he carries out the majority of his membership functions.

### *(b) Competence*

1. Each Region is entitled to deal with issues pertaining to its Region as listed in Appendix A.
2. The Regions are autonomous with the framework of the policy fixed by the AGM and Executive Committee.
3. The Regions are obligated to report on their meetings and their work to the Executive Committee at least on a Quarterly basis and to the AGM on an Annual Report basis.
4. The Region must follow the decisions of the AGM and the instructions of the Executive Committee and conform to the administration rules of the Association.

### *(c) Internal Rules*

1. Each Region may establish its own internal rules as long as these fall within the parameters of these Articles, that address a specific need in their Region which may differ from the others.

### *(d) Chairmanship*

1. Each Region elects a Chairman from category A1 members who will be that Region's representative on the Executive Committee as an Ex officio member of the Association.
2. Only persons who hold active RLI positions in the South Africa Lift Industry are eligible to be a Chairman.
3. Each Region shall hold an election to appoint a chairman, who will hold office for an initial three years. The outgoing Chairman may be re-elected for a second consecutive mandate of two years. Each member may, following the voting rights shown below, nominate a first and second preference.

### *(e) Voting Rights*

The distribution of the votes shall be as follows:-

- (i) members qualifying under category A1 membership in Article 3 have one vote each.

- (ii) there shall only be one vote in respect of each nomination for the Committee Members.

*(f) Proxy*

1. Members may be represented at their Regional AGM by proxy provided that written authority is given. No participant at the meeting may have more than 1 proxy. The Proxy will be a full member
2. Proxies must be presented to the Regional Secretary at least 48 hours before the AGM meeting.

*(g) Meetings*

1. When convened by the Chairman, the Regions gather to meetings presided over by him in accordance with the Articles of Association.

*(h) Technical Working Groups*

1. Working Groups may be established by any Region for co-ordination and discussion of any technical area of work or to complete a given project.
2. Working Groups will report to the Regional Committee in an advisory capacity and have no authority in their own right.
3. Membership of the Working Group will be agreed on by the Regional Committee establishing them.
4. The Working Group, according with its internal rules, elects a Chairman. The outgoing Chairman may be re-elected for a second consecutive mandate.

**Article 19**      **Arbitration**

1. Any dispute concerning the interpretation of the statutes or the internal rules which can- not be clarified by consent shall be referred to the Executive Committee.
2. If the Executive Committee after consultation with the parties concerned cannot find an acceptable solution, the matter shall be submitted to the AGM or special meeting so called.
3. A decision of the AGM on such matters shall be taken by a majority of two-thirds of the members present. The parties concerned may attend the meeting and present their case but shall neither vote nor attend the vote.

**Article 20**      **Dissolution**

1. The AGM can decide with the majority of two-thirds of the members present and entitled to vote to dissolve Iliasa.

2. On a proposal for dissolution, a vote by correspondence outside the AGM is excluded.
3. The motion for the dissolution must be discussed by the Executive Committee and be communicated by registered letter to all the members at least 28 days before the AGM.
4. In case of dissolution, the AGM must decide upon the use of the funds of Iliasa which shall be assigned to the development of the PDI's in the widest sense within the South African Lift Industry.
5. In the event of there being insufficient funds, Members will pay such further sums shared in the same amount for each member, to meet the deficit, so that Iliasa's affairs can be wound up properly.

**5 Final disposition**

**Article 21 Coming into force**

1. These statutes have come into force in November 1997.

**National Executive Chairman**

**National Executive Secretary**