

Rules, Standing Orders and Bye-Laws



Representing the best in electrical
engineering and building services

**RULES OF
THE ELECTRICAL CONTRACTORS' ASSOCIATION**

Name

1. The name of the Association shall be “The Electrical Contractors’ Association” (hereinafter called “the Association”).

Definitions

2. In these Rules, unless inconsistent with the subject or context:
 - (a) “These Rules” means these Rules or other Rules of the Association for the time being in force.
 - (b) “The Electrical Installation Engineering Trade” means the trade of electrical contracting for the execution of public and private works and all ancillary and allied trades and every branch of every such trade in the United Kingdom and throughout the world, and the retailing of electrical goods.
 - (c) “The Council” means the Council of the Association constituted in accordance with these rules and in relation to the exercise of its powers shall where the context so admits include any committee of Council.
 - (d) “The Board” means the board of directors of The Electrical Contractors’ Association Limited (which is the holding company of the Association’s assets).
 - (e) “Regional Executive Committee”, “Sectional Board”, “Branch” and “Sub-Branch” mean and include any Regional Executive Committee, Sectional Board, Branch and Sub-Branch of the Association constituted in accordance with these Rules.
 - (f) “The President”, “The Vice-President” or “the Vice-Presidents”, “the Chief Executive” and “the Accountant” respectively mean the President, Vice-President or Vice-Presidents, Chief Executive and the Accountant for the time being of the Association.
 - (g) “The Secretary” means the Secretary for the time being of the Association and any other person for the time being authorized to perform any of the duties of such Secretary.
 - (h) “The Standing Orders” mean the Standing Orders of the Association made by the Council pursuant to and in accordance with Rule 62 and for the time being in force.
 - (i) “Month” means calendar month and “Year” means calendar year.

- (j) Any words herein importing the masculine gender shall be deemed to import the feminine gender and vice-versa.

Objects

- 3. The principal objects of the Association are:

To regulate the relations between employers and employees and between employers and employers in the Electrical Installation Engineering Trade, and in particular to enter into agreements with any organised body of employees, or joint bodies of employers and employees, draw up working rules for the guidance of employers and employees; to act as a body of reference to adjust any complaint or differences and to combine employers so that by mutual support and by united action, all matters affecting Members generally, including their relations with consumers and with other parties at home and abroad, may be dealt with.

- 4. As ancillary to the foregoing principal objects of the Association and for the purpose only of furthering such objects to do all and any of the following things, namely:

- (a) To encourage, promote and protect the Electrical Installation Engineering Trade.
- (b) To promote the consideration and discussion of all questions affecting the Electrical Installation Engineering Trade, and generally watch over and protect the interests and to improve and elevate the technical and general knowledge of persons engaged in the Electrical Installation Engineering Trade.
- (c) To diffuse information on all matters affecting the Electrical Installation Engineering Trade, and to print, publish, issue and circulate such newspapers and papers, periodicals, books, circulars and other literary publications as may seem conducive to any of these objects, and to provide for the delivery of lectures and the holding of classes, and to test by examination or otherwise the competence of Members and their employees and to award certificates and distinctions and to institute and establish scholarships, grants, rewards and other benefactions.
- (d) To promote excellence in electrical work, and just and honourable practice in the conduct of business, to suppress malpractice and to guarantee any person, company, firm or corporation employing a Member of the Association to carry out installations in the European Community, Channel Islands and the Isle of Man against bad materials and workmanship, and against insolvency of Members subject to such limits, terms and conditions as may be specified from time to time by the Council; and to compile and maintain a Register of electrical contractors approved by the Council on the basis of technical and commercial competence and a register of approved materials for use by electrical contractors in such manner as the Council shall from time to time determine.
- (e) To encourage the discovery of, and investigate, and make known the nature and merits of inventions which may seem capable of being used by persons engaged in the Electrical Installation Engineering Trade, and to acquire any patents or licenses relating to any such inventions with a view to the use thereof by the Members of the Association and others, either gratuitously or upon such terms as may seem expedient.

- (f) To promote greater uniformity of sizes and measurements in the construction of electrical appliances and fittings, with a view to facilitate the interchangeable use of the products of different manufacturers.
- (g) So far as may be practicable to arrange and promote the adoption of equitable forms of contracts and other documents used in the Electrical Installation Engineering Trade and to encourage the settlement of disputes by arbitration, and to act as or nominate arbitrators and umpires on such terms and in such cases as may seem expedient.
- (h) To amalgamate or enter into partnership or into any arrangement for union of interest, co-operation, joint discussion or consultation, or otherwise, with any person or body whatsoever anywhere in the world for furthering the standardization or rationalization of the Electrical Installation Engineering Trade and to encourage and support Members in developing overseas trade.
- (i) To undertake and execute any trust which may seem to the Association conducive to any of its objects.
- (j) To borrow any moneys required for the purpose of the Association upon such terms and on such securities as may be determined, and to purchase, take, lease, exchange, hire or otherwise acquire any real or personal property and any rights or privileges necessary or convenient for the Association; to sell, improve, manage, develop, lease, mortgage, dispose of, turn to account or otherwise deal with all or any part of the property of the Association, and to invest the moneys of the Association not immediately required, upon such securities, or otherwise, in such manner as may from time to time be determined.
- (k) To constitute and manage schemes for the provision of benefits of all kinds for persons in the service of the Association or for Members or other employers or employees engaged in the Electrical Installation Engineering Trade and for the relatives and dependents of such persons, schemes for the insurance of risks and obligations of Members and other such employers and persons in their service and any other like schemes which the Council may deem to be in the interests of the Association or allied associations, with power to the Council to make any such schemes selective of or compulsory on Members or any class of Members and so that any such scheme must provide for fixing such contribution from Members and others as the Council shall in its uncontrolled discretion determine.
- (l) To establish undertake, superintend, administer and contribute to any charitable or benevolent fund from which may be made donations or advances to deserving persons who may be, or have been engaged in the Electrical Installation Engineering Trade or connected with any persons engaged therein, and to contribute to or otherwise assist any charitable or benevolent institution or undertaking.
- (m) To promote or to participate in or obtain the control of and to manage any company or association for any purpose which the Council may think useful in the achievement of any of the foregoing objects and to provide for the financing of such company or association in any manner which the Council may deem expedient.

- (n) To do all such other lawful things as are identical with or conducive to the attainment of the above objects or any of them.

Registered Office

- 5. The Registered Office and Head Office of the Association shall be at 34 Palace Court, Bayswater, London, W2 4HY, with effect from 1st June 1976, or at such other place or places as the Council shall from time to time resolve.

Membership

- 6. The Members shall consist of the following classes:
 - (a) Ordinary Members (hereinafter referred to as “Members”)
 - (b) Honorary Members

But the Council may from time to time in its absolute discretion subdivide those classes into different categories and/or may create new classes of membership (or repeal such subdivision or creation).

Ordinary Members

- 7. (1) Any person, unincorporated firm, association, partnership, company, corporation or public body shall, subject as hereinafter provided, be eligible for admission as Member provided he or it can show to the satisfaction of the Council that within the European Community, Channel Islands or Isle of Man, he or it is:

Either in practice and carrying on business in the Electrical Installation Engineering Trade and providing both labour and materials or subcontracting his or its work to a subsidiary company or an associated company (which is owned by a common holding company) which is a Member and/or carrying on business in the said trade and has been in practice or carrying on business in one or both of the aforesaid manners for not less than one year prior to his or its admission or has offered such other evidence of his or its practice and experience as is acceptable to the Council. Notwithstanding the foregoing the Council shall in its absolute discretion decide whether the practice and experience are adequate to qualify and whether an applicant shall be admitted as a Member. The Council may invite applicants to attend meetings organised by the Association and may provide literature and such other services of the Association for such applicants at such cost, if any, as the Council may on its absolute discretion determine.

- (2) An unincorporated firm, association, partnership, company, corporation or public body shall be admitted to membership in its associate or corporate capacity but subject to the following provisions:
 - (a) That it nominates in writing to the Secretary a representative (hereinafter called the “nominated representative”) who shall be subject to approval by the Council in its absolute discretion.

- (b) Upon approval by the Council the nominated representative shall be entitled to attend and vote at General Meetings of Members and to receive the literature of the Association and generally to exercise the same powers and enjoy the same privileges on behalf of the body or corporation which he represents as if he were an individual Member of the Association, and in particular a nominated representative may be elected to the Council of the Association or to any office in the Association open to Members.
 - (c) The Council may in its absolute discretion approve more than one nominated representative for each such body or corporation as aforesaid and each such nominated representative shall be entitled to exercise the powers and enjoy the privileges of an individual Member of the Association as provided in subparagraph (b) hereof.
 - (d) The Council may at any time at its absolute discretion withdraw its approval of a nominated representative and any change of nominated representative shall be subject to approval by the Council.
 - (e) If at any time there shall be no nominated representative approved by the Council, the membership of such body or corporation as aforesaid shall lapse until such time as the Council shall approve a nominated representative provided always that the Council may in its absolute discretion permit the membership of such body or corporation to continue on such terms as it shall think fit notwithstanding that there shall be no approved nominated representative.
- (3) The Council may in its absolute discretion if it is any time satisfied that a Member which is a partnership, limited company or corporation is controlled by or associated with any body or bodies engaged in the Electrical Installation Engineering Trade and who is not a Member or are not Members of the Association terminate the membership of such Member.
 - (4) A Member being an individual, unincorporated firm, association or partnership who or which sells or converts his or its business to a limited or unlimited company shall immediately make a new application to the Council for membership under sub-clause (1) hereof which the Council may in its absolute discretion accept or refuse and if such application is refused such membership shall cease forthwith. Until such application is considered by the Council the Member shall remain responsible and liable to the Association in the same capacity that he or it had before the application was made.
 - (5) A Member being an individual, firm or company who changes his or its trading title in any way, shall be bound to supply the Council with such information as the Council shall request and shall comply with such requirements as the Council shall determine.
 - (6) The Council shall be entitled from time to time to review the technical qualifications of Members and to require Members to supply evidence of their continuing ability to maintain the standards of workmanship required by the Association.

Without prejudice to the generality of the foregoing and to the power of the Council to set new or additional standards from time to time, it shall be obligatory for Members to work to and comply with such standards as are:

- (a) The “Relevant Standards” of the Association’s Guarantee of Work Scheme from time to time in force and,
- (b) Set from time to time by the Council in its absolute discretion in respect of good practice or ethical conduct of business, or technical or commercial competence or financial stability.

Honorary Members

- 8. (a) Honorary Members may be elected by the Council from year to year and shall be persons who are not active in the Electrical Installation Engineering Trade but who by their services have furthered or are furthering the objects of the Association.
- (b) Honorary Members may at the absolute discretion of the Council in each year for which they are elected to Honorary membership receive the literature of the Association and notice of meetings of the Association and act in such other capacity in connection with the affairs of the Association as the Council shall from time to time prescribe including the attendance at meetings of the Association but may not vote at such meetings.

Fellows

- 9. Fellows shall be:
 - (a) All persons who are Fellows at the date of the adoption of these Rules.
 - (b) Past Presidents of the Association and Past Vice-Presidents who for personal reasons have been unable to accept the Presidency.
 - (c) Any Members of long standing in the Association who have performed outstanding services therefore and are elected as Fellows either by a General Meeting or by votes of not less than two-thirds of the Council at a meeting of the Council.

The Council shall be entitled at their absolute discretion to permit any Fellow to receive the literature of the Association and to receive notice of and attend but not vote at meetings of the Association and to act in such capacity in connection with the affairs of the Association as the Council shall think fit.

Rights and Obligations of Members

- 10. Every Member so long as he shall observe the obligations and conditions imposed upon him by these Rules or any other Rules, orders, undertakings, agreements or regulations for the time being of the Association, shall enjoy the following rights and privileges as may be determined from time to time by the Council:
 - (a) The right to receive such publications as the Council shall make available at such rates, if any, as the Council shall from time to time prescribe, and
 - (b) The benefit of any service provided from time to time by the Association or by any company in which it may participate, subject to such terms as the Council may from time to time prescribe.

11. Every Member of the Association shall be and remain bound by and shall at all times observe and comply with the provisions of these Rules, the Standing Orders, the Bye-laws (if any), the undertakings of membership and the terms of such agreements affecting the division of the Association with which the Member is registered as the Council shall from time to time decide, and in particular to keep all information deemed by the Council to be confidential for the information only of their nominated representatives and the managers or owners of the Member firm and safeguard such information from the scrutiny or becoming within the knowledge of employees or any person outside the firm.

Subscriptions

12. Subject to any directions which may be given from time to time by a General Meeting, the Council shall have power from time to time in its absolute discretion to fix and if and when thought fit vary the method of computation and the amount and the mode of payment of the entrance fee and annual subscription and other subscriptions (if any) to be paid to the Association by the Members or any of them or any class of Members, and to differentiate between the Members or any of them individually or between the various classes of Members or any of them, or between Members of the same class inter se as regards the subscriptions to be paid and the amount thereof respectively, and to exempt any Member or Members individually or any class or classes of Members from the payment of all or any subscription which but for such exemption would be payable by Member or Members or class of Members. Where the subscription payable by any Member or Members or class of Members is expressed to be in any way dependent on the amount of the wage roll or annual turnover of each Member or Members or class of Members, the Member or Members or class of Members shall make such returns as the Chief Executive of the Association shall require for the determination of the amount or amounts of such a wage roll or annual turnover. Each annual subscription payable by the Members or any of them shall be in respect of a calendar year from 1st January to the following 31st December inclusive, and shall be payable in advance on 1st January in each year, and every Member shall duly and punctually pay the entrance fee (if any) and all annual and other subscriptions (if any) payable in respect of his membership of the Association accordingly.

Provided always that:

- (1) A person, unincorporated firm, association, partnership, company, corporation or public body on becoming a Member of the Association shall pay his or its entrance fee and other subscriptions (if any) in full, but only one-twelfth of his or its annual subscriptions for each complete calendar month of membership in respect of the period from the commencement of his or its membership to the next following 31st December, less an appropriate deduction to be assessed by the Chief Executive in his absolute discretion for any service not provided in the said period.
- (2) No increase by the Council in the amount of the entrance fee or annual or other subscription to be paid by Members generally or by any Member or class of Members shall affect any entrance fee or annual subscription which shall have already become actually due and payable in respect of any period prior to 1st January next following the date when such increase is made by the Council.
- (3) No entrance fee or annual or other subscription shall be payable by any Honorary Member as such.

- (4) Council may from time to time determine a method of computation of subscriptions when a return has not been submitted by a Member to the Association by 31st day of January in any year. The Chief Executive in his absolute discretion may in such cases assess the wage roll or annual turnover of the Member concerned and such assessment shall then be applied to the subscription rates approved by the Council and shall become payable as provided herein, if the assessment is not corrected by an auditor's certificate within 30 days of the date of the Chief Executive's assessment.

13. A Member whose subscription or any part thereof is in arrear after application in writing by the Secretary of the Association for payment thereof shall not be entitled to be present or vote at any meeting of the Association, and any Member whose subscription or any part thereof shall be three calendar months overdue may by a resolution of the Council be excluded from Membership of the Association and shall forthwith upon such resolution being passed cease to be a Member of the Association and forfeit all privileges of membership, but the arrears shall remain a debt due to and recoverable by the Association. For the purposes of this Rule a Member's subscription shall be deemed to include all sums payable by him to the Association.

Any costs, charges and expenses properly incurred by the Association in recovering or seeking to recover any arrears of subscriptions from a Member on a full indemnity basis, or on such basis as the Council shall from time to time decide and the amount thereof shall be deemed to be a debt due to and recoverable by the Association.

Cessation of Membership

14. (1) If a Member shall

- (a) Being an individual become bankrupt, or individually or as a partner in a firm make or agree to make any assignment for the benefit of his creditors, or the creditors of such firm, or enter into any assignment by way of trust for his creditors or the creditors of such firm, or execute any similar deed or agreement, or take or attempt to take the benefit of any statutory provision for arrangement with his creditors or the creditors of such firm or
- (b) Being a company go into liquidation (otherwise than voluntary for the purpose only of amalgamation or reconstruction), or
- (c) Being an individual become of unsound mind,

such Member shall thereupon cease to be a Member of the Association, but the Council may in its absolute discretion continue or restore the membership of any such Member notwithstanding the happening of any of the said events mentioned in paragraph (a) of this sub-clause and either subject to or without payment by such Member of any new entrance fee or subscription.

- (2)(a) If any Member shall fail in the observance of any of these Rules or any other rules, orders, undertakings, agreements, codes or regulations for the time being of the Association, or shall be reported to the Association for bad workmanship or any dishonourable or improper conduct within or without the Association, then, after the matter shall have been reviewed and determined by way of a just

procedure as laid down for the time being by the Council, including giving the Member an opportunity to be heard in defence and to appeal, the Member so offending may be excluded from the Association, and such Member shall thereupon (subject as aforesaid) cease to be a Member of and shall forfeit all his interests and privileges in the Association as from the operative date of the final determination excluding him.

- (b) Pending the outcome of the review procedure mentioned in Rule 14 (2) (a), in cases of urgency (such as, without limitation, a Member's failure to rectify dangerous work promptly), the Member's interests, rights and privileges of membership of the Association may be suspended in accordance with any resolution, Standing Order or Bye-Law made for that purpose from time to time by the Council.
- (3) A Member excluded under sub-clause (2) of this Rule or otherwise ceasing to be a Member from any cause shall not be entitled to receive back any part of his subscription in respect of the period from the date of such exclusion or cessation of membership to the end of the current subscription year, nor to a return of any other money paid to the Association by way of entrance fee, annual subscription or otherwise by such Member.
- (4) The Council may in its absolute discretion withdraw the membership of a Member if such Member has ceased to carry on business as an electrical contractor or specialist electrical engineer or to be involved in the Electrical Installation Engineering Trade, or belongs to or is associated with any organisation which the Council considers undesirable or against the interests of the Association.
- (5) The Council shall ensure that some suitable provision is made under Rule 62 (Standing Orders) for a review procedure for the purpose of sub-clause (2) of this Rule 14. Such procedure may be conducted initially by any committee, sub-committee or panel authorised by the Council.

Resignation of Membership

- 15. Any Member may, after payment of all moneys due from him to the Association, and of his subscription for the then current year, resign his membership by giving to the Association not less than three calendar months' previous notice in writing addressed to the Secretary of the Association at its registered office of his intention to do so, such notice to expire on the 31st December in any year, and a Member so resigning shall cease to be a Member of the Association as from the expiry of such notice and shall thereupon cease to have any interest in the property of the Association or be entitled to any benefit under these Rules.

Overseas Correspondents

- 16. Any person or incorporated body, which can satisfy the Council as to its standing in its country of origin, and which carries on business in the Electrical Installation Engineering Trade only in countries other than those specified in Rule 7 (1) hereof, may apply to be registered with the Association as an Overseas Correspondent at such subscription and on such terms with such rights and obligations as the Council may from time to time determine.

Affiliates and Associates

17. Any person, unincorporated firm, association, partnership, company, corporation or public body wishing to enter into a relationship with the Association instead of joining into Membership may be allowed to become affiliated or associated by the Council on such terms, under such description and at such fees or subscription as the Council may from time to time determine. Such a relationship shall continue until either the expiry of at least one year's notice given to the Association by the other party to expire on 31st December in any year, or the Council decides to terminate it on any given date in its absolute discretion.

General Meetings

18. The Annual General Meeting for the Association shall be held once in each calendar year at such place and at such time (not being more than eighteen calendar months after the holding of the last preceding Annual General Meeting) as may be determined by the Council. At such meetings, twelve Members present in person and entitled to vote shall form a quorum. All other General Meetings shall be Extraordinary General Meetings. At least twenty-one days' notice of every General Meeting (whether Annual or Extraordinary) shall be given by the Secretary of the Association to all the Members of the Association together with particulars of all matters to be brought forward and no business of which such notice shall not have been given shall be transacted at any General Meeting, and no business shall be transacted unless and until a quorum is present, and if within half an hour from the time appointed for the commencement of a General Meeting a quorum is not present, such meeting shall be dissolved.
19. At each Annual General Meeting of the Association the audited accounts and balance sheet of the General Fund as defined in Rule 55 for the year ending on 31st December then last shall be presented and the certificate and report of the Auditors thereon read and received.
20. The Council shall then present at each Annual General Meeting a report of the proceedings of the Association during the year ending 31st December then last and of all such general matters as it shall deem proper or expedient.
21. An Extraordinary General Meeting of the Association shall be called by order of the President or a majority of the Council, or at the written request of thirty Members of the Association. Fifty Members present in person and entitled to vote shall form a quorum at any Extraordinary General Meeting. Every request for an Extraordinary General Meeting shall state in writing the object or (if more than one) all the objects for which the meeting is desired to be called and shall be signed by the requisitionists and deposited at the registered office of the Association, and if in the case of any such request as aforesaid being made the Council do not cause a meeting to be held within 21 days from the date of the request being so deposited as aforesaid, the signatories of the request may themselves convene the meeting to be held not later than three calendar months after the date of such deposit aforesaid, and the Secretary shall upon written request supply the requisitionists within 7 days with a list of the current Members of the Association.

Voting at General Meetings

22. At any General Meeting a resolution put to the vote of the meeting shall be decided on a show of hands unless a poll is (before or on the declaration of the result of the show of hands) demanded:

- (a) by the Chairman
- (b) by at least twelve Members present in person, or
- (c) by any Member or Members representing less than one-tenth of the total voting rights of all Members having the right to vote at the meeting.

Unless a poll be so demanded, a declaration by the Chairman that a resolution has on a show of hands been carried or carried unanimously or by a particular majority or lost, with an entry to that effect in the Association's Minute Book, shall be conclusive evidence of the fact without proof of the numbers or proportion of the votes given for or against such resolution.

The demand for a poll may be withdrawn.

- 23. Except as provided in Rule 25, if a poll is duly demanded it shall be taken in such manner as the Chairman directs and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded.
- 24. In the case of an equality of votes, whether on a show of hands or on a poll the Chairman of the meeting at which the show of hands takes place or at which the poll is demanded shall be entitled to a second or casting vote.
- 25. A poll demanded on the election of a Chairman or on a question of adjournment shall be taken forthwith. A poll demanded on any other question shall be taken on such time during the meetings as the Chairman of the meeting directs and any business other than that upon which a poll has been demanded may be proceeded with pending the taking of the poll.
- 26. At a General Meeting every Member of the Association shall (unless disqualified from voting by Rule 13) have both on a show of hands and on a poll one vote, but Honorary Members shall not be entitled to vote.
- 27. A Member qualified to vote, being personally present at any General Meeting, may decline to vote on any question thereat but shall not by so declining be considered absent from the meeting; nor shall his presence invalidate any proxy duly given by him except as regards any question on which he may vote in person.
- 28. A Member entitled to vote may from time to time appoint any other Member as his proxy to vote at any poll.
- 29. Every instrument of proxy shall be in writing and in the following form, or as near thereto as circumstances will admit, and shall be signed by the appointor and deposited at the registered office at least forty-eight hours before the time of holding the General Meeting whereat it is to be acted upon:-

"I,....., a Member of hereby appoint A. B. or in his absence C. D., both Members of the Association, to act as my proxy at the Annual/Extraordinary General Meeting of the Association to be held on the day of 20..... and at every adjournment thereof.

As witness my hand this day of

Signed

This form is to be used* in favour of/against the resolution. Unless otherwise instructed, the proxy will vote as he thinks fit.

*[Strike out whichever is not desired.]”

- 30. The instrument appointing a proxy shall be deemed to confer authority to demand or join in demanding a poll.
- 31. No objection shall be made to the validity of any vote except at the meeting or poll at which such vote shall be tendered, and every vote not disallowed at such meeting or poll shall be deemed valid. The Chairman of the meeting shall be the sole and absolute judge of the validity of every vote tendered at any meeting or poll.

The Council

- 32. The Council shall consist of Members of the Association elected thereto as hereinafter provided together with such Members or Honorary Members as may be co-opted to serve thereon under the provisions of Rule 34. Unless and until otherwise determined by the Council, the number of Members of the Council shall not exceed 40.
- 33. The method of electing delegates to the Council and the filling of any vacancy and the term of office shall be in such manner as may from time to time be fixed by the Council subject to any direction which may be given by the Members in the General Meeting.
- 34. The Council may at any meeting of the Council by a majority vote of the Members of the Council then present and voting co-opt any Member or Honorary Member of the Association as a Member of the Council.

Powers of the Council

- 35. The Council shall subject to the provisions of any relevant statutes and of these Rules and to any regulations and directions not being inconsistent with these Rules which may from time to time be made or given by the Members in General Meeting (but so that any resolution of the General Meeting shall not render invalid anything previously done by the Council and which would have been valid in the absence of such resolution), conduct and manage all the business and affairs of the Association and exercise all such powers, authorities and discretions and do all or any such acts and things whatsoever as under or in furtherance of the Association’s objects or otherwise could lawfully be exercised or done by the Association, including without limitation the making of any regulations, agreements, codes of conduct or of trading to be observed by Members or by any class or category of Members.
- 36. The acts of the Council shall, notwithstanding any vacancy in the Council or any defect in the appointment of any Member of the Council, be as valid as if no such vacancy had existed and as if every such person had been duly appointed.
- 37. The Council may invest and employ in such manner as is thought expedient any funds of the Association from whatever source the same shall have been derived, which shall not for the time being be required for the usual business thereof, and it may at its discretion leave the funds unemployed at the bankers of the Association.

Meetings of the Council

38. A meeting of the Council shall be convened by order of the President or at the written request of ten Members of the Council and otherwise as the Council may determine. Notice of all meetings of the Council shall be given not less than seven clear days before each meeting to all Members of the Council specifying the nature of the business to be transacted. Subject as aforesaid, the Members of the Council shall meet together for the despatch of business at such times and places as they may think fit, and make such regulations as they think proper for summoning and holding their meetings, and for the transaction of business thereat, and unless otherwise determined by the Council the quorum necessary for the transaction of business shall be twelve Members.

Cessation of Membership of the Council

39. In case any Member of the Council shall at any time cease to be a Member of the Association he shall ipso facto cease to be a Member of the Council and of any committee of which he may be a Member, and in case any Member of the Council shall omit or neglect to attend three consecutive meetings of the Council, committee or committees of which he is a Member, without special leave of the Council (to be granted in case of illness, or other reasonable cause of absence) then he shall thereupon cease to be a Member of the Council and committee or committees of which he is a Member, and the vacancy or vacancies thereby caused shall be filled by the Council.

Committees of the Council

40. The Council shall have power in its absolute discretion from time to time to constitute such committees, standing or ad hoc, of the Council, consisting of such persons (none of whom need to be Members of the Council) as the Council may think fit, and to reconstitute, to change the membership of and to dissolve any such committee. Such committees shall not incur expenditure without the authority of the Council or the Board.
41. The Council shall have power at any time and from time to time in its absolute discretion to delegate to any of its standing or ad hoc committees all or any of the powers, authorities and discretions vested in the Council subject to such restrictions, conditions and directions as the Council may think fit, and to revoke, modify or extend any such delegation, restriction, condition or direction for the time being in force.
42. Subject to any restriction, condition or direction to the contrary made by the Council, any standing or ad hoc committee thereof shall have power from time to time at its discretion to constitute sub-committees consisting of one or more of its Members, to reconstitute change the membership of and to dissolve any such sub-committee, to sub-delegate to any such sub-committee any powers, authorities and discretions for the time being vested in such committee, and to revoke modify or extend any such sub-delegation.

The President

43. The President shall be elected by the Council from its own body. The President shall hold office for one year and shall be eligible for re-election for a further year of office. In the year following his term of office he shall be known as the Immediate Past President and ex-officio

shall be a Member of the Council in that year and subsequently until replaced in office by his successor as Immediate Past President.

44. The President shall ex-officio be a Member of all standing and ad hoc committees and all Regional Executive Committees, Sectional Boards, Branches and Sub-Bran­ches and shall be entitled to appoint a representative on his behalf to attend meetings of such Committees, Regional Executive Committees, Sectional Boards, Branches and Sub-Bran­ches if he is unable to attend.
45. The President shall preside at the meetings of the Council.

The Vice-President or Vice-Presidents

46. The Council may elect a Vice-President or Vice-Presidents from the Members with such powers, responsibilities and term of office as the Council may from time to time determine.
47. Vice-Presidents shall, ex-officio, be Members of the Council, of their individual Regional Executive Committees, and of all Standing and ad hoc Committees of Council.

Emergency Powers

48. In matters of urgency or exceptional importance the President or failing him, a Vice-President shall be entitled to exercise on behalf of the Association such powers or authorities as he may in his discretion think fit.

The Chief Executive

49. The Chief Executive shall be the senior executive official of the Association and shall be appointed by the Council either from the Members or from outside the Association on such terms and conditions as the Council shall determine.
50. The Chief Executive shall ex-officio be a Member of the Council, of all standing Committees and all Regional Executive Committees, Sectional Boards, Branches and Sub-Bran­ches with the power to take part in all deliberations but without a power to vote. The Chief Executive shall be entitled to appoint a representative on his behalf to attend meetings of such Committees, Regional Executive Committees, Sectional Boards, Branches and Sub-Bran­ches if he is unable to attend.
51. The Chief Executive shall be responsible to the Council or to any person or committee delegated by the Council for the custody, maintenance and use of the property by the Association and for the engagement, service and discharge of all staff employed by the Association. The Chief Executive shall be responsible to the Council for the co-ordination of the policies of the Association and with his staff for the implementation of policies determined by the Council and its committees.
52. The Chief Executive shall exercise such other powers and duties as the Council shall from time to time determine and shall initiate, develop and implement the policy of the Council.
53. The Chief Executive shall have power to incur or authorise any expenses necessary in the performance of his duties or otherwise on behalf of the Association and shall inform the Chairman of the Board of his actions and such expenses.

Secretary and Accountant

54. The Council shall appoint a person or persons to hold office as the Secretary and the Accountant of the Association and the Council may at any time remove such person or persons from office. The Secretary and Accountant shall have such powers and duties as the Council shall from time to time determine.

Accounts

55. Proper accounts and records shall be kept of the receipt and payment of all moneys on behalf of the Association and of the assets and liabilities of the Association. The above matters are referred to as "the General Fund".
56. All moneys received on behalf of the Association shall be paid into such account or accounts as may be authorised by the Council.
57. All cheques shall be signed by such person or persons as the Council shall from time to time prescribe.

Trustees and Nominees

58. Trustees of the Pension Fund of the Association or any other Trust Fund under the control of the Council and any Directors of any Company falling to be nominated or elected by the Council shall be appointed, and may at any time be removed from office, by the Council acting in its absolute discretion.
59. Any person nominated or elected by the Council in accordance with Rule 58 hereof shall execute and do such acts and things as shall be requested by the Council.

Investments

60. Any funds belonging to the Association may be invested in such manner as the Council in its absolute discretion may from time to time determine and such investments may be realised, transposed or varied in the like manner.

Inspection

61. The general books and register of Members of the Association shall be available as by Statute prescribed and at all reasonable times for inspection by every person having an interest in the funds of the Association.

Standing Orders

62. The Council may from time to time make Standing Orders and Bye-Laws for further regulating the business and administration of the Association in all its aspects, provided that no Standing Orders or Bye-Laws shall be inconsistent with these Rules. The Council may in its absolute discretion rescind or alter any such Standing Orders or bye-laws as and when it shall so determine.

Indemnity

63. If any prosecution, action or proceeding at law be commenced or carried on against any Member of the Council (past or present) or against any honorary or other officer or servant of the Association for proceedings or acts lawfully done by him or them in the proper discharge of his or their duty towards the Association, such persons shall be defended in and indemnified from and against all expenses of, or in any way incidental to, such prosecution, action or proceeding at law, out of funds at the Association.

Notices

64. All notices required by these Rules or by statute to be given to the Members shall unless personally served, be given to such Members as have registered addresses in the European Community, the Channel Islands or the Isle of Man, by sending the same by post to or delivering the same at such addresses.
65. Any notice properly posted as a prepaid first class in a wrapper or envelope duly addressed shall be deemed to have been served on the addressee on the day on which in the regular course of the post office it would be delivered at the place to which it was addressed, and any notice addressed to a deceased Member or to the executors or administrators of a deceased Member and served in such manner as would have amounted to good service on such deceased Member if he had been living and had been the addressee shall (whether or not the Association or any of its Council Members or officers shall have any notice of his death) be deemed to be sufficient notice to and well served upon his executors or administrators.

Alterations to the Rules

66. These Rules may be added to, or varied, or rescinded at any General Meeting, by a resolution passed by a majority of at least two-thirds of Members present and entitled to vote, or in the case of a poll being demanded, by a majority of at least two-thirds of the votes cast.

Dissolution

67. The procedure for the dissolution or winding up of the Association shall be as follows:
- (a) A written notice signed by at least 30 Members shall be sent to the Secretary in accordance with Rule 21 which notice shall only be considered at an Annual General Meeting or an Extraordinary General Meeting especially called for the purpose.
 - (b) If the resolution is carried by a majority of two-thirds of those present and entitled to vote, the written consent of two-thirds of the total Association Membership shall be obtained on a poll before such resolution is valid or of any effect.
68. If the requisite majority under Rule 67 is obtained, the Association shall be dissolved and any funds in hand shall be divisible amongst the Members pro rata according to the amount of subscription which each of such Members paid to the Association during the immediately preceding five years less expenses of dissolution, but if there are no refunds, such expenses shall be paid by the Members voting for the Dissolution, pro rata.

STANDING ORDERS OF THE ELECTRICAL CONTRACTORS' ASSOCIATION

General

1. These Standing Orders are made by the Council of the Association pursuant to Rule 62 of the Rules of the Association. A copy of these Standing Orders shall be laid on the table at every meeting of the Council, standing and ad hoc committees, Regional Executive Committees, Sectional Boards, Branches and Sub-Branches.
2. The definitions contained in the Rules shall, where the context so admits, apply to these Standing Orders.

Branches and Sub-Branches

3. All the Members of the Association shall be Members of a Branch or Sub-Branch. The Council in its absolute discretion shall determine from time to time the Branch or Sub-Branch of which each Member is a Member and shall have power to create, amalgamate or abolish any Branch or Sub-Branch and to define the geographical area in such Branch or Sub-Branch shall operate; subject however to the right of any Regional Executive Committee in whose region the Branch or Sub-Branch is or may be situated to be given due notice of the proposed closure, amalgamation or definition of geographical area and to make representation to the Council upon the proposal.
4. Subject to the provisions of Standing Order No. 6 meetings of Branches and Sub-Branches shall be held monthly or at such time or times as shall be determined by the Branches and Sub-Branches but in any case not less than four times in each year. Notices of meetings or any Branch or Sub-Branch shall be given not less than seven days prior to such meeting to all Members of such Branches or Sub-Branch and shall specify the nature of the business to be transacted.
5. The business of Branches and Sub-Branches shall be managed by Officers elected by Members of such Branches and Sub-Branches.
6. Each Branch and Sub-Branch shall elect a Chairman, Secretary and Treasurer who shall make arrangements for carrying on the work of the Branch or Sub-Branch within the policy and financial allocation laid down by the Council.
7. The Secretary of each Branch and Sub-Branch shall, within one month of holding a Branch or Sub-Branch meeting, forward to the Chief Executive of the Association a report of such meeting and of the other activities of the Branch or Sub-Branch.
8. Chairman of Branches and Sub-Branches shall not hold office as such for more than five consecutive years.
9. Meetings of Branches may be convened by order of their Chairman or by written request of ten per cent of the Members of such Branches, with a minimum requirement of two Members if there be less than twenty Members in a Branch, and with a maximum requirement of twelve Members if there be more than one hundred and twenty Members in a Branch.

Regional Executive Committees

10. Each Branch shall be attached to a Regional Executive Committee. The Council in its absolute discretion shall have power to create, amalgamate or abolish any Regional Executive Committee and to define the respective geographical area or group of Members with reference to which each Regional Executive Committee shall operate.
11. The Secretary of each Branch shall, seven days prior to, or at every meeting of the Regional Executive Committee to which such Branch is attached, submit to the Secretary of that Regional Executive Committee a report of the activities of such Branch since the last meeting of the Regional Executive Committee.
12. Delegates shall be elected from Branches to Regional Executive Committees in accordance with the procedure laid down by the Council from time to time and the filling of casual vacancies, during the period such delegates constitute a Regional Executive Committee, shall be determined in like manner.
13. Each Regional Executive Committee shall elect a Chairman, and he and the Secretary (who shall be the Regional Manager for the area, or other person delegated for the purpose) shall make arrangements for carrying on the work of the Regional Executive Committee within the policy and financial allocation laid down by the Council. The Chairman will normally hold office of two years.
14. Subject to the provisions of Standing Order No. 12, meetings of Regional Executive Committees shall be held at such times as each Regional Executive Committee shall determine but in any case not less than three times in each year. Notices of meetings of any Regional Executive Committee shall be given not less than seven days prior to such meetings to all Members of such Regional Executive Committee and shall specify the nature of the business to be transacted.
15. Meetings of Regional Executive Committees may also be convened by the order of their Chairman or by the written request of not less than twenty-five per cent of the Members of such Regional Executive Committees, subject to the approval of the President or Chief Executive.
16. In case any Member of the Regional Executive Committee shall omit or neglect to attend three consecutive meetings of the Regional Executive Committee of which he is a Member without special leave of that Regional Executive Committee (to be granted in case of illness or other reasonable cause of absence), then he shall thereupon cease to be a Member of that Regional Executive Committee and the vacancy thereby caused shall be filled in the manner laid down from time to time by the Council.

Sectional Boards and Divisions

17. The Council may determine that certain specified Members may be entitled to nominate additional nominated representatives directly to any Sectional Board or Division which is constituted on a basis of other than a geographical area in such manner and on such basis as may from time to time be determined by the Council.

Secretaries

18. Secretaries of Regional Executive Committees, Sectional Boards, Branches or Sub-Bran­ches, who are not Members of the Association shall not be eligible to represent a Branch at a Regional Executive Committee or Sectional Board meeting or a Regional Executive Committee or Sectional Board at a Council meeting except by special permission of the Council.
19. No Branch or Sub-Branch shall appoint a Secretary who is not a Member of the Association until full particulars of the proposed appointment have been submitted to the Chief Executive of the Association and formal authority for such appointment has been given in writing by the Chief Executive to such Branch or Sub-Branch.
20. Secretaries of the Regional Executive Committees, Sectional Boards, Branches and Sub-Bran­ches shall be responsible to the Chief Executive for the observance of all instructions issued from the Head Office of the Association and for preparing and keeping agenda, minutes, minute books, registers of Members and books of account for the Regional Executive Committee, Sectional Boards, Branches and Sub-Bran­ches.

The Council

21. Delegates shall be elected from Regional Executive Committees, Divisions and Sectional Boards to the Council in accordance with the methods laid down by the Council from time to time and the filling of casual vacancies shall be determined in like manner.
22. At each election of delegates to the Council, there shall be more candidates than vacancies and the election shall be by ballot. Chairmen of Regional Executive Committees, Divisions and Sectional Boards shall be responsible for ensuring that the requisite number of nominations is put to the ballot. The Chairman shall draw the attention of the delegates to those Branches who do not at that time have representatives on the Council.
23. Meetings of the Council shall be held at such times as the Council shall determine but in any case not less than three times in each year.
24. Members of the Council who write letters on behalf of the Council or the Association shall send copies of all such letters to the Chief Executive.
25. At each meeting of the Council the Chief Executive shall submit a statement of the numbers of Members of the Association.
26. The Council shall in its absolute discretion be responsible for all matters relating to the general policy of the Association, particularly as to the relationship between Members and Members, Members and their employees, Members and the Electricity Suppliers and the Electricity Association, and between manufacturers and wholesalers, and the Association as a whole. No Regional Executive Committee, Division, Sectional Board, Branch or Sub-Branch shall have any right or power to negotiate with any Trade Union, Electricity Boards, manufacturers or wholesalers or in any way usurp such prerogatives without the previous consent and authority of the Council.

27. The Council shall appoint the representatives of the Association on the National Board of the Joint Industry Board for the Electrical Contracting Industry and on the Regional Boards of the said Joint Industry Board and to all external organisations. If time does not permit a reference of such matters to the Council, the President or a Vice-President have the right to appoint such representatives.
28. The Council shall ensure that copies of the Industrial Agreements and National Working Rules as laid down by the Joint Industry Board shall be distributed to all Members as and when they are issued.
29. The Council, or if time does not permit a reference to the Council, the President or a Vice-President shall have power in their absolute discretion to veto or cancel the appointment or election of any Member or other person as an official of any Regional Executive Committee, Sectional Board, Branch or Sub-Branch, or as a delegate to any body within or without the Association.

Standing Committees

30. Standing Committees shall have the right to consider all matters within their terms of reference, whether or not specifically referred to them by the Council.
31. Standing Committees shall have the right to co-opt any Member whose presence may be regarded as helpful for consideration of a particular item.
32. A Standing Committee may, on the authority of the Chairman of such Committee, invite any person (whether a Member or not) to attend a meeting if the work of such Committee may thereby be advanced.
33. Standing Committees may take action in the name of the Association in so far as such action will further any policy already laid down by the Council.
34. Standing Committees may not initiate new policy without first receiving the authority of the Council.

Conduct of General and Council Meetings

35. In the absence of the President, the chair shall be occupied by a Vice-President. In his absence or in the event of there being no such office, the Chief Executive or person calling the meeting shall temporarily take the Chair and ask the Members present to nominate their own Chairman.
36. The Chief Executive shall keep an accurate record of the attendance of all such meetings, and the Minutes shall contain such record. The Minutes shall be deemed to be a register of attendance.

General Rules for the Conduct of all Meetings

37. No quorum is fixed other than for Council meetings and for Annual and Extraordinary General Meetings of the Association, but should any Committee, Regional Executive Committee, Division, Sectional Board, Branch or Sub-Branch decide that a minimum attendance is necessary to transact business, it shall have power to fix its own quorum.

38. Motions submitted to a meeting must be proposed and seconded before any discussion takes place, unless the motion comes from the Chair, or a committee or sub-committee report is submitted to the meeting.
39. (a) If an amendment is proposed to a motion already proposed and seconded, no discussion shall take place on the amendment until it has been duly seconded.
- (b) No further amendment shall be permitted until the first amendment has been voted upon.
- (c) If the amendment is carried, it must again be put to the meeting as a substantive resolution and voted upon.
- (d) If the amendment is thus carried, it must be considered as taking the place of the original motion and a further amendment can then be accepted.
- (e) If the first amendment is not carried a second amendment may be moved to the original motion.
40. (a) No Member shall speak more than once on any resolution (except by the express permission of the Chairman) with the exception of the Member who proposed the original motion or any amendment. Such Member shall have a right to reply to the discussion but he must not introduce any new matter but confine himself strictly to the motion he has moved.
- (b) No discussion shall be allowed upon a motion for an adjournment or postponement.
41. No motion substantially the same as a motion negatived shall be allowed within three months unless it is introduced by the Chairman or submitted at the request of one-third of the Members present at any particular meeting.
42. Any Member may at any time rise and address the Chairman upon a point arising out of any motion, speech or debate but shall not interrupt any speaker who is addressing the Chairman.
43. The ruling of the Chairman upon a point of order or upon the admissibility of any explanation shall be final and conclusive.
44. No Member, with the exception of the Chairman or the mover of a resolution, shall speak on any subject for a longer period than five minutes, except by the express permission of the Chairman. Notwithstanding this Standing Order, the Chairman shall have the right to determine the time limit of speeches at any particular meeting.
45. In the event of a Member who has already given notice of a motion being unable to attend the meeting, any other Member may move the resolution if the Chairman be satisfied that he has been requested so to do by the Member who has given the necessary notice.
46. (a) Any Member who has not spoken on the question before the meeting, may, at the close of any speech, move "That the question be now put".
- (b) This motion must be seconded by a Member who has not exhausted his right to speak.

- (c) When an amendment is under discussion the motion shall apply only to that amendment. The motion must be moved and seconded without a speech and the Chairman shall forthwith put the motion to the meeting.
 - (d) If the motion “That the question be now put” be carried by a majority of those present and voting, the Chairman shall (subject only the right of the mover of the original motion to reply) put the question to the vote without further debate.
47. At all meetings other than General Meetings of the Association, all questions shall be determined by a show of hands unless a ballot is demanded by at least 25 per cent of the Members present. In such cases the Chairman shall decide the method in which the vote is recorded in the Minutes. In taking votes upon any questions those Members who at the time are absent from the actual meeting shall not be taken into account.
48. When equal votes are cast for and against a motion, the Chairman shall have the right to give a second or casting vote.

Expenses of Delegates

49. Expenses of delegates for attending meetings duly convened or authorised by Head Office shall be refunded to the delegates subject to the approval of the Chairman of the Board. The total amounts involved shall be reported to the Board.
50. Expenses of delegates for attending Regional Executive Committee, Division and Sectional Board meetings shall be paid by the secretaries of such Sectional Boards in accordance with the rates and conditions laid down from time to time by the Council.
51. Expenses of delegates for attending Branch and Sub-Branch meetings shall not be paid except in the case of two delegates from a Sub-Branch attending a Branch meeting, or two delegates of a Branch attending a Sub-Branch meeting when such delegates shall receive their expenses, in accordance with the rates and conditions laid down from time to time by the Council.
52. Members attending meetings of outside bodies on behalf of the Association shall, unless their expenses are paid by such outside bodies, be entitled to receive expenses in accordance with the rates and conditions laid down from time to time by the Council.

Resolutions

53. Any Sub-Branch, Branch or delegate to a Regional Executive Committee wishing the Council or any of its committees to consider a resolution, must first submit such resolution to its Regional Executive Committee, and may at the same time send a copy to the Chief Executive for immediate action at the discretion of the President. If the resolution is passed by the Regional Executive Committee, it shall then be passed on for consideration by the Council.

Applications for Membership

54. All applicants shall be progressed and investigated by a Regional Manager (or other person designated for the purpose by the Chief Executive) and the application shall then be submitted to the Liaison Support Group of the Member Requirements and Policy Panel for acceptance if they see fit. The appropriate Branch shall be notified of the application and

invited to submit any comment they may have to the Liaison Support Group of the Member Requirements and Policy Panel.

55. The Liaison Support Group of the Member Requirements and Policy Panel may cause any inquiries they think fit to be instigated before an application for Membership is accepted.
56. No application for Membership will be considered unless it is accompanied by the appropriate entrance fee and minimum subscription laid down from time to time by the Council.
57. All forms of application for Membership shall be signed for and on behalf of the head office of the firm applying, and all such signatures shall bind all the branches and associated firms and companies of the applicant engaged in the Electrical Installation Engineering Trade.
58. A firm paying full subscription in respect of its head branch, having business premises or which is operating a substantial contract likely to continue for more than two years in other Branch districts of the Association, may take up Membership in each of such other districts upon payment of a second Member's subscription in each such district, in addition to the full subscription in respect of the head branch.

Adverse Reports - Disciplinary Procedure

59. This is the Review Procedure mentioned in Rule 14(2)(a) and (5). It shall be applicable subject to completion of any prior external legal or arbitration proceedings, or conciliation or mediation procedure, which may already have been instituted between a Member and the Member's customer.
 - 59(a) The body designated by the Council under Rule 14(5) is for this purpose called "the Disciplinary Panel" and will generally consist of at least three senior Members of the Association. The Chief Executive (or, failing him, his deputy or the Secretary of the Association) shall have power to appoint a temporary substitute for any member of the Disciplinary Panel who at any material time is indisposed or who declares a conflict of interest.
 - 59(b) Where any report against a Member under Rule 14(2)(a) has been received by the Association, the Member shall be notified in writing (in accordance with Rules 64 and 65) of the alleged breach or failure in reasonable detail, and required to remedy it (if possible) or to explain it to the satisfaction of the Chief Executive within 14 days. The notice shall contain a warning to the effect that failure to do so will invoke the Association's disciplinary procedure which could result in termination of Membership.
 - 59(c) In the absence of any timely remedy or satisfactory explanation by the Member as stated above, the Membership Secretary shall convene a meeting of the Disciplinary Panel. The Member shall be given not less than 14 days' notice of that meeting and shall be informed of his right to answer the allegations in question at the meeting in writing and/or by personal attendance with or without a legal or other representative. The proceedings shall follow the rules of natural justice and good order without unnecessary formality.
 - 59 (d) The findings and determination of the Disciplinary Panel shall be notified in writing to the Member by recorded delivery post as soon as possible after the meeting.

Appeals

60. The Member may appeal against such findings and determination within 14 days of their receipt by notifying the Secretary in writing of his wish to do so.
61. The appeal shall be referred by the Association to an appeals panel consisting of three persons independent of the Association, appointed from time to time by the Council, with regard to the requirements of contemporary legislation and/or generally recognised industry or consumer codes of practice. The appeals panel (for which the Association may provide the secretariat) shall fix the time and date for the hearing of the appeal. The Member shall have the same rights of representation as set out above. If he or his representative fails to appear, the appeals panel in its discretion may either proceed to determine the case in his absence, or fix a fresh date. The decision of the appeals panel on the issues before it shall be notified in writing and be final and binding on the Member and on the Association.
62. If the Member loses his appeal, he shall at the discretion of the Council pay the costs and expenses of the independent appeals panel.

BYE-LAWS OF THE ELECTRICAL CONTRACTORS' ASSOCIATION

1. Warranty and Bond Scheme

If the Electrical Contractors' Insurance Company Limited ("The Insurer") shall have made any payment or borne any cost or expense in respect of a Member under the Warranty or Bond, that Member shall indemnify the Insurer accordingly.

The Insurer shall have the power to make any reasonable requirement or regulation (including where appropriate, for the issue or withholding of Certificates of Insurance) in regard to the administration and operation of the said Scheme as promulgated or amended from time to time.

2. Association logo as Registered Mark

It is a condition of use of the ECA logo ("device" or "mark") that the mark shall not be used in any printed advertisements or printed publicity matter directed primarily to the market in the United Kingdom and the Isle of Man or in retail point of display cards distributed by the Registered Proprietor for use within the United Kingdom and the Isle of Man without indicating that it is a "Collective Mark".

3. Failure to supply evidence of technical competence

Having regard to Rule 7(6), the Council has determined that the following procedure shall apply to Members who, without an accepted 'Deemed to Satisfy' exemption, fail to supply evidence on request within a prescribed period of their technical competence through the Association's technical assessment and inspection process:

- (1) Where the Association's technical inspectorate has written three times to the Member requesting an appointment for inspection, and
- (2) The Member has failed, for whatever reason, to submit a suitable installation of his for inspection, and
- (3) The Association's Membership Department has given that Member a final written notice (with a copy to the appropriate Regional Manager) explaining the inspection procedure and stating that the Member's membership of the Association will be suspended 30 days after the date of that letter in the absence of a submission to inspection;

Then that Member's membership of the Association shall be suspended for the remainder of the current subscription year unless and until such evidence of technical competence as above has been supplied. Suspension means withdrawal of the rights and privileges of membership, including (without limitation) removal of the Member's particulars from the Association's website and his right to display the Association's logo or registered marks, and cover under the Association's Guarantee Scheme. BUPA cover already paid for shall not be withdrawn for that year.

4. Abuse etc. of Association employees

With regard to the fact that the Association owes legal duties towards all its employees, the Council has determined that any abuse, bullying or assault of any of the Association's employees by any Member, or by the Nominated or Additional Representative of a Member, will be considered a disciplinary matter and dealt with under the Association's Disciplinary Procedure as set out in Standing Orders 59-62. This may lead to suspension or termination of membership.