

LEENZ Constitution

Article 1

Name

The name of the society shall be “Lifting Equipment Engineers New Zealand Incorporated”.

Article 2

Objects

1. To establish and maintain the Association as a reputable and recognised body in the field of Lifting Equipment.
2. To promote the association of those specialists engaged in any or all of the following: design, manufacture, testing, examination, inspection, sale, repair, maintenance, hire, of lifting equipment; with the object of ensuring, so far as practicable, that Lifting Equipment conforms to the standard of safety required by an approved inspection body.
3. To promote the development of efficient methods and processes in the industry and the adoption of good standards and safety in the design, manufacture and use of all Lifting Equipment.
4. To provide authoritative representation of the Association at standards institutions, with government departments, public bodies, professional and technical institutions and similar bodies.
5. To provide for common action in administrative, professional, research, legal and commercial matters such as insurance schemes, standardised forms of contract and the like.
6. To provide, within the resources of the Association, advice to Members on the implementation of statutory requirements and on technical matters.
7. To do all other lawful things that may be conducive to the objects of the Association and to the advantage of its Members.

Article 3

Offices

The offices of the Association shall be at such address as the Executive Committee shall decide.

Article 4

Membership

The Classes of Members shall be as follows:

- 1 Standard Member – 5+ locations
- 2 Standard Member – 2-4 locations
- 3 Standard Member – single location
- 4 Associate Member
- 5 Sole Trader Member

Eligibility for membership shall be determined according to the scope of activity of the prospective member.

Prospective members shall only be considered eligible for one classification.

Member, Associate Member, with one or more branches or wholly owned subsidiary companies which are in the same country and which are engaged in substantially the same scope of activity as the parent member, are entitled to have those branches or subsidiaries recognised as being within their membership, subject to compliance with the Association's Code of Practice for members and current technical audit procedures. Such branches and wholly owned subsidiaries are not eligible for membership in their own right.

For the purposes of this Constitution a 'wholly owned subsidiary' is a subsidiary in which the member has a minimum 75% shareholding.

Each member with an entitlement to vote shall have a single vote. Members with any branches or wholly owned subsidiary companies shall not be entitled to any additional voting rights.

All members shall be entitled to maintain a single credit account with the Association, provided all transactions are made in accordance with the Association's current terms and conditions. Such terms and conditions shall be as determined by the Executive Committee.

All members with any branches or wholly owned subsidiaries recognised within their membership must arrange for all credit transactions to be made through their single account and must accept liability for any transactions undertaken by such branches or subsidiaries.

Compliance with the Association's rules and code of practice for Members is a condition of membership.

All members may complete an annual return for each location giving details of their scope of activity, personnel and facilities.

All members shall submit to the Association's current technical audit procedures. Such procedures shall be determined by the Executive Committee and published.

All members shall nominate a representative to the Association and shall notify the Association in writing of any change of representative.

All members shall be prepared to participate actively in the work of the Association.

The requirements for eligibility and qualification together with the entitlements of the various classes of membership are as follows:

Member

Organisations in any area of New Zealand which are engaged for profit and any or all of the following groups of activity and who, in the opinion of the Executive Committee, are competent and can give an adequate service:

- Hire, design, manufacture, test, maintain, repair and examine lifting equipment
- Manufacture, test and examine lifting equipment
- Maintain, repair, test and examine lifting equipment

- Supply, test and examine lifting equipment
- Hire, test and examine lifting equipment
- Test and examine lifting equipment
- Consultation with industry groups on testing, training and examining lifting equipment.

Members shall be entitled to:

- Send a voting representative to general meetings
- Nominate candidates employed by Full Members for election as Officers and committee members of the Association in general meeting.
- Use of the title “Member of the Association” in a manner and layout approved by the association.*
- Use of the Association’s Logo in a manner and layout approved by the Association.*

* Refer to Rule 4 for specific information concerning use of the LEENZ name or logo

Associate Member

Organisations in any area of New Zealand and overseas which are engaged for profit in any of the following and who in the opinion of the Executive Committee are competent and can give an adequate service.

- Design
- Manufacture
- Inspection
- Sale
- Repair
- Maintenance
- Hire of Lifting Equipment

Alternatively a government department, or state owned enterprise, nationalised body, or any other organisation approved by the Executive Committee, which operates in any area of New Zealand or overseas which in support of its main activity and not directly by way of trade, is engaged in any of the following activities:

- Design
- Manufacture
- Testing
- Examination
- Inspection
- Repair
- Maintenance of Lifting Equipment

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 with approval provided at the discretion of the Executive Committee.

An Associate Member shall be entitled to:

- Send a non-voting representative to general meetings
- Use the title “Associate Member of the Association” in a manner and layout approved by the Association.

Article 5

Management

The general management shall be vested in an Executive Committee consisting of Chairman, Secretary, Treasurer and a further two persons making a total committee of five. The positions of Secretary and Treasurer may be combined. The members of the Executive Committee shall be elected to serve for a maximum of three years. At least two of these five members shall retire each year at the annual general meeting. Retiring committee members shall be eligible for re-election.

The outgoing Chairman is to remain on the Executive Committee for one full term following resignation from the Chairman role.

The number for a quorum at Executive Committee meetings shall be four including the Chairman or elected Chairman of the meeting.

Voting at Executive Committee meetings shall be by a simple majority of those present, the chairman of the meeting to have a casting vote.

Notification of Executive Committee meetings, Annual General meetings and circulation of the agenda shall be not less than fourteen days prior to the meeting.

The Executive Committee shall have the power to co-opt as and when required.

Article 6

Technical Committee

There shall be a Technical Committee. This shall consist of the Executive Committee plus any other technically qualified persons they may wish to co-opt on to the Technical Committee.

Any member of the Association shall be entitled to send a technical representative to any meeting of the Technical Committee, after having received notification of committee meeting and upon giving due notice to the Technical and Administrative Officer.

Article 7

Examination Committee

There shall be an Examination Committee. This committee will consist of two qualified persons from the Executive Committee. They shall have the power to co-opt.

The Examination Committee shall deal with examination matters and have no executive powers.

The committee shall have overall responsibility for the running of the examinations in accordance with the general policy laid down by the Executive Committee.

Article 8

Officers

There shall be a Chairman to be elected annually.

There shall be a Secretary and a Treasurer. These two officers can be combined.

The Chairman shall not receive any salary.

Article 9

General Meetings

The Annual General Meeting of the Association shall be held between the 1st June and 31st July each year.

A general meeting of the Association may be called by the Executive Committee or upon requisition by five full Members by way of written notification.

Each full Member may appoint a representative from their own organisation to act and vote at general meetings of the Association. Such executive representative shall have full authority to act and vote for the Member.

A full Member who is unable to send a representative may arrange for another Member's representative to be their proxy provided that such arrangements are notified to the Association's office prior to the day of the meeting and the proxy produces written authorisation.

The number for a quorum at general meetings shall be fifty percent of members entitled to vote including the Chairman or elected Chairman of the meeting.

Voting at meetings shall ordinarily be by show of hands and a decision made by a simple majority. Any voting members may demand a secret ballot.

Article 10

Amendment

This Constitution and Rules may be amended by a two-thirds majority of the Members or Members proxy and voting by resolution at an annual general meeting.

Article 11

Dissolution

The Association shall continue until dissolved by a Resolution in General Meeting.

Upon dissolution, its property and assets shall be sold and the proceeds and funds shall be applied in satisfaction of the debts and the expenses in winding up. Any balance shall be distributed equally among the Members, as defined in Article 4, Section 1.

If the funds on dissolution prove insufficient to meet liabilities, the deficiency shall be contributed equally by the Members as defined in Article 4, Section 1.

Rules

Rule 1

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 abide by the Code of Practice (see Rule 3) and the Rules of the Association.
2. All applicants including branches and wholly owned subsidiaries of existing Members shall submit to assessment and where appropriate visited by an officer of the Association and pay the assessment fee determined by the Executive Committee. (See Rule 2).
3. The decision of the Executive Committee shall be final in all matters relating to membership applications.
4. The Executive Committee reserves the right to decline membership.

Rule 2

Fees and subscriptions

1. Assessment Fees, Entrance Fee and Subscription - the Executive Committee shall make such charges for the assessment procedures as they deem appropriate.
2. The entrance fee shall be decided annually by the Executive Committee.
3. The annual subscription shall be such sum as the Association from time to time in general meeting may decide.
4. All subscriptions shall be payable annually in advance by 1st September in each year.

Rule 3

LEENZ Code of Practice

1. It is a condition of membership of the Association that Members must themselves abide by the LEENZ Code of Practice for the Safe Use of Lifting Equipment

Rule 4

Use of the LEENZ Name and Logo

1. A Member is permitted to use the LEENZ name or logo on company letterheads, business cards, brochures or similar to confirm their membership of the Association
2. The LEENZ name or logo may not be used to endorse any product or specific business activity of any kind without the express permission of the Executive Committee
3. Upon resignation or exclusion from the Organisation, the LEENZ name or logo may no longer be used by a former member in any form whatsoever.

Rule 5

Register of Members

1. The association shall keep a register of Members containing such information as may be required by the Executive Committee.

Rule 6

Resignation, Exclusion, Determination or Membership and Reinstatement etc.

1. Member may resign his membership in writing and such resignation shall take effect at the next meeting of the Executive Committee.
2. Any Member may be excluded from the Association if they cease to be eligible for membership as defined in Article 4 and following a resolution in general meeting.
3. Membership shall also cease:
 - a. If a Member being a corporate body or limited company is dissolved or goes into liquidation.
 - b. If a Member becomes bankrupt
 - c. If a Member, being a foreign individual, is deemed the equivalent to being bankrupt.
 - d. If the Member's annual subscription be in arrears for three months. (Such a Member may be reinstated at the committee's discretion on payment of outstanding dues. In addition in such cases, the committee may ask for the entrance fee to be paid).
4. The privileges of membership shall not be transferable.
5. 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 they shall forfeit all interest in the funds.

Rule 7

Accounts

1. The Executive Committee shall cause true accounts to be kept.
2. The Executive Committee shall prior to the annual general meeting cause to be sent to each member a statement of account.
3. The Bankers shall be such a Bank as the Executive Committee may decide.
4. The Treasurer shall open a bank account in the name of the association, and will be responsible for all funds of the Association. Withdrawal cheques are to be signed by the Treasurer and countersigned by the Chairman or one other authorised member of the Executive Committee.
5. The Executive Committee by majority shall decide upon the use of any surplus funds to the advantage of the Association.

Rule 8

Auditors

1. The financial auditors shall be elected annually.

Rule 9

Travelling Expenses

1. Members of the Association shall be entitled to the repayment of reasonable accommodation expenses and travelling expenses for journeys authorised by the Executive Committee.

Rule 10

Advice

1. Advice is given to Members, Associate Members, overseas Associate 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.