



STATUTES of the INTERNATIONAL FEDERATION OF HARDWARE AND HOUSEWARES ASSOCIATIONS (IHA)

February 2000

(Revised by General Assembly in London 2009, Article 27.1.5)

Article 1 NAME

Under the name INTERNATIONAL FEDERATION OF HARDWARE AND HOUSEWARES ASSOCIATIONS (IHA) exists for an unlimited duration a federation of the professional organisations from the independent specialist trades in the sectors hardware, DIY & garden products, fittings, tools, steel, household, electrical appliances, china and glassware in all countries.

Article 2 LEGAL POSITION

2.1 The IHA is a federation in accordance with Art. 60 et seq. Swiss Civil Code.

2.2 Registered office and legal domicile of the IHA are always at the registered office of the organisation which assumes the function of General Secretariat.

2.3 The financial year of the IHA is the calendar year.

2.4 The IHA is liable for its liabilities only with its assets. All personal liability is excluded.

Article 3 OBJECTIVES

3.1 The IHA stands for the principle of privately organised economy, personal initiative and independence of the medium-size trade.

3.2 The aims of the IHA are:

3.2.1 to inform as a permanent link between the organisations belonging to it and the members on the basis of close international solidarity and to maintain good relations between the members of the affiliated professional associations.

3.2.2 to educate about and experiences of economic, social and general matters affecting the profession.

3.2.3 to influence the joint promotion and protection of economic and professional interests of the affiliated organisations and their members and the maintenance of a free and independent profession in the relevant countries.

3.2.4 wherever possible to encourage members to take joint action.

3.3 The IHA is impartial as regards politics and religion.

3.4 Individual members of the national associations may contact the General Secretariat only through the head office of their association.

Article 4 MEANS OF REALISING OUR AIMS

4.1 The IHA and the individual organisations affiliated to it shall attempt to achieve this aim through:

4.1.1 mutual guidance regarding undertakings of international interest on national soil through the exchange of the federation's own publications, textbooks and trade journals.

4.1.2 promotion of professional training through facilitating the international exchange of placement students, visits to higher education establishments and arranging jobs in foreign countries.

4.1.3 the maintaining of friendly relations between members of the IHA and the exchange of thoughts and experiences on all matters of interest relating to our sector.

4.1.4 the brokering of business relations, the research into and evaluation of opportunities suitable for enhancing the performance standards of independent traders in the interests of consumers.

4.2 The IHA can become a member of international organisations or institutions if their activities correspond to its objects.

4.3 The IHA for its part contributes to maintaining peace and to promoting good relations between countries.

Article 5 CATEGORIES OF MEMBERSHIP

The IHA consists of members, associate members and honorary members.

Article 6 HONORARY MEMBERSHIP

Persons can be nominated as HONORARY MEMBERS who have made excellent contributions to the IHA.

Article 7 ORDINARY MEMBERS/ASSOCIATE MEMBERS

7.1 Only national professional associations of the sectors of the trade specified in Article 1 or branches of industry associated with the same can be members of the IHA.

7.2 Applications for membership must be submitted to the members in the relevant country for further action within a period of thirty days prior to the passing of a resolution by the COUNCIL

7.3 Applications by manufacturers, industrial associations, purchasing companies, chains, international trade fairs, publishing companies and other undertakings are excluded therefrom and other undertakings, organisations and persons are subject to the IHA regulations for associate membership.

Article 8 RIGHTS

8.1 The work of the federation serves the members as described in these Articles and can be brought up to date by resolutions of the CONGRESS.

8.2 The privilege of using the international name and logo of IHA

8.3 The members have voting and election rights as provided for in the individual organisations.

8.4 Honorary members act merely in an advisory capacity and cannot be elected to the organisations of the IHA. They have a right to propose resolutions but do not have voting rights.

8.5 Member associations have the right to receive information from colleague associations.

Article 9 DUTIES

9.1 Unless national laws provide otherwise, every member is obliged to comply with the Articles, rules and resolutions of the IHA

9.2 To promote the objects of the IHA to the best of their ability and to protect its interests

9.3 To participate actively in the implementing of the resolutions and recommendations of the organs of the IHA

Article 10 APPLICATION FOR MEMBERSHIP

Applications for membership must be sent to the General Secretariat. Acceptance, postponement or rejection of applications shall be announced by the COUNCIL which need not give the reasons for its decisions.

Article 11 ACQUISITION OF MEMBERSHIP

11.1 Members should assist the IHA in its endeavours to exercise its functions of information, education and influence at every opportunity and help to promote the objects of the federation

11.2. Membership is acquired for an unlimited period after satisfaction of the following conditions:

11.2.1 Presentation of a confirmation of membership and written acceptance of the Statutes.

11.2.2 Resolution of acceptance by the COUNCIL.

Article 12 TERMINATION OF MEMBERSHIP

Membership is terminated by:

12.1 Dissolution of the IHA professional federation

12.2 Termination

Termination may only be declared at the end of a calendar year subject to a period of notice of one year.

12.3 Exclusion

Members who breach the Statutes or the resolutions or generally harm the interests of the federation or have not paid outstanding membership fees may be expelled from membership by resolution of the COUNCIL.

12.4 The members are entitled to lodge an objection to this resolution at the next IHA CONGRESS. It makes the final decision on membership as the last instance.

12.5 The objection must be submitted to the General Secretariat within 90 days of announcement of the decision.

Article 13 RIGHTS AND DUTIES OF DEPARTING MEMBERS

Departing members lose their rights and all claim to the assets of the IHA. Departing members remain liable and under an obligation to the IHA for all liabilities arising from membership.

Article 14 FINANCES

The income of the IHA consists of:

14.1 Membership fees

14.2 returns on capital and voluntary donations

14.3 various receivables,

which are payable at its registered office and in the relevant currency.

Article 15 FEES

15.1 The annual fees of the membership associations are fixed by the COUNCIL.

15.2 If there are several member associations residing in the same country the amount is shared between them proportionately to the number of all member firms.

15.3 The annual subscription of Associate Members are fixed by the Council.

Article 16 ORGANISATION

The organs of the IHA are

16.1 The INTERNATIONAL CONGRESS (Articles 17-21)

16.2 The COUNCIL (Articles 22-26)

16.3 The MANAGING COMMITTEE (Articles 27-28)

Article 17 INTERNATIONAL CONGRESS DELEGATIONS

17.1 The INTERNATIONAL CONGRESS consists of delegations from the national professional associations.

17.2 Since the main aims of the IHA are to provide information and exchange ideas, as many people as possible should be encouraged to attend the international congress and the different types of meetings.

Article 18 THE INTERNATIONAL CONGRESS

18.1 The INTERNATIONAL CONGRESS may meet once a year, but should try meet every two years.

18.2 An extraordinary congress may be called by resolution of the COUNCIL or on a request by half the members.

Article 19 RESPONSIBILITIES OF THE INTERNATIONAL CONGRESS

THE INTERNATIONAL CONGRESS is responsible for the following transactions:

19.1 under the direction of the President of the IHA

19.1.1 Ratification of management and administration and approval of actions of the other organisations

19.1.2 Election of the President of the IHA, as per motion of the COUNCIL

19.1.3 Election of the other members of the MANAGING COMMITTEE as per motion of the COUNCIL

19.1.4 Passing resolutions on objections to decisions of the COUNCIL

19.1.5 Nomination of honorary members and undertaking of the honours at the request of the COUNCIL

19.2 Under the direction of the Chairman of the COUNCIL

19.2.1 Processing of all applications which must be submitted in writing at least three months before the meeting of the General Secretariat

19.2.2 Recommendations to the members

19.2.3 Passing of resolutions on the alterations of the Articles

19.2.4 Passing resolutions on the dissolution of the IHA and on the allocation of its net assets

19.2.5 Exchange of thoughts and experiences on the state of the profession in the various countries.

Article 20 CONGRESS VOTING RIGHTS

20.1 At the CONGRESS, membership associations from the same country have a total of three votes. They decide amongst themselves who is to exercise the voting right.

20.2 A two-thirds majority of all votes cast is required in all cases for the resolutions to be valid.

20.3 Abstentions and blank voting slips are ignored.

20.4 The representation of a member by a member from a different country is not permitted.

Article 21 CONGRESS ATTENDANCE RIGHT

21.1 Entitled to attend the meeting of the INTERNATIONAL CONGRESS are honorary members and, as observers, all members of the affiliated professional associations who accompany their official delegates

21.2 The MANAGING COMMITTEE may invite representatives of authorities, other organisations etc., as guests.

The admission of the press to the meetings of the congress is a matter for the national associations.

Article 22 THE COUNCIL

22.1 The COUNCIL consists of one representative per member country:

22.2 The members are free to choose their delegate, however, it should be the president in office at the relevant time.

22.3 The representation of a member by a member from a different country is not permitted.

22.4 The members of the COUNCIL are entitled to invite managers to attend meetings.

22.5 The chairman of the COUNCIL is automatically chairman of the Management Committee and has the title of Chairman.

Article 23 MEETINGS OF THE COUNCIL

23.1 The COUNCIL meets when the MANAGING COMMITTEE or at least five members of the COUNCIL consider it necessary.

23.2 The COUNCIL is responsible for the following transactions which are prepared in the Management Committee:

23.2.1 Prior discussion of all items on the agenda of the INTERNATIONAL CONGRESS

23.2.2 Acceptance of new members

23.2.3 Operating accounts, balance sheet and budget

23.2.4 Fixing of the amount of membership fees according to the proposal of the Managing Committee

23.2.5 Propose of the national professional organisation which will be next to chair the proceedings and, therefore, nomination of the next congress location

23.2.6 Propose of the COUNCIL (chairman) and the treasurer

23.2.7 Nomination and appointment of the General Secretary who must attend all meetings of organs of the IHA and may offer advice but has no voting rights

23.2.8 Processing of applications which were submitted two months before the meeting

23.2.9 Appointment of commissions and their members for particular studies

23.2.10 Approval of regulations

23.2.11 Passing resolutions on applications to the INTERNATIONAL CONGRESS

23.2.12 Passing resolutions under Article. 7.2 of the Statutes (acceptance of new members)

23.2.13 Passing resolutions under Art. 12.3 of the Statutes (exclusion of members)

23.2.14 Exchange of thoughts and experiences on the position of the profession and the various countries

Article 24 EXTENSION OF THE RIGHTS OF THE COUNCIL

If the INTERNATIONAL CONGRESS does not meet, the COUNCIL may exercise the latter's functions for the acts specified in Articles 19.1.1, 19.1.4, 19.1.5 and 19.2.1

Article 25 VOTING RIGHTS IN THE COUNCIL

25.1 In the COUNCIL, each national association shall have one vote. Member associations from the same country have one vote in total. They decide amongst themselves who is to exercise the voting right.

25.2 The resolutions require a two-thirds majority of all votes cast to be valid.

25.3 Abstentions and blank voting slips are ignored.

25.4 The representation of a member by a member from a different country is not permitted.

Article 26 COUNCIL TRAVELLING EXPENSES

The costs of travel, accommodation and subsistence for members of the COUNCIL shall be paid by the national professional associations delegating them.

Article 27 THE MANAGING COMMITTEE

27.1 The MANAGING COMMITTEE is made up of five to ten people:

27.1.1 President of the IHA

27.1.2 Chairman of the Council meeting and of the Managing Committee

27.1.3 Treasurer

27.1.4 Future president of the IHA

Article 27.1.5 One to six other people, one of whom shall be the Immediate Past President or a representative of his national organisation.

27.2 The period in office of the members of the MANAGING COMMITTEE extends from one Congress to the next Congress. Except for the Chairman of the IHA, they can be re-elected up to six times by a majority.

27.3 No member association may have more than one seat. ***People to be elected for the MANAGING COMMITTEE shall be put forward by any member national Association, subject to nomination by Council and election by Congress.***

27.4 Substitutes authorised by the same national Association are accepted and with full voting rights, subject to the permission of the Chairman, which will not be unreasonably withheld.

Article 28 TASKS OF THE MANAGING COMMITTEE

28.1 The MANAGING COMMITTEE must perform its duties under the Statutes of the Association and is responsible for all matters not expressly assigned to a different organ. In particular it must

28.1.1 call meetings of the COUNCIL and prepare for tasks and take care of duties assigned to it by the organs

28.1.2 draw up the membership fee ordinance and the budget, operating account and balance sheet and submit them to the COUNCIL

28.1.3 report to the COUNCIL on its activities

28.1.4 prepare the next meeting of the INTERNATIONAL CONGRESS in conjunction with the professional association which has declared its willingness to prepare and organise it.

28.2 discuss and approve the next INTERNATIONAL CONGRESS in conjunction with the responsible member association, which must have given its consent to accept responsibility for the said congress

28.3 The resolutions require a two-thirds majority of all votes cast to be valid.

28.4 The costs for travelling, subsistence and accommodation of the members of the Managing Committee will be paid by the national associations who have delegated them

Article 29 SPECIAL PROVISIONS

29.1 The official language is English. At Congress the languages should be of the host country, English, French and German, and such other language where there is a minimum of 30 delegates speaking that language. The final decision will be the responsibility of the Managing Committee.

29.2 The General Secretary takes minutes of the meetings of the INTERNATIONAL CONGRESS, the COUNCIL and the MANAGING COMMITTEE in English.

29.3 The hosting professional organisation shall assist the Secretary General in drawing up the minutes of the CONGRESS.

Article 30 THE EMBLEM OF THE IHA

30.1 The emblem of the IHA is a circle with an arrow whose tip lies at the top right 45° above the horizontal diameter.

30.2 The member associations have the right to decide on special provisions regarding the emblem registered as trade mark under no 205,679 in the International Trademark Register with the International Agency for Industrial Property Rights, Berne, Switzerland regarding :

30.2.1 the requirements and conditions for use

30.2.2 the rights and duties of authorised users

30.2.3 the withdrawal of the right of use and other dispositions in the event of abuse or breach of the trademark or of the provisions passed

30.2.4 the assertion of rights arising from the trademark registration as well as other rights arising from the laws existing in the relevant country.

30.3 The special provisions passed by the member associations in accordance with 30.2 require the consent of the IHA to be valid.

Article 31 DOCUMENTATION AND PRESS SERVICE

The information service of the IHA is called the IHA DOCUMENTATION AND PRESS SERVICE and should include the date of publication.

Article 32 LEGALLY BINDING VERSION OF THE STATUTES

32.1 The interpretation of the Statutes, whose basis the English version represents, falls upon the COUNCIL.

32.2 In the event of disputes of any kind with or between the members, the Council as the last instance makes the final decision.

Article 33 ALTERATION OF THE STATUTES

The present Statutes may be altered and supplemented by the INTERNATIONAL CONGRESS. Applications must be submitted in writing stating the grounds to the Secretary General two months before the meeting of the INTERNATIONAL CONGRESS.

Article 34 DISSOLUTION OF THE IHA

The dissolution of the IHA can only be decided if at least three quarters of all fully paid member organisations declare themselves in favour. The latter must then pass resolutions on the allocation of its net assets.

Article 35 CONCLUDING PROVISIONS

35.1 The present Statutes come into force on the day of their acceptance and substitute those of 1909 and all supplements resolved since that time.

35.2 The present version contains all alterations of the Articles passed since 4 June 1975.

England, ... 15 February 2000 (Revised by Council 8 August 2003, Chicago, approved by Congress in Dublin 2004 amendments in bold italics)