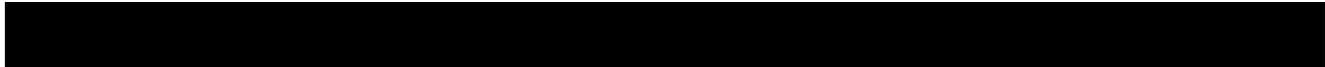


**LONDON ASSOCIATION OF RECOVERY OPERATORS**

**ASSOCIATION RULES**



# 1 Definitions

- a) "The Association" means the London Association of Recovery operators Ltd, trading as LARO and the London Association of Recovery operators
- b) "The Rules" mean the rules made by the Committee from time to time
- c) "The Industry" means those persons concerned in the operation of equipment used for recovery, removal and transportation of vehicles incapable of proceeding under their own power.
- d) "The Committee" means the Directors of the Association, being the governing body of the Association, the members of which are elected or appointed as per the Articles of Association and these Rules.

# 2 LARO's Purpose

The Association was created in 1994 for the purposes of:

- a) Watching over and protecting the interests of its members
- b) Giving the Government, public authorities and other bodies the facility to communicate with and gain the views of the Association's members and the section of the Industry which they represent, with regard to any matter directly or indirectly affecting their interests
- c) To originate and promote improvements in the law and regulations which directly or indirectly affect people working in the Industry, and particularly to support any Bills which would further the objectives of the Association and to work against any Bills likely to be injurious to the Industry or the Association's members
- d) To work together with any authority, national, municipal, local or otherwise, to secure rights, privileges or concessions which would be of benefit to the objectives of the Association and its members
- e) To advise members and assist, financially or otherwise, with litigation or defence of litigation in any cases affecting the interest of persons working within the industry
- f) To collect and circulate amongst members of the Association and the public statistics and information regarding all matters of concern to the Industry, and to print or have published any papers, journals or books which are conducive to the objectives of the Association
- g) To raise the standard of technical and general knowledge of persons working, or about to work, within the industry, with a view to assisting technical or other schools, promoting the delivery of lectures or classes and testing the competence of such persons. Also to award certificates and to institute and establish scholarships and grants.
- h) To promote the settlement of disputes by conciliation and arbitration and assist in the creation and development of boards of conciliation or arbitration
- i) To promote just and honourable business practices and by all fair means suppress malpractice and unfair competition
- j) To encourage the discovery of, and publish the nature of, any inventions which would seem to be advantageous in the construction and use of vehicles or equipment relating to the Industry and to acquire any patents or licenses relating to such inventions; to expend money in conducting research and testing programmes which are beneficial to the objectives of the Association

- k) To establish, promote, assist and affiliate with other bodies, associations or institutions with objectives similar in whole or in part to those of the Association
- l) To promote good relations between employers and workers in the Industry and advise members regarding employment practices, as long as no property or monies of the Association are used to finance any strike or lock-out or any other industrial action
- m) To establish, administer or contribute to any charitable or benevolent institution whose objectives are to assist deserving persons who are or have been engaged in working in the Industry, or their dependents
- n) To undertake and carry out any trusts which are conducive to the Association's objectives, and to receive and manage funds, property, contributions, subscriptions, gifts and legacies for the objects of the Association or as the donors may direct
- o) To establish and maintain a library and collection of models, designs, drawings and other articles of interest in connection with the development and improvement of all forms of vehicles and equipment used for commercial purposes.
- p) To provide facilities for social intercourse between Association members and their friends
- q) To procure that the Association be registered and recognised in any part of the World.

### **3 The Association may do this by the means described below:**

- a) To purchase, lease, exchange, hire or otherwise acquire any real or personal property or privileges necessary or convenient for the purposes of the Association and to construct, alter and maintain any buildings required for the Association's purposes
- b) To employ such staff as the Committee deems necessary
- c) To collect and receive entrance fees, subscriptions and contributions of any money that may be required for the purposes of the Association
- d) To invest the monies of the Association not immediately required in such investments as are thought fitting
- e) To remunerate any person, firm or company rendering services to the Association
- f) To pay all expenses incurred in the formation or promoting of the Association
- g) However, the Association may not impose on its members or procure the observance of, by its members or otherwise, any regulation, restriction or condition which would make the Association a Trade Union.

## **4 LARO's Objectives**

Please see our document 'Vision for the Future' which explains LARO's current objectives in detail.

## **5 Criteria for Membership**

- a) Members may be individual persons or businesses or corporate bodies.

- b) Members must be working within or involved within the Industry, or be part of any other business which the Committee determines from time to time as giving rights of membership, provided that the majority of said work within the Industry or business is carried out within the boundaries of the M25 motorway, or as may be defined from time to time by the Committee.
- c) In order to become a member, a completed application form must be submitted to the Committee, the contents and layout of that form being changeable at the discretion of the Committee. At this time the first subscription fee becomes due, and applicants should note that this fee is not refundable if the application for membership is refused.
- d) The Committee will consider each application and approval for membership is at the Committee's discretion, provided that no suitably qualified candidate is rejected for any arbitrary or unreasonable discrimination.
- e) If the Committee approves an application and the subscription fee has been paid, this allows the Applicant to become a 'Provisional Member' of the Association, whereby he may attend and speak at Association meetings, but may not vote on Association business or use the Association name or logo in the promotion of his own business.
- f) Once the Provisional Member has been inspected by a suitably qualified person to the Standards currently set by the Committee as being the 'LARO Standard' and has passed this inspection, he shall become a full member of the Association, entitled to vote, receive a Certificate of Membership and use the Association's name and logo in the promotion of his business. The Association shall arrange such an inspection within 3 months of the member submitting his membership form.
- g) It is at the discretion of the Committee to admit applicants to membership for a limited time, at the end of this limited time the application shall be reassessed and the applicant approved or rejected, provided that no suitably qualified candidate is rejected for any arbitrary or unreasonable discrimination
- h) The Certificate of Membership remains the property of the Association and which on demand must be returned to the Secretary.
- i) The number of members is unlimited
- j) Members must undertake to subscribe to the Articles and Memorandum of Association and the Rules and Regulations of the Association as may be changed from time to time by the Committee.
- k) Corporate or business members must authorise a person to act as their representative, and this representative shall have all the rights of an individual member of the Association. The member must notify this representative to the Committee. Upon said representative ceasing to be authorised by the company or business to act as their representative, or ceasing to be employed by the member company, business and corporate members must nominate another representative and notify the Committee accordingly.
- l) All members are subject to an Annual LARO Inspection, to verify that the members meet such standards as are required by the Association, the current standards being listed in Annex I.

## 6 Rights for Members

- a) Full Members of the Association have the right to attend, speak and vote at meetings; to have access to the libraries and collections of the Association; and to use the Association name and logo in the promotion of their business.

- b) No monies belonging to the Association may be paid to any Members except in reasonable and proper reimbursement or remuneration for services or goods rendered to the Association. No member of the Committee may be appointed to any salaried fees but may only be repaid out of pocket expenses or interest on money lent to the Association.
- c) The liability of members is limited
- d) Every member undertakes to contribute to the assets of the Association in the event of it being wound up while he is a member or within one year afterward for the payment of the debts and liabilities of the Association such amount as may be required as long as this does not exceed twenty-five pounds (£25).
- e) If the Association is wound up or dissolved any monies or properties remaining after all liabilities and costs have been settled, these must not be divided amongst the members but shall be given or transferred to some institution having similar objects to the Association and which similarly prohibits the transfer of profits or properties to its own members

## **7 Fees**

- a) The Committee may as it sees fit institute, suspend or re-impose the payment of an entrance fee from any person/body seeking to become a member.
- b) The amount of this entrance fee will be at the discretion of the Committee, as will deciding to set differing entrance fee levels for differing classes of membership.
- c) If an entrance fee is payable it must be paid at the same time as the first subscription. Currently there is no entrance fee for membership.
- d) Every member of the Association must pay an Annual Subscription fee, the first such fee being due at the time the applicant submits his membership application. The current annual subscription charge is £350 + VAT
- e) The subscription then falls due for renewal on the anniversary of the date each member originally submitted his or her application form and cheque. The current annual subscription charge is £350 + VAT. The rate of the subscription is set at the discretion of the Committee.
- f) The subscription fee or part thereof is non refundable in the event that the applicant is refused full membership, fails to pass the Inspection, or withdraws from the Association at any time.
- g) All annual LARO inspection and re-inspection fees will be billed to the Member by the Association and must be paid by the member within 30 days of invoice.

## **8 Membership of the Association will be terminated by:**

- a) A member notifying the Committee in writing that he has resigned from the Association
- b) A provisional member failing to pass the Inspection of the standards as set by the Committee and these Rules
- c) An existing member failing to pass a re-inspection

## 9 Members will be suspended from LARO to have their membership re-examined by the Committee by:

- a) An existing member refusing to pay either the annual subscription fee, the annual inspection fee, the re-inspection fee or any monies due to the Association for any goods or services within a reasonable time
- b) An existing member failing to pass the annual inspection and not agreeing to be re-inspected within a timescale agreed between the Inspector and the Committee
- c) If any complaint or charge be made and upheld by the Committee that a member does not meet the standards laid out for membership or has through any action brought the Industry or the Association into disrepute.

## 10 Committee Members

- a) Only members or nominated representatives of member companies may be members of the Committee.
- b) Committee members are elected by the membership at an AGM or General Meeting.
- c) The Chairman and up to two Vice Chairman are elected **annually** by the Committee members from amongst their own number.
- d) Committee members are elected to office for a term of two years - the entire Committee shall be required to retire by rotation at each AGM, therefore half (or whatever number of Committee members have served their two year term) shall retire (or stand for re-election) at each AGM. This is designed to ensure continuity in the business of the Association.
- e) A Chairman may hold office for 2 terms if so elected, but is not eligible for a third term of office, except in exceptional circumstances and where agreed by the membership
- f) Elections are held at each Annual General Meeting of the Association
- g) Members must nominate candidates for vacant Committee posts by notifying the Committee in writing of their nominations at least 14 days before the AGM
- h) The Committee may fill vacancies on the Committee by proposing a resolution at an AGM, and supposing that said resolution is passed by the membership
- i) An Ordinary Resolution passed at a General Membership Meeting of the Association determines the number of Committee members from time to time. If no resolutions are so passed then the maximum number of Committee members is 10 and the minimum is 5
- j) If it happens that there is only one member of the Committee, then that one Committee member has all the rights and powers of the Committee as a whole
- k) The Committee may continue to act even if there are vacant posts in the Committee
- l) The Committee may elect any temporary or casual Committee member to fill a vacancy that occurs mid term, provided that said vacancy is put to election at the next AGM.

- m) The Committee may make such rules as it sees fit governing the appointment of members to the Committee, provided that no such rule is inconsistent with or repeals anything in the Memorandum or Articles of Association.
- n) Subject to the Articles of Association and these rules, the Committee has the power to regulate its own proceedings and the business of the Association
- o) A member of the Committee shall be deemed to have vacated office if he resigns and notifies the Committee in writing; if he ceases to be a member of LARO for whatever reason or a nominated representative of a member business; if he is declared bankrupt or suspends payment to his creditors or compounds with his creditors; if he is found incapable through mental disorder; if he accepts a remunerated position in the employment of the Association; if at least  $\frac{3}{4}$  of the Committee pass a resolution to remove him, providing that no such resolution is proposed without first informing said Committee member; or for any legal reason under the Company Act bearing in mind that all Committee members automatically become Directors of LARO Ltd. Once a Committee member has vacated office he will automatically and immediately cease to be a Director of LARO Ltd and Companies House will be so notified.
- p) No person who is on the Governing Board, General Committee or governing body of another Recovery Industry Association, or any Institution or company deemed to be in competition with or detrimental to the objectives of the Association, may become a Committee member.

## 11 Meetings

- a) The Association must hold an Annual General Meeting annually, or at least not more than 15 months shall elapse between AGMs.
- b) A General Membership Meeting is to be held at the same time as the AGM.
- c) All other 'General Membership Meetings' of the Association are in effect 'Extraordinary General Meetings'.
- d) It is for the Committee to specify the time and location of the AGM and the GMM
- e) An AGM or an Extraordinary General Meeting called for the purpose of passing a Special Resolution or appointing a person to the Committee must be notified to the members at least 21 days before the meeting
- f) All other Extraordinary General Meetings should give 14 days notice
- g) A meeting will have a shorter notice period only if that meeting is called by agreement of ALL the members at an AGM or 95% of members at any other General Meeting.

## 12 Proceedings at Meetings

- a) Only personal members or nominated representatives of company members may vote at meetings.
- b) Votes taken by poll may be made personally or by proxy
- c) Proxies must be received in writing, signed by the appointer or his attorney, or the authorised officer of the member corporation before the poll is made.

## **PROPOSED ADDITION (as at 1/3/03)**

### **Associate Memberships**

An additional membership category of Associate Member will be created. Associate members will be those people or companies providing a service or product which the LARO Committee feels is of a good standard and of benefit to the Membership. Associate Members must apply for membership by contacting the Committee, providing all requested details and information and the current Associate Membership fee, It is at the discretion of the Committee to accept or reject their application. Membership fees shall be returned in the event of an application being unsuccessful.

Associate Members will be listed in the Membership Directory on the LARO Website and in the LARO Magazine. They may use the LARO Logo in their stationery and advertising so long as it states 'Associate Member' underneath the logo, and they are eligible for all the same discounts on advertising and merchandise and are full members.

Associate membership is subject to an annual membership fee, payable each year on the anniversary of their first subscription. Failure to pay the subscription within the required time will result in the associate membership being withdrawn.