

# THE UNION OF INTERNATIONAL MOUNTAIN LEADER ASSOCIATIONS

## UIMLA



### UIMLA Statute

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## STATUTE

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### SECTION I: NAME – REGISTERED OFFICE- OBJECTIVES

- Art 1** The association is called the “Union of International Mountain Leader Associations” – UIMLA The association is within the framework of the French regulations, notably Article 5 of the law of the 1<sup>st</sup> July 1901 and the first article of the implementing decree of 16<sup>th</sup> August 1901.
- Art 2** The registered office of the Union is located in Chambéry, 240, Rue de la République, 73018 Cedex. This will be able to be transferred following the decision of a general meeting.
- Art 3** The Union is registered, in France, next to the Prefecture of Chambéry (Savoy).
- Art 4** The Union's objectives are as follows :
1. The social and lawful acknowledgement of the occupation of *Accompagnateur en Montagne* or International Mountain Leader (IML), all international territories where the activity is authorized. .
  2. To help the establishment and recognition of professional associations for *Accompagnateur en Montagne*.
  3. Harmonisation of the minimum professional qualification levels for the training of *Accompagnateur en Montagne*.
  4. To represent associations in European and International forums; to bring to the attention of the various authorities and organisations the problems facing these mountain professionals.
  5. To support the relations, exchanges and bonds between associations and their professional members.
  6. To contribute to the establishment and the respect of treaties and conventions signed within the territory of the European Union and at an international level, in particular, concerning the fundamental freedoms of citizens.
  7. To actively contribute to the sustainable management of the mountain environment, a tool of the trade for the *Accompagnateur en Montagne*, and the sustainable economic development of these sensitive areas.
  8. To actively contribute to informing the general public and consumer.
  9. To organise and support all events or meetings, be they tourist, scientific, sporting, cultural, artistic with a connection to the profession of *Accompagnateur en Montagne*
  10. All other activities that work towards these objectives.
- Art 5** The duration of the Union is unlimited.
- Art 6** The Union prohibits any political or religious discussion.

- Art 7** The income of the Union is composed of:
- Subscriptions of its members.
  - Legacies or gifts.
  - Subsidies (from authorities or organisations).
  - Income from its activities or holdings.
  - Various products resulting from its activity
- Art 8** The reference document of the Union is the current version of the UIMLA standard. This is the technical manual, taking into account the specific legal requirements of each member state.
- Art 9** The official languages of UIMLA are English and French.

## **SECTION II: MEMBERSHIP OF THE UNION**

- Art 10** A country is represented within UIMLA by its national association. Each country can only be represented within UIMLA by one association recognized by the national authorities.
- Art 11** The Union of International Mountain Leader Associations is made up of multiple types of members:
- Full members
  - Aspirant members
  - Candidate countries
- Art 12** To become a "full member" of the Union, the organisation must represent the profession of *Accompagnateur en Montagne* at national level, or at federal level in a country with federal constitution. This is conditional on the organisation having the necessary legal status in the country of origin and where its members are officially recognised in their respective countries by an examination that allows them to obtain a diploma from the state or from the official organisation to which the State delegates responsibility.
- Art 13** To become an "aspirant member" of the Union, an organisation must be taking steps to gain official recognition by the state or the proper authorities in their Member State or be taking steps to restructure its diploma to fulfil the requirements of the current version of the UIMLA standard.
- The aspirant members can take part in the assemblies and meetings of the Union in an advisory capacity. They can use the logo and the title only on the correspondences of the national association.
- The aspirant member, after having been assessed as according to the defined procedure, is able to become a "full member" by a vote at the General Assembly, with a 2/3 majority of the votes present.

**Art 14** To become a "candidate country" of the Union, the organisation must be taking the first steps for official recognition by UIMLA of its training and of its statute. This status is transitional and must be at least 12 months before a "candidate member" can become an "aspirant member".

During this transitional period the candidate countries can use the communication support of the Union.

The procedure for recognising this statute is based on the presentation of a file as defined in the Internal Regulations.

The candidate member is able to become an "aspirant member" by a vote at the General Assembly, with a 2/3 majority of the votes present.

**Art 15** The details regarding the expertise procedures of candidate countries and aspirant members can be found in the Internal Regulations.

**Art 16** The organisation of the training of the mountain leaders must conform to the requirements of the current version of the UIMLA Standard.

### **SECTION III: ADMINISTRATION AND OPERATION**

#### **A: General Assembly**

**Art 17** The Union is managed by the *General Assembly* made up of delegates. The delegates are named by the national associations; with 2 "full member" representatives and 2 substitutes per country. The length of their mandate is 3 years.

**Art 18** Their appointment is entrusted to the member country, which will watch over the continued management of files that are currently active. They must have a position of responsibility within their national association and to have been appointed by them.

They can be dismissed and replaced, at any time during their mandate, by the association that appointed them.

In the event of the resignation or death of a delegate, the member association is free to name another person in replacement, for the term of the remaining office.

**Art 19** The *General Assembly* meets at least once per annum.

In order for a meeting to be valid a quorum must be present at the General Assembly, which is 2/3 majority of the full members.

**Art 20** On the proposal of the President of The Executive, or of one member association, the *General Assembly* can co-opt experts to take part in work of the management of the Union.

**Art 21** The system of representation during voting is stated in article 12 of the Internal Regulations.

**Art 22** The decisions of the *General Assembly* are recorded in the minutes and ratified by the signature of the President and the General Secretary, or their delegate.

- Art 23** The *General Assembly* manages the business of the Union and is able to create working groups. The *General Assembly* sets the price of subscription. It manages the capital of the Union in the terms defined by the law, decides the use of the current disposable funds, draws up the budget, manages the expenditure and savings, accepts gifts, legacies and subsidies, decides on the purchases and the sales, discusses, compromises, appoints and dismisses the agents and employees of the Union.
- Art 24** The *General Assembly* is convened at least 60 days in advance by The Executive. The agenda is prepared by The Executive and sent to the members 15 days before the *General Assembly* meeting.
- Art 25** The Annual General Assembly will receive a report of activities and a financial statement of the past year. It approves the accounts of the activities and the actions of The Executive, approves the budget for the following year and undertakes the statutory elections. It rules on the issues raised by the agenda.
- It ensures that there are official minutes of the deliberations signed by the President and the General Secretary. The minutes of the *General Assembly* are made available to all members.
- Art 26** The decisions of the General Assembly are carried by a simple majority of the votes cast, however a modification to the Statute can only be carried by a majority of 2/3 of the present votes cast. In the event of a draw, the President has the deciding vote
- Art 27** The General Assembly can rule on the admission or the exclusion of a member with a majority of 2/3 of the members present.
- Art 28** The General Assembly votes by a show of hands, unless one or more associations request a vote by secret ballot.
- Art 28bis** When delegates of UIMLA must vote on a specific and urgent subject for the proper functioning of the association other than through the General Assembly voting system, then remote voting (by new technologies) may be used. The process is under the control of the Executive Board and is the responsibility of the Secretary.
- The existing weighted voting system will apply and the decision is equal and valid to that of a regular General Assembly vote.
- Art 29** The organisation of the *General Assembly* conforms to the norms stated in annex 1 of the Internal Regulations.
- Art 30** At the request of The Executive or a third of the national associations, an Extraordinary General Assembly can be convened. It must take place at the headquarters of UIMLA.
- At least 30 days notice must be given of calling an Extraordinary General Assembly.

## **B: The Executive**

**Art 31** The Executive of the Union is made up of a President, Secretary and a Treasurer. The members of the Executive are elected by the Assembly. The Executive is mandated for 3 years. Each member has voting rights. The outgoing President assists the new executive, in the role of an expert with a consultative voice, until the following General Assembly.

The members of the Executive are elected from amongst the delegates of the full members. They are mandated by their national association during their mandate. For the length of their mandate they may no longer have the position of country delegate.

A member of the Executive of UIMLA can be re-elected with the agreement of their national association.

**Art 32** Members of the Executive are not able to be employed by either UIMLA or a national association.

**Art 33** The travelling expenses of the members of the Executive and experts are undertaken by the Union as defined in the Internal Regulations.

The travelling expenses of the delegates of member states are undertaken by the national associations.

**Art 34** The President oversees the running of the Union, directs it and represents it in all activities in accordance with the objectives. The President convenes the *General Assembly*, fixes the agenda and chairs the debates.

**Art 35** The General Secretary manages the Union. The General Secretary ensures co-ordination between the member states and the delegates. He is an agent of the registers, statutes and documents concerning the administration of the Union. The General Secretary undertakes the correspondence and can sign it on behalf of the President. He writes the official minutes of the meetings.

**Art 36** The Treasurer is the trustee for the funds of the Union, oversees the subscriptions, gives receipts against these payments, balances the expenditure on behalf of the President, draws up the accounts of the fiscal year that will be submitted to the *Annual General Assembly*.

## **SECTION IV: REGISTERED BRANDS**

- Art 37** The Union owns a certain number of brands, logos, drawings, patents and models duly registered with the National Institute of the Patent Rights (INPI) in France.
- Art 38** Only the Union, its member associations and their members can use the brands, logos, drawings, patents and models registered with the National Institute of the Patent Rights, such as they were registered, without modifications or additional inscriptions.
- Art 39** The use by groups or companies of *Accompagnateur en Montagne* of the registered brands, logos, drawings, patents and models is subject to the authorisation of the Union. Permission must be sought from the Executive.
- Art 40** Defined standards, within the framework of the brand registered with the National Institute of the Patent Rights, must be respected.
- Art 41** Non-respect of these articles and the legislation on the patent rights can be the subject of legal proceedings, and/or of disciplinary action, requested by member associations or the Executive Board.

## **SECTION V : SANCTIONS - EXCLUSION - DISSOLUTION**

- Art 42** The Union has no role to interfere in the member associations' management of their internal business in the own country. The Union prohibits any interference in the rules and procedures of national association members, in so far as they are not contrary with the goals and the spirit of UIMLA.
- Art 43** The following would be cause for exclusion from the Union:
- Non-payment of the agreed subscription
  - Repeated non-compliance with the decisions of the *General Assembly* in their area of operation.
- In all cases, the decision to exclude a member association, must be taken by the *General Assembly* with a majority decision of 2/3 of the votes of the members present, after having heard the representatives of the association in question.
- The *General Assembly* can also impose a temporary exclusion or issue a warning or reprimand.
- Art 44** The reinstatement of an excluded member is done, after a request by the excluded member, by a vote at a *General Assembly* and requires a majority of 2/3 of the votes of the members present.
- Art 45** The Union could be dissolved by a vote of the *General Assembly* carried by a majority of 2/3 of the members present. The Executive will be responsible for the liquidation and the *General Assembly* will decide on the use of the assets, in accordance with the laws in force.
- Art 46** The Internal Regulations specify the procedures of the Union.