

# EUROCONTROL GUILD OF AIR TRAFFIC SERVICES

## BYE-LAWS

### ***Introduction***

This document contains the byelaws of the Eurocontrol Guild of Air Traffic Services (EGATS) hereinafter referred to as the Association. The Executive Board of EGATS shall be referred to as the Executive Board. The ruling body of EGATS, the Annual General Meeting, shall be referred to as the General Meeting.

Wherever a member is referred to in this text as 'he' or 'him', it is meant to apply to any person, male or female who is a member of the Eurocontrol Guild of Air Traffic Services.

## **CHAPTER 1.**

### ***General***

#### **1.1 Emblem & name**

1.1.1 The official emblem of the Association shall be:



1.1.2 The seal of the Association shall be a replica of the emblem.

1.1.3 The unauthorised use of the Association's name, logo or stationery by a member may invoke expulsion, as prescribed under the relevant Articles in the Constitution and the bylaws.

1.1.4 The unauthorised use (e.g. for personal gain) of the Association's name, logo, stationery or promotion material may result in legal action taken by the Association against the offending person(s).

#### **1.2 Language**

1.2.1 The working language of the Association shall be English.

1.2.2 Liaison with other organisations or authorities may be done in other languages, as required.

## CHAPTER 2.

### **Membership**

- 2.1. New members can be accepted from the first day of each calendar month. Payment of the membership fee and the one-time joining fee must be received by the treasurer within two calendar months of the commencement of the Membership or the application will be cancelled without prior consultation. Applications shall be made on a standard application form, completely filled in and accompanied by a photocopy of the ATC license(s), and one passport-photo.
- 2.2. Membership shall cease on the first day of the month after which the conditions contained in articles 4.2. and 4.3. of the Constitution are no longer complied with. Individuals concerned may be entitled to affiliate membership.
- 2.3. **Ordinary membership** bestows the following entitlements:
  - a. The right to attend General Meetings.
  - b. The right to vote.
  - c. The right to vote by proxy.
  - d. Eligibility for election to the Executive Board.
  - e. Eligibility for a seat on a Standing Committee.
  - f. The right to a subscription to the Association's publications.
  - g. IFATCA affiliation for those members complying with Article 4.2.a of the Constitution.
  - h. Access to familiarization flights made available by the Flight Department of the Association on a priority level and subject to prevailing Flight Department conditions.
- 2.4. **Candidate Membership** bestows the following entitlements:
  - a. The right to attend General Meetings.
  - b. Eligibility for a seat on a Standing Committee.
  - c. The right to a subscription to the Association's publications.
- 2.5. **Honorary Membership** bestows the following entitlements:
  - a. The right to attend General Meetings.
  - b. The right to vote.
  - c. The right to vote by proxy.
  - d. Eligibility for a seat on a Standing Committee.
  - e. The right to a subscription to the Association's publications.
  - f. Eligibility for IFATCA affiliation for those members complying with Article 4.2.a of the Constitution.
  - g. Access to familiarization flights made available by the Flight Department of the Association on a priority level and subject to prevailing Flight Department conditions.
  - 2.5.1. The General Meeting shall decide the appointment of Honorary members. A proposal thereof shall be included on the agenda for that meeting.
- 2.6. **Corporate and Affiliate Membership** bestows the following entitlements:
  - a. The right to attend General Meetings.
  - b. The right to a subscription to the Association's publications.
  - 2.6.1. The Executive Board shall decide the appointment of Corporate and Affiliate members.

2.6.2. Corporate members shall be entitled, free of charge, to submit an advertisement for insertion in the Association's publications.

2.7. All members shall receive a membership card. Members complying with Article 4.2.a of the Constitution can, on request, receive an IFATCA membership card.

## **2.8. Membership contributions**

2.8.1. Membership contributions are due at the start of each financial year (see 3.1).

2.8.1.1. Members joining during the year will pay a fixed fee per month for the remainder of the year and then subsequently join the yearly paying mode.

2.8.2. When no written cancellation of membership has been received before the first day of December, membership is considered to be continued for another year.

2.8.3. Members failing to pay their contributions before the end of February will lose all entitlements as specified in par. 2.3 to 2.6 of the bye laws as from March 1st.

2.8.4. If no payment has been received by April 1st, it will be assumed that the member no longer wishes to continue his membership of the Association and thus it will be terminated without further consultation and without invoking the suspension/expulsion procedure.

2.8.5. Cancellation of membership shall give no right to reimbursement of fees or donations already paid.

2.8.6. The annual subscriptions of Ordinary members complying with article 4.2.a of the Constitution shall also include a subscription to the International Federation of Air Traffic Controllers Associations (IFATCA).

## **2.9. Suspension and Expulsion.**

2.9.1. The Executive Board shall retain the right to suspend any member found to have violated the Constitution, Byelaws, regulations, decisions or interests of the Association.

2.9.2. Following such suspension, the Executive Board will present a proposal for expulsion to the General Meeting, which shall be included in the agenda for that meeting.

2.9.3. The proposal for expulsion to a General Meeting shall include a proposed period for which the expulsion is effective. This period shall not be less than three years and commences at the date of the General Meeting, which decides on the expulsion.

2.9.4. This procedure shall be adhered to even if the member should tender his resignation following a suspension decision made against him.

2.9.5. If, after the period mentioned in par. 2.9.2, the person decides to re-apply for membership, Chapter 2 of the byelaws will apply.

2.9.6. In all cases suspension and expulsion will result in the immediate loss of all rights in respect of membership, except to be present at a General Meeting to present his case.

## **CHAPTER 3.**

### ***Finance***

#### **3.1. General**

- 3.1.1. The financial year of the Association shall commence on the first day of January and end on thirty-first day of December that same year.
- 3.1.2. For each financial year a budget shall be presented to the General Meeting for approval.
- 3.1.3. The budget shall provide for a credit balance.
- 3.1.4. All accounts shall be monitored by the Treasurer, to whom final discharge has to be given by the General Meeting.
- 3.1.5. The Treasurer may make investments following approval of the General Meeting.
- 3.1.6. Bank accounts established for the Flight Department's use shall be the responsibility of the Flight Department chairman.

#### **3.2. Revenue**

- 3.2.1. Revenue shall be derived from entry fees, membership fees and other legally obtained assets. If additional revenue is required, the General Meeting can decide to levy additional fees.
- 3.2.2. The General Meeting shall decide upon all fees.
- 3.2.3. Fees are only refundable at the discretion of the Executive Board.

## **CHAPTER 4.**

### ***General Meetings***

#### **4.1. General Provisions**

- 4.1.1. The venue, date, time and draft agenda for General Meetings shall be published at least thirty days in advance. The final agenda shall be published ten days prior to the event.
- 4.1.2. All General Meetings shall be held in or around the Community of Beek, in the province of Limburg in the Netherlands.
- 4.1.3. A representative of members not belonging to the Maastricht U.A.C. attending a General Meeting, can have his expenses reimbursed, up to an amount decided upon by the Executive Board.
- 4.1.4. All members present at a General Meeting shall sign the roll of attendance.
- 4.1.5. At the General Meeting, the Executive Board will present a review of activities since the last General Meeting and will propose a programme for the coming year.

- 4.1.6. Following approval by the General Meeting, this programme, together with the approved budget, will form the basis for the coming year's activities.
- 4.1.7. General Meetings have full authority to make decisions and determinations that are binding to the Association, providing they comply with the constitution. However, during Special General Meetings decisions and determinations shall be limited solely to the items on the agenda.
- 4.1.8. Non-members may be admitted to General Meetings as guests, if deemed in the interest of the Association and subject to approval by the General Meeting.

#### **4.2. Voting & Proxy votes**

- 4.2.1. Only members who have paid their current fees shall have the right to vote.
- 4.2.2. General Meeting decisions affecting an individual will be done by written, secret ballot.
- 4.2.3. Each member, being entitled to vote, may represent one other member being entitled to vote, by means of a proxy vote.
- 4.2.4. The proxy vote shall carry the name and signature of the member being represented, the name of the member holding the proxy vote and the date of the General Meeting concerned.

#### **4.3. Elections**

##### **4.3.1. General**

- 4.3.1.1. Only members who have paid their current fees shall have the right to be elected as a member of the Executive Board.
- 4.3.1.2. Members of the Executive Board shall be elected by written, secret ballot.
- 4.3.1.3. The Election Committee shall be responsible for the correct conduct of any written ballot.

##### **4.3.2. Nominations.**

- 4.3.2.1. Nomination forms for the election shall be available from the Executive Secretary sixty days before the AGM.
- 4.3.2.2. Members of the Executive Board eligible and wishing to stand for re-election must advise the Executive Secretary of their intention to do so at least forty days before the General Meeting.
- 4.3.2.3. Candidates from among the membership seeking to be elected, must return their nomination forms to the Executive Secretary at least forty days before the General Meeting, signed by themselves and by at least ten other Ordinary members of the Association.
- 4.3.2.4. Candidates shall receive a receipt for their nomination form from the Executive Secretary.
- 4.3.2.5. When there is only one candidate nominated for a position, that candidate shall be considered to be elected without an election being held, provided that the correct nomination procedure has been adhered to.

##### **4.3.3. Election Committee & Election procedures.**

- 4.3.3.1. The Executive Board shall nominate an Election Committee for acceptance by the General Meeting. The Election Committee shall consist of three Ordinary members of the Association, not being members of the Executive Board or standing for election to the Executive Board.
- 4.3.3.2. The Election Committee shall supervise the distribution of officially marked voting papers, listing the candidates and the voting procedure, to all members of the Association eligible to vote, in liaison with the Executive Secretary. This shall be done at least twenty days before the General Meeting.
- 4.3.3.3. The Election Committee shall maintain a precise count of the number of voting papers distributed and received.
- 4.3.3.4. The Election Committee shall receive the returned voting papers and initiate the counting procedure.
- 4.3.3.5. Voting will be possible up to and during the General Meeting until the President of the Association declares the election closed.
- 4.3.3.6. The Election Committee shall advise the Executive Board in writing of the results during the General Meeting.
- 4.3.3.7. The President of the Association shall inform the General Meeting of the results of the elections and shall propose the appointment of the elected candidates.
- 4.3.3.8. In the case of a tie between candidates, an election between those candidates shall be held during the same General Meeting.

#### **4.4. The Audit Committee.**

- 4.4.1. The Executive Board shall nominate an Audit Committee for acceptance by the General Meeting. The Audit Committee shall consist of three Ordinary members of the Association, not being members of the Executive Board.
- 4.4.2. The Treasurer shall only be discharged from responsibility for the previous year's finances after the bookkeeping has been examined by the Audit Committee, found to be in order and approved by the General Meeting.
- 4.4.3. The Audit Committee shall produce and submit a signed, written report, which will be filed by the treasurer, and the Executive Secretary shall retain a copy.
- 4.4.4. In the case of early resignation of the Treasurer, the Association's accounts shall be submitted to, and administered by, the Audit Committee.
- 4.4.5. The treasurer shall remain available for a correct and appropriate handover to his successor.

## **CHAPTER 5.**

### ***The Executive Board***

#### **5.1 Meetings.**

- 5.1.1 An Executive Board meeting shall be held at least once every three months or when called for by the President or a member of the Executive Board.

- 5.1.2 A draft agenda for Executive Board meetings shall be prepared and published by the Executive Secretary at least four days in advance of the proposed meeting together with any other relevant information, which should include the date, time and venue for the meeting.
- 5.1.3 The Executive Board shall decide upon the order of the agenda items to be dealt with at the commencement of each meeting.
- 5.1.4 Minutes of the meeting shall be taken by the Executive Secretary, or by another designated member of the Executive Board in the absence of the Executive Secretary. Minutes may be taken in an abbreviated form. However, members of the Executive Board may request that particular points be recorded in full.
- 5.1.5 The Executive Board shall retain copies of all minutes in the Secretary's files following approval.
- 5.1.6 In order for decisions taken at an Executive Board meeting to be binding, a majority of Board members needs to be present.
- 5.1.7 Members having been on assignment on behalf of the Association shall submit a written report of their activities to the Executive Board. These reports shall be treated as incoming mail.

## **5.2 Expenses.**

- 5.2.1 Members of the Executive Board shall not receive any remuneration for their duties or work done for the Association.
- 5.2.2 Members of the Executive Board have the right to compensation for expenses incurred by them on behalf of the Association.
- 5.2.3 The General Meeting as a policy motion shall specify the maximum amount of the allowances.
- 5.2.4 All declarations of expenses shall be accompanied by the associated bills and be presented not more than one month after the expenses were incurred, together with a written report of the mission, prior to any reimbursement being made.

## **5.3 Mail.**

- 5.3.1 The Executive Secretary shall be responsible for the handling of the Association's incoming/outgoing mail
- 5.3.2 Incoming/outgoing mail shall be an agenda item for each Executive Board meeting.

## **5.4 Voting.**

- 5.4.1 Each Executive Board member is entitled to one vote.
- 5.4.2 The Executive Board shall, as far as is possible, endeavour to reach unanimous agreement on all agenda points. If this is not possible a vote shall be taken. Should the number of votes for and against a proposal be equal, the President shall have the casting vote.
- 5.4.3 Each motion voted upon shall be recorded so as to show the number of votes in favour of the motion, against the motion and any abstentions. Each member of the Board may, on request, have a personal opinion with regard to the matter under discussion recorded in the minutes.

- 5.4.4 Each member of the Executive Board may, at any time during discussion, request suspension or adjournment of the discussion or of the meeting.

## **5.5 Observers.**

- 5.5.1 Members of the Association may, on request, be admitted as observers to Executive Board meetings. However, should the Executive Board so decide, a meeting or part thereof, may be deemed to be closed to persons other than members of the Board.

## **5.6 Officials**

### **5.6.1 The President.**

- 5.6.1.1. The President coordinates the work of the Executive Board and presides over the meetings, congresses, etc. He will maintain contact, and consult with, the other members of the Board, in respect of the agenda, time, date and venue of meetings, congresses, etc.
- 5.6.1.2. In his absence, the Vice-President will replace him, or another member of the Board as designated.
- 5.6.1.3. The President is responsible for the opening and closing of meetings, conducting the debate, the nomination of speakers from among those present, putting questions to the members, deciding the form of a final resolution, observing the priority in the order of speaking and ensuring that the Constitution and the By-laws are complied with.
- 5.6.1.4. If the full Board should resign, the President shall immediately call for a Special General Meeting, which will elect a new Executive Board.

### **5.6.2 The Executive Secretary.**

- 5.6.2.1. The Executive Secretary is charged with the administration of the Association and will maintain the files, prepare minutes of the meetings and inform members in sufficient time, of planned meetings, congresses, etc.
- 5.6.2.2. At Annual General Meetings, the minutes of the previous AGM require approval by the General Meeting, which shall then be signed by the President and the Executive Secretary. The minutes a General Meeting will always be published prior to the next General Meeting.
- 5.6.2.3. At the Annual General Meeting, the Executive Secretary will report, on behalf of the Executive Board, the situation regarding the Association and its activities during the past year.

### **5.6.3 The Treasurer.**

- 5.6.3.1. The Treasurer is charged with, and responsible for, the bookkeeping of the Association.
- 5.6.3.2. The Treasurer shall keep a record of the property of the Association, his relevant incoming outgoing mail.
- 5.6.3.3. Before a General Meeting, the treasurer will report on his financial management and present a budget for the coming financial year to the Executive Board for submission to the General Meeting.

### **5.6.4 The Membership Secretary.**

- 5.6.3.4. The Membership Secretary shall maintain the Association's membership records.
- 5.6.3.5. He shall ensure that other Officers of the Association e.g. the Treasurer, the Flight Department Chairman, are provided with up to date membership lists.
- 5.6.3.6. The Membership Secretary shall be responsible for:
- a) Informing prospective members of the facilities offered by the Association
  - b) Distributing membership application forms
  - c) Distributing and retrieving membership cards.

## **CHAPTER 6.**

### ***Standing Committees***

- 6.1 In order to investigate, study and initiate action on matters of particular interest to the Association, the Executive Board may establish working groups called Standing Committees. They shall submit reports and recommendations to the Executive Board and/or General Meetings.
- 6.2 A Standing Committee shall be responsible to the Executive Board, unless the General Meeting is in session.
- 6.3 The Executive Board shall nominate the chairman of a Standing Committee.
- 6.4 The chairman of a Standing Committee or his representative, shall make available to the Executive Board, minutes of any meetings, within fourteen days of the meeting being held.
- 6.5 The chairman of a Standing Committee shall submit an annual report of the activities of his standing committee to the Annual General Meeting.
- 6.6 The chairman of a Standing Committee shall form his standing committee for approval by the Executive Board.
- 6.7 A Standing Committee shall be composed in such a way, as to enable adequate representation of all members concerned.
- 6.8 The objectives of Standing Committees will be laid down as administrative policy to be approved by the General Meeting.

## **CHAPTER 7.**

### ***Nominated Officials***

- 7.1 Nominated Officials are appointed by the Executive Board.
- 7.2 Nominated officials are responsible to the Executive Board unless the General Meeting is in session.
- 7.3 Nominated officials shall make available to the Executive Board, appropriate reports of activities within fourteen days of any action.

7.4 A Nominated Official shall provide an annual report of activities for the General Meeting.

## **CHAPTER 8.**

### ***Members Not Employed At The Maastricht UAC***

- 8.1 Members not employed at the Maastricht UAC may, at any time, request a meeting with the Executive Board, or vice versa, or may present their case at an Executive Board meeting.
- 8.2 Both parties shall agree upon an agenda and the venue for such a meeting.

## **CHAPTER 9.**

### ***Honorary President***

- 9.1 The Association may invite a person of high standing in aviation to be an Honorary President.

## **CHAPTER 10.**

### ***Freedom of Speech***

- 10.1 Freedom of speech shall be granted to each and every person.

## **CHAPTER 11.**

### ***Interpretations***

- 11.1 Regulations for enforcement of the Constitution and of the detailed provisions therein, shall be evolved as Byelaws and be incorporated in a Manual as administrative policy.
- 11.2 In the absence of agreement, the Executive Board shall interpret the Constitution and the Byelaws, unless the General Meeting is in session.

## **CHAPTER 12.**

### ***The Association's Manual***

- 12.1 A permanent record (Manual) of the Association's policy shall be maintained and made available by the Secretariat.