

# **ISHCCO**

**INTERNATIONAL SAFETY AND HEALTH CONSTRUCTION  
CO-ORDINATORS ORGANIZATION**

**ORGANISATION INTERNATIONALE  
D'ASSOCIATIONS DE COORDINATEURS SECURITE ET SANTE  
Association Sans But Lucratif  
(en abrégé: ISHCCO)**

**INTERNATIONAL SAFETY AND HEALTH CONSTRUCTION CO-ORDINATORS  
ORGANISATION  
Not-for-Profit Association  
(abbreviated name : ISHCCO)**

**ORGANISATION INTERNATIONALER SICHERHEITS UND GESUNDHEITS  
KOORDINATOREN VERBÄNDE  
Gemeinnützige Organisation  
(abgekürzt : ISHCCO)**

**The statutes have been adopted by the General Assembly the 28th June 2003 in Luxembourg.  
The official French version has been published the 19<sup>th</sup> April 2004  
in Mémorial C-N° 414, pages 19853 to 19858.**

**An informative translation has been approved by the General Assembly held  
7<sup>th</sup> and 8<sup>th</sup> March 2014 at Birmingham.**

**Modifications of the English version have been adopted by the General Assembly  
the 20th March 2015 in Vienna. The official French version has been published the 23<sup>th</sup> September  
2015 in Mémorial C n° 2590, pages 124318 to 124320.**

**This an informative coordinated version of the statutes, like they are in force  
since the General Assembly the 20th March 2015 in Vienna.**

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## **SECTION 1 GENERAL**

### **Article S1 – NAME AND FORM**

The Federation is an International Association in accordance with the Luxembourg law of 21<sup>th</sup> April 1928 (as amended) called “International Safety and Health Construction Co-ordinators Organization“, commonly known as ISHCCO. It is a not-for-profit association of national health and safety Co-ordinators associations in European countries in application of the european directive 92/57 and does not provide any financial benefits to its National Members or Officers.

### **Article S2 – REGISTERED OFFICE**

Its registered office is established in Luxembourg and is currently located at Foyer Technique 4-6, boulevard Grand-Duchesse Charlotte L-1330 LUXEMBOURG

It can be transferred to any other location in the Grand Duchy of Luxembourg by decision of the Executive Board, to be published in the Mémorial Luxembourgeois (Luxembourger Official Journal – Compendium of companies and associations).

### **Article S3 – DURATION**

Its duration is unlimited.

### **Article S4 – LANGUAGES**

The three working languages of ISHCCO are English, French and German.

However, for all internal purposes, such as language at meetings, at conferences, language of the minutes, language of working documents, and for the purpose of discussing and agreeing on the precise meaning and scope of any of the provisions of the Statutes, By-laws or any other document, English shall be the language of choice, unless decided otherwise, either by the Executive Board (in special cases) or unanimously by the participants of a given meeting. In order to make the good understanding by all the members easier, all the documents will be issued in the three above mentioned languages, the English document remaining the reference document.

For all general meeting, a real time translation for the three ISHCCO languages will be organized.

# ISHCCO

## INTERNATIONAL SAFETY AND HEALTH CONSTRUCTION CO-ORDINATORS ORGANIZATION

### Article S5 – PURPOSES

ISHCCO's purpose – in compliance with the spirit of subsidiarity – is to help the health and safety Co-ordinators of Europe, through its National Member Associations, by giving them the opportunity to improve their career development, to complete their training and to develop their scientific capacities, and in particular:

**S5.1** To affirm the professional identity of the health and safety Co-ordinators in Europe;

- To represent all the safety and health coordinators with the European authorities and to participate as experts in the elaboration or in the adaptation of the European directives concerning the safety and the protection of the health on the temporary or mobile construction site.
- Make recognize and defend the professionalization regarding the activity of the safety and health coordinator
- To promote excellence in the education, training and professional development of those engaged in health and safety co-ordination in the countries of the National Members;
- To ensure that the professional qualifications of the health and safety Co-ordinators of the countries of the National Members are recognized in Europe by an European certification.

**S5.2** To facilitate the exchange of information and to support a wider dissemination of scientific, technical and other information relevant to health and safety co-ordination at temporary or mobile construction sites between Members and other interested bodies;

**S5.3** To support multilateral collaboration between National Members and with other interested bodies each institution retaining its own autonomy and independence;  
and further, in subsidiary order and without affecting the scientific and educational goals of the association:

- To see to it that the health and safety Co-ordinator profession of Europe could speak with a single voice, while respecting its diversity and represent the health and safety Co-ordinators of Europe when interacting with international organisations and other decision making bodies, particularly those within the European Institutions and the public;
- To represent National Members at European and international authorities, organisations or agencies, public as well as private;
- To assert the status, role and responsibility of the health and safety Co-ordinators in society;
- To safeguard and promote the professional interests of the health and safety Co-ordinators and in particular to facilitate their free movement and establishment within Europe.

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### **Article S6 – ACTIVITIES**

To achieve these purposes, ISHCCO implements at least the following programmes:

**S6.1** It creates and maintains active links with all European Institutions and the public on behalf of the National Members and the health and safety Co-ordinators of Europe.

**S6.2** It keeps a current ISHCCO Register of European health and safety Co-ordinators (EUR COOR) and oversees the procedures for award of that professional designation.

**S6.3** It creates and maintains an INDEX of ISHCCO accredited health and safety Co-ordinators courses, curricula and education institutions in the countries of the National Members.

**S6.4** It studies all technical and social problems relating to the role and responsibility of health and safety Co-ordinators in society.

**S6.5** It maintains an active information system and a ISHCCO website.

**S6.6** It supports Continuous Professional Development (CPD).

**S6.7** It co-operates with organisations having the same purposes.

**S6.8** In general it carries out any lawful activity necessary through Committees and/or Working Groups or otherwise in connection with, or incidental to, the accomplishment of any of the purposes set out above.

**S6.9** It makes public statements and representations to the appropriate governing bodies and the public, European and/or others.

More generally, it takes all appropriate actions for the foregoing purposes.

### **Article S7 – LIMITS OF SCOPE**

ISHCCO does not interfere in its National Members' local activities except in a consulting capacity and at their request. It does not engage in political, religious or trade union activities.

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## **SECTION 2 MEMBERSHIP – ADMISSION – RESIGNATION**

### **Article S8 – MEMBERS – ASSOCIATES**

ISHCCO has National Members and Associates Members.

#### **S8.1 National Members**

ISHCCO has only one National Member per country:

a) In a country in which there is only one legal entity grouping health and safety Co-ordinators directly or through associations, that entity may apply for membership in ISHCCO as that country's National Member provided that:

- it endorses this association's purposes listed in Article S5,
- it represents health and safety Co-ordinators a majority of whom qualify for entry in the ISHCCO Register.

b) In a country in which more than one legal entity grouping health and safety Co-ordinators having the foregoing qualifications are interested in joining ISHCCO, those organisations must officially accredit a National Committee as the National Member to represent them and apply for membership in ISHCCO as that country's National Member. Such National Committee represents all of the national institutions and associations of that country.

#### **S8.2 Associates Members**

The Associate members can be persons or entities, (companies or associations) based in a Member State wishing to support the activities of the ISHCCO, by the way of sponsorship, by delegating experts.

They can take part in the exchanges of ideas, and take part in work of the confederation, but will not be able to take part to the decisions by way of vote.

#### **S8.3 Transition period**

The Founder members become automatically Associate members with voting rights for the period of time during there are not yet a National Member.

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### **Article S9 – ADMISSION**

#### **S 9.1 New National Members**

An applicant for National Membership (Article S8.1) shall, directly in the case of Article S8.1 a) of the Statutes or represented by the National Committee of the country of which it forms part in the case of Article S8.1 b) of the Statutes :

- Send an application for membership to the Executive Board of ISHCCO at the registered offices of ISHCCO in Luxembourg,
- Confirm in writing acceptance of these Statutes and By-laws,
- Confirm in writing that it agrees to pay the annual subscriptions fixed by the General Assembly.

Upon the Executive Board's recommendation, the General Assembly admits the applicant to membership and fixes the number of its shares according to the principles defined in the By-laws, which determines the amount of its subscriptions and the number of votes that it has when the votes are weighted pursuant to Article S12.4 of the Statutes.

Unless the General Assembly decides otherwise, the admission takes effect on the first day of the calendar year following the date of the meeting at which its admission is decided.

#### **S 9.2 New Associates Members**

An applicant for associate membership (Article S8.2) shall :

- Send an application for Associate Membership to the Executive Board of ISHCCO at the registered offices of ISHCCO in Luxembourg,
- Confirm in writing acceptance of these Statutes and By-laws,

Upon the Executive Board's recommendation, the General Assembly admits the applicant to associate membership.

Unless the General Assembly decides otherwise, the admission takes effect on the first day of the calendar year following the date of the meeting at which its admission is decided.

#### **S 9.3 New Association within a Member country**

A new association of health and safety Co-ordinators organised in a country having a National Committee must apply for membership of the National Committee and after being accepted by it can only be represented by such National Committee if it wishes to participate in ISHCCO.

A National Committee which amends its Statutes and/or accepts a new association must so inform ISHCCO.

The Executive Board shall judge if these changes are important enough to be brought to the General Assembly. In such case, the General Assembly shall, if necessary, decide on the compatibility of such amendments with membership in ISHCCO and consider whether the National Committee should continue in membership or be expelled pursuant to Article S10 of these Statutes.



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## **Article S10 – RESIGNATION – EXPULSION**

### **Resignation**

A National Member of ISHCCO may resign at any time.

### **Suspension of voting rights**

The voting rights of a National Member whose due subscription fees, including penalties and interests have not been credited on the ISHCCO account four weeks prior to the date of the General Assembly are suspended for the duration of that General Assembly. The voting rights will be reinstated, for purposes of the next General Assembly, following payment in full of the outstanding amount as determined by the Treasurer.

### **Expulsion**

The General Assembly can decide to expel, upon a recommendation presented to it by the Executive Board a National Member

- (i) whose financial obligations to ISHCCO are two years overdue as confirmed in a Resolution presented to the General Assembly by the Executive Board, or
- (ii) who by its actions or behaviour is in serious breach of ISHCCO's Statutes and By-laws, or
- (iii) who brings the reputation of ISHCCO into disrepute, or
- (iv) who repeatedly violates the Statutes or By-laws of ISHCCO, or
- (v) who no longer has the qualifications required by Articles S5 and S8 of the Statutes but does not resign.

Concerning point (iv) the Executive Board may however, in urgent cases, immediately suspend a National Member until final decision of the General Assembly.

No National Member shall be expelled until it has been invited to present its defence in writing or at the General Assembly.

### **Consequences of resignation / expulsion**

If a National Member resigns or is crossed off, he will have the obligation to pay all the debts and the contributions relative to the current year.

Upon decision of the Executive Board, the Treasurer may take all steps necessary including legal action to collect all outstanding dues and fees from National Members leaving or being expelled from ISHCCO.

The National Members who resign, who have been suspended or expelled, for any reason, lose their right as Member. They cannot claim or require neither to raise or render account nor to affix assets or inventory.

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## **SECTION 3 ORGANISATION**

### **Article S11 – STRUCTURE**

ISHCCO is organised according to the following structure :

- the General Assembly,
- the Executive Board,
- the President
- the Vice President
- the Treasurer
- the Secretary General
- the Internal Auditors

### **Article S12 – THE GENERAL ASSEMBLY**

#### **S 12.1 Functions of the General Assembly.**

The General Assembly is the highest decision making body of ISHCCO. Among other things it decides General Policies, election of Officers and financial matters. It approves the activities, and the financial statements of the past fiscal year and the budget of the next year including the fees structure and the amount of fees and subscriptions.

It elects Officers in the following order: the President, the Vice President, the Treasurer and the other Members of the Executive Board, and it ratifies the co-optations of the replacing members of the Executive Board (see Article S13.2 of these Statutes) and the appointment of the Secretary General. The General Assembly delegates the responsibility for the appointment of a chartered accountant to audit the financial statements to the Executive Board. In order to monitor the financial transactions of ISHCCO, the General Assembly shall appoint Internal Auditors who operate according to procedures approved by the General Assembly (see Art. S18).

#### **S 12.2 Scope and Membership of the General Assembly.**

The membership of the General Assembly consists of as many members as there are National Members within ISHCCO.

A minimum of 6 members is required.

Associates Members may attend in a non-voting capacity.

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## **S 12.3 Meetings of the General Assembly.**

Meetings of the General Assembly are held once a year in the place specified in the invitation.

The invitation shall be sent by the President to the National Members on at least two months' notice together with the agenda, after the participating members have been consulted first. The agenda shall include the items specified by the Executive Board or requested by a National Member.

A special meeting of the General Assembly may be called at any time by the President or at the request of more than one fifth of the National Members on at least one month notice, together with the agenda.

All meetings of the General Assembly are presided by the President in function at the beginning of the General Assembly.

When the President is unable to attend and act as Chairman, the Vice President, and when the Vice President is unable, an Officer so elected by the General Assembly, shall act as chairman.

## **S 12.4 Quorum and voting at the General Assembly.**

A General Assembly is only quorate when two thirds of the number of shares or voting rights are present or represented.

If a General Assembly meeting fails for want of a quorum to reach any type of decision, the meeting shall be closed and a new meeting shall be opened one hour later with regard to the voting rights of the present mater. The decisions made at such second meeting shall be valid regardless of the number of members covered by Article S8.1 a) of the Statutes and Article 8.1 b) of the Statutes present in person or by proxy, provided that they relate only to the business on the previous meeting's agenda.

Decisions (of which a register is kept at the registered office of ISHCCO) are made at meetings of the General Assembly according to the procedures set out in the table below:

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### ISHCCO DECISION MAKING METHODS

<b>Decisions</b>	<b>Notice Time</b>	<b>Necessary Majority</b>	<b>Effective</b>
Statutes + Amendments	2 months	2/3 majority of the votes / shares present in person or by proxy	Immediately after the GA meeting at which the decision has been taken
Dissolution of ISHCCO	2 months	2/3 majority of the votes / shares present in person or by proxy	Implementation 1 <sup>st</sup> day of month following decision
Admission of new National Members (Countries) Expulsion of a National Member	2 months	2/3 majority of the votes / shares present in person or by proxy	Immediately after the GA meeting at which the decision has been taken
Policies + their Amendment or withdrawal	2 months	Simple majority of votes / shares present	Immediately after the GA meeting at which the decision has been taken
Bylaws + their Amendments	2 months	Simple majority of votes / shares present	Immediately after the General Assembly at which the decision has been taken
Election of Officers (President, Vice-president, Treasurer, Members of Ex Bo and approval of coopted ones) Membership fees Register fees Budget + Amendements, Annual Balance	2 months	Simple majority of votes / shares present	Immediately after the General Assembly at which the decision has been taken
All other decisions	None	Simple majority of National Member votes	Immediately after voting

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## **Article S 13 THE EXECUTIVE BOARD**

### **S 13.1 Composition of the Executive Board.**

The Executive Board is composed of the President, Vice-President, Treasurer, and two other members, all "Officers".

The President, the Vice-President, the Treasurer and the other members of the Executive Board are elected by the General Assembly for a three-year term and may be re-elected once to the same position. This will be effective at the 2016 ordinary general assembly.

### **S 13.2 Co-options**

The Executive Board may temporarily fill vacancies on the Board occurring between meetings of the General Assembly; however it must fill vacancies by co-opting immediately if the number of members falls below three.

Such co-optations are subject to ratification at the next meeting of the General Assembly.

If the number of co-opted members is higher than 1, a General Assembly has to be called and convened to confirm these designations.

Until such ratification, the co-opted members shall operate and shall be considered as full members of the Executive Board.

Every effort should be made to ensure that co-opted replacements do not modify the geographical balance of the Executive Board membership.

An Executive Board member, co-opted in place of another member holds office for the remainder of his predecessor's term. He is eligible for re-election by the General Assembly even if his predecessor was no longer eligible for re-election.

### **S 13.3 Executive Board meetings and resolutions.**

The Executive Board meets on call by the President or at the request of four Officers, on four weeks' notice after the participating members have been consulted.

The President acts as Chairman of meetings of the Executive Board. When the President is unable to attend an Executive Board meeting his function shall be fulfilled by the Vice-President. Where the President and Vice-President are unable to attend an Executive Board meeting then those present shall elect a chairman of the meeting.

Business may be transacted at an Executive Board meeting only if at least half of the Officers is present. When it is not the case, resolutions, of which a register is kept at the registered office of ISHCCO, are adopted at the next Executive Board meeting by majority vote of the Officers present. Each Officer has one vote. When equality of votes, the Chairman has a casting vote.

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## **INTERNATIONAL SAFETY AND HEALTH CONSTRUCTION CO-ORDINATORS ORGANIZATION**

### **S 13.4 Powers of the Executive Board**

The Executive Board implements ISHCCO's policy and decisions approved by the General Assembly, initiates new activities supporting ISHCCO's policy in general and is responsible for the day-to-day management of ISHCCO executed by the Secretary General.

The Executive Board authorises all acts and operations not within the General Assembly's sole province.

The Executive Board must not acquire, exchange or alienate the real property required for the association's purposes, grant mortgages on such real property, acquire or grant a lease having a term exceeding nine years or apply for a loan exceeding an amount as set out in the By-laws except with prior authorisation of the General Assembly.

### **Article S14 – THE PRESIDENT**

The President is elected by the General Assembly for a three-year term and may be re-elected once. He will be elected from the list of candidates presented by the National Members or by the Executive Board at least six months before the General Assembly.

The President is the legal representative of ISHCCO in all civil affairs and in all judicial action either as plaintive or defendant. In a lawsuit, he may be replaced by an agent acting by virtue of a special power-of-attorney. He executes the decisions of the General Assembly, chairs meetings of the Executive Board and of the General Assembly according to Art. S12.3.

### **Article S15 – THE VICE-PRESIDENT**

The Vice-President serves as acting President if and as long as the President is unable to act but not beyond the date of the next meeting of the General Assembly, at which the duration of the mandate of the Vice-President acting as President shall be decided.

### **Article S16 – THE TREASURER**

The Treasurer, in consultation with the Secretary General, authorizes the expenditures. The maximum amounts will be determined by By-Laws. He is responsible for submission of ISHCCO's financial statements and budget to the Executive Board, the General Assembly and the Internal Auditors. During the second half of the financial year he shall liaise with the Secretary General in order to prepare the balance sheet, the revised forecast for the current year and the budget proposal for the coming year.

### **Article S17 – SECRETARY GENERAL**

The Secretary General is appointed or dismissed on behalf of ISHCCO by the President on decision of the Executive Board.

The Secretary General manages the day-to-day business in accordance with the decisions of the Executive Board.

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## **Article S18 – INTERNAL AUDITORS**

Two Internal Auditors are appointed by the General Assembly for a term of three years and shall each act in accordance with the guidelines agreed by the General Assembly.  
Candidatures for the post of Internal Auditor are proposed by the National Members or the Executive Board and sent to the registered office of ISHCCO

## **Article S19 – CREATION OF COMMITTEES AND WORKING GROUPS**

In order to deal expeditiously with issues of common interest, the Executive Board may, from time to time, establish Committees and ad hoc Working Groups. The Executive Board will supervise and coordinate the activities of all Committees and Working Groups.

## **SECTION 4 FINANCE**

## **Article S20 – RESOURCES**

ISHCCO's resources derive from:

- Its members' subscriptions,
- Gifts, grants and subsidies if any,
- Revenues from its own authorised activity if any,
- The yield of its bank accounts,
- Any other legal means that comply with the purpose and objective of ISHCCO.

## **Article S21 – SUBSCRIPTIONS - SHARES**

The subscriptions, the total amount of which is fixed by the General Assembly pursuant to Article S12.4 of the Statutes, are allocated in proportion to the number of shares allotted to each of the National Members. Subscriptions are payable as provided in the By-laws.  
Shares are not transferable among the National Members. Shares allotted to one country cannot be split for votes.

## **Article S22 – FISCAL YEAR**

This association's fiscal year is the calendar year. After approval by the Treasurer, the financial statements and a draft budget are submitted promptly to the Executive Board for consideration and presentation to the General Assembly.

# **ISHCCO**

## **INTERNATIONAL SAFETY AND HEALTH CONSTRUCTION CO-ORDINATORS ORGANIZATION**

### **SECTION 5 AMENDMENTS**

#### **Article S23 – AMENDMENT OF THESE STATUTES**

These statutes may be amended only by the General Assembly as provided in Article S12.4 of the Statutes.

Amendments to the Statutes come into force immediately after the GA meeting at which the decision has been taken to approve.

Amendments must be sent, within the same month of their approval, to the "Mémorial Luxembourgeois, Recueil spécial des Sociétés et Associations" for publication in accordance with the Article 9 of the law of 4<sup>th</sup> March 1994.

Any proposal to amend the Statutes must be addressed in writing and/or email to the President and Secretary General at the registered office of ISHCCO.

Such requests shall be circulated by the President or Secretariat General to all National Members not less than sixty calendar days before the meeting of the General Assembly. All amendments require a two thirds majority of eligible voting rights according to the table in S12.4.

### **SECTION 6 ADDITIONAL INTERNAL RULES**

#### **Article S24 – BY-LAWS**

**S24.1** The By-laws of ISHCCO cover subjects not covered by the Statutes. The By-laws are formulated by the Executive Board and approved by the General Assembly according to Article S12.4.

**S24.2** Any proposal to amend the By-laws must be addressed by writing to the registered office of ISHCCO. After approval by the General Assembly the amended By-laws are submitted to the General Assembly for approval according to Article S12.4.

**S24.3** The ISHCCO by-laws are translated into 3 ISHCCO languages and sent out to all ISHCCO-members prior to each General Assembly together with the invitation to the GA.

Members may request amendments to the by-laws no later than 6 weeks prior to the General Assembly by e-mail to the ISHCCO Executive Board. The President forwards all the proposed amendments no later than 3 weeks before the General Assembly to all members. The President submits any amendments to the by-laws to the General Assembly for discussion and voting.

#### **Article S25 – GENERAL POLICIES**

ISHCCO General Policies are prepared by the Executive Board and submitted to the General Assembly for approval by a simple majority of the shares voting. They have to be followed by all ISHCCO Officers, Committees and Working Groups until amended or deleted by the General Assembly.



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**SECTION 7**  
**MISCELLANEOUS**

**Article S26 – ARBITRATION**

In case of internal legal controversy, the dispute shall be brought before three arbiters, all educated in Luxembourg law and fluent in one of the official languages of the country. One arbiter shall be elected by each party and the two arbiters will elect a third independent arbiter. The proceedings shall be held in Luxembourg in one of the official languages of the country. The decision of the arbiters is binding.

**Article S27 – DISSOLUTION / LIQUIDATION**

Without prejudice to Articles 18 – to 21 of the law of April 21th, 1928, this association may be dissolved by the General Assembly, for any reason, as provided in Article S12.4 of the Statutes at a meeting of the General Assembly called for that purpose. In that case the General Assembly shall elect and decide on the powers and compensation if any of a liquidator, and will give to the possessions (after aquittal of the passive) an affectation wich will get closer as much as possible to the object, with the aim of the wich the association was created.