

The Chartered Institute of Logistics And Transport Mauritius RULES



MINISTRY OF LABOUR, INDUSTRIAL RELATIONS & EMPLOYMENT
REGISTRY OF ASSOCIATIONS

In reply please quote
1976
No.....

1st Floor - Crescent House
Cnr. Deschartres & Foucault Streets
Port Louis
Tel. : 213 3600

08 May 2008

Dear Sir,

... Please find **enclosed** a copy of complete alteration of rules of the "***The Chartered Institute of Transport Mauritius Group***" duly registered.

Yours faithfully

H. Hookoom
Registrar of Associations



Mr Sooren Seewoogolam
Secretary
***"The Chartered Institute of Logistics and
Transport Mauritius"***
C/o A. Bonieux & Co. Ltd
Candos Road
Quatre Bornes

LB/

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Certificate of Registration of Amendment (Section 13 of Act 35)

I hereby certify that these Rules amending the Rules of "*The Chartered Institute of Transport Mauritius Group*" were made in compliance with the procedure laid down in the Registration of Associations Act, and have been registered by me.

The name of "*The Chartered Institute of Transport Mauritius Group*" is changed into "*The Chartered Institute of Logistics and Transport, Mauritius*".

Dated this 8th day May 2008.



H. Hookoom
Registrar of Associations



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PRELIMINARY

The provisions of the Charter (which for the purpose of the Bye-laws shall mean the Royal Charter granted in 1926 as from time to time altered, amended or varied by Supplemental Charter or otherwise) incorporating the Institute shall in all respect be observed and performed and, in the event of any inconsistency between the provisions of the UK Charter, the provisions of the UK Bye-laws and the Mauritius Section Bye Laws, the provisions of the UK Charter shall prevail.

“**Affiliate**” means a student or any person not being an Institute Member or a Member as defined in these Rules;

“**Association**” means the Chartered Institute of Logistics and Transport, Mauritius;

“**Bye-Laws**” means Rules made by the Council to regulate its own affairs;

“**Council**” means the Council of the Institute as defined under Bye-law;

“**Corporate Member**” means any body corporate set up under an Act of Parliament or registered with the Registrar of Companies;

“**Financial Year**” means the period starting on 01 *January and ending on 31 December* in each year;

“**Institute**” means the Chartered Institute of Logistics and Transport constituted by the Charter;

“**Institute Member**” means an Honorary Chartered Fellow, a Chartered Fellow and a Chartered Member appointed or elected as such by virtue of the Bye-laws;

“**logistics and transport management**” means any activity consistent with the general objects of the Institute as stated in the Charter including without prejudice to the generality thereof:

- (i) the administration, management, planning, conduct or operation of any of the principal forms of transport, transit, locomotion, traffic, physical distribution, logistics or any activities related thereto; and
- (ii) the research, development, study, education in or of the art or science of logistics and transport in all its branches;

“**Member**” means a person who has completed the Diploma and Advanced Diploma of CILT Examinations or being exempted but not yet elected to Chartered status;

“**Membership Committee**” means a Committee known as the Membership Committee whose functions shall be set up under Article 5;

“**Officer**” means any person holding an appointment at Managing Committee level.

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Article 1 – Denomination, Duration and Seal

The name of the Association shall be the “The Chartered Institute of Logistics and Transport, Mauritius” hereinafter referred to as the “Association”. The Association shall be constituted in conformity with the Royal Charter and Bye-Laws;

The duration of the Association shall be unlimited. The Association shall have a seal bearing its name which shall remain in the custody of the Secretary.

Article 2 - Seat

The seat of the Association shall be at c/o Mauritius Ports Authority, Mer Rouge, Port Louis or at such place as may be approved by the Managing Committee. Any change of address shall be notified to the Registrar of Associations within fourteen days of the change thereof.

Article 3 - Objects

The objects of the Association shall be subject to the Royal Charter and Bye-Laws, to enable the Association to promote the study and advancement of logistics and transport in all its branches and shall be to inter-alia :

- 1) generally promote whatever may elevate the status and advance the interest of the Association;
- 2) co-operate with other professionals, governmental, private, or representative bodies on matters of common interest;
- 3) arrange and facilitate for the reading of papers, delivery of lectures and presentations, the acquisition and dissemination of useful material electronically or otherwise;
- 4) arrange for the provision of lecturers and other resource persons for lecturing, enter into partnership agreement with other professional bodies, to conduct the Chartered Institute of Logistics & Transport, professional examinations and any other Continuous Development Programmes;
- 5) the Chartered Institute of Logistics & Transport, Mauritius shall have the right, in collaboration, with other Councils, local or foreign universities, and local examining bodies, design, prepare and conduct for the purpose of Chartered Institute of Logistics and Transport (CILT) professional examinations, award Certificates and elevation of Members to higher Membership grade;
- 6) foster, uphold higher sense of professionalism through social functions / events and technical visits.

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Article 4 - Management of the Association

- 1) The management of the Association shall vest in a Managing Committee which shall consist of, 8 Institute Members and 2 Members elected at the Annual General Meeting. They shall hold office for a period of two years and shall be eligible for re-election;
- 2) Members of the Managing Committee shall choose amongst themselves a Chairperson, a Vice-Chairperson, a Secretary, a Treasurer, an Administrative Secretary, an Assistant Secretary, an Assistant Treasurer, all of whom shall be Chartered Members;
- 3) The Managing Committee shall be presided over by the Chairperson and in his absence by the Vice-Chairperson. In the event that both are absent, the Members shall elect a Chairperson among themselves;
- 4) The Immediate Past Chairperson of the Association shall be an ex-officio Member of the Managing Committee;
- 5) The Managing Committee shall set up a scheme to attract, maintain and manage Corporate Membership;

Article 5 – Membership Committee

The Managing Committee shall appoint a Membership Committee comprising of five Chartered Members, two of whom shall be Fellows of the Institute.

Article 6 – Meeting of the Association

- 1) The Managing Committee shall meet once every month and whenever the Chairperson may deem it necessary;
- 2) Notice of any meeting shall be given in writing, electronically or otherwise to Members at least three days before the date fixed for the meeting;
- 3) Five Members shall constitute a quorum;

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Article 7 – Vacancies

- 1) Any vacancy in the Managing Committee up to a maximum of three in any year shall be filled by Chartered Members so designated by the Committee;
- 2) Any vacancy in excess of three shall be filled by election at a Special General Meeting convened for that purpose;
- 3) Any Member who is absent for three consecutive meetings without the approval of the Chairperson shall be considered to have vacated his seat. The Managing Committee shall make the necessary arrangements as appropriate for the replacement of the Member within the next 30 days;
- 4) The office of a member of the Managing Committee shall become vacant:
 - i) if he ceases to be a member of the Institute;
 - ii) if at a Special General Meeting of the Association specially convened for that purpose, at which no less than one third of the paid Members on roll are present, a resolution is passed, by a majority of no less than three fourths of those present and voting, declaring the office of such member vacant.

Article 8 – Application for Membership

- 1) Membership shall be limited to persons who are Chartered Members, non-Chartered Members and Corporate Members;
- 2) All applications for membership shall be submitted to the Secretary on the prescribed form together with the appropriate processing fee. The Secretary shall refer such applications to the Membership Committee;
- 3) The Membership Committee may approve or reject the application;
- 4) Any applicant whose application is rejected, after being notified of this decision by the Managing Committee may appeal within 28 days to the Managing Committee. The Managing Committee may maintain or alter the decision of the Membership Committee.

Article 9 - Election to Managing Committee

- 1) An application for election as Member of the Managing Committee shall be made on the prescribed form and shall be lodged on the Secretary at least two days before the election;

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- 2) Any applicant who is in arrears with his subscription at the time of the election, shall not be eligible to stand as a candidate;
- 3) In the event of insufficiency of candidates for the election of the Managing Committee, the Members at the Annual General Meeting shall appoint any member (s) present to constitute the Managing Committee.

Article 10 - Attendance at Meetings

The Secretary shall keep a record of the attendance of Members present at meetings of the Managing Committee, the Annual General Meetings, the Special General Meetings, and such other Committee meetings.

Article 11 - Mode and Right of Voting

- 1) At any meeting of the Association where any issue cannot be unanimously be agreed upon, the Chairperson shall order a voting by ballot or if specifically demanded by no less than *one third* of the Members present and entitled to vote;
- 2) In case of equality of votes, the Chairperson shall have a casting vote;
- 3) Each Institute Member, Member and Affiliate shall be entitled to one vote provided he is not in arrears with his annual subscription.

Article 12 - Annual General Meeting (AGM)

- 1). The Annual General Meeting of the Association shall be held not later than three months after the end of the financial year to carry out the following businesses:
 - i) to receive the Annual Report from the Chairperson and the Financial Statement from the Treasurer for the last financial year;
 - ii) to elect Members to sit on the Managing Committee;
 - iii) to appoint two auditors who shall be Chartered Members of the Association, and
 - iv) to transact any other business.

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2) Quorum

- i) One third of the paid Members of the Association shall constitute a quorum;
- ii) If a quorum is not present, the AGM shall be postponed and shall be held fourteen days later, irrespective of whether one third of the paid Members is present or not. Five Members shall constitute a quorum;

Article 13 - Special General Meeting

- 1) By resolution of the Managing Committee or upon the written request of no less than 10% of Members, the Secretary shall convene a Special General Meeting stating fully the object for which it is convened;
- 2) Such meeting shall be held within one month from the receipt of the request;
- 3) One third of the paid Members of the Association shall constitute a quorum. In the absence of a quorum, the meeting shall:
 - i) in the case of a meeting convened by a resolution of the Managing Committee be postponed and shall be held fourteen days later, irrespective of whether a quorum is present or not, and
 - ii) in all other cases the meeting shall stand dissolved.

Article 14 - Notices

- 1). Notices of meetings of the Managing Committee shall be made in writing, electronically or otherwise and shall be sent by the Secretary at least *three days* before the meeting. The Chairperson shall, have power to convene meetings at shorter notice;
- 2). Notices of the Annual General Meeting or Special General Meeting shall be made in writing, electronically or otherwise and shall be sent by the Secretary at least fourteen days before the meeting;
- 3). Notice of the Annual General Meeting or Special General Meeting shall be published in two dailies.

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Article 15 - Subscription

- 1). The Annual subscription fee shall be paid to the Association at latest end of January for the year it is due;
- 2). The Managing Committee shall fix and may review the subscription fees as and when required which shall be ratified at a General Meeting;
- 2) (a) Members having attained the age of 65 years will be exempted from payment of the subscription fee with effect from 01 January 2018".
[Approved by the Special General Meeting and ratified by the Annual General Meeting on 03 March 2017].
- 3). Students who are registered with the Association for the first time shall pay a processing fee as may be determined by the Managing Committee and shall be exempted from subscription payment for the current Financial Year;
- 4). Any student who is in arrears shall not be eligible to sit for the CILT Examinations;
- 5). Any member who resigns from the Association or who is expelled for any reasons whatsoever shall forfeit all his rights including all subscriptions paid.

Article 16 - Termination of Membership

1). Non payment of subscription fees for a consecutive period of two years

Any member whose Membership is revoked for non payment of subscription fees shall be so notified in writing and he shall surrender all CILT Certificates to the Secretary within 14 days from the date of the revocation;

2). Misconduct

In the event the membership is terminated for misconduct the defaulting member shall:

- i) be convened before the Managing Committee to show case as to why his Membership should not be terminated;
- ii) be entitled to call witnesses to depone on his behalf if he so wishes, and
- iii) shall be notified of the decision of the Managing Committee by way of "*Advice of Delivery*".

3). Appeal

- i) Any member whose membership has been terminated under Article 16(1) and 16(2) as the case may be shall have a right of appeal against the decision

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taken by the Managing Committee. Such appeal shall be made in writing to the Secretary of the Association, not later than fourteen days of the date of the letter of notification. Any appeal not made within that period shall not be accepted;

- ii) The Chairperson shall cause a Special General Meeting to be held within 28 days of the receipt of the notice of such appeal;
- iii) The decision of the Special General Meeting shall be final and binding.

Article 17 – Cessation of Membership

Any person who has ceased to be a Chartered Member or non-Chartered Member of the Institute shall, *ipso facto*, cease to be a Member of the Association and shall surrender all relevant certificates and shall have no right to use any post nominal appellations.

Article 18 – Powers of the Managing Committee

The Managing Committee shall be empowered to:

- 1) invest its own monies in Government Bonds, Treasury Bills, Fixed Deposits, Approved Funds or other such risk-free financial instruments as may be deemed appropriate;
- 2) lease or take on lease or let movable or immovable property;
- 3) purchase movable or immovable property.

Article 19 – Accounts and Finance

- 1) The Financial Year of the Association shall run from 1 January ending 31 December;
- 2) The Annual Financial Statements duly certified by the Auditors, shall be endorsed by the Managing Committee and laid before the Annual General Meeting for approval;
- 3) The funds of the Association shall be under the control of the Managing Committee and all payments shall be effected by cheque as prescribed by Law;

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- 4) All cheques shall be signed by the Treasurer or in his absence by the Assistant Treasurer jointly with the Chairperson.

Article 20 - Duties of the Chairperson

- 1) The Chairperson shall preside over all meetings of the Association. In his absence, he shall be replaced by the Vice-Chairperson. In case both are absent, the meeting shall be presided over by a Member chosen from amongst the Committee Members present;
- 2) The Chairperson shall sign all cheques, deeds, and other financial documents;
- 3) The Presiding Member shall have an original vote and in the event of equality of votes, a second vote or casting vote;
- 4) The Vice-Chairperson shall have the same powers and rights, shall assume the same responsibilities as those of the Chairperson in the latter's absence;
- 5) The Chairperson shall represent the Association at the International Council Meeting or may delegate any other member, with the approval of the Managing Committee;
- 6) At the Annual General Meeting the Chairperson shall present a report on the activities of the Association for the period ending 31 December.

Article 21 - Duties of the Secretary

The Secretary shall:

- 1) convene all meetings of the Association and prepare the minutes of proceedings of these meetings;
- 2) arranged for the minutes of proceedings to be co-signed by the Chairperson, after confirmation of the same;
- 3) keep all the recorded proceedings of the Association in a file assigned for that purpose. Such file shall be open for inspection by any Members of the Association at such time as the Managing Committee may permit;
- 4) keep a Register of Members in an electronic Database Management System;

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- 5) be the custodian of all the records of the Association;
- 6) submit to the **Registrar of Associations** in accordance with **the relevant Registration of Associations Act** not later than three months after the close of the Financial Year:
 - i) a certified copy of the statement of the Association required to be submitted to the Annual General Meeting under section 22 of the Registration of Associations Act, together with a declaration specifying whether the statement has been approved by the meeting;
 - ii) a statement of the names and postal addresses of the officers of the Association;
 - iii) a return of the membership of the Association as on the 31st December of the preceding year, and
- 7) where the Association has amended its rules during the Financial Year, submit a copy of the rules of the Association as duly amended, and
- 8) within fourteen days give written notice of the change to the Registrar of Associations following any change:
 - i) among the Managing Committee Members;
 - ii) in/among the Auditor(s);
 - iii) in the address of the office of the Association.

Article 22 – Duties of the Treasurer

The Treasurer shall:

- 1) keep a “Register of Members” as prescribed by law;
- 2) keep all accounts of the Association;
- 3) have the custody of all books of account of the Association;
- 4) receive all monies due or accruing to the Association and deliver receipts for any such payments;
- 5) bank all monies received by him as soon as possible;

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- 6) be allowed to keep in his possession a sum not exceeding Rs 1,000, to cover incidental expenses;
- 7) at each meeting of the Association give a summary of the accounts and financial standing of the Association;
- 8) prepare the Financial Statements on a periodic basis for consideration by the Managing Committee or as may be requested by the Chairperson and / or the Auditors;
- 9) produce his books for examination whenever required by the Chairperson or by the Auditors;
- 10) jointly with the Chairperson sign all cheques, deeds and other documents of the Association;
- 11) once a year, not later than one month after the accounting date, prepare and submit to the Managing Committee:
 - i) a statement of the receipts and payments for the last accounting period, and
 - ii) a statement of the assets and liabilities of the Association existing on the accounting date.
- 12) keep a record of all the revenues and a book showing its receipts and payments;
- 13) be replaced by the Assistant Treasurer who shall exercise the same powers and rights and assume the responsibilities as those of the Treasurer, in the absence of the latter.

Article 23 – Duties of the Auditors

1. Two Auditors, who shall be Chartered Member, shall be appointed at the Annual General Meeting;
2. The Auditors shall hold office for two years concurrently with the term of office of the Managing Committee;
3. The Auditors may be removed and replaced by a decision of a general meeting.
4. The Auditors shall every six months make a thorough examination of the books of accounts and other documents in the custody of the Treasurer and shall forthwith inform the Chairperson of any errors and omissions identified in the course of their examination;

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5. The Treasurer shall upon the written request of the Auditors submit all Accounts of the Association for Audit.

Article 24 – Security Bond

1. The Chairperson, the Vice Chairperson, the Treasurer and the Assistant Treasurer shall each become bound with two sureties in the sum of one thousand rupees (Rs1000) jointly and severally for the true performance of their duties;
2. The Security bond shall be filed in the office of the Registrar of Associations without undue delay.

Article 25 – Keeping and Inspection of Books

- 1) All books of the Association shall be kept in English or in French;
- 2) The books shall be open to inspection to any person having an interest in the funds of the Association;
- 3) All books and documents shall be kept at the seat of the Association;

Article 26 – Action by or Against the Association

- 1) The Association shall act, sue and shall be sued, implead and shall do all other acts under its corporate name and through its Secretary;
- 2) Whenever the Association shall be sued or impleaded, and whenever it shall be necessary to serve notices, summonses or any other legal process, judicial or extra judicial upon the Association, service upon the Secretary shall be good and sufficient upon the Association.

Article 27 – Amendments and Winding Up

- 1) No amendments or alteration of these Rules shall be effected except by Special Resolution in accordance with the provisions of the Registration of the Associations Act;
- 2) In the event of the winding up of the Association all its property, movable or immovable, its cash in bank and in hand, shall be disposed of in conformity with the laws of Mauritius.

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Article 28 – Dispute

Any dispute between the Association and any of its member or any person's claim by or through a member shall be settled by a special general meeting.

Article 29 – Miscellaneous

- 1) The Financial Year of the Association shall run from 01 January to 31 December, except for the first year, from the date of the new Rules coming into force to 31 December;
- 2) The Association may be affiliated to any other Associations, universities, institutions of higher education, Governmental bodies and private firms, provided that in so doing such affiliation is not detrimental to the objects of the Association;
- 3) The handing over of all books, documents cash in hand, etc., belonging to the Association shall be effected by the outgoing Managing Committee members within two weeks of the date of appointment of the newly elected Managing Committee members.

Secretary: Name

Signature:

Date: _____