

International Social Security Association

Constitution

2007
Geneva

The International Social Security Association (ISSA) is the world's leading international organization bringing together national social security administrations and agencies. The ISSA provides information, research, expert advice and platforms for members to build and promote dynamic social security systems and policy worldwide.

Founded in 1927, the ISSA has 370 member organizations in more than 150 countries.

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CHAPTER 1 | GENERAL PROVISIONS

Article 1. **Definition**

The International Social Security Association is a non-profit international organization consisting of institutions, government departments, agencies and other entities administering one or more aspects of social security.

For purposes of this Constitution, the term “social security” means any scheme or programme established by legislation, or any other mandatory arrangement, which provides protection, whether in cash or in kind, in the event of employment accidents, occupational diseases, unemployment, maternity, sickness, invalidity, old age, retirement, survivorship, or death, and encompasses, among others, benefits for children and other family members, health care benefits, prevention, rehabilitation, and long-term care. It can include social insurance, social assistance, mutual benefit schemes, provident funds, and other arrangements which, in accordance with national law or practice, form part of a country’s social security system.

Article 2. **Objective**

The objective of the Association is to co-operate, at the international level, in the promotion and development of social security throughout the world, primarily through its technical and administrative improvement, in order to advance the social and economic conditions of the population on the basis of social justice.

Article 3. **Methods of Action**

In the pursuit of the objective stated in *Article 2*, the Association shall:

- (1) foster comparison of experience and exchange of information and expertise among its members, particularly by:
 - (a) organizing international meetings;
 - (b) collecting and disseminating information on social security matters;
 - (c) facilitating training and mutual technical assistance;
- (2) initiate and encourage research and inquiries in social security matters;
- (3) co-operate with the International Labour Organization and other international organizations active in the field of social security;
- (4) undertake any other activities that may be decided by the General Assembly, Council or Bureau.

Article 4. **Statutory Bodies, Officers and Headquarters**

- (1) The statutory bodies of the Association shall be the General Assembly, the Council, the Bureau and the Control Commission.
- (2) The officers of the Association shall be the President, the Vice-President, the Treasurer and the Secretary General.
- (3) The registered office of the Association shall be in Geneva.

CHAPTER 2 | MEMBERSHIP

Article 5. **Affiliate Members**

(1) Subject to *Article 9*, an institution, government department, agency or other entity that administers any aspect of social security shall be eligible for admission to the Association as an affiliate member. However, unless decided otherwise by the Bureau, an institution, government department, agency or other entity that is part of a larger organization which is an affiliate member shall not be eligible for admission as an affiliate member.

(2) A federation (other than an international federation) of institutions, government departments, agencies or other entities that administer any aspect of social security shall also be eligible for admission to the Association as an affiliate member. However, unless decided otherwise by the Bureau, where such a federation has been admitted as an affiliate member, the institutions, government departments, agencies or other entities that form part of that federation shall not be eligible for admission as affiliate members.

(3) Affiliate members shall have the right to vote in the General Assembly and to participate in the designation of titular delegates to the Council. They shall also have the right to be represented in meetings organized by the Association and to benefit from its services.

Article 6. **Associate Members**

(1) Subject to *Article 9*, an organization (other than an international organization) whose objectives are compatible with that stated in Article 2, but which is not qualified to become an affiliate member under the terms of *Article 5.(1)* and *5.(2)*, shall be eligible for admission to the Association as an associate member.

(2) Associate members shall have the right to be represented in meetings organized by the Association and to benefit from its services.

Article 7. Admission of Members

(1) The Bureau shall decide on applications for admission to the Association as affiliate or associate members.

(2) In the case of an application for admission by an institution, government department, agency, federation or other entity from a country in which the Association already has an affiliate member, the Secretary General shall consult the titular delegate of that country before the application is submitted to the Bureau for decision and shall advise the Bureau of the outcome of the consultation.

Article 8. Commencement, Termination and Suspension of Membership

(1) A membership shall commence only when the institution, government department, agency, federation or other entity concerned pays its first contribution to the Association, in accordance with the Financial Regulations adopted pursuant to *Article 54*.

(2) Any member may terminate its membership by notifying the Secretary General in writing of its intention. Unless decided otherwise by the Bureau, the termination of the membership shall become effective at the end of the last day of the calendar year in which the Secretary General receives the notification.

(3) Any member which owes the Association two years' contributions shall be requested by the Treasurer in writing, two months before the end of the calendar year for which the second contribution is due, to rectify the matter within two months, failing which its membership shall be suspended. The Secretary General shall notify the member in writing of its suspension.

(4) The Bureau shall decide on the conditions under which a previous member will be re-admitted or a suspension of a member lifted. Unless decided otherwise by the Bureau, an application for re-admission or for the lifting of suspension shall be considered only if the organization concerned has paid all contributions previously due to the Association.

Article 9. Regulations regarding Membership

(1) The Bureau shall make the regulations required for the application of Chapter 2.

(2) In order for a decision of the Bureau regarding regulations made pursuant to paragraph (1) of this Article to be valid, it shall be supported by an absolute majority of more than half of all the members of the Bureau.

CHAPTER 3 | THE GENERAL ASSEMBLY

Article 10. Functions

(1) The General Assembly shall be the highest statutory body of the Association. It alone shall be competent:

- (a) to amend the Constitution of the Association, in accordance with *Article 55*;
- (b) to decide on the dissolution of the Association, in accordance with *Article 56*.

(2) The General Assembly shall also be competent to perform any other function which is not explicitly assigned by this Constitution to another statutory body or to an officer of the Association.

At each session of the General Assembly, the Secretary General shall submit a report regarding the activities of the Association since the previous session.

Article 11. Composition

(1) The General Assembly shall be composed of delegates appointed by the affiliate members.

(2) Associate members may designate representatives who will participate in the work of the General Assembly in a consultative capacity.

(3) The President of the Association may admit observers to sessions of the General Assembly.

(4) Any member which, at the start of a session of the General Assembly, owes the contribution for the current year and that for

the previous year may not participate in the voting if it is an affiliate member and may not participate in any way in the meeting if it is an associate member.

Article 12. Convening of Sessions

- (1) The President of the Association shall, as a rule, convene the General Assembly every three years.
- (2) The Bureau, on the proposal of the President of the Association, shall determine the date and place of the session of the General Assembly and propose the agenda.
- (3) The Secretary General shall notify all affiliate and associate members of the proposed agenda, date and place of the session at least six months before its start.

Article 13. Chairing and Conduct of Sessions

- (1) The President of the Association shall open and close each session of the General Assembly.
- (2) The Bureau shall designate, on the proposal of the President of the Association, candidates for chairperson and vice-chairpersons of the session of the General Assembly. The President of the Association shall submit the names of the designated candidates to the General Assembly for approval.
- (3) The Bureau shall adopt rules governing the conduct of sessions of the General Assembly.

The General Assembly may amend the rules adopted by the Bureau. Before a motion to amend the rules may be discussed by the General Assembly or put to it for decision, the motion must be sponsored by at least twenty-five of those present who have the right to vote in accordance with *Article 14.(2)* or *14.(3)* and who represent affiliate members from at least five countries.

Article 14. Voting and Quorum

(1) Number of Votes

- (a) The number of votes allotted to each affiliate member shall amount to one-tenth (1/10th) of the number of points used to calculate its contribution for the calendar year immediately following the session of the General Assembly, in accordance with the Financial Regulations adopted pursuant to *Article 54*. Each affiliate member shall have at least one vote.
- (b) In a case in which the affiliate members from a country have contribution points which, when added together, reach the maximum number of contribution points prescribed in the Financial Regulations, adopted pursuant to *Article 54*, an internal arrangement different from that given in paragraph (1)(a) of this Article may be agreed between those affiliate members. Such an internal arrangement shall be communicated in writing to the Secretary General before the start of the session of the General Assembly.
- (c) The Secretary General shall inform each affiliate member in writing, at least two months before the start of the session of the General Assembly, of the number of votes to which it is entitled.
- (d) Any objections or observations concerning the calculation of the number of votes shall be sent in writing to the Secretary General not later than one week before the start of the session of the General Assembly. The Secretary General shall submit such objections or observations to the President of the Association for decision. The decision of the President shall be final without appeal.

(2) Entitlement to Vote

Each affiliate member shall designate one person on its delegation who will be entitled to vote on its behalf at the session of the General Assembly. It shall communicate the name of this person in writing to the Secretary General before the voting procedure begins.

(3) Assignment of Votes

An affiliate member which is unable to send a delegate to a session of the General Assembly may assign its votes during that session to a delegate of another affiliate member. An affiliate member may also assign its votes in the course of a session of the General Assembly.

An affiliate member which assigns its votes shall inform the Secretary General in writing before the voting procedure begins, specifying the name of the person who will be entitled to vote on its behalf.

(4) Quorum

A decision of the General Assembly shall be valid only if, at the time that a vote on the subject under discussion is taken, there are sufficient delegates present and entitled to vote in accordance with paragraphs (2) or (3) of this Article that, in aggregate, the votes allotted to them amount to more than half of the total number of votes allotted to all the affiliate members taken together.

(5) Voting Procedures

The General Assembly shall vote by show of hands, unless a vote by call of the role or by ballot paper is decided by the chair or requested by at least twenty-five of those who are present and entitled to vote in accordance with paragraphs (2) or (3) of this Article and who represent affiliate members from at least five countries.

(6) Decisions

Except as provided in *Articles 55.(4) and 56.(2)*, in order for a decision of the General Assembly to be valid, it shall be supported by more than half of the valid votes cast by those who are present and entitled to vote in accordance with paragraphs (2) or (3) of this Article.

Article 15. Record of Proceedings

(1) The Secretary General shall, within three months of a session of the General Assembly, prepare a record of proceedings giving an account of the matters discussed and the decisions taken, and shall send it to all affiliate and associate members.

(2) The text of the record of proceedings shall be regarded as definitive if none of the delegates who attended the meeting with the right to vote has proposed any amendments within two months of the date it is sent by the Secretary General.

(3) If any amendments are proposed within the two-month period, the President of the Association shall decide on the definitive text of the record of proceedings.

(4) The Secretary General shall transmit the definitive text of the record of proceedings to all affiliate and associate members, titular and substitute delegates to the Council, and members of the Bureau.

CHAPTER 4 | THE COUNCIL

Article 16. Functions

- (1) The Council shall be the electoral body of the Association. It shall:
 - (a) elect the President of the Association, the Treasurer, the members of the Bureau, and the members of the Control Commission, and designate the Chairperson of the Control Commission, in accordance, as the case may require, with *Articles 23.(2), 31.(1), 34.(1) and 38.(1)*;
 - (b) elect, review the appointment and terminate the appointment of the Secretary General, in accordance, as the case may require, with *Article 40.(1) and (3)*.
- (2) The Council shall also:
 - (a) determine, on the basis of proposals made by the Bureau, the programme of activities and budget of the Association for the three-year period until the next session of the General Assembly, and the rate of contributions for each year in that period;
 - (b) adopt the financial report submitted by the Treasurer on behalf of the Bureau for the three-year period since the previous session of the General Assembly and give discharge to the Treasurer on the proposal of the Control Commission.

Article 17. Composition

- (1) The Council shall be composed of titular delegates from each country in which the Association has at least one affiliate member. There shall be one titular delegate from each such country.

(2) The affiliate members of a country shall together designate the titular delegate from that country, and decide when the term of office of the titular delegate ends. They may also designate a substitute delegate who will replace the titular delegate if the latter is unable to perform the duties of the office, and decide when the term of office of the substitute delegate ends.

The titular delegate shall, as soon as possible after assuming office, advise the Secretary General of his or her designation and of the name of the substitute delegate, if there is one.

(3) For the purposes of carrying out the functions described in paragraph (2) of this Article, the affiliate members of a country may use any procedure agreed among themselves. They may at any time replace the titular delegate and substitute delegate representing them on the Council.

(4) Titular delegates and substitute delegates must be serving officials of affiliate members.

(5) If the titular delegate from a country resigns from that office prior to the designation of a new titular delegate, the substitute delegate, if there is one, shall serve as the acting titular delegate until such time as a new titular delegate is designated. In such a case, either the previous titular delegate or the substitute delegate shall notify the Secretary General in writing as soon as possible.

(6) The substitute delegate, if there is one, shall have the right to participate in all meetings of the Council but, except in the absence of the titular delegate, shall not have the right to vote.

(7) Each affiliate and associate member may appoint a representative to the Council. The representative shall not have the right to vote.

Article 18. Convening of Meetings

- (1) The President of the Association shall convene the Council on the occasion of each session of the General Assembly.
- (2) The President shall also convene the Council by decision of the Bureau or at the request of at least one-third of the titular delegates to the Council.
- (3) The Bureau, on the proposal of the President of the Association, shall determine the date and place of the meeting of the Council and propose the agenda.
- (4) In the case of a meeting of the Council convened in accordance with paragraph (1) of this Article, the Secretary General shall notify all titular delegates and substitute delegates of the proposed agenda, date and place of the meeting at least six months before its start. The Secretary General shall also communicate this information within the same time period to all affiliate and associate members.
- (5) In the case of a meeting of the Council convened in accordance with paragraph (2) of this Article, the Secretary General shall communicate the information described in paragraph (4) of this Article at least two months before the start of the meeting.

Article 19. Chairing and Conduct of Meetings

- (1) The President of the Association shall preside over meetings of the Council.
- (2) The Bureau shall adopt rules governing the conduct of meetings of the Council.

The Council may amend the rules adopted by the Bureau. Before a motion to amend the rules may be discussed by the Council or put to it for decision, the motion must be sponsored by at least ten of those

who are present and entitled to vote in accordance with paragraphs (1) or (2) of *Article 20* of this Constitution.

Article 20. Voting and Quorum

(1) Number of Votes

Each titular delegate to the Council shall have one vote. In the absence of the titular delegate from a country at a meeting of the Council, the substitute delegate of that country, if there is one, shall have one vote during that meeting.

(2) Assignment of Vote

If both the titular and substitute delegates from a country are absent from a meeting of the Council, the titular delegate may assign his or her vote to any serving official of an affiliate member. The titular delegate shall inform the Secretary General in writing of any such assignment before the voting procedure begins, specifying the name of the person who will be entitled to vote on his or her behalf.

If required, the substitute delegate may carry out the functions just described in the place of the titular delegate.

(3) Quorum

- (a) A decision of the Council shall be valid only if, at the time that a vote on the subject under discussion is taken, there are sufficient persons who are present and entitled to vote in accordance with paragraphs (1) or (2) of this Article that, in aggregate, the votes allotted to them amount to more than half of the total number of positions of titular delegates to the Council.
- (b) In the absence of a quorum at a meeting of the Council, the Bureau, on the proposal of the President of the

Association, may decide on any question coming within the terms of *Article 16*. In such a case, however, any decision of the Bureau shall be deemed to be only provisionally in force and shall, within one month of its adoption, be submitted by the President of the Association to the Council for final approval in accordance with paragraph (6) of this Article. Unless finally approved by the Council within six months of its adoption by the Bureau, the decision in question shall be null and void and shall be deemed not to have been taken.

(4) Voting Procedures

The Council shall vote by show of hands, unless a vote by call of the role or by ballot paper is decided by the chair or requested by at least ten of those who are present and entitled to vote in accordance with paragraphs (1) or (2) of this Article.

(5) Decisions

In order for a decision of the Council to be valid, it shall be supported by more than half of the valid votes cast by those who are present and entitled to vote in accordance with paragraphs (1) or (2) of this Article.

(6) Vote by Correspondence

- (a) The President of the Association shall submit to the titular delegates for vote by correspondence any decision taken by the Bureau pursuant to the first sentence of sub-paragraph (3)(b) of this Article.
- (b) In such a case, the President shall advise the titular delegates in writing of the relevant facts and the deadline for the casting of votes. If the reply of a titular delegate is not received within the deadline set by the President, it shall be deemed that the titular delegate has voted in support of the decision of the Bureau.

Article 21. Record of Proceedings

(1) The Secretary General shall, within three months of a meeting of the Council, prepare a record of proceedings giving an account of the matters discussed and the decisions taken, and shall send it to all titular delegates to the Council and any other persons who attended the meeting with the right to vote.

(2) The text of the record of proceedings shall be regarded as definitive if none of the titular delegates or other persons who attended the meeting with the right to vote has proposed any amendments within two months of the date it is sent by the Secretary General.

(3) If any amendments are proposed within the two-month period, the President of the Association shall decide on the definitive text of the record of proceedings.

(4) The Secretary General shall transmit the definitive text of the record of proceedings to all affiliate and associate members, titular and substitute delegates to the Council, and members of the Bureau.

CHAPTER 5 | THE BUREAU

Article 22. Functions

- (1) The Bureau shall be the governing body of the Association. In this capacity, it shall have particular responsibility:
 - (a) to establish a clear process, timetable and guidelines for the development of the programme of activities, budget and annual rate of contributions which it will propose to the Council in accordance with *Article 16.(2)(a)*;
 - (b) to identify the priorities for the programme of activities;
 - (c) to monitor and evaluate actual performance against the programme of activities and budget determined by the Council;
 - (d) to make any adjustments that are required to the programme of activities and budget determined by the Council;
 - (e) to adopt Financial Regulations, in accordance with *Article 54*;
 - (f) to establish any other administrative regulations required to carry out the functions assigned to it by this Constitution.
- (2) The Bureau shall:
 - (a) establish the structure of committees required to enable it to carry out its role as the governing body of the Association – in particular, the responsibilities specified in paragraph (1) of this Article – and adopt terms of reference for such committees;
 - (b) designate the chairperson and members of each committee.

The Bureau shall, as it deems necessary, modify the structure of committees, their terms of reference and their membership.

(3) The Bureau shall:

- (a) decide on applications for admission to the Association as affiliate or associate members, in accordance with *Article 7.(1)*;
- (b) decide on the conditions under which a previous member may be re-admitted or a suspension of a member lifted, in accordance with *Article 8.(4)*;
- (c) make regulations regarding membership, in accordance with *Article 9*.

(4) The Bureau shall:

- (a) determine the agenda, date and place of sessions of the General Assembly and meetings of the Council, in accordance with *Articles 12.(2)* and *18.(3)*;
- (b) designate candidates for chairperson and vice-chairpersons of sessions of the General Assembly, in accordance with *Article 13.(2)*;
- (c) adopt rules governing the conduct of sessions of the General Assembly and meetings of the Council, in accordance with *Articles 13.(3)* and *19.(2)*.

(5) The Bureau shall:

- (a) elect a successor to any member of the Bureau described in *Article 23.(1)(d)* whose office becomes vacant between meetings of the Council, in accordance with *Article 23.(5)*. The election shall take into account the provisions of *Article 24*;

- (b) elect, if required, an ad interim member of the Control Commission and designate a new Chairperson of the Control Commission, in accordance with *Article 31.(2)*;
 - (c) elect, if required, an ad interim President, in accordance with *Article 34.(3)*, and an ad interim Treasurer, in accordance with *Article 38.(3)*;
 - (d) elect the Vice-President of the Association, in accordance with *Article 36.(1)*, and, if required, a successor to the Vice-President, in accordance with *Article 36.(3)*;
 - (e) as the case may require, approve the choice of the President of an ad interim Secretary General or designate an ad interim Secretary General, in accordance with *Article 40.(6)*.
- (6) The Bureau shall:
- (a) establish the structure of technical commissions required to carry out the programme of activities determined by the Council, and adopt terms of reference for such commissions, in accordance with *Article 47*;
 - (b) designate the chairperson of each technical commission, in accordance with *Articles 48 and 49*.
- (7) The Bureau shall examine any proposed amendment to the Constitution, in accordance with *Article 55.(2)*.
- (8) In the period between sessions of the General Assembly, the Bureau shall perform any other function which is required for the governance of the Association and which is not explicitly assigned by this Constitution to another statutory body or to an officer of the Association. It shall undertake any activity which it deems necessary to give effect to the decisions of the General Assembly and Council or for the purpose of furthering the objective stated in *Article 2*.

Article 23. Composition, Election and Term of Office

- (1) The Bureau shall be composed of the following persons:
 - (a) the President of the Association;
 - (b) the Treasurer;
 - (c) the Secretary General;
 - (d) members from the geographic regions, in accordance with *Article 24*.

- (2) The Council shall elect, on the proposal of the President of the Association, the members of the Bureau described in sub-paragraph (1)(d) of this Article, taking into account the provisions of *Article 24*. The election shall take place at the meeting convened on the occasion of each session of the General Assembly.

- (3) The term of office of the Bureau shall start at the closing of the meeting of the Council at which the election takes place. It shall end at the closing of the meeting of the Council at which the next election takes place.

- (4) To be eligible for membership on the Bureau, a person (other than the Secretary General) must be a serving official of an affiliate member.

- (5) If a member of the Bureau described in sub-paragraph (1)(d) of this Article ceases to be a serving official of an affiliate member, or if, for any reason, such a member of the Bureau becomes permanently unable to perform the duties of office, the Bureau, on the proposal of the President of the Association, shall elect a successor, taking into account the provisions of *Article 24*.

Article 24. Regional Representation

(1) For the purposes of this Article, the geographic regions of the Association shall be Africa, the Americas, Asia/Pacific, and Europe.

(2) In electing the members of the Bureau described in *Article 23.(1)(d)*, the Council shall ensure that each geographic region is allotted the number of seats on the Bureau which is the sum of:

(a) five (5);

plus

(b) the product, rounded to the nearest whole number, obtained by multiplying twenty (20) and the ratio of:

(i) the sum of the points used to calculate the contributions of all the affiliate members in that region for the calendar year immediately following the session of the General Assembly, in accordance with the Financial Regulations adopted pursuant to *Article 54*, and

(ii) the total number of contribution points for that year of all the affiliate members of the Association taken together;

plus

(c) the quotient, rounded to the nearest whole number, obtained by dividing by twenty (20) the number of countries in that region with at least one affiliate member at the time of calculating the sum of the contribution points in accordance with sub-paragraph (2)(b)(i) of this Article.

(3) In a case in which the affiliate members from a country have contribution points which, when added together, reach the maximum number of contribution points prescribed in the Financial Regulations

adopted pursuant to *Article 54*, those members shall be ensured at least one Bureau seat from the allotment of seats for the geographic region of which that country is part.

(4) For purposes of determining the product and quotient described in sub-paragraphs (2)(b) and (2)(c) respectively of this Article:

(a) a fraction of one-half or less shall be disregarded;

(b) a fraction of more than one-half shall give entitlement to one additional seat.

(5) During the course of each triennium, the President of the Association shall inform the members of the Bureau and the titular and substitute delegates to the Council of the procedure he or she will use to develop the proposal to the Council regarding nominations for members of the Bureau from the geographic regions. In preparing the proposal, the President shall take into consideration recommendations from the affiliate members in each region, and the desirability that, whenever possible, the chairpersons of the technical commissions should be chosen from among the elected members of the Bureau. The President shall consult the regional coordinators in every region which has designated such a coordinator, in accordance with *Article 52*. When presenting the proposal to the Council, the President shall explain the procedure he or she has used to arrive at the proposal and the results obtained.

Article 25. Convening of Meetings

(1) The President of the Association shall convene the Bureau at least once in each calendar year.

(2) The President shall also convene the Bureau at the request of at least one-third of its members.

(3) The President shall determine the date and place of the meeting of the Bureau and propose the agenda.

(4) The Secretary General shall notify the members of the Bureau of the proposed agenda, date and place of the meeting at least one month before its start.

(5) The Chairperson of the Control Commission, the chairpersons of technical commissions established in accordance with *Article 47* who are not also elected members of the Bureau, and the chairperson of the special commission on prevention established in accordance with *Article 51* shall be invited to participate in all meetings of the Bureau.

(6) The President may invite representatives of international organizations with which the Association collaborates, and any other persons who might usefully be consulted during the discussions, to participate in meetings of the Bureau.

Article 26. Chairing of Meetings

The President of the Association shall preside over meetings of the Bureau.

Article 27. Voting and Quorum

(1) Number of Votes

Each member of the Bureau, with the exception of the Secretary General, shall have one vote. The Secretary General shall not vote.

(2) Assignment of Vote

The assignment of votes shall not be permitted.

(3) Quorum

A decision of the Bureau shall be valid only if, at the time that a vote on the subject under discussion is taken, more than half of the members of the Bureau are present.

(4) Voting Procedures

The Bureau shall vote by show of hands, unless a vote by call of the role or by ballot paper is decided by the chair or requested by at least ten members of the Bureau.

(5) Decisions

Except as provided in *Article 9.(2)*, in order for a decision of the Bureau to be valid, it shall be supported by more than half of the members who are present and who have not abstained from voting.

(6) Vote by correspondence

- (a) Following discussion by the Bureau of any regulation regarding membership proposed in accordance with *Article 9.(1)*, the President of the Association may submit the proposed regulation to the members of the Bureau for vote by correspondence.
- (b) In such a case, the President shall advise the members of the Bureau in writing of the relevant facts and the deadline for the casting of votes. If the reply of a member is not received within the deadline set by the President, it shall be deemed that the member has voted in support of the proposed regulation.

Article 28. Record of Proceedings

(1) The Secretary General shall, within three months of a meeting of the Bureau, prepare a record of proceedings giving an account of the matters discussed and the decisions taken, and shall send it to all members of the Bureau.

- (2) The text of the record of proceedings shall be regarded as definitive if none of the members of the Bureau who have attended the meeting has proposed any amendments within two months of the date it is sent by the Secretary General.
- (3) If any amendments are proposed within the two-month period, the President of the Association shall decide on the definitive text of the record of proceedings.
- (4) The Secretary General shall transmit the definitive text of the record of proceedings to all members of the Bureau and titular delegates to the Council.

CHAPTER 6 | THE CONTROL COMMISSION

Article 29. Functions

The Control Commission shall:

- (1) examine, at the end of each fiscal year, the financial records of the Association for that year as well as the annual report and statements presented to the Bureau by the Treasurer in accordance with *Article 37.(3)*, and verify that all financial transactions have been carried out in conformity with the Financial Regulations adopted pursuant to *Article 54* and with any other applicable regulations adopted pursuant to *Article 22.(1)(f)*. The Control Commission shall submit a report to the Bureau on its findings and shall make any observations and recommendations it deems necessary;
- (2) submit to the Council, at the meeting convened on the occasion of each session of the General Assembly, a report on the period since the previous meeting of the Council. The Control Commission shall also advise the Council if, in its opinion, the Council should give discharge to the Treasurer in accordance with *Article 16.(2)(b)*.

Article 30. Composition

The Control Commission shall be composed of three titular auditors and a deputy auditor. The deputy auditor shall serve as an active member of the Commission only if a titular auditor is temporarily unavailable.

Article 31. Election

- (1) The Council shall elect the members of the Control Commission in accordance with Chapters 11 and 12. It shall designate one of the titular auditors as Chairperson of the Commission.

(2) If the office of member of the Control Commission becomes vacant between meetings of the Council, or if, for any reason, a member of the Control Commission becomes permanently unable to perform the duties of office, the Bureau, on the proposal of the President of the Association, shall elect an ad interim member of the Control Commission who will assume all the functions of titular auditor or deputy auditor, as the case may require, until the closing of the next meeting of the Council convened on the occasion of a session of the General Assembly. The Bureau shall also, if required, designate one of the titular auditors as the new Chairperson of the Control Commission.

Article 32. Voting

(1) In order for a decision of the Control Commission to be valid, it shall be supported by at least two of the three members of the Commission.

(2) If the Control Commission is unable to reach a unanimous decision, the Chairperson shall present a majority and a minority report.

CHAPTER 7 | THE PRESIDENT

Article 33. Functions

- (1) The President of the Association shall:
 - (a) represent the Association;
 - (b) convene meetings of the statutory bodies of the Association, in accordance with *Articles 12.(1), 18.(1) and (2), and 25.(1) and (2)*;
 - (c) preside over meetings of the statutory bodies of the Association, in accordance with *Articles 13.(1), 19.(1) and 26*;
 - (d) determine the date and place of meetings of the Bureau and propose the agenda, in accordance with *Article 25.(3)*;
 - (e) ensure liaison with the Director-General of the International Labour Office as well as with the heads of other international organizations;
 - (f) perform any other function entrusted to that office by this Constitution or by the Bureau.

- (2) The President may delegate any of the duties of office to the Vice-President of the Association or, if the latter is not available, to the Treasurer, a member of the Bureau, a titular delegate to the Council, a chairperson of a technical commission, or, where appropriate, the Secretary General.

Article 34. Election

- (1) The Council shall elect the President of the Association in accordance with Chapters 11 and 12.
- (2) If the President is temporarily unable to perform the functions of office, the Vice-President of the Association shall act as President until the President is able to resume those duties.
- (3) If the office of President becomes vacant between meetings of the Council or if, for any reason, the President becomes permanently unable to perform the duties of office, the Vice-President shall assume all the functions of the President until the closing of the next meeting of the Council convened on the occasion of a session of the General Assembly. If the Vice-President is unavailable or permanently unable to perform the duties of President, the Bureau shall elect an ad interim President who will assume all the functions of the President until the closing of the next such meeting of the Council.

CHAPTER 8 | THE VICE-PRESIDENT

Article 35. Functions

The Vice-President of the Association shall:

- (1) perform, to the extent required, the functions of the President during any period in which the President is temporarily unable to perform those duties or if so requested by the President;
- (2) assume, until the closing of the next meeting of the Council convened on the occasion of a session of the General Assembly, all the functions of the President if the President becomes permanently unable to perform those duties or if the office of President becomes prematurely vacant.

Article 36. Election and Term of Office

- (1) The Bureau, on the proposal of the President of the Association, shall elect the Vice-President from among its members. The term of office of the Vice-President shall start at the time of election and end at the closing of the next meeting of the Council convened on the occasion of a session of the General Assembly.
- (2) If the Vice-President is temporarily unable to perform the functions of office, the President may designate another member of the Bureau to act as Vice-President until the Vice-President is able to resume those duties.
- (3) If the Vice-President ceases to be a member of the Bureau or if, for any other reason, the office of Vice-President becomes vacant or the Vice-President becomes permanently unable to perform the duties of office, the Bureau, on the proposal of the President, shall elect a new Vice-President.

CHAPTER 9 | THE TREASURER

Article 37. Functions

The Treasurer shall:

- (1) submit to the Bureau, once every three years, a draft budget for the following three-year period and, each year, if needed, a proposal regarding any adjustments that are required to the budget approved by the Council;
- (2) oversee the financial management of the Association, including expenditures, investments and the collection of contributions;
- (3) present to the Bureau each year a statement of the income and expenditures of the Association during the previous fiscal year and the balance at the end of the fiscal year;
- (4) present to each meeting of the Council convened on the occasion of a session of the General Assembly a report showing the financial situation of the Association in the period which has elapsed since the previous such meeting of the Council;
- (5) perform any other function entrusted to that office by this Constitution, by the Financial Regulations, or by the Bureau.

Article 38. Election

- (1) The Council shall elect the Treasurer in accordance with Chapters 11 and 12.
- (2) If the Treasurer is temporarily unable to perform the functions of office, the President may designate a member of the Bureau to act as Treasurer until the Treasurer is able to resume those duties.
- (3) If the office of Treasurer becomes vacant between meetings of the Council, or if, for any reason, the Treasurer becomes permanently

unable to perform the duties of office, the Bureau, on the proposal of the President of the Association, shall elect an ad interim Treasurer who will assume all the functions of the Treasurer until the closing of the next meeting of the Council convened on the occasion of a session of the General Assembly.

CHAPTER 10 | THE SECRETARY GENERAL

Article 39. Functions

The Secretary General shall:

- (1) manage and direct the activities of the Association as a whole and, in particular, the operation of the General Secretariat. In this capacity, the Secretary General shall ensure that:
 - (a) the decisions of the statutory bodies and officers of the Association are carried out;
 - (b) the human and financial resources of the Association are used economically and efficiently for the achievement of the programme of activities and in accordance with the approved budget;
- (2) advise the President of the Association and the Treasurer of any matter relating to the functioning of the Association and the operation of the General Secretariat on which they need to be informed in order to perform the functions of their offices;
- (3) employ and terminate the employment of the staff of the Secretariat of the Association, having regard, as necessary, to the conditions laid down by agreement between the President of the Association, representing the Bureau, and the Director-General of the International Labour Office;
- (4) exercise any other function entrusted to the office by this Constitution or by the Bureau.

Article 40. Election, Appointment and Termination of Appointment

- (1) The Council shall elect the Secretary General, in accordance with Chapter 12.
- (2) Following the election of the Secretary General, the President of the Association, representing the Council, shall consult the Director-General of the International Labour Office regarding the appointment of the person elected and the terms and conditions of that appointment.
- (3) The Council may review the appointment of the Secretary General at any time, if it deems this necessary. If, on the basis of such a review, the Council concludes that there is just cause to terminate the appointment of a serving Secretary General, the President of the Association, representing the Council, shall consult the Director-General of the International Labour Office to give effect to this conclusion.
- (4) If the Secretary General is temporarily unable to perform the functions of office, he or she shall, after consulting the President of the Association, designate a member of the staff of the Secretariat to act as Secretary General until he or she is able to resume those duties in person. If, due to extraordinary circumstances, the Secretary General is unable to make such a designation, the President shall do so.
- (5) If the office of Secretary General becomes vacant, or if, for any reason, the Secretary General becomes permanently unable to perform the duties of office, the President of the Association, after consultation with the Director-General of the International Labour Office and the Treasurer, shall designate an ad interim Secretary General who will assume all the functions of the Secretary General until the next meeting of the Bureau. The President shall immediately notify in writing the members of the Bureau and the titular delegates to the Council of this designation.
- (6) At the first meeting of the Bureau following the designation of an ad interim Secretary General, the Bureau shall be asked to approve

the choice of the President. If the Bureau gives its approval, the ad interim Secretary General shall continue to perform all the duties of the Secretary General until the election of a new Secretary General at the next meeting of the Council. If the Bureau does not approve the choice of the President, it shall designate an ad interim Secretary General who will perform all the duties of the Secretary General until the election of a new Secretary General at the next meeting of the Council.

**CHAPTER 11 | PROVISIONS COMMON TO THE OFFICES
OF PRESIDENT, TREASURER AND
MEMBERS OF THE CONTROL COMMISSION**

Article 41. Election and Term of Office

(1) The Council shall elect the President of the Association, the Treasurer, and the members of the Control Commission at the meeting convened on the occasion of each session of the General Assembly.

(2) The terms of office of the President, the Treasurer and the members of the Control Commission shall start at the closing of the meeting of the Council at which the elections take place. They shall end at the closing of the meeting of the Council at which the next elections take place.

(3) A person serving as President, Treasurer or member of the Control Commission (other than the deputy auditor) may be re-elected one time. In exceptional circumstances, in accordance with *Article 44.(4)*, he or she may be re-elected a second time.

There shall be no limit to the number of terms that an individual may serve as deputy auditor.

Article 42. Qualification for Office

(1) Every candidate for the office of President of the Association, Treasurer or member of the Control Commission must be a serving official of an affiliate member.

(2) If the President, the Treasurer, or a member of the Control Commission ceases to be a serving official of an affiliate member, that person shall also cease to hold an office in the Association, and the Bureau shall elect an ad interim successor in accordance, as the case may require, with *Article 31.(2)*, *34.(3)*, or *38.(3)*.

CHAPTER 12 | ELECTIONS

Article 43. Nominations Committee

- (1) The Bureau, on the proposal of the President of the Association, shall establish a Nominations Committee consisting of at least five of its members.
- (2) The Nominations Committee shall:
 - (a) examine the qualifications of any persons submitting their candidatures in accordance with *Article 44* or *45*, as the case may require, for the positions of President, Treasurer, Secretary General or member of the Control Commission;
 - (b) draw up a report on each candidate for consideration by the Bureau, which shall transmit the report to the Council along with any observations and recommendations it deems necessary;
 - (c) perform any other function entrusted to it by this Constitution or by the Bureau.
- (3) The Nominations Committee shall elect its Chairperson from among its members. It shall determine its own rules of procedure.

Article 44. Procedures for Obtaining Candidatures for the Positions of President of the Association, Treasurer and Member of the Control Commission

- (1) At least eight months before the meeting of the Council at which the election will take place, and in any case at least three months before the deadline for the submission of candidatures specified in paragraph (2) of this Article, the Secretary General shall issue in writing a call for candidatures to all affiliate members.

(2) All candidatures must be submitted to the Secretary General not later than five months before the meeting of the Council at which the election will take place. The Bureau, on the recommendation of the Nominations Committee, may establish an earlier deadline for the submission of candidatures, taking into account the procedures specified in this Chapter.

(3) All candidatures shall be submitted either by an affiliate member or by the candidate him or herself. The candidature must be supported by affiliate members from at least two countries.

(4) If, at the time of the election of an officer, there are no candidatures which meet the conditions given in *Article 42.(1)* and this Article, the Bureau, whenever possible on the recommendation of the Nominations Committee, shall propose to the Council whatever measures it deems suitable for filling, either temporarily or permanently, the office in question, including, as may be required, a second re-election of the serving officer.

Article 45. Procedures for Obtaining Candidatures for the Position of Secretary General

(1) At least six months before the meeting of the Council at which the election will take place, and in any case at least three months before the deadline for the submission of candidatures specified in paragraph (2) of this Article, the President of the Association shall issue in writing a call for candidatures. The call for candidatures shall be sent to all affiliate and associate members and to any other person or organization the President may determine.

(2) All candidatures must be submitted to the President not later than three months before the meeting of the Council at which the election will take place. The Bureau, on the recommendation of the Nominations Committee, may establish an earlier deadline for the submission of candidatures, taking into account the procedures specified in this Chapter.

(3) *Article 44.(3)* shall also apply to candidatures for the position of Secretary General.

Article 46. Procedures for Elections

(1) In order for a candidate to be elected to the position of President, Treasurer, member of the Control Commission or Secretary General, that person must receive more than half of the valid votes cast by those who are present and entitled to vote in accordance with paragraphs (1) or (2) of *Article 20*.

(2) If, for any election, the names of more than two candidates are in nomination and no candidate obtains the number of votes specified in the previous paragraph, the candidature of the person who has received the least number of votes shall be withdrawn, and a new vote shall take place. This procedure shall be repeated until one candidate obtains the required number of votes.

CHAPTER 13 | ORGANIZATION OF THE ACTIVITIES OF THE ASSOCIATION

Article 47. Establishment of Technical Commissions

The Bureau shall establish the structure of technical commissions required to carry out the programme of activities determined by the Council in accordance with *Article 16.(2)(a)* and shall adopt terms of reference for each commission. It may, as it deems necessary, modify the structure of technical commissions and their terms of reference.

Article 48. Designation of Chairpersons of Technical Commissions

(1) The Bureau, on the proposal of the President of the Association, shall designate the chairperson of each technical commission.

(2) To be eligible for designation as chairperson of a technical commission, a person must be a serving official of an affiliate or associate member.

(3) The principal qualification for chairperson of a technical commission shall be personal competence in the field with which the commission is concerned. The chairpersons of the technical commissions should, whenever possible, be chosen from among the elected members of the Bureau.

(4) At least eight months before each session of the General Assembly, the Secretary General shall issue a call for candidatures for chairpersons of technical commissions. The call for candidatures shall be sent to all affiliate and associate members.

Article 49. Terms of Office of Chairpersons of Technical Commissions

(1) The terms of office of the chairpersons of the technical commissions shall start on their designation by the Bureau. They shall

end at the closing of the next meeting of the Council convened on the occasion of each session of the General Assembly.

(2) If the chairperson of a technical commission is temporarily unable to perform the duties of office, the vice-chairperson of the commission, if there is one, shall act as chairperson until the chairperson is able to resume those duties. If there is no vice-chairperson, the President of the Association shall designate an ad interim chairperson who shall act in that capacity until the chairperson designated by the Bureau is able to resume his or her duties.

(3) If the chairperson of a technical commission ceases to be a serving official of an affiliate or associate member or if, for any other reason, he or she becomes permanently unable to perform the duties of office, the Bureau, on the proposal of the President of the Association, shall designate a successor.

Article 50. Other Officers and Members of Technical Commissions

Subject to any terms of reference for a technical commission adopted by the Bureau in accordance with *Article 47*, the chairperson of a commission may, as he or she deems necessary, designate a vice-chairperson, other officers and members of the commission.

Article 51. Prevention Activities

(1) The Association shall have a distinct programme in the field of prevention.

(2) The prevention programme shall be structured on the basis of international sections and other similar bodies whose creation, dissolution, registered office and terms of reference will be prescribed in standing orders adopted by the Bureau.

(3) The prevention programme shall be managed by a special commission on prevention consisting of elected representatives of the international sections and other bodies referred to in paragraph (2) of this Article. The standing orders for the special commission shall be adopted by the Bureau.

(4) The special commission on prevention shall elect its own chairperson who will be invited to participate in all meetings of the Bureau.

Article 52. Regional Coordinators

(1) The affiliate members from a region may, if they so decide, designate one of the members of the Bureau from their region as the regional coordinator.

(2) The affiliate members from a region shall use any procedure agreed among them to designate their regional coordinator and to determine the coordinator's terms of reference.

(3) The regional coordinator shall:

- (a) be consulted by the President of the Association regarding nominations for members of the Bureau from the region;
- (b) be involved in the planning of the activities of the Association in the region;
- (c) perform any other function entrusted to that office by the members from the region.

CHAPTER 14 | FINANCES

Article 53. Contributions and Other Sources of Income

- (1) The financial resources required by the Association shall be derived from annual contributions paid by the members and from any other sources approved by the Council or Bureau.
- (2) The annual contribution of each affiliate member shall be based on a system of points which reflect, among other things, the number of persons covered by the member. The method for determining the number of points applicable to each member shall be prescribed in the Financial Regulations adopted pursuant to *Article 54*.
- (3) The annual contribution of each associate member shall be fixed by the Council, subject to any provisions which may be given in the Financial Regulations.

Article 54. Financial Regulations

The Bureau shall adopt Financial Regulations which will govern the financial management of the Association. These Regulations shall prescribe:

- (1) the dates of the start and the end of the fiscal year of the Association;
- (2) the method by which the contribution points referred to in *Article 53.(2)* will be determined;
- (3) the method, based on contribution points, by which the annual contributions of affiliate members will be calculated. This method shall fix the minimum number of contribution points for an affiliate member and the maximum number of points for all the affiliate members of a country taken together;

(4) the procedures to be instituted to ensure the effective and efficient use of the resources of the Association and full adherence to the principles of probity and accountability in the use of those resources;

(5) any other matter regarding the financial management of the Association which is consistent with this Constitution and which, in the opinion of the Bureau, needs to be prescribed.

CHAPTER 15 | AMENDMENT OF THE CONSTITUTION

Article 55. Amendment of the Constitution

- (1) The General Assembly alone shall be competent to amend the Constitution.
- (2) Any proposed amendment to the Constitution shall be examined by the Bureau before it is placed before the General Assembly. The proposed amendment must be sent in writing to the Secretary General not less than two months before the meeting of the Bureau.
- (3) A proposed amendment shall be transmitted by the Secretary General to the General Assembly for decision, along with any observations and recommendations the Bureau deems necessary.

If the proposed amendment has not been agreed by the Bureau, it must be sponsored by at least ten affiliate members from at least five countries before it can be submitted for decision by the General Assembly. In such a case, the affiliate members which are sponsoring the amendment must advise the Secretary General in writing of this fact not less than one month before the start of the session of the General Assembly at which the proposed amendment will be discuss.

- (4) In order for a decision of the General Assembly regarding an amendment of the Constitution to be valid, it shall be supported by more than three-quarters of the valid votes cast by those who are present and entitled to vote in accordance with paragraphs (2) or (3) of *Article 14*.

CHAPTER 16 | DISSOLUTION OF THE ASSOCIATION

Article 56. Dissolution of the Association

- (1) The General Assembly alone shall be competent to decide on the dissolution of the Association and, if such a decision is taken, to determine the liquidation procedure to be followed.
- (2) Any decision concerning the dissolution and liquidation of the Association shall be taken in accordance with *Article 55.(4)*.

CHAPTER 17 | FINAL PROVISIONS

Article 57. **Final Provisions**

This Constitution, adopted at the 29th General Assembly on 13 September 2007 in Moscow, shall enter into force on the same date.

It shall replace the Constitution valid hitherto. In the event of differences in interpretation between the various versions of this Constitution in different languages, the French-language text shall prevail.

