

## Promoting international trade

### MEMBERSHIP RULES

#### DEFINITIONS

For the purposes of these and all other Rules, Regulations and Codes of Conduct of the Association:

“Member” means a Company Member or an Individual Member.

“Company Member” means a Member which is a company (represented by a Representative).

“Individual Member” means a Member who is a natural person.

“Representative” means the principal correspondent for the time being of a Company Member.

“The Trade” means the Agricultural Commodities and General Produce trades.

There is no automatic right to membership, and the Association reserves the right to decline any membership application, for any reason, at its absolute discretion.

[The Association reserves the right to amend these rules from time to time]

#### 1. MEMBERSHIP

- 1.1 Membership is based on country location, with the benefits of membership for a Company Member being available to employees of that Company Member in the country where the membership is held.
- 1.2 Membership for a Company Member is based on its legal entity. Where there are companies within a group that are based in the same country but have different legal names, each legal entity will need to become a Company Member to receive the benefits of membership. Save for membership category F where there are multiple offices of the same legal entity within the same country, the additional offices can form part of the membership.
- 1.3 Any person (including a company) who or which is, or has been, engaged in the Trade shall be eligible for membership of the Association.
- 1.4 A member which is a Company Member shall be represented by a principal correspondent (Representative).
- 1.5 A Representative is not a member in his/her own right.
- 1.6 A Company Member may, at its absolute discretion, be required by the Association to remove its Representative and to replace him/her with another approved by the Association.
- 1.7 Every applicant for membership shall make a written application in the form prescribed by the Council of the Association ('Council') and shall provide the information requested.
- 1.8 Every Member shall pay such application fee as may be prescribed by Council and shall also pay the subscription appropriate to the category to which they are elected.
- 1.9 Subscriptions are due at the beginning of Gafta's financial year. No Member whose subscription is more than three months in arrears shall be entitled to any of the rights and privileges of membership and their membership may be suspended or terminated by Council.
- 1.10 Any Member wishing to withdraw from membership shall give at least one month's calendar notice, in writing, before the expiry of the current membership year and, in default thereof, shall be liable to pay the subscription for the forthcoming membership year.
- 1.11 Members shall immediately notify the Association in writing of any change in their constitution or business address.
- 1.12 No prospective Individual Member is eligible for membership if the Association determines that, save

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for Category (D), that individual works for a company which is eligible to apply for membership in its own right.

- 1.13 As may be determined by Council from time to time, there shall be the following categories of membership:

**Members with voting rights:**

- (A) Trading principals in agricultural commodities and general produce
- (B) Brokers who do not trade as principals
- (C) Superintendent and Surveyor Members
- (D) Individual Qualified Arbitrator and Individual Qualified Mediator Members
- (E) Individuals engaged or who have been engaged in the trade (other than current category D members)
- (F) Laboratories on the Register of Approved Analysts. Where Approved Analysts operate multiple laboratories, including within the same country, each laboratory must hold its own membership.
- (G) (Save where, in its absolute discretion, the Association believes that there may be, or is, any perceived or actual conflict with its activities (as may vary from time to time)); Professional Firms, Agro Supply and Service Companies who provide services to the Trade
- (H) Branches of Members (whose parent company is in the same country)
- (J) Fumigators
- (K) Trading principals in spices and general produce
- (L) Trade Representatives

**Members without voting rights:**

- (I) Qualified Arbitrators and Qualified Mediators employed by a Member of the Association
- (L) Students
- (M) Individuals not engaged in the trade
- (N) Honorary Members
- (O) Extraordinary Members

- 1.14 Every Member agrees that they shall abide by the Memorandum and Articles of Association, these Rules and all other relevant Rules, Regulations and Codes of the Association as may be varied, or issued, from time to time.
- 1.15 Apart from the casting vote of the Chairman where authorised by the Articles of Association, no Member shall be entitled to more than one vote.
- 1.16 In exceptional circumstances, a Member with voting rights may, at the discretion of Council, have its voting rights revoked or suspended on such terms that Council deems appropriate. Exceptional circumstances include, but are not limited to, a default on a Gafta arbitration award and/or any trade or economic sanction imposed by a competent authority and which, in the opinion of Council, adversely affects the Members eligibility to remain a Member and/or any other circumstance which, in the opinion of Council, may cause reputational damage to Gafta.
- 1.17 In the event of a Member bringing [or threatening to bring] any form of legal action against the Association and/or the Association [threatening to bring or]bringing any form of legal action against a Member, the Association reserves the general right to suspend and, if appropriate, terminate the Member's membership of on such terms that Council shall in its absolute discretion deem appropriate.



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### **2. HONORARY MEMBERS**

- 2.1 The Council may, at its discretion, elect any person to be an Honorary Member of the Association. An Honorary Member shall not be entitled to vote at any meeting of the Association nor be elected as a member of Council or of any committee of the Association and shall not be subject to the payment of any subscription or fee as a condition of honorary membership.
- 2.2 An Honorary Member may be removed at the discretion of the Council and shall not, in his/her capacity as an Honorary Member, be subject to the Association's Complaints and Disciplinary Regulations.

### **3. EXTRAORDINARY MEMBERS**

- 3.1 The Council may, at its discretion, elect any organisation to be an Extraordinary Member of the Association. An Extraordinary Member shall not be entitled to vote at any meeting of the Association nor have a representative elected as a member of the Council or of any committee of the Association and shall not be subject to the payment of any subscription or fee as a condition of extraordinary membership.

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