

Statutes and By-Laws

Granada, Spain – November 1979

Amendments:

Nottingham, England – April 1980

Nottingham, England – September 1986

Ustroń, Poland – September 2000

Johannesburg, South Africa – October 2003

PREAMBLE

The increasing problems of water associated with mining operations prompted the world's first major Congress in this field: "Water in Mining and Underground Works", which was held in Granada, Spain, during September 1978. The success of this Congress initiated the First International Mine Drainage Symposium held in Denver, Colorado, USA, during May 1979. The overwhelming success of both international meetings resulted in proposals to found an association aimed at promoting world-wide cooperation in the field of water in mining and this was enthusiastically welcomed by participants from several countries.

A first Meeting was held in Granada, Spain, during November 1979 to discuss formation of the association. The following individuals constituted the Founding Members of the International Mine Water Association (IMWA) and were invited to contribute to the discussions:

CANADA	Charles O. Brawner
FEDERAL REPUBLIC OF GERMANY	Klaus H. Peretti
HUNGARY	Zsolt Kesserű
INDIA	Balemale M. Bhat
POLAND	Jacek Libicki
SPAIN	Rafael Fernández-Rubio
UK	Barry N. Whittaker
	Raghu N. Singh
USA	Roy E. Williams

The Constitution and Preliminary Statutes and By-Laws of IMWA were formulated by the Founding Members at the Granada Meeting.

The Preliminary Statutes and By-Laws of IMWA were discussed at the Second Meeting of the Executive Council held at Nottingham 10–11 April 1980 and adopted with amendments as the Statutes and By-Laws at the First General Assembly of IMWA at Budapest 1982. Further Amendments to the Statutes and By-Laws of IMWA were formulated at the Eighth Meeting of the Executive Council at Nottingham 1986, and proposed for adoption of the Third General Assembly of IMWA. The last amendments were incorporated at the Ustroń, Poland meeting in 2000 as well as the Johannesburg, South Africa Congress in 2003 and adopted at the General Assembly there.

STATUTES

SECTION I – NAME AND LEGAL ADDRESS

- 1.1 The name of the organisation is the INTERNATIONAL MINE WATER ASSOCIATION, hereafter referred to as IMWA.
- 1.2 The International Mine Water Association is a non-governmental and non-profit scientific and technical organization.
- 1.3 The legal address of the Association is that of the permanent residence of its Secretary General.

SECTION II – OBJECTIVES AND AIMS OF THE ASSOCIATION

The main objective of IMWA is to address water problems that occur during the exploration, planning, operation, and closure of mines and to provide guidance on such matters as:

- Improved safety from water hazards during the exploitation of mineral deposits;
- Increased protection of the environment against the impact of mine drainage and related activities;
- Improved utilization of mine waters; and
- Improved technology and economy of mine drainage operations.

IMWA aims to achieve the above listed objectives through the following:

- 2.1 Promoting the development of science and technology concerned with water in mining.
- 2.2 Promoting, developing, and coordinating cooperation among persons and organizations of different countries engaged in scientific or engineering work in the field of mine water problems and related sciences.
- 2.3 Encouraging and facilitating research, education, and training related to scientific and practical problems of water in mining and allied operations.
- 2.4 Promoting implementation of improved technology to mine drainage practice.
- 2.5 Promoting exchange of scientific and engineering information.
- 2.6 Encouraging the exchange of visits of persons between the countries, either as individuals or teams.
- 2.7 Organizing international meetings and promoting regional and national conferences and symposia with international participation.
- 2.8 Publication and distribution of papers and promoting discussions relating to the objectives of IMWA.
- 2.9 Aiding in the development of appropriate legislation at national and international level.

- 2.10 Assisting developing countries to solve mine water problems by sponsoring the visits of experts, organizing special courses and by other means.
- 2.11 Honouring and recognizing eminent scientists, engineers, and organizations in the field of mine water problems.
- 2.12 Forming Commissions and Working Groups to examine various aspects of mine water related problems.

SECTION III – MEMBERSHIP

- 3.1 Membership in the Association is in one of the following classes:

Voting Members

- A. Individual members – individuals professionally engaged in mine water problems, but not being an employer in this field.
- B. Corporate members – institutions, industrial companies, firms, universities, research institutes, and other organizations which wholly or partly are involved in mine water problems.
- C. Emeritus members (including Honorary Presidents).

Non-voting Members

- D. Student members (maximum age 25 years) or individuals who are interested in participation in IMWA Congresses or obtaining the publications but not having any influence on Association activity and not included in the international personal exchange.
 - E. Honorary members – individuals who have rendered or are rendering outstanding services in the field of the IMWA activities: honorary membership shall be approved by the General Assembly.
 - F. International Organizations with allied interests.
- 3.2. Membership of the Association is incompatible with any use of the activities of IMWA for political or commercial purposes, or pecuniary gain.
 - 3.3. The total number of honorary members shall not exceed 2% of the total number of voting members.
 - 3.4. Notice of the resignation of membership shall be given in writing to the Secretary General at least three (3) months before the end of the current financial year.
 - 3.5. If a member of IMWA has not paid his annual subscription for two (2) consecutive years, the Executive Council is entitled to cancel his membership.
 - 3.6. A member who prejudices the reputation of IMWA or wilfully acts against its aims or interests may be expelled after discussions and deliberations if $\frac{2}{3}$ of the Executive Council votes for expulsion. The General Assembly shall confirm the decision of the Executive Council by $\frac{2}{3}$ majority of the votes cast.

SECTION IV – THE GENERAL ASSEMBLY

- 4.1. The General Assembly is the supreme body of IMWA and determines its policy.
- 4.2. The General Assembly shall be composed of:
 - a. Representatives of voting members (see Article 3.1). Every member in class A has one vote. Every member in class B may send up to five (5) representatives to attend the General Assembly, but only one of them, who is designated Chief Delegate is entitled to vote. According to article 9.4., the Chief Delegate may have 2, 3, 4, or 5 votes.
 - b. Representatives of non-voting members in class D, E and F are entitled to attend as observers.
- 4.3. At least $\frac{1}{3}$ of the voting members, including the proxies, must be present at the first convocation of the General Assembly to constitute a quorum. If fewer members are present at the first convocation, any matters subject to voting shall be held over for one hour and the number of members then present shall constitute a quorum. When a voting member is not in a position to take part in the sessions of the General Assembly, he has the right to authorize another delegate to the General Assembly, to act as his proxy, by addressing a letter to this end to the Secretary General. The person authorized in this manner acquires all his rights.
- 4.4. The General Assembly has the right to resolve all questions concerning the Association.

A simple majority of the voting members in attendance is required to resolve all problems, with the exception of amendments to the Constitution. Amendments to the Constitution require a $\frac{2}{3}$ majority of the voting members in attendance.
- 4.5. The president of IMWA, or a Vice-President, shall be the Chairman of the session of the General Assembly. The Chairman of the General Assembly is entitled to cast one vote whenever it is needed to resolve a question in the case of a deadlock.
- 4.6. The session of the General Assembly are convened at the time of International Congresses or not less than once every four (4) years. Extraordinary sessions of the General Assembly may also be called at the request of not less than $\frac{1}{3}$ of the voting members. These must be convened within one year of the request. The date and place of the sessions of the General Assembly are determined by the Executive Council.
- 4.7. The functions of the General Assembly shall be:
 - a. to elect the President, the Vice-Presidents, the Secretary General, the Treasurer and the members of the Executive Council.

- b. to authorize the appointment of any Commission or Working Group it may deem necessary and authorize the dissolution of any such previous appointments.
- c. to consider any application for membership which may be referred to by the Executive Council.
- d. to determine the general policy of IMWA.
- e. to approve the unit rates of subscriptions.
- f. to receive the accounts and to approve the proposed budget.
- g. to perform other such functions as may be conferred upon it.

SECTION V – EXECUTIVE COUNCIL

- 5.1. The Executive Council is elected to manage the affairs of the Association between the sessions of the General Assembly. It consists of:

President

Vice-Presidents (a maximum of two)

Secretary General

Treasurer

Eight members (including the Past-President)

The Executive Council is empowered to co-opt special additional members if necessary.

Members of the Executive Council must be representative of voting members, and have been so for not less than one year.

The members elected to the Executive Council are required to attend to the interests of the Association as a whole. The Executive Council reports on its activities to the General Assembly.

- 5.2. The Executive Council is elected by the General Assembly for the term between successive General Assemblies. Composition of the Executive Council should be renewed by at least $\frac{1}{4}$ at each General Assembly. No one country shall have more than three elected members of the Executive Council.
- 5.3. The Executive Council shall meet at least once each year. The time and place of the next meeting shall be determined during the previous meeting. Special meetings may be called by the Secretary General if requested by the President and Secretary General or by $\frac{1}{3}$ of the Executive Council.

Any member of the Executive Council who cannot attend a meeting of the Executive Council may designate another member of the Council as his proxy by a written statement to the Secretary General. One person may carry only one proxy. Decisions of the Executive Council are valid provided its session is

attended by not less than $\frac{1}{3}$ of the members, including the proxies. Decisions are taken by simple majority, and in case of a deadlock, the President has a deciding vote.

- 5.4. If the president is absent or unable to fulfil the duties of the office, the executive council can select one of the vice-presidents as a replacement. When one of the other officers of the Executive Council tenders his resignation or is not in a position to fulfil his functions, the Executive Council appoints one of the members to carry out his obligations until the next session of the General Assembly.
- 5.5. The President or Vice-President (if section 5.4 applies) are authorized to officially represent the Association. All contracts involving IMWA must be signed by the President and Secretary General.
- 5.6. The Secretary General organizes the work of the General Assembly and the Executive Council, keeps minutes of the meetings, preserves the records, controls administrative activities, supervises the publications of IMWA, prepares annual reports on the work of the Association, including the activities of the Executive Council, the Commissions, and Working Groups, and submits a report to the General Assembly.
- The Secretary General shall manage the routine business, conduct the correspondence, and perform all other functions entrusted to him by the Executive Council.
- 5.7. The Treasurer manages the financial affairs of the Association and is accountable to the Executive Council. The financial report of the accounts shall be prepared and submitted by the Treasurer to the members of the Executive Council every April.
- 5.8. The Executive Council may appoint persons for the operative work.
- 5.9. The Executive Council may set up Commissions and may appoint experts on specific questions.

SECTION VI – COMMISSIONS AND WORKING GROUPS

- 6.1. IMWA will also perform its work through Commissions and Working Groups according to decisions adopted by The General Assembly or the Executive Council. Commissions and Working Groups are formed of IMWA members.
- 6.2. Commissions will be permanent, each dealing with special topics to be covered by IMWA. Working Groups are temporary and formed to examine short-term problems. Both Commissions and Working Groups will report to the General Assembly or the Executive Council on completion of their assignment but at least once a year.

Statutes and By-Laws

- 6.3. Reports and summaries may be printed at the discretion of the Executive Council.
- 6.4. The Commissions and Working Groups, once constituted, should be empowered to co-opt additional members, who need not to be IMWA members. The Chairman may invite other persons to the meeting, but only in an advisory capacity.
- 6.5. Commissions and Working Groups should meet at the General Assembly of IMWA. The Chairman of the Commission or Working Group is empowered to call a special meeting, but only when at least $\frac{2}{3}$ of the members agree.
- 6.6. The Secretary General shall be kept informed of all activities, progress, and findings of each Commission and Working Group.

SECTION VII – INTERNATIONAL CONGRESSES AND SYMPOSIA

- 7.1. International Mine Water Congresses normally should be held at 3–4 years intervals. The host country and the time should be determined by the Executive Council with approval of the General Assembly.
- 7.2. At least two (2) years before an International Congress, the host country shall coordinate with the Executive Council such matters as the composition of the Organizing Committee and the exact place and date of the Congress. The Chairman of the Organizing Committee shall be a citizen of the host country, while representatives of other countries may also take part in the Organizing Committee.
- 7.3. The duties of the Organizing Committee of an International Congress will be to prepare and conduct their sessions and to publish the proceedings. The Organizing Committee takes full financial responsibility. After publication of the proceedings of the Congress, the Organizing Committee will be dissolved.
- 7.4. Special conferences or symposia may be organized by the Executive Council or in collaboration with other organizations every one or two years.
- 7.5. National or regional conferences or symposia may be approved for sponsorship by the Executive Council.

SECTION VIII – LANGUAGES

- 8.1. The official language of IMWA will be English.
- 8.2. During International Congresses and Symposia, other languages are also allowed, but the Organizing Committee should supply simultaneous translation to English.

SECTION IX – FINANCE

- 9.1. The Financial resources of IMWA derive from:
 - a. Annual subscriptions from the members of IMWA.

- b. Sale of publications.
- c. Subsidies, gifts, and grants. The Association shall maintain an Honour Roll in which the names of persons or institutions that have donated gifts, legacies or other contributions shall be entered.

- 9.2. The Executive Council is responsible for administering the finances of IMWA.

- 9.3. The operative staff appointed by the Executive Council may receive payments and expenses from IMWA.

- 9.4. The annual subscription rates are as follows:

Category	Units of subscription
Members in Class A and C	2 (two)
Members in Class B:	
below 5 persons engaged in Mine Water activities	10 (ten)
between 5 and 10 persons	20 (twenty)
between 10 and 25 persons	50 (fifty)
over 25 persons	100 (hundred)
Members in Class D	1 (one)
Members in Class E	no charge
Members in Class F	20 (twenty)
Members in Class G	100 (hundred)

The General Assembly or the Executive Council will determine the value of the unit of subscription. Members will be notified of any change in the unit subscription value at least three (3) months before it takes effect.

- 9.5. The benefits of membership in IMWA will include:
 - Receipt of the official scientific and engineering journal of IMWA, which will be published at least twice each year; the number of copies received by each category of membership will be: Class A 1 copy; Class B 3 copies; Class C 1 copy; Class D 1 copy; Class E 1 copy; Class F 3 copies,
 - Availability of other IMWA publications at special reduced rates (excluding members in Class D).
 - Participation in all IMWA sponsored congresses and symposia at a reduced registration fee (excluding members in Class E and F),
 - Receipt of a list of IMWA members with their addresses and with indication of class and membership and general field of interest (excluding members in Class E and F).

- Receipt of circulars notifying members of all IMWA meetings and principal activities (excluding members in Classes E and F).

- 9.6. In exceptional circumstances, the Executive Council may permit members in class B coming from countries with un-exchangeable currency to pay their subscription in their national bank, for the provision of services to IMWA.
- 9.7. A member may transfer into a category with a higher subscription rate at any time, but transferring into a category with a lower rate can only be done with the consent of the Executive Council.
- 9.8. The financial year shall be the calendar year; the treasurer will notify any member who has not paid the subscription fee from the past year the individual may be subjected to a loss of voting rights and other privileges, including suspension of membership. Members, who did not pay their annual subscription within the first three months of a calendar year, won't get the Association's journal until payment has been received.
- 9.9. Expenses for holding the General Assembly may be borne by IMWA.
- 9.10. The Executive Council may render financial assistance to Organizing Committees of International Congresses, Symposia, and other conferences that it sponsors.
- 9.11. IMWA is not responsible for debts and expenses incurred by its members, or by their delegates, except when authorized by the Executive Council.

SECTION X – GENERAL PROVISIONS

- 10.1. If, by way of exception, any major decision is required between meetings of the General Assembly, a postal ballot may be implemented and a decision taken on a simple majority of votes cast, provided that at least 50% plus one of the voting members have voted. The Secretary General shall be responsible for conducting postal ballots. Such a decision shall be considered as if it had been reached by the General Assembly.

The deadline for casting a vote will be three (3) months after sending the request.
- 10.2. The General Assembly may, subject to the general provisions of the Statutes, adopt any By-Laws it deems necessary to achieve the aims, and govern the activity of IMWA. Such a By-Law shall be established or amended on a simple majority of votes cast by the Assembly by direct or postal ballot.

Statutes and By-Laws

- 10.3. The procedure for the dissolution of IMWA is the same as for amendments to the Constitution.
- 10.4. The Executive Council shall determine the manner of disposal of the properties of IMWA.

BY-LAWS

These By-Laws are written in accordance with Section 10.2 of the Statutes.

IV GENERAL ASSEMBLY

- 4.1. The name of the Chief Delegate, who is entitled to vote in the General Assembly on behalf of a member in Class B, must be reported to the Secretary General in writing before each Assembly meets.

V EXECUTIVE COUNCIL

- 5.1. The term of office of the members of the Executive Council are regulated as follows, unless otherwise specified by the General Assembly at the time of election.

The President, Vice-Presidents, Secretary General, the Treasurer, and members of the Executive Council take office immediately upon election.

- 5.2. The Executive Council shall prepare the agenda for all sessions of the General Assembly and inform all IMWA members not less than three (3) months before the date fixed for the Assembly.
- 5.3. The Executive Council shall submit financial reports. Budgets may include a discretionary fund. Approval of budgets is a required agenda item at each General Assembly.
- 5.4. Nomination of candidates for the Executive Council shall be submitted to the Secretary General before or at the General Assembly Meeting.
- 5.5. When there are more contenders in an election than offices in the Executive Council, those receiving the greatest number of votes are elected.

IX FINANCE

- 9.1. The subscription rate unit has been determined as 20 US \$.
- 9.2. EC has the right to change it according to the financial situation

X GENERAL PROVISIONS

- 10.1. During the transitional period (from 9th November 1979) until the first General Assembly, the group of persons mentioned in the Preamble will function as an Executive Council.