

TRANSLATION OF THE CTECA LAW

“The Act of the Cyprus Turkish Electrical Contractors Association” which was accepted with the majority of votes at the Sixty-third Session of the Turkish Republic of Northern Cyprus Parliament on 15 May 2006, comes into force only after being published in Official Gazette by the President of the Turkish Republic of Northern Cyprus in accordance with the 1st Clause of 94th Article of the Constitution.

No:51/2006

THE ACT OF THE TURKISH CYPRIOT ELECTRICAL CONTRACTORS ASSOCIATION

The Parliament of the Turkish Republic of Northern Cyprus designs the following Act:

Short Name 4. 1. This Act is named hereby as the Act of the Turkish Cypriot Electrical Contractors Association.

FIRST CHAPTER General Rules

Definition 2. In this Act, if the text does not require another, :

“Minister” is defined as the Minister of Public Works and Communication.

“Association” is defined as the Turkish Cypriot Electrical Contractors Association which gathers the electrical contractors under a framework of a roof, works for the public benefit and has an incorporated body.

“Electrical Contractor” is defined as the legal persons or the corporate entities formed by these who are citizens of, reside and work actively in the Turkish Republic of Northern Cyprus; does the electrical works by contract and/or does mostly the electrical works of the electro mechanic groups or machines similar to these by contract.

“Citizens of the Turkish Republic of Northern Cyprus” is defined as the persons who are defined as the citizens in Article 67 of the Constitution of the Turkish Republic of Northern Cyprus and in the Law of Citizenship.

25/1993
58/1995 “Member” is defined the legal persons or the corporate entity contractors who are registered to the Association.

Establishment,
Name and
Headquarter of the
Association 3. (1) An Association, named as Turkish Cypriot Electrical Contractors Association and has an incorporated body, hereby establishes to gather the electrical contractors under a roof.

(2) The Headquarter of the Association is in Nicosia.

The aim, duties and powers of the Association

4. (1) The establishment aim of the Association is: to provide mutual aid and interdependence of the employers workings as contractors in the electric business line; to protect and represent their common economic, social and cultural interests and to make all kinds of attempts and efforts in order to provide the members efficient and consistent working facilities.
- (2) The duties and authorities of the Association are:
- (A) To protect the rights of the profession;
 - (B) To become members of national and international institutions in line with this Act and to send representatives to the meetings and attend their workshops;
 - (C) To increase vocational knowledge of the members; to train qualified workers, technicians and professional administrators; to provide improvement in the national efficiency and efficiency of businesses; to organize courses, conferences and seminars in order to improve public relations and work safety and in this context to send their members or the staff working in businesses to the domestic or international workshops; to grant scholarships; to build cultural institutions, publishing houses, libraries, health and sport centers;
 - (D) To publish bulletins, newspapers, magazines and books in line with the establishment aim of the Association;
 - (E) To provide the members obey the rules of this act and rules of the profession; to take obligatory profession decisions in order to maintain the dignity and goodwill of the profession;
 - (F) To keep statistical information and records related with the work powers and activities of the electrical contractors that are affiliated with the Association;
 - (G) To buy, rent or mortgage immovable properties in accordance with the aim of establishment; to be able to gage, accept and restore movable properties; to be able to break the mortgages and to make possibly economic investments; to join investments; and
 - (H) To annul dissipation of electricity by cooperating with employers and project offices and to work on to depreciate the electric installation costs.

Membership REGISTER

5. (1) The citizens of the Turkish Republic of Northern Cyprus, who have been residing in the Turkish Republic of Northern

Cyprus at least for a year and active in the electrical business line, the persons or the enterprises run or owned by persons that has any of the following conditions can apply with their tax identification numbers to the Association and become a member of the Association by the decision of the Board of Directors.

Non-members cannot exercise the profession.

- (A) The engineers who are registered to the Chamber of Electrical Engineers in accordance with the laws of the Turkish Republic of Northern Cyprus;
- (B) The ones that hold the diploma of vocational technical colleges, vocational high schools, practical art school or equivalent foreign technical school, who has worked at least for two years under a member electrical contractor, has entered into the examinations of the Chamber of Electrical Engineers and has the certificate of authority for electrical contracting;
- (C) The ones who have completed the basic training, have experience as foreman in the electrical works, have entered into the examinations and has the certificate of authority for electrical contracting;

(2) The definitions about the people who can become members are anticipated in the Register of this Act.

SECOND CHAPTER

Association Bodies and Association Meetings

The Bodies of the Association

6. The Bodies of the Association:
- (1) General Assembly;
 - (2) Board of Directors;
 - (3) Auditing Commission;
 - (4) Honor Commission; and
 - (5) Assessment Committee.

The Formation, Duties and Powers of the General Assembly

7. (1) General Assembly is the highest decision body of the Association and is formed by all of the registered members of the Association that have fulfilled the obligations.
- (2) The Duties and Powers of the General Assembly are as follows:
- (A) To discuss the financial and activity reports submitted the Auditing Commission and Honor Commission and to clear the financial report;

- (B) To elect the members of the Board of Directors, Auditing Commission and Honor Commission;
- (C) To form commissions for all agenda matters when needed and to elect members for these commissions;
- (D) To take, discuss and adjudicate matters brought up by the Board of Directors or members and to submit general comprehensive suggestions to the Board of Directors for the Association to reach its aim;
- (E) To determine monetary conditions related with membership and contributions; and
- (F) To discuss and adjudicate the applications in response to the punishment of expelling from membership given by the Honor Commission in accordance with the 2nd clause of the 19th article of this Act.

The Meetings of the
General Assembly

8. The General Assembly meets every two years in the month of September according to the following rules:

- (1) The Board of Directors prepares the list of members that possess the right to attend the General Assembly 10 days prior to the meeting.
- (2) The members who are eligible to attend to the meeting of the General Assembly are called to the meeting by indicating the day, time and agenda of the meeting at least 10 days prior to the meeting by advertising the meeting at least for two days in two daily newspapers.
- (3) If the absolute majority of the members cannot be achieved at the indicated time and day, the meeting adjourns for half an hour. Absolute majority will not be required for the second opening.
- (4) The legal persons or the corporate entities who are members of the Association have a single vote. However the representatives of the corporate entities can attend and share their opinions.
- (5) The matters indicated in the agenda can be discussed in the meeting. However, it is obligatory to take other matters into the agenda suggested by at least one quarter of the attending members in the meeting.
- (6) The decisions in the General Assembly are taken by the absolute majority of the attending members and elections are carried out.
- (7) The meeting is opened by the President of the Board of Directors or by a member of the Board of Directors appointed by the President of the Board of Directors. After the opening, Administration Board, formed by a Chairman and two clerks, are elected to administer the meeting with open vote and absolute majority.
- (8) The clerks prepare the minutes of meeting signs it with the

Chairman. All of the documents and minutes of meeting are given to the Board of Directors. The minutes of meetings is kept for a period of two years.

Extraordinary
General Assembly
Meetings

9. (1) The General Assembly of the Association can be called for an extraordinary meeting by the Board of Directors in 15 days under the following circumstances:
 - (A) Under the circumstances that the Board of Directors and Auditing Commission find necessary; and
 - (B) By the written demand of the one fifth of the members of the Association.
- (2) In this call, the rules in Article 8 of this Act are applied.
- (3) Only the matters in the agenda are discussed in an Extraordinary General Assembly meeting.

The Formation of
the Board of
Directors

10. (1) The Board of Directors is composed by a President, Deputy President, Clerk (Secretary), Bookkeeper and three active members of total seven persons.
- (2) The General Assembly elects a President, six original members and 2 alternate members for the Board of Directors from the members of the Association by secret voting.
- (3) The original and alternate members of the Board of Directors are elected together. The members that get most of the votes successively are accepted as original members and the rest in the poll are accepted as the alternate members.
- (4) The appointments in the Board of Directors are done with secret voting and by the absolute majority of the total number of the members of the Board of Directors.
- (5) The President represents the Association on behalf of the Board of Directors and in accordance with the decisions taken by the Board of Directors.
- (6) The term of office for the members of the Board of Directors is two years. The alternate member who has taken most of the votes succeeds an original member which leaves the Board of Directors for any reason. In case of the equality of the votes taken by two alternate members, drawing of lots is done.
- (7) The Deputy President succeeds as the President of the Association in any case the President quits the post.
- (8) If the President or a member of the Board of Directors does not attend to three successive meetings of the Board of Directors without an excuse, the membership from the Board of Directors drops off.

The duties and
powers of the
Board of Directors

11. The duties and powers of the Board of Directors are:
 - (1) To implement the decisions of the General Assembly;
 - (2) To represent the Association administratively, financially, legally before the public authorities and third parties in subjects regarding the profession;
 - (3) To discuss and adjudicate the agenda matters prepared by the President or the matters suggested by the majority of members of the Board of Directors;
 - (4) To discuss and adjudicate the activity and financial reports which will be submitted to the General Assembly;
 - (5) To determine ordinary and extraordinary meetings of the General Assembly and invite the members to these meetings;
 - (6) To prepare the budget of the Association;
 - (7) To employ staff in accordance with the expenditure reserved from the budget; To appoint the employees and advisers with contract; To determine their wages and to renew or cancel their contracts when needed;
 - (8) To acquire immovable properties within the budget means and to obtain accumulation of these; Making investments and deciding to participate in investments;
 - (9) To choose representatives when needed for the meetings and relations in domestic and international institutions;
 - (10) To execute the decisions of the Honor Commission;
 - (11) To be able to give representation rights for specific duties when needed;
 - (12) To take necessary measures to prevent the colleagues from practicing unfair competition amongst themselves;
 - (13) To establish good relations amongst the colleagues;
 - (14) To analyze the situations preventing the development of the profession, taking measures for this matter and to convey proposals to the General Assembly when needed;
 - (15) To convey the notices and complaints of punishable acts to the Honor Commission;
 - (16) To take measures to increase the financial means and to determine the fees of the Association;
 - (17) To take opinions of the General Assembly in matters of necessity or in matters which will affect the aims of the Association;
 - (18) To be able to give warnings to the members of the Association in accordance with the Clause 1 of Article 19 of this Act; and
 - (19) To accomplish the duties in accordance with the rules this Act.

The Meetings of the Board of Directors

12. The Board of Directors meets directly by the demand or call of the President with a specified agenda or by the demand or call of the absolute majority of the total number of members of the Board of Directors. The Board of Directors meets at least once a month. The meeting quorum of the Board of Directors is the absolute majority of the total number of members. The President or in absence of the President, the Deputy President chairs the Board of Directors.

The Decisions of the Board of Directors

13. Each member has a single vote in the Board of Directors. The decisions are taken by the absolute majority of the attending members. In case of the parity of votes, the side with the vote of the Chairman of the meeting is accepted as the majority. The decisions are written to the Decision Book of the Board of Directors by the clerk and are signed by the members attended to the meeting. The reasons and causes of being against the decision can be written, if demanded, and shall be signed by the opposing members.

The Formation, Duties and Powers of the Auditing Commission

14. (1) The Auditing Commission is the financial supervision body of the Association. The Auditing Commission is composed of two members elected by the General Assembly. The Auditing Commission meets when they deem necessary. The meeting occurs with full members. The term of post for the members of the Auditing Commission is two years.

(2) The duties and powers of the Auditing Commission are as follows:

- (A) To audit the accounting books and documents of the Association;
- (B) To ensure records to be kept in order;
- (C) To call an extraordinary General Assembly meeting in case of an emergence of urgent and obligatory financial matters;
- (D) To submit their opinions as reports to the Board of Directors and the General Assembly about the accounts and financial works of the Board of Directors; and
- (E) To be present at the General Assembly meeting.

The Formation, Duties and Powers of the Honor Commission

15. (1) The Honor Commission is composed of five members elected for a period of two years by the General Assembly from the members of the Association who has been active in the profession at least for the last five years. The Honor Commission meets by the call of its Chairman, elected by its members, with attendance of absolute majority of its total number of members. Decisions

are taken by the absolute majority of the total number of members.

(2) The duties and powers of the Honor Commission are as follows:

- (A) To arrange division of labor amongst the members;
- (B) To discuss and adjudicate the matters of complaint transferred from the Board of Directors;
- (C) To discuss and adjudicate the appeals against warning punishments given in accordance with the Clause 1 of Article 19 of this Act;
- (D) To give punishments of condemnation, temporary cancellation of membership and expelling from membership in accordance with Clause 2, Article 19 of this Act.

The Formation,
Duties and Powers
of the Assessment
Committee

16. (1) The Assessment Committee is composed of a member which will be assigned by the Ministry of Public Works and Communication under the Presidency of the Director of the Turkish Cypriot Electricity Authority, a member that will be assigned by the Chamber of Electrical Engineers and a member that will assigned by the Turkish Cypriot Electrical Contractors Association. The Assessment Committee meets by the call of the President with an absolute majority of the total number of members.
- (2) The duty of the Assessment Committee is to arrange the class division of the members and provide appropriate change of classes of the members.

THIRD CHAPTER

Rules of Disciplinary Punishments

The kinds of
Disciplinary
Punishments

17. The disciplinary punishments applicable to the members of the Association are:
- (1) Warning Punishment;
 - (2) Condemnation Punishment;
 - (3) Temporary Cancellation of the Membership Punishment; and
 - (4) Expelling from the Membership Punishment.

Actions and
Behaviors
Applicable to
Disciplinary
Punishments

18. (1) The actions and behaviors that necessitate warning punishment:
- (A) To prevent the procedures, actions and initiatives taken to achieve the aims of the Association;
 - (B) To disobey the decisions taken by the bodies of the

Association; and

(C) To default in paying monetary debts to the Association in accordance with the Article 22 of this Act.

(2) The actions and behaviors that necessitate condemnation punishment:

(A) To repeat the same actions and behaviors in spite of taking warning punishment in accordance with the Clause (1) of above;

(B) Violating the aims of the Association; and

(C) To be in injurious behaviors against the honor and esteem of the Association and members of the Association.

(3) According to the rules of above Clause (2), the ones who have taken two condemnation punishments can be punished by temporary cancellation of the membership up to six months.

(4) The actions and behaviors that necessitate expelling from membership punishment:

(A) Taking two times temporary membership cancellation punishment in accordance with the above Clause (3);

(B) Losing the necessary conditions of entry to the Association.

The authority to give disciplinary punishment and the method

19. (1) Below methods shall be used while giving a warning punishment:

(A) Warning punishment is given by the Board of Directors in accordance with the Clause (1) of Article 18 of this Act.

(B) Warning punishment is notified to the concerned member in 15 days, starting from the day of the crime committed.

(C) The member who has taken the warning punishment can object by appealing to the Honor Commission in 15 days, starting from the day of notification received.

(D) The warning punishments which has not been objected in due time will become finalized.

(E) The objections done in due time are taken and adjudicated by the Honor Commission in 15 days.

(2) Below methods are used while giving punishments of condemnation, temporary membership cancellation and expelling from membership:

(A) The punishment decision of condemnation, temporary membership cancellation and expelling from membership is given by the absolute majority of the total number of members of the Honor Commission with the suggestion of the Board of Directors in accordance with the Clauses 2, 3 and 4 of Article 18 of this Act.

(B) The Honor Commission discusses and adjudicates a matter conveyed to the Honor Commission within 30 days,

starting from the day conveyed in accordance with the rules of above Clause (A).

(3) The member who has taken expelling from membership punishment in accordance with the rules of above Clause (2) has the right to appeal to the first General Assembly.

(4) The members who have taken expelling from membership punishment are obliged to pay their monetary debts to the Association while they are becoming members again.

FOURTH CHAPTER

Financial Rules

The incomes of the Association

20. The incomes of the Association are:

- (1) Membership registration fee;
- (2) Annual membership dues;
- (3) Fees taken in return for service;
- (4) Share stock income, interest etc... incomes;
- (5) Publication incomes;
- (6) Charities and all kinds of donations;
- (7) Movable and immovable property incomes; and
- (8) Incomes of the future investments to industrial and financial enterprises.

The expenditure of the Association

21. The bases and methods regarding the expenditures of the Association are determined by the Board of Directors and done by the Board of Directors or by the accountant under the authority of the Board of Directors.

Registration and Membership Fee

22. (1) It is obligatory for contractors that will become members to the Association to pay registration and membership fees.
- (2) The registration fee, quarter of the minimum wage rate, and annual membership fee which should not exceed the minimum wage rate, is determined by the General Assembly.
- (3) Paying membership fees in full is a condition for the members who will attend to the General Assembly.

The books of the Association

23. The Association hold the books indicated below:

- (1) Membership Registration Book;
- (2) Decision Book;
- (3) Incoming and Outgoing Documents Book;
- (4) Income and Expenditure Book;
- (5) Budget Final Account and Balance Book; and
- (6) Register Book.

FIFTH CHAPTER

Provisional and Final Rules

Provisional Article
Rearrangement of
the Registrations of
the Electrical
Contractors in
accordance with
this Act

6/1961

7/1991

1. Before entry into force of this Act, in accordance with the Law of Unions and Associations, the electrical contractors who have been registered to the Turkish Cypriot Electrical Contractors Association, apply and re-register their membership to the Association in conformity with this Act within latest in three months of entry into force of this Act.

Provisional Article
Formation of the
First General
Assembly Meeting
of the Association

6/1961

7/1991

2. Latest within the six months from the day of the entry into force of this Act, the President of the Turkish Cypriot Electrical Contractors Association, established in accordance with the Law of Unions and Associations, calls out for the first meeting of the General Assembly with the aim of establishment of the Turkish Cypriot Electrical Contractors Association by sending notice to the members registered in accordance with the Provisional Article 1, by indicating the day, time and agenda of the meeting and by advertising the meeting at least in two daily newspapers. One person in excess to the half of the attending members forms the quorum and the Association establishes in accordance with the rules of this Act. The elections of the authorized bodies of Association execute in the meeting. If quorum of the Association is not achieved, the meeting shall be adjourned for a week. If the meeting quorum is not achieved in the second meeting, meeting adjourns for half an hour. As a result of standing adjourned, the meeting occurs with one quarter (one fourth) of the registered electrical contractors. Decisions are taken by one vote in excess of the half of the attendees.

Authority to Make
Regulations

24. In accordance with the Article 5 of this Act wherein arranges the bases of general and specific qualifications required for the membership of the Association which will be prepared by the Ministry of Public Works and Communication, the Committee of Ministers approve the necessary regulations of the matters including the working methods of the bodies of the Association and the application processes for Association membership and publishes in the Official Gazette.

Entry Into Force

25. This Act comes into force on the day published in the Official Gazette.

REGISTER (Clause 5)

WIREMAN

The ones, who have completed at least the basic training, have been employed by an electrical contractor and have not completed yet three years and have not entered to the certificate of authority examination of the Chamber of Electrical Engineers.

FULLWIREMAN

- (1) The ones, who have completed at least the basic training, have worked as a wireman at least for three years under an electrical contractor, have entered to the certificate of authority examination of the Chamber of Electrical Engineers and gained this status.
- (2) The ones who are graduated from an electrical department of a high school that is related the profession.

ELECTRICAL TECHNICIAN

The ones who entered and succeeded in the certificate of authority examination of the Chamber of Electrical Engineers.

ELECTRICAL TECHNICIAN

The ones who graduated from electrical department of a college education of two or three years after high school. These technicians need to enter and succeed in the contractor authority certificate examinations of the Chamber of Electrical Engineers to be accepted as professional electrical contractors.

Technicians are divided into categories given below:.

III. Class Technician:

To hold certificate of authority for 15KVA.

II. Class Technician:

To hold certificate of authority for 30KVA.

I. Class Technician:

To hold certificate of authority for 50KVA and above.

ELECTRICAL CONTRACTOR

The professionals who work in the electrical business line. These persons need to officially register their established businesses in the Department of the Registrar of Companies and/or Income and Tax Department in order to be deemed as professionals.

Electrical Contractors are separated into below categories:

IV. Class Contractor:

The ones who are at least a III. Class Technician and employer of at least one Wireman;

III. Class Contractor:

The ones who are at least II. Class Technician, employer of at least one III. Class Technician, 2 Wiremen and has a company car;

II. Class Contractor:

The ones who are at least I. Class Technician, employer of two III. Class Technician and four Wiremen, owner of three company cars and an office bigger than 75 m²;

I. Class Contractor:

The ones who have completed two years in the profession as an electrical engineer, employer of at least two III. Class Technician, two Full Wiremen and three Wiremen, owns three business cars and has an office bigger than 150m², can become I. Class Contractors and also I. Class Technicians who completed their five years in the profession can become I. Class Contractors by adding an Electrical Engineer to their work force and by complying with the other matters.

II. Class Technicians who completed five years in the profession and III. Class Technicians who completed seven years in the profession; and has done the electrical works of varied buildings and facilities bigger than total of 5000 m² in one go before this Act has come into effect, can become I. Class Contractors by completing their permanent staff and establishing the conditions of work indicated above.

The ones that are linked indirectly with electric sector and/or the subordinate establishments of big enterprises which have the above mentioned qualifications to exercise the profession are assessed as I. Class if they have the above mentioned features.