



# STATUTES

**German Certification Association for  
Professional Textile Services** *(reg.soc.)*



*Entered in the register of associations No. 300173 at Besigheim District Court. The Statutes were written on 14 March 1953 and amended on 24 October 1957, 29 and 30 October 1971 and 28 March 1973. At the members' general meeting on 18.10.1985, the Statutes were comprehensively revised and reissued. At the members' general meeting on 13.10.1989 and on 16.10.1998 the Statutes were amended. At the members' general meeting on 12.10.2012 fig. 5.1.4, 11.2, 11.3, 11.4 and 11.5 were amended. At the members' general meeting on 27.10.2017 fig. 8.1 was amended.*

*These Statutes consist of 10 pages including the title page and reverse side.*

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# STATUTES OF THE GERMAN CERTIFICATION ASSOCIATION FOR PROFESSIONAL TEXTILE SERVICES

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## 1. Name, headquarters and accounting year

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**1.1** The Association is a Certification Association in the sense of the current edition of the general principles for quality marks and is known as the "Gütegemeinschaft sachgemäße Wäschepflege e.V." [German Certification Association for Professional Textile Services].

It is entered in the register of associations at Besigheim District Court.

**1.2** The headquarters, centre for jurisdiction and place of fulfilment for settling claims arising from these Statutes is Bönningheim/Württemberg.

**1.3** The accounting year is the same as the calendar year.

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## 2. Role and responsibility

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**2.1** The role of the Association is

2.1.1 to guarantee the quality of professional textile services and

2.1.2 to award professional textile services, the quality of which has been guaranteed, with a RAL mark for professional textile services.

**2.2** In order to fulfil this role, the Association is responsible for

2.2.1 producing rules for the RAL mark including implementing instructions,

2.2.2 monitoring to ensure that users of the RAL mark observe the rules for the RAL mark, and

2.2.3 ensuring that users of the RAL mark only award it to those of their professional textile services for which the quality has been guaranteed.

**2.3** The Association conducts no commercial operations.

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## 3. Membership

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**3.1** Membership of the Association is open to:

3.1.1 commercial laundries and laundries in hospitals, care homes etc. offering professional textile services.

3.1.2 any association or individual representing the business or trading community, if the Association recognises that they have a proper interest in quality assurance.

**3.2** Applications should be made in writing to the business office of the German Certification Association for Professional Textile Services. Applicants must undertake to accept the Statutes and abide by their regulations.

**3.3** The board of the Association will reach a decision on the application. If the application is rejected, the applicant can lodge a complaint with the quality control committee within 4 weeks of being notified of the decision.

If the complaint is rejected, the complainant can refer the case to arbitration within 4 weeks of being notified of the decision, in accordance with Section 12 of these Statutes of the Association. The rejection of the application and complaint will have to be justified.

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#### **4. Members' rights and obligations**

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**4.1** The Association is available to support its members in all matters of quality assurance. Members as defined under Section 3.1.1 are entitled to use the RAL Quality Certification Mark.

**4.2** A member can only transfer the rights derived from membership to a legal successor. The transfer must be approved by the Board of the German Certification Association. The Board will also prescribe the nature of the transfer.

**4.3** Members are obliged,

4.3.1 to support the role of the Association

4.3.2 to apply, within 6 months of becoming members under Section 3.1.1, to be awarded the RAL Mark, subject to providing the required evidence of inspection,

4.3.3 to comply with the terms of the RAL Mark rules, any decisions passed by the Association's executive bodies in accordance with the Statutes, and the quality and test regulations for professional textile services to which the RAL mark applies,

4.3.4 to pay subscriptions and charges to the Association punctually.

**4.4** Users of the RAL mark are themselves responsible for the quality of the professional textile services they provide. The German Certification Association, its executive bodies and agents cannot accept liability.

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#### **5. Cancellation of membership**

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**5.1** Membership is cancelled if the member:

5.1.1 withdraws

5.1.2 is expelled

5.1.3 goes into liquidation

5.1.4 opens an insolvency proceeding or the insolvency proceeding is rejected due to lack of insolvency assets. In case an insolvency plan is presented the membership ends only with the failure of this plan.

**5.2** A member can only withdraw subject to a period of notice of 6 months and at the end of the financial year. Notification must be by registered letter to the director of the Association.

**5.3** The Board of the Association can expel a member if

5.3.1 the conditions of Section 3.1 no longer prevail,

5.3.2 a member in the sense of Section 3.1.1 does not, within 6 months (Section 4.3.2) of becoming a member, apply for the RAL mark, providing evidence of inspection,

5.3.3 the application for the RAL mark to be awarded is finally rejected,

5.3.4 a RAL mark which is awarded while the conditions of Section 3.1.1 apply is not used over a period of 6 months,

5.3.5 the member is in serious breach of the Statutes of the Association including the RAL mark rules, the implementing conditions or quality and test specifications, or of decisions passed by the Association's executive bodies in accordance with the Statutes.

**5.4** The Board will give a member a period of 4 weeks in which to state their opinion on the proposed expulsion.

**5.5** Within 4 weeks of being notified, an expelled member can submit a complaint to the quality control committee. If the complaint is rejected, the complainant can, within 4 weeks of being notified, refer the matter to arbitration in accordance with Section 12 of these Association Statutes. If Section 5.3.4 applies, then on the expiry of this period the expulsion can only be averted if the member produces evidence of a new, positive initial inspection and can therefore resume use of the RAL mark.

**5.6** Lodging an appeal has suspensive effect.

**5.7** Any claims by the Association against a member are not affected by their expulsion.

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## **6. Executive bodies of the Association**

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**6.1** The executive bodies of the Association are:

6.1.1 the members' general meeting,

6.1.2 the board,

6.1.3 the quality control committee,

6.1.4 the managing director.

**6.2** It is not permissible for the rights and obligations of one executive body to be taken over or restricted by another.

**6.3** Anyone who is a member of an executive body must conduct the Association's business impartially and treat as confidential any of the members' internal business or operational procedures about which he learns in the course of his official duties.

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## **7. Members' general meeting**

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**7.1** The chairman will be asked by the managing director to call a members' general meeting at least once a year or if the chairman or the board or a third of the members demand it. Invitations must be issued at least 21 days in advance in writing. The agenda must be announced at the same time.

**7.2** If there are any other additions to the agenda, these must be sent in writing to the managing director at least 10 days before the members' general meeting. The managing director must notify members of these as soon as possible. The members' general meeting can only vote on items which do not appear on the agenda if the majority is in favour of doing so. This does not apply to elections or to applications to amend these Statutes and their Appendices or to disband the Association.

**7.3** Any members' general meeting which has been called correctly is entitled to pass decisions. This must be explicitly pointed out in the invitation.

**7.4** All members in the sense of Section 3.1.1 have a seat and a vote at the members' general meeting. They can arrange to be represented by someone to whom they have granted authority in writing. The authorised person can only represent a maximum of three votes.

**7.5** Decisions require a simple majority vote of those present and members' representatives. Equality of votes counts as rejection. Any amendments to the Statutes require a two-thirds majority. Section 13.1 remains unaffected.

**7.6** The members' general meeting

7.6.1 receives reports from the board and can discuss them,

7.6.2 selects six members of the board and two members of the quality control committee,

7.6.3 advises on and approves the annual report and the cash budget (budget estimate) for the following financial year,

7.6.4 sets the level of subscriptions and charges,

7.6.5 passes decisions on amendments to the Statutes,

7.6.6 reaches decisions in principle on quality and test regulations,

7.6.7 passes decisions on applications in accordance with these Statutes, passes on information about expulsions and withdrawals of members.

**7.7** If necessary, members can also vote in writing without attending the members' general meeting, if the board decides accordingly. The board must set a deadline for voting.

**7.8** The members' general meeting is led by the chairman or by a representative on his behalf. A record must be made of what happens at the meeting. This must be signed by the chairman of the meeting and the managing director. The same applies to any written votes.

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## **8. Board**

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**8.1** The board consists of the six members chosen by the members' general meeting and the chairman of the quality control committee.

The six members of the board chosen by the members' general meeting select a chairman and a deputy from among their number.

The board passes decisions by simple majority. If there is an equal number of votes, the chairman has the deciding vote or, in his absence, his deputy.

**8.2** The board is entitled to pass decisions provided that the meeting was called at least 14 days in advance and at least three members of the board are present, always including the chairman or his deputy.

**8.3** Members of the board remain in post for three years and until a new board is elected. It is possible for them to be re-elected.

**8.4** The officers in the sense of § 26 BGB (Federal Law Gazette) are the chairman and the deputy chairman of the Association. Each has sole representative authority.

**8.5** If a member of the board resigns during his period in office, the quality control committee will appoint a new member of the board in place of the one who resigns, to remain in office until the next members' general meeting.

**8.6** The board heads the Association in an honorary capacity.

**8.7** In matters affecting their own interests, a member of the board is excluded from the decision-making process.

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## **9. Quality control committee**

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**9.1** The quality control committee has six members. Of these, two are elected by the members' general meeting for a period in office of three years, while two others are appointed by the Institute for Laundry at the Hohenstein Research Institute. The chairman and deputy chairman of the Association are also members of the quality control committee. The quality control committee elects a chairman from among its number.

**9.2** For advice, the quality control committee can call on not only the members of the Association, but also the person responsible for external monitoring and impartial experts or representatives of the local authority.

**9.3** If a committee member resigns during his period in office, the board appoints a new committee member. If the chairman resigns, the quality control committee appoints a new chairman. His period in office lasts until the next members' general meeting.

**9.4** The quality control committee

9.4.1 draws up the quality and test regulations to be approved by the members' general meeting,

9.4.2 checks applications for the awarding of the RAL mark for professional textile services and either recommends awarding the RAL mark to the applicant or tells them the reasons for any refusal,

9.4.3 then monitors users of the RAL mark to ensure that they are adhering to the rules for the mark and the implementing conditions,

9.4.4 appoints members of the board as described in Section 8

9.4.5 supports the board.

**9.5** The quality control committee passes its decisions by simple majority of those present. If there is an equal number of votes, the chairman has the deciding vote. In matters affecting their own interests, a member of the committee is excluded from the decision-making process. Records of the decisions made must be kept and signed by the chairman and the managing director.

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## **10. Managing director**

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**10.1** The board appoints the managing director.

**10.2** The managing director must conduct the business of the Association impartially and in accordance with these Statutes and the decisions passed by the Association's executive bodies, as instructed by the board. He takes part in the meetings of the Association's executive bodies in an advisory capacity.

**10.3** Within the limits of the budget plan, the managing director is entitled to conduct business which puts the Association under an obligation.

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## **11. Subscriptions and charges**

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**11.1** Each member of the German Certification Association for Professional Textile Services pays a subscription to the Association which is collected by the business office and administered on the board's behalf.

**11.2** The amount is calculated on the basis of the average tonnage of textiles the member is processing per day (see section 3.1.1). The member's general meeting decides which fee groups should be used as the basis for the subscriptions. The level of subscription is proposed by the board and decided by the members' general meeting.



- 11.3** The management of the Association is entitled to instruct an inspector of the testing institute to determine the average tonnage of the members according to section 3.1.1. The figures obtained must not be revealed by the management to any third-party, including the board or other members of the Association.
- 11.4** Subscribing members according to section 3.1.2 pay a sum to be agreed with the board at the start which is partly used for carrying out development and research work in the field of commercial laundry.
- 11.5** Charges are calculated by the office at the end of the previous year on the basis of the average tonnage determined for the year before the previous year. The sum must be paid by 30.06 of the year in question.
- 11.6** Members who resign have to pay in full the subscription and charges that are owing until the end of the current year.
- 11.7** If a member of the Association requires advice which is more extensive than usual, or supplementary, the inspection centre will calculate the additional cost.

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## **12. Arbitration**

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- 12.1** A court of arbitration will be responsible for settling any disputes arising from the Association's Statutes, including the rules for the RAL mark and the implementing conditions, or from the Association's activities, without recourse to normal courts of law.
- 12.2** The composition and the proceedings of the court of arbitration will be governed by the regulations of the Code of Civil Procedure, unless these Statutes declare otherwise.
- 12.3** Each party will name one assessor. The assessors elect a chairman who must have a

qualification for holding judicial office. They must agree on a chairman within two weeks of the instigating party being notified that the second assessor has been named. If they are unable to agree, the instigating party can demand that the managing director of the Association asks Stuttgart Regional Court to appoint the chairman.

The same applies if one party fails to name an assessor within two weeks of being asked to do so.

- 12.4** The court of arbitration reaches a final decision on the legal proceedings and costs.
- 12.5** This does not include solicitor's costs.
- 12.6** This does not affect the right in urgent cases to apply for the appropriate ordinary court to order an interim injunction.

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## **13. Final provisions**

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- 13.1** The members' general meeting can decide to disband the Association by a three-quarters majority, provided that the application was on the agenda.
- 13.2** Liquidation will be by the board, unless the members' general meeting appoints other liquidators. The members' general meeting will decide how the assets remaining to the Association should be used once all liabilities have been settled.  
The assets should be used for a purpose which promotes quality assurance or quality improvements.
- 13.3** Any editorial changes to the Statutes are ineffective without prior written agreement from RAL. They come into effect within an appropriate period of their being announced by the board of the Association.

