

**INSTITUTION OF SURVEYORS OF TANZANIA
(IST)**

CONSTITUTION

**May, 2011
Dar es Salaam**

PREAMBLE

The Institution of surveyors of Tanzania (IST) is a national non-governmental professional organization registered in Tanzania; basically, endeavoring to promote the practices of surveying and mapping, ensuring that the relevant disciplines and all who practice them meet the needs and aspirations of the individuals, communities, public and private industries that they serve.

IST was originally established in 1982 when its member professions comprised of land surveyors and land economy surveyors (land managers and Valuers). In April, 1997, the land economy members decided to dissociate themselves from IST and form their own organization which came to be, and still is, known as: Tanzania Institution of Valuers and Estate Agents (TIVEA). From then IST has remained a professional organization solely for land surveyors.

Vision: IST is envisaged to be a role model in addressing the interest and liberties of its members as influenced by the government administrative and regulatory systems as well as in enhancing the work relationship with the public, private and civil society sectors.

Mission: IST aims at fostering compliance with an exemplary code of conduct for the profession of land surveying so as to promote credible performance in its practice.

THE CONSTITUTION

PART 1

(Preliminaries)

ARTICLE 1

DEFINITIONS

Unless the context otherwise determines, in this constitution:

“Annual General Meeting” means the meeting described in article 11 of this constitution.

“By – Laws” means the by – laws, including any amendments made under the provisions of this constitution.

“Constitution” means the constitution of the Institution of Surveyors of Tanzania.

“Council” means the council of the Institution constituted under article 9 of this constitution.

“Executive Committee” means the committee established by article 10 of this constitution.

“Extra – Ordinary Meeting” means the meeting described in article 11 of this constitution.

“Financial Year” means period from the first day of January to the last day of December inclusive, of the same year.

“Institution” means the Institution of Surveyors of Tanzania.

“Land Surveying” means and includes the practice of the disciplines of land surveying/geomatics, geoinformation and geodetic science.

“Member” means a member of the Institution as described in article 4 of this constitution.

“President” means the President of the Institution of Surveyors of Tanzania.

“Register” means a list of members maintained by the Secretary General of the Institution.

“Surveyor” means a professional person with academic qualifications, technical expertise and competence to perform functions described in Appendix C1 of this constitution.

PART 2
(Establishment)

ARTICLE 2

ESTABLISHMENT

- 2.1 The name of the Institution shall be “INSTITUTION OF SURVEYORS OF TANZANIA” abbreviated as IST.
- 2.2 The contacts of the Institution shall include:
- Location of the Headquarters
 - Post office box numbers
 - Fixed and mobile telephone numbers
 - Electronic mail addresses
 - Website addresses
- as established by the Council from time to time
- 2.3 The Council may establish branches of the Institution in any geographical area in Tanzania as it may deem fit.
- 2.4 The Institution shall bear a SEAL approved by the Council

PART 3
(Objectives)

ARTICLE 3

OBJECTIVES

The objectives for which the Institution is hereby constituted are

- 3.1 To provide a national forum for the exchange of knowledge and information about land surveying and the development of professional fraternity among surveyors and allied professionals.
- 3.2 To promote and protect the status and interests of land surveying profession and uphold a stringent code of ethics for exemplary professional conduct for its members in order to maintain the professional standards.

- 3.3 To advise and collaborate with the government and its agencies in the formulation and implementation of policies affecting the usage, development and management of land and marine resources.
- 3.4 To promote, secure and facilitate the advancement of knowledge and expertise that constitutes the profession of land surveying.
- 3.5 To promote the role of the surveyor in the:-
 - i. identification, exploitation and management of the natural land resources.
 - ii. conservation of the environment and management and mitigation of disasters.
- 3.6 To foster and promote the development of research and dissemination of technical information pertaining to the practice of land surveying by means of lectures, seminars, publications and workshops.
- 3.7 To cooperate with institutions of higher learning, in and outside the country, that provide academic training in the land surveying field and facilitate training of prospective members of the Institution aspiring to advance their professional knowledge.
- 3.8 To advise the National Council of Professional Surveyors (NCPS) with regard to the:-
 - i. registration and deregistration of land surveying professionals and firms.
 - ii. appropriate measures to be taken against persons or firms that interfere with the professional interests of IST or its members.
- 3.9 To facilitate close contact with professional bodies, both nationally and internationally, those are associated with the land surveying and geoinformation industry.
- 3.10 To undertake any other activities that the Institution may from time to time consider desirable.
- 3.11 To proscribe any of IST's activities being influenced by external statements or actions of a political, social or religious nature.

PART 4

(Membership)

ARTICLE 4

MEMBERSHIP

- 4.1 The membership of the Institution shall comprise of the following four categories, namely:
- i. Full Members
 - (a) Fellow Members
 - (b) Associate Members
 - ii. Corporate Members
 - iii. Affiliated Members
 - (a) Graduate Members
 - (b) Technician Members
 - (c) Student Members
 - iv. Honorary Members
- 4.2 **HONORARY MEMBERS** shall be persons of position or experience whose membership would in the opinion of the Council, further the aims and objectives of the Institution. Such members shall be engaged in any land sector practice but not engaged as land surveyors. Membership shall only be by invitation of the Council.
- 4.3 **FELLOW MEMBERS** shall be persons who:
- 4.3.1 Have either been Associate Members of the Institution for at least ten years or hold such qualification(s) which in the opinion of the Council are of requisite standard and have high moral and professional integrity.
 - 4.3.2 Have satisfactory experience of at least twenty years in the practice of land surveying.
- 4.4 **ASSOCIATE MEMBERS** shall be persons who have attained academic qualifications approved by the Council, in addition of post qualification experience of a period of a type approved by the Council, and who have fulfilled such conditions as the By-Laws shall prescribe.
- 4.5 **GRADUATE MEMBERS** shall be persons who have graduate from recognized institutions of higher learning approved by the Council and who have fulfilled such conditions as prescribed in the By-Laws.
- 4.6 **TECHNICIAN MEMBERS** shall be persons holding technician certificates from recognized colleges and approved by Council and who have fulfilled such conditions as the By-Laws shall prescribe.

- 4.7 **STUDENT MEMBERS** shall persons currently pursuing full time studies at recognized colleges and institutions of higher learning and approved by the Council and have fulfilled the conditions prescribed in the By – Laws.
- 4.8 **CORPORATE MEMBERS** shall be firms registered in Tanzania and practicing land surveying or any of its disciplines. Such firms registered outside the country may become members upon the approval of the Council.

ARTICLE 5

PATRON shall be a distinguished person whose association with the Institution would, in the opinion of the Council, confer honour upon and endear the Institution with benevolent patronage. The patron shall be nominated by the Council and approved at the Annual General Meeting of the Institution.

ARTICLE 6

CHAPTERS OF MEMBERSHIP

The Council shall, if and when necessary, establish membership chapters to reflect the specialized activities undertaken in each of the disciplines of land surveying; not more than three chapters need to be introduced.

ARTICLE 7

DESIGNATIONS

Full members shall be entitled to use after their names professional designation affixes as prescribed in the By – Laws.

PART 5 (Professional Conduct)

ARTICLE 8

CODE OF CONDUCT

As a condition of membership, each and every Full member and Affiliated member shall abide by the rules of professional conduct as enacted from time to time by the Council and provided for in the By – Laws so as to uphold the dignity of the profession and Institution.

PART 6 (Administration)

ARTICLE 9 THE COUNCIL

There shall be a Council of the Institution which shall be the Institution's policy making organ and its decisions and directions shall bind all members of the Institution.

9.1 COMPOSITION OF THE COUNCIL

- (a) The Council shall be composed of:
 - (i) All members of Executive Committee of the Institution.
 - (ii) The immediate past President and Secretary General who shall be ex-officio council members for a period of two years subsequent to relinquishing office.
 - (iii) Paid up Full members elected at the Annual General Meeting; one representing each chapter as provided in article 6;
 - (iv) Heads of all branches constituted as provided by the By – Laws.
- (b) The Council shall have powers to co-opt of the Council to take the place of elected members of the Council who are unable to carry out their duties. Not more than three members may be co-opted.
- (c) Members of Council shall hold office for a term of two years from the date of election and shall be eligible for re-election provided no such member shall hold office for more than two consecutive terms. Any member who ceases to be Full member of the Institution shall automatically cease to be a member of the Council.

9.2 DUTIES OF THE COUNCIL

The duties of the Council shall be:

- (i) To be responsible for the management of the affairs of the Institution, enacting of the code of conduct for members of the Institution; and, drawing up and implementation of the By – Laws.
- (ii) Give directions to Executive committee as to the manner in which, within the constitution, they shall perform their duties.
- (iii) Appoint such committees as it may deem fit to make reports to the Council, upon which reports, the Council shall take action as desirable.
- (iv) Propose necessary amendments to either the By – Laws or the Code of conduct that shall be ratified at a General Meeting.
- (v) Hire or otherwise such personnel who shall facilitate the functions of the Institution.

9.3 COUNCIL COMMITTEES

The Council may appoint such standing or ad – hoc committees as it may consider necessary from time to time. The composition and mandate of an appointed committee shall be determined by the Council and as stipulated in the By – Laws.

9.4 COUNCIL MEETINGS

- (i) The Council shall meet at such times and places as it shall resolve, but shall meet not less than once in three months.
- (ii) The quorum for any Council meeting shall not be less than five of whom not less than three shall be members of the Executive Committee.
- (iii) Notice of Council Meeting shall be three weeks.

ARTICLE 10

THE EXECUTIVE COMMITTEE

There shall be an Executive Committee of the Institution.

10.1 COMPOSITION OF EXECUTIVE COMMITTEE

- (a). The Executive Committee shall consist of:
 - (i). President
 - (ii). Vice President
 - (iii). Secretary General
 - (iv). Deputy Secretary General
 - (v). Treasurerall of whom shall be Fellows of the Institution and elected by the Full Members at the Annual General Meeting. They shall be paid up members of the Institution.
- (b) Executive Committee Members shall hold office for a term of two years from the date of election and shall be eligible for re-election as provided for in article 9.1.(c)
- (c) Any member of the Committee who ceases to be a Fellow of the Institution shall automatically cease to be a member of the Executive Committee.

10.2 DUTIES OF THE EXECUTIVE COMMITTEE

The Executive Committee shall advise the Council on all matters relating to the Institution in particular,

- (a) **The President** when present shall preside over all meetings of the Council Committee and all other meetings of the Institution.
- (b) **Vice President** shall deputize the president in his/her absence and shall deal with other such matters, as the President or Council shall delegate.
- (c) **Secretary General** shall:
 - (i) Deal with all correspondences of the Institution under the general supervision of the Council;
 - (ii) Consult the President or if not available the Vice President in urgent matters where the Council cannot be consulted; the decisions reached shall be subject to ratification or otherwise at the subsequent Council Meeting;

- (iii) Issue notices convening all Council and General Meetings of the Institution.
 - (iv) Record and be responsible for keeping minutes and preserving all records of the proceedings of Committee Council and Institution meetings.
 - (v) Maintain a register of members of the Institution and preserve reports, documents and other literature pertaining to the Institution.
- The duties of the Secretary General to the Council shall apply mutatis mutandis to the Executive Committee.

(d) Assistant Secretary General shall

Deputize the Secretary General in his absence; assist the secretary General in his/her duties; and perform any other duties assigned by the Council.

(e) Treasurer shall

- (i) Receive and disburse, under the direction of the Council, all moneys belonging to the Institution and preserve vouchers for all money paid.
- (ii) Maintain and preserve proper books of accounts and make them always available for inspection.
- (iii) Prepare quarterly statements of accounts to the Council and annual accounts for the Institution.

10.3 MEETINGS OF THE EXECUTIVE COMMITTEE

- (i) The Executive Committee shall hold its meetings, as and when necessary, at least before each Council meeting.
- (ii) Quorum of the meeting shall be three members.

**PART 7
(Governance)**

ARTICLE 11

GENERAL MEETINGS

There shall be two classes of General Meetings, namely; Annual General Meetings and Extra - Ordinary General Meetings.

11.1 ANNUAL GENARL MEETING

- (a). The Annual Meeting shall be held not later than 30th November, in each year. Notice in writing of such Meeting, accompanied by the Annual statement of Accounts and the Agenda for the meeting, shall be sent to all Full members, Corporate and Affiliated members not less than twenty – one days before the date of the Meeting.
- (b). At any such Meeting the President and Treasure/Auditor shall present their reports and the Council members and Auditors shall be elected (if elections are due) and appointed respectively.

- (c). The quorum for Annual General Meetings shall be one third of the registered members including proxies registered by secretary General at the start of meeting.

11.2 EXTRA – ORDINARY GENERAL MEETING

- (a) The Council may convene an Extra – Ordinary General Meeting when deemed necessary or by a requisition signed by not less than one third of all Full Members including one third of the Fellows which requisition must specify the purpose of the meeting. It shall be the duty of the Council to summon the Extra – Ordinary General Meeting within one calendar month from the date of such requisition.
- (b) The quorum of such meeting shall be one third of all Full Members of the Institution.

11.3 PROCEDURES AT GENERAL MEETINGS

- (a) At all meetings of the Institution, the President or, in his/her absence the Vice President or in the absence of both, a Council member elected at the meeting shall chair the meeting.
- (b) The modality of voting shall be as prescribed in the By – Laws
- (c) **Resolutions** shall be decided by simple majority of Full Members (except as may be prescribed in the By – Laws) and in the case of equality of votes, the Chairman shall have a casting vote.

PART 8 (Finance)

ARTICLE 12

FUNDS

- 12.1 Fees, subscriptions, levies and funds from other sources shall be paid to the Institution in the amounts and in such manner as the By – Laws shall prescribe.
- 12.2 The Council shall, subject to such limitations and restrictions as the By – Laws prescribe, apply the funds for the administration of business of the Institution, and for promoting the objectives of the Institution.

ARTICLE 13

BANK ACCOUNT

- 13.1 An account in the name of INSTITUTION OF SURVEYORS OF TANZANIA shall be opened and maintained with a Bank approved by the Council.
- 13.2 Any cheque on the Institution's bank account shall be signed by the Treasurer and either the President or Secretary General.

ARTICLE 14

AUDITORS

- 14.1 Auditors of the Institution shall be appointed annually at the Annual General Meeting.
- 14.2 Auditors shall have access at reasonable times to the accounts and securities of the Institution and shall report there on to the next Annual General Meeting.

ARTICLE (By – Laws)

ARTICLE 15

BY – LAWS

The council shall have the power to enact, revoke or amend by – laws provided these are not in conflict with any of the statutes in this Constitution. Such enactments, repeals and amendments to the by – laws shall not come into operation until at a date one calendar month after all Full Members have been notified in writing, with a copy of the particular enactment, repeal or amendment. Evidence of posting shall constitute notification.

PART 10 (Amendments)

ARTICLE 16

AMENDMENTS TO THE CONSTITUTION

- a. Amendments to the Constitution must be approved by at least two thirds majority of the votes cast at an Annual General Meeting or an Extra – Ordinary General Meeting of the Institution.
- b. All proposed amendments to the constitution shall be notified to all members in writing not less than 14 days before holding of the General Meeting at which the proposal shall be discussed. Evidence of posting shall constitute notification.

PART 11 (Force Majeure)

ARTICLE 17

FORCE MAJEURE

In the event of force majeure rendering liaison with members of the Institution impossible, the Council shall take all measures necessary for the safety of the Institution's funds and securities and for the custodianship of the Institution; but otherwise all activity of the Institution shall cease until conditions permit the activity to be resumed.

PART 12
(Dissolution)

ARTICLE 18
DISSOLUTION

- (a). The Institution shall be dissolved only by a three quarter majority of the votes cast at an Extra – Ordinary General Meeting. In this case, the quorum of the meeting shall be one half of registered members. If no quorum is obtained, the proposal to dissolve the Institution shall be considered at a further Extra – Ordinary General Meeting, which shall be held one month later. Notice of this meeting shall be given to all registered members of the Institution at least 14 days before the date of the Meeting. The quorum for the second meeting shall be the number of members present. Notification of the meeting shall be by dispatch or registered post wherever possible.
- (b). The dissolution shall be subject to the by – laws existing at the time.
- (c). When dissolution has been effected in accordance with this Constitution and the By – Laws, no further action shall be taken by the Council or any Committee of the Institution other than to notify the Trustee of known existing assets and liabilities of the Institution. Any cash in hand shall be paid to the Trustee.
- (d). In the event of dissolution, the Bank in which the Institution monies are deposited shall act as Trustee and liquidator and shall wind up the affairs of the Institution in accordance with the By- Laws.

Passed March 2011

Amended.....2011

THE BY – LAWS

ARTICLE 1

INTERPRETATION OF THE CONSTITUTION AND BY – LAWS

The Chairman shall rule on any question or dispute arising at a meeting of the Institution or Council or any Committee as to the interpretation or meaning of the constitution or By – Laws. Any member objecting to the ruling may demand to have it dealt by the meeting which shall decide the question or dispute by resolution. Notwithstanding the foregoing provision, in any inadvertent conflict with an act or law of Tanzania, the latter will prevail.

SECTION 1 (Establishment)

ARTICLE

HEADQUARTERS

The headquarters of the Institution shall be in Dar es Salaam for which the contacts shall be:

P.O.Box 31196, Dar es Salaam, Tanzania

Website: www.isttz.co.tz

SECTION 2 (Membership)

ARTICLE 2

MEMBERSHIP

- (a). All candidates for election as members, except honorary members, shall agree to abide by the Constitution and By – Laws of the Institution and shall sign a declaration to that effect.
- (b). Members of all categories shall have the right to attend General Meetings of the Institution and shall join in all discussions and participate in all institution activities. However, only Full Members shall vote at the General Meetings.

2.1 APPLICATION FOR MEMBERSHIP

- (i). All candidates for admission to Full, Corporate and Affiliated membership shall complete application forms, sign the declaration required under article 2(a) of these By-Laws, and submit together with completed forms and the requisite admission fees to the Secretary General.
- (ii). A candidate for admission shall be seconded by two Full Members in the case of candidates for Full and Affiliated membership and one corporate member in the case of candidates for corporate membership.
- (iii). The Secretary General shall issue a receipt for the completed application form and the admission fees, and shall bring the application to the next Council Meeting following its receipt.

- (iv) The Council may require additional information from the candidate for election. Failure of the applicant to submit the requisite information within one month shall render the application automatically lapsed.

2.2 ADMISSION TO MEMBERSHIP

- (i) Admission shall be by a majority vote of the Council
- (ii) Upon admission of a candidate, the Secretary General shall inform him/her that the candidacy has been recommended for formal admission into the appropriate class of membership at a subsequent Annual General Meeting.
- (iii) Every candidate so elected for admission shall, within twelve months of his/her election, attend an Annual General Meeting of the Institution for formal admission. Any person who fails to attend the meeting for formal admission during that period shall be barred by the Council from making use of the rights and privileges attached to his/her class until he has complied with this requirement.
- (iv) The method to be adopted for the formal admission of a member at the Annual General Meeting shall be such as the Council may from time to time determine.
- (v) The Council may, if deemed fit, recommend a person as an Honorary Member at an Annual General Meeting and any person so recommended may be elected by the members at such meeting. The number of votes required for election shall be a simple majority of the members voting.

2.3 REJECTION OF APPLICATION

- (i) In the event that an application is rejected at the discretion of the Council, a short summary of the reasons for rejection shall be given in writing by the Secretary General to the candidate.
- (ii) No rejected member may again apply for full or affiliated membership within a period of two years from the date of rejection.

2.4 TRANSFER

Any member wishing to transfer from one class of membership to another shall sign and deliver to the Secretary General an application on the prescribed form and recommended by such a number of full members as the council may prescribe. The Secretary General shall submit the application to the Council who may affect the transfer, if seen fit, provided that:

- (i) No person shall be eligible for transfer from one class of membership to another unless he has paid the fees and fulfilled all the requirements relating to his present class of membership as prescribed in the By – Laws.

- (ii) Transfer to a lower class of membership shall not be permitted.
- (iii) Any person whose application for transfer from one class to another has been approved by the Council shall be informed in writing that; on payment of fees and subscriptions prescribed in the By – Laws, he will be transferred, within three months from the date of the election to the higher class. Non – payment within the prescribed period shall render the transfer null and void.

2.5 TERMINATION AND REINSTATEMENT OF MEMBERSHIP

- (a). Membership of the Institution shall cease or be terminated by the council Either;
 - (i) on receipt by the Council of a letter of resignation from a member; or
 - (ii) upon being notified of the death of a member; or
 - (iii) upon failure to pay any moneys due to the Institution as specified in By – Laws no. 6 or
 - (iv) in the event that a member, after having been warned by the Council in writing, fails or refuses to abide by the constitution or By – Laws of the Institution.
- (b). On termination of membership, the member's name shall be removed from the register and he/she be so advised by the Secretary General, whereupon he shall return any certificate of membership issued to him/her. A terminated member shall not be entitled to a refund of any monies contributed from time to time.
- (c) The Council may, at its discretion, publish the termination of membership in a manner deemed appropriate.
- (d) The Council shall have power at any time to reinstate a member whose name has been removed from the register provided that such a person a person makes an application for reinstatement in writing. The Council shall determine the modalities for reinstatement.

2.6 INELIGIBILITY FOR MEMBERSHIP

Any person who:

- (i) is serving a sentence for criminal offence; or
- (ii) for reasons which are considered by the Council to be contrary to the code of conduct detailed in these By – Laws will be ineligible for membership.

ARTICLE 3

QUALIFICATIONS

3.1 FELLOW MEMBERS

- (i) Fellows shall be graduates in surveying from institution of higher learning recognized by the Council. No member shall be eligible to the class of Fellow unless he/she is engaged in the science or practice of surveying.
- (ii) Fellows shall be more than thirty five years of age and shall have acquired a practical knowledge of surveying in one of its aspects, such experience being of uninterrupted duration of not less than ten years.
- (iii) Any candidate holding an official appointment as surveyor in the United Republic of Tanzania and who shall have passed all examinations as the Council may accept, shall be eligible for election to such class.
- (iv) No candidate shall be eligible for being categorized as a Fellow or to transfer to the status of a Fellow unless he/she has such knowledge of one of the fields of surveying that his election to a Fellow would, in the opinion of the Council, be in the interest of the Institution.

3.2 ASSOCIATE MEMBERS

To be eligible for election or transfer to the class of Associate Members a candidate shall satisfy the Council that he/she:

- (i) has attained the age of twenty five years,
- (ii) has not less than five years of relevant past graduate practical experience.
- (iii) is registered by the National Council of Professional surveyors
- (iv) has passed examinations that may be prescribed by the Council
- (v) has fulfilled such other requirements as the Council may determine.

3.5 CORPORATE MEMBERS

Corporate membership shall be limited to:

- (i) incorporated companies practicing any of the disciplines of surveying namely: land surveying (geometrics), engineering surveying, geoinformation and geodesy.
- (ii) incorporated companies registered outside Tanzania but practicing in Tanzania in any of the disciplines of surveying listed in article 3.3 (i)
- (iii) At all times corporate members shall have at least one of its directors or principal partner (for foreign registered companies) registered by the National Council of Professional Surveyors.

3.4 GRADUATE MEMBERS

To be eligible for election as a Graduate Member, a candidate shall be: holder of an approved degree, or other equivalent qualifications approved by the Council.

3.5 TECHNICIAN MEMBERS

Technician member shall be either;

- (i) holder of a diploma or certificate in any discipline of surveying recognized by the council to the effect that the training has a post O-Level emulative duration of two years or one year past A-Level training; or
- (ii) holder of Full Technician Certificate or equivalent recognized by the Council.
- (iii) Candidate seeking technician membership shall be required either to pass an examination for membership or pass an interview with the council endorsing a relevant practical experience of ten years.

3.6 STUDENT MEMBERS

To be eligible for election as a Student Member, a candidate shall:

- (i) have attained the age of 20 years
- (ii) be a student undergoing an approved full time training at universities, colleges or other equivalent institutions, as approved by the Council.
- (iii) Student membership is limited to a maximum of five years, thereafter it shall automatically lapse.

ARTICLE 4

CERTIFICATE OF MEMBERSHIP

- (i) Upon election to membership, Fellow, Associate, Corporate and Technician members shall be entitled to receive a sealed certificate of membership specifying the class of membership, the date of admission and the registration number of the member.
- (ii) Upon payment of the first subscription fee due from him under these By – Laws or within reasonable time thereafter, the Member shall receive the certificate of membership which he/she shall be entitled to retain subject to renewal according the provisions of these By-Laws.
- (iii) The certificate shall remain the property of the Institution; and in the event of cessation or suspension of membership for any of the grounds set forth in these By – Laws, the member concerned shall be bound forthwith to return the certificate to the council.

ARTICLE 5

PROFESSIONAL AFFEXES

- (a). Full members and honorary members shall be entitled to use the following respective affixes:

Fellow Members	FIST
Associate Members	MIST
Honorary Members	MIST (Hon)

- (b). An Affiliated Member shall not be entitled to use any affix with respect to the Institution or any similar title which implies that he/she is eligible to offer professional services in surveying.

ARTICLE 6

QUALIFYING EXAMINATIONS

- (a). The Council may cause to be held examination for candidates seeking to be elected to membership of the Institution and for such other purposes as the Council may determine.
- (b). The Council may accept the examination of a University or other institutions either in part or in whole, when the Council is satisfied that the examinations are of the appropriate standard.

SECTION 3

(Administration)

ARTICLE 7

COUNCIL

7.1 ELECTION OF MEMBERS AND MEMBERSHIP CESSATION

- (i). Election of council members shall be during an Annual General Meeting during which elections are due.
- (ii). Not less than six weeks before the Annual General Meeting, the Secretary General shall circulate forms of nomination to the Council to all Full Members. Full Members interested and committed to serve on the Council in a particular position will sign a declaration to that effect on the form. Such forms duly completed and signed by the proposer, seconder and nominee, shall be returned to the Secretary General not less than one week before the Annual General Meeting.
- (iii). Prior to the voting a returning officer and two scrutineers shall be selected from the members of the Institution attending the Annual General Meeting and shall count the votes and report to the Annual General Meeting.
- (iv). Voting shall be by secret ballot; and election shall be by majority vote. In case of a tie, the names of candidates having equal number of votes shall be submitted to the electorate for a second vote and the election determined accordingly; in the case of a second tie, the chairman will decide on another mode of election.
- (v). The Council membership for any member shall cease and be declared vacant if the member either;
 - (a) ceases to be a member of the Institution; or
 - (b) by written notice, resigns the membership; or

- (c) fails to attend three consecutive meetings of the Council without an acceptable reason.
- (vi) The Council shall have powers to co – opt members to the Council to take the place of elected members whose memberships have ceased or who are unable to carry out their duties. However, if the vacancy arising is that of the office of President, it shall be filled by the election of one of the remaining Council members by the council. The person so elected shall then resign his previous office in accordance with By – Laws 7.1 (v).
- (vii) Not more than three members may be co – opted by the Council. All members so elected or co – opted shall hold office until the next elections are due.
- (viii) Prior to the voting a returning officer and two scrutineers shall be selected from the members of the Institution heading the Annual General Meeting.
- (ix) Voting shall be by secret ballot; and election shall be by majority vote. In case of a tie, the names of candidates having equal number of votes shall be submitted to the electorate for a second vote and the election determined accordingly; in the case of a second tie, the chairman will decide on another mode of election.
- (x) The Council membership for any member shall cease and be declared vacant if the member
 - (a) ceases to be a member of the Institution; or
 - (b) by written notice, resigns the membership; or
 - (c) fails to attend three consecutive meetings of the Council without an acceptable reason.
- (xi) The Council shall have powers to co – opt members to the Council to take the place of elected members whose memberships have ceased or who are unable to carry out their duties. However, if the vacancy arising is that of the office of President, it shall be filled by the election of one of the remaining Council members by the council. The person so elected shall then resign his previous office in accordance with By – Laws 7.1 (v).
- (xii) Not more than three members may be co – opted by the Council. All members so elected or co – opted shall hold office until the next elections are due.

7.2 PROCEDURES AT COUNCIL MEETINGS

Without prejudice to By – Law 9.4,

- (i) The Secretary General shall at the request of the President, Vice President or any four members of the Council, convene a special meeting of the Council.
- (ii) Voting shall be by show of hands and every member shall have one vote. The Chairman or any two members present may demand that voting be by secret ballot. In the case of equality of votes, the Chairman shall have a casting vote.
- (iii) Minutes shall be recorded at all meetings, copies circulated to members within seven days and confirmed minutes, signed by the Chairman and Secretary General shall be filed in a minute's folder.

7.3 PROCEDURES AT COUNCIL COMMITTEE MEETINGS

- (i). The council may appoint committees whose chairmen shall be selected from the members of the council.
- (ii). The committees shall appoint a secretary from among their number, shall determine their own quorum and shall have powers to co-opt additional persons who may not be members of the Institution but approved by the Council.
- (iii). Committees shall have no mandate to incur any expenses on behalf of the Institution unless specifically authorized by the council.
- (iv) The meetings and proceedings of any such committees shall be governed by the provisions of By – Laws no 7.2

7.4 FORMATION OF BRANCHES

- (i). Branches of the Institution may be formed in any area where this is so requested of the Council in writing by the members residing in the area.
- (ii) The establishment, the running and dissolution of such branches shall remain at all times subject to the provisions of the Constitution and By – Laws of the Institution.

SECTION 4 (Finance)

ARTICLE 8 FINANCE

8.1 SOURCES OF FUNDS

- (i). The statutory sources of funds shall be: entrance and transfer fees; annual subscriptions; and general meetings participation fees.
 - (a). Entrance and transfer fees shall be paid by a member immediately upon admission to membership or on transfer from one class to a higher class of membership.
 - (b). Annual subscriptions shall be paid within the first quarter of the financial year. Once paid, the subscription shall be valid for the

whole financial year irrespective of any subsequent changes of class of membership during the year. In the event a member fails to pay his annual subscription or any other moneys due from him to the Institution for two months after the date upon which it becomes due, the secretary general shall by registered letter or otherwise notify the member giving a further one month within which to pay. If payment is not effected within this further one month, his/her membership shall automatically cease.

- (c). The fees for participation at general meeting shall be paid within 14 days before the respective meeting is held. The Council may wave participation fees for a reasonable number of members of staff of a corporate member firm who wish to attend the meeting.
- (ii). The Council shall determine the rates of advertising at Institute's exhibitions, whereby corporate members showcasing their products will enjoy reduced rates.
- (iii). The Council may, after consultation with the Full Members, from time to time, raise funds for special purposes: by levies on all members; from donations that do not contradict with the interests and objectives of the Institution and other sources. Such source shall first have been approved at a General Meeting.
- (iv) All payments made to the Institution; shall be deposited in the Institution's account at the prescribed Bank. Deposit slips shall with immediate effect be mailed to the Secretary General for information and record keeping.
- (v) The statutory fees in TZS for the Institution shall be as stated below:

	Entrance Fee	Transfer Fee	Annual Subscription	General Meeting Participation fee
Fellow Member	50,000		50,000	100,000
Associate Member	30,000	50,000	30,000	100,000
Affiliated Member	15,000	30,000	10,000	50,000
Corporate Member	250,000		250,000	250,000

8.2 APPLICATION OF FUNDS

- (a) The funds of the Institution may only be used for the following purposes:
 - (i) to pay for all correspondence expenses undertaken by the Secretary General and other offices on behalf of the Institution;
 - (ii) to pay for the production of approved publications of the Institution;
 - (iii) to pay for approved expenses in connection with meetings;

- (iv) to pay for expenses approved by the Institution in connection with the business of the Institution;
 - (v) to pay for registration and membership of National and International bodies of a similar nature with which the Institution may seek affiliation.
 - (vi) to pay for approved expenses in connection with the holding of examinations.
 - (vii) to pay for approved expenses properly incurred and approved by the Council.
- (b) Any cheque on the Institution's Bank Account shall be signed by the Treasurer and either the President or Secretary General. In the event of The authorized persons being unable to sign the Council may appoint a substitute from its members.
- (c) The Treasurer may at any given time keep an amount of TZS 100,000 as petty cash or as may be authorized by the Council.

8.3 MISAPPROPRIATION OF FUNDS

The council shall have the power to suspend any office bearer who in its opinion, has misappropriated the Institution's funds or property or rendered false account. Such suspension shall be reported by the Council to a General Meeting with recommendations on the appropriate measures to be taken. The General Meeting shall be convened on the date not later than six weeks from the date of suspension.

8.4 AUDIT

- (i) All the Institution accounts, records and documents shall be open to the inspection of the auditors at any time. The Treasurer shall produce an account of all receipts and payments, and a statement of assets and liabilities made up to date. The Auditor shall examine the Annual Accounts and Statements and prepare the Auditor's report six weeks before the date of the Annual General Meeting.
- (ii) A copy of the auditor's report together with the Accounts and Statements shall be furnished to all members at the same time as the notice convening the Annual General Meeting is sent out.
- (iii) Auditors shall be paid such fees for their duties as and when the same are accomplished and received by the Council.

SECTION 5 (Governance)

ARTICLE 9

9.1 ANNUAL GENERAL MEETINGS

- (a). The Annual General Meetings shall be held not later than 30th November, in any year and shall mark the beginning of the session. Notice in writing

of such Annual General Meeting, accompanied by the Annual Statement of Account and the Agenda for the meeting, and shall be sent to all members not less than four weeks before the date of the meeting. Proxy voting shall be sent along with the notice.

- (b). The Agenda for any Annual General Meeting of the Institution shall consist of the following:
 - (i). Minutes of the previous Annual General Meeting and of any subsequent Extra – Ordinary Meetings to be read, confirmed and signed by chairman and secretary general.
 - (ii). Matters arising from the minutes
 - (iii). To receive for consideration and adoption a report by the President of the activities of the previous year.
 - (iv). To receive for consideration and adoption a report from the Treasurer and to approve the annual audited accounts for the previous financial year.
 - (v). To appoint auditors for the current financial year in accordance with Article 14 of the Constitution.
 - (vi). Any Other Business of which seven days – notice will have been given in writing to the Secretary General or which will have had the approval of the President.
 - (vii). Election (if elections are due) of members of the Council.

9.2 EXTRA – ORDINARY GENERAL MEETINGS

- (a). Extra – Ordinary meetings shall be convened by the Secretary General in the manner provided in By – Law 9.1 (a) and held at the appropriate time.
- (b). The Agenda for any Extra – Ordinary General Meeting shall be limited to that business (es) included in the notice convening the meeting

9.3 PROCEDURES AT GENERAL MEETINGS

- (a). All members attending a general meeting shall be required to sign an attendance register.
- (b). **Quorum**
 - (i). The quorum for Annual General Meetings shall be one third of the registered members including proxies registered by the Secretary General at the start of the meeting.
 - (ii). In the event of a quorum not being present within one hour of the time fixed for the meeting, the meeting shall stand adjourned for 21 days and notice of such adjournment shall be posted to all members of the Institution.
 - (iii). In the event of a quorum not being present at an Extra – Ordinary general meeting, the meeting shall be cancelled.
- (c). **Debates and Voting**

- (i). The Chairman may at his discretion, limit the number and times of persons permitted to speak in favour or against a motion provided an opportunity is given for both sides to be heard.
- (ii). Voting shall be by a show of hands unless a secret ballot is requested by at least three Full Members or the Chairman so directs. In the case of equality of votes, the Chairman shall have a casting vote.
- (iii). Any Full Member unable to attend a General Meeting may appoint a proxy to vote on his/her behalf. The instrument appointing a proxy shall be delivered to the Secretary General not less than two days before the time for holding the meeting at which the person named proxy proposes to vote; but no instrument appointing a proxy shall be valid after the voting exercise is accomplished.
- (iv). The instrument will be automatically revoked by the personal attendance of the principal at the meeting or by his death.
- (v). No person shall be appointed a proxy to vote at any meeting who is not entitled in his own right to vote at such meeting.
- (vi). If a member desires to vote by post he/she shall record his vote on the voting paper circulated for the purpose and affix his signature thereto. The voting paper shall be returned to the Secretary General so that it is received by him not later than the date and time of the relevant General Meeting.

SECTION 6

(Professional Code of Conduct)

ARTICLE 10

ETHICAL CODE OF CONDUCT

Without derogation to the Council's authority to include other matters herein, a member of the Institution shall be guilty of professional misconduct if he should contravene any of the following:

- (i). A member shall at all times be honest in his dealings, be free from corruption and make decisions with integrity of purpose.
- (ii). A member shall at all times fully discharge his duties and shall not commit any act crafted to absolve him/her from professional responsibility.
- (iii). No member shall conduct himself/herself in such a manner as would in the opinion of the Council, prejudice his professional status or reputation of the Institution.
- (iv). No member shall in any way be connected with any occupation or business if such a connection is, in the opinion of the Council, inconsistent with the membership of the Institution.
- (v). The Council may recommend scales of fees for professional services and may if called upon to do so, determine disputes over fees.
- (vi). No member shall, either directly or indirectly, orally or in writing, seek instructions for business which he/she knows or with due diligence could have ascertained is in the hands of another agent.

- (vii). No member shall attempt to influence, unfairly or dishonorably whether directly or indirectly, the award in a competition.
- (viii). No member shall quote a fee in competition for professional services, without having received an invitation to do so and information to enable the member to assess the nature and scope of the services required.
- (ix). A member of the Institution who is an employee of firm or organization which does not abide by the rules of professional conduct of the Institution may be required to resign from the employment or resign from membership of the Institution.
- (x) A member shall not contravene the provisions of the By – Laws of the Institution or make false declaration in his application for membership.

SECTION 7 (Disciplinary Powers)

ARTICLE 11 **DISCIPLINARY PROCEDURES**

11.1 DISCIPLINARY COMMITTEES AND BOARD

In dealing with cases of contravention of ethical code of conduct, or any other provisions of the By – Laws, the Council shall, wherever necessary, appoint the following committees and board.

- (i) Professional Ethics Committee: comprising of the Vice – President of the Institution as chairman and four fellow members of the Council; the committee shall investigate complaints or allegations made against any member for professional misconduct or other section of the by-laws. The Committee shall submit its findings to the Council with recommendation to pursue the matter further or otherwise.
- (ii) Disciplinary Committee: which shall consist of five Fellow Members of the Institution one of whom shall be a Council member; but excluding any member of the professional ethics committee? The disciplinary committee shall consider all charges referred to it by the Professional Ethics Committee.
- (iii) Appeals board: which shall consist of three Fellow Members of the Institution, but not including any members of Professional Ethics Committee and the Disciplinary Committee. The Board shall consider any appeal after hearing the appellant and/ or his representative and shall have powers to affirm, review or revise any opinion or decisions previously made by the disciplinary committee. The record and decisions of the board shall be submitted to the Council.

11.2 DISCIPLINARY POWERS

Whereas a complaint is received by the Council in writing to the effect that a member of the Institution contravened the ethical code of conduct or other provision of the by – laws, the Secretary General shall send a copy of the complaint by registered mail to the member concerned, and refer the matter to the Professional Ethics Committee. At the:

(i). **Professional Ethics Committee:**

- (a). The member shall be entitled to submit written response or representation on the subject matter of the complaint or allegation and if in any particular case he has to do so, he shall be required to appear before the Committee in person. If the member fails to attend or otherwise to avail himself of his rights under this paragraph, the Committee may proceed in his absence and without further reference to him.
- (b). The Committee may reject the complaint or allegation and exonerate the member. If in the opinion of the committee the complaint or allegation is affirmed, the Committee may:
 - (i). admonish the member or
 - (ii). require from him such reasonable undertaking not to continue or repeat the misconduct complained of or alleged or
 - (iii) refer the subject matter of the complaint or allegation to the Disciplinary Committee as a formal change.

(ii). **Disciplinary Committee:**

- (a). A member, in respect of whom a change is thus referred, shall be required to appear before the Committee either in person or by representation, and to give evidence or call witness and cross examine witnesses called against him or adduce other evidence in his defense. If the Member fails to attend or otherwise avail himself of his rights under this paragraph, the Committee may proceed in his absence.
- (b). The Committee may dismiss the change if they find him guilty they may:-
 - (i). admonish the member
 - (ii). reprimand the member
 - (iii). suspend the member
 - (iv). expel the member from the Institution immediately or after an adjournment for such a period not exceeding six months as the committee may deem fit.
- (c). Pursuant to the above decision of the Committee, an aggrieved member shall be entitled within such period (not more than 28 days after communication of the decision to him) as may be prescribed by the Council, to appeal against the penalty thus

imposed on him. Any such appeal shall be made by written notice sent by registered post to the Secretary General and shall specify the grounds to be called on in support of the appeal.

(iii). **Appeals Board:**

- (a). The Board shall consider any such appeal as aforesaid and after hearing the appellant and his advocate (if any) may affirm, vary the penalty appealed against, and may make such order, for the payment by the Member of costs incurred by the Institution in connection with the appeal.
- (b). All decisions of the Disciplinary Committee and of the Appeals Board shall be reported to the Council and duly recorded and the council may cause to be published in such newspapers or other publications as the Council may think fit, notice of the reprimand or suspension or exclusion of such a member as the council shall think desirable for the misconduct, breach of By – Laws, conviction or any matter for which the penalty in question was imposed.

If a member is proved to the satisfaction of the Council to have been convicted by a court of competent jurisdiction of any criminal offence involving embezzlement, theft of fraud, or has been adjudicated bankrupt or to have entered into any composition or arrangement with or for the benefits of his creditors, the council may without further inquiry forthwith expel the membership from the Institution.

11.3 CONSEQUENCES OF PENALTIES

- (i). If a member is suspended, his diplomas of membership shall immediately be returnable and he shall not be entitled, during the period of suspension to exercise any of the rights or privileges of membership of the Institution or to use any such designation or description as aforesaid. He shall however remain a member in all other respects subject to the provisions of the By – Laws and to the exercise of the Institutions disciplinary powers in respect of any contravention of those provisions committed by him during the period of this suspension.
- (ii). If a member is expelled his/her name shall be struck off from the Register and he shall thereupon cease for all intents and purposes to be a member of the Institution. His/her diplomas of membership shall immediately be returnable and he/she shall not be entitled to use any designation or description that implies membership or former membership of the Institution.
- (iii). Once a member has been notified that a complaint or allegation has been made against him and is to be investigated by the Professional Ethics Committee, he/shall not be entitled to resign from membership of the Institution until all proceedings against him have been concluded and any proceeding shall continue notwithstanding his attempted resignation.

SECTION 8

(Dissemination of Constitution)

ARTICLE 12

DISTRIBUTION OF COPIES OF CONSTITUTION

- (i). Each member of the Institution shall receive and keep for himself a copy of each of the Constitution and By – Laws.
- (ii). After election to membership, the member shall as soon as possible receive a copy of the constitution and of the By – Laws.

APPENDIX B 1

DEFINITION OF THE FUNCTIONS OF THE SURVEYOR

The definition of the functions of the Surveyor as adopted by the International Federation of Surveyors (FIG) General Assembly in 2004:

(i) **Summary:**

A surveyor is a professional person with the academic qualifications and technical expertise to conduct one, or more, of the following activities:

- to determine, measure and represent land , three- dimensional objects, point fields and trajectories;
- to assemble and interpret land and geographically related information;
- to use that information for the planning and efficient administration of the land, the sea and any structures thereon; and
- to conduct research into the above practices and to develop them.

(ii). **Detailed Functions**

The surveyors professional tasks may involve one or more of the following activities which may accrue either on above or below the surface of the land or the sea and may be carried out in association with other professionals;

- (1) The determination of the size and shape of the earth and the measurement of all data needed to define the size, position, shape and contour of any part of the earth and monitoring any change therein.
- (2) The positioning of objects in space and time as well as the positioning and monitoring of physical features, structures and engineering works on, above or below the surface of earth.
- (3) The development, testing and calibration of sensors, instruments and systems for the above mentioned purposes and for other surveying purposes.

- (4) The acquisition and use of spatial information from close range, aerial and satellite imagery and the automation of these processes.
- (5) The determination of the position of the boundaries of public or private land, including national and international boundaries, and the registration of those lands with the appropriate authorities.
- (6) The design establishment and administration of geographic information systems (GIS) and the collection, storage, analysis, management, display and dissemination of data.
- (7) The analysis, interpretation and integration of spatial objects and phenomena in GIS, including the visualization and communication of such data in maps, models and mobile digital devices.
- (8) The study of the natural and social environment, the measurement of land and marine resources and the use of such data in the planning of development in urban, rural and regional areas.
- (9) The planning, development and redevelopment of property, whether urban or rural and whether land or buildings.
- (10) The assessment of value and the management of property, whether urban or rural and whether land or buildings.
- (11) The planning, measurement and management of construction works, including the estimation of costs.

In the application of the foregoing activities surveyors take into account the relevant legal, economic, environmental and social aspects affecting each project.

.....**THE END**.....