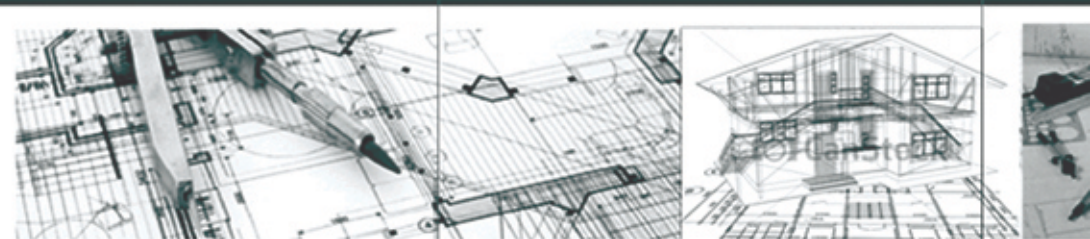


GHANA INSTITUTE OF ARCHITECTS



REGULATIONS AND BYE-LAWS

(DECEMBER, 1994 - 2ND EDITION) (UPDATED THROUGH AUGUST 2016)



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TABLE OF CONTENTS

REGULATIONS:

1.0 GOVERNING BODY	3
2.0 QUALIFICATIONS	3
3.0 GENERAL DISQUALIFICATIONS	4
4.0 REGISTRATION OF ARCHITECTS AND ARCHITECTURAL FIRMS	5
5.0 REGISTRAR	5
6.0 STRIKING OFF AND CANCELLATION OF REGISTRATION	6
7.0 INQUIRIES BY DISCIPLINARY COMMITTEES	6
8.0 SUSPENSION	7
9.0 MEANING OF PROFESSIONAL MISCONDUCT.	7

BYE-LAWS:

10.0 ELECTION OF MEMBERS	10
11.0 ANNUAL SUBSCRIPTIONS	10
12.0 DISCIPLINARY POWERS	11
13.0 RESIGNATIONS	11
14.0 ELECTION OF OFFICERS BEARERS	11
15.0 TRANSITIONAL PROVISIONS	13
16.0 MEETING OF THE COUNCIL	13
17.0 COMMITTEES	14
18.0 ANNUAL CALENDAR	16
19.0 ANNUAL AND ORDINARY GENERAL MEETING	16
20.0 FINANCE	16
21.0 AUDITING OF ACCOUNTS	17
22.0 DIPLOMAS	17
23.0 STAMP	17
24.0 SESSION	17



These Regulations are made by the Council of the Ghana Institute of Architects (GIA or Institute) under powers conferred upon it by the Constitution of the Ghana Institute of Architects.

1.0 GOVERNING BODY:

1.01

The governing body of the GIA shall be the Council per Article 8.00 of the GIA Constitution.

1.02 Officers.

The officers of the Council shall consist of:

- (a) the President of the Institute
- (b) the immediate past President of the Institute
- (c) the President-elect of the Institute (Elected during midterm of the Council)
- (d) the Vice-President of the Institute
- (e) the Honorary Secretary of the Institute
- (f) the Honorary Treasurer of the Institute

2.0 QUALIFICATIONS:

2.01

Subject to the provisions of this paragraph of these Regulations, any person is entitled to apply for membership of the Ghana Institute of Architects on payment of the prescribed fees, if he is;

(a) A person who has passed the qualifying examinations of any Institute the courses of which are prescribed and approved by the Council, OR

(b) A person who has passed the qualifying examinations of any society or any other Institute of Architects or any association of equivalent status recognised and approved by the Council of the Ghana Institute of Architects; and has completed practical training of such description and for such period as may be prescribed by the Council, and has passed the examination in professional practice in Ghana as prescribed by the Council.

2.02

Subject to the provisions of paragraph 2.03 of these Regulations, any firm, corporate entity or partnership is entitled to apply for registration as an Architectural Firm on the payment of the prescribed fees, if:

(b) in the case of Corporate bodies, the majority of directors are members of the Ghana Institute of Architects with 5 years minimum post-qualification experience;

(c) in the case of a group practice, majority of the partners are members of the Ghana Institute of Architects or of the Professional Bodies of the disciplines of building and are, in the opinion of the Council, of equivalent status to a registered Architect;

(d) in the case of an international practice operating in Ghana, such a company should seek registration with the Institute and also establish an association with a local architectural firm (reference 3.03 (c))

3.0 GENERAL DISQUALIFICATION:

3.01

No person shall be registered as an architect

(a) unless he has:

- i. become resident in Ghana for a period of not less than six months;
- ii. attained the age of twenty-one years, and]
- iii. paid the prescribed fees;

(b) if he has been:

- i. adjudged by the court of competent jurisdiction to be of unsound mind
- ii. convicted by a court of competent jurisdiction, whether in Ghana or elsewhere, of any offence involving fraud or dishonesty. Or
- iii. adjudged as insolvent or bankrupt but has not been granted by a court of competent jurisdiction a certificate to the effect that his insolvency or bankruptcy has risen wholly or partly from unavoidable losses or misfortunes.

3.02

Notwithstanding anything in this paragraph a non-resident person or firm being otherwise qualified may make a special application for temporary registration for the purposes of executing a specific project in conjunction with a Ghanaian firm of architects.

3.03

No firm shall be registered as an architectural firm if:

(a) it is not authorised by its objects to carry on the business of architecture;

(b) in the case of a group practice, fewer than two of its partners or directors are members of the Ghana Institute of Architects;

20.02

Any money belonging to the Institute and not invested shall be deposited by the Council on account of the use of the Institute with the Ghana Commercial Bank (GCB) Limited or any other bank as may be decided by Council. The Council shall from time to time give directions as to how such account is to be operated. All instructions to the Bank involving payments of money shall be signed by the Treasurer and either the Hon. Secretary or the President.

21.0

AUDITING OF ACCOUNTS 21.01

The Council shall appoint annually a firm of Chartered Accountants as Auditors. The Auditors shall have access at all reasonable times to the Accounts and Securities of the Institute. They shall examine the securities and the Annual Accounts before the latter are submitted to the Annual General Meeting and shall report thereon to the Institute.

21.02

The outgoing Council shall cause the accounts of the Institute to be audited and the audited accounts presented to the new Council by the immediate Past President at the end of the first quarter following the end of the term of the Council under his/her tenure.

22.0 DIPLOMAS

22.01

The Diploma or Certificate of membership of the Institute shall be granted to every Fellow and Associate and to non-professional members of the Institute who are or shall be entitled thereto. The Diploma/Certificate shall remain the property of the Institute. When the holder ceases to be a member he/she shall forthwith return the Diploma or Certificate to the Institute.

23.0 STAMP

23.01

Every Fellow or Associate shall be entitled to use after his or her name the initials FGIA and AGIA respectively and shall be provided with a stamp associated with his/her class of registration.

24.0 SESSION

24.01

The session of the Institute shall commence annually on the 1st of February and continue until the last day of the following January.

24.02

The tenure of each Council shall be two sessions.



18.0 ANNUAL CALENDAR

18.01

An Annual Calendar of approved GIA events for the forthcoming year shall be prepared by the Hon. Secretary in consultation with the Council and officers of the Institute, and approved by Council by December 1st of each year.

19.0 ANNUAL AND ORDINARY GENERAL MEETING

19.01

The Annual General Meeting shall be held each year in January on or before the 31st day of the month at such a place as may be decided by the Council.

19.02

Ordinary General Meeting shall be held quarterly.

19.03

Seven clear days' notice at the least shall be given of a General Meeting specifying the place, the day and the hour of the general meeting and nature of the business. The accidental omission to give notice of the meeting to or non- receipt of notice of meeting shall not invalidate the proceedings.

19.04

A third of the total membership of the Institute at a General Meeting shall form a quorum.

19.05

The President shall preside as Chairperson at every Annual and Ordinary General meeting of the Institute. In his/her absence the Vice President shall be the Chairperson, or failing which any member of the Council elected by the meeting shall be the chair.

19.06

The Chairperson at any meeting of the Council may with the consent of the members present, adjourn the meeting from time to time or place to place, but no business left unfinished at the meeting from which the adjournment took place, until the unfinished business has been concluded.

19.07

Any voting decisions shall be carried by a simple majority. In the case of equality of votes, the Chairperson shall be entitled to second or casting vote.

20.0 FINANCE

20.01

Funds for the running of the Institute shall be obtained through member's subscriptions, donation, sponsorships, etc.

(c) in the case of an international practice, the Ghanaian architects are not in the majority.

3.04

Notwithstanding anything in sub-paragraph 3.03(b) of this paragraph a group practice of which a member of the Ghana Institute of Architects is a partner or a director, may apply for the right to use the term "Architect" or "Architecture" in combination with the terms applicable to the other disciplines provided that nothing in the use of the terms implies that the practice is primarily an architectural practice.

4.0 REGISTRATION OF ARCHITECTS & ARCHITECTURAL FIRMS

4.01

The Council shall keep a Register of Architects in which the name of every person immediately on being accepted for membership by the Council shall be registered showing against its name such particulars, as the Council may from time to time deem necessary.

4.02

The Council shall keep a Register of architectural firms in which the names of every firm, immediately on being accepted for registration by the Council, shall be registered showing against its name, the names of the partners in the case of a partnership or directors in the case of a corporate body, their professional qualifications and such particulars as the Council may from time to time deem necessary.

5.0 REGISTRAR

5.01

The Council shall appoint from the membership of the Institute a Registrar who shall hold office for a period of two years from the date of his appointment.

5.02

The Registrar shall be responsible for the up-keep of the Registers in the form prescribed by resolution of the Council and he/she shall be responsible for the entries therein, and shall act on such directions as may be given by the Council in relation to entry and removal respectively of any name in or from the Registers.

5.03

The Registrar shall prepare lists of registered Architects and Architectural Firms by the 31st December each year and the Council shall submit the said lists to the Registrar General before the 31st of the following January.



6.0 STRIKING OFF & CANCELLATION OF REGISTRATION

6.01 Subject to the provisions of paragraph 7.0 of these Regulations, the Council may strike off the Register of Architects the name of an architect if satisfied that he/she is unfit to practise due to professional misconduct or has become subject to any disqualification mentioned in subparagraph 3.01 (a), and (b) of paragraph 3.0 of these Regulations.

6.02 The Council may strike off the Register of Architects the name of an architect if the prescribed fees remain unpaid for a period exceeding six months after due demand.

6.03 A person whose name has been struck off the Register of Architects under subparagraph 6.01 of this paragraph may have his name restored if the Council is satisfied that he has become subsequently a fit and proper person to practice the profession of architecture, and on the settlement of such penalties as may be decided by the Council.

6.04 The Council may strike off the Register of Architectural Firms the name of a firm which has become subject to any disqualification mentioned in sub-paragraph 3.03 (a), (b) and (c) of paragraph 3.0 of these Regulations or if the prescribed fees remain unpaid for a period exceeding six months.

6.05 Any firm whose name has been struck off the Register of Architectural Firms under subparagraph 6.04 of this paragraph may have its name restored if Council is satisfied that it subsequently ceases to be subject of penalties, which may be decided by the Council.

7.0 INQUIRIES BY DISCIPLINARY COMMITTEES

7.01 The name of a person or firm shall not be struck off the Register unless a disciplinary committee has after due inquiry, made a report to the Council that the person or firm concerned has been guilty under the provisions of or is otherwise disqualified under the provisions of paragraph 2.01 of these Regulations.

7.02 Where the Council has reasonable cause to believe, whether upon complaint made to it or otherwise, that any person or firm who or which is a registered architect or firm has been guilty of professional misconduct, the Council may appoint an Investigating Committee for the purpose of holding an enquiry into the conduct of the person or firm.

7.03 The Constitution and powers of, and the procedure to be followed by the disciplinary committees appointed under this paragraph shall comply with the requirements of the Regulations of the Professional Bodies Registration Instruments of the Government of Ghana.

(a) AND REGISTRATION REGISTRATION

- i. President (Chairperson)
- ii. Vice President
- iii. Hon. Secretary (Ag. Registrar)
- iv. Ministry of Works, Housing, and Water Resources (Min. of Works) Representative (Chief Architect)
- v. GIA Member

(b) FINANCE & MANAGEMENT COMMITTEE

- i. Treasurer (Chairperson)
- ii. Social Secretary (Secretary)
- iii. Council member
- iv. GIA member
- v. GIA member

(c) EDUCATION AND PRACTICE COMMITTEE

- i. GIA Examiner to Kwame Nkrumah University of Science and Technology (KNUST) or Central University (CU) (Chairperson)
- ii. President
- iii. KNUST Representative (Secretary)
- iv. Head - Dept. of Architecture KNUST/CU
- v. Hon. Secretary

(d) DISCIPLINARY COMMITTEE

- i. President (Chairperson)
- ii. Hon. Secretary (Secretary)
- iii. Min. of Works Representative (Chief Architect)
- iv. GIA member
- v. GIA member

(e) ARBITRATION COMMITTEE

- i. Vice President (Chairperson)
- ii. Min. of Works Representative (Chief Architect)
- iii. Council member
- iv. GIA member
- v. GIA Legal Counsel

(f) LIBRARY COMMITTEE

- i. GIA Publicity Secretary (Hon. Editor)
- ii. GIA Assistant Editor
- iii. Council/ GIA member
- iv. Council/ GIA member
- v. Council/ GIA member



17.0 COMMITTEES

17.01

The Council shall appoint from its own body and other members of the Institute, the following committees: the Registration Committee, Finance and Management Committee, Education and Practice Committee, Disciplinary Committee, Arbitration Committee, Editorial Committee, Library Committee, and any Advisory Committees as they may from time to time deem fit, and in appointing such committees shall have regard to the composition of the Council at the time of such appointments.

The Vice-President of the Council shall be an ex-officio member of any Advisory committee appointed if he is already not a serving member.

17.02

Committees appointed by the Council, shall in the exercise of the powers so delegated, conform to all regulations and terms of reference that may be decided by the Council.

17.03

The Council shall nominate the Chairman of each committee unless the President shall have so acted.

17.04

In the absence of the Chairperson, the meeting may elect any member of the Committee present to take the chair.

17.05

A committee shall carry out its work with all due diligence but subject to this may meet and adjourn as it thinks proper. Failing such diligence the Council shall have power to dissolve the Committee and to appoint a new one or to assume responsibility for the said committee's work.

17.06

Questions arising at any meeting of a Committee shall be determined by a majority of votes of the members present, and in case of a tie the Chairperson shall have a second or casting vote.

17.07

The quorum of all Committees shall be three except in the case of Arbitration and Disciplinary Committees where all five must be present. Notice of a Committee meeting shall be delivered or sent to each member of the Committee seven clear days before the meeting or twenty-four hours before the meeting in case of an emergency meeting, and the non-receipt of notice of a meeting by a member shall not invalidate the proceedings. Each Committee shall have power to co-opt members approved of by the Council.

17.08

The composition of the Committees or Boards shall be as follows:



8.0 SUSPENSION

8.01 The Council may, in lieu of exercising its powers under paragraph 6.0 of these Regulations suspend the person or firm concerned from membership of the Institute for such period as the Council may deem fit.

9.0 MEANING OF "PROFESSIONAL MISCONDUCT"

9.01 Each of the following acts on the part of an architect shall constitute professional misconduct, namely:

(a) allowing any other person to practice in his name as an Architect unless such person is also an Architect and is in partnership with or employed by him,

(b) entering into corporate entity or partnership with any person other than an Architect or person practising any of the disciplines as set out in section 2.01 of Article II of the Constitution, or securing work by means which are not open to all registered Architects;

(c) entering into corporate entity or partnership with any company purporting to be an architectural firm.

9.02 Each of the following acts or omissions on the part of an Architect shall constitute professional misconduct, namely:

(a) holding or assuming or consciously accepting a positions in which the interest of the architect is in conflict with his professional duty;

(b) accepting any remuneration other than professional fees, contract sums or salary payable by his employer, from any source in connection with the works and duties entrusted to him when acting in his professional capacity as Architectural consultant;

(c) failing to uphold and apply the scale of Professional charges of the Institute;

(d) accepting any gift or commission from contractors or tradesmen when employed in the role consultant, supervisor or manager or works;

(e) being involved in actions and situations inconsistent with his professional obligations or likely to raise doubts about his integrity;

(f) advertising or offering his professional services to any person or body corporate by means of circulars or making paid announcements in the media except when;

i. applying to prospective employers for a salaried appointment;

ii. advertising a professional appointment open or wanted, directed only to members of the professional concerned;



iii. responding to an advertisement addressed to members of the profession inviting them to submit their names for inclusion in a panel or list of architects, provided his response does not contravene any clause in the code of Professional Conduct for the time being in force;

iv. notifying the architectural professional Press once of change of address, and

v. notifying his correspondents by post, once, of any change of address;

(g) giving monetary considerations for illustrations and description of his work to be published in the press or allowing such publications to be used by the publishers for extorting advertisement from contributors, or for attempting to distribute the publications to potential clients;

(h) exhibiting his name or signature on his buildings, outside his office or buildings in the course of construction, alteration or extension in an ostentatious manner or in lettering exceeding 75mm (i.e. 3 inches) in height;

(i) attempting to supplant another architect or competing with another architect by means of a reduction of fees or other inducements;

(j) failing to notify the Ghana Institute of Architects and another architect of the facts when approached or statutory body, and by reason of his office he is in a position to grant or influence the granting of any form of statutory approval, he undertakes private work, notwithstanding any permission from his employers to do so, unless he is satisfied that his position and action in the matter will be free from any suspicious or suggestion of abuse;

(k) when employed as a salaried and official architect by a central or local government department or statutory body, and by reason of his office he is in a position to grant or influence the granting of any form of statutory approval, he undertakes private work, notwithstanding any permission from his employers to do so, unless he is satisfied that his position and action in the matter will be free from any suspicious or suggestion of abuse;

(l) failing to act in an impartial manner in all cases of dispute between owner and contractor;

(m) permitting the insertion in tenders, bills of quantities or other contract documents which provide for payment to be made to him by the contractor whatever may be the consideration, unless with the full knowledge and approval of the employer;

(n) taking part in an architectural competition which the Council shall have declared by a resolution that members must not take part, because conditions are not in accordance with Institute's Regulations for Architectural competitors, or being associated in any way with carrying out of a design selected as a result of a competition as to which the Council has declared by resolution that members must not take part;

(o) failing to notify at once the Honorary Secretary of the Institute upon being asked to take part in a limited competition, and failing to submit the particulars of the competition

14.09

Any member of the Council may resign his office by notice in writing delivered to the Council.

14.10

The Council may presume the resignation of any member who of Council who failed to attend four consecutive meetings of the Council, the member concerned to be notified within fourteen (14) days after the meeting of the Council at which it has been decided to presume such resignation.

15.0 TRANSITIONAL PROVISIONS

15.01

A minimum two regular joint meetings of the outgoing and incoming Councils shall be held two months and one month consecutively before assumption of office of the new Council, to adequately prepare the new Council for a seamless handing-over.

15.02

Handing-over notes shall be prepared and completed by the out-going officers and Committee Chairpersons not later than two months prior to the taking of office of the new Council (not later than 1st November). Copies of these handing-over notes shall be passed on to members of the new Council at the regular meeting immediately following the completion of these reports.

15.03

It is the responsibility of the outgoing President of the Institute to ensure compliance with this provision.

16.0 MEETING OF THE COUNCIL

16.01 The Council shall meet at such time and places as it may agree. Five members shall form a quorum. Seven clear days' notice of a meeting of the Council, or not less than twenty four hours' notice in case of emergency shall be delivered or sent to each member of the Council. Such notice shall state the place, the day and hour of meeting and in case of special business the general nature of the business. Accidental omission to send or non-receipt of notice by any Member shall not invalidate the proceedings of any Meeting.

16.02 The President or two members of the Council may require the Honorary Secretary at any time to summon a meeting of the Council.

16.03 The President of the Council shall be the Chairperson of the meeting. In the absence of the President the Vice-President shall be the Chairperson, or failing him any member of the Council may be elected by the meeting.

16.04 Questions arising at any meeting of the Council shall be determined by a majority of votes. The Chairperson may give a second or casting vote as may be necessary in case of a tie..



terms shall be again eligible for the Presidency until the expiration of two years from the end of his tenure of office.

14.04

Members nominated for the office of Vice President shall be officers or Members of the Institute who are or have been Members of the Council. No Vice President who has filled the office for two consecutive terms shall thereafter be eligible for reelection until the expiration of two years from the end of his tenure of this office.

14.05

The method of election shall be determined by the Council subject to the following conditions:

(a) Not less than twenty-eight clear days' notice shall be given any meeting convened for the purpose;

(b) the notice of the election shall include a record of the attendances of the outgoing officers and members of the Council.

(c) the notice convening the meeting shall state that the election of officers and members of the Council will take place at the meeting. Any members desiring to nominate candidates for election as officers or as members of the Council, must forward the names of those he/she desires to nominate them. Nominations indicating the candidates' willingness to serve, if elected, should be received by the Honorary Secretary not less than three days before the date of the meeting, duly proposed and seconded by two members of the Institute;

(d) the Institute will determine at the meeting the form of voting to be adopted. There shall be two Scrutineers who will be responsible for carrying out the election in a proper and orderly manner;

(e) if nominations received by the Honorary secretary prior to meeting are insufficient to meet the number of vacancies then further names may be called for from those present at the Annual General Meeting;

(f) if there be an equality of votes the Annual General Meeting may give such casting vote or votes as may be necessary to remove the equality and complete the election.

14.06

There shall be an Annual General Meeting to be held in January of every year. Election of officers and members of the Council shall be held at every other Annual General Meeting. The term of each Council shall be two years.

14.07

The Council shall have power to fill vacancies on the Council or in any of the officers, which become vacant between elections.

14.08

The Council shall have power at any time and from time to time co-opt persons not exceeding three to act as additional members of the Council until the next Annual

(p) acting as an Architect or joint Architect for work which has been the subject of a competition in which he/she is or has been an assessor, or acted as consulting architect unless appointed before the inception of the competition, or having been approached by the promoters to advise on the holding of a competition, with the view to his/her acting as an assessor, acting as Architect for the work if it is eventually decided not to hold a competition, but to appoint an Architect to carry out the work.

9.03

Notwithstanding anything to the contrary contained in the sub-paragraph 9.01 of this paragraph an Architect shall not be guilty of professional misconduct by reason only of any of the following acts, namely:

(a) entering into or being in partnership with any person outside Ghana who is a member of a society or institute of architects which is in the opinion of the Council of equivalent status to the Ghana Institute of Architects;

(b) securing professional business by reason of such partnership;

(c) allowing such partnership to be carried on in his name;

(d) paying or allowing or agreeing to pay or allowing any such partner any share of fees or profits, and

(e) being a director or partner of a company, firm or group of persons engaged in building contracting, project management, manufacturing of building material, production of furniture, real estate development, landscape development works, specialised installation works, or manufacturer's representation.





BYE-LAWS

10.0 ELECTION OF MEMBERS

10.01

Every candidate for admission to the Institute other than an Honorary Fellow or Honorary Associate member shall make and subscribe to a statement: first, that he/she is eligible under the Constitution, Code of Conduct, Regulations and Bye-Laws; secondly, that he is willing, if elected, to be bound by the Constitution, Code of Conduct, Regulations and Bye-Laws of the Institute for the time being in force. He/she shall be proposed:

(a) by the Council, or

(b) in writing on a form provided by the Institute by three members of whom one must be a Fellow and the others Fellows or Associates.

10.02 An elected candidate shall be admitted on the payment of his first annual subscription and an enrolment or entrance fee to which shall be added a development levy. Members shall pay a development levy up, election at rates determined.

10.03 Enrolment fees and subscription for the categories of membership shall be determined by the council from time to time.

10.04 Enrolment fees shall be paid in respect of one class only.

10.05 Architectural firms shall pay a registration fee and an annual subscription to be registered, as architectural firms. All architectural firms shall pay a development levy (the amount of which shall be determined by Council from time to time) upon registration. Architectural firms shall be subjected to the Constitution, Code of Conduct, Regulations and Bye-Laws of the Institute.

10.06 Cheques etc. for fees and subscriptions shall be made payable to the Ghana institute of architects and with a letter addressed to the Honorary Treasurer.

10.07 All architects and firms shall be in good standing after having paid all dues, levies and development fees.

11.0 ANNUAL SUBSCRIPTIONS

11.01 All annual subscriptions shall become due and payable in advance on the first day of January in every year.

11.02 If the date of the election falls in the second half of the year only half of the subscription will be payable.



11.03

If any member fails to pay his annual subscription within six months after it has become due and demanded, he may be suspended or expelled by resolution of the council and may be reinstated by resolution of the council upon the payment of a penalty. To be prescribed by the council for fellows and associates and firms, and all outstanding monies due.

12.0 DISCIPLINARY POWERS

12.01

Any practicing member or firm who or which in the opinion of the Council has been guilty of unprofessional conduct shall be liable to reprimand, suspension or expulsion as may be determined by Council, and any person or firm convicted of any criminal offence will, ipso facto, cease to be a member of the institution.

12.02

A person or firm who or which has been suspended or expelled may be reinstated by a resolution of the Council if the Council is satisfied that such a person or firm has been subsequently a fit and a proper person or firm to practice the profession of architecture on the settlement of such penalties which may be decided by the Council.

13.0 RESIGNATION

13.01 Any member, provided he/she is under no financial liability to the Institute shall be entitled to resign his/her membership on giving notice in writing of his/her intention so as to do, and on his returning his Diploma or Certificate to the Council for cancellation. The Council shall have the power to return the cancelled Diploma or Certificate to any member.

14.0 ELECTION OF OFFICE BEARERS

14.01

The President shall be elected as provided in this Bye-Laws not more than two years, but not less than 12 months prior to the day of taking office and shall serve as President nominee upon election. The nominee shall take the title of President-elect on 1 January in the year prior to taking office on 1 January and shall serve a period of two (2) years until a successor has been duly elected and qualified.

14.02

The Vice-President shall be elected as provided in this Bye-Laws not more than one year, but not less than two months, prior to the day of taking office and shall serve as Vice-President for a period of two (2) years or until a successor has been duly elected and qualified.

14.03

Members nominated for the office of President shall be the existing President, a Vice President, past President or member of the Institute who is or has been a Member of the Council. No President who has filled the office for two consecutive

