

THE NAMIBIA INSTITUTE OF TOWN AND REGIONAL PLANNERS

Established: 24th July 1986

RULES

Approved at the Annual General Meeting of 1994-10-06
Subsequently amended as follows:

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- In all instances “Council” replaced by “Board”
 - Reference to “Corporate Member” replaced by “Town and Regional Planner”
 - Reference to “Graduate Member” replaced by “Town and Regional Planner in Training”
 - Section 14 brought in line with the Town and Regional Planners Act as follows:
 - 14.2.3 “Suspend from practice partially or totally” amended to “Suspend membership partially or totally”
 - 14.2.4 “Require reimbursement or payment” – deleted
 - 14.2.5 “fine” – deleted.
 - Section 2 brought in line with the Constitution as follows:
 - 2.1 As prescribed in Section 3 of the Constitution there shall be three (3) classes of Members of the Institute. In addition, in terms of Section 9 there will be Honourary Members and Retired Members as set out hereunder. Amended as follows: *“As prescribed in Section 3 of the Constitution there shall be seven (7) classes of Members of the Institute.”*
 - 2.2 to 2.2.3 - deleted
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SECTION A

Section A of the contents has been extracted from Section 9 of the Constitution: Rules of the Institute.

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3. Method of election of Members.
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SECTION B

Section B of the contents has been extracted from Section 2 of the Constitution: Objectives of the Institute.

13. Upholding, promoting and protection of the character and interests of the profession and promotion of good behaviour.
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15. Supervision of the conduct of Members of the Institute and maintenance of discipline.

1. REGISTRATION FEES, APPLICATION FEES, ANNUAL MEMBERSHIP FEES AND ANY OTHER FEES PAYABLE BY MEMBERS TO THE INSTITUTE.

- 1.1 The annual membership fees shall be determined by the Annual General Meeting.
- 1.2 Upon election into the Institute or re-instatement, every applicant for Membership shall pay a registration fee.
- 1.3 No fee shall be payable for election from **Town and Regional Planner in Training** to **Town and Regional Planner** other than the difference in membership fee.
- 1.4 Pro rata payments for portions of a year, and any other fees shall be determined by the Treasurer in consultation with the Board.
- 1.5 Membership fees are not payable in respect of Honourary Members.
- 1.6 Reduced membership fees shall be prescribed for Retired Members.
- 1.7 Any person whose membership fee is outstanding for more than two months shall receive notice thereof.
- 1.8 Whenever a Member's membership fee is at least four (4) months in arrears, payment shall be requested per registered letter, and if arrears are not paid within forty-two (42) days of forwarding such letter, membership may be suspended by the Board.
- 1.9 If such person can give a satisfactory explanation of non-payment, the Board shall have power to reinstate him after payment of all outstanding amounts: provided that the Board may, if it thinks fit, waive any arrears due by such person: further provided that the registration fees as set out above shall be payable.
- 1.10 Notwithstanding any suspension, any act of unprofessional conduct alleged to have been perpetrated by a Member prior to such suspension, shall remain subject to inquiry and any fine or obligation imposed by the Board.
- 1.11 The Board may in its discretion waive subscription and/or arrears due by any Member, and in doing so the Board may decide what rights and privileges, if any, such person shall have.

2. MEMBERSHIP AND EXPERIENCE QUALIFICATIONS FOR ALL CLASSES OF MEMBER

- 2.1 As prescribed in Section 3 of the Constitution there shall be seven (7) classes of Members of the Institute.

(Sections 2.2 to 2.2.3 deleted)
- 2.2.4 No Honourary Member or Honourary Life Member or Retired Member shall have voting rights without becoming a Member as set out in Section 3 of the Constitution.
- 2.3 Application and requirements for Membership
 - 2.3.1 Every person applying for admission to the Institute shall complete the prescribed application form and forward it, together with certified photo copies of certificates of all qualifications claimed, to the Secretary for submission to the Board which shall satisfy itself as to the fitness and qualifications of the applicant.

2.3.2 The application form attached herewith and the membership requirements set out therein shall be considered a part of these Rules.

3. METHOD OF ELECTION OF MEMBERS.

3.1 A Member shall be elected by the Board and every applicant shall be notified of the decision on his application.

3.2 Honourary Members or Honourary Life Members shall be nominated by the Board and elected by a General Meeting.

3.3 The Board shall not be under any obligation to divulge any reasons for its decision, and no further correspondence need be entered into with the applicant.

3.4 The Secretary shall inform every applicant of his election and shall send him a copy of the Constitution and Rules.

3.5 No election shall be of any force or effect until the relevant fees have been paid and no elected person shall be entitled to any right or privilege until he has paid the relevant fees.

4. NOMINATION, DUTIES, RESPONSIBILITIES AND RIGHTS OF HONOURARY MEMBERS.

4.1 Honourary and Retired Members shall have the right to attend and speak at all General Meetings of the Institute.

4.2 Honourary and Retired Members shall have such additional duties, responsibilities and rights as are accorded in terms of the resolution taken granting such membership.

4.3 Honourary Life Members shall have all the duties, responsibilities and rights of **Town and Regional Planners** other than that they are not liable for membership fees.

5. EXPULSION AND CANCELLATION OF MEMBERSHIP

- 5.1 A Member may submit his resignation from the Institute or from any office within the Institute in writing to the Secretary which shall be accepted by the Board.
- 5.2 The resignation of a member shall not preclude the Board from taking any action in terms of these Rules for any act of unprofessional conduct alleged to have been perpetrated prior to such resignation.
- 5.3 A Member found guilty of severe misconduct by a duly authorised disciplinary committee may be expelled by the Board.
- 5.4 Within 21 days of resignation from the Institute or expulsion the member shall return the Certificate of Membership to the Board.

6. INITIALS WHICH MAY BE WRITTEN AFTER A MEMBER'S NAME.

- 6.1 Only a Town and Regional Planner shall have the right to style himself "Member of the Namibian Institute of Town and Regional Planners" and to use the professional affix "MNITRP".
- 6.2 Any Member who has been elected as President of the Namibian Institute of Town and Regional Planners and has served in such office shall be entitled to style himself "Past President of the Namibian Institute of Town and Regional Planners" and to use the professional affix "PPNITRP".

7. APPLICATION OF FUNDS.

- 7.1 The income and property of the Institute, however derived, shall be applied solely towards the promotion and execution of the objectives of the Institute as set forth in the Constitution, and no portion thereof shall be paid or transferred directly or indirectly by way of dividend or bonus, or otherwise howsoever by way of profit to any Member: Provided that nothing herein contained shall preclude the remuneration of officers or servants of the Institute or any Members of the Institute, or other person, in return for services actually rendered to the Institute.

8. RULES OF ORDER AT MEETINGS

- 8.1 At all meetings the President, or in the President's absence, the Vice-President shall be Chairman; in the absence of both, a Chairman shall be elected from among the members present.
- 8.2 The Chairman presiding at any meeting shall decide all matters of procedure arising thereat not specifically provided for in the Constitution or Rules, and his decision if "bona fide" shall be final.
- 8.3 Except in cases of emergency, at least seven (7) clear days notice of a meeting of the Board shall be given.
- 8.4 A special meeting of the Board may be called at any time by order of the President or, in the absence of the President, by the Vice-President, and shall be so called at the written request of at least three members of the Board.

- 8.5 Minutes of all resolutions and proceedings of meetings of the Board and Committees shall be properly recorded; Board Minutes shall be confirmed at a succeeding Board Meeting.
- 8.6 Decisions of all committees and subcommittees on matters of substance shall be referred to the Board for ratification at the earliest possible opportunity.
- 8.7 The Board may confirm, vary or set aside any decision of, or on behalf of a Committee or a Special Committee of the Institute.
- 8.8 Matters not on an agenda.
- 8.8.1 Any Member wishing a resolution to be taken on any matter not appearing on the agenda of a General Meeting shall be required to give notice of such motion.
- 8.8.2 The introducer of such motion may, if that person so desires and at that person's own expense, circulate to all voting Members explanatory memoranda on the motion for which that person has given notice.
- 8.8.3 The Chairman at a meeting in which a matter not on the agenda is raised, may, if the matter does not affect either the Constitution or the Rules, and if a majority are in favour of its discussion, rule that it may be discussed and referred to the Board as a recommendation for consideration.
- 8.9 The Chairman shall announce the result of any ballot to the meeting and in the event of a tie at a General Meeting the Chairman shall decide by the drawing of lots.
- 8.10 The Chairman shall exercise a casting vote at all meetings other than General Meetings.
- 8.11 Upon the declaration of the result of the ballot, the scrutineers shall destroy all the ballot papers.

9. OFFICIAL ADDRESS

- 9.1 The official address of the Institute shall be Post Box 20579, Windhoek.
- 9.2 Correspondence delivered into the hand of the Secretary or fees delivered into the hand of the Treasurer shall be considered to have been delivered to the official address of the Institute.
- 9.3 The Office of the Board shall be at the office of the Secretary or at such other place as the Board may from time to time decide.

10. REGISTER OF MEMBERS AND REGISTRATION CERTIFICATE.

- 10.1 A certificate of membership shall be supplied to Members elected to Town and Regional Planner Membership and Honourary Life Membership.
- 10.2 A Retired Member may retain the certificate issued to that Member indicating Town and Regional Planner Membership or Corporate Membership.
- 10.3 Should a Member resign or be suspended that person shall return the Membership Certificate to the Board within 21 days.
- 10.4 Other classes of Member may be supplied with a standard notice of membership.

11. TRAVEL, BOARD AND LODGING ALLOWANCES.

11.1 The Board shall determine appropriate allowances when the circumstances warrant and shall submit said determination to the next Annual General Meeting for notification.

12. THE FINANCIAL YEAR.

12.1 The 30th day of June shall be the end of the Financial Year.

13. UPHOLDING, PROMOTING AND PROTECTION OF THE CHARACTER AND INTERESTS OF THE PROFESSION AND PROMOTION OF GOOD BEHAVIOUR.

13.1 Every Member of the Institute shall have the right to apply to the Board for assistance in respect of any matter effecting in principle the rights, practice or status of Members generally.

13.2 Code of Practise.

13.2.1 Members shall adhere to the Institute's Code of practise which shall be considered an intrinsic part of these Rules.

13.2.2 The Code of Practise and every amendment thereto shall be submitted to a General Meeting for approval and shall thereafter be of force and effect.

13.3 No professional competition may be entered into by a Member, unless and until the Board has first approved of the conditions of any competition or competitions in general.

13.4 No professional competition may be carried out by a Member, unless or until the Board has determined what form of advertisement is proper, and has given notice thereof, and the proposed advertisement is in keeping with the Board's determination.

13.5 Every Member of the Institution practising privately shall observe professional fees according to the scale as recommended by the Board and approved by the Namibia Council for Town and Regional Planners.

14. INHIBITION OF MALPRACTICE AND RESOLUTION OF ALL ISSUES OF PROFESSIONAL PRACTICE ESPECIALLY BETWEEN MEMBERS OF THE PROFESSION.

14.1 The Board shall receive any complaints, grievances, criticisms or accusations and shall attempt to resolve same in the best interests of the Institute.

14.2 The Board may

14.2.1 caution,

14.2.2 impose conditions on professional behaviour,

14.2.3 suspend membership partially or totally,

14.2.4 request the Member to resign within a specified period, or

14.2.5 expel or cancel the membership of Members of the Institute, for contravention of the code of practise, or any of the Rules or Sections of the Constitution, or for bringing the Institute into disrepute.

- 14.3 The Board shall act as a disciplinary committee for minor matters.
- 14.4 The Board shall convene a Disciplinary Committee made up of four Town and Regional Planners, two of whom shall be Board Members, and one non-member who shall be a qualified attorney for serious disciplinary matters and matters for which an appeal; has been made against a disciplinary decision of the Board.
- 14.5 The two non-Board Institute Members of a Disciplinary Committee shall be elected at a General Meeting.
- 14.6 Should there be an appeal against any disciplinary decision of the Board which has financial implications for the Member concerned, the decision must be placed before the Disciplinary Committee for reconsideration or amendment.
- 14.7 A decision of the Disciplinary Committee shall be first ratified by the Board and thereafter become binding, provided that a Member may appeal to a General Meeting against any decision to expel that Member; the decision of the General Meeting shall then be final and binding.

15. SUPERVISION OF THE CONDUCT OF MEMBERS OF THE INSTITUTE AND MAINTENANCE OF DISCIPLINE.

- 15.1 The powers and obligations of the Board as referred to in Section 15 may be delegated to the Disciplinary Committee.
- 15.2 The Board may of its own accord, or with reference to a complaint, investigate the conduct of a Member.

A disciplinary complaint against any Member shall be in writing and signed by the persons laying the complaint.

The Board may require the complainant to file further particulars of any of the matters complained of and may require the complaint or any part thereof to be verified by affidavit.

The Board may call upon the Member whose conduct is complained of or is being considered, to file an explanation in answer to the complaint and may required such explanation to be verified by affidavit; and shall specify the period, being not less than fourteen (14) days, allowed for receipt of such explanation.

If it is deemed necessary to inquire into a charge of unprofessional conduct, the Board shall give notice to the Member concerned as to which part of these Rules it is alleged to have been contravened, together with a statement of the alleged contravention and shall further give notice as to the day on which the inquiry shall be held.

The Board may appoint additional persons, who are not Members of the Institute, to give advice.

The Board may call upon any Member laying a complaint or against whom a complaint has been lodged, or whose conduct may appear to the committee to require investigation, and may request that person to produce any document, contract, paper, drawing, or other writing in that person's possessions or under that person's control in any way relating to or concerning the complaint or matter under investigation and may hear any relevant evidence and address incidental thereto, and

inspect any relevant document which the complainant or the Member concerned may desire to produce.

The Member may be represented at such inquiry.

Should the member not appear, nor file an explanation, the inquiry may be proceeded with forthwith.

The Board having inquired into the conduct of any Member may take no further action, or take such further action and impose such penalty as set out in Section 14 of the Rules as it deems appropriate.

The Member against whom the complaint has been laid shall be informed of the Board's decision in writing.

An appeal as allowed for in Section 14 of the Rules shall be lodged with the Board within thirty (30) days of the notification of the decision of the Board.

The Board shall, after setting down the date and time for hearing of the appeal, give the appellant at least fourteen (14) days notice thereof.

In the event of the absence (except on production of a medical certificate) of the appellant at the time duly set down for hearing of the appeal, the hearing shall be proceeded with; the appellant may be represented at such appeal.

The parties to the appeal shall timeously be furnished with a copy of the judgement on the matter.