

THE  
CONSTITUTION  
OF



## **EDITIONS**

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The logo of the Nigerian Institution of Estate Surveyors and Valuers (NIESV) is a circular emblem. At the top, a figure stands on a globe. Below this, the acronym 'NIESV' is written in large, bold, serif capital letters. Underneath the acronym is a stylized illustration of a building with a gabled roof and a chimney. At the bottom of the emblem, a banner contains the motto 'HONESTY AND DEVOTION' in capital letters. The entire logo is rendered in a light purple color.

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**PART ONE**  
**THE CONSTITUTION**

## **ARTICLE ONE**

### **1.0 NAME**

The Institution shall be called Nigerian Institution of Estate Surveyors and Valuers, hereinafter referred to as the “Institution”.

## **ARTICLE TWO**

### **2.0 NATIONAL SECRETARIAT**

The National Secretariat of the Institution shall be situated at the Federal Capital of Nigeria provided the Institution may maintain liaison offices as the Council may decide from time to time.

## **ARTICLE THREE**

### **3.0 SUPREMACY OF THE CONSTITUTION**

This Constitution is supreme, and its provisions shall have binding force on all members and authorities of the Institution. The supreme Authority of the Institution shall be exercised by the General Meeting.

## **ARTICLE FOUR**

### **4.0 CITATION OF THE CONSTITUTION**

This Constitution shall be cited as Constitution of Nigerian Institution of Estate Surveyors and Valuers 2023.

## **ARTICLE FIVE**

### **5.0 AIMS AND OBJECTIVES**

5.1 To be committed to positive change embracing innovation, enterprise and developing new ideas and technologies in Estate Surveying and Valuation through strong alliances and collaboration that will promote economic empowerment and high integrity.

- 5.2 To establish high and reputable standards of professional conduct and practices in the Estate Surveying and Valuation Profession throughout the Federal Republic of Nigeria in accordance with standards set out by the ESVARBON Act, International Valuation Standards, and other relevant standards as approved by the Council and international best practices.
- 5.3 To secure and improve the technical knowledge that constitutes Land Economy, Real Estate and Allied Matters, Valuation and Appraisal of Plant, Equipment, Business Assets, Intellectual Properties, Environmental Impact Analysis, Compensation for Rights of Ways, Building and Land, Facilities and Infrastructure Management, Property Management, Mining Valuation, Agricultural Land and Crops, Estate Agency and Marketing, Auctioneering, Building Maintenance, Property Development and Investment, Housing Finance and Development, Town and Country Planning, as well as Land Administration and Geographical Information Service, Real Estate Consultancy and other areas of our competence.
- 5.4 To promote the general interest of the profession and to maintain and extend its usefulness for the public good by advising, educating and informing members of the public, Government (Federal, State and Local) statutory bodies, associations, institutions and such like-bodies on all matters coming within the scope of the profession.
- 5.5 To promote the advancement of knowledge in Estate Surveying, Valuation and Real Estate Management through publications and continuing professional development programs.
- 5.6 To initiate and consider any legislation relevant to the objects of the Institution.
- 5.7 To acquaint the public and government at all levels with the role of the Estate Surveyor and Valuer in the economic development of the country.

5.8 To engage in any other lawful activities which may be conducive to the promotion of any or all the objectives of the Institution mentioned above for profit or non-profit purposes.

5.9 To collaborate with other professional bodies and other relevant bodies as recommended by the Council to promote the practice of Estate Surveying and Valuation in Nigeria.

#### **ARTICLE SIX**

#### **6.0 POWERS OF THE INSTITUTION**

6.1 The Institution shall make such byelaws, standing orders or other rules as may be deemed necessary for the management of the Institution in consonance with the provisions set out in this Constitution.

6.2 The Governor of each State of the Federal Republic of Nigeria and the Minister of the Federal Capital Territory shall be a Patron of the Institution.

#### **ARTICLE SEVEN**

#### **7.0 GRAND PATRON AND PATRONS**

7.1 The President of the Federal Republic of Nigeria shall be the Grand Patron of the Institution.

7.2 The Governor of each State of the Federal Republic of Nigeria and, in the case of the Federal Capital Territory (FCT), the Honourable Minister of the Federal Capital Territory shall be a Patron of the Institution.

## ARTICLE EIGHT

### **8.0 TRUSTEES**

8.1 The Institution shall have elected Trustees.

8.1.1 The Institution shall elect Trustees for the Institution at its Annual General Meeting as and when due and such Trustees shall not be less than three and not more than five.

8.1.2 To qualify for election as a Trustee, a candidate shall be a Fellow for not less than twelve years and must have established an excellent record of service with integrity.

8.1.3 The election of the Trustees shall be subject to this Constitution and in accordance with the provisions of the Company and Allied Matters Act, Part C of The Laws of the Federation of Nigeria (2020) as amended or any subsequent legislation.

8.1.4 The official address for the purpose of their functions or duties as Trustees shall be the Institution's National Secretariat.

### **8.2 Tenure and Vacancy**

8.2.1 A Trustee shall hold office from the date of his election as Trustee for five years, unless he ceases to hold office for reasons stated in Article 8.2.2 and can be re-elected for another term of five (5) years only.

8.2.2 A Trustee shall cease to hold office if he:

- a. Resigns his office as a Trustee.
- b. Becomes incapable of discharging his duties or dies.
- c. Ceases to reside in Nigeria.
- d. Is found guilty of professional misconduct by the AGM/EGM on the recommendation of Council.
- e. Is recommended for removal from office at a General Meeting by a resolution passed by a simple majority of Professional Financial Members present and voting.
- f. Ceases to be a member of the Institution.



8.2.3 In the event of a vacancy in the number of the Trustees before the expiration of their term due to the reasons set out in Article 8.2.2 of this Constitution, the Council shall appoint a successor subject to the approval of the General Meeting and the Trustee so appointed shall hold office for the remainder term and can be re-elected for another term of five (5) years only.

### 8.3 **Powers and Functions**

8.3.1 For the purposes of the Institution, the Trustees shall have powers at any time to borrow or raise from members and any other persons such sum of money, at such rate of interest, in any form or manner, and/or any amount as they may think fit subject to prior approval of the Council and directed in writing by a Resolution of the General Meeting.

8.3.2 The Trustees shall have powers to secure the payment of such money or any money, which the Institution may be liable to pay by mortgage, charge, debenture, stock or otherwise forming a charge upon the whole or any part of the assets of the Institution.

8.3.3 All Contracts and Agreements, subject to the approval of the National Council, to be binding on the Institution, shall be executed by at least two of the Trustees and President of the Institution or as the case may be by one of the National Officers in the absence of the President.

8.3.4 The Trustees shall have powers to perform and/or carry out such other duties that are assigned to them by the Institution.

8.3.5 All properties of the Institution, freehold or leasehold or other interests in land acquired for the use and benefit of the Institution, shall be vested in the Trustees.

8.3.6 The Trustee shall deal with the property of the Institution as directed in writing by a Resolution of the General Meeting.

## **ARTICLE NINE**

### **9.0 ESTABLISHMENT OF THE COLLEGE OF ESTATE MANAGEMENT AND VALUATION**

9.1 The College of Estate Management and Valuation is hereby established pursuant to Section 9(1) of the Estate Surveyors and Valuers Registration Act.

9.2 The College shall admit candidates for 1 year training which shall entitle successful candidates to become professional members of the Institution.

9.3 The Governing Council of the College shall be approved by the Institution and The Board.

9.4 The operational manual of the College shall be reviewed from time to time by the Council.

9.5 The membership of the Governing Council shall be made up of members of the Education Committee of the Council and two (2) representatives of the Board. The tenure of office shall be two (2) years renewable for a final two years.

9.6 The Governing Council shall present an annual report of its activities at the AGM and/or EGM.

## **ARTICLE TEN**

### **10 MEMBERSHIPS:**

#### **10.1 Eligibility**

10.1.2 Membership of the Institution shall be open to Nigerians who have graduated from the College of Estate Management and Valuation in Nigeria.

10.1.3 A non-Nigerian may be admitted to membership of the Institution subject to Article 10.1.1 and provided that there is in his country a

reciprocal recognition arrangement between the Institution and the Professional body to which such non-Nigerian belongs.

10.1.4 Admission to membership of the Institution of a non-Nigerian trained in an approved institution shall be at the discretion of the Council.

## **10.2 Membership Grades**

10.2.1 There shall be five grades of membership of the Institution namely:

- a. Fellow
- b. Associate
- c. Student
- d. Honorary Fellow and
- e. Corporate Member as defined in this Constitution.

10.2.2 Probational and Graduate Grades

Members who are currently on Probational or Graduate grades shall be allowed to upgrade to the Associate grade within a period of three (3) years from the commencement of this Constitution; thereafter these grades of membership shall be abolished provided that the Council shall have the power to grant extension of time in deserving cases.

## **10.3 Fellow**

A person shall be eligible for transfer to the grade of Fellowship where he satisfies the Council that, at the time of his application, he possesses the following qualifications namely:

- a. Has made positive contributions towards the growth and development of the profession.
- b. Is of good character and has not been found guilty of a criminal offence and/or professional misconduct.
- c. Has been an Associate for not less than Ten (10) years, Five of the Ten years should have been in a senior management position.

- d. Is a person of exceptional standing and experience in the profession and is of established reputation.
- e. Has passed the examination and/or interview, as the case may be as approved by the Council.
- f. Has fulfilled other conditions as would be prescribed by the Privileges Committee from time to time.

#### **10.4 Associate**

10.4.1 A person shall be entitled to registration as an Associate of the Institution after satisfying Article 9.1.1 of this Constitution and the Council approves his registration into the professional grade of the Institution.

10.4.2 Notwithstanding any provision of this Constitution and any regulations to the contrary, a person may be entitled to membership of the Institution by being admitted to the Associate grade if, in the opinion of the Council, he has relevant academic qualifications in Estate Management or Estate Management and Valuation, cognate professional experience in public service and/or private practice relative to the practice of Estate Surveying and Valuation; and he is not less than 50 years of age, at least 25 of which have been spent practicing the profession.

#### **10.5 Student**

10.5.1 A Student shall be a person registered as such with the Institution who has attained sixteen years of age and is either: -

- a. undergoing suitable practical training as a pupil or an assistant in an office or establishment approved by the Council; or
- b. studying with a view to entering the profession at such place of professional instruction as the Council may approve.

10.5.2 A Student may continue as such until he has passed the prescribed examination approved by the Council or until the end of the training period for which he has been enrolled into that grade of membership, whichever happens first.

10.5.3 The Council shall have powers to vary the period of studentship either generally or in the case of a particular person.

10.5.4 A Student must be of good character and must not have been found guilty of a criminal offence and/or grave misconduct.

## **10.6 Honorary Fellow**

10.6.1 A Honorary Fellow of the Institution shall be a person who by reason either of his position, experience, or eminence in any field of learning may be enabled to render assistance in promoting the objects of the Institution.

10.6.2. An Honorary Fellow shall not:

- a. be engaged in practice as an Estate Surveyor and Valuer;
- b. be entitled to be present at and take part in a meeting of the Institution;
- c. have any voting right;
- d. be called upon to contribute to the funds of the Institution, notwithstanding that donations may be received from him.

10.6.3. An Honorary Fellow shall have access to the library of the Institution.

## **10.7 Corporate Member**

10.7.1 Shall be a body corporate duly registered in the Federal Republic of Nigeria, whose principal business is in the real estate sector and whose membership shall render assistance in promoting the objects of the Institution.

- 10.7.2 Shall not:
- a. be engaged in the practice of Estate Surveying and Valuation;
  - b. have voting right.

10.7.3 Shall have access to the library of the Institution and attend seminars and conferences of the Institution provided the Council shall have powers to regulate the admission of such members, levy admission fees, annual subscriptions and receive donations pursuant to the objects of the Institution.

#### **10.8 Designatory Letters**

Beside other particular privileges contained elsewhere in this Constitution, the following designatory letters shall be used for Members:

- a. PNIVS, after the name of a sitting President
- b. PPNIVS, after the name of a Past President
- c. FNIVS, after the name of a Fellow
- d. ANIVS, after the name of an Associate
- e. HNIVS, after the name of an Honorary Fellow.

#### **10.9 Right of a Professional Financial Member**

A Professional Financial Member shall, subject to any further restrictions that may be imposed under this Constitution and/or any Regulations made thereto, be entitled to attend, to vote and to be voted for at the General Meeting and to take part in the discussions thereat.

#### **10.10 Cessation of Membership**

- a. A person ceases to be a member of the Institution by resignation, expulsion, bankruptcy, insanity or death.

- b. If a person ceases, for any cause whatsoever, to be a member, he and his representative shall not have any interest in or any claim against the funds or property of the Institution including those in his possession.

## ARTICLE ELEVEN

### **11.0 PRIVILEGES COMMITTEE**

- 11.1 There shall be established a Body to be called Privileges Committee of the Nigerian Institution of Estate Surveyors and Valuers, membership of which shall consist of the following:
  - a. A Chairman who shall be a Past President of the Institution to be appointed by the Council;
  - b. The First Vice-President will serve as Vice-Chairman;
  - c. The Honorary National Secretary who shall serve as Secretary to the Committee;
  - d. A representative from each of the six geo-political zones of the country to be appointed by the Management Committee;
  - e. A representative of the Board of Fellows.
  - f. A quorum of the Committee shall be one-third of members which shall include the Chairman and/or the First Vice-President.
- 11.2 The Committee shall be responsible for the selection of deserving members of the Institution for the conferment of Fellowship.
- 11.3 The Committee in its selection of deserving members shall follow the guidelines for the transfer to Fellowship of the Institution.
- 11.4 Subject to the approval of the Council, the candidates recommended by the Committee shall be conferred with the fellowship of the Institution.
- 11.5 In addition to any other provisions in this Constitution, it shall be lawful for the Committee to set additional standards for the transfer to Fellowship.



11.6 The tenure of members of the Privileges Committee shall be two (2) years.

## ARTICLE TWELVE

### **12.0 BOARD OF FELLOWS**

12.1 The Board of Fellows of the Institution shall comprise all the Fellows of the Institution and shall operate as an advisory Committee to the Council.

12.2 It shall elect its Executive Committee biennially at a General Meeting of Fellows which shall hold within the period of the Annual Conference of the Institution.

12.3 The tenure of the Executive Committee shall be a single term of two (2) years.

12.4 No member of the Board shall be re-elected to the same office.

### **12.5 Executive Committee of the Board Of Fellows:**

12.5.1 There shall be an Executive Committee of the Board of Fellows which shall coordinate the activities of the Committee of Fellows in all branches of the Institution and shall consist of the following:-

12.5.2 A Chairman who shall be a Fellow of not less than ten (10) years and shall be the representative of the Board of Fellows at the Privileges Committee.

- a. A Vice Chairman who shall be a Fellow of not less than eight (8) years who shall act in the absence of the Chairman.
- b. Secretary who shall serve as Secretary to the Board of Fellows.
- c. Chairman of Committee of Fellows in each Branch of the Institution.
- d. A quorum of the Executive Committee of the Board shall be one-third of members which shall include the Chairman and/or the Vice Chairman.



**12.6 Committee of Fellows:**

Each Branch of the Institution shall have a Committee of Fellows which shall the responsibility of coordinating the activities of Fellows in Branches.

**12.7 A Fellow shall cease to be one if it can be shown that:**

- a. he has overtly and covertly worked or is working against the interest of the Institution;
- b. he has lost his membership of the Institution;
- c. he is in arrears of his financial obligations to the Institution for three consecutive years.

12.7.1 A Fellow who is accused of any wrongdoing that can lead to his being de-listed shall be given the opportunity to defend himself before the Disciplinary Committee of the Council whose recommendation shall be subject to approval of the Council.

**12.8 Fellows shall owe obligation to the Institution as follows:**

- a. Absolute loyalty.
- b. Uphold the ethics of the profession.
- c. Defend the Constitution including the Council and General Meeting's decisions.
- d. Comport self and practice the profession in a dignifying manner that will bring honour and not ridicule to the profession.
- e. Attend Branch meetings and activities, National Conferences and other functions and activities of the Institution.
- f. Be an active member of the Board of Fellows.

12.8.1 The list of new Fellows shall be published in at least one national newspaper.

12.8.2 A Fellow shall be entitled to the use of the title FNIVS and wear its medal at all Conferences and other functions of the Institution and other official/social outings.

- 12.8.3 A Fellow of the Institution shall be accorded precedence and given a place of honour in the affairs of the Institution.

### **ARTICLE THIRTEEN**

#### **13.0 COMMITTEE OF PAST PRESIDENTS**

- 13.1 There shall be a Committee of Past Presidents.
- 13.2 The Committee shall meet at least twice a year.
- 13.3 The meeting of Past Presidents shall be convened by the Chairman of the Past Presidents.
- 13.4 Subject to the provisions of this Constitution and/or any regulations made thereto, the Body shall advise the Council on issues referred to it by the Council.
- 13.5 The Committee shall have powers to examine and review any other matter, which in its view may affect the management and superintendence of the affairs of the Institution and advise the Council accordingly.
- 13.6 The Committee shall have as its Chairman the most senior Past President and who shall preside at meetings of the Committee, provided that in the absence of the most senior Past President the next in seniority amongst the Past Presidents present at the meeting shall preside.
- 13.7 The quorum for meetings shall be determined by the body at its first meeting in a Council year.

## ARTICLE FOURTEEN

### **14.0 REGISTRATION, ADMISSION, ELECTION, AND TRANSFER OF MEMBERS**

#### **14.1 Registration as a Student**

- a. The registration of any person as Student shall be by the Council.
- b. The Council may register a person as a student if it considers such a candidate to be qualified in accordance with the provisions of this Constitution and/or any Regulations made thereto.
- c. The Council shall not be required to disclose its reason for refusing to admit a person as a Student.

#### **14.2 Transfer to a Fellow**

- a. The transfer of any Associate Member to the grade of a Fellow shall be by the Council on the recommendation of the Privileges Committee.
- b. The Council may transfer an Associate Member to the grade of a Fellow if it considers such a candidate to be qualified in accordance with the provisions of this Constitution and/or any Regulations made thereto.
- c. Any Candidate for transfer to the grade of Fellow who makes a statement in connection with his application that he knows to be false, or that he does not believe to be true, or who wilfully withholds any information which he ought to have disclosed shall be deemed to have contravened Articles 22.1a, 22.4.1b and 22.4.1c of this Constitution and the Council shall have powers to discipline that candidate in accordance with the provisions of this Constitution dealing with disciplinary powers of the Council.
- d. The Council shall not be required to disclose its reason for refusing to transfer an Associate Member to the grade of a Fellow.

#### **14.3 Admission of an Honorary Fellow**

- a. The admission of an Honorary Fellow shall be by ballot of the Council.

- b. The proportion of votes required for the admission of an Honorary Fellow shall be at least two-thirds of the members of the Council present and voting at a meeting of which admission of Honorary Fellows is part of the business of the day.
- c. A candidate for admission as an Honorary Fellow shall have been sponsored by at least Ten (10) Fellows who are Financial Members and screened by the Privileges Committee.
- d. The Council shall not be required to disclose its reason for refusing to admit a person as an Honorary Fellow.
- e. An Honorary Fellow shall not be a member of the Board of Fellows.

#### **14.4**

##### **Admission of a Corporate Member**

- a. The admission of any Corporate Member shall be by ballot of the Council.
- b. The proportion of votes required for the admission of a Corporate Member shall be at least two-thirds of the members of the Council present and voting at a meeting of which admission of corporate members is part of the business of the day.
- c. A body Corporate for admission as a Corporate Member shall have been proposed by at least Ten (10) Fellows who are Financial Members.
- d. The Council shall not be required to disclose its reason for refusing to admit a body Corporate as a Corporate Member.

## ARTICLE FIFTEEN

### **15.1 EXAMINATIONS, DIPLOMAS AND CERTIFICATES**

#### **15.1 Examinations**

- a. The Institution shall cause to be held an examination for candidates seeking to be admitted and/or elected to any grade of membership of the Institution in accordance with the provisions of this Constitution and/or any Regulations made thereto.
- b. The Institution shall admit successful graduates of the College of Estate Management and Valuation as Associate members provided the Institution shall in conjunction with the Regulation Board set standards for admission and enrolment into the College.

#### **15.2 Diplomas and Certificates**

- a. The Institution shall have powers to issue Diplomas and/or Certificates to its members.
- b. Every Diploma and/or Certificate so issued shall be the property of the Institution and shall be in such a form as the Council may from time to time prescribe.
- c. In the event of cessation of membership as provided for in this Constitution, the Diploma and/or Certificate shall be returned to the Institution, failing which the Council shall have powers to recover the Diploma and/or Certificate.

## ARTICLE SIXTEEN

### **16.0 NATIONAL OFFICERS AND MEMBERS OF THE COUNCIL**

#### **16.1 Officers of the Institution**

16.1.1 The Officers of the Institution shall be nine (9) namely:

- a. President
- b. First Vice-President
- c. Second Vice-President
- d. Hon. National Secretary
- e. Hon. National Treasurer
- f. Hon. National Publicity Secretary
- g. Assistant Hon. National Secretary
- h. Assistant Hon. National Treasurer
- i. Assistant Hon. National Publicity Secretary

16.1.2 The President, the First Vice-President and the Second Vice-President shall be Fellows, while the rest may be Fellows or Associates of not less than five (5) years post-election.

16.1.3 To qualify for election as an officer of the Institution, a candidate.

- a. must have established an excellent record of service with integrity;
- b. must not have been found guilty of misconduct by the Council or/and AGM;
- c. must not have been convicted of a criminal offence by a court of competent jurisdiction.

#### **16.2 The Council**

16.2.1 The Council shall be the governing body of the Institution and shall consist of the following persons:

- a. The Officers of the Institution.
- b. The Trustees of the Institution.
- c. Immediate Past President of the Institution.

- d. Ten (10) Un-Official Members.
- e. The Registrar of Estate Surveyors and Valuers Registration Board of Nigeria, if he is an estate surveyor and valuer.
- f. The Chairman of each Branch of the Institution or in his absence the Vice Chairman.

**16.3 Election, Electoral Committee and Electoral Appeals Committee**

- a. All Officers of the Institution and all other members of the Council, except those listed in Articles 16.4.1(b, c and e) of this Constitution shall be elected every two years in accordance with the provisions of this Constitution and/or any regulations made thereto.
- b. The General Meeting shall appoint the Electoral Committee that shall, subject to the provisions of this Constitution and/or any Regulations made thereto, be responsible for the entire administration of elections into the Council and for other elective positions into bodies established and recognized by the Institution.
- c. The Electoral Committee and the Electoral Appeals Committee shall be Committees of the Institution and shall be responsible only to the General Meeting of the Institution.
- d. The appellant shall pay 50% of the estimated cost of the appeal at the point of application as determined by the Appeal Committee.
- e. The Electoral Appeal Committee shall be constituted in accordance with the provision of Article 6 of the Regulations made pursuant to this Constitution.
- f. Elections into offices of the Institution shall be conducted in line with Articles 7 and 8 of the Regulations made pursuant to this Constitution.



## ARTICLE SEVENTEEN

### **17.0 DUTIES AND POWERS OF THE COUNCIL**

#### **17.1 Affairs and Business of the Institution**

- a. The Council shall have responsibility for the Administration, Management and Superintendence of the affairs of the Institution and shall meet as often as the business of the Institution may require but at least four times in any one calendar year.
- b. The Institution shall take any legal proceedings required to be taken in the interest of the Institution or to defend any legal proceedings taken against the Institution and for that purpose to authorize the Institution's Legal Adviser or any Legal Firm as may be appointed by the Institution to take up the matter and sign and file complaints, summons, writs of summons, written statements, affidavits, petitions and other papers or documents as may be required to be signed and filed in any court of law or other judicial or other authority.
- c. Any legal proceedings that the Council will institute on behalf of the Institution shall be after due consideration of the advice and recommendation of the Legal Matters Committee.
- d. The Council shall monitor the execution of 6-yearly Development Plan as approved by the Annual General Meeting.
- e. The Institution shall have six (6) yearly National Development Plan which shall be approved by the AGM and shall form the basis for the strategic Action Plan to be implemented by successive administrations provided that the AGM shall have the power to vary or amend the Development Plan as it deems fit.



## **17.2 Making Regulations.**

- a. The Council shall have powers from time to time to make Regulations, amend Regulations and Byelaws for the administration and management of the Institution's affairs subject to the provisions of this Constitution.
- b. Any Regulation proposed by the Council in accordance with Article 17.2a of this Constitution shall be subject to the ratification of the General Meeting.
- c. If any Regulation is inconsistent with the provisions of this Constitution, this shall prevail and the affected Regulations shall, to the extent of its inconsistency, be void.

## **17.3 Funds of the Institution**

17.3.1 The Council may apply the funds of the Institution.

- a. In acquiring, renting and/or erecting and fitting up of the National Secretariat including any other suitable building for the use of Members;
- b. In acquiring, erecting and improving the Library of the Institution; and
- c. For any other purposes connected with the promotion of Estate Surveying and Valuation, provided that such purposes are in the best interests of the Institution.

17.3.2. The Council shall have powers to make Regulations for investing the funds of the Institution, subject to the provisions of Article 17.2 of this Constitution.

17.3.3. The Council shall publish on an annual basis the procurement guidelines of the Institution.

17.3.4 At the end of every Council year, a minimum of 30% of the sum of the income generated during the year and carried over funds from the previous year shall at all times be kept in the accounts of the Institution and a statement by the National Treasurer attesting to compliance with

this Article shall form part of the Annual Account of the Institution at AGM.

**17.4 Committees of the Council**

17.4.1 The Council shall, among others have the following eleven (11) Committees:

- a. Management Committee.
- b. Membership Committee.
- c. Finance and General Purposes Committee.
- d. Professional Practice Committee.
- e. Education Committee.
- f. Corporate Affairs Committee.
- g. Continuing Professional Development Committee.
- h. Research and Development Committee.
- i. Statutes and Government Relations Committee.
- j. Legal Matters Committee.
- k. Privileges Committee.

17.4.2 The Council shall prescribe the functions of its Committees and may delegate necessary authority to the Committees, subject to the provisions of this Constitution and/or any regulations made thereto.

17.4.3 The Council shall, subject to the provisions of this Constitution and/or any Regulations made thereto, make Regulations for the appointment of heads and members of its committees, and for the meetings of its Committees.

17.4.4 The Management Committee shall comprise nine Officers of the Institution and shall, subject to the provisions of this Constitution and/or any regulations made thereto, coordinate the work of other Committees of the Council, amongst other functions, provided that the Management Committee shall not have powers to vary, withhold or stop any matter or memorandum that is addressed to the Council.

- 17.4.5 The Membership Committee shall, subject to the provisions of this Constitution and/or any Regulations made thereto, review and process applications for the membership of the Institution.
- 17.4.6 The Finance and General Purposes Committee shall, subject to the provisions of this Constitution and/or any Regulations made thereto, handle the tenders for all procurement of goods and services in the Institution in accordance with the Procurement Guidelines, for the time being in force, amongst other functions.
- 17.4.7 **The Professional Practice Committee** shall, subject to the provisions of this Constitution and/or any Regulations made thereto, prescribe rules of professional practice, investigate all professional practice complaints, and propose appropriate sanctions and disciplinary measures in all cases of professional misconduct, amongst other functions related to the practice of the profession.
- 17.4.8 **The Education Committee** shall, subject to the provisions of this Constitution and/or any Regulations made thereto, coordinate and control examinations as conducted by the College of Estate Management and Valuation, review qualifications submitted by intending candidates for registration as professional members, amongst other functions.
- 17.4.9 The Council shall have power to constitute Ad-Hoc Committees for the purpose of dealing with issues as the need arises and for the smooth management of the Institution.
- 17.5 Establishment of Professional Groups and Fora**
- The Council shall, subject to the Provisions of this Constitution and/or any Regulations made thereto, make Regulations for the establishment of Professional Groups/Fora of the profession of Estate Surveying and Valuation in order to capture comprehensively all areas of practice that fall within the purview of Estate Surveying and Valuation and for the issuance of guidelines for the control and administration of such

Professional Groups/Fora. The Professional Groups/Fora shall have a designated Desk Officer at the Secretariat.

17.5.1 The Professional Groups shall include:

- a. Agricultural Property Management
- b. Arbitration and Alternative Dispute Resolution
- c. Auctioneering
- d. Business Asset & Intellectual Property Valuation
- e. Compensation & Right of Way Valuation
- f. Environmental Valuation
- g. Estate Agency and Marketing
- h. Facilities and Infrastructure Management
- i. Housing
- j. Land Management & Geographical Information Service
- k. Plant and Equipment Valuation
- l. Project Finance and Management
- m. Real Estate Consulting
- n. Land & Building Valuation

17.5.2 The Fora shall include:

- a. Women Estate Surveyors Forum
- b. Young Estate Surveyors Forum
- c. Academic Forum
- d. Public Sector Forum

17.5.3 The Council shall set aside a maximum of 10% of its annual income as support to be accessed by any of the Professional Groups/Fora strictly on need basis and as approved by the Council.

17.5.4 The Council shall appoint the Chairmen and Secretaries of the Professional Groups/Fora for the first two years of existence. Subsequently, the Professional Groups/Fora shall conduct elections to elect their principal officers, the result of which shall be submitted to

the Council for approval.

- 17.5.5 The Chairmen shall be professional members of not less than 10 years and must have distinguished themselves in the respective areas of specialty of the Group.
- 17.5.6 An annual performance and financial report shall be prepared by the Professional Groups/Fora, approved by their general houses and submitted to the Council for ratification by the AGM.
- 17.5.7 Subject to the approval of the Council, the Professional Groups/Fora shall have the power to charge and collect Registration fee and other fees from their membership.
- 17.5.8 The Professional Groups/Fora shall be run in accordance with the uniform Bye Laws approved by the Council.
- 17.5.9 No Professional Group/Forum Committee or any of its officers shall represent the Institution or hold themselves out as representing the Institution in any respect or take any action in the name of the Institution except as authorized by the National Council.
- 17.5.10 No program or activity of any Professional Group/Forum that conflicts with the General Meeting, Annual Conference or any other national event of the Institution shall take place at the same time.

**17.6 Annual Report and Annual Accounts**

The Council shall submit to the Annual General Meeting an Annual Report on the affairs of the Institution and an Annual Accounts, including the Report of the External Auditors.

**17.7 Staff of the National Secretariat**

- a. The Council shall have powers to appoint and to remove the staff of the National Secretariat.
- b. The Council shall determine the duties of and fix salaries and other remunerations of the staff of the National Secretariat.

## ARTICLE EIGHTEEN

### **18.0 DUTIES OF OFFICERS OF THE INSTITUTION**

#### **18.1 The President.**

- a. The President shall be the Chief Executive Officer of the Institution and the Chairman of the Council.
- b. He shall preside over meetings of the Institution, meetings of the Council and the Management Committee.
- c. He shall delegate his functions and duties as may be necessary.

#### **18.2 The First Vice-President**

- a. The First Vice-President shall, in the absence of the President, perform the duties of the President and shall perform any other duties that the Council and/or the President may from time to time assign to him.
- b. He shall be the coordinator of the Professional Groups of the Institution.

#### **18.3 The Second Vice-President.**

- a. The Second Vice-President shall, in the absence of both the President and the First Vice-President, perform the duties of the President and shall perform any other duties that the Council and/or the President may from time to time assign to him.
- b. He shall co-ordinate the Affiliate Groups in the Institution.
- c. He shall oversee the activities of the Branches.
- d. He shall oversee the activities of the Institution's fora.

#### **18.4 The National Secretary.**

- a. The National Secretary shall on the directive of the President or in compliance with decision of the Council or pursuant to a requisition made in accordance with the provisions of this Constitution summon



the Annual General Meeting, meetings of the Management Committee or other meetings of the Institution.

- b. He shall keep record of minutes, including attendance and summary of all decisions reached at the Council and General Meetings.
- c. He shall keep roll of members and list of Branches of the Institution.
- d. He shall perform all other duties as may be assigned to him by the President, the Management Committee, the Council and the General Meeting from time to time.

**18.5 The National Treasurer**

The National Treasurer shall be responsible for the management and control of the Accounts of the Institution, including preparing and implementing the Annual Budget and the Annual Accounts.

**18.6 The National Publicity Secretary**

The National Publicity Secretary shall be the image-maker of the Institution and shall be responsible for publicizing the Institution, including advertising its activities, and managing its public image and public relations functions.

**18.7 The Assistant Honorary National Secretary**

The Assistant National Secretary shall, in the absence of the National Secretary, perform the duties of the National Secretary and shall perform any other duties that the National Secretary may assign to him from time to time.

**18.8 The Assistant Honorary National Treasurer**

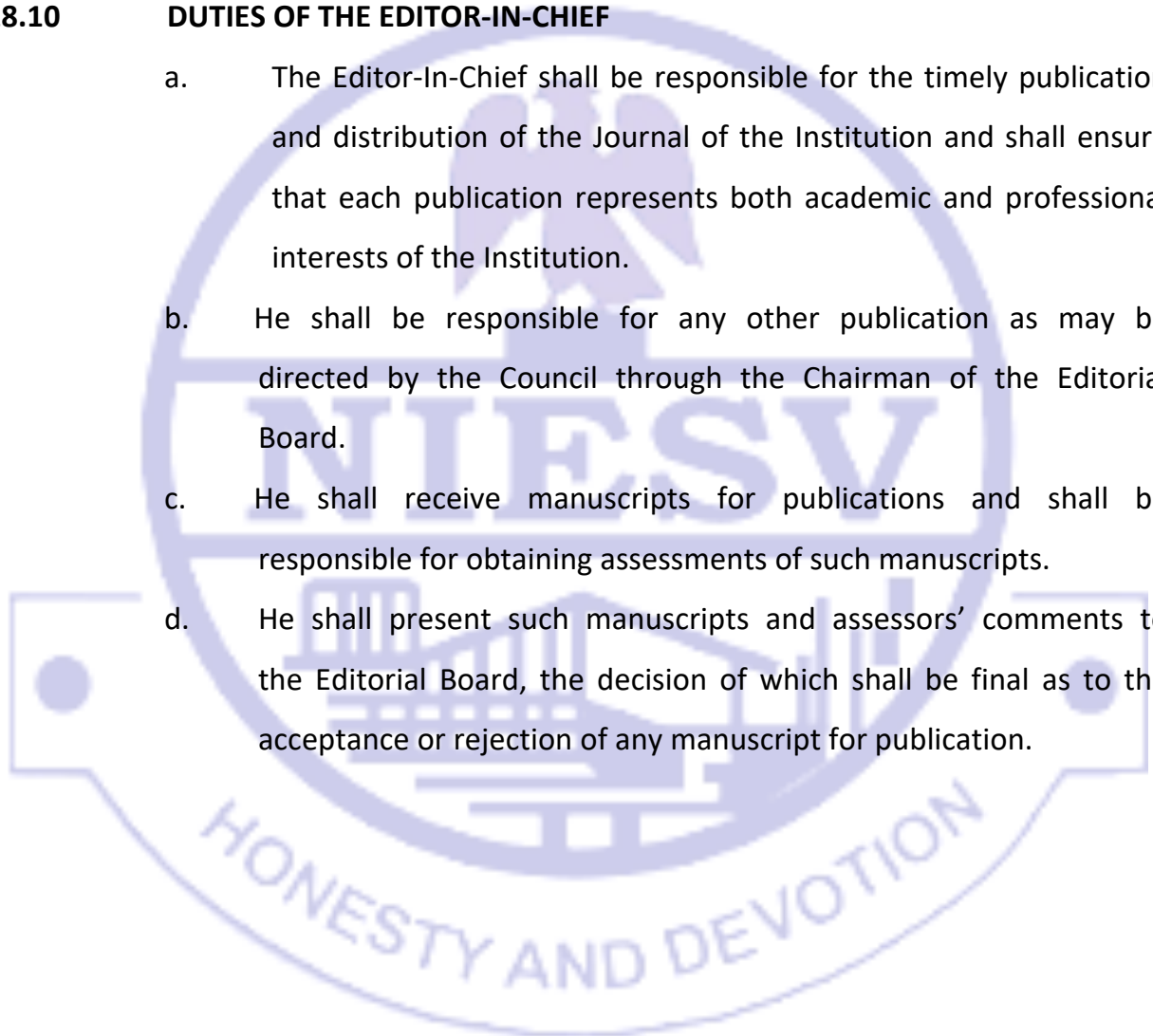
The Assistant National Treasurer shall, in the absence of the National Treasurer perform the duties of the National Treasurer and shall perform any other duties that the National Treasurer may assign to him from time to time.

**18.9 The Assistant Honorary National Publicity Secretary**

The Assistant National Publicity Secretary shall, in the absence of the National Publicity Secretary, perform the duties of the National Publicity Secretary and shall perform any other duties that the National Publicity Secretary may assign to him from time to time.

**18.10 DUTIES OF THE EDITOR-IN-CHIEF**

- a. The Editor-In-Chief shall be responsible for the timely publication and distribution of the Journal of the Institution and shall ensure that each publication represents both academic and professional interests of the Institution.
- b. He shall be responsible for any other publication as may be directed by the Council through the Chairman of the Editorial Board.
- c. He shall receive manuscripts for publications and shall be responsible for obtaining assessments of such manuscripts.
- d. He shall present such manuscripts and assessors' comments to the Editorial Board, the decision of which shall be final as to the acceptance or rejection of any manuscript for publication.





## ARTICLE NINETEEN

### **19. GENERAL MEETINGS AND ANNUAL CONFERENCE**

The National Council, Annual General Meeting, Extraordinary General Meeting, Trustees, Professional Groups, College of Fellows, Branches, Fora and Committees shall meet as scheduled at such place and time as the National Council, Annual General Meeting, Extraordinary General Meeting, Trustees, Professional Groups, College of Fellows, Branches, Fora and Committees agree, provided that such meetings can be held via physical attendance, teleconference, video conference, or by any other virtual means or platform.

#### **19.1 Annual General Meeting**

19.1.1 The Institution shall hold its Annual General Meeting at such place and date and hour as the Council shall from time to time determine, and in accordance with the provisions of this Constitution and/or Regulations made thereto.

19.1.2 The ordinary business of the Annual General Meeting shall include:

- a. To receive and deliberate upon the Annual Report;
- b. To receive and deliberate upon the Annual Account, including the Report of the External Auditors;
- c. To ratify and adopt new Regulations;
- d. To confirm the appointment and remuneration of the External Auditors and
- e. To receive and ratify the report of the Electoral Committee.
- f. The Annual General Meeting shall be held in the month of March or April in each year, provided that the Council shall have the power to fix another date, not exceeding 30 days from the first date, to hold the meeting, if for any reason it is deemed necessary or /and expedient to do so.

19.1.3 In addition to the powers conferred on it by this Constitution, the General Meeting shall have powers to regulate its meetings including to enlarge its agenda but limited to any such business as has been listed on the notice of the general meeting.

## **19.2 Extraordinary General Meeting**

19.2.1 The Council shall summon an Extraordinary General Meeting:

- a. When an occasion necessitates it and/or when it deems it necessary to do so;
- b. On the written petition of at least one hundred and fifty (150) Financial Professional members, at least twenty-five (25) of whom shall be Fellows;
- c. On the request of the Electoral Appeals Committee on successful petition of a candidate in an election.

19.2.2 The Petition for an Extraordinary General Meeting shall specify:

- a. The purpose for which the meeting is sought; and
- b. The details of the resolution to be considered at the Meeting.

19.2.3 The Council shall summon an Extraordinary General Meeting within three (3) months of the receipt of the petition requesting it.

19.2.4 Only the business specified in the petition for the Extraordinary General Meeting shall be stated in the list of items for discussion in the Notice of Meeting and only same shall be transacted at the meeting.

## **19.3 Procedure for General Meetings: -**

- a. The Council shall determine the quorum for the General Meeting from time to time.
- b. Professional Financial members shall be entitled to attend, to participate in, to vote and to be voted for at the General Meeting.
- c. Other members may be present at the General Meeting as observers without voting rights.

- d. Each Professional Financial Member shall receive a Notice of not less than thirty (30) days specifying the date, the time, the venue and the nature of business to be transacted at the General Meeting.
- e. Voting at the General Meeting shall be by secret ballot and every Professional Financial Member present in person or by proxy shall have one vote.
- f. A President at the General Meeting shall in the event of a tie have a second or casting vote.
- g. A Professional Financial Member shall appoint as his proxy a person who is entitled to attend, to participate in, to vote and to be voted for at the General Meeting.
- h. The instrument appointing a proxy shall be in writing and in a form prescribed by the Council and shall be delivered to the National Secretariat not later than twenty-four hours before the General Meeting at which it is intended to be used.
- i. There shall be no proxy for meeting held over any electronic means or platform.

#### **19.4 Annual Conference**

- a. The Institution shall hold an Annual Conference, along with the Annual General Meeting, to consider and/or present technical, professional, social and other issues affecting the practice of the profession of Estate Surveying and Valuation.
- b. The Council shall specify from time to time the procedure for organizing and conducting the Annual Conference.

## ARTICLE TWENTY

### **20.0 FINANCE AND ACCOUNTS OF THE INSTITUTION**

#### **20.1 Subscription, Fees, Levies and other Dues**

- a. All Professional members, Students, and Corporate members shall make financial contributions in furtherance of the objectives of the Institution and/or to other funds approved by the Institution.
- b. The Council shall make regulations for prescribing subscriptions, fees, levies and other dues payable by members.
- c. Annual subscriptions shall be due on 1<sup>st</sup> January in each year and must be paid on or before 31<sup>st</sup> December in that year and any member whose subscriptions are in arrears after that date shall be dealt with in accordance with Article 19.1g of this Constitution.
- d. A member moving from one membership grade to another shall pay the appropriate entrance fee applicable to his new membership grade; and the difference in the annual subscriptions for the current year between his old and new membership grades.
- e. Every year, the National Treasurer shall within three months before the end of each year issue a notification to members to pay their annual subscription, fees, levies and other dues for the next year.
- f. Where the subscriptions, fees, levies and other dues remain unpaid by 31<sup>st</sup> May of any year, the National Treasurer shall notify each of such defaulters that he shall be deemed expunged by the Institution if he remained indebted to the Institution after 31<sup>st</sup> December of that year.
- g. A member who has not paid his annual subscription as at 31<sup>st</sup> December of any year shall be deemed to be expunged from the Institution and shall be so informed.
- h. A member who has not paid his subscriptions, fee, levies and other dues as of 31<sup>st</sup> December of any year shall not be entitled to vote and/or be voted for or participate at the General Meetings and shall not be eligible

to serve the Institution in any capacity including membership of Committees and Professional Groups/Fora.

- i. The names of financial professional members who have paid as of 31<sup>st</sup> December of any year shall be published in any media the Council may approve or the official website of the Institution from time to time PROVIDED the Institution reserves the right to correct any errors in such publications.
- j. Without prejudice to the provisions of this Constitution, the Council may at its absolute discretion postpone, reduce, or waive payment of any annual subscriptions, fees, levies and/or other dues, only on account of member's poor pecuniary conditions, serious ill health or old age, and provided that such a decision is taken on or before 31<sup>st</sup> December of that year.
- k. A member who wishes to take advantage of the provisions of Article 20.1j of this Constitution shall make an application in that regard to the Council, through his or her Branch, specifying the nature and other details of qualifying exceptional circumstances.

## **20.2**

### **Bankers**

- a. The Council shall make regulations for the appointment of Bankers to the Institution, including the opening and operation of bank accounts.
- b. The President, the First Vice-President, the Second Vice-President, the Treasurer shall be the signatories to the accounts of the Institution; provided that on approval by the Appropriate Superior Authority any two of them at any one time including the Treasurer shall sign the necessary documents.

**20.3 External Auditors.**

- a. The Council shall propose the appointment of External Auditors to the Institution, including fixing their remuneration, subject to the approval of the General Meeting.
- b. The External Auditors shall hold office for two years at a time subject to renewal for a further term of two years.
- c. The External Auditors shall be responsible for the examination of the Books of Accounts of the Institution for the period relating to the audit.
- d. The External Auditors shall present to the Annual General meeting their Report on the Annual Accounts.

**20.4 Honorary Auditors:**

- a. The Honorary Auditors shall be appointed at the Annual General Meeting.
- b. The Honorary Auditors shall be made up of two Professional Members, one of whom must be a Fellow.
- c. They shall be responsible for the examination of the books of accounts and records of the assets and liabilities of the Institution for the period the audit relates.
- d. The Honorary Auditors shall present a Report on the Annual Accounts to the Annual General Meeting.

**20.5 Accounts**

- a. The Council shall cause proper books of Accounts to be kept in respect of all incomes and expenditures of the Institution and also in respect of the records of all assets and liabilities of the Institution.
- b. The Books of Accounts shall always be kept and maintained by the National Treasurer at the National Secretariat and/or at such other place as the Council may deem fit.



- c. The Books of Accounts shall always be open for inspection to members of the Council, the External Auditors or a Committee appointed by the Council or Annual General Meeting.
- d. At each Annual General Meeting, the Council shall lay before Financial Professional Members the Annual Accounts, including the Report of the External Auditors, for the preceding financial year and seven (7) days before the Annual General Meeting.
- e. All financial members should be sent copies of the annual account seven days before the Annual General Meeting.

## **ARTICLE TWENTY-ONE**

### **21.0 OFFICES OF THE INSTITUTION**

#### **21.1 National Secretariat**

- a. The Institution shall have a national Secretariat, which shall be the primary place of business and administrative headquarters of the Institution.
- b. The secretariat shall be situated in the Federal Capital of Nigeria and any other business office shall be a liaison office.
- c. The Executive Secretary, being a full-time employee of the Institution shall head the Secretariat as the Chief Operating Officer subject to the supervisory function of the National Secretary. The President shall direct the Executive Secretary through the National Secretary.
- d. The Secretariat shall have the following Directorates: Directorates for Membership, Administration, Finance and Training, Education and Professional Matters, which in turn may have various departments and units as deemed fit.
- e. Subject to the approval of the General Meeting, the Council shall have powers to transfer the Secretariat and/or to relocate parts of the functions of the Secretariat to any place that the Council may deem fit

during a period of emergency, war, or other hostile circumstances and/or for reasons of administrative convenience.

## **21.2 Library of the Institution**

- a. The Institution shall have a Library at the National Secretariat of the Institution and E-Library for its use.
- b. The Council shall control and manage the Library of the Institution.

### **21.2.1 Establishment of Learning Centre**

- a. The Institution shall establish a learning centre to train members from time to time, in line with International best practices, to keep abreast of the professional dynamics as dictated by International Valuation Standards (IVS).
- b. The Learning Centre shall collaborate with other higher institutions and academic institutions globally.

### **21.2.2 Research Foundation**

21.2.3 The Institution shall have a Research Foundation which shall be responsible for the coordinating and overseeing of the research activities of the Institution.

21.2.4 The Institution shall fund the Foundation with a minimum of 5% of its annual dues.

21.2.5 The Council shall make regulations for the operation of the Board of the Foundation.

## **21.3 Real and Movable Properties.**

- a. The Council shall have powers to acquire real and movable properties for or on behalf of the Institution and to control and manage such property for the benefit and in the best interest of the Institution.



- b. Any property acquired by any Branch of the Institution shall be the property of the Institution and shall be held for the benefit of that Branch.

**21.4 Other Records.**

- a. Any document, paper, map or plan presented to or acquired by the Institution shall be the property of the Institution and may, subject to the approval of the Council, be published or used in any way that the Institution may deem fit.
- b. No person (including a member) without the prior consent of the Council shall publish in any form or medium the proceedings of a meeting of the Institution or publish or give his consent for the publication of any communication presented and/or belonging to the Institution.

**21.5 Donations, Bequests and Awards.**

- a. The Council shall control and manage all donations, bequests and awards of the Institution.
- b. The Council shall have powers to award a medal, a certificate or any other instrument to a financial member and / or any other person for achievement, merit and/or services rendered in furtherance of the objectives of the Institution.

**21.6 Register of Professional Members**

- 21.6.1 The Register of all members shall be kept and maintained at the National Secretariat of the Institution.
- 21.6.2 Membership numbers of all members in the Register shall be classified according to membership grades.
- 21.6.3 Membership numbers of members shall follow the order of election, admittance into membership or elevation into a higher grade of membership.

21.6.4 The Register shall indicate the Branch and Professional Groups of the Institution to which each member belongs.

**21.6.5 Establishment of NIESV Ventures Limited**

Subject to approval of the Council, the Institution shall establish NIESV Ventures Limited to carry out commercial business activities of the Institution.

**21.6.6 The NIESV Ventures Limited**

- a. Shall be a body corporate;
- b. Shall be headed by a Managing Director supported by a Board of Directors and their terms of employment shall be as decided by the Council;
- c. Shall undertake and carry out business activities on behalf of the Institution;
- d. Shall prepare annual budget for the approval of the Council and the AGM;
- e. Shall prepare and present annual accounts to the Council and the AGM.
- f. Subject to the approval of the AGM, the Council shall decide the shareholding structure of the company and the composition of the Board of Directors.

## ARTICLE TWENTY-TWO

### **22.0 BRANCHES**

#### **22.1 Establishment**

- a. The Council shall have powers to approve the establishment of Branches in States of the Federal Republic of Nigeria and in the Federal Capital Territory.
- b. The Minimum number of persons that may constitute a Branch and who can apply to the Council for the establishment of a Branch shall be Six (6) Professional Financial Members.
- c. The Council shall make Regulations from time to time specifying the functions and responsibilities of Branches of the Institution.
- d. A Branch shall make bye-laws subject to the approval of the Council.
- e. The Council shall have powers to approve the status of a Correspondent in a State where, in the meantime, a Branch cannot be established and/or sustained, provided that such Correspondent shall exercise only the functions prescribed by the Council.
- f. A Branch shall hold an Annual General Meeting and/or an Extraordinary General Meeting for purposes of the administration of the Branch.
- g. The Council shall have powers to investigate inactive Branches and take appropriate actions, which may include dissolution of the Executive Committee and election of another subject to the approval of 2/3 of financial professional members of the Branch voting at an Extraordinary General Meeting called for that purpose.

#### **22.2 Duties**

**22.2.1** A Branch shall at its Annual General Meeting and/or Extraordinary General Meeting have powers to:

- a. Make Byelaws for the administration and regulation of its affairs subject to the ratification of the Council, provided that no provision of the said Byelaws shall be in conflict with the provisions of this Constitution, and

- b. Prescribe local subscriptions, levies and dues to sustain its operations, subject to ratification by the Council.

22.2.2 A Branch may receive donations in furtherance of its activities.

### **22.3 Executive Committee.**

22.3.1 Each Branch shall have an Executive Committee, which shall have responsibility for the management of the Branch for a two-year tenure.

22.3.2 Notwithstanding Article 22.1(b) of this Article, the composition of a Branch Executive may include but not limited to the following:

- a. The Chairman, who shall be a Fellow or Associate of at least five (5) years standing.
- b. The Vice-Chairman
- c. The Honorary Secretary
- d. The Honorary Treasurer
- e. Financial Secretary
- f. The Honorary Publicity Secretary
- g. The Immediate Past Chairman and
- h. Four (4) Un-Official members.

### **22.4 Powers of the Branch**

- a. The Executive Committee of a Branch shall exercise the powers of that Branch and shall have powers to establish sub-committees.
- b. A Branch shall have powers to appoint a Banker, including the opening and operation of a bank account for the development of the Institution.
- c. The signatories to the bank account of a Branch shall be the Chairman, the Vice-Chairman, the Secretary and the Honorary Treasurer of the Branch, provided that all of them or any two of them including the Chairman shall have the authority to sign cheque or other instruments of the bank.

- d. The Branch shall only apply its funds to the proper funding and operations of the branch.
- e. A Branch shall admit a member of another Branch on transfer only on presenting to it a transfer certificate or letter from his former Branch.

**22.5 Honorary Auditors**

22.5.1 A Branch shall at its Annual General Meeting appoint or elect two (2) Honorary Auditors who shall be Professional Financial Members and who shall not be members of the Branch Executive Committee nor any of its sub-committees.

22.5.2 The Honorary Auditors shall:

- a. Be responsible for the examination of the Books of Accounts and the records of Assets and Liabilities of the Branch for the period the audit relates; and
- b. Shall hold office for one year at a time and may be reappointed or re-elected for another term.

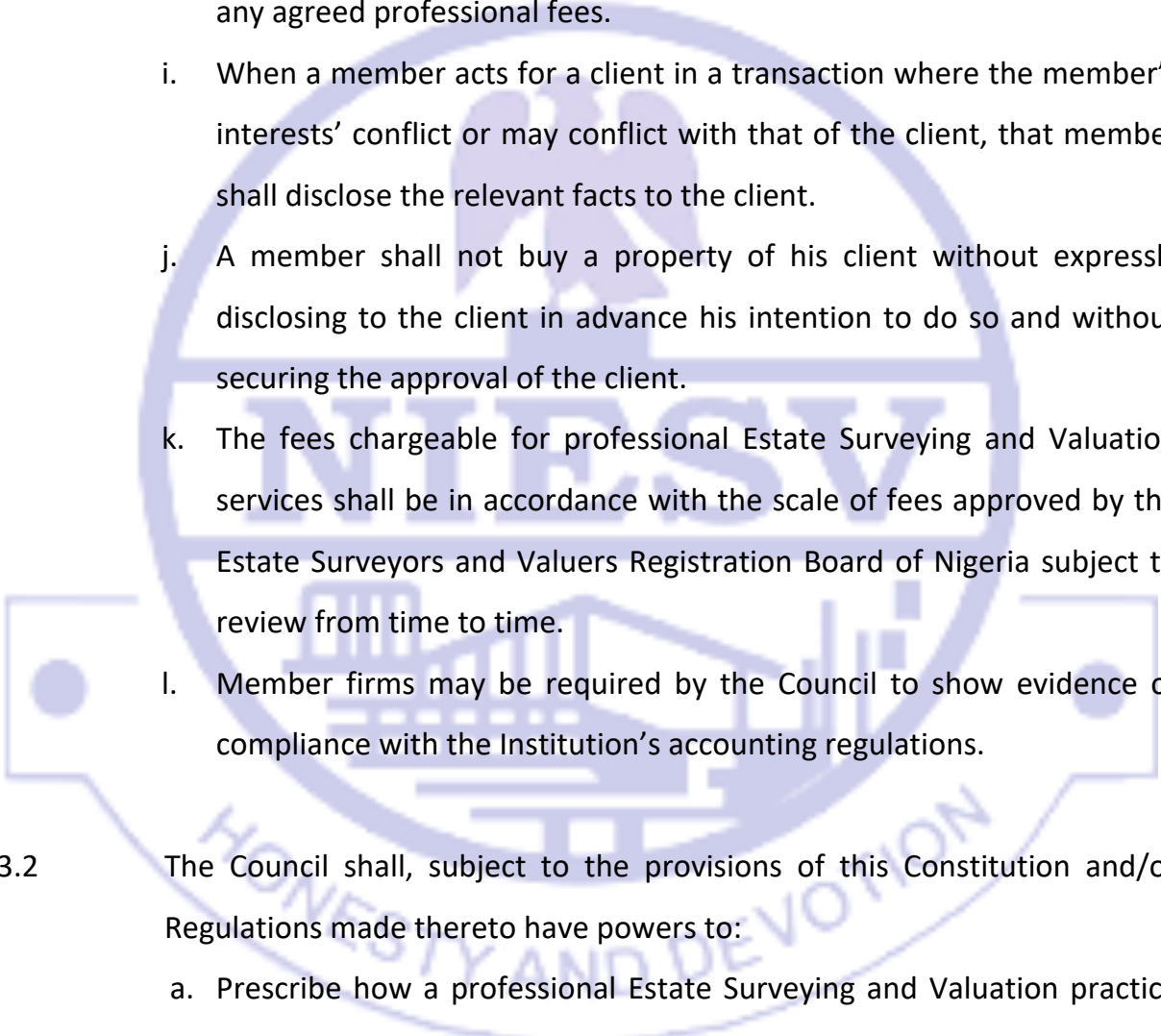
22.5.3 In the case of death, resignation or incapacity of one or both Honorary Auditors, the Branch Executive Committee shall appoint an Honorary Auditor or Honorary Auditors for the remainder of the term and shall report such replacement appointment or appointments to the next Annual General Meeting of the Branch.

## ARTICLE TWENTY-THREE

### **23.0 DISCIPLINE**

#### **23.1 Rules of Conduct**

- a. All members shall conduct themselves in accordance with the Code of Professional Ethics and Practice that has been passed and approved by a General Meeting of the Institution.
- b. Only Financial Professional Members shall set up Private Professional Practice and a Member wishing to set up private Professional Practice as a firm of Estate Surveyors and Valuers shall obtain the prior approval of the Council.
- c. A Professional member carrying on practice as an Estate Surveyor and Valuer shall do so in his personal names, which must include his surname, and a member may carry on practice as an Estate Surveyor and Valuer under a pseudonym, subject to the provisions of Article 23.1e.
- d. No Professional Member shall have as a partner in his firm of Estate Surveyors and Valuers a person who is not an Estate Surveyor and Valuer.
- e. A Professional Member may carry on practice as an Estate Surveyor and Valuer or as a firm of Estate Surveyors and Valuers under a limited liability company structure or with a partnership structure or with a pseudonym provided such a company has not less than two (2) equity partners as provided in Article 23.1d of this Constitution and subject to the approval of the Estate Surveyors and Valuers Registration Board of Nigeria.
- f. Where a member or a firm of Estate Surveyors and Valuers of which he is a partner acts for two or more parties in a transaction, such a member shall disclose to all parties concerned the relevant facts of the transaction that may affect their interests.

- 
- g. A member practicing as an Estate Surveyor and Valuer shall keep his firm/partnership/personal account separate from his client's account and under no circumstances shall his client's money be paid into his firm/partnership/personal account.
  - h. All monies received on behalf of a client by a member practicing as an Estate Surveyor and Valuer shall be accounted for at the due time less any agreed professional fees.
  - i. When a member acts for a client in a transaction where the member's interests' conflict or may conflict with that of the client, that member shall disclose the relevant facts to the client.
  - j. A member shall not buy a property of his client without expressly disclosing to the client in advance his intention to do so and without securing the approval of the client.
  - k. The fees chargeable for professional Estate Surveying and Valuation services shall be in accordance with the scale of fees approved by the Estate Surveyors and Valuers Registration Board of Nigeria subject to review from time to time.
  - l. Member firms may be required by the Council to show evidence of compliance with the Institution's accounting regulations.

23.2 The Council shall, subject to the provisions of this Constitution and/or Regulations made thereto have powers to:

- a. Prescribe how a professional Estate Surveying and Valuation practice can join in a consortium or associate with other professionals and/or firms, and
- b. Regulate and control publicity and advertisements relating to practice of Estate Surveying and Valuation, including press briefings, press conferences and other mass media announcements.



23.3 The Council shall have powers to inquire into a professional dispute between members or between a member employee and a registered member firm and may sanction the guilty party as it deems fit in accordance with the provisions of this Constitution.

#### **23.4 Disciplinary Offences**

23.4.1 A member shall be liable to discipline if he:

- a. Is convicted for embezzlement, larceny, fraud, murder or any other criminal offence by a court of competent jurisdiction.
- b. Is guilty of professional misconduct under the relevant provisions of this Constitution and/or under the Code of Professional Ethics and Practice of the Institution;
- c. Violates any of the provisions of the Constitution;
- d. Is declared bankrupt by a court of law either as an individual or as a partner in a firm of Estate Surveyors and Valuers;
- e. Uses any professional designation or initials to which he is not entitled;
- f. Practices as an Estate Surveyor and Valuer in partnership with any person who is not a Professional Member;
- g. Permits any person who is not a Professional Member to use in conjunction with the title of the member's firm the designatory letters or other description indicating membership of the Institution;
- h. Engages in any act of indiscipline adjudged by the Council to be inimical to the best interests of the Institution or is capable of tarnishing the image of the institution and/or profession.

#### **23.5 Disciplinary Powers of the Council**

23.5.1 The Council shall have powers to inquire into any alleged act of indiscipline or/and professional misconduct by a member and shall after a simple majority vote of those present and voting at a meeting of the Council resolve to discipline such a Member if found guilty.

- 23.5.2 The Council shall have powers to impose any or all of the following penalties on a member found guilty of any act of indiscipline or/and professional misconduct, namely:
- a. To reprimand the member;
  - b. To suspend the member for such period and on such terms and conditions as the Council may prescribe.
  - c. To expel the member from the Institution.
  - d. To impose on the member a fine or other sanctions commensurate with the offence.
  - e. The Council may, after taking cognizance of the severity of the offence committed in the case of penalties given under Articles 23.5.2(b) and (c) above, refer the offence committed by a member of the Institution to the Chairman of Estate Surveyors and Valuers Disciplinary Tribunal constituted under section 13 of the Estate Surveyors and Valuers (Registration, etc) Act CAP E15 LFN 2004 for an order banning the member from practising the profession during the period of suspension and, in the case of expulsion, an order of the Tribunal removing the name of the member from the register of the Estate Surveyors and Valuers Registration Board of Nigeria.

**23.6 Disciplinary Procedure.**

- a. Upon the receipt by the Council of a report or petition of an act of professional misconduct or any act of indiscipline (as provided for in Article 23.4.1(h) of this Constitution) against a member, the Council shall: (i) In the case of professional misconduct refer the report or petition to the Professional Practice Committee or (ii) In the case of indiscipline, refer the report or petition to an ad-hoc committee specially set up by the Council to inquire into the allegation of indiscipline by a member of the Institution.

- b. Upon the conclusion of its inquiry, the Professional Practice Committee shall submit its report and recommendations to the Council.
- c. After considering the report of the Professional Practice Committee, the Council shall have the power to accept, modify or ratify in part or in full the recommendations of the Committee, provided that the decision of The Council, which shall be final for the purpose of the Institution, is in accordance with Article 22.5.2 of this Constitution.

### **23.7**

#### **Reinstatement.**

- a. On application by a member who has been expunged from the register of professional members, the Council shall have powers to reinstate him on such terms and conditions as the Council may prescribe and such a member shall lose all privileges that may have accrued to him during the suspension or expungement.
- b. An expunged member seeking pardon shall apply through his Branch to the Council who may approve and then forward to the AGM for ratification, provided that in the case of a pardoned member, the member shall not be eligible for elective office within 5 years from the date of pardon.

### **23.8**

#### **Removal of a Member of the Council**

- a. If a member of the Council is found guilty of professional misconduct and the provisions of this Constitution, the member shall be suspended by the Council and an EGM convoked within 90 days to ratify the suspension or otherwise.
- b. If the member of the Council who is suspended is an Officer of the Institution, the Council shall have powers to appoint another member of the Council in acting capacity to hold the vacant office pending the decision of the AGM/EGM.

- c. If the member of the Council who is suspended is an Un-Official member, the seat he vacated shall remain unoccupied pending the decision of the AGM/EGM.
- d. If the member is a Branch Chairman, the Branch shall be required to elect another Chairman forthwith or the Vice-Chairman shall automatically take his seat.

**23.9 Special Disciplinary Powers of AGM**

Notwithstanding the provisions of Article 23.6 and subject to Article 23.5.2(e) of this Constitution, the AGM shall have powers to expel a member from the Institution who engages in conduct adjudged to be inimical to the best interests of the institution or is capable of tarnishing the image of the Institution following a motion in line with Regulation 15 of this Constitution.

**ARTICLE TWENTY-FOUR**

**24.0 OATH OF ALLEGIANCE**

**24.1 The Oath**

- a. All Professional Financial Members shall bind themselves to the Institution by an Oath of Allegiance and the Council shall prescribe the wordings of the oath.
- b. The Council shall keep an Oaths Register duly signed by every Professional Financial Member as evidence of compliance with the provisions of Article 24.1a of this Constitution.
- c. Any member who on admission after 9<sup>th</sup> April 2005 has not taken the oath and/or signed the oaths Register shall be deemed not to be a Financial Professional Member.

## ARTICLE TWENTY-FIVE

### **25.0 REPRESENTATION ON THE REGISTRATION BOARD**

25.1 The Institution shall be represented on the Registration Board by the following: -

- a. The President
- b. The National Secretary, and
- c. Two (2) Fellows and two (2) Associates (of not less than five years of becoming Associates of the Institution) who are not members of the Council, but who shall be elected.

25.2 Election shall be conducted at the AGM every three (3) years for the elective representatives on the Estate Surveyors and Valuers Registration Board of Nigeria; and any election to fill any subsequent vacancy on the Board shall be conducted at the AGM only.

25.3 Any member seeking election into the Board as Representative of the Institution shall be at least an Associate member of at least five years standing and shall be financially up to date with the Board to be eligible to contest the election.

25.4 The Representatives shall submit quarterly reports to the National Secretary for the consideration of the Council.

### **25.5 REMOVAL OF REPRESENTATIVE FROM THE BOARD**

25.5.1 This will follow the procedure for removal of elected members of the Council as provided for in Article 23.8 of this Constitution.

## ARTICLE TWENTY-SIX

### **26.0 JOURNALS**

26.1 The Institution shall have powers to publish journals and magazines in pursuance of Article 5 of this Constitution.

## ARTICLE TWENTY-SEVEN

### **27.0 EDITORIAL BOARD**

- 27.1 The members of the Editorial Board shall be active members of the Institution.
- 27.2 The Council shall appoint through the recommendation of the Management Committee suitable members of good academic and professional standing as members of the Editorial Board for a two (2) year renewable term.
- 27.3 The National Publicity Secretary shall serve as a member of the Board.
- 27.4 The Council shall appoint an Editor-In-Chief.
- 27.5 The Council through the recommendation of the Management Committee may remove any member of the Editorial Board for good cause.
- 27.6 The Board shall publish at least two (2) issues of the journal per Council Year.

## ARTICLE TWENTY-EIGHT

### **28.0 AMALGAMATION, ASSOCIATION AND AFFILIATION**

#### **28.1 Amalgamation**

- a. The Institution may enter into an agreement for purposes of amalgamation with any kindred professional body if such amalgamation is approved by a resolution passed by the General Meeting specially called for that purpose in accordance with this Constitution and/ or any Regulations made thereto.
- b. Notwithstanding any other provision in this Constitution, the quorum for such a meeting shall be twenty-five percent (25%) of the Financial Professional Members and the resolution shall be passed where it is



supported by three-quarters (3/4) of the Financial Professional Members present and voting in person or by proxy.

## **28.2 Association and Affiliation**

28.2.1 Subject to the provisions of this Constitution and/or any Regulation made thereto, the Institution shall maintain association with the eight (8) under listed bodies namely,

- a. International Valuation Standards Council (IVSC);
- b. Financial Reporting Council of Nigeria (FRC);
- c. The Commonwealth Association of Surveying and Land Economy (CASLE);
- d. The International Real Estate Federation (FIABCI);
- e. The Association of Professional Bodies of Nigeria (APBN);
- f. International Union for Housing Finance;
- g. International Federation of Surveyors (FIG);
- h. African Real Estate Society (AFRES);
- i. International Right of Way Association (IRWA)

Provided the association of the Institution with any of the above organizations is subject to the availability of funds and the number of representatives required at any time.

28.2.2 The Council shall have powers to admit as an affiliate and/or to affiliate with a professional body if it deems it expedient in the interest of professional development and linkage, provided such shall be ratified by the Annual General Meeting.

## **28.3 Nigerian Valuation Standards (The Green Book)**

28.3.1 All valuation works carried out by the professional members of the Institution shall fully comply with the Nigerian Valuation Standards (The Green Book).

28.3.2 Refusal, neglect, failure or/and deviation from the standards by any professional member shall amount to professional misconduct and shall be punishable under Article 23.5 of this Constitution.



#### **28.4 International Valuation Standards Council (IVSC)**

- 28.4.1 The Institution shall have two (2) representatives on the IVSC who shall attend meetings of IVSC and report to the Council and AGM.
- 28.4.2 The Report of the Representatives shall form part of the Annual Report of the Institution at the AGM.
- 28.4.3 The Representatives shall be Fellows of the Institution appointed by election at AGM.
- 28.4.4 The tenure of the representatives shall be two (2) years renewable for a final two (2) years term.
- 28.4.5 One of the representatives shall be substantive while the other shall be the alternate.
- 28.4.6 The Institution shall only fund the foreign trip of one (1) representative at any particular time.

#### **28.4.7 Removal as a Representative**

This will follow the procedure for removal of elected members of the Council as provided for by Article 23.8 of this Constitution.

- 28.4.8 The Representatives shall submit biannual reports to the National Secretary for consideration of the Council.

#### **28.5 Financial Reporting Council of Nigeria (FRC)**

- 28.5.1 The Institution shall have one (1) representative on the Financial Reporting Council of Nigeria who shall attend meetings of the Financial Reporting Council and report to the Council and the AGM.
- 28.5.2 The Report of the Representative shall form part of the Annual Report of the Institution at the AGM.
- 28.5.3 The Representative shall be a Fellow of the Institution appointed by election at the AGM.
- 28.5.4 The tenure of the Representative shall be in line with the enabling Act of the Financial Reporting Council of Nigeria.

28.5.5 The Representative shall submit biannual reports to the National Secretary for the consideration of the Council.

## ARTICLE TWENTY-NINE

### **29.0 GENERAL PROVISIONS**

#### **29.1 Miscellaneous Items**

29.1.1 In furtherance of Article 5 of this Constitution, the Institution shall through the Council arrange:

- a. Meetings, lectures, symposia, debates, brain trusts, informal discussions, study groups, seminars and conferences;
- b. The dissemination of information through the press, radio, television and other media of mass communication;
- c. The collection of data relating to all aspects of the Estate Surveying and Valuation practice and profession, and
- d. The publication of an official Journal known as “The Estate Surveyor and Valuer”.

29.1.2 The Institution shall through the Council establish a Benevolent Fund,

- a. To which all members shall contribute;
- b. Which the General Meeting shall from time to time make Regulations for its management.

29.1.3 The Institution shall through the Council establish a Development Fund and/or a Foundation.

29.1.4 The Regulation of the Institution shall be as in Schedule ‘A’ contained in Part Two of this Constitution and other Regulations to be made pursuant to this Constitution shall:

- a. Comprise byelaws, directives, guidelines, instructions, rules and rulings proposed by the Council and ratified by the General Meeting;

- b. Include alterations, amendments or additions to byelaws, directives, guidelines, instructions, rules and rulings proposed by the Council and ratified by the General Meeting;
- c. Be ratified at the General Meeting by a simple majority of Professional Financial members present and voting in person or by proxy.

29.1.5 In the event that the Institution is unable for any reason whatsoever to properly constitute the Council, the General Meeting convened by at least three Trustees shall appoint an Independent Interim Council to administer the affairs of the Institution until the Council is properly constituted, and the Independent Interim Council shall:

- a. Be headed by a Past President as the Chairman;
- b. Comprise not more than ten (10) Professional Financial Members out of which seven must be fellows of not less than seven years standing;
- c. Include the Branch Chairmen provided that none of the Chairmen has taken position on the subject matter that led to the disability;
- d. Have the powers assigned to the Council under this Constitution and/or any Regulations made thereto and perform the duties of the Council and/or functions assigned to it by the General Meeting, and
- e. Continue in office for such period or periods as the General Meeting may specify.

29.1.6 All previous references to a Corporate Member as an Associate of the Institution in any document and other records of the Institution, including a Diploma and/or a Certificate are valid and shall remain so.

29.1.7 All positions in the Council shall be honorary and no position shall attract or carry any remunerations.

29.2 Resignation, suspension, withdrawal or expulsion or expungement of a member does not:

- a. entitle such a member to any assets of the Institution;

b. absolve such a member from his liability to the Institution.

29.3 No member, Branch or Group shall institute any action in a law court on any issue that is purely an Institution matter without exhausting all the Constitutional provisions in seeking redress within the Institution. Any aggrieved member who is not satisfied with the decision arrived at through the internal organs of the Institution and wishes to seek legal redress shall serve the Institution twenty-one (21) days' notice of his/her intention to seek legal redress in the court of law.

29.4 If any member institutes a lawsuit against the Institution, the Institution's lawyers shall be instructed to include, as part of the Institution's prayers to the court, a refund of any legal cost incurred by the Institution in the course of the litigation.

29.5 The Constitution of the Nigerian Institution of Estate Surveyors and Valuers is a single document and all its provisions including its Regulations and Schedules shall be read together.

### ARTICLE THIRTY

#### **30.0 COMMENCEMENT, AMENDMENT AND ADOPTION OF THE CONSTITUTION**

##### **30.1 Commencement**

These amendments and any future alterations or amendments to this Constitution shall come into force and operation with effect from the date of the General Meeting at which they are considered and passed.

##### **30.2 Amendment**

a. The Council or a Financial Professional Member shall have powers to initiate a proposal or to file a petition to alter, amend or add to this Constitution.

b. A petition or proposal by the Council and/or a Financial Professional Member to alter, amend or add to this Constitution shall be in writing

and shall conform to the provisions of Articles 30.2 and 30.3 of this Constitution.

- c. The Council shall process any petition or proposal to alter, amend or add to this Constitution for consideration by Financial Professional Members at a General Meeting.

**30.3 Adoption**

- a. A resolution at the General Meeting to alter, amend or add to this Constitution shall be passed at such a Meeting by a simple majority of the Financial Professional Members present and voting in person or by proxy.
- b. Where a matter arises in respect of which no adequate provision or no provisions at all are made in this Constitution, the Council or the AGM shall adopt such procedure as will in its view do substantial justice to the issues and/or parties.

**ARTICLE THIRTY-ONE**

**31.0 SPECIAL CLAUSE**

**31.1** THE INCOME AND PROPERTY of the Nigerian Institution of Estate Surveyors and Valuers, whensoever derived shall be applied solely towards the promotion of the objectives of the Institution set forth in this Rules/Constitution, and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus, or otherwise however by way of profit, to the members of the Institution.

**31.2** PROVIDED that nothing herein shall prevent the payment in good faith of a reasonable and proper remuneration to any officer or servant of the Institution in return for any service actually rendered to the Institution but so that no member of the Council or Management or Governing Body shall be appointed to any salaried office of the Institution or any office

of the Institution paid by fees, and that no remuneration or other benefit in money shall be given by the Institution to any member of the Council or Governing Body except repayment of out of pocket expenses or reasonable and proper rent for premises demised, or let to the Institution provided that the provision last aforesaid shall not apply to any payment of any Company to a member of the Institution may be a Company in which such member shall not hold more than one hundredth part of the capital, and such member shall not be bound to account for any share of profits he may receive in respect of any such payment.

**31.3** NO ADDITION, alteration, or amendment shall be made to or in the Constitution for the time being in force, unless the same have been previously submitted to and approved by the Registrar-General.

**31.4** IN the event of a winding up or dissolution of the Institution there remain after the satisfaction of all its debts and liabilities any property or income, the same shall not be paid or distributed among the members of the Institution, but shall be given or transferred to some other institution or institutions having objects similar to the objects of the Institution and the body or bodies are prohibited from distributing its income and property amongst its or their members to an extent at least as much as is imposed on the Institution under or by virtue of the SPECIAL CLAUSE hereof, such institution or institutions to be determined by the members of the NIGERIAN INSTITUTION OF ESTATE SURVEYORS AND VALUERS. If effect cannot be given to the aforesaid provision, then, the assets should be given or passed to some charitable object.



**PART TWO**  
**THE REGULATIONS**

**SCHEDULE A to the Constitution of Nigerian Institution of Estate Surveyors and Valuers.**

*These Regulations are made pursuant to the Constitution of Nigerian Institution of Estate Surveyors and Valuers.*

**REGULATIONS**

**1. Transfer of a Fellow**

- a. An Associate desirous of being transferred to the grade of a Fellow shall be proposed and be recommended on a Form prescribed by the Council and the Form shall be subscribed to by the candidate and signed by at least three (3) Fellows.
- b. An application by an Associate for transfer to the grade of a Fellow shall be submitted to the Council through the Branch to which the candidate belongs and such an application shall be recommended and signed by the Branch Chairman after the Branch Executive Committee must have deliberated on and supported the application.
- c. The Council shall specify, from time to time, what constitutes:
  - i. Positive contributions towards the growth and development of the profession, and
  - ii. Exceptional standing and experience in the profession.

**2. Registration as a Student**

- a. A person who is pursuing suitable practical training or approved studies that can lead to professional membership of the Institution must register as a Student with the Institution, otherwise upon the completion of his training or studies he may not be permitted to register as an Associate.



- b. A Person desirous of being registered as a Student shall submit an application to that effect on a Form prescribed by the Council.

**3. Examination Regulations**

- a. The Institution through the Council shall publish the rules, guidelines, etc., governing the conduct of examination for candidates seeking to be admitted and/or elected to any grade of Membership.
- b. The Council may accept the examination and/or qualification of a University, an educational institution of higher learning and/or a professional body in lieu of that of the Institution, provided that in the case of an allied profession of another country there shall be a reciprocal recognition of the examination of the Institution.
- c. The Council shall not be required to disclose its reason for refusing to admit any person to an examination of the Institution.

**4. Electoral Committee**

- a. The General Meeting shall appoint three (3) Fellows and two (2) Associates (of not less than five years of becoming Associates of the Institution), who are Financial Professional Members constitute the Electoral Committee, and whose functions shall include administering and conducting nominations and elections in the Institution.
- b. A member of the Electoral Committee shall serve for a term of one (1) year commencing from the date of his appointment and shall be eligible for reappointment for another term of one (1) year only.
- c. Immediately before his election and during his term of office, no member of the Electoral Committee shall:
  - i. Be a member of the Council and/or any of its committees.
  - ii. Be a member of the Management Committee of the Institution.
  - iii. Be a candidate for election into any position, post or office in the Institution.
  - iv. Vote in any election in the Institution.

## **5.0 CODE OF CONDUCT FOR MEMBERS OF THE ELECTORAL COMMITTEE**

5.1 Members of the Electoral Committee, having committed themselves, jointly and severally, to conducting free, fair and credible election hereby agree to abide by the following Code of Conduct:

- a. The Committee shall strictly comply with all regulations and guidelines for the conduct of a free and fair election for the Institution.
- b. Members of the Committee shall be non-partisan and impartial in their conduct and actions throughout the election period.
- c. Members of the Electoral Committee shall not engage in an unauthorized release of information obtained in the course of their duties as electoral committee members.
- d. The Committee shall be open and transparent in its dealings with candidates and other members of the Institution.
- e. No member shall hold private meetings or consultations or engages in any unauthorized relations all concerning an ongoing election with any candidate in the election.
- f. No member is allowed to publish, circulate or howsoever transmit any information which is capable of jeopardizing or/and discouraging the smooth and orderly conduct of the election.
- g. All members of the committee shall subscribe to the Oath/Affirmation of neutrality.

## **6.0 Electoral Appeals Committee**

- a. The General Meeting shall constitute the Electoral Appeals Committee to be headed by a Past President, two (2) Fellows and two (2) Associates (of not less than five years of becoming Associates of the Institution) who are Financial Professional Members of the Institution and whose functions shall include hearing and determining all types of electoral petitions, disputes, and appeals.
- b. The Committee is to elect a secretary among the members.
- c. The Committee shall have at least a member with qualifications also as a legal practitioner.

- d. Petitions and appeals by a candidate in an election shall be forwarded to the Committee within fourteen (14) days of the election.
- e. The Committee shall dispose of all petitions and appeals within three (3) months of its constitution.
- f. Immediately before his election and during his term of office no member of the Committee shall:
  - (i) Be a member of Council and/or any of its Committees.
  - (ii) Be a candidate into any of elective position, post or office in the Institution;
  - (iii) Be a member that has represented a candidate as an agent, sponsor or returning official in the election in dispute.
- g. Where it becomes impossible to constitute an Electoral Appeals Committee, a retired judge shall with the approval of the General Meeting be appointed through an application to the Chief Judge of the Federal High Court.
- h. The Committee stands dissolved on the submission of its report to the Council.

## **7.0 Election Procedure**

The election to offices in the Institution can either be conducted electronically or manually in line with Regulations 7.1 and 7.2 of the Constitution.

### **7.1 Procedure for Electronic Voting**

The Electoral Committee shall issue and release guidelines for electronic voting at least three (3) calendar months before the general meeting where the election will hold.

### **7.2 Procedure for Manual Voting**

- a. The Electoral Committee shall, through the National Secretariat send to every Professional Financial Member a nomination paper in a Form prescribed by the Council at least three (3) calendar months before the General Meeting at which the results of the election will be presented.

- b. Every Financial Professional Member who is interested in contesting in the election shall ensure that his duly completed Nomination Form is returned to the Electoral Committee through the National Secretariat at least two (2) calendar months before the said General meeting.
- c. The Electoral Committee shall from the duly completed and returned Nomination Forms prepare the Balloting List having the names of the candidates therein arranged in alphabetical order along with the names of their respective nominators.
- d. There shall be placed against the name of each candidate on the Balloting List his official address and a brief statement as to his professional status.
- e. A current member of the Council nominated for re-election shall so indicate in the Balloting List by an asterisk.
- f. A current member of the Council who did not achieve at least fifty (50) percent attendance at meetings in his year of election without good reasons communicated in writing in advance of and/or immediately after the meeting in question and such reasons being acceptable to the Council shall not be eligible for election and/or re-election into the Council.
- g. The Electoral Committee shall forward to the Council a copy of the Ballot List for sighting and shall send a copy of the Ballot List with all requisite voting instructions to every Professional Financial Members at least thirty (30) days before the same General Meeting.
- h. A Professional Financial Member who is voting at the election shall return his duly completed ballot to the Electoral Committee through the National Secretariat at least 24 hours to the AGM or in accordance with the voting instructions supplied by the Electoral Committee.
- i. As soon as voting closes, the Electoral Committee shall scrutinize the ballots, tally the valid votes and prepare the results of the election ready for declaration at the General Meeting.
- j. In the event of an equality of votes in an Election, the President will have a casting vote.

- k. Where there is not nomination for a post, position or office at the close of the period set out by the Electoral Committee, the committee shall organize a bye-election within three (3) months after the elections to fill the vacancy.
- l. Where a member of the Council ceases to be a member of the Institution, the vacant position shall be filled in accordance with the provisions of this Constitution.

**8. Eligibility for Elections**

- a. Only Professional Financial Members shall be eligible to vote and to be voted for in an Election.
- b. No Officer of the Institution shall qualify for re-election into a post, a position or an office if he has held that same office for two (2) consecutive years.
- c. A Fellow with continuous membership of the Council for at least five (5) years or for an aggregate of six (6) years shall be eligible to contest for the post of the President.
- d. To be eligible for election into the Council and in addition to any other provisions in this Constitution, every intending candidate for a post, a position or an office shall:
  - i. Be a Professional Financial Member;
  - ii. Not have been found guilty by the Institution or by the Registration Board of professional malpractice or misconduct;
  - iii. Not have been dismissed from the service of his employer;
  - iv. Not have been convicted of a criminal offence.

**9. Seniority**

- a. The senior of any two (2) Past Presidents, or any two (2) Fellows, or any two (2) Associates, shall be the one with the small number in the appropriate part of the Register.
- b. A Fellow shall be senior to an Associate.

**10. Meetings of the Council**

- a. A meeting of the Council shall be held at the place and on the date and hour that the Council shall from time to time determine.
- b. A meeting of the Council shall always be called by the National Secretary on the direction of the President, in accordance with the provisions of this Constitution and/or any Regulations made thereto.
- c. The Council shall at its first meeting, held immediately after its election, determine its quorum and the places and the dates for its meetings in the ensuing year.
- d. Except as otherwise provided for in the Constitution, a decision of the Council shall be by consensus, but where this is not possible, the decision shall be determined by a simple majority of its members present and voting at a meeting.
- e. The National Secretary shall keep a permanent record of the proceedings of every meeting of the Council, including the attendance of the members thereat.
- f. The minutes of a meeting of the Council shall be adopted at the next subsequent meeting.

**11. Meeting of Committees of the Council**

- a. Each committee of the Council shall hold at least four meetings in a year and shall submit from time-to-time written reports of its work to the Council.
- b. The Council shall determine from time to time the quorum for the meeting of any of its Committees.

**12. Duties of Officers of the Institution**

- a. The President, in addition to any other provisions in this Constitution, shall deliver an address:
  - i. Immediately after his investiture, outlining the goals and plans of his presidency;
  - ii. At the opening of the Annual Conference, and



- iii. At the opening of the Annual General Meeting.
- b. The National Secretary, in addition to any other provisions in this Constitution, shall:
  - i. Keep and maintain the Register of members;
  - ii. On the instruction of the President and/or the Council, summon a General Meeting and/or meeting of the Council;
  - iii. Present the Annual report to the General Meeting, on behalf of the Council
- b. The National Treasurer, in addition to any other provisions in the Constitution, shall present the Annual Accounts to the General Meeting, on behalf of the Council.

**13. Investiture of the Council**

- a. The Council's year shall commence on the date of inauguration of a new council and shall end at least twenty-four (24) calendar months following when another Council shall be elected and inaugurated.
- b. A newly elected Council shall take office immediately after its inauguration at a ceremony presided over by the President during the Annual Dinner marking the end of the Annual Conference and the Annual General Meeting.

**14. Procedure for Trustees' Election**

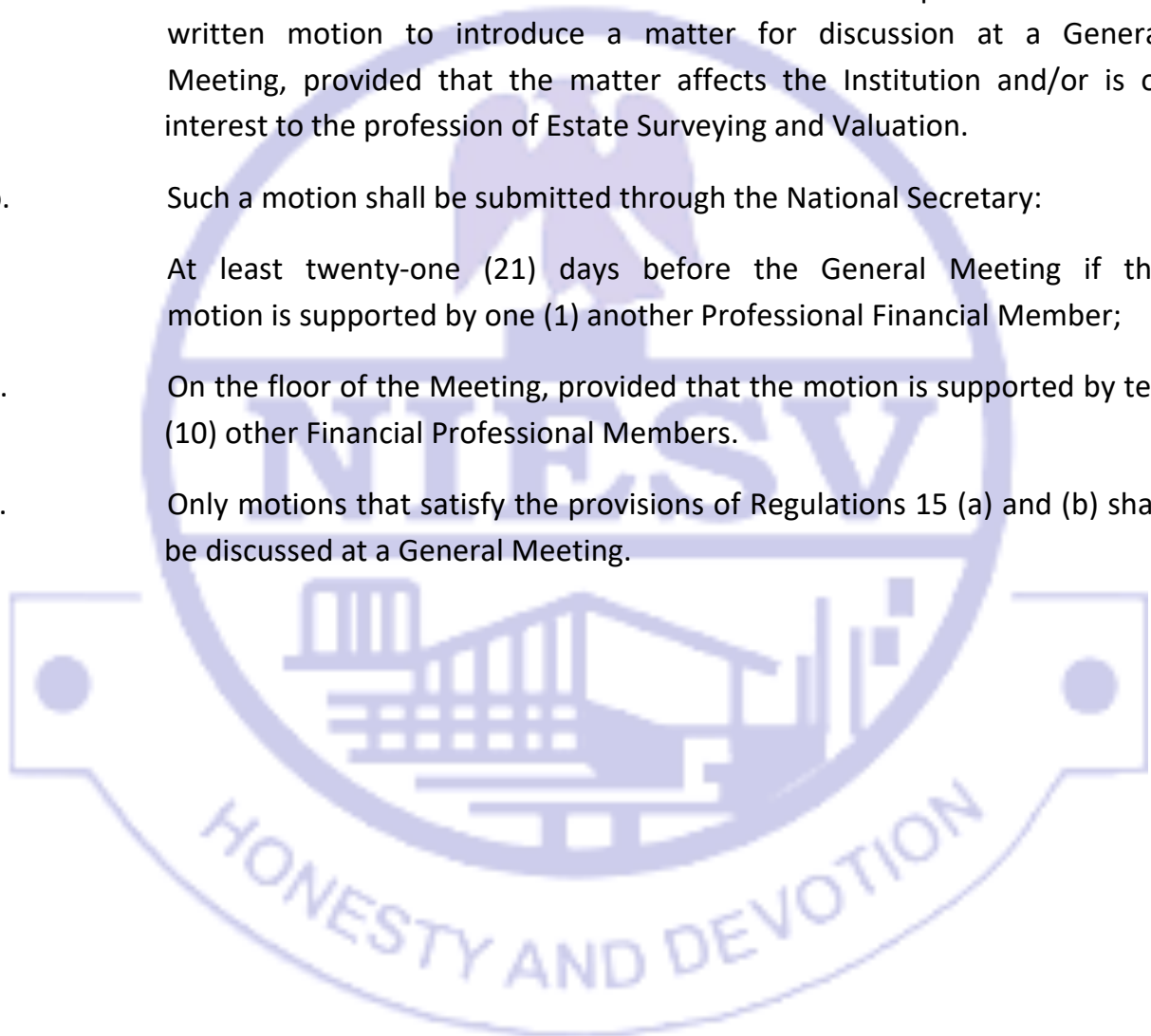
- a. All Professional Members shall receive notice for the election of Trustees at least one (1) month before the Meeting at which the election shall take place.
- b. Nominations for Trustees shall be made and supported by Financial Professional Members present and voting at the Meeting and shall take place on the floor of the Meeting.
- c. Any nominee as a Trustee shall:
  - i. Satisfy the conditions laid down in Article 8.1.2 of the Constitution;
  - ii. Be present at the Meeting, and



- iii. Openly accept the nomination
- d. Election of Trustees shall be by a simple majority.
- e. The Electoral Committee shall announce the results of the election immediately after the voting is concluded.

**15. Motions**

- a. A Financial Professional member shall have the power to use a written motion to introduce a matter for discussion at a General Meeting, provided that the matter affects the Institution and/or is of interest to the profession of Estate Surveying and Valuation.
- b. Such a motion shall be submitted through the National Secretary:
  - i. At least twenty-one (21) days before the General Meeting if the motion is supported by one (1) another Professional Financial Member;
  - ii. On the floor of the Meeting, provided that the motion is supported by ten (10) other Financial Professional Members.
- c. Only motions that satisfy the provisions of Regulations 15 (a) and (b) shall be discussed at a General Meeting.



## DEFINITIONS

In the construction of this Constitution, unless there is anything in the subject or context repugnant thereto, the several words hereinafter mentioned or referred to shall have or include the following meaning:

- **“Council”** means the Council of the Institution for the time being.
- **“Meeting of the Institution”, “General Meeting” or “Meeting”** means the Annual General Meeting of the Institution and/or the Extraordinary General Meeting of the Institution.
- **“Constitution”** means the current approved Constitution of the Institution.
- **“Regulation”** means any byelaw, directive, guideline, instruction, rule, and ruling made pursuant to the Constitution.
- **“Fellow”** means a Fellow of the Institution duly transferred to that grade of membership as provided in the Constitution.
- **“Associate”** means a Member of the Institution duly elected to that grade of membership as provided in the Constitution.
- **“Graduate”** means a person who has completed a course of study in a higher institution of learning and has passed the examination approved and/or prescribed by the Institution and who is so admitted by the Institution.
- **“Probationer”** means a person who has completed a course of study in a higher institution of learning but has not passed the examination approved and/or prescribed by the Institution and who is so registered with the Institution.
- **“Student”** means any person who is pursuing suitable practical training or approved studies that can lead to Professional membership of the Institution and who is duly registered with the Institution as such.
- **“Honorary Fellow”** means a person duly admitted to that grade of membership as provided in the Constitution.
- **“Member”** means a Fellow, an Associate, a Graduate, a Probationer, a Student or an Honorary Fellow.
- **“Professional Member”** means a Fellow or an Associate.
- **“Corporate Member”** means a Body Corporate duly admitted to that grade of membership as prescribed in the Constitution.
- **“Financial Member or Corporate Financial Member”** means a Fellow, a member, a Graduate, a Probationer, a Student, or a Corporate Member who has paid his annual subscriptions, fees, levies and other dues as prescribed by the Constitution.
- **“Foundation Member”** means a member whose name appears on the maiden list of Members of the Institution.

- **“The Act”** means the Estate Surveyors and Valuers Registration Board of Nigeria (Registration etc.) Act, Chapter III of the Laws of the Federal of Nigeria 1990 (now CAP. E13, 2007, LFN) including any subsequent amendment.
- **“The Board”** means the Estate Surveyors and Valuers Registration Board of Nigeria established by The Act.
- **“Estate Surveyor and Valuer”** means a person who is registered as such under The Act.
- **“The Journal”** means the official publication of the Institution known as “The Estate Surveyor and Valuer”.
- **“Annual Accounts”** means the Statement from the Council on the affairs of the Institution in the preceding reporting year required to be laid before Members at the Annual General Meeting.
- **“Financial Year”** means a period of one year starting from 1<sup>st</sup> January and ending on 31<sup>st</sup> December both dates inclusive, or any other period that may be duly determined by the General Meeting.
- **“Election”** includes an election, a bye-election and/or a re-election into positions in the Council and/or into other elective offices of the Institution, as provided by this Constitution.
- **“The Register”** means the Book kept by the Institution containing the names and other particulars of members.
- **“National Secretariat”** means the Administrative Headquarters and primary business office of the Institution including ancillary facilities and resources at the Federal Capital.
- **“Liaison Offices”** means any other business offices of the Institution other than the National Secretariat.
- **“Committee of Past President”** means an Advisory Body to the Council of the Institution to be made up of all Past Presidents.
- **“Annual Conference”** means the Assembly of members and non-members celebrated each year for purposes of reviewing the current state and the future status of the profession of Estate Surveying and Valuation.
- **Words importing:** (1) the masculine gender only shall include the feminine gender (2) words importing the singular number shall including the plural number and vice versa; (3) words importing persons shall include all legal bodies.
- **Tallying of ballots:** Where the tallying of ballots during voting in an Election or at a Meeting result in a fraction of a person such fraction of a person shall be taken as a whole number.

**These Regulations made pursuant to the provisions of the Constitution of the Nigerian Institution of Estate Surveyors and Valuers were approved and adopted at the Extraordinary General Meeting of the Institution held on Wednesday 25<sup>th</sup> October 2023 in Abuja.**

