

INTERNATIONAL ASSOCIATION FOR IMPACT ASSESSMENT - GHANA

IAIA - Ghana AFFILIATE OF IAIA (INTERNATIONAL)



**International
Association for
Impact Assessment**

(1) CONSTITUTION

(2) BYE-LAWS

(3) CODE OF CONDUCT

CONSTITUTION OF THE INTERNATIONAL ASSOCIATION FOR IMPACT ASSESSMENT - GHANA

ARTICLE

1.0 Establishment of the Association

There is hereby established the International Association for Impact Assessment-Ghana (IAIA-Ghana) hereinafter referred to as the Association - which shall be an affiliate of the International Association for Impact Assessment.

2.0 Objectives of the Association

The objects of the Association are the advancement of the art, science and management of Impact Assessment in Ghana, and the promotion of research, education/training and practice connected therewith. For the purpose of carrying out these objects but not otherwise, the Association may carry out any or all of the following:

- a. develop approaches and practices for comprehensive and integrated impact assessment,
- b. improve assessment procedures and methods for practical application,
- c. promote training of impact assessment professionals and public understanding of the field,
- d. provide professional quality assurance by peer review and other means
- e. sustain information networks
- f. produce timely publications
- g. organize professional meetings and workshops.

2.1 These objects will be pursued through the following:

- a. compile, maintain and publish a register of persons or groups of persons qualified to practice Impact Assessment in Ghana;
- b. compile and publish books, journals, pamphlets, information and forms and provide services which are likely to be of interest or utility;
- c. encourage and assist professions and occupations which are auxiliary, kindred or complementary to the impact assessment professional practice;
- d. to further good relations and co-operation between the Association and similar organizations within and / or outside Ghana;

- e. promote, maintain and safeguard the welfare and status of impact assessment practitioners;
- f. to do any other lawful thing which is incidental to or conducive to the attainment of the said objectives.

3.0 Membership

3.1 Membership of the Association shall be open to all qualified professionals interested in *environmental impact assessment who will complete a membership registration form.

3.2 Every member shall upon registration be entitled to obtain Membership Card subject to such conditions and on payment of such subscriptions or other dues as the Regulations may from time to time prescribe, and any such person ceasing to be a Member shall return to the Council his/her Membership card.

3.3 The rights and privileges of a member of the Association shall be personal to him/herself, and shall not be transferable or transmissible by his/her own act or by operation of law.

3.4 Membership shall comprise the following categories:

- a. Individual Members
- b. Student Members
- c. Retired Members
- d. Institutional Members
- e. Corporate Members

3.5 Individual Members

Individual members are entitled to vote for all IAIA-Ghana elected offices.

3.6 Students

Students shall be bona fide students engaged in the study of EIA or EIA related courses with the aim of becoming EIA professionals and have reached a standard which the Council may from time to time determine. Student members shall receive all the benefits of individual members except voting privileges.

3.7 Retired Members

Retired Members shall be members who have retired from active EIA or related practice in Ghana and shall receive all the benefits of individual members except voting privileges.

3.8 Institutional Members

Institutional members are organizations which are non-profit making. Institutional members shall receive the equivalent of two individual membership privileges.

3.9 Corporate Members

Corporate members are organizations which are profit making. Corporate members shall receive the equivalent of two individual membership privileges.

4.0 Executive Officers

The following shall be the executive officers of IAIA-Ghana and shall be elected from dues-paying members of the IAIA (International).

- (a) President He/she shall preside over all the meetings of the IAIA-Ghana and the Council and direct the affairs of the Association generally.
- (b) Vice President He/she shall deputize for the President during the latter's absence and assist generally in the performance of his/her duties.
- (c) Secretary He/she shall keep all the records of the Association and shall be responsible for all communications to and from the Association. He/she shall take the minutes at all meetings of the Association and the Council. He/she shall be the custodian of the Association's properties.
- (d) Treasurer He/she shall collect, keep and account for the funds of the Association.

5.0 Council

The governing body of the Association shall be the Council which shall consist of:

- (a) The President of the Association
- (b) The Vice President of the Association
- (c) The Secretary of the Association
- (d) The Treasurer of the Association
- (e) The immediate past President of the Association
- (f) Five (5) Members of the Association who shall be referred to as Directors*.

5.1 Powers and Functions of the Council

The Council shall be responsible for the administration and management of the affairs of the Association and shall be responsible for carrying out the provisions of the Constitution of the Association and the promotion of its objects. It may from time to time make Regulations for the approval of the General Meeting for all or any of the following purposes:

- (a) the management and duties of the Council, the holding of meetings by the Council and the issue of notices calling such meetings;
- (b) the duties of officers of the Association;
- (c) the appointment of committees and the powers, duties and proceedings of such committees;
- (d) the administration, investment and expenditure of the property and funds of the Association from whatever source and for whatever purposes received;

¹ *EIA means the process for the orderly and systematic evaluation of a proposal including its effects on the environment including the mitigation and management of those effects. The process extends from the initial concept of the proposal through implementation to completion and where appropriate, decommissioning.

- (e) the definition of unprofessional conduct and for determining the mode of inquiry into and the method of dealing with such conduct and the penalties which may be imposed upon any member found guilty of such conduct;
- (f) guidance on fees to be charged by EIA professionals for advice, services rendered and work done;
- (g) the fees to be paid for registration and annual subscription;
- (h) prescribing the procedure to be followed by persons applying for registration;
- (i) instructions and orders conducive to the maintenance and improvement of the status of EIA professionals in Ghana, and
- (j) generally for the attainment of the objectives of the Association.

2

5.2 The Council Shall:

- a) prescribe or approve the conduct and standards of qualifying for registration as a member;
- (b) maintain and publish a register of EIA professionals and firms;
- (c) prescribe and uphold standards of professional conduct and ethics;
- (d) control the practice of impact assessment.

6.0 Disciplinary Committee

6.1 The Association shall appoint a Disciplinary Committee consisting of the following:

- (a) The Vice President
- (b) Four other members

6.2 The Committee may from time to time co-opt any person whether he/she is a member of the Association or not to be a member of the Committee for the discharge of its functions but such a person shall not be entitled to vote on any matter for decision by the Committee.

6.3 The Disciplinary Committee shall inquire into all allegations of professional misconduct referred to it by the Council and shall submit its findings and recommendations to the Council.

7.0 Penalties

7.1 Where the Disciplinary Committee reports to the Council that an allegation of professional misconduct has been proved against a member(s), Council may:

* A Director is a non executive member who will be assigned special responsibilities from time to time

- (a) strike from the register the name of the member(s) against whom the adverse findings have been made;
- (b) suspend the member(s) concerned from membership of the Association for such period as the Council deem fit or
- (c) impose any other penalty which it may deem fit having regard to all the circumstances of the case.

***8.0 Appeals**

Any person(s) aggrieved by the findings and or/ recommendations of the Disciplinary Committee in the exercise of its disciplinary powers may appeal against that decision to the Council within 28 days from the date of receipt of notice.

9.0 Reinstatement

Any person whose name has been struck off the register of members may have his/her name restored if the Association is satisfied that he has become subsequently a responsible person to be a member of the Association, on the settlement of such penalties which may be decided by the Association.

10.0 Registration Fee and Subscriptions

All members of the Association shall be required to pay such registration fees or annual subscriptions as the Association may from time to time determine for each category of members and approve at the Annual general Meeting (AGM).

11.0 Chapters

- 11.1 The Association may form Chapters in such regions and in towns as they shall deem fit.
- 11.2 The duties and responsibilities of the Chapters shall be laid down by means of bye laws drawn up by the Council, and the Council shall be empowered from time to time as they may deem desirable to revise the Constitution of such Chapters and regulations governing their organisation and business.

12.0 Funds of the Association

The Association may receive, administer and apply the funds, donations, bequests and endowments for prizes, exhibitions, or for any general or special object or purpose connected with EIA.

13.0 Property of the Association

- 13.1 The Association may receive, manage, charge or dispose of any property of any description, including land of any tenure, on such terms as it deems fit.
- 13.2 All properties of the Association shall be vested in the Council in trust for the Association.

14.0 Delegation of Powers

The Council may delegate to any member(s) the exercise of any of its functions subject to the provision of this Constitution.

15.0 Annual Report

The Council shall prepare a yearly report on the state of the Association which shall be presented by the President at the Annual General Meeting.

16.0 Annual General Meeting

16.1 An Annual General Meeting shall be convened in every year at such place and at such time and on such date (not being later than twelve months after the last preceding Annual General Meeting) as the Council shall determine. All members of the Association shall have the right to attend the Annual General Meeting except that such members disqualified by reasons of non-payment of subscriptions shall not have the right to vote.

16.2 The Annual General Meeting shall:

- (a) receive and consider Financial Statement and the Annual Report of the Council;
- (b) elect officers of the Association for the ensuing year when necessary;
- (c) transact such other business as may be necessary

17.0 Amendment of Constitution

The Constitution may be amended by a resolution passed by a two-thirds majority of the members present and entitled to vote at an Extraordinary General Meeting of the Association called for the purpose and the terms of the proposed amendment circulated to members together with the notice convening the meeting within 14 days. An Extraordinary General Meeting may be held on the same day at the same place as an Annual General Meeting.

IAIA-GHANA - BYE-LAWS

1.0 ELECTION OF COUNCIL

Election of Council

- a. Members nominated for the office of the Council shall be paid up members of the Association.
- b. Executive office holders shall also be paid members of IAIA (International)
- c. Members interested in office shall complete the appropriate nomination forms supported by five members of the Association.
- d. Council shall review the nominations and recommend for election not more than three candidates for each executive office.

e. In the case of directors, the Association shall recommend not more than ten (10) nominees out of which five will be elected.

f. The tenure of office for executive officers shall be two (2) years.

2.0 ANNUAL SUBSCRIPTIONS

2.1 All annual subscriptions shall become due on the first day of January in every year.

2.2 Registration Fees and Subscriptions shall be as follows:

	Registration Fee	Subscription Fee
Individual	¢50,000	¢100,000 (per year)
Student	¢20,000	¢40,000
Retired	¢20,000	¢40,000
Institutional	¢100,000	¢400,000
Corporate	¢200,000	¢500,000

2.3 Registration fee shall be paid in respect of one category only.

2.4 Cheques etc. for fees and subscriptions shall be made payable to the IAIA-Ghana and addressed to the Treasurer.

2.5 If any member fails to pay his/her annual subscription within six months after it has become due he/she may be suspended by resolution of the Council and may only be reinstated by resolution of the Council upon the payment of a penalty of 20% of subscription fee for the category and all outstanding monies due.

3.0 DISCIPLINARY POWERS

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

3.2 A person who has been suspended or expelled may be reinstated by resolution of the Council if the Council is satisfied that he has become subsequently a responsible member of the Association on the settlement of such penalties which may be decided by the Council.

4.0 RESIGNATIONS

4.1 Any member, provided he/she is under no liability to the Association shall be entitled to resign his/her membership on giving notice in writing of his intention so to do, and on his

returning his membership card to the Council for cancellation. The Council shall have power to return the cancelled membership card to any member.

5.0 ELECTION OF OFFICERS

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

- (a) not less than seven clear days notice shall be given of any meeting convened for the purpose;
- (b) the notices convening the meeting shall state that the election of officers and members of the Association will take place at the meeting. Any member desiring to nominate candidates for election as officers or as members of the Association, must forward the names of those he desires to nominate. Nominations indicating the candidates willingness to serve, if elected, should be received by the Secretary not less than three days before the date of the meeting, duly proposed and seconded by four members of the Association.
- (c) the Association will determine at the meeting the form of voting to be adopted.
- (d) if nominations received by the Secretary prior to the meeting are insufficient to meet the number of vacancies then further names may be called for from those present at the Annual General Meeting.
- (e) If there be a tie of votes, the Annual General Meeting may give such casting vote or votes as may be necessary to remove the equality and complete the election.

5.2 The Council shall have power to fill vacancies in the Council or in any of the officers which occur between elections.

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

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

6.0 MEETINGS OF COUNCIL

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

- 6.2 The President or two members of the Council may require the Secretary at any time to summon a meeting of the Council.
- 6.3 The Chairman of the Council shall be the President. In the absence of the President the Vice President shall be the Chairman, or failing him any Member of the Council elected by the Meeting.
- 6.4 Questions arising at any meeting of the Council shall be determined by a majority of votes the Chairman may give such second or casting vote or votes as may be necessary to remove the equality.
- 7.0 COMMITTEES
- 7.1 The Council shall appoint out of the members of the Association, committees to be called the Finance and Management Committee, Education Committee, Arbitration Committee, Editorial Committee, Practice Committee and any such Committee as may be deemed necessary and in appointing such Committee shall have regard to the composition of the Association at the time of such appointment. The Vice President of the Association shall be an ex-officio member of any Committee appointed if he/she is already not a serving member.
- 7.2 Committees appointed by the Council, shall in the exercise of the powers so delegated, conform to all regulations and terms of reference that may be prescribed on them by the Council.
- 7.3 The Council shall appoint the Chairman of each Committee unless where the constitution states otherwise.
- 7.4 In the absence of the Chairman, the meeting may elect any member of the Committee present to take the chair.
- 7.5 A Committee shall have to carry out its duties with all due diligence but failing such diligence the Council shall have power to dissolve the Committee and to appoint new Committee or to perform the work itself.
- 7.6 Questions arising at any meeting of a Committee shall be determined by a majority of votes of the members present, and in case of an equality the Chairman shall have a second or casting vote.
- 7.7 The quorum of all Committees shall be three except in the case of Arbitration and Disciplinary Committees where all five must be present. Notice of a Committee meeting shall be delivered or sent to each Member of the Committee seven clear days before the meeting or twenty-four hours before the meeting in case of emergency. Accidental omission to give notice of meeting to or non-receipt of notice of a meeting by member shall not invalidate the proceedings. Each Committee shall have power to co-opt members approved of by the Council.
- 7.8 The composition of the Committees shall be as follows:

a. Finance and Management Committee

1. Treasurer (Chairman)
2. Four others

b. Education Committee

1. Chairman
2. Secretary
3. Three other members

c. Disciplinary Committee

1. Vice President (Chairman)
3. Four other members

d. Arbitration Committee

1. Vice President (Chairman)
2. Council Member
3. Three other members

e. Editorial Committee

1. Chairman
2. Secretary
3. Three other members

f. Practice Committee

1. Chairman (Past-President)
2. Secretary
3. Three other members

8.0 GENERAL MEETINGS

- 8.1 The Annual General Meeting shall be held each at such time and at such place as may be determined by the Association.
- 8.2 Extraordinary General Meetings shall be held when necessary but not more than twice a year.
- 8.3 Seven clear days notice at the least shall be given of a General meeting specifying the place, the day and the time and the general nature of the business. The accidental

omission to give notice of meeting to or non-receipt of notice of a meeting shall not invalidate the proceedings.

- 8.4 A third of the total membership of the Association at a General Meeting shall form a quorum
- 8.5 The President shall preside as Chairman at every Annual and Ordinary General meeting of the Association. In his/her absence the Vice President shall be the Chairman, or failing him/her any Member of the Council elected by the meeting.
- 8.6 The Chairman at any meeting of the Council may with the consent of the members present, adjourn the meeting but no new business shall be considered until the unfinished business at the meeting from which the adjournment took place, has been concluded.
- 8.7 At voting decisions shall be carried by a simple majority. In the case of a tie, the Chairman shall be entitled to a second or casting vote.
- 9.0 FINANCE
- 9.1 Funds for the running of the Association shall be obtained through members subscriptions, donations, etc.
- 9.2 All monies belonging to the Association and not invested shall be deposited by the Council on account of and for the use of the Association with any Commercial Bank. The Council shall from time to time give directions as to how such account is to be operated. All instructions to the Bank involving payments of money shall be signed by the Treasurer and either the Secretary or the President.
- 9.3 The Council shall appoint a firm of Chartered Accountants to serve as Auditors. They shall audit the accounts of the Association and make a report there on to the Annual General meeting.

CODE OF ETHICS

1. Every member shall carry out or conduct his/her professional activities, as far as possible, in accordance with emerging principles of sustainable development and the highest standards of environmental protection.
2. Every member shall at all times place the integrity of the natural environment and the health, safety and welfare of the human community above any commitment to sectional or private interests.
3. Every member shall be personally accountable for the validity of all data collected, analysis performed, or plans developed by the member, and for the scrutiny of all data collected, analyses performed, or plans developed under the member's direction.

4. Every member shall ensure the incorporation of environmental protection and social or socioeconomic impact considerations from the earliest stages of project design or policy development.
5. Every member shall not conduct professional activities in a manner involving dishonesty, fraud, deceit, misrepresentation or bias.
6. Every member shall not advertise or present the member's services in a manner that may bring discredit to the profession.