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The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

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No. 1573/26 - FRIDAY, OCTOBER 31, 2008

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

**INSTITUTE OF QUANTITY SURVEYORS, SRI LANKA
(INCORPORATED BY ACT, No. 20 OF 2007)**

Rules

1. (i) The rules contained herein (hereinafter referred to as the “Rules”) shall be the rules for the purposes of Section 7 of the Institute of Quantity Surveyors, Sri Lanka (Incorporation) Act, No. 20 of 2007. In the event of any inconsistency between the Act and the Rules, the Act shall prevail. Preliminary
- (ii) APPENDICES scheduled to the Rules are—
Appendix 1 – By-laws
Appendix 2 – Requirements for Membership
Appendix 3 – Annual Subscriptions and Fees
Appendix 4 – The Code of Professional Conduct and Ethics
2. (i) “The Institute” means the “Institute of Quantity Surveyors Sri Lanka” incorporated by the Act mentioned below. Interpretation
- (ii) “College of Quantity Surveying” means a place of education owned and managed by the Institute to conduct courses leading to the qualification of Quantity Surveying .”
- (iii) “The Act” means the Institute of Quantity Surveyors, Sri Lanka (Incorporation) Act, No. 20 of 2007.
- (iv) When any provision of the Act is referred to, the reference is to such provisions as modified by any Statute for the time being in force.
- (v) Unless the context otherwise requires, the expressions defined in the Act or any statutory modification thereof, for the time being in force, shall have the meaning so defined.

- (vi) “The Council” means the Office Bearers of the Institute and the Executive members for the time being hereby constituted and hereinafter defined in the Rule 47 (i) pursuant to Section 5 of the Act.
- (vii) “The Rules” means the rules given herein including those amended altered to or rescinded from time to time in accordance with the Act.
- (viii) “The By-laws” mean the by-laws scheduled to the Rules (Appendix 1) or such other by-laws as shall, for the time being, in force including those added or altered or adopted by the Council in accordance with Rule 46.
- (ix) “Requirements for Membership” means the requirements for the time being, in force and which has to be met by the applicants who will apply for the membership of the Institute (Appendix 2 scheduled to the Rules) or such other requirements that may be added or altered or adopted by the Council from time to time in accordance with the Rules.
- (x) “Annual Subscriptions and Fees” mean the subscriptions and fees for the time being in force as shall become due from or payable by the Members (Appendix 3 scheduled to the Rules) or such other subscriptions and fees that may be added or altered or adopted by the Council from time to time in accordance with the Rules.
- (xi) “The Code of Professional Conduct and Ethics” mean the standards of professional conduct for the time being in force to which Members of the Institute must adhere, (Appendix 4 scheduled to the Rules) including such other code of conduct and ethics added or altered or adopted by the Council from time to time in accordance with the Rules.
- (xii) “The Member” means Corporate members and Non Corporate members of the Institute for the time being having memberships of the Institute and persons who shall be admitted to the Institute as Corporate members or Non Corporate members in any of the grades of membership hereinafter defined but for the purpose of the Act the word “Members” mean Corporate members only.
- (xiii) “The Corporate member” means the person for the time being having membership of the Institute as a Fellow member or Associate member who also shall be referred to as the Chartered Quantity Surveyor in accordance with the Act.
- (xiv) “The Non Corporate member” means the person for the time being having membership of the Institute in the grades of membership hereinafter defined, namely Registered member, Graduate member, Technical member, Probationary member, Subscribing member, and Student member.
- (xv) “The Approved Employment” means being employed in the Quantity Surveying field as a Principal or a Director or an employee in any one of the following:-
 - (a) A firm of Chartered Quantity Surveyor or a firm of Chartered Quantity Surveyors as defined in the Section 13 (4) of the Act.
 - (b) A private practice of a Chartered Quantity Surveyor as defined in the Section 13 (4) of the Act.
 - (c) Quantity Surveying unit of a Public Sector organization duly recognized by the Institute.

- (d) Quantity Surveying unit of a Private Sector organization duly recognized by the Institute.
- (e) Tertiary educational institution such as University, Technical College and any other higher educational institution recognized by the Institute, as being engaged in the education of Quantity Surveying.
- (f) Any other organization the Institute may recognize as performing Quantity Surveying Work.
- (xvi) “Working day” means a day other than Saturday, Sunday and public and mercantile holiday.
- (xvii) “Day” means a calendar day.
- (xviii) Expressions referring to writing shall, unless the contrary intention appears, be construed as including references to printing, lithography, photography and other modes of representing or reproducing words in a visible form.
- (xvix) Words importing persons shall include corporations, words importing the masculine gender shall include the feminine and words importing the singular shall include the plural and *vice versa*.

MEMBERSHIP

3. The Corporate members and the Non Corporate members of the Institute as on the day preceding the date of commencement of the Act and such persons as the Council shall thereafter admit to membership shall be the Corporate members or the Non Corporate members of the Institute and their names shall be entered in the Register of Members accordingly. Nevertheless only those sections of such register containing the names of the Corporate members shall constitute the Register of Members kept pursuant to Section 6 of the Act.

Members and the Register of the Members

4. Membership of the Institute shall not be open to any person who is not primarily concerned with Quantity Surveying and election to membership shall be in accordance with the membership criteria as described in the “Requirements for Membership” (Appendix 2) upon evaluation of application for membership and would be at the sole discretion of the Council.

Restriction on membership

No person shall be admitted to the membership of the Institute or shall remain as a Member of the Institute if he —

- (i) has been convicted by a court of law in Sri Lanka or abroad for a criminal offence as shall be prescribed by the law ;
- (ii) has been adjudged by a court of law in Sri Lanka or abroad to be of unsound mind.

5. Membership of the Institute shall be classified according to the grades of membership as defined herein and in the document “Requirements for Membership” (Appendix 2) and no person shall be eligible for membership of the Institute otherwise than in accordance with the provision in the said Appendix, such provision to be read as the minimum standard in each case.

Classification of membership

6. In exceptional cases only the regulations governing admission to any grade of membership may be overridden by particular and special consideration which, in the opinion of the Council, may warrant that an applicant be exempted from taking examinations of the Institute, provided always that such consideration shall be limited to those which the Council may hold to be expressly or impliedly established by the “By-laws” (Appendix 1) for the time being of the said examinations in relation to contents in the “Requirements for Membership” (Appendix 2).

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| Change of Address or Employment | 7. Should any Member of the Institute at any time change, his address or place of employment he shall forthwith notify the Secretary of the Institute in writing, giving full particulars. |
| Special Retention of Membership | 8. Should any Member at any time cease to fulfill any of the conditions of eligibility appropriate to his grade of membership, he shall forthwith notify the Secretary of the Institute in writing, giving full particulars of the changed circumstances and thereafter the continuance or cancellation of his membership or the retention or amendment of his membership grade, shall lie at the discretion of the Council, whose decision shall be absolute and final and the Council shall not be obliged to disclose the reasons for its decision and pending such decision, his membership and grade thereof shall meanwhile hold good, subject always to the Rules and the By-laws. |
| Ceasing of membership | 9. Upon any person ceasing membership of the Institute, notice of the fact shall be published in the Journal/ Web Site of the Institute and the person's name be deleted from the Register of Members. 10. All Corporate members ceasing membership of the Institute shall surrender their membership certificates to the Secretary of the Institute. 11. Any Member who has ceased membership of the Institute may be re-admitted to membership at the absolute discretion of the Council, provided that all the regulations regarding membership are satisfied. |
| Confirmation of fulfillment of Condition of membership | 12. Every Member of the Institute shall be required once in each year to declare on a form provided by the Council that he is still engaged in Quantity Surveying Work, in the manner under which his particular grade of membership was granted and in conformity with the regulations governing membership. Such forms provided by the Council may be attached to any printed reminders for payment of subscriptions circulated to the Members. |
| Members retired | 13. Any Member of the Institute retiring from practice for any reason whatsoever shall forfeit his rights of membership, but at the discretion of the Council may be permitted to become a Subscribing member on payment as prescribed from time to time by the Council. |
| Powers for electing Members | 14. The Council alone shall have the power to enroll the Members of the Institute and to decide whether any person proposed for or seeking membership has or has not fulfilled the requirements applicable to his case. |
| Right and privileges of Members | 15. The rights and privileges of every Member of the Institute shall be personal to himself and shall not be transferable or transmissible by his own act or by operation of law. 16. The rights and privileges of all Members shall be to enjoy the facilities provided by the Institute and as provided in the Rules and only the Corporate members shall have the right of voting on all matters put to a vote. Non Corporate members, namely Graduate members, Technical members, Probationary members, Student members, Subscribing members and Registered members shall not have the right of voting, nominating or seconding in any elections, nor at any Annual General Meeting, nor Extraordinary General Meeting, of the Institute, nor of any overseas group thereof and such rights as aforesaid shall be specifically the rights only of the Corporate members. |
| Student membership | 17. (i) The Council may register as a Student member of the Institute any person who complies with the general conditions of admission and the requirements for the Student membership set out in the "Requirements for Membership" (Appendix 2). (ii) The Council may also register as a Student member of the Institute any person who is not employed in the Approved Employment but following a Quantity Surveying |

Course recognized by the Institute in any one of the following institutions as an undergraduate or a student :-

- (a) A University recognized by the Institute,
- (b) The College of Quantity Surveying of the Institute,
- (c) Tertiary educational institution recognized by the Institute,
- (d) Any other educational institution recognized by the Institute.

Student members of this category shall be required to pay only 50% of the prescribed amounts of the Annual subscription and the Application processing fee for the Student membership of the Institute and they will be exempted from the payment of Admission fee. They shall not be considered as Student members who are eligible candidates to sit for the examinations conducted by the Institute but shall be entitled to the benefits and the privileges enjoyed by the other members in the Student membership category of the Institute.

18. A person shall not remain a Student member of the Institute for a period exceeding ten (10) years from the date of his registration as a Student member, save by the express special authority in writing by the Council, lacking which a Student member shall, upon the expiry of the said period of ten (10) years, forfeit his membership of the Institute forthwith and his name shall be deleted from the Register of Members.

19. A person must become registered as a Student member of the Institute before he will be permitted to sit for any examinations of the Institute save as it may be expressly provided otherwise in the "By-laws" and the "Requirements for Membership" (Appendix 1 and Appendix 2).

20. The Council may register as a Probationary member of the Institute any person who complies with the general conditions of the admission and the requirements for the Probationary membership set out in the "Requirements for Membership" (Appendix 2).

Probationary
membership

21. A person shall not remain a Probationary member of the Institute for a period exceeding ten (10) years from the date of his registration as a Probationary member save by the express special authority, in writing, of the Council, lacking which, a Probationary member upon the expiry of the said period of ten (10) years, shall forfeit his membership of the Institute forthwith and his name shall be deleted from the Register of Members.

22. A person must become registered as a Probationary member of the Institute before he will be permitted to sit for the prescribed examination/ Assessment of Professional Competence (APC), and Viva-voce for the Registered membership save as it may be expressly provided otherwise in the "By-laws" and the "Requirements for Membership" (Appendix 1 and Appendix 2).

23. (i) The Council may register as a Graduate member of the Institute a graduate who has been a Student member of the Institute for minimum of one (01) year prior to the graduation and comply with the general conditions of admission and the requirements for the Graduate membership set out in the "Requirements for Membership" (Appendix 2).

Graduate
membership,

The Council may not register as a Graduate member of the Institute a graduate who has not been a Student member of the Institute in accordance with the Rule 17 (ii)

above even though the graduate complies with the general conditions of admission and the requirements for the Graduate membership set out in the “Requirements for Membership” (Appendix 2). However, such graduates shall apply for Graduate membership of the Institute one (01) year after the date of graduation.

A person shall not remain a Graduate member of the Institute for a period exceeding ten (10) years from the date of his registration as a Graduate member save by the express special authority, in writing, of the Council, lacking which, a Graduate upon the expiry of the said period of ten (10) years, shall forfeit his membership of the Institute forthwith and his name shall be deleted from the Register of Members.

Technical membership

(ii) The Council may register as a Technical member of the Institute any person who complies with the general conditions of admission and the requirements for the Technical membership set out in the “Requirements for Membership” (Appendix 2).

Registered membership

(iii) The Council may register as a Registered member of the Institute any person who complies with the general conditions of admission and the requirements for the Registered membership set out in the “Requirements for Membership” (Appendix 2).

24. A person must become registered as a Graduate member or Technical member or Registered member of the Institute before he will be permitted to maintain the diaries and sit for the prescribed Assessments of Professional Competence (APC) and the Viva-voce of the Institute for the Associate membership save as it may be expressly provided otherwise in the “By-laws” & the “Requirements for Membership” (Appendix 1 and Appendix 2).

Associate membership

25. The Council may register as an Associate member of the Institute any person who complies with the general conditions of admission and requirements for the Associate membership set out in the “Requirements for Membership” (Appendix 2).

Fellow membership

26. The Council may register as a Fellow member of the Institute any person who complies with the general conditions of admission and requirements and meets the selection criteria for the Fellow membership set out in the “Requirements for Membership” (Appendix 2).

Honorary Fellow membership

27. Any person, in recognition of notable service rendered by him to the Institute in particular or to the Quantity Surveying profession in general, or who by virtue of position, experience, eminence, rank or otherwise, may be able to render valuable assistance towards promoting the aims and objects of the Institute, or the welfare and high standing of the Quantity Surveying profession in general, may be elected by the Council as an Honorary Fellow of the Institute, such an appointment shall not constitute him a Member of the Institute and he shall not have voting rights. A proposal for such an election must be subscribed by at least three (3) Fellow members of the Institute.

Determination of membership

28. Any Member of the Institute may determine his membership at any time on giving to the Council written notice of his desire, but he shall nevertheless continue liable to pay any subscription or arrears of subscription due at the date of such notice.

ANNUAL SUBSCRIPTIONS

Subscriptions to be paid

29. (i) The Annual Subscriptions shall be paid in full direct to the Institute by each respective Member of the Institute, both in Sri Lanka and overseas, such subscriptions shall be paid in advance and payment shall become due on 1 April in each year as stipulated in “Annual Subscriptions and Fees” (Appendix 3).

- (ii) The Council may amend the Annual Subscriptions and Fees payable by the Members subject to approval at a General Meeting.

30. The Council shall have power to excuse payment of part of or all of subscriptions of any Member who is unable to pay the subscription due to personnel difficulties provided such difficulties are justified by the Member to the satisfaction of the Council.

31. If any Member shall leave his subscription in arrears for six (6) months he shall be suspended from the membership of the Institute. If he shall fail to pay such arrears within three (3) months after written notice of his default has been given to him by the Secretary of the Institute, his name may be struck off from the Register of Members of the Institute, by the Council at any time afterwards and he shall thereupon cease to have the rights as a Member of the Institute, but he shall nevertheless continue liable to pay the arrears of subscriptions due at the time at which his name was struck off. Provided always that the striking off as aforesaid shall be at the discretion of the Council and subject to the By-laws and such further conditions as may be prescribed by the Council.

EXPULSION AND SUSPENSION OF MEMBERS

32. The Council may expel, for such period as it thinks fit or suspend from the membership of the Institute, any Member who shall have acted in contravention to the Rules, the Code of Professional Conduct and Ethics of the Institute (Appendix 4) and the By-laws (Appendix 1) or who shall in the opinion of the Council, has been guilty of conduct unbecoming a Member of the Institute, subject to the following provisions :-

- (i) The Council may either —
- (a) give notice in writing to such member of the complaint received against him and afford him an opportunity of submitting explanation in writing within a month.
- or
- (b) suspend such member in the first instance, for a period not exceeding twelve (12) months, without first giving any notice to him, provided that notice in writing shall, within one (01) month after the date of such suspension, be given to such Member of the complaint against him and an opportunity of explanation given to him and in the event of such notice not being given within the said period of one (1) month then such suspension shall cease to have effect.
- (ii) If at the expiration of the period allowed by the Council for an explanation such Member shall have failed to make an explanation which, in the opinion of the Council, is satisfactory, the Council may suspend or continue any suspension for such period as it may think fit, or expel such Member from membership and upon such expulsion his name shall be removed from the Register of Members.
- (iii) Any Member to whom notice may have been given as aforesaid, shall have the right to appeal to the Council stating his case. Upon evaluation of the appeal or explanation, it is at the sole discretion of the Council to consider reinstatement or expulsion of a Member who had been suspended on disciplinary action as mentioned above.
- (iv) Any notice required to be given in accordance with the above, shall be deemed to have been properly given if it is handed to such Member personally, or sent to him by Registered Post to his last address (communication or permanent) registered with the Institute.
- (v) For the purpose of this Rule, the Council may act by a committee appointed by the Council.

MEETINGS

Annual General Meeting

33. An Annual General Meeting, for the conduct of election, receiving of annual reports and accounts and otherwise as may be prescribed shall be held once in every year at such time (not being more than fifteen months after the holding of the last preceding Annual General Meeting) and place, as may be prescribed by the Council.

Extraordinary General Meeting

34. The Council may, wherever it thinks fit, convene an Extraordinary General Meeting and an Extraordinary General Meeting shall also be convened by the Secretary of the Institute, should a requisition signed by five (5) Corporate members of the Institute and specify the object of the meeting, be at any time delivered to him. If within thirty (30) Working days after the delivery of such requisition a meeting is not convened in accordance therewith, the Corporate members who were the requisitionists along with fifteen (15) other Corporate members out of which five (5) would be the Council members of the Institute may convene an Extraordinary General Meeting in accordance with the requisition. However, any meeting so convened shall not be held after the expiration of one (1) month from the last date of said thirty (30) Working days period.

Notice of Meetings

35. Not less than fifteen (15) working days notice in writing at the least, shall be given of every Annual General Meeting and of every meeting convened to pass special resolution and not less than ten (10) working days notice in writing at the least shall be given of every other General Meeting. Notice shall be exclusive of the day on which it is served and of the day for which it is given and shall specify the place, the day and the hour of Meeting and in the case of special business, the general nature of that business and shall be given to such persons (including the Auditors) as are under the Rules or under the Act entitled to receive such notice from the Institute, provided that a meeting of the Institute shall notwithstanding that it is called by shorter notice than that specified in the Rules, be deemed to be duly called if it is so agreed :-

- (i) In the case of a meeting called as an Annual General Meeting by all the Corporate members entitled to vote thereat : and
- (ii) In the case of an Extraordinary General Meeting by a majority in number of the Corporate members having a right to attend and vote at the Meeting, being a majority together representing not less than ninety five percent of the total voting rights at that meeting of all Corporate members.

36. Accidental omission to give notice of a meeting to, or the non receipt of notice of a meeting by, any Corporate member or Non Corporate member shall not invalidate the proceedings at any Meeting.

PROCEEDINGS AT GENERAL MEETINGS

Business of Meetings

37. Only ordinary business shall be conducted at Annual General Meetings. All other business shall be transacted at an Extraordinary General Meeting.

38. Ordinary Business at Annual General Meetings shall include the election of the Executive members of the Council and the Office Bearers of Institute, as defined herein, the consideration of Accounts and Balance Sheet, the appointment of Auditors and the fixing of subscriptions and fees payable by the Members and Auditor's fees for the ensuing year, the ordinary report of the President and of the Council and such other reports as may be stated on the agenda.

39. No business shall be transacted at any General Meeting unless a quorum of Corporate members is present at the time when the meeting proceeds to business, save as herein otherwise provided, twenty (20) Corporate members of the Institute personally present shall be a quorum.

Quorum

40. If within half-an-hour from the time appointed for the meeting a quorum is not present, such meeting shall be adjourned to such day, time and place as the Council may determine and at any such adjourned meeting the Corporate members present shall be a quorum.

Presiding of Meetings

41. (i) The President of the Institute shall preside as the Chairman at every General Meeting of the Institute. If the President, is not present within fifteen (15) minutes after the time appointed for holding the General Meeting, or is unwilling to act as the Chairman, the Vice-President present shall preside or if the Vice-President is not present, or is unwilling to act as the Chairman, the Corporate members present shall choose one of their members to be the Chairman to preside the General Meeting.

(ii) The person who presides shall regulate the order and procedures of such meetings according to the Rules, the By-laws and other regulations as applicable. He shall call to order and otherwise exercise the normal duties and rights of the person who is presiding including the right of a casting vote.

42. (i) Any decision required at a General Meeting shall, except where otherwise provided in the Act or the Rules be ascertained by a simple majority on a show of hands or otherwise decided by the membership present at the General Meeting. Provided that any General Meeting a poll, may, before or upon the declaration of the result of the show of hands, be demanded by the Chairman or by at least three (3) Corporate members present in person, and unless a poll be so demanded a declaration by the Chairman of the meeting that a resolution has been carried, or carried unanimously or by a particular majority, or lost, or not carried by a particular majority and as entry to that effect in the minute book of the Institute maintained by the Secretary shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution. The demand of a poll may be withdrawn.

Voting at Meetings

(ii) If a poll be demanded in a manner aforesaid, it shall be taken at such time and place and in such manner, as the Chairman of the meeting shall direct and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded.

(iii) No poll shall be demanded on the election of a Chairman of a meeting or on any question of adjournment.

43. Each Corporate member of the Institute entitled to vote shall have one vote on any one motion. In the case of equality of votes, the Chairman shall have the casting vote. All votes shall be given personally and proxies shall not be allowed.

44. Minutes shall be kept of all Meetings by the Secretary, in books preserved for the purpose and which shall specifically describe:-

Minutes of Meetings

- (a) All elections or appointments.
- (b) The names of those Corporate members present.
- (c) All resolutions, the results of any voting and all proceedings.

PROCEEDINGS AT ALL OTHER MEETINGS

45. (i) Meetings of the Council shall be presided by the President of the Institute and if the President is not present within fifteen (15) minutes after the time appointed for holding the Council Meeting, or is unwilling to preside, the Vice-President present shall preside or if the Vice-President is not present, or is unwilling to preside, the members of the Council present shall choose one of their members to preside the Council Meeting.

Council Meetings

(ii) Any committee meetings of the Institute shall be presided by the appropriate elected Chairman. If there is no previously elected Chairman for any committee, or if at any meeting the appropriate Chairman is not present within fifteen (15) minutes of the time appointed for holding the meetings, or is unwilling to act as the Chairman, the Vice-Chairman (if any) shall preside, or if there is no Vice-Chairman present or unwilling to act as the Chairman the members of the committee present shall elect one of their member to be the Chairman. The Secretary of the Institute shall be informed of such election by a letter with signatures of all committee members together with the Minutes of the Committee Meeting.

Voting at Council Meetings/
Committee Meetings/
Board Meetings

(iii) The person who presides Council Meeting/ Committee Meeting/ Board Meeting shall regulate the order and procedures of such meetings according to the By-laws and other regulations as applicable. He shall call to order and otherwise exercise the normal duties and rights of the person who is presiding including the right of a casting vote.

(iv) Any decision required at a Council meeting and/or committee meeting be ascertained by a simple majority on a show of hands or secret ballot as may be decided by the person who is presiding the meeting.

BY-LAWS

Authority and Application of By-laws

46. The Council shall have power by resolution to make, vary and repeal By-laws, Standing Orders for specific purposes, which shall become binding on the Members or on a particular class or classes of Members and such By-laws or Standing Orders shall deal with all matters which by the Rules are left to be prescribed thereby and all such other matters which shall be made the subject of By-laws; provided that no By-laws, Standing Orders shall be made which is inconsistent with, or varied so as to render it inconsistent with the Rules and the Act; Provided always that any such amendments or additions to the By-laws, Standing Orders be circulated to all Members whom they affect and due notice be given to such members before adoption and that any such amendments or additions to the By-laws be incorporated into any editions thereof published after the date of such amendments and additions. In the alternative the Council may by special resolution alter or add to the By-laws or adopt new By-laws in substitution for the previously in force.

COUNCIL

Composition of Council and its Meetings

47. (i) Unless otherwise determined by the Institute in a General Meeting, the Council shall consist of the President, the Immediate Past President, Vice President, the Secretary, the Assistant Secretary, the Treasurer, the Assistant Treasurer, and maximum of Eight (8) Executive members.

(ii) Council shall meet once each month. The Secretary of the Institute shall convene an Extra Ordinary Council Meeting if directed by the President and / or upon receipt of a written requisition signed by at least three (3) members of the Council, to consider any matter specified by the President or in such requisition within seven (7) Working days after the receipt of such direction of the President or such requisition.

Powers and Duties of the Council

48. The management of the affairs and business of the Institute shall be vested in the Council who may exercise all such powers as are by the Act and the Rules or By-laws required to be exercised by the Institute in a General Meeting, but no new By-laws made or the Rules adopted shall invalidate any prior act of the Council which would have been valid if that By-law or the Rules had not been made or adopted.

49. The Council may exercise all the powers of the Institute to invest, borrow or raise money and to mortgage or charge the undertaking and property of the Institute and to create or issue Debentures, Debenture Stock and other securities of any description whatsoever.

50. The Council may elect honorary officers as it may consider desirable, but such elections shall not constitute those so elected members of the Council or of the Institute.

51. Any decisions of the Council, in general business shall be final and binding on all Corporate members and Non Corporate members of the Institute.

52. No Office bearer of the Institute nor individual Executive member of the Council nor a member of any committee nor a member of any board nor any officer shall have the power to make any official decisions, actions, statements, or implications construable as officially given by the Council, apart from the power ordinarily bestowed upon officers and the Chairman as indicated herein, or as may otherwise be provided by the Council.

53. The Council may assign any of its duties to Standing or Special committees or Boards and may create such regulations concerning these committees or boards as may be necessary provided that the membership of such committees or boards is restricted to the Corporate members of the Institute with the exception of committees or boards dealing with education, training, examinations and research when Non Corporate members may be included, but such Non Corporate members shall not be entitled to vote at meetings of such committees or boards.

54. Any act done in good faith by a member of the Council whose office is vacated by decease, resignation or disqualification shall be valid unless prior to the doing of such act, written notice shall have been served upon the Institute or an entry shall have been made in the Council's Minute Book stating that such member has ceased to be a member of the Council.

55. A member of the Council shall not vote in respect of any contract in which he is interested or an matter arising therefrom and if he does so his vote shall not be counted.

56. One third (1/3) of the members of the Council elected for the period shall form a quorum at a Council Meeting. The Council shall regulate its own procedure, which may be defined in any Standing Orders which the Council may prescribe, provided that such Standing Orders to regulate procedure of the Council be adopted or amended, only by resolution in Council supported by at least two thirds (2/3) of the members of the Council present at the meeting.

Quorum of the
Council Meetings

57. The continuing members of the Council may act notwithstanding any vacancy therein and if and so long as, the number of members of the Council is reduced below the number fixed by, or pursuant to, the Rules of the Institute as the necessary quorum thereof, the continuing members may act for the purpose of increasing the numbers to that number or to summon a General Meeting of the Institute, but for no other purpose.

58. (i) No member of the Council, nor of any member of committee or board, nor any Office bearer of the Institute, shall be paid any remuneration for his services [except as provided under the Rule 58 (ii)] but he shall be entitled to be paid all his reasonable traveling and other expenses properly and necessarily incurred by him in and about the business of the Institute.

Remuneration for
members of the
Council/
Committees/
Boards

(ii) The foregoing shall not debar reasonable payment for the services of examiners for any examinations of the Institute, be the examiners, Members of the Institute or not. Provided always that :-

(a) The number of members of the Council appointed as examiners at a remuneration shall not at any time exceed two-third (2/3) of the total number of the members of the Council then in office;

- (b) The rate of the remuneration paid to such members of the Council shall not exceed that paid to examiners who are not members of the Council ;
- (c) No member of the Council who is or is proposed to be appointed as an examiner shall vote at meetings of the Council or of any Committee on any resolution relating to the appointment or remuneration of examiners.

The President

59. The President of the Institute shall be a Fellow member of the Institute eminent as a Quantity Surveyor who held the office as the Vice President of the Institute at the conclusion of the preceding year and shall retain office and serve in honorary capacity for two (2) consecutive years unless removed or resign from the office or the Institute in accordance with the Rules. The President so appointed shall not hold the office for more than two (2) years consecutively.

60. Persons who have held the office of President of the Institute shall be designated on all lists of Members of the Institute and Office bearers of the Institute as Past Presidents of the Institute.

The Vice President

61. The Vice President of the Institute shall be a Fellow member of the Institute eminent as a Quantity Surveyor who is presently a Council member with at least three (3) years standing as an Executive member of the Council. The Vice President shall be nominated by the Council prior to and shall be elected each year at the annual General Meeting and shall remain office and serve in honorary capacity for two (2) consecutive years unless removed or resigned from the office or the Institute in accordance with the Rules. The Vice President so elected shall not hold the office for more than two (2) years consecutively. The benefits brought to the Institute by an individual as a Corporate Member or a Council Member shall be recognized as a qualification for nomination to the vice presidency. Vice President may be empowered to act as a deputy to the President when a deputy is necessary.

When counting the required number of years standing as a member of the Council it shall not necessarily be consecutively.

The Secretary

62. The Secretary of the Institute shall be a Fellow member of the Institute who is presently a Council member with at least two (2) years standing as an Executive member of the Council and shall be nominated by the Council prior to and shall be elected each year at the Annual General Meeting and shall retain office and serve in honorary capacity until the next ensuing Annual General Meeting unless removed or resign from the office or the Institute in accordance with the Rules. The Secretary so elected shall not hold office for more than two (2) years consecutively.

In the event of a Fellow member is not available for nomination, the Council shall have the right to nominate an Associate member with at least two (2) years standing as an Executive member of the Council for the post of Secretary.

When counting the required number of years standing as a member of the Council it shall not necessarily be consecutively.

The Treasurer

63. The Treasurer of the Institute shall be a Fellow member of the Institute who is presently a Council member with at least two (2) years standing as an Executive member of the Council and he shall be nominated by the Council prior to and shall be elected each year at the Annual General Meeting of the Institute and shall retain office and serve in honorary capacity until the next ensuing Annual General Meeting unless removed or resign from the office or the Institute in accordance with the Rules. The Treasurer so elected shall not hold office for more than two (2) years consecutively.

In the event of a Fellow member is not available for nomination, the Council shall have the right to nominate an Associate member with at least two (2) years standing as an Executive member of the Council for the post of Treasurer.

When counting the required number of years standing as a member of the Council it shall not necessarily be consecutively.

64. The Assistant Secretary of the Institute shall be a Corporate member of the Institute who is presently a Council member with at least two (2) years standing as an Executive member of the Council and shall be nominated by the Council prior to and shall be elected each year at the Annual General Meeting and shall retain office and serve in honorary capacity until the next ensuing Annual General Meeting unless removed or resign from the office or the Institute in accordance with the Rules. The Assistant Secretary so elected shall not hold office for more than two (2) years consecutively.

The Assistant
Secretary

When counting the required number of years standing as a member of the Council it shall not necessarily be consecutively.

65. The Assistant Treasurer of the Institute shall be a Corporate member of the Institute who is presently a Council member with at least two (2) years standing as an Executive member of the Council and shall be nominated by the Council prior to and shall be elected each year at the Annual General Meeting and shall retain office and serve in honorary capacity until the next ensuing Annual General Meeting unless removed or resign from the office or the Institute in accordance with the Rules. The Assistant Treasurer so elected shall not hold office for more than two (2) years consecutively.

The Assistant
Treasurer

When counting the required number of years standing as a member of the Council it shall not necessarily be consecutively.

66. To qualify as an Executive member of the Council a member must be a Corporate member of at least two (2) years standing as an active member of a committee or a board of the Institute and shall be elected to the office in the manner stipulated in the Rules 67 to 79 or Rules 80 to 82.

Executive
Members of the
Council

The Executive members of the Council shall serve in honorary capacity.

When counting the required number of years standing as a member of the Council it shall not necessarily be consecutively.

67. At each Annual General Meeting of the Institute, four (4) Executive members of the Council shall retire from office, but every such retiring Executive member shall be eligible for re-election and unless he shall signify his desire to the contrary, shall be automatically nominated for re-election.

68. The four (4) Executive members aforesaid shall be those who have been longest in office. As between two or more who have been in office an equal length of time, the Executive member or Executive members to retire shall be determined between the Executive members concerned themselves, or in default of agreement between them, be determined by lot by the Council. The length of time an Executive member has been in office shall be computed from his last election or appointment.

69. In the event of any Executive members of the Council desiring to resign from office at an Annual General Meeting, the number thereof shall be included in the list of four (4) Executive members to retire aforesaid. Executive members elected to fill casual vacancies as provided in the Rule 80 shall also be included in the list of four (4) Executive members aforesaid subject to the Rule 66.

70. Provided that where the number of any Executive members resigning from office at the Annual General Meeting together with the number of Executive members elected to fill casual vacancies exceed four (4) Executive members to retire as aforesaid, then the number to retire shall be the total of such retiring members together with those filling casual vacancies and in these circumstances the Rules 67 and 68 shall not apply.

71. The Executive members of the Council to retire from office and those to stand for re-election as provided herein shall be determined by the Council prior to the preparation the list for election if necessary, at the Annual General Meeting.

72. Any Corporate member may be nominated in writing by at least two (2) other Corporate members of the Institute to stand for election as an Executive member of the Council. Provided that such nomination be accompanied by the nominated member's written agreement to stand for election and be received at the office of the Institute at least eight (8) weeks prior to the date of the Annual General Meeting of the Institute, any such nominations received after such closing date to be disqualified.

73. At least Twelve (12) weeks notice prior to the Annual General Meeting shall be given to all Corporate members of the Institute (for which purpose a notice in the Journal or Web Site of the Institute may be deemed full and proper notice) of the provisions of the Rule 72 and stipulating a closing date for return of any nominations as provided therein, which closing date shall provide four (04) weeks interval after the date of the notice.

74. In the event of the number of nominations exceeding, the number of vacancies, at least five (5) weeks prior to the Annual General Meeting of the Institute, a copy of the List for election at the Annual General Meeting shall be sent to every Corporate member of the Institute. Such list of election shall not be sent to the Non Corporate members of the Institute who shall not have power to vote.

75. It shall be stipulated on the notification requesting nominations list that they shall be returned to the Secretary and be received by him not later than two (2) weeks before the date of the Annual General Meeting of the Institute. Any Nomination list returned after that date shall be disqualified and rejected.

76. The election of Executive members of the Council shall be performed by the Corporate members of the Institute present at the Annual General Meeting of the Institute, in each year. The number of Executive members to be elected shall be a number not exceeding the number of vacancies, as provided in the Rules 67, 68 and 69. In electing Executive members of the Council, the Meeting shall follow provisions contained in the Rule 42.

Request for
Nomination for
Election of Executive
members
of the Council

77. The Document requesting Nomination for Elections if necessary, at the discretion of the Council shall indicate every candidate for election as an Executive member, as provided in the Rules. Indication shall be made as to those members retiring and standing for re-election and those who are new nominations and in the case of the latter, the nominators respective to each such candidate shall be stated. In the case of each candidate the particulars of qualifications of the candidate and any other relevant information, such as service as Chairman of Committees or Board and the like shall be given. The number of vacancies which may be filled shall be stated and provisions made for the voter to record his vote up to that number, against the names of the candidates.

78. The Document requesting for nominations where necessary, at the sole discretion of the Council shall indicate, in addition, all persons nominated by the Council as Office bearers of the Institute and the names of Executive members of the Council who are remaining in office.

79. The Council may make such decisions concerning nominations or Elections as final-as may, in their opinion, be necessary prior to any action.

Casual Vacancies
in the Council

80. Any casual vacancy occurring among the Executive members of the Council or among the Office bearers of the Institute may be filled by the Council, which shall also have power to fill any such vacancy left open at the Election in the Annual General Meeting. Any member so appointed shall retire at the next ensuing Annual General Meeting and shall be eligible to stand for re-election.

81. Notice of any change in the Executive members of the Council or in the Office bearers of the Institute shall be given to the Members of the Institute. For this purpose, notice in the Journal or Web Site of the Institute as soon as possible after the amendment, shall be taken as adequate. Specific written notice shall be served on all Executive members of the Council and Office bearers of the Institute.

82. Casual vacancies may be created by the decease of any member of the Council or Office bearer of the Institute, or by his resignation in writing submitted to the Secretary, or by his disqualification under the Rule 83.

83. The office of a member of the Council shall be vacated or left vacant if the member —

Disqualification of Council Members

- (i) holds any office of profit under the Institute (except as provided under the Rule 58); or
- ii) becomes bankrupt or insolvent or compounds with his creditors; or
- iii) becomes of unsound mind; or
- (iv) absents himself from the Meetings of the Council for three (3) consecutive Council Meetings without special leave of absence from the Council; or
- (v) becomes prohibited from being a Member of the Institute by reason of any order made under the provision of the Rules/ By-laws; or
- (vi) is directly or indirectly interested in any contract with the Institute and fails to declare the nature of his interest in the manner required by the Rules/ By-laws; or
- (vii) ceases to be a Corporate member of the Institute; or
- (viii) is removed from office by a resolution duly passed by the members of the Council; or
- (ix) is removed from office by a resolution duly passed at an Extra Ordinary General Meeting by a majority of (2/3) of the Corporate members present; or.
- (x) dies ; or
- (xi) resign from his office

A member of the Council who holds some other office in the Institute shall on ceasing to be a member of the Council vacate that office.

84. (i) The Council may at any time appoint or dismiss such other officers or officials, servants or staff, as may in their opinion be found necessary.
- (ii) Provided that an officer shall be appointed from the membership of the Institute and shall be without remuneration, whereas an official may be other than a Member of the Institute and may be paid such remuneration as the Council shall decide.

Other Officers and Officials

ACCOUNTS

85. The Council shall cause proper books of account to keep with respective to income & expenditure, assets & Liabilities and all transactions of the Institute.

The books of accounts shall be kept at the Registered Office or at such other place or places as the Council may determine and subject to any reasonable restrictions as to the time and manner of inspecting the same which may be imposed by the Institute in General Meeting, the books shall be open to the inspection of the Corporate members of all times during the usual business hours.

86. The Council shall from time to time cause to be prepared and to be laid before the Institute in General Meeting such income and expenditure accounts, balance sheets and reports as are required by the Act.

87. A copy of Balance Sheet which is to be laid before the Institute in General Meeting, together with a copy of the Auditor's report, shall, not be less than Fifteen (15) Working days before the date of the meeting, be sent to all Members entitled to receive notice of General Meeting of the Institute.

AUDITORS

88. The Auditors shall be appointed and their duties regulated in accordance with the Act.

NOTICE

89. A notice may be served upon any Member of the Institute either personally or by sending it through the post in a letter or electronic mail addressed to such member at his last address (communication or permanent) registered with the Institute.

90. Any notice, if served by post or electronic mail shall be deemed to have been served at the time when the letter containing the same would be delivered in the ordinary course of the post or electronic mail and in proving such service it shall be sufficient to prove that the letter containing the notice was properly addressed and posted/ electronic mailed.

91. No Member of the Institute not having a registered address within Sri Lanka shall be entitled to any such notice and all proceedings may be had and taken without notice to such member in the same manner as if he had due notice.

INDEMNITY

92. The members of the Council, committees and boards and Office bearers of the Institute shall be indemnified and saved harmless out of the funds of the Institute from and against all law suits, charges, costs, losses, damages and expenses which they or any of them shall or may incur or sustain in or about the execution of their respective offices, or in furtherance of the objects of the Institute, except such charges or expenses as shall be incurred or sustained by them through their own willful default and none of them shall be answerable for the others of them, nor for joining in any receipt for the sake of conformity only, nor for the solvency or honesty of any banker, broker or other person with whom any monies or effects belonging to the Institute may be lodged or deposited for safe custody, sale investment or otherwise, nor for any insufficiency of any security on which any monies of the Institute shall be placed out or invested, nor or any misfortune loss or damage which may happen in the execution of their respective offices or in any way in relation thereto, unless the same shall happen by or through their own willful default.

Appendix 1

**INSTITUTE OF QUANTITY SURVEYORS SRI LANKA
(INCORPORATED BY ACT, No. 20 OF 2007)
BY-LAWS**

The By-laws contained herein shall be the By-laws for the purposes of the Rule 46 of the Institute of Quantity Surveyors Sri Lanka (Hereinafter referred to as the By-laws).

MEMBERSHIP OF THE INSTITUTE

1. Members to all grades of membership shall be enrolled by the Council of the Institute. No Member shall be enrolled unless a proper application on the prescribed form, as specified elsewhere, has been received by the Secretary of the Institute. Enrolment of Members by the Council
2. (i) Those Members of the Institute who are enrolled as Fellow members or Associate members, by the Council of the Institute, shall be entitled to designate themselves and use the title “Chartered Quantity Surveyor” in the manner described in the Section 13 (1), (2) and (3) of the Act. Fellow members and Associate members
- (ii) Such Members as above may use the following abbreviated designation after their names :-
- (a) **Fellow members - F.I.Q.S.SL**
- (b) **Associate members - A.I.Q.S.SL**
- (iii) Graduate members, Registered members, Technical members, Probationary members and Student members shall not be so designated and shall not be entitled to use any of the Institute’s recognised letters of qualification.
- (iv) All applicants who have met prescribed requirements of the Institute for its Corporate membership shall take the oath before the President of the Institute or any other authorized Council member prior to the issuance of relevant Corporate membership Certificate.
3. A past President of the Institute may use the letters PP. I. Q. S. SL after his name. Past Presidents
4. Those persons who are granted Honorary Fellowship of the Institute may use the designatory letters Hon. F. I. Q. S. SL. Honorary Fellows
5. If necessary the Council may call any applicant for membership before any general or special Committee of the Council, at a stated date and time, for the purpose of interviewing, questioning or testing. At least fourteen (14) days’ notice shall be given to any applicant of a call for interview. Interviewing applicants
6. The Council shall have the right to request any applicant for any grade of membership to submit for their inspection, at his own risk, Educational certificates, Diploma and Degree certificates, his Birth certificate, samples of his work, or other evidence to their satisfaction, which evidence shall be copied and returned to the applicant. Provision of evidence by applicants
7. Members shall be notified of the date for renewal of subscription, by a circular sent to all Members and by a notice in the Institute’s Journal / Web Site during the month of March in each year. Such subscription shall become due on 1st April in each year. Notification of subscriptions due
8. (i) Any Member whose subscriptions, for any current year, remain unpaid at the 1st September in that year, shall be circulated with a notice calling attention to the fact and stating the following By-law. Overdue subscriptions
- (ii) Any Member whose subscriptions remain unpaid at the 1st October, are suspended from membership as from that date and shall not be entitled to receive the Journal of the Institute, nor any other benefits of a Member.

- (iii) Any Member whose subscriptions remain unpaid at the 1st October and who subsequently pay their full subscriptions with an explanation satisfactory to the Council may be readmitted as a Member of the Institute and their right to receive the Journal and benefits of a Member shall be resumed as from the date of readmission.
- (iv) Any Member whose subscriptions remain unpaid, at the 1st January in each financial year shall, unless the Council otherwise determine for exceptional reasons, be expelled from membership of the Institute. Such Members will remain liable for any subscriptions unpaid up to the date of expulsion and the Council may take whatever action it thinks fit to recover such sums. Such Members shall be required to surrender their Membership certificates to the Secretary of the Institute.

Subscriptions for part year

9. Membership of the Institute for part only for a financial year, shall entail payment of the full appropriate annual subscription applicable to one year (1) of membership. In the case of a Member changing his grade of membership during the financial year, the total subscription which he shall pay for that year shall be the full annual subscription applicable to one year of membership in the higher grade concerned.

CERTIFICATES AND NOTIFICATIONS OF MEMBERSHIP

Corporate membership certificates

- 10 (i) Each Corporate member of the Institute shall receive a membership certificate from the Institute given under the Common Seal of the Institute. Each such certificate shall give the full name of the Member concerned, the date of his admittance to such membership, his registered membership number, his grade of membership and the designatory letters of the Institute to which he is entitled to use.
- (ii) All certificates of membership shall be signed by the President of the Institute, and the Secretary of the Institute.

Other membership certificates

11 The Council may issue any notice or certificate it thinks fit, to Graduate members, Registered members, Technical members, Probationary members and Student members of the Institute, to denote such membership, which notices or certificates shall be signed by the Secretary of the Institute.

Certificates to remain property of the Institute

- 12 (i) Certificates for all grades of memberships shall remain the property of the Institute and may be recalled by the Council at any time and shall be surrendered to the Secretary of the Institute upon cessation of membership.
- (ii) All Members receiving such membership certificates shall be responsible for their safe-keeping and for keeping them in good condition and shall be subject to whatever action or payment of compensation the Council may deem necessary in any case of loss or damage.

REGULATIONS OF CONDUCT OF MEMBERS

Application and discipline

13. All Members of the Institute including Registered members, Technical members, Graduate members, Probationary members and Student members shall observe the following rules of conduct in so far as they apply. The Council may take whatever disciplinary action is deemed necessary in any cases of violation of the Code of Professional Conduct and Ethics and as governed by the Rules.

Code of Professional Conduct and Ethics

- 14 (a) All Members shall observe the Code of Professional Conduct and Ethics of the Institute (Appendix 4) and these By-laws insofar as they apply.

- (b) The Members shall not act, nor publish any matter, nor cause any matter to be published or given out, in any manner which could be construed as an official action, statement or publication of the Institute, unless acting under specific instruction from the Council, in which event the action shall be confined to the limits of such instructions.
- (c) The Members shall not use the title, designation or description of the Institute nor the designatory letters of qualification or designation as a Member of the Institute, as a nom-de-plume, or otherwise than as the proper use of the designatory letters and designation of Members after their names as given in the Act.
- (d) The Members shall not act in any manner which could bring the Institute or the Profession into disrepute.
- (e) All Corporate members shall be expected to uphold the Scale of Professional charges authorised by the Institute.
- (f) A client should be informed at the outset of the conditions of employment and Scale of Charges if any issued by the Institute and such conditions and Scales should be adhered to as strictly as possible, except in cases where a distinct and special contract exists between the Corporate member and his Client or where special local circumstances or customs prevail.
- (g) Corporate members shall not directly or indirectly apply for or seek instructions for professional business except on such forms and under such rules as the Council may prescribe or do or permit in the carrying on of his practice any act or thing which can reasonably be regarded as touting or advertising or as calculated to attract business unfairly.
- (h) Corporate members who are principals of a company or a firm or a partnership and a Corporate member who is in private practice shall be responsible for the acts of their/ his staffs in all matters within the scope of their practice.

EXAMINATIONS

15. The Council may prescribe such examinations as it may think fit to test the qualification of candidates for admission to any grade of membership and may charge such fees as may be necessary to candidates for the examinations. The Council may also grant such exemptions, provided that the Council shall publish specific regulations of such examinations fees and exemptions which shall be made available to all candidates.

Regulations of Professional Examinations

16. The Council shall publish a detailed syllabus of each subject covered by the examinations. Such syllabus shall indicate clearly the typical subjects of the examination and the pass marks required in each subject.

Syllabuses as of Professional Examinations

APPLICATIONS FOR MEMBERSHIP

- 17 (i) All applications for membership, or change of membership, or to sit for any examination of the Institute shall be made on the appropriate form to the Secretary of the Institute and accompanied by the appropriate subscription and/or fees.
- (ii) All fees for examinations or entry must be paid with the application and all applications for membership or change of membership shall be accompanied by the appropriate

Change of membership and Examinations

annual subscription, or the balance of such annual subscription for such higher grade of membership, or Application Processing Fees or membership Transfer fee as the case may be.

- (iii) Such subscriptions and/or fees shall be returned to the applicants if the Council does not accept the respective applications, except the Application Processing Fee or where otherwise provided in the By-laws.
- (iv) Each application shall be signed by the applicant and by his employer, if an employee and in the cases of all applications except those for re-examination in not more than two subjects, by two (02) Fellow members of the Institute or one (01) Fellow member and one (01) Associate member of the Institute having personal knowledge of the applicant, which Members shall give their addresses and which employer shall give his occupation and business address. In the event of an employer himself being the applicant, the application shall be signed by an additional Fellow member of the Institute.
- (v) The application forms shall provide for the giving of full particulars of the applicant's experience and training and such other particulars as the Council may require and any forms returned improperly completed in this respect, shall be invalid.
- (vi) When applications are invalidated, rejected or accepted the respective applicants shall be informed accordingly. The Council shall not be compelled to give any reason for any decision taken, except that where an application is declared invalid, the applicant shall be informed of the reason, so that opportunity may be given him to rectify the causes thereof.

FOUNDER MEMBERS

Founder Members

18. Such Members of the original Institute of Quantity Surveyors before the date at which the Institute was founded as an Incorporated Company, who remained thereafter as Members of the incorporated Institute, shall be referred to as Founder Members of the Institute and shall be indicated as such in publications of the Institute, but this shall not bestow the right of such Members to indicate themselves on letter-headings or otherwise outside the Institute as being Founder Members.

PUBLICATIONS AND WEB SITE

The Journal

- 19 (i) The Council may publish a Journal, recording the transactions of the Institute and such other publications as it may determine.
- (ii) A copy of the Journal of the Institute if published, together with all other publications as the Council may prepare for general circulation, shall be supplied to all Members who have paid their subscriptions for the current year.

Web Site

20 The Institute may have their Web Site giving the information of the Institute and activities taken place from time to time for the benefit of the Members of the Institute.

Logotype

21. Use of logo shall be defined in the Brand Identity Document

GENERAL REGULATIONS

- 22 (i) The Corporate members who are principals or Directors or Partners managers in charge of firms or departments may have pupils articulated or indentured to them. Articled Pupils
- (ii) The Corporate member may not have any person articulated or indentured to him who is less than eighteen years of age.
- (iii) The Council may approve forms of agreement of articles, or publish standard forms of agreement.
- (iv) The Institute shall not be held responsible for any disputes or actions which may arise from articles or indenture agreements

23. The Council shall approve the fees chargeable by the Corporate members in practice by means of a Scale of Approved Professional Charges and may amend such Scale at any time, whereupon the nature of such amendment must be published in the Journal of the Institute and later publications of the Scale of Professional Charges shall take account of such amendments. Fees chargeable by practicing Members

24. The Council may arrange Benevolent Funds for assistance of disabled Members or funds for other purposes, such funds being set up and supported by voluntary contributions. A Committee to administer each such fund shall be set up by the Council and the administration of monies involved, preparation of accounts etc. shall be supervised by the Institute's auditors. Benevolent or other Funds

A balance sheet and statement of accounts shall be prepared each year and copies thereof shall be submitted to the Corporate members. Subject thereto each Committee shall be responsible for drawing up its own rules which shall be subject to the approval of the Council.

24. The Institute may hold conferences at such times and places as the Council may deem most convenient, for the consideration and discussion of subjects relating to the Institute and the profession. Conferences

26. The Institute may hold CPD Programme at such times and places as the Council may deem most convenient, for its Members on the subjects relating to the Quantity Surveying and the Construction. CPD Programme

27. Guests may be invited to attend any Ordinary Meetings of the Institute for the purpose of giving addresses or otherwise. In the case of guests invited to give addresses, lectures or otherwise to provide the subject at meetings, their expenses in attending the meetings may be payable by the Institute. In the case of all other guests, the Institute shall not be responsible for payment of such expenses, unless in special cases the Council shall approve such payment. Guests at Meetings

28. Any organization which could be categorized, in the opinion of the Council, under any one of the following shall be recognized by the Institute; Recognized Organizations

- (i) A firm of Chartered Quantity Surveyor or a firm of Chartered Quantity Surveyors as defined in the Section 13(4) of the Act.
- (ii) A private practice of a Chartered Quantity Surveyor as defined in the Section 13(4) of the Act.
- (iii) Quantity Surveying unit of a Public Sector organization duly approved by the Council.
- (iv) Quantity Surveying unit of a Private Sector organization duly approved by the Council.

- (v) Tertiary educational institution such as University, Technical College and any other higher educational Institution duly approved by the Council as being engaged in the education of Quantity Surveying.
- (vi) Any other organization the Council may accept as performing Quantity Surveying Work.

Assessment of
Professional
Competence (APC)
and Assessment of
Technical
Competence (ATC)

29. An APC/ATC shall mean an examination incorporating one or more of the following;

- (i) Maintain a diary under the supervision of a Corporate member of the Institute for a specified duration.
- (ii) Completion of a project and presentation of a report as prescribed by the Council.
- (iii) A written examination conducted by the Institute.
- (iv) A viva facing an examination panel appointed by the Council.

Observers in the
Council
Representing
Graduate members,
Technical members,
Registered members,
Probationary members
and Student members

- 30
- (i) At the discretion of the Council one (1) member from each category of Graduate members, Technical members, Registered members, Probationary members and Student members is selected as an observer to represent the members of the particular grade of membership.
 - (ii) At Annual General Meetings Members of each category can nominate maximum of three (3) names for selection of such Observers
 - (iii) These Observers shall be elected by the Council at the first Council meeting after the Annual General Meeting.
 - (iv) Observers so appointed shall be invited by the Secretary of the Institute as and when his presence is required for the Council Meeting and the Observers may express his views on matters discussed at the meetings if the Council members request so, and the Council is not bound to accept any views expressed by the Observers.
 - (v) Observers do not have any voting rights in the event the Council members need to arrive at a decision on a matter put to a vote.

Overseas
Representative

- 31
- (i) The Institute may appoint a Corporate member of the Institute who resides in Overseas as its Overseas Representative in that country. Application for such post shall be made to the Council in writing setting forth particulars as to the institute membership in that country and all other details as will help the Council to consider the matter. The application shall be signed by at least 10 Members 3 of whom are Corporate members who shall be normally resident in the country concerned.
 - (ii) If the Council considers it's expedient that representative be appointed the Council shall convey its approval in writing to the Member who has been selected by the Council and the Council decision on the selection of the Overseas Representative shall be final and conclusive. Only the Corporate members are eligible for such posts.
 - (iii) The responsibilities of the Overseas Representative shall be
 - (a) Act as local adviser on education/membership matters
 - (b) Assist in promoting the Institute of Quantity Surveyors Sri Lanka and professional interests of its Members at local level.

- (c) Be a point of liaison as between the local Members, local professionals and the Institute's Head Quarters.
 - (d) Disseminate professional and technical information.
 - (e) Arrange meetings: including meetings with visitors from the Institute's Head Quarters.
 - (f) Encourage and if possible coordinate or arrange CPD events.
 - (g) Relay occasional but regular information about local conditions, developments, problems, opportunities, achievements back to the Institute Head Quarters.
 - (h) Assist the Probationary members and Student members in educational matters.
 - (i) Assist the Members in their professional development.
 - (j) Advise local Members status of their membership subscriptions and follow-up any outstanding amounts/arrears.
 - (k) Any other activity which the Council may require the overseas representative to attend.
- (iv) Overseas Representative of the Institute shall not have the right to indicate themselves on letter heading or otherwise as being Overseas Representative of the Institute
- (v) The elected representative shall not hold the office for period of more than two years consecutively.
- (vi) The Council shall have power to terminate offices of said representatives in the event of any irregularities and re-elect a new representative in accordance with these By-laws. The Council shall not be required to give reasons or explanations for decision taken in respect of such termination.

RESPONSIBILITIES OF OFFICE BEARERS OF THE INSTITUTE

32 (i) President

- (a) Shall preside at the Council and General Meetings of the Institute.
- (b) Shall have, a casting vote (in the event of an equality of votes) in addition to his own vote.
- (c) Shall have the power to act on behalf of the Council in matters of urgency, that may arise in between meetings of the Council and all such actions shall be communicated to the Council at its next meeting
- (d) Any other related duty that may be entrusted by the Council.

(ii) Immediate Past President

- (a) Shall assist the President in carrying out his duties.
- (b) Shall function as Convener to the Advisory Board as provided in the By-law and the Rules
- (c) Any other related duty that may be entrusted by the Council.

(iii) Vice President

- (a) Shall assist the President in carrying out his duties.
- (b) Shall act for the President in all matters in the absence of the President.
- (c) When the Council decided to represent the Institute in committees appointed by the statutory authorities on the matters related to Quantity Surveying profession.
- (d) Any other related duty that may be entrusted by the Council

(iv) The Secretary

- (a) Shall maintain the Register of the Membership.
- (b) Shall be the custodian of the Common Seal of the Institute.
- (c) Shall manage the Institute Office to ensure the office systems are followed properly and efficiently.
- (d) Shall subject to the direction and control of the President be responsible for the General Administration of the Institute and the disciplinary control of the Institute employees.
- (e) Shall summon meetings of the Council and General Meetings of the Institute and shall maintain books of accurate minutes of all such meetings.
- (f) Shall keep the Minutes of AGM, EGM and other GM pursuant to Section 44 of the Rules.
- (g) Shall carry out all duties as directed by the President and/or by the Council.
- (h) Shall inform the Council the date of Annual General Meeting as stipulated in the Rules.
- (i) Shall convened special meetings of the Council at the written request of not less than three (3) Council members.
- (j) Shall prepare the Annual Report on the progress and the activities of the Institute during the year and present at the Annual General Meeting.
- (k) Shall be the responsible for the custody of the records and the property of the Institute.
- (l) Supervise the works entrusted to the Assistant Secretary by him
- (m) Any other related duty that may be entrusted by the Council.

(v) The Treasurer —

- (a) shall be responsible for the proper maintenance of all account books of the Institute and for the presentation of all such accounts to the Council and to the membership of the Institute, which reflects a true and proper financial position of the Institute.
- (b) shall make all such payments as directed by the Council.
- (c) shall invest funds of the Institute as determined by the Council.
- (d) shall maintain schedule for Member's Annual Subscriptions and send the letters of reminders to the Members whose Subscriptions are due.
- (e) shall ensure that the annual accounts are audited by the Auditors of the Institute annually and shall have such audited accounts submitted to the Council for adoption and made available to the membership at least fifteen (15) Working days before the Annual General Meeting.
- (f) prepare and submit a statement of the accounts to the Council meeting at every month.
- (g) shall be responsible for the custody of the Cheque Books, Saving Accounts and Fixed Deposit receipt etc.
- (h) supervise the works entrusted to the Assistant Treasurer by him.
- (i) Any other related duty that may be entrusted by the Council.

(vi) The Assistant Secretary

- (a) To assist the Secretary and carry out part of the duties as entrusted to him by the Council.

(vii) The Assistant Treasurer

- (a) To assist the Treasurer and carry out part of the duties as entrusted to him by the Council.

BOARDS AND COMMITTEES

- 33 (i) In each year the Council shall have the following boards or committees each consisting of two (02) or more Corporate members of the Institute be appointed for the purpose of advising and assisting the Council.
- (a) Professional Affairs Board
 - (b) Membership Affairs Board
 - (c) Board of Quantity Surveying Education & Training.
 - (d) Board of Management for College of Quantity Surveying.
 - (e) Board of Quantity Surveying Publications
 - (f) Public Relations & Welfare Committee
 - (g) Financial Affairs Board

Boards and
Committees
of the Institute

The Chairman of each board/ committee shall submit progress reports to the Council quarterly.

For the Professional Affairs Board, Board of Quantity Surveying Education & Training and Board of Management for College of Quantity Surveying a Chairman shall be appointed from the Council members who are Fellow members of the Institute. The President or Immediate Past President shall be an ex-officio member of the Board. The Treasurer shall be the Chairman of the Financial Affairs Board. All other Boards the Chairman shall be a Corporate member with 2 years standing.

The Council at its sole discretion may amend or add to the above terms of reference any additional duties and responsibilities the Council may consider as necessary.

The terms of references of the each Board shall be as follows;

(a) Professional Affairs Board

- (i) Advising the Council on the interpretation of the Rules, By-laws and Code of Professional Conduct and Ethics any amendment or modifications thereto.
- (ii) Drafting and preparation of Standard Form of Agreement between the Professional Quantity Surveyor and Client, Conditions of Engagement and Scale of Fees.
- (iii) Drafting and preparation of Practice Manual.
- (iv) Formulating Disciplinary Inquiry Procedure.
- (v) Conducting Disciplinary inquiries and submitting recommendations to the Council.
- (vi) Organizing CPD Programme.
- (vii) Initiating professional development activities in collaboration with Universities, Industry and Foreign Institutions.
- (viii) Act as a Professional Advisory Body of the Institute for the industry in respect of problems and other matters related to Quantity Surveying profession.
- (ix) Attending to any other related duty that may be entrusted by the Council

(b) Membership Affairs Board.

- (i) Updating Register of Membership.
- (ii) Exploring possibilities of increasing the membership.
- (iii) Evaluating Applications for membership including those for upgrading and making recommendation to the Council.
- (iv) Advising on revision of Fees and Annual Subscriptions payable by the Members.
- (v) Reviewing from time to time and advising on any amendments to the Requirements for Membership of the Institute.
- (vi) Attending to any other related duty that may be entrusted by the Council.

(c) Board of Quantity Surveying Education & Training.

- (i) Formulating Course structure for the Institute examination, reviewing from time to time and making recommendations to the Council.
- (ii) Conducting examination APC, Viva-Voc, recommending the results, awards and other distinctions and formulating guidelines and regulations for such activities.
- (iii) Formulating regulations and mechanism for accreditation of institutions which provide Quantity Surveying Education in Sri Lanka.

- (iv) Conducting Seminars for Students.
- (v) Formulating a procedure and mechanism for training of Quantity Surveying Students and updating.
- (vi) Formulating a Carrier Guidance Programme for school leavers and updating.
- (vii) Providing detailed guide lines and advices on curriculum development for the Quantity Surveying Education in Sri Lanka.
- (viii) Accreditations for other Quantity Surveying courses for the examinations of the Institute.
- (ix) Attending to any other related duty that may be entrusted by the Council.

(d) Board of Management for College of Quantity Surveying

- (i) Conducting full time and or part time courses for the Institute Examinations.
- (ii) Initiating research activities in collaboration with Universities, Industry and Foreign Institutions.
- (iii) Assisting the Board of Quantity Surveying Education and Training in formulating course structure and updating.
- (iv) Selecting and appointing Lecturers and fixing their fees.
- (v) Establishing and maintaining Library facilities.
- (vi) Attending to any other related duty that may be entrusted by the Council.

(e) Board of Quantity Surveying Publications

- (i) The Institute Journal/ News Letter.
- (ii) Web Site.
- (iii) Year Book.
- (iv) AGM Souvenir.
- (v) Publishing Technical queries from the industry and the public and answers of the Professional Affairs Board.
- (vi) Cost Guide.
- (vii) Standard Phraseology.
- (viii) Newspaper Advertisement
- (ix) Attending to any other related duty that may be entrusted by the Council.

(f) Public Relations & Welfare Committee

- (i) Making arrangements for AGM and annual Sessions and Public Seminars/ Conferences undertaken by the Institute.
- (ii) Establishing the Institute's presence in the professional and industry community and the public.
- (iii) Exploring opportunities for the Members to enhance their image among the Clients, Consultants, Contractors and public.
- (iv) Attending to any other related duty that may be entrusted by the Council.

(g) Financial Affairs Board

- (i) Reviewing the Financial Status of the Institute monthly and submit a report to the Council.
- (ii) Exploring the ways and means of collecting funds for various activities of the Institute and the enhancing the financial stability of the Institute.
- (iii) Formulating a financial control system and monitoring.
- (iv) Attending to any other related duty that may be entrusted by the Council.

College of Quantity Surveying

College of Quantity
Surveying

34. The Institute shall manage and operate the College of Quantity Surveying to organize, hold, conduct lectures, classes, seminars, study groups, instruction courses, refresher/in service/ training courses relating to Quantity Surveying and related discipline and to award diplomas, certificates, prizes, scholarships or other rewards to the candidates successful in examinations conducted by the Institute and to do research studies. The College shall be governed by the Council through a Board of Management appointed by the Council of the Institute in each year. It is necessary that a separate bank account is maintained for the College of Quantity Surveying and the Institute Books of Account shall be maintained in a manner that the income & expenditure, assets & liabilities and other transactions of the College of Quantity Surveying could be easily identified.

Advisory Board/ College of Past Presidents

Advisory Board/
College
of Past Presidents

- 35 (i) An Advisory Board shall be appointed from the Past Presidents and 3 Senior Fellow members who served in the Council as Vice President or Secretary or Treasurer and the board constituted in this manner will function until such time there will be three (3) or more living Past Presidents with whom College of Past Presidents shall become operative.
- (ii) The Advisory Board or College of Past President shall have the following duties, powers and functions.
 - (a) shall advise the Council of the Institute on any matter pertaining to the well-being and best interests of the Institute either at its own instance or on a request made by the President or the Council.
 - (b) shall, after obtaining and considering relevant details and particulars, recommend, not later than the end of April of each year, the name or names of suitable persons who can be considered, inter alia, by the Council for nomination to the Office bearers in accordance with the Rules.
 - (c) shall, in consultation with the Council and in the interests of the Institute, its Members or the members of the Advisory Board/ College of Past Presidents, carry out any activity as may be deemed expedient or necessary by the Advisory board/ College of Past Presidents or referred to it by the Council.
 - (d) shall meet during the Annual Session of the Institute and, inter alia, elect one amongst themselves to function as Chairman for the ensuing year, the College shall also meet thereafter as may be necessary on dates and times to be decided upon by the Chairman in consultation with members of the Advisory board/ College of Past Presidents. In electing its Chairman every year, the Advisory board/ College of Past Presidents shall give adequate consideration & recognition to seniority and age, subject to availability and willingness.

INTERPRETATION

36. Unless the context otherwise requires, the definitions contained in the Rules shall apply to these By-laws and in the event of any inconsistency between the Rules and the By-laws, the Rules shall prevail.

37. Subject to the alternative procedure specified in the Section 46 of the Rules, alterations shall only be made in the By-laws provided they be duly proposed in writing at one Ordinary Meeting of the Council and entered in full on the agenda of business for the subsequent Meeting of the Council at which the alterations are to come under consideration and provided they are carried by at least two-thirds of the Council members present at the Meeting voting in their favour.

Alteration to
By-Laws

Appendix 2

INSTITUTE OF QUANTITY SURVEYORS SRI LANKA (INCORPORATED BY ACT, No. 20 OF 2007) REQUIREMENTS FOR MEMBERSHIP

- 1. Membership**

The Institute shall consist of eight (8) categories of membership as follows :-

 - (a) Fellow members
 - (b) Associate members
 - (c) Graduate members
 - (d) Registered members
 - (e) Technical members
 - (f) Probationary members
 - (g) Student members
 - (h) Subscribing members

- 2. Routes for Corporate Membership**
 - (a) Graduate Route
 - (b) Mature Candidate Route (Through Registered member)
 - (c) Technical member Route
 - (d) Route of approved membership of recognized Professional Quantity Surveying institution.

- 3. General conditions of Admission to the Membership of the Institute**

Any person who is primarily concerned with the Quantity Surveying and possessing the specific requirements for the respective membership and employed at the time as a Principal or a Director or an employee in any one of the Approved Employment given below shall be admitted to the membership of the Institute.

 - (g) A firm of Chartered Quantity Surveyor or a firm of Chartered Quantity Surveyors as defined in the Section 13(4) of the Act.
 - (h) A private practice of a Chartered Quantity Surveyor as defined in the Section 13(4) of the Act.
 - (i) Quantity Surveying unit of a Public Sector organization duly recognized by the Council.

- (j) Quantity Surveying unit of a Private Sector organization duly recognized by the Council.
 - (k) Tertiary educational institution such as University, Technical College and any other higher educational institution duly approved by the Council as being engaged in the education of Quantity Surveying.
 - (f) Any other organization the Council may accept as performing Quantity Surveying Work.
- 3.2 Membership of the Institute shall not be open to any person who is not primarily concerned with Quantity Surveying and who does not comply with the requirement given in 3.1 above.
- 3.3 The above conditions shall not be applicable for the Under Graduates or students who are following Quantity Surveying courses recognized by the Institute in an University or the College of Quantity Surveying of the Institute and any other tertiary educational institution.
- 3.4 Every Member of the Institute shall be required once in each year to declare on a form provided by the Council that he is still engaged in Quantity Surveying Work, in the manner under which his particular grade of membership was granted and in conformity with the regulations governing membership. Such forms provided by the Council may be attached to any printed reminders for payment of subscriptions circulated to the Members.

4. Requirements for Fellow Membership

Any person who meets General Conditions of Admission and possessing the following qualifications shall be eligible to apply for the Fellow of the Institute.

- 4.1 Person eligible for membership are those who are over 35 years of age and;
- 4.2 Have served the Institute or the profession with distinctions and;
- 4.3 Shall be an Associate member of the Institute continuously for a period not less than five (5) years.

SELECTION CRITERIA FOR FELLOW MEMBERSHIP

The Fellow membership is designed to reflect the career achievement of the Member. Associate members of the Institute who have formal Quantity Surveying education and training recognized by the Institute, necessary qualifications and experience as specified herein the "Requirements for Membership" of the Institute scheduled to the Rules (Appendix 2) and have served the Institute and the Quantity Surveying profession with distinction shall be eligible for Fellow membership of the Institute.

Following are the main aspects and the areas which the candidate should have gathered knowledge and experience since the election as an Associate member of the Institute and should be able to submit proof or prove to the Council.

1. Post-qualification professional experience:

- (a) Details of the employment history giving examples of representative work-based activities in which he has been involved.
- (b) Application of the abilities and experience gathered during his career to new work with special reference to coherent and progressive record of achievement culminating in a position of seniority.

2. *Managerial responsibility:*

- (a) Evidence of managerial or equivalent levels of responsibility with special reference to managing people, managing finance, managing information, managing projects or a combination of all of them.
- (b) Job titles, an organisation chart showing the position held, responsibilities and the role played.

3. *Professional development:*

- (a) Skill enhancement or the attainment of new skills through Continues Professional Development (CPD).
 - (b) Activities in this area and how he has assimilated these skills into his job.
 - (c) How CPDs have been organized and structured to suit circumstances and helped to sustain the Professional Development..
 - (d) Candidate's achievements on / skills gathered through the following :—
 - Informal Learning Activities.
 - Conference, Seminars & Meetings
 - Presentation & papers.
 - Service Activities.
 - Industry Involvement.
 - Industry related research activities in case of academics.
4. Conversant with the Code of Professional conduct and Ethics of the Institute and how they apply to Members.
 5. Contribution to the Quantity Surveying Profession and to the Institute

Note.— Award of Fellow membership to a candidate shall be at the sole discretion of the Council.

5. Requirements for Associate Membership

Any person (not below 21 years of age and engaged in the practice of Quantity Surveying) who meets General Conditions of Admission and possessing the following qualifications shall be eligible to become an Associate member of the Institute.

5.1 Graduate member of the Institute who is in the Approved Employment in an institution other than University or Tertiary educational institution for a minimum period of two (02) years after graduation and meets the following requirements:

- (a) satisfactory completion of the diary of the Approved Employment for two (02) years after graduation.
and
- (b) passed the prescribed Assessment of Professional Competence (APC) and *Viva-voce* of the Institute after satisfactory completion of diary ;
or

- 5.2 Graduate member of the Institute who is in the Approved Employment in an University or Tertiary educational institution for a minimum period of three (03) years after graduation and meets the following requirements:
- (a) satisfactory completion of the diary of the Approved Employment in the public or private sector organization in the construction industry as a Quantity Surveyor for 2000 working hours after graduation;
 - and
 - (b) passed the prescribed Assessment of Professional Competence (APC) and *Viva-voce* of the Institute after satisfactory completion of diary ;
- or
- 5.3 Technical member of the Institute who is in the Approved Employment in an institution other than University or Tertiary educational institution for a minimum period of three (03) years and meets the following requirements:
- (a) satisfactory completion of the diary of the Approved Employment for three (03) years after successful completion of Level 3 examination of the Institute ;
 - and
 - (b) passed the prescribed Assessment of Professional Competence (APC) and *Viva-voce* of the Institute after satisfactory completion of diary ;
- or
- 5.4 Registered member of the Institute who is in the Approved Employment in an institution other than an University or a Tertiary educational institution and meets the following requirements:
- (a) three (03) years continuously in Registered membership ;
 - and
 - (b) satisfactory completion of the diary of the Approved Employment for two (02) years starting from the end of three (03) years period in Registered membership continuously ;
 - and
 - (c) passed the prescribed Assessment of Professional Competence (APC) and *Viva-voce* of the Institute after satisfactory completion of diary ;
- or
- 5.5 A corporate member of any other Overseas Professional Quantity Surveying Institutions provided the criteria laid down in the Reciprocity agreement the Institute has with such Institutions is met ;
- or
- 5.6 A corporate member of any other Overseas Professional Quantity Surveying Institutions with whom no such Reciprocity agreement has been signed by the Institute provided the following requirements are met in the given order of precedence;
- (i) approval of the institution's qualification by the Council,
 - (ii) satisfactorily completion of one (01) year diary,
 - (iii) passed the prescribed Assessment of Professional Competence (APC) and *Viva-voce* of the Institute after satisfactory completion of diary.

6. Requirements for Graduate Membership

6.1 Any person who meets General Conditions of Admission and possessing the Student membership of the Institute for a minimum period of one (01) year prior to graduation, in accordance with 10.5 (a) below and a Degree in Quantity Surveying from an institution recognized by the Institute shall be eligible to become a Graduate member of the Institute.

or

6.2 Any person who meets General Conditions of Admission and possessing a Degree in Quantity Surveying from an institution recognized by the Institute but who is not a Student member of the Institute in accordance with 10.5(a) below shall be eligible to apply for the Graduate membership of the Institute one (01) year after the graduation.

7. Requirements for Registered Membership

Any person who meets General Conditions of Admission and possessing the following qualifications shall be eligible to become a Registered member of the Institute.

7.1 Probationary membership of the Institute ;

7.2 Satisfactory completion of the diary of the Approved Employment for two (02) years ;

7.3 Passed the prescribed Assessment of Technical Competence (ATC) and *Viva-voce* of the Institute after satisfactory completion of diary.

8. Technical Membership

Any person who meets General Conditions of Admission and possessing the following qualifications shall be eligible to become a Technical member of the Institute

8.1 Student members on successful completion of Levels 1, 2 and 3 examinations conducted by the Institute and who are engaged in Quantity Surveying in Approved Employment.

9. Probationary Membership

Any person who meets General Conditions of Admission and possessing the following qualifications shall be eligible to become a Probationary member of the Institute.

9.1 13 years experience in the Approved Employment in an organization other than Tertiary educational institution including 5 years in a senior capacity as may be determined by the Council.

10. Requirements for Student Membership

Any person who is should be not less than Eighteen years of age meets General Conditions of Admission and possessing the following qualifications shall be eligible to become a Student member on the Institute.

10.1 A minimum of three (3) passes in the G.C.E (Advance Level) Examination, in respect of those who sat for 4 compulsory subjects in the Examination and two (2) passes for those who sat for 3 compulsory subjects ;

and

Six passes with 4 Credits at the G.C.E (Ordinary Level) including Mathematics and English as subjects ;

and

being employed in the Approved Employment ;

or

- 10.2 Those who have passed and successfully completed the National Certificate of Technology (NCT) in Quantity Surveying conducted by the Department of Examinations ;
and
being employed in the Approved Employment ;
or
- 10.3 Those who have passed and successfully completed the examination of Foundation course of the College of the Quantity Surveying conducted by the Institute;
and
being employed in the Approved Employment ;
or
- 10.4 A person who is a Student member of the Institute under 10.5 (b)(c) and (d) below for a minimum period of one (01) year and has passed and successfully completed the relevant accredited examination of Quantity Surveying course conducted by the respective tertiary educational institution /any other educational institution recognized by the Institute ;
and
being employed in the Approved Employment ;
or
- 10.5 The Council may also register as a Student member of the Institute any person who is not employed in the Approved Employment but following a Quantity Surveying Course recognized by the Institute in any one of the following institutions as an undergraduate or a student.
- (a) An University recognized by the Institute.
 - (b) The College of Quantity Surveying of the Institute
 - (c) Tertiary educational institution recognized by the Institute.
 - (d) Any other educational institution recognized by the Institute.

Student members of this category shall be required to pay only 50% of the prescribed amounts of the Annual subscription and the Application processing fee for the Student membership of the Institute and they will be exempted from the payment of Admission fee. They shall not be considered as Student members who are eligible candidates to sit for the examinations conducted by the Institute but shall be entitled to the benefits and the privileges enjoyed by the other members in the Student membership category of the Institute.

- 11. Validity period of Membership** One (01) year and the memberships of the Institute are subject to renewal annually.
- 12. Admission Fee** Refer to Appendix 3.
- 13. Annual Subscriptions** Refer to Appendix 3.
- 14. Examination Fees** To be determined by the Council in the each year of the examinations.
- 15. Other Fees** Refer to Appendix 3.

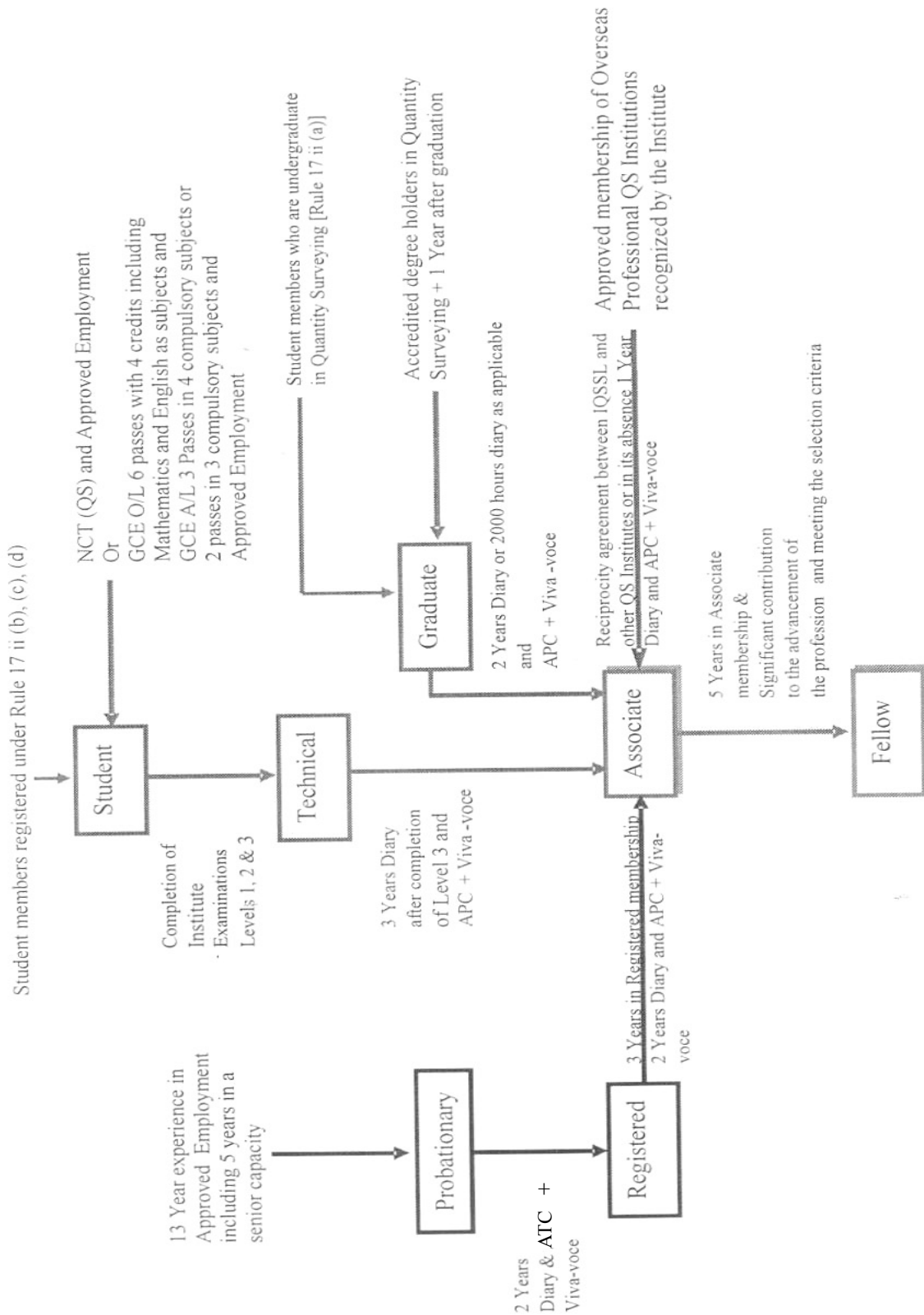


Figure 1 - Routes of Membership of the Institute of Quantity Surveyors Sri Lanka
 (This shall be read in conjunction with Appendix 2 – Requirements for Membership)

Appendix 3

**INSTITUTE OF QUANTITY SURVEYORS SRILANKA
(INCORPORATED BY ACT, No. 20 OF 2007)
ANNUAL SUBSCRIPTIONS AND FEES (EXCLUDING VAT)**

Members (Sri Lankan Citizen)

| No. | Type of Fee / Payment | Membership Category | | | | | | |
|-----|---------------------------------------|---------------------|--------------|-------------|-------------|-------------|-------------|-------------|
| | | Student* | Probationary | Technical | Registered | Graduate | Associate | Fellow |
| 1. | Annual subscription | Rs. 500.00 | Rs. 750.00 | Rs. 1250.00 | Rs. 1250.00 | Rs. 1250.00 | Rs. 2500.00 | Rs. 4000.00 |
| 2. | Admission fee | Rs. 750.00 | Rs. 1000.00 | - | - | Rs. 1500.00 | Rs. 3000.00 | - |
| 3. | Application Processing Fee | Rs. 500.00 | Rs. 750.00 | Rs. 1000.00 | Rs. 1000.00 | Rs. 1000.00 | Rs. 1500.00 | Rs. 2500.00 |
| 4. | Administration fee for diary | - | Rs. 2000.00 | Rs. 2500.00 | Rs. 2000.00 | Rs. 2000.00 | - | - |
| 5. | Administration fee for APC | - | Rs. 2000.00 | Rs. 2000.00 | Rs. 2000.00 | Rs. 2000.00 | - | - |
| 6. | Membership transfer fee | - | Rs. 500.00 | Rs. 750.00 | Rs. 750.00 | Rs. 750.00 | Rs. 1250.00 | Rs. 2000.00 |
| 7. | Overseas Resident Annual subscription | US\$ 20.00 | US\$ 30.00 | US\$ 50.00 | US\$ 50.00 | US\$ 50.00 | US\$ 75.00 | US\$ 120.00 |
| 8. | Subscribing Member (Refer Rule 13) | - | - | - | - | - | Rs. 500.00 | Rs. 1000.00 |

Members (Non Sri Lankan Resident/Non Sri Lankan Overseas)

| No. | Type of Fee / Payment | Membership Category | | | | | | |
|-----|------------------------------|---------------------|--------------|-------------|-------------|-------------|-------------|-------------|
| | | Student* | Probationary | Technical | Registered | Graduate | Associate | Fellow |
| 1. | Annual subscription | US\$ 30.00 | US\$ 45.00 | US\$ 75.00 | US\$ 75.00 | US\$ 75.00 | US\$ 115.00 | US\$ 180.00 |
| 2. | Admission fee | US\$ 35.00 | US\$ 50.00 | - | - | US\$ 90.00 | US\$ 140.00 | - |
| 3. | Application Processing Fee | US\$ 30.00 | US\$ 45.00 | US\$ 60.00 | US\$ 60.00 | US\$ 60.00 | US\$ 75.00 | US\$ 100.00 |
| 4. | Administration fee for diary | - | US\$ 50.00 | US\$ 50.00 | US\$ 50.00 | US\$ 50.00 | - | - |
| 5. | Administration fee for APC | - | US\$ 50.00 | US\$ 100.00 | US\$ 100.00 | US\$ 100.00 | - | - |
| 6. | Membership transfer fee | - | US\$ 25.00 | US\$ 50.00 | US\$ 50.00 | US\$ 50.00 | US\$ 75.00 | US\$ 100.00 |

* Student members who will be registered under Rule 17 (ii) are required to pay only 50% of the of the prescribed amounts of the Annual subscription and the Application processing fee for the Student membership of the Institute and they will be exempted from the payment of Admission fee

**INSTITUTE OF QUANTITY SURVEYORS SRI LANKA
(INCORPORATED BY ACT, No. 20 OF 2007)**

CODE OF PROFESSIONAL CONDUCT AND ETHICS

1.0. General

This code represents the standard of professional conduct to which the Members of the Institute must adhere. Any Member whose conduct is contrary to this code shall be liable to reprimand, suspension or expulsion as provided by the Rules of the Institute.

Any transgression of this code by a partnership or company or firm shall be deemed a transgression by the individual member of the Institute who are partners or directors in the partnership or company or firm.

It is the responsibility of every Member to report to the Hony. Secretary any apparent breach of this code for necessary action in accordance with the provision of the Rules of the Institute.

2.0. DEFINITIONS

For the purposes of this code, the following definitions shall apply:-

- 2.1. *Professional Conduct* – the term “professional conduct” shall mean the adherence to a standard of behaviour befitting a quantity surveyor at all times while engaged in a professional capacity.
- 2.2. *Professional Misconduct* – the term “professional misconduct” shall mean behaviour which in the opinion of the Council of the Institute falls short of or directly contravenes professional conduct.
- 2.3. *Partnership and company or firm* – the words “partnership” or “company or firm” shall mean partnerships or companies or firms offering quantity surveying services either solely or in combination with other professional services, and having partners or directors who are the Members of the Institute.
- 2.4. *Client* – the word “Client” shall mean an individual who or an organization, which enters into an agreement with a partnership or company or firm having Partners or Directors who are the Members of the Institute for the provision of professional services on a specific project or projects.
- 2.5. *Employer* – the word “Employer” shall mean an individual who or a partnership or company or firm which engages a Member as a salaried employee.

CODE OF PROFESSIONAL CONDUCT AND ETHICS - PRINCIPLES

Being rules governing Professional Conduct and Ethics for Quantity Surveyors who are the Members of the Institute.

| | |
|------------------|---|
| <i>Principle</i> | <i>1</i> Quantity Surveyors shall always act so as to uphold and enhance the honour, integrity and dignity of the profession while safeguarding public interest at all times and wholeheartedly admit that the Institute of Quantity Surveyors Sri Lanka is the sole Sri Lankan professional body representing the quantity surveying profession in Sri Lanka and shall not indulge in any act that would impair or harm the honour, integrity and the dignity of the profession or of the Institute. |
|------------------|---|

| | | |
|------------------|---|--|
| <i>Principle</i> | 2 | Quantity Surveyors shall perform work only in their areas of competence. |
| <i>Principle</i> | 3 | Quantity Surveyors shall build their professional reputation on merit and shall not compete unfairly. |
| <i>Principle</i> | 4 | Quantity Surveyors shall apply their skill and knowledge in the interest of their Employer or Client for whom they shall act, in professional matters, as faithful agents or trustees so far as they do not conflict with the general public interest. |
| <i>Principle</i> | 5 | Quantity Surveyors shall give evidence, express opinions or make statements in an objective and truthful manner and on the basis of adequate knowledge. |
| <i>Principle</i> | 6 | Quantity Surveyors shall continue their professional development throughout their careers and shall actively assist and encourage persons who are engaged in Quantity Surveying Work under their direction to advance the knowledge and experience. |

INTERPRETATIONS

Following explains or interprets the principles in detail to guide on the way in which the Code of Professional Conduct and Ethics applies in particular situation and as to the Institute attitude to their implementation.

PRINCIPLE 1

Quantity Surveyors shall always act so as to uphold and enhance the honour, integrity and dignity of the profession while safeguarding public interest at all times and wholeheartedly admit that the Institute of Quantity Surveyors Sri Lanka is the sole Sri Lankan professional body representing the quantity surveying profession in Sri Lanka.

The principle here is that the profession should endeavour by its behaviour to merit the highest esteem of the community. It follows therefore that the Members —

- (a) shall always act to protect and safeguard the honour, integrity and dignity of the profession and or of the Institute.
- (b) shall not involve themselves with any business or professional practice to be of a fraudulent or dishonest nature;
- (c) shall not associate with other persons, corporations or partnerships to conceal unethical acts;
- (d) shall not continue in partnership with, or act in professional matters with, any Member of the Institute who has been removed from membership of the institute because of unprofessional conduct.

PRINCIPLE 2

Quantity Surveyors shall perform work only in their areas of competence.

To this end the Institute has determined that —

- (a) the Members shall inform their Employers or Clients and make appropriate recommendations on obtaining further advice, if an assignment requires qualifications and experience outside their fields of competence; and

- (b) in the practice of Quantity Surveyors, the Members shall not describe themselves, nor permit themselves to be described, nor act as **Chartered Quantity Surveyors** unless they are Corporate members, occupying a position of professional independence, are prepared to supervise quantity surveying work or act as unbiased and independent advisers on quantity surveying matters, and conduct their practice in strict compliance with the Rules of the Institute.

PRINCIPLE 3

Quantity Surveyors shall build their professional reputation on merit and shall not compete unfairly.

The principle here is that Quantity Surveyors shall not act improperly in a professional sense to gain a benefit. It follows that the Members —

- (a) shall only approach prospective Clients or Employers with due regard to their professional independence and to this Code of Professional Conduct and Ethics;
- (b) shall neither pay nor offer directly or indirectly inducements to secure work;
- (c) shall promote the principle of selection of consulting quantity surveyors by Clients upon the basis of merit, and shall not compete with other consulting quantity surveyors on the basis of fees alone. It shall not be a breach of the Code of Professional Conduct and Ethics for Members, upon an inquiry made in that behalf by a Client or prospective Client, to provide information as to the basis upon which they usually charge fees for particular types of work. Also it shall not be a breach of the Code of Professional Conduct and Ethics for Members to submit a proposal for the carrying out of work which proposal includes, in addition to a technical proposal and indication of the resources which the Members can provide, information as to the basis upon which fees will be charged or as to the amount of the fees for the work which is proposed to be done. In this respect it is immaterial whether or not the Members are aware that other Members may have been requested to submit proposals, including fee proposals, for the same work;
- (d) shall promote the principle of engagement of Quantity Surveyors upon the basis of merit. They shall uphold the principle of adequate and appropriate remuneration for professional quantity surveying staff and shall give due consideration to terms of employment stipulated by the Institute. The Members shall not compete with another by means of a reduction of fees or by other inducements.
- (e) Shall not attempt to supplant another Member, employed or consulting, who has been appointed. The Members shall not approach the Client of another practitioner known to be acting for such Client without first receiving the sanction of such practitioner, nor shall he/she in anyway attempt to deprive such practitioner of any emoluments in respect of work for which he may already be retained, employed or engaged by such Client.
- (f) In the practice of consulting quantity surveying, shall not undertake professional work on a basis which involves speculative fee or remuneration which is conditional on implementation of the work. This does not preclude competitions conducted within Sri Lanka provided that such competitions are conducted in accordance with conditions approved by the Institute;
- (g) Shall neither falsify nor misrepresent their own, or their associates' qualifications, experience and prior responsibility;
- (h) Shall neither maliciously nor carelessly do anything to injure, directly or indirectly, the reputation, prospects or business of others;

- (i) Shall not use the advantage of a privileged position to compete unfairly with other Members;
- (j) Shall exercise due restraint in explaining their own work and shall refrain from unfair criticism of the work of other Members;
- (k) Shall give proper credit for professional work to those to whom credit is due and acknowledge the contribution of subordinates and others;
- (l) may properly use circumspect advertising (which includes direct approaches to prospective Clients by any means) to announce their practice and availability. The medium or other form of communication used and the content of the announcement shall be dignified, becoming to a professional quantity surveyor and free from any matter that could bring disrepute to the profession. Information given must be truthful, factual and free from ostentatious or laudatory expressions or implications.

PRINCIPLE 4

Quantity Surveyors shall apply their skill and knowledge in the interest of their Employer or Client for whom they shall act, in professional matters, as faithful agents or trustees so far as they do not conflict with the general public interest.

It follows that the Members —

- (a) shall at all times avoid all known or potential conflicts of interest. They should keep their Employers or Clients fully informed on all matters, including financial interests, which could lead to such a conflict, in no circumstances should they participate in any decision which could involve them in conflict of interest;
- (b) shall, when acting as administrator of a contract, be impartial as between the parties in the interpretation of the contract. This requirement of impartiality shall not diminish the duty of Quantity Surveyors to apply their skill and knowledge in the interests of their Employers or Clients;
- (c) shall not accept compensation, financial or otherwise, from more than one party for services on the same project, unless the circumstances are fully disclosed to, and agreed to, by all interested parties;
- (d) shall neither solicit nor accept gratuities, directly or indirectly, from other parties dealing with their Clients or Employers in connection with work for which they are responsible;
- (e) shall advise their Clients or Employers when as a result of their studies they believe that a project will not be a viable;
- (f) shall neither disclose nor use confidential information gained in the course of their employment without express permission.

PRINCIPLE 5

Quantity Surveyors shall give evidence, express opinions or make statements in an objective and truthful manner and on the basis of adequate knowledge.

It follows that:

- (a) The Members' professional reports, statements or testimony before any tribunal shall be objective and accurate. They shall express an opinion only on the basis of adequate knowledge and technical competence in the area, but this shall not preclude a considered speculation based intuitively on experience and wide relevant knowledge;
- (b) The Members' shall reveal the existence of any interest, pecuniary or otherwise, that could be taken to affect their judgement in a technical matter about which they are making a statement or giving evidence.

PRINCIPLE 6

Quantity Surveyors shall continue their professional development throughout their careers and shall actively assist and encourage the person who are engaged in the Quantity Surveying Work under their direction to advance the knowledge and experience.

The principle here is that Quantity Surveyors shall strive to widen their knowledge and improve their skill in order to achieve a continuing improvement of the profession. It follows therefore that the Members:

- (a) shall encourage their professional employees and subordinates to further their education; and

shall take a positive interest in, and encourage their fellow members actively to support the Institute and other affiliated organizations which further the general interest of profession.