



## ARTICLES OF ASSOCIATION AND MEMORANDUM

**THE ASSOCIATION** shall be known as "The British Association of Cargo Surveyors".

**THE REGISTERED OFFICE OF THE ASSOCIATION** will be situated in the United Kingdom.

**THE ASSOCIATION** is established with the following objectives:-

**TO** provide a central organising body for those engaged in cargo surveying in a practical or consultative or advisory capacity.

**TO** protect and promote the interests of its members in the pursuit of their profession and to assist in all matters considered necessary to maintain and elevate their professional status.

**TO** provide for discussion and communication between members and the interchange of useful information which will assist members in their profession and to establish a code of ethics.

**TO** promote the formal recognition of the Association by all of those bodies both commercial and governmental who would be concerned with the professional standards and the regulation of the Association and its members.

**TO** promote, foster and maintain the proper standards of practice of the profession as to be decided by the members in the by-laws to be compiled upon the formation of the Association.

## INTERPRETATION

Article 1. In the interpretation of these the following words and expressions have the following meaning, unless excluded by the subject or context:-

- (a) "The Association" means the British Association of Cargo Surveyors.
- (b) "The United Kingdom" means the United Kingdom of Great Britain and Northern Ireland.
- (c) "These Presents" means and includes the Memorandum of Association of the Association and these Articles of Association and the Bye-Laws of the Association from time to time in force.
- (d) "The Profession(s)" means any technical profession which falls directly into the category of consulting Cargo Surveyors, or which is recognised by the Committee of the British Association of Cargo Surveyors as ancillary thereto.
- (e) "Month" means a calendar month.
- (f) Words importing the singular number only, include the plural number.
- (g) Words importing the plural number only, include the singular number.
- (h) A "Principal Consulting Cargo Surveyor" means any person who is the proprietor or acting principal in a firm of Consulting Cargo Surveyors; or is the Principal Surveyor, of a Company whose main business relates to shipping matters and Cargo Surveying.  
  
"Cargo Surveyor" means any person whose principal business or occupation is the performance of the functions of a cargo surveyor.
- (i) "Member" means a member of any class of membership of the Association or, where applicable, a member of the Committee or any committee of the Association. "Member" means a Member of the Association, a Fellow, an Associate, an Affiliate or an Honorary member.

- (j) Words importing the masculine gender only shall include the feminine gender.
- (k) "These Articles" means the Articles of Association of the Association.
- (l) "The Office" means the registered office for the time being of the Association.
- (m) "Secretary" includes an assistant or deputy secretary, and any person appointed by the Committee to perform the duties of the Secretary.

Expressions referring to writing shall be construed as including references to printing, lithography, photography, and other modes of representing or reproducing words in a visible form.

## **GENERAL**

Article 2. The Association is established for the purposes expressed in the Memorandum of Association.

Article 3. Any duly approved alteration of the Memorandum or Articles of Association or the Bye-Laws shall be notified to every member of the Association and a copy of such Memorandum or Articles of Association and Bye-Laws made available on request.

## **ADMISSION OF MEMBERS**

Article 4. The members of the Association (other than Honorary members hereinafter mentioned) shall consist of four classes, viz:- Fellows, Members, Associate Members and Affiliate Members. Every person who can satisfy the qualification requirements for each category of membership of the Association shall be eligible for consideration as a member. Only Full Members as defined in the Bye-Laws shall have power to vote at any meeting of the Association or any Committee of the Association.

Article 5. It shall be competent for any duly constituted Meeting of the Committee as defined in Article 29 in special cases to admit to Membership of the Association any person or persons as members who may not be eligible under these presents, and it shall be in the absolute discretion of such meeting to decide whether any case brought before it is special or not, provided always, that any person seeking to be admitted shall make application to the Committee on the Association's Official Application Form and provided further that the

votes of not less than one-half of the members of the Committee present are in favour of acceptance.

Article 6. All applications for admission to membership of the Association shall be submitted to the Committee. Applications from persons resident outside the United Kingdom shall be submitted to the Committee, which shall be responsible for the approval of overseas applications and whose decision shall be final and binding on the parties concerned. The Committee shall not be bound to give any reasons for their decision.

Article 7. All Members shall pay the Annual subscription on the due date for their respective classes of membership for the time being in force as determined by the Committee in accordance with the Bye-Laws. Persons admitted as Members or Associate Members or Affiliates shall pay on admission such entrance fees as may be required by the Committee.

Every member, on admission, shall be informed that a full copy of the Memorandum and the Articles of Association and the Bye-Laws of the Association currently in force are available on request or can be viewed on the BACS website.

Article 8. The Committee is empowered in the event of it being shown to its members satisfaction that a misrepresentation has been made by, or on behalf of, and within the knowledge of any Applicant, or in the event of the Applicant's Entrance Fee and first annual subscription not being paid within three months after the admission of an Applicant as a member of the Association, to revoke his admission to membership and cancel his membership or take other steps as the Committee in its sole discretion shall decide.

Article 9. Any duly constituted meeting of the Committee shall be competent to elect any person to be an Honorary member of the Association if the resolution proposing such election shall have been passed by three-quarters of the members of Committee present and voting.

Honorary members of the Association shall not be liable or be called upon to pay any fee or sum on admission as an Honorary member, or to pay an annual subscription to the Association.

Article 10. Every member shall be responsible for notifying the Secretary of any change of company, registered address or contact information for the purpose of sending such a member any notice or notices of the Association.

## **RESIGNATION, FORFEITURE OF, OR SUSPENSION FROM MEMBERSHIP**

Article 11. Any member may resign on giving notice to the Committee, but the Association shall be entitled to recover any subscription due from him.

Article 12. If any member shall fail to pay his subscription as required by Article 8 hereof he shall be considered as having resigned and shall cease to be a member, and all rights and privileges of membership shall be withdrawn. The Committee shall have power to exercise its discretion in varying or suspending the operation of this Article in special cases.

Article 13. Should complaint be made to the Association in writing that any member has been guilty of conduct which the complainant considers to be discreditable or inconsistent with continued membership, the Secretary shall notify the said member in writing at his registered address of the alleged offences and shall afford that member an opportunity of giving an explanation within such time period as is specified in the notice in writing. The Committee shall consider the complaint and response and if it is of the opinion that the complaint is well founded, either in whole or in part, may expel or suspend or caution such member or require him to resign. Provided always that no less than two thirds of the members of the Committee present and voting at the meeting deciding on the action to be taken shall consent thereto.

Any member aggrieved by the decision of the Committee shall have the right within 28 days from the decision being sent to him to request a personal hearing before the Committee which may, by a simple majority of those present and eligible to vote, uphold, or amend, or quash the original decision.

Any member who is expelled or suspended or required to resign shall have the right to appeal against such decision by giving notice to the Secretary not later than 28 days from the decision being sent to him or, in the case of a member who requires a personal hearing, not later than 28 days from the decision of the Committee following such personal hearing being sent to him. The appeal shall be heard by a retired judge who has sat in the Commercial Court to be appointed by the President, if applicable, or if not by the Committee for the time being of the Chartered Institute of Arbitrators; the procedure of the appeal shall be at the sole discretion of such judge. In the event of an appeal the expulsion or suspension or requirement to resign shall be stayed pending the decision of the appeal.

No action or other proceedings shall lie against the Association, the members of the Committee or any of them in respect of any of the matters dealt with in this Article and no member who is expelled or suspended or required to resign shall have any claim in respect of his subscription or otherwise howsoever.

## **GENERAL MEETINGS**

Article 14. The Association shall in each year hold a general meeting as its Annual General Meeting in addition to any other meetings in that year, and shall specify the meeting as such in the notices calling it; and not more than fifteen months shall elapse between the date of one Annual General Meeting of the Association and that of the next. The Annual General Meeting shall be held at such time and place as the Committee shall appoint.

Article 15. All General Meetings other than Annual General Meetings shall be called Extraordinary General Meetings.

Article 16. The Committee may, whenever it shall think fit, and shall, upon a requisition made in writing by any twenty or more members having the right to attend and vote, stating the business for which the Extraordinary General Meeting is required, convene an Extraordinary General Meeting.

## **NOTICE OF GENERAL MEETINGS**

Article 17. Every General Meeting of the Association, whether Annual or Extraordinary, shall be called by twenty-one clear days' notice at the least.

The notice shall be exclusive of the day on which it is served or deemed to be served and of the day for which it is given.

The notice shall specify the time and place of the Meeting and in the case of special business (as defined by Article 23 hereof) the general nature of the business to be transacted.

The notice shall be given to all the members and shall state with reasonable prominence that a member of the Association entitled to attend and vote is entitled to appoint a proxy to attend and vote on his behalf. A proxy must be a member of the Association.

The instrument appointing a proxy and the power of attorney or other authority, if any, under which it is signed or a certified copy of that power of attorney shall be deposited at the Registered Office of the Association or at such other place within the United Kingdom as is specified for that purpose in the notice convening the meeting not less than forty-eight hours before the time for holding the meeting or adjourned meeting at which the person named in the instrument proposes to vote, or, in the case of a poll, not less than twenty-four hours

before the time appointed for the taking of a poll, and in default the instrument of proxy shall not be treated as valid.

Article 18. The accidental omission to give notice of a Meeting to, or the non-receipt of notice of a Meeting by, any person entitled to receive notice shall not invalidate the proceedings at that Meeting.

### **PROCEEDINGS AT GENERAL MEETINGS**

Article 19.

- (a) The quorum for the Annual General Meeting shall be six members entitled to vote, present in person or by proxy.
- (b) The ordinary business for the Annual General Meeting shall be:-
  - (i) to read and approve the minutes of the previous Annual General Meeting.
  - (ii) to receive and approve the income and expenditure accounts and Balance Sheets of the Association's General Funds for the year.
  - (iii) to receive the announcement of the Office Bearers for the ensuing year.
  - (iv) to acknowledge the investiture of the new Chairman and hear the retiring Chairman's remarks.
  - (v) to receive the new Chairman's inaugural address.
  - (vi) to confirm the appointment of the Association's Auditors and their remuneration.
- (c) At all Extraordinary General Meetings any six voting members present shall form a quorum. No business other than that for which such Extraordinary General Meeting has been called may be transacted at such a meeting.

Article 20. All business other than that specified in Article 22 hereof transacted at the Annual General Meeting shall be deemed special as shall all business transacted at an Extraordinary General Meeting.

Article 21. The Chairman, or in his absence The President, if appointed, shall preside as Chairman at every General Meeting of the Association but if neither of them are present within fifteen minutes after the time appointed for the holding of the meeting or if neither of them is willing to act then the members present and entitled to vote shall elect one of their number to be Chairman of the meeting.

Article 22. No business shall be transacted at any meeting unless a quorum is present. If within half an hour from the time appointed for the meeting such a quorum (as defined in these Articles) is not present, the meeting, if convened upon the requisition of members entitled to attend and vote thereat, shall be dissolved. In any other case it shall stand adjourned to such other day and at such other time and place as the Committee may determine.

Article 23. The Chairman may, with the consent of the meeting, adjourn any meeting from time to time and from place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

Article 24. At any General Meeting a resolution put to the vote of the meeting shall be decided on a show of hands unless a poll is (before or on the declaration of the result of the show of hands) demanded:-

- (a) by the Chairman; or
- (b) by at least 5 members having a right to vote at a meeting; or
- (c) by any member or members present in person or by proxy and representing not less than one-tenth of the total voting rights of all members having the right to vote at the meeting.

Article 25. Upon demand of a poll, a poll must be taken forthwith.

Article 26. A poll shall be taken as the Chairman directs and he may appoint scrutineers (who need not be members) and fix a time and place for declaring the result of the poll. The result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded.

## OFFICE AND MANAGEMENT STRUCTURE

Article 27. The Registered Office of the Association shall be at such place in the UK as the Committee may from time to time appoint. The principal management and general superintendence of the business of the Association shall be at the said Registered Office.

## THE COMMITTEE AND OFFICERS

Article 28. The Officers of the Association shall be:-

- (a) The Chairman and the Deputy Chairman elected by the members of a committee of ten accepted members as required and a President should this be desired/appropriate.

These together shall constitute the Committee of the Association.

- (b) A Secretary of the Association who shall attend all meetings of the Committee (and all General Meetings of the Association) in the proper pursuit of his duties, but without voting rights.

Article 29. The Committee shall conduct and manage all the business and affairs of the Association in accordance with and subject to the Memorandum of Association of the Association, the Articles and any directions given by Special Resolution. No alteration of the Memorandum of Association or the Articles and no such directions shall invalidate any prior act of the Committee which would have been valid if that alteration had not been made or that direction had not been given.

Article 30. The Committee shall be elected from among the members entitled to vote in a General Meeting.

Article 31. Every member of the Committee shall vacate his office on ceasing to be a member of the Association, or being suspended for any period from Membership of the Association.

Article 32. A member of the Committee may at any time give notice in writing of his wish to resign from the Committee, and on the acceptance of his resignation by the Committee, but not before, his office shall be vacant. A member of the Committee who shall retire under this Article shall not thereby be disqualified from being at any time thereafter re-elected.

## **MEETINGS OF THE COMMITTEE**

Article 33. The Committee shall hold a minimum of four meetings in every year (but in the interests of good management the Committee shall endeavour to hold five or more meetings each year) to be convened by the Secretary as instructed, one of which shall be held shortly before the Annual General Meeting of the Association. Subject to the provisions of these Articles the meetings of the Committee shall be conducted in accordance with the Bye-Laws.

Article 34. At all meetings of the Committee, the Chairman, and in his absence the Deputy Chairman, shall be Chairman of the meeting, and in their absence a Chairman shall be elected from among those present as prescribed in Article 28.

Article 35. Six members of the Committee shall constitute a quorum for the purposes of a Committee Meeting.

Article 36. Minutes of the proceedings of Committee shall include a record of attendance, and shall after approval be signed by the Chairman of the meeting at which they are read, and recorded by the Secretary in the Minute Book.

Article 37. Every such minute, when so approved, signed and recorded shall, in the absence of proof of error therein, be considered a correct record of the original proceedings.

## **DUTIES AND POWERS OF THE COMMITTEE**

Article 38. In addition to its general power, the Committee shall (without in any way prejudicing or limiting the extent of such general power) have the following special powers and duties:-

- (a) It may, with the consent of at least a three-quarter majority of the Members present in person at a General Meeting of the Association of which special notice has been given, make, add to, amend or rescind in whole or in part the Memorandum and Articles of Association provided always that any such actions are conducted in conformity with the requirements of paragraph 5 of the Memorandum of Association, and in such manner as in the opinions of the Committee would prove to be conducive to the interest of the Association or the promotion of its objects.

- (b) It may, subject to the rules and regulations for the time being in force, do all other things that it considers conducive to the interest or good management of the Association of the promotion of its objects.

Article 39. The Committee may appoint from among its own members such sub-committees as it may deem expedient, and may delegate to any sub-committees so appointed such powers, authorities and discretions as may from time to time be vested in the Committee subject always to the directions and in accordance with the principles laid down from time to time by the Committee. The minutes of all sub-committee Meetings shall be passed to the Secretary for circulation to the members of the Committee.

Article 40. The Committee shall appoint :-

- (a) From among its members three signatories for the Association, who shall be empowered to sign all authorised cheques drawn by the Association and to act as receiving names on behalf of the Association for payments due to the Association from such of the Association's investment sources as may be required. The signatories shall have no power to authorise any payments by the Association unless such payments are approved by the Committee.
- (b) A Solicitor or firm of Solicitors to be the Solicitors to the Association.

#### **THE BYE-LAWS**

Article 41. The Bye-Laws of the Association may be amended by the Committee from time to time provided that such alteration shall not cause the Bye-Laws to conflict with the Articles. The Articles shall prevail in the event of any conflict.

## **BOOKS AND ACCOUNTS**

Article 42.

- (a) The Committee shall cause proper accounting records to be kept with respect to:-
  - (i) entries from day to day of all sums of money received and expended by the Association;
  - (ii) all sales and purchases of goods by the Association; and
  - (iii) the assets and liabilities of the Association.
- (b) The books of account shall be kept at the Office or at such other place or places as the Committee shall think fit, and shall always be open to the inspection of the members of the Committee.
- (c) The Committee shall from time to time determine whether and to what extent and at what times and places and under what conditions or regulations the accounts and books of the Association or any of them shall be open to the inspection of members not being members of the Committee, and no member (not being a member of the Committee) shall have any right of inspecting any account or book or document of the Association except as conferred by statute or authorised by the Committee or by the Association in General Meeting.
- (d) At the Annual General Meeting in every year the Committee shall cause to be laid before the Association proper income and expenditure accounts in respect of the Funds of the Association for the financial year together with proper balance sheets made up as at the same date.
- (e) The Annual Income and Expenditure Accounts and Balance Sheets shall, after being certified by the Hon. Auditors, be presented to the Committee for approval, and be signed by at least two members of the Committee before submission to the Annual General Meeting.

## **AUDITORS**

Article 43. Honorary Auditors shall be appointed annually.

## NOTICES

Article 44. A notice may be served by the Association upon any member either personally or by sending it through the post in a prepaid letter addressed to such member at his registered address. A member whose registered address is not within the United Kingdom shall be entitled to have notices given to him at that address.

Article 45. A notice addressed to a member at his registered address shall if served by post be deemed to have been served at the latest within seventy-two hours if pre-paid or first class or air mail and within one hundred and twenty hours if pre-paid or second class in the United Kingdom, after the same shall have been posted, and in proving such service it shall be sufficient to prove that the notice or document was properly addressed and duly posted.



# THE BRITISH ASSOCIATION OF CARGO SURVEYORS

## BYE-LAWS

### PREAMBLE

Should there be any conflict between the provisions of these Bye-Laws (or any modification thereof) and the Memorandum and Articles of Association of the Association in force from time to time the provisions of the said Memorandum and Articles of Association shall prevail. The Memorandum and Articles of Association shall be used as far as is possible to resolve any doubt as to the interpretation of these Bye-Laws or any modification thereof. Expressions defined in the Memorandum and Articles of Association shall apply to these Bye-Laws. Pursuant to Article 41 of the Articles of Association, these Bye-Laws may be amended from time to time by the Committee.

### QUALIFICATION AND ADMISSION OF MEMBERS

Bye-Law 1. • Those persons shall be eligible for consideration for admission to the class of Individual Member whose qualifications comply with the following:-

#### Associate Membership

- (a) They shall have served for a minimum of two years at the date of application as an accepted Cargo Surveyor and/or as an Assistant to a recognised Consulting Cargo Surveyor who is a member of the Association and shall have completed and passed the BACS Intermediate Examination.
- (b) After a further three years as an Associate Member they will become eligible to take the main entrance examination. Only on passing the main examination are they eligible for elevation to full membership.
- (c) It will be a requirement of associate membership, when gained, that progression to full membership will be sought as soon as permitted and completed within a reasonable period.

- (d) Applications for membership must be supported by two sponsors both of whom must be full members of BACS. Only one of the sponsors can be from the same company as the applicant.
- (e) Designation to be used by Associate Members is ABACS

### Full Membership

- (a) They shall have served for a minimum of five years at the date of application as an accepted Cargo Surveyor and/or as an Assistant to a recognised Consulting Cargo Surveyor who is a member of the Association and shall have completed and passed the entrance examination.
- (b) Designation to be used by Full Members is MBACS. If a member has accrued sufficient CPD points as defined in Bye Law 5 they can use FBACS as their designation.
- (c) If required they shall attend at an interview and produce written evidence of competency and sample reports.
- (d) Produce confirmation of any qualifications.
- (e) Those persons considered acceptable under Article 5 of the Memorandum and Articles of Association.

### Affiliate Membership

Persons may be eligible for this category of non-voting category of membership if they:

- (a) Can demonstrate to the committee that their alliance to the British Association of Cargo Surveyors will promote the advancement of the Association and its practices or disciplines.
- (b) Have some connection to cargo surveying activities such as an Insurance Professional, Marine Lawyer or similar and unable to qualify for membership as a cargo surveyor.

- (c) Applications for membership must be supported by two sponsors who must be full members of BACS. Only one of the sponsors can be from the same company as the applicant

Bye-Law 2. The payment of Entrance and Transfer Fees and Subscriptions shall be as required by Article 8, and in respect of non-payment the discretion of the Committee shall be subject to Article 14. The following conditions apply:-

- (a) The Annual Subscription shall be due on the 1st January each year and must be paid within three months of that date.
- (b) All categories of members who are in practice on the 1st January each year shall pay the subscription rate applicable to their membership level at the rate decided upon from time to time by the Committee.
- (c) A years' subscription shall be payable on admission unless the day of admission be later than 30th June, when only half-year's subscription shall be payable.

Bye-Law 3. Any member who for any reason ceases to be a member shall nevertheless be liable to pay the amount of the current year's subscription and any other arrears for which he would normally have been liable. The Committee shall have the power in special cases to suspend the operation of this Bye-Law.

The Committee may, at their discretion, reduce or remit the annual subscription or the arrears of the annual subscription of any Member who shall have been a subscribing member of this Association and shall have become unable to continue his subscription.

#### **ANNUAL LIST OF MEMBERS, ETC.**

Bye-Law 4. The Committee shall publish from time to time as they may judge expedient, a list of the members, their companies and contact details as well as identities/companies of the members of the Committee and Officers of the Association. This information will also be updated from time to time on the BACS website. The Committee may also publish on the BACS website or distribute by other means other material considered relevant to the membership from time to time as seen fit by the Committee.

## CONTINUOUS PROFESSIONAL DEVELOPMENT

Bye-Law 5. CPD was formally introduced on 1 January 2010.

CPD is based on a points system over a two year cycle in three separate categories.

Completed forms are to be submitted to the Committee at the Registered Office or as otherwise directed during the month of January, commencing in 2011.

Recognition of CPD Accreditation is set at three levels, namely Associate Standard, Membership Standard and Fellowship Standard.

The points are based on an hourly system, according to the type of activity being undertaken.

### **Level One - Associate Standard**

30 Points required per two years

### **Level Two - Membership Standard**

40 Points required per two years

### **Level Three - Fellowship Standard**

100 Points required per two years

### **Award of Points**

**Category 1:** 5 Points per hour

Preparation and Presentation of:

- (a) Lectures / Talks
- (b) Technical Papers

- (c) Examination Papers (including marking)
- (d) Training Courses
- (e) Any other similar activity approved by the committee

Maximum of 20 Points per event

**Category 2:** 3 Points per hour

Attending Lectures / Seminars etc:

- (a) BACS
- (b) IIMS
- (c) SCMS
- (d) CILA
- (e) Nautical Institute
- (f) Institute of Petroleum
- (g) Insurance Associations
- (h) Shipping Companies
- (i) Any other association approved by the committee

**Category 3:** 2 Points per hour

Reading or Studying of:

- (a) Technical Papers
- (b) Trade Magazines or Journals
- (c) Any other committee approved publication.

**Category 3 can only carry a maximum of 30% of the total number of points in any two year period.**

## **Accreditation**

Each participating member is required to submit a completed and signed CPD Form showing "Date / Activity / Time : Hours / Points per Hour / Total Points", to the committee every two years. It is the member's responsibility to present the Form at the appropriate time. CPD Forms are available from the Secretary or can be downloaded from the BACS Website.

Organisers of events normally provide CPD Certificates, and these should be submitted. Where an organiser does not supply a CPD Certificate a suitable form can be downloaded from the BACS website for authentication by the approved event organisers.

Should a member not achieve the requisite number of CPD Points in any two year period, then that member will be liable to demotion and be unable to use the appropriate BACS letters after their name.

Points may not be carried over from one period to another.

The BACS website will be updated to show the revised membership status, as appropriate.

## **PROFESSIONAL CONDUCT**

Bye-Law 6. Every member of the Association shall observe and be bound by the following:-

- (a) He shall act at all times in a manner befitting the dignity and reputation of the Association so as to maintain its aims and objects in accordance with the requirements of paragraph 2 of the Memorandum of Association.
- (b) He shall not improperly solicit professional work, and in any advertisement he shall indicate the name of the Association in full if it is used.
- (c) He shall ascertain to the best of his ability, before accepting any assignment, that the duties or other professional obligations to be undertaken fall within the area of his competence or that of those whom he may employ, or those services he may retain.

- (d) He shall act in professional matters in a fiduciary manner with regard to his clients whom he may advise in his professional capacity, and his fees and reasonable expenses to such clients shall constitute his sole entitlement in connection with such work except where commission is agreed by the Client.
- (e) He shall not recommend to his clients any equipment, speciality or firm, the use of which would be to his own personal advantage, directly or indirectly, without first disclosing the fact to his clients.
- (f) No member shall use financial or similar incentives in order to obtain instructions for survey or as a sale broker.
- (g) The member once having issued his signed survey report shall not retract this report in order to alter or amend to facilitate his Principal to obtain settlement of or rejection of a claim. Save that the member shall be entitled to correct a report so as to remove any clerical mistake or error arising from an accidental slip or omission or to remove any ambiguity in the report. Should additional information come to hand after issuance of the report which alters the conclusions contained therein then a supplementary report should be issued, attaching to and forming part of the original survey report.
- (h) A member who has made agreements without prejudice at a joint survey should not issue a survey report giving amended figures or other information unless these amendments have firstly been notified in writing to those parties with whom the original agreements were made. If these amendments are not agreed by the other parties, then such information should be included in the report.
- (i) Where a member undertakes sales of cargo, such sales should be conducted to a high standard of integrity and without any form of personal reward or financial benefit other than normal/agreed brokerage.
- (j) In instances where a member does conduct a salvage sale, the proceeds should be kept in a separate account and not used as a means of assisting the financial running of the business.

- (k) Proceeds of sale of goods should be distributed to the appropriate party(ies) without delay unless otherwise instructed by the Principal, which instructions should be in writing.
- (l) Any alleged breach of these regulations by, or any professional misconduct of, a member shall be dealt with as provided by Article 14 of the Articles of Association.

### **OFFICERS AND COMMITTEE**

Bye-Law 7. A President of the Association, if appointed, shall hold office for a period not exceeding three years unless the Committee shall otherwise determine and the said period shall commence at the conclusion of the Annual General Meeting of the Association. The Committee shall be elected annually.

Bye-Law 8. Unless the Committee shall otherwise determine the following procedure shall be adopted in respect of meetings of the Committee and sub-committees subject to any special provisions required by other Articles and Bye-Laws.

- (a) Notices of Meetings, specifying the date, place and time of the meeting shall be given as follows:-

COMMITTEE:- 28 days clear

ALL SUB-COMMITTEES:- 14 days clear

- (b) Such notice shall be accompanied by a copy of the relevant Agenda stating the general nature of the business to be transacted at the Meeting.
- (c) Items of business specified on the Agenda shall be taken and voted upon as necessary, which vote shall be final. In the case of equality of votes the Chairman shall be entitled to a casting vote in addition to any other that he may have. No subject once dealt with shall be again discussed at the same meeting. The consideration of other matters may be taken but only at the discretion of the Chairman of the Meeting.
- (d) The Agenda and Proceedings of the Committee and sub-committee Meetings shall be regarded as confidential to the Association.

- (e) All motions to be discussed must be duly proposed by a member, and seconded by another member present. Amendments must also be proposed and seconded. If not seconded such motion or amendment shall be deemed to be lost, and may not be discussed.

Bye-Law 9. Accurate Minutes shall be kept of the proceedings of all the Committee and sub-committee meetings, and copies shall be delivered to the members of the Committee or sub-committee as the case may be entitled to attend the respective meeting thereof. Copies of the Minutes of sub-committee meetings shall be made available to the Committee upon request.

Bye-Law 10. The following requirements are specific to Committee Meetings only:-

- (a) The Agenda and Proceedings of the Meetings of the Committee are always to be treated as being confidential to the Committee.
- (b) The name of any member raising any questions of the Committee shall be stated.

