



The Engineering Institution of Zambia

THE CONSTITUTION

Established by the Engineering
Institution of Zambia
Act, 2010 (Act No. 17 of 2010)

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PREAMBLE

We, the Members of The Engineering Institution of Zambia, declare, establish and give unto ourselves this Constitution to secure and preserve the principles of our aims and to govern the Institution in an orderly manner.

The official copy of the Constitution, as verified by Council and approved by the General Meeting, shall be the version in the custody of the Registrar, the President and Vice Presidents. This official copy shall be uploaded on the Institution's website.

We, the Members of the Engineering Institution of Zambia, submit ourselves to the Constitution here established.

ARTICLE I - NAME AND PURPOSE

1. The name of the Institution shall be, "The Engineering Institution of Zambia" (hereinafter referred to as "the Institution") and the official short form of the Institution shall be "EIZ".
2. The purpose of the Institution shall be to regulate the engineering profession and promote the general advancement of engineering, science, technology and allied disciplines, for the benefit of the Institution's Members, the country, and humankind at large within the context of a technologically driven and globalised economic environment.
3. The functions of the Institution are as provided under Section 4 of the Act.

ARTICLE II - INTERPRETATION

In this Constitution, unless the context otherwise requires: -

- "Act" means the Engineering Institution of Zambia Act No. 17 of 2010;
- "Affiliate Member" means a Member approved by the Institution as an Affiliate Member;
- "Allied discipline" has the meaning assigned to the words in the Act;
- "Association of Consulting Engineers of Zambia" has the meaning assigned to the words in the Act;
- "Board" means the Engineering Registration Board;
- "Ballot box" means a box or container, or other storage means provided to the Returning Officer for the purposes of receiving votes;
- "Ballot paper" means a slip of paper or other means provided to a voter for the purposes of casting a vote;
- "Candidate" means a Member seeking to be elected into office on Council or in a section, region or branch and should be in good standing;
- "Canvassing" means soliciting for votes before an election;
- "Certificate" has the meaning assigned to the words in the Act;
- "Civil Society Organisation" means a non-profit making non-governmental organisation dedicated to the fight of corruption and the promotion of good governance;
- "Council" has the meaning assigned to the words in the Act;
- "Craftsperson" means a person who has pursued a programme of study in engineering accredited by the Higher Education Authority and recognised by the Zambia Qualifications Authority and is acceptable to the Institution, and that person has been awarded a Craft Certificate in on successful completion of the programme.;
- "Disciplinary Committee" has the meaning assigned to the words in the Act;
- "Election" means an election to an elective position of the Institution;
- "Election assistant" means a person appointed by the NEC under Rule 3;
- "Election officer" means a person referred to under Rule 3;
- "Electronic voting" means casting a vote by means of an approved electronic device, as an alternative to manual voting;
- "Elective general meeting" means an Annual General Meeting at which elections to Council or in a section, region or branch shall be held;
- "Electoral Commission of Zambia" means the Electoral Commission of Zambia established under the Constitution of the Republic of Zambia;
- "Engineer" has the meaning assigned to the word in the Act,
- "Engineering" has the meaning assigned to the word in the Act;
- "Engineering organisation" has the meaning assigned to the words in the Act;
- "Engineering unit" has the meaning assigned to the words in the Act;
- "Engineering professional" has the meaning assigned to the words in the Act;
- "Financial year" means the period of twelve months ending on 31st December in a calendar year;
- "General meeting" means a physical or virtual general meeting of the Members of the Institution at a venue or by an online platform as determined by Council, and includes an extra ordinary general meeting and an adjournment of such meeting;
- "Good standing" means a Member who is fully paid up for the current year as at 31st December of the

preceding year and a Member who pays after 31 December of the preceding year shall be in good standing after Fifteen (15) working days from the date of payment;

- "Higher Education Authority" means the Higher Education Authority established under the Higher Education Act, 2013;
- "Honorary Member" means a person elected as an Honorary Member under Article VII;
- "Immediate Past President" is the President of the most recent previous Council, who held office until the end of tenure or dissolution of that Council;
- "Institution" has the meaning assigned to the word in the Act;
- "Law Association of Zambia" means the Law Association of Zambia established under the Law Association of Zambia Act;
- "Legally disqualified" means having no legal capacity as provided for in Section 4 of the Mental Health Act, 2019;
- "Life Member" means a person elected as a Life Member under Article VII;
- "Member" has the meaning assigned to the word in the Act;
- "Members Register" means a register of Members of the Institution;
- "NEC" means the Nominations and Elections Committee established under Article IX;
- "Online voting" means a form of computer-aided voting in which voters make their selections with the aid of a computer, electronic device or mobile device as an alternative to manual voting;
- "Past President" means a member who has held the office of President of the Institution;
- "Practising Certificate" has the meaning assigned to the words in the Act
- "Register of Voters" means a register of Members eligible to vote;
- "Registrar" has the meaning assigned to the words in the Act;
- "Returning Officer" means the Returning Officer referred to under Rule 2.
- "Skilled Person" means a person who has pursued a course of study in a specific engineering field or has gained experience and is trade tested as appropriate;
- "Special resolution" means a resolution passed by at least two-thirds (2/3) majority of the Members entitled to vote at a duly convened general meeting called for the purpose of the special resolution;
- "Technician" means a person who has pursued a programme of study in engineering accredited by the Higher Education Authority and recognised by the Zambia Qualifications Authority and is acceptable to the Institution, and that person has been awarded an Advanced Certificate in Engineering on successful completion of the programme;
- "Technologist" means a person who has pursued a programme of study in engineering accredited by the Higher Education Authority and recognised by the Zambia Qualifications Authority and is acceptable to the Institution, and that person has been awarded a Diploma in Technology or Engineering on successful completion of the programme;
- "Zambia Qualifications Authority" means the Zambia Qualifications Authority established under the Zambia Qualifications Authority Act, 2011.

ARTICLE III - STRUCTURE OF INSTITUTION

1. The Primary Organs of the Institution which shall be constituted and operated as provided for in the Act shall be the-
 - (1) General Membership;
 - (2) Engineering Council;
 - (3) Engineering Registration Board;
 - (4) Disciplinary Committee; and
 - (5) Secretariat.
2. The Secretariat shall be headed by the Registrar who shall be the Chief Executive Officer of the Institution and Secretary to Council , all committees and the Board.
3. The other organs of the Institution shall be the following:
 - (1) Sections;
 - (2) Branches; and
 - (3) Regions.

ARTICLE IV - MEMBERSHIP

1. COMPOSITION

The membership of the Institution shall consist of Engineers, Technologists, Technicians, Craftspersons, Skilled persons, Engineering Organisations, Engineering Units, Life members, Honorary members and Affiliate members who are from time to time admitted, elected or transferred to any class of membership in accordance with this constitution.

2. MEMBERSHIP CLASSES

- (a) The Engineering Organisations and Engineering Units category shall consist of the following classes of membership:
 - (i) Engineering Organisation; and
 - (ii) Engineering Units.
- (b) The Engineers' category shall consist of the following classes of membership:
 - (i) Fellow;
 - (ii) Professional Engineer;
 - (iii) Incorporate Engineer;
 - (iv) Associate Engineer;
 - (v) Graduate Engineer; and
 - (vi) Student Engineer.
- (c) The Technologists' category shall consist of the following classes of membership:
 - (i) Professional Technologist;
 - (ii) Full Technologist;
 - (iii) Trainee Technologist; and
 - (iv) Student Technologist.
- (d) The Technicians' category shall consist of the following classes of membership:

- (i) Certified Technician;
 - (ii) Full Technician;
 - (iii) Trainee Technician; and
 - (iv) Student Technician.
- (e) The Crafts persons category shall consist of the following classes of membership:
- (i) Master Craftsperson;
 - (ii) Full Craftsperson;
 - (iii) Trainee Craftsperson; and
 - (iv) Student Craftsperson.
- (f) The Skilled persons category shall consist of the following classes of membership:
- (i) Skilled Persons
- (g) There shall be three other classes of membership, namely, Life Member, Honorary Member and Affiliate Member.

3. MEMBERSHIP QUALIFICATIONS AND REQUIREMENTS

(a) Disqualification from Membership

A person shall not be qualified for admission as a Member, if that person: -

- (i) is in lawful custody or that person's freedom of movement is restricted under any written law in force in or outside Zambia on the date of application for membership;
- (ii) is legally disqualified; or
- (iii) has engaged in dishonest, fraudulent, and/or deceitful conduct as determined by the Disciplinary Committee as prescribed in the EIZ Act No 17 of 2010.

(b) Engineering Organisation and Engineering Unit category

(i) Engineering Organisation

- a) A statutory corporation, company, firm, partnership, association, or other body corporate or unincorporate body involved in engineering may apply to the Institution for admission as an Engineering Organisation Member if that statutory corporation, company, firm, partnership, association, or other body corporate or unincorporate body has at least one member of staff who is a certified member, professional member or Fellow of the Institution.
- b) Subject to paragraph (i), in the case of a Consulting Engineering Organisation, a Consulting Engineering Organisation shall be required to have previously registered with the Association of Consulting Engineers of Zambia.

(ii) Engineering Unit

- a) An operational entity of a non-engineering organisation that provides engineering services internally, in support of the non-engineering organisation's core operations or activities may apply to the Institution for admission as an Engineering Unit Member if that operational entity has at least one member of staff who is an Incorporate Engineer, Professional Engineer or Fellow of the Institution.
- b) Subject to paragraph (i), in the case of a Consulting Engineering Unit, a Consulting Engineering Unit shall be required to have previously registered with the Association of Consulting Engineers of Zambia.

(c) Engineer Category

(i) Fellow

A person may apply to the Institution for admission as a Fellow if that person: -

- a) is a Professional Engineer and has been a Member of the Institution for at least five years;
- b) has attended a recognised university, college or school and holds a degree or other qualification acceptable to Council for the Fellow class of membership;
- c) one year before making the application for admission as a Fellow, has been: -
 - I. engaged for at least ten years in a position of superior responsibility in the administration, design, execution, or operation of important work which in the opinion of Council is within the practice of professional engineering or an allied discipline;
 - II. in practice as a consultant in the applicant's own account for at least ten years and has acquired eminence in the profession; or
 - III. Lecturing or teaching at a recognised institution for at least ten years in a responsible position acceptable to Council; or
 - IV. engaged in research of an approved nature for at least ten years; or
 - V. engaged for a combined total of at least ten years in the positions under Sub-paragraphs (I), (II), (III) and (IV); and
- d) has prepared and presented a technical paper at an event of the Institution or other recognised event, or published a paper in a recognised technical journal.

(ii) Professional Engineer

A person may apply to the Institution for admission as a Professional Engineer Member if that person: -

- a) has attended a recognised university, college or school and holds a degree or other qualifications acceptable to Council for the Professional Engineer class of membership;
- b) one year before making the application for admission as a Professional Engineer, has been: -
 - I. engaged in the administration, design or execution of professional work, or a research of an approved nature for a period of at least two years; or
 - II. employed as a lecturer or teacher for a period of at least four years inclusive of postgraduate training; and
- c) has: -
 - I. undergone training in industry or at postgraduate level under an approved professional person, which is acceptable to Council, for at least two years or satisfies Council that the person has other suitable professional training; or
 - II. after the training referred to under sub-paragraph (a), gained relevant experience for at least two years in a responsible position as determined by Council.

(iii) Incorporate Engineer

A person may apply to the Institution for admission as an Incorporate Engineer Member if

that person: -

- a) is educated in the profession for a period determined by Council and has passed such examination as may from time to time be determined by Council;
- b) has improved their educational attainment by submitting to the Membership and Continuous Professional Development (MCPD) Committee a thesis, report or technical essay of a standard acceptable to Council and has undertaken, to the satisfaction of the Membership and Continuous Professional Development Committee, an oral discussion on the subject matter with members of the Membership and Continuous Professional Development Committee; and
- c) one year before making the application for admission as an Incorporate Engineer Member, has-
 - I. been engaged in the administration, design and execution of professional work, or research of an approved nature for a period of at least two years;
 - II. been employed as a lecturer or teacher for a period of at least four years inclusive of postgraduate training;
 - III. undergone training in industry or at postgraduate level under an approved professional person, which training is acceptable to Council, for at least two years or satisfies Council that the person has other suitable professional training; or
 - IV. after the training referred to under Sub-paragraph (III), gained relevant experience for at least two years, one of which is in a responsible position as determined by Council

(iv) Associate Engineer

A person may apply to the Institution for admission as an Associate Engineer Member if that person: -

- a) has attended a recognised university or technical college and holds a degree or other qualifications acceptable to Council for the Associate Engineer class of membership;
- b) is educated in the profession for a period determined by Council and has passed examinations as may from time to time be determined by Council; and
- c) one year before making the application for admission as an Associate Engineer Member, has:
 - I. been engaged in work of an administrative or technical nature within the profession;
 - II. been employed as a lecturer or teacher in an approved Institution;
 - III. been engaged in research of an approved nature; or
 - IV. undergone post qualifying training acceptable to Council for a period of at least two years.

(v) Graduate Engineer

A person may apply to the Institution for admission as a Graduate Engineer Member if that person-

- a) has attended a recognised university, technical college or school and holds a degree or other qualification acceptable to Council for the Graduate Engineer class of membership;
- b) is educated in the profession for a period determined by Council and has passed examinations as may from time to time be determined by Council; and
- c) is undergoing a period of training in industry related to engineering or an allied discipline after graduation.

(vi) Student Engineer

A person may apply to the Institution for admission as a Student Engineer Member if that person is a bona fide student at a recognised university, technical college or other institution pursuing an engineering programme accredited by the Higher Education Authority, and is acceptable to Council.

(d) Technologist Category

(i) Professional Technologist

A person may apply to the Institution for admission as a Professional Technologist Member if that person: -

- a) is a Full Technologist Member or has fulfilled the conditions for the Professional Technologist class of membership;
- b) has attended a recognised university, college or school and holds a diploma or other qualification which is acceptable to Council for the Professional Technologist class of membership; and
- c) one year before making the application for admission as a Professional Technologist Member, has been in a position of responsibility which is acceptable to Council for at least ten years.

(ii) Full Technologist

A person may apply to the Institution for admission as a Full Technologist Member if that person: -

- a) has attended a recognised university, college or school and holds a diploma or other qualification which is acceptable to Council for the Full Technologist class of membership;
- b) is educated in the profession for a period determined by Council and passed such examination as may from time to time be determined by Council; and
- c) one year before making the application for admission as a Full Technologist Member, has:-
 - I. undergone training in industry which is acceptable to Council for a period of at least two years under an approved professional person, or satisfies Council that the person has other suitable professional training; and
 - II. after the training referred to in sub-paragraph (I), gained relevant experience of at least two years.

(iii) Trainee Technologist

A person may apply to the Institution for admission as a Trainee Technologist Member if that person: -

- a) has attended a recognised university, technical college or school and holds a diploma or other qualification which is acceptable to Council for the Trainee Technologist class of membership;
- b) is educated in the profession for a period determined by Council and has passed examinations as may from time to time be determined by Council; and
- c) is undergoing a period of training in industry related to engineering or an allied discipline after graduation.

(iv) Student Technologist

A person may apply to the Institution for admission as a Student Technologist Member if that person is a bona fide student at a recognised university, technical college or other institution pursuing an engineering programme accredited by the Higher Education Authority, and which is acceptable to Council.

(e) Technician Category

(i) Certified Technician

A person may apply to the Institution for admission as a Certified Technician Member if that person-

- a) is a Full Technician Member or has fulfilled the conditions for the Certified Technician class of membership;
- b) has attended a recognised technical college or other training institution and holds a technician's certificate or other qualification which is acceptable to Council for Certified Technician class of membership; and
- c) one year before making the application for admission as a Certified Technician Member, has been working for at least ten years.

(ii) Full Technician

A person may apply to the Institution for admission as a Full Technician Member if that person has attended a recognised technical college or other training institution and holds a Technician's certificate or other qualification that is acceptable to Council for the Full Technician class of membership, and: -

- a) has undergone training that is acceptable to Council for a period of at least two years under an approved engineering professional; or
- b) satisfies Council that the person has other suitable professional training, and has, after such training, gained relevant experience of at least two years

(iii) Trainee Technician

A person may apply to the Institution for admission as a Trainee Technician Member if that person: -

- a) has attended a recognised technical college or school and holds a Technician's certificate or other qualification that is acceptable to Council for the Trainee Technician class of membership; and
- b) is undergoing a period of training in industry related to engineering or an allied discipline after graduation.

(iv) Student Technician

A person may apply to the Institution for admission as a Student Technician Member if the person is a bona fide student at a recognised technical college or other institution studying an accredited certificate program or its equivalent, that is recognised by Council.

(f) Crafts Persons' Category

(i) Master Craftsperson

A person may apply to the Institution for admission as a Master Craftsperson Member if that person: -

- a) is a Full Craftsperson Member or has fulfilled the conditions for the Master Craftsperson class of membership;
- b) has attended a recognised technical training institution and holds a full crafts certificate or other qualification that is acceptable to Council for the Master Craftsperson class of membership; and
- c) one year before the time of making the application for admission as a Master Craftsperson Member, has been working for at least ten years and has acquired wide experience in that person's profession.

(ii) Full Craftsperson

A person may apply to the Institution for admission as a Full Craftsperson Member if that person-

- a) has attended a recognised technical training institution and holds a full crafts certificate or other qualification that is acceptable to Council for the Full Craftsperson class of membership; and
- b) has: -
 - I. undergone training acceptable to Council for a period of at least two years under an approved professional person; or
 - II. satisfies Council that the person has other suitable professional training; and has, after such training, gained relevant experience of at least two years.

(iii) Trainee Craftsperson

A person may apply to the Institution for admission as a Trainee Craftsperson Member if that person: -

- a) has attended an approved technical training institution and holds a full crafts certificate or other qualification that is acceptable to Council for the Trainee Craftsperson class of membership; and
- b) is undergoing a period of training in industry related to engineering or an allied discipline after graduation.

(iv) Student Craftsperson

A person may apply to the Institution for admission as a Student Craftsperson Member if that person is a bona fide student at a recognised technical training institution pursuing an accredited craft certificate program or its equivalent, that is recognised by Council.

(v) Skilled Persons

A person may on application to the Institution for admission as a Skilled Person if the applicant has informally acquired a specialised skill acceptable to the Council and has passed a prescribed test conducted by an approved technical training Institution.

(g) Honorary Member

Council may elect a person, who is not a Member of the Institution, as an Honorary Member: -

- (i) for exceptional and important services relating to engineering or an allied discipline;
- (ii) for exceptional and important services rendered to the Institution; or
- (iii) whose association is beneficial to the Institution. The procedure for electing an Honorary Member will be as provided for in Article IV.

(h) Life Member

Council may elect a Member or past Member of the Institution as a Life Member if that Member-

- (i) has attained the age of sixty-five (65) years; and
- (ii) has-
 - a) performed distinguished work in engineering or an allied discipline;
 - b) performed exceptional and important services relating to engineering or an allied discipline; or
 - c) rendered exceptional and important services to the Institution.

The procedure for electing a Life Member will be as provided for in Article IV.

(i) Affiliate Member

The Institution may approve a person who is a member of an affiliate professional society approved by Council as an Affiliate Member in any class of membership.

4. CONTINUING MEMBERSHIP

Members of the Institution in categories determined under the previous EIZ Act shall migrate to be members in the appropriate new categories of membership of the Institution for a period as determined in the EIZ Act 17 of 2010. The new category of membership shall be determined by the Engineering Council."

5. DESIGNATION OF MEMBERS

(a) A Member shall be entitled to the following descriptions or designations:

- (i) "Engineering Organisation" as "Engineering Corporate Member of the Engineering Institution of Zambia";
- (ii) "Engineering Unit" as "Engineering Unit Member of the Engineering Institution of Zambia";
- (iii) "Fellow" as "Fellow of the Engineering Institution of Zambia" or by the initials" or by the initials "FEIZ";
- (iv) "Professional Engineer" as "Professional Engineer of the Engineering Institution of Zambia" or by the initials" or by the initials "PEIZ";
- (v) "Incorporate Engineer" as "Incorporate Engineer of the Engineering Institution of Zambia" or by the initials" or by the initials "IEIZ";
- (vi) "Associate Engineer" as "Associate Engineer of the Engineering Institution of Zambia";
- (vii) "Graduate Engineer" as "Graduate Engineer of the Engineering Institution of Zambia";
- (viii) "Professional Technologist" as "Professional Technologist of the Engineering Institution of Zambia" or by the initials" or by the initials "PTgEIZ";
- (ix) "Full Technologist" as "Full Technologist of the Engineering Institution of Zambia" or by the initials" or by the initials "TgEIZ";
- (x) "Trainee Technologist" as "Trainee Technologist of the Engineering Institution of Zambia";
- (xi) "Certified Technician" as "Certified Technician of the Engineering Institution of Zambia" or by the initials" or by the initials "CTnEIZ";
- (xii) "Full Technician" as "Full Technician of the Engineering Institution of Zambia" or by the initials" or by the initials "TnEIZ";
- (xiii) "Trainee Technician" as "Trainee Technician of the Engineering Institution of Zambia";
- (xiv) "Master Craftsperson" as "Professional Craftsperson of the Engineering Institution of Zambia" or by the initials" or by the initials "MCEIZ";
- (xv) "Full Craftsperson" as "Craftsperson of the Engineering Institution of Zambia" or by the initials" or by the initials "CEIZ";

- (xvi) "Trainee Craftsperson" as "Apprentice Craftsperson of the Engineering Institution of Zambia";
- (xvii) "Student Engineer, Technologist, Technician or Craftsperson" as "Student Member of the Engineering Institution of Zambia";
- (xviii) "Affiliate Member" as "Affiliate Member of the Engineering Institution of Zambia";
- (xix) "Honorary Member" as "Honorary Member of the Engineering Institution of Zambia" and
- (xx) "Life Member" as "Life Member of the Engineering Institution of Zambia".

(b) Members shall use the following designations:

- (i) "Eng." for Registered Engineers;
- (ii) "Teg." for Registered Technologists;
- (iii) "Tec." for Registered Technicians; and
- (iv) "Cra." for Registered Craftspersons.

6. RIGHTS, PRIVILEGES AND OBLIGATIONS

(a) A Member in the following classes of membership who is in good standing shall have the right to vote at a general meeting of the Institution:

- (i) Engineering Organisation;
- (ii) Engineering Unit;
- (iii) Fellow;
- (iv) Professional Engineer;
- (v) Incorporated Engineer;
- (vi) Professional Technologist;
- (vii) Full Technologist;
- (viii) Certified Technician;
- (ix) Full Technician;
- (x) Master Craftsperson;
- (xi) Full Craftsperson; and
- (xii) Life Member.

(b) A Member has the right to hold an office in the Institution in accordance with this Constitution and the Act except that a Member shall not hold more than one elective office in the Institution at the same time.

(c) An Honorary Member, a Life Member who is no longer in practice and a member who is an employee of the Institution shall not hold an elective office in the Institution.

(d) An Honorary Member, Life Member and a Past President shall be exempt from paying subscription fees and shall enjoy other privileges as the Institution may approve at a general meeting from time to time.

(e) A Member's conduct shall be governed by the Act and this Constitution, and rules, regulations and guidelines made pursuant to the Act.

7. APPLICATION AND MEMBERSHIP SUBSCRIPTION FEES

(a) General

- (i) The mode of application and annual membership subscription fees shall be determined and administered as provided for under Sub-clause (b) below.
- (ii) Membership under the Institution and the obligations for dues shall continue automatically unless a Member's resignation is received by the Institution before the end of the financial year for which dues have been paid.
- (iii) A member shall pay the membership subscription fees by the stipulated dates.

(b) Processing and Membership Subscription Fees

- (i) Processing fees shall be fixed by Council and shall be paid by a Member according to the class of membership the Member is applying for.
- (ii) Processing fees are due on submission of an application for membership or transfer.
- (iii) Membership subscription fees shall be determined by Council and ratified at a general meeting. Membership fees may be adjusted annually in accordance with the prevailing inflation.
- (iv) All membership subscriptions shall become due on admission or transfer and thereafter on 31st December of each year, for the following year commencing on 1st January.
- (v) All processing and annual membership subscription fees shall be payable to the Institution.
- (vi) A Member who does not pay that Member's annual subscription by the 31st of December of the preceding year shall pay a penalty equivalent to 15% of the annual subscription prevailing at the time for the relevant class of membership.
- (vii) Where the annual subscription is in arrears for six months, the Member will be required to settle the dues together with a penalty equivalent to 25% of the annual subscription prevailing at the time for the relevant class of membership.
- (viii) A member whose annual subscription is more than six months in arrears shall be notified, and in the event that the member continues to be in arrears for up to one year, the member may, by resolution of Council, be removed from the Institution; the member shall cease to be a member and the member's name shall be erased from the register, except that the erasure shall not relieve the member from liability for the payment of the arrears of subscriptions with penalties accrued during the period before being erased from the register. No arrears or penalties shall accrue after erasure of the member from the register". Council may have the option of reporting such a member to the Disciplinary Committee.
- (ix) Council may, when it becomes necessary from time to time, review the penalties under paragraphs (vi), (vii) and (viii).
- (x) Council may in any special case, where in its opinion it is desirable to do so, reduce or remit the processing fee, the annual subscription, the arrears of application fees or the arrears of annual subscriptions, of a Member.
- (xi) The annual subscription of a Member who has attained sixty-five years and who satisfies Council that that Member has substantially retired from remunerative activities shall be at the rate set out by Council.

8. CESSATION OF MEMBERSHIP

- (a) A Member shall cease to be a Member: -
 - (i) if the Member resigns by notice in writing to the Institution;
 - (ii) on recommendation of the Disciplinary Committee;
 - (iii) if the Member dies;
 - (iv) if the Member is an undischarged bankrupt;
 - (v) if the Member fails to pay the membership subscription fee, in accordance with clause 6 (b) (viii).
- (b) Except in the case of Sub-clause (a) (iii) and (iv), a Member whose membership ceases shall remain liable to the Institution for all membership fees and other moneys due to the Institution before the termination of the membership, including membership fees payable at the date of the termination.
- © A Member whose membership ceases may be re-admitted, on re-application, on terms and conditions as Council may determine.

ARTICLE V - MEETING

1. ANNUAL GENERAL MEETING

- (a) The Institution shall hold a yearly general meeting called an Annual General Meeting which, in addition to any other meeting, shall be held within four (04) months from the end of a financial year.
- (b) A written notice of the date of an Annual General Meeting shall be given by the Registrar at least ten weeks before the date of the Annual General Meeting.
- (c) The Registrar shall deliver an agreed agenda for an Annual General Meeting with the written notice of the date of an Annual General Meeting.

2. EXTRAORDINARY GENERAL MEETING

- (a) A general meeting other than an Annual General Meeting (EGM) shall be called an Extraordinary General Meeting.
- (b) A notice of a general meeting, other than an Annual General Meeting, or any other meeting of the Institution shall be given by acceptable means that are approved by Council such as widely read print media or electronic platforms.
- (c) An Extraordinary General Meeting of the Institution may, on giving Council not less than fourteen days' notice, be requested for by five hundred (500) Members who are entitled to vote at a general meeting, of whom at least fifty (50) shall be Fellows, and the agenda for the Extraordinary General Meeting shall be communicated to Council at the time of the request.
- (d) Council shall, on receipt of a request under Sub-clause (c), direct the Registrar to convene an Extraordinary General Meeting within sixty days of the request, and to give notice of the Extraordinary General Meeting together with the agreed agenda for the Extraordinary General Meeting.
- (e) An Extraordinary General Meeting may also be called by a resolution of Council.
- (f) An Extraordinary General Meeting shall not be called to hear petitions relating to nominations or elections.
- (g) At an Extraordinary General Meeting, only such matters as are specified on the agenda shall be voted upon.

3. RECORDS, QUORUM AND PRESIDER AT MEETINGS

- (a) The Registrar shall cause to be kept minutes of proceedings and resolutions of the meetings of the Institution, Council and any committee or subcommittee of Council, which shall be circulated to Members within twenty-one days after the meeting to which the minutes relate.
- (b) The quorum at an Annual or Extraordinary General Meeting shall be fifty of those Members entitled to be present and to vote at an Annual or Extraordinary General Meeting, five of whom shall be Fellows, and business shall only be transacted at an Annual or Extraordinary General Meeting if the quorum is met.
- © Subject to Sub-clause (b), if a quorum is not met within half an hour from the time appointed for holding the meeting, the meeting shall stand adjourned to the same hour and place in the

following week, when Members present and entitled to vote, whatever their number, shall constitute a quorum.

- (d) The President shall preside at all meetings of the Institution.
- (e) In the absence of the President, one of the Vice Presidents shall preside at a meeting of the Institution in the order of the Vice President (Policy, Public Relations and National Development), the Vice President (Finance and Administration) and the Vice President (Membership and CPD).
- (f) In the absence of the Vice-Presidents, a member of Council who is a Fellow and is present shall preside.
- (g) The conduct of a meeting of the Institution shall be as set out under the First Annexure.

ARTICLE VI - THE ENGINEERING COUNCIL

1. The number of members of Council, their qualifications and tenure shall be as provided in the Act.
2. A person seeking to be elected as President of the Institution shall have previously served on Council as vice president.
3. Any member of Council who is removed from office for impropriety or misconduct shall not be eligible to assume another position or perform any functions in the Institution.
4. Council shall approve an annual budget for an ensuing year and present it to the Annual General Meeting of the Institution for the members' information.
5. Council shall prepare audited accounts at the end of each financial year for presentation to the Annual General Meeting and the Minister.
6. Where the tenure of an incumbent Council has elapsed, the Registrar shall convene an Extraordinary General Meeting within ninety days to elect a new Council.
7. If an incumbent Council is unable to perform the functions of the Institution for reasons connected but not limited to:
 - (a) Failure to hold elections following lapse of tenure of Council due to force majeure;
 - (b) Legal order
 - (c) Demise of the whole Council;
 - (d) Resignation of the whole Council;

the Registrar shall manage the affairs of the Institution for administrative convenience. The Registrar shall convene an EGM within ninety (90) days to elect a new Council.

ARTICLE VII - ELECTIONS

1. GENERAL

- (a) There shall be constituted a Nominations and Elections Committee (NEC) of the Institution to manage the electoral process at all levels of the Institution.
- (b) The NEC shall consist of 9 members as follows:
 - (i) a Chairperson who is a Fellow of the EIZ;
 - (ii) a senior representative from any like-minded civil society organisation;
 - (iii) a senior representative from the Law Association of Zambia (LAZ) at State Counsel level;
 - (iv) a senior representative from the Electoral Commission of Zambia (ECZ); and
 - (v) five (5) other EIZ representatives appointed by Council.

- © The Vice Chairperson of NEC shall be appointed by Council from the LAZ or civil society organisations.
- (d) The function of the NEC is to conduct and oversee elections at all levels of the Institution in accordance with the Second Annexure.
- (e) A member of the NEC shall hold office for two years, from one non-elective general meeting for Council elections to the next, and may be re-appointed for a further and final term of two years.
- (f) There shall be a vacancy in the office of a member of the NEC if the member: -
 - (i) dies;
 - (ii) is legally disqualified;
 - (iii) ceases to be a Member of the Institution;
 - (iv) resigns; or
- (v) is nominated to Council, Board, Disciplinary Committee or any other committee of Council or the Institution.
- (g) A member serving on the NEC may stand in an election or campaign as a candidate if the member resigns from holding office on the NEC at least six months before the elections.
- (h) The following Members, in good standing in the Institution, shall have the right to vote in elections at a General Meeting of the Institution:
 - (i) An Engineering Organisation;
 - (ii) An Engineering Unit;
 - (iii) A Fellow;
 - (iv) A Professional Engineer;
 - (v) An Incorporate Engineer;
 - (vi) A Professional Technologist;
 - (vii) A Full Technologist;
 - (viii) A Certified Technician;
 - (ix) A Full Technician;
 - (x) A Master Craftsperson;
 - (xi) A Full Craftsperson; and
 - (xii) A Life member.
- (i) A proxy vote shall not be allowed in the Institution's elections.
- (j) The nominations and voting procedures are as provided for in the Second Annexure.
- (k) A position not contested or filled at the elective general meeting shall be filled by Council.
- (l) A complaint regarding the nomination process and a petition of an electoral result shall be handled by the Elections Appeals Body comprising representatives from;
 - (i) A senior representative from the Law Association of Zambia (LAZ) at State Counsel level; as Chairperson;
 - (ii) A senior representative from the Electoral Commission of Zambia (ECZ) and
 - (iii) Three (3) Fellows from EIZ appointed by Council appointed alongside NEC for a period of 2 years to deal with petitions relating to nominations and/or elections in the Institution

2. HANDOVER

- (a) The outgoing President shall preside over an Elective General Meeting and finish all the

proceedings and close the general meeting.

- (b) The dissolution of Council shall be the last item on the General Meeting agenda.
- (c) The outgoing President shall deliver a farewell speech and hand over power to the incoming President who shall deliver a maiden speech at an investiture ceremony or such other function.
- (d) Council-elect shall be inaugurated at the ceremony referred to under Sub-clause (c) or such other function.
- (e) Where the event referred to under Sub-clause (c) does not take place, the handover shall take place immediately after the General Meeting.
- (f) For branches and sections, handovers shall take place immediately after Elective General Meetings.

3. PROCEDURE FOR ELECTING AN HONORARY MEMBER OR LIFE MEMBER

- (a) A nomination for the election of an Honorary Member or Life Member shall be made to Council by a section, branch or region.
- (b) Council may propose the election of an Honorary Member or Life Member.
- (c) A nomination from ordinary members of the Institution shall not be made for the election of an Honorary Member or Life Member.
- (d) A notice of the intention to propose a person as an Honorary Member or Life Member shall be made at a meeting of Council.
- (e) A proposal for the election of an Honorary Member or Life Member shall be made at a subsequent meeting of Council, of which notice shall have been given to Members together with an intimation of the proposal.
- (f) The election of an Honorary Member or Life member shall be by a unanimous vote of the members of Council present at the subsequent meeting held under Sub-clause (e).

ARTICLE VIII - DUTIES OF PRESIDENT AND VICE PRESIDENTS

1. DUTIES OF THE EIZ PRESIDENT

The following are the duties of the President:

- (a) to preside at Council meetings and general meetings of the Institution;
- (b) to serve on the Disciplinary Committee as a member; and
- (c) to enhance the engineering profession.

2. RESPONSIBILITIES OF THE VICE PRESIDENT (POLICY DIRECTION, PUBLIC RELATIONS AND NATIONAL DEVELOPMENT)

The Vice President responsible for policy direction, public relations and matters of national development shall have the following duties:

- (a) to develop and implement programmes for the advancement of the engineering profession and engineering professionals;

- (b) to co-operate with other societies and institutions in advancing public recognition of the professional status of engineering;
- (c) to develop programmes which promote the understanding and appreciation of engineering to the public;
- (d) to develop and maintain a system of publications such as, books, journals and scientific communications and newsletters to meet the needs of engineers, scientists, technologists and allied professions;
- (e) to supervise publication operations;
- (f) to consult with editors concerning editorial policy; and
- (g) to receive publication suggestions and to make recommendations to Council concerning publications.

3. RESPONSIBILITIES OF THE VICE PRESIDENT (FINANCE AND ADMINISTRATION)

The Vice-President responsible for finance and administration shall have the following duties:

- (a) assess and evaluate the budgets and work plans as presented by the Institution's management for soundness, viability, and reasonableness taking into account the prevailing position of the Institution;
- (b) ensure that proper books and records of the funds of the Institution are kept properly and submit statements of accounts to Council meetings;
- (c) advise Council on application fees and subscription structures;
- (d) submit to Council and to the Annual General Meeting an Audited Balance Sheet, Income and Expenditure Account and Statement of Funds as at the end of a Financial Year;
- (e) submit an estimate for the Balance Sheet, Income and Expenditure Account and Statement of funds flow for an ensuing year, and;
- (f) Advise Council on the operations of the Secretariat of the Institution including policies on employment, remuneration and any administrative matters on the operations of the Institution's office.

4. RESPONSIBILITIES OF VICE PRESIDENT (MEMBERSHIP & CONTINUOUS PROFESSIONAL DEVELOPMENT)

The Vice President responsible for matters related to membership and continuous professional development shall have the following duties:

- (a) to make recommendations to Council concerning policies for membership;
- (b) to consider petitions for the formation of new Sections;
- (c) to make recommendations to Council for the formation or dissolution of Sections, Branches or Regions;
- (d) to assist Sections and Branches in co-ordinating their efforts among each other and with the Secretariat;

- (e) to review the status of Sections, Branches and Regions in five-year intervals;
- (f) to promote student involvement in Institution's activities;
- (g) to make recommendations to Council concerning student policies, accreditation, continuing education, and professional registration for engineering professionals.

ARTICLE IX - SECTIONS, REGIONS AND BRANCHES

1. SECTIONS

- (a) There shall be as many sections of the Institution as Council may approve, and each section shall be composed of Members whose major interests lie in the particular disciplines and also other interests with which the sections are concerned.
- (b) Subject to this Article and guidance from Council, a section may regulate its own procedure.
- (c) The management and control of each Section shall be vested in a committee elected by that section every two years and the Chairperson of the committee shall be a Fellow or Professional Engineer, as appropriate and that section shall focus on CPD for that particular field. In an event that there are no fellows or professional engineers in that section hierarchy shall take precedence.
- (d) A committee of a section shall be responsible for matters affecting the section excluding financial and other resources.
- (e) A section may be dissolved with the prior approval of Council.

2. REGIONS

- (a) There shall be as many regions of the Institution as Council may approve according to the number of members in particular geographical areas.
- (b) Subject to this Article and guidance from Council, a region may regulate its own procedure.
- (c) The management and control of each region shall be vested in a committee elected every two years by that region and the Chairperson of the committee shall be a Fellow, Professional Engineer, Incorporate Engineer or Professional Technologist & the Vice Chairperson shall be a Fellow, Profession Engineer, Incorporate Engineer, Professional Technologist, Certified Technician ro Master Craftsperson.
- (d) A committee of a region shall be responsible for matters affecting the region excluding financial and other resources.
- (e) A region may be dissolved with the prior approval of Council.

3. BRANCHES

- (a) Each region of the Institution shall be divided into as many branches as Council may approve according to the number of Members in particular geographical areas.
- (b) Subject to this Article and guidance from Council, a branch may regulate its own procedure.
- (c) The management and control of each branch shall be vested in a committee elected by that branch every two years and the Chairperson of the committee shall be a Fellow, Professional

Engineer, Incorporate Engineer, Professional Technologist or Certified Technician & the Vice Chairperson shall be a Fellow, Professional Engineer, Incorporate Engineer, Professional Technologist, Certified Technician or Master Craftsperson

- (d) A committee of a branch shall be responsible for matters affecting the branch excluding financial and other resources.
- (e) A branch may be dissolved with the prior approval of Council.

4. PROCEDURE FOR FORMING A SECTION, REGION OR BRANCH

- (a) Members of the Institution with a common interest in either a technical or geographic area may organise into a section or branch and each section or branch shall be headed by an executive committee.
- (b) Twenty Members of the Institution may request, in a signed petition to Council, for authorisation to establish a section or branch which shall include-
 - (i) the name of the proposed section or branch;
 - (ii) a statement of the objects of the proposed unit;
 - (iii) the particular field of interest to be stimulated and developed by the proposed unit; and
 - (iv) the reasons why the petitioners consider it wise to establish the unit.
- (c) The powers to form a region will be vested in Council based on the recommendation of the committee responsible for membership and continuous professional development.
- (d) Council shall consider the petition submitted in accordance with Sub-clause (b) and where Council considers it appropriate, Council shall approve a request to establish a probationary section or branch for a period of not more than one (1) year.
- (e) The executive committee of the probationary section or branch shall prepare rules and regulations for the section or branch and submit them to Council through the committee responsible for membership and continuous professional development.
- (f) A probationary section and branch shall be required to have a minimum of fifty and fifteen Members, respectively, before it can be considered as permanent.
- (g) At any time within the one (1) year probationary period, Council may approve the formation or dissolution of a probationary section or branch.
- (h) All members of a section or branch shall be Members of the Institution.
- (i) A meeting of a section or branch held as part of a meeting of the Institution shall be open to all Members of the Institution except a business meeting.
- (j) Each section or branch shall prepare an annual report and submit it to Council.
- (k) A section or Branch may be discontinued by Council by petition of fifty (50) members eligible to vote and in good standing.

5. RESPONSIBILITIES OF A SECTION, BRANCH OR REGION CHAIRMAN

- (a) The Chairperson of a section, branch or region shall provide leadership and guidance on matters relating to the Institution.
- (b) The Chairperson shall head the executive committee for the purpose of enhancing the

engineering profession as well as a platform for collecting and disseminating information to and from Council.

6. RESPONSIBILITIES OF A SECTION, BRANCH OR REGION SECRETARY

All committees and sections members shall be in good standing. The following shall be the duties of a section, branch or region secretary:

- (a) to give notice of meetings of a section, branch or region, as the case may be;
- (b) make arrangements for local office elections;
- (c) be responsible for the interpretation of the Rules and Regulations of the Institution in consultation with the Secretary of Council;
- (d) to cause to be prepared and kept all minute books and records of a section, branch or region.

ARTICLE IX - AMENDMENTS OF THE CONSTITUTION

- (a) This constitution may be amended at an Annual General Meeting of the Institution, or at an Extraordinary General Meeting called for the purpose of amending the Constitution.
- (b) A notice of an intended amendment to the Constitution by a Member or group of Members shall be made, in writing, to the Registrar and shall be supported by at least fifty Members entitled to vote at a General Meeting, ten of whom shall be Fellows.
- (c) A notice to amend the Constitution may also be made by a resolution of Council.
- (d) The Registrar shall ascertain that the notice to amend the Constitution is properly before the Registrar, and forward the notice to an ad hoc Constitution Review Committee to:
 - (i) ensure that the proposed amendment is not already covered by the Constitution or in conflict with the Act or the Constitution;
 - (ii) where necessary, propose further amendments to the Constitution to harmonise the proposed amendment with other already existing Articles.
- (e) The Registrar shall, on completion of the review of the Constitution by the Constitution Review Committee, call for an Extraordinary General Meeting or include the item on the agenda of the next Annual General Meeting.
- (f) An amendment to the motions on the agenda shall be made in accordance with the First Annexure.
- (g) A resolution amending the Constitution shall only be effective if it is passed by a majority of at least two-thirds (2/3) of the Members entitled to vote at a meeting of the Institution.
- (h) The Vice President in charge of Policy, Public Relations and National Development (PPRND) or an appointed representative shall present the motions to the general meeting.
- (I) An amendment made to the Constitution shall become effective immediately after the General Meeting and the new version of the Constitution shall be uploaded on the Institution's website, together with a record of the amendments.

ANNEXURES

FIRST ANNEXURE

RULES FOR THE CONDUCT OF THE INSTITUTION'S MEETINGS

1. An Annual General Meeting, Extraordinary General Meeting and a regional, branch or section meeting (hereinafter referred to as "meetings", unless the context otherwise requires) shall be convened in accordance with this Constitution.
2. A notice of the time and place of the meetings and the business to be transacted shall be given in accordance with this Constitution.
3. The Registrar shall keep or cause to be kept a record of all meetings and Members attending a meeting.
4. A Member attending a meeting shall sign the register or log in with the credentials provided, in the case of a virtual meeting.
5. **Quorum**
 - (a) Unless otherwise stated, the quorum for a meeting shall be fifty Members entitled to vote, twenty-five Members entitled to vote for a meeting in a region or section and ten Members entitled to vote for a meeting in a branch.
 - (b) A quorum shall be met to enable a decision taken at a meeting to be valid.
 - (c) The business of a meeting shall not commence until a quorum is present and where, at any time during the meeting, a quorum is not met, the meeting shall be adjourned by the Chairperson.
 - (d) Where a quorum is not met thirty minutes after the time appointed for the commencement of the meeting, the meeting shall not take place.
6. **Attendance**
 - (a) A person, other than a Member, an employee of the Institution and a person specifically invited by Council, shall not be admitted to a meeting except with the consent of the meeting.
 - (b) An engineering organisation and engineering unit shall be represented by a Member specifically nominated by the engineering organisation or engineering unit to represent it.
7. **Agenda**
 - (a) The Chairperson of the meeting shall determine the order of the Agenda.
 - (b) The business at an Annual General Meeting shall include-
 - (i) receipt of the report of Council;
 - (ii) receipt and adoption of the audited accounts and auditors' report;
 - (iii) appointment of auditors; and
 - (iv) consideration of motions tabled.
 - (c) New business shall not be transacted at an adjourned meeting.
8. **Resolutions (which shall include motions)**
 - (a) (i) "A resolution or an amendment to the resolution shall be adopted if it is proposed and

- seconded, except that if a resolution or amendment is not adopted, it shall be put to a vote and will require a two-thirds (2/3) majority vote for adoption.
- (ii) A resolution or amendment that is proposed by a member of Council on behalf of Council does not require a secondment by another member of Council. All proposals by Council shall be subject to a vote and shall require a majority vote for adoption.
- (b) A motion to the Annual General Meeting shall be communicated to the Registrar at least six weeks before the meeting.
 - (c) A resolution or amendment shall not be withdrawn without the consent of the meeting.
 - (d) The following resolutions may be made without prior notice but must be duly proposed and seconded and with the exception of sub-paragraph (c) be put to the meeting without debate:
 - (i) that the Rules of the Conduct of the Institution's Meetings under the Constitution be suspended;
 - (ii) that a subject of the Agenda be given precedence;
 - (iii) that any business be adjourned;
 - (iv) that the meeting should be adjourned;
 - (v) that the meeting should proceed to the next business on the Agenda; and
 - (vi) that a question be put now, provided the Chairperson has discretion not to accept the resolution if the Chairperson considers that the question has been sufficiently discussed.

9. Amendments

- (a) An amendment to a motion on the Agenda that seeks to amend the Institution's Constitution or any rules under the Constitution shall be in writing and submitted to the Registrar as provided under Article X
- (b) The Chairperson may, at the Chairperson's discretion, request any other amendment to a motion on the agenda to be in writing and handed to the Chairperson.
- (c) An amendment may be moved by a Member despite the Member having spoken in debate. The Chairperson of the meeting shall have the right to determine a prolonged debate.
- (d) An amendment must require the deletion of part of the original motion, the addition of certain words to the original motion or the substitution of certain new words in the original motion.
- (e) When an amendment is moved and seconded, the amendment shall forthwith be discussed exclusively and, until it is put to the meeting, no other amendment shall be accepted by the Chairperson.
- (f) If an amendment is carried, the amendment shall replace the original motion and the amendment shall become the substantive motion for consideration and may be amended further.
- (g) If an amendment is lost, a further amendment to the original motion may be moved but no member in a meeting may move or second more than one amendment to a motion.

10. Right of audience

- (a) A participant in a physical meeting shall be expected to stand when speaking and address the Chairperson.
- (b) A participant shall not speak for longer than five minutes except where the participant obtains

permission from the Chairperson.

- (c) The Chairperson may submit the request under Sub-rule (b) to the meeting for a decision without debate.
- (d) When a Chairperson rises in a meeting, the current speaker shall sit down and remain seated until called upon by the Chairperson.
- (e) A participant shall speak more than once on a resolution proposed if the participant-
 - (i) is the proposer of the resolution or amendment and has the right of reply;
 - (ii) is speaking to a point of order; or
 - (iii) where requested by the Chairperson, is giving an explanation.
- (f) A participant shall confine the participant's remarks to the question before the meeting unless the participant is explaining a matter at the request of the Chairperson.
- (g) A participant shall only speak before another participant has finished speaking if the participant is permitted to speak by the Chairperson.
- (h) A seconder of a resolution or amendment may reserve that seconder's right to speak until later in the debate.
- (i) A proposer of an original resolution shall, if an amendment is not moved, have a right to reply at the close of the debate on the motion.
- (j) If there is an amendment to the original resolution, the proposer of the original resolution shall be entitled to speak on the amendment or any subsequent amendment before a proposer of the amendment exercises that proposer's right to reply.
- (k) A proposer of an original resolution shall be entitled to reply after an amendment is carried before the substantive resolution is put.
- (l) After a proposer of a resolution or amendment exercises that proposer's right to reply, the resolution or amendment shall be put from the Chairperson without further debate.

11. Duties and powers of Chairperson

- (a) Subject to these Rules, a ruling of a Chairperson on a point of order, on the admissibility of a personal explanation or on a matter or question before the meeting shall be final and shall not be open to discussion.
- (b) The Chairperson may call the attention of the meeting to continual irrelevance, tedious repetition, unbecoming language or any breach of these Rules on the part of a participant and may direct the participant to discontinue the participant's speech or to leave the meeting
- (c) The Chairperson shall cast a deciding vote where there is a tie of votes cast on a question or in an election. The Chairperson shall not participate in the initial vote.

12. Voting

- (a) A question shall be determined by a show of hands.
- (b) Subject to the Constitution, these Rules and the Election Rules, a resolution shall be carried by a simple majority of votes cast in the resolution's favour.

- © In the event of a tie on the votes cast under Sub-rule (b), the Chairperson shall cast the deciding vote. The Chairperson shall not participate in the initial vote.
13. A suspension of these Rules shall be decided by votes of at least two-thirds (2/3) of the members present and voting at the meeting.”

ELECTION RULES

PART I - PRELIMINARY PROVISIONS

Returning Officer

1. (1) The NEC Chairperson or the NEC Chairperson's nominee shall be the Returning Officer for an election of the Institution.
(2) The Returning Officer shall-
 - a) perform the functions of a presiding officer;
 - b) ensure that the elections are conducted impartially and in accordance with these Rules; and
 - c) perform any other functions as may be conferred or imposed on the Returning Officer under these Rules.

Elections Officer and Election Assistants

2. (1) The election officers shall be the members of the NEC.
(2) An election assistant shall be any person appointed by the NEC to assist in conducting an election.

PART II - PROCEDURE FOR NOMINATION

Identification of Candidates

3. (1) A candidate shall use the names appearing on the voters roll or Member's register to identify the candidate.
(2) A candidate shall be resident in Zambia and have paid membership subscription fees by 31st December of the preceding year.
(3) An employee of the Institution shall not be eligible to stand for an office in an organ of the Institution.

Nomination of Candidates

4. (1) The NEC shall, at least ten weeks before an Elective General Meeting, call for nominations by a notice to the Members indicating the positions to be contested in each category of Council membership or in a section, region or branch.
(2) A candidate for an election shall lodge in a nomination form with the Returning Officer.
(3) The nomination form shall be in the manner prescribed by the NEC and shall be available at the Institution offices and the Institution's website.
(4) A nomination shall be made in writing and signed by the proposer and seconder of the nomination, both of whom shall be eligible to vote.
(5) The proposer and seconder shall be in the same class of membership as the candidate being proposed and shall be in good standing at the time of nomination.

Receiving of Nominations

- (6) For regional or branch elections, the proposer and seconder shall be from the same region or branch as the candidate being proposed.
 - (7) A candidate for an election shall, in addition to the signatures referred to under Sub-rule (4), personally sign the nomination form and lodge in the nomination form within the period specified under Sub-rule (6).
 - (8) A Member shall only be nominated for election to one office at an election.
 - (9) For Engineering Organisations and Engineering Units, the Organisations and Units shall be proposed and seconded by respective Organisations and Units.
5.
 - (1) The NEC shall receive, handle and process nominations of candidates for an election.
 - (2) The NEC shall, at least six weeks before the date of holding the Elective General Meeting, publish in print and electronic media circulating throughout Zambia the day, time and places when the NEC shall receive nominations.
 - (3) The NEC shall appoint the:-
 - (a) day and time when nominations for candidates shall be opened; and
 - (b) places where the nomination boxes will be placed.
 - (4) A nomination received after the day and time stipulated by the NEC under Sub-rule (3) and/or in a place other than the designated places under Sub-rule (3) shall be null and void. The Registrar shall communicate in writing the outcome of nominations within fourteen (14) days after receiving such nominations and receipt of communication acknowledged.
 - (5) Nominations shall be summarised according to the positions and signed by the Returning Officer or a representative of the NEC.
 - (6) A completed sealed nomination form shall be lodged in the nomination box at the designated places or a completed nomination form shall be submitted electronically as shall be advertised in the notice referred to under Sub-rule (2).
 - (7) The unsuccessful candidates may lodge with the Registrar a complaint or appeal against the nomination process within seven (7) working days.
 - (8) A complaint or appeal referred to under Sub-rule (7) shall be heard by the Elections Appeals Body within seven (7) days.
6. A nomination may not be withdrawn by a candidate six weeks before an Elective General Meeting.

Withdrawal of Nominations

Opening of Nomination box

7. (1) A nomination box shall be opened by the Returning Officer immediately after closure on the last day of receiving nominations, including nominations submitted electronically.
- (2) A candidate or the candidate's representative is free to witness the opening of the nomination box physically or virtually and shall sign an attendance register if present physically or an electronic register if attending virtually.

Validity of Nomination

8. (1) The NEC shall, after the period for receiving a nomination has expired, determine the validity of a nomination lodged under Rule 5
- (2) The NEC shall declare a nomination invalid if the nomination form: -
 - (a) is not duly completed;
 - (b) is not properly proposed, seconded or signed;
 - (c) is not lodged in as required by Rule 5;
 - (d) is not accompanied by the declaration referred to in the nomination form or the declaration is defective in a material particular; or
 - (e) is supported by a Member who is not in good standing.
 - (f) if the nominee has not been a paid-up member of the Institution for at least three consecutive years preceding the nomination or election.
- (3) The NEC shall declare a nomination invalid if the nominee-
 - (a) has committed professional misconduct within a period of five years preceding the nomination or election;
 - (b) is in lawful custody or the nominee's freedom of movement is restricted under any law in force in, or outside, Zambia on the date of the nomination or election;
 - (c) has not been a Member of the Institution for at least three years preceding the nomination or election;
 - (d) is legally disqualified; or
 - (e) is an undischarged bankrupt.
- (4) The Returning Officer shall endorse the reasons for declaring the nomination invalid on the nomination form and sign the endorsement.

Procedure for determining the validity of nominations

9. (1) The NEC shall, at least thirty days before the Elective General Meeting, deliver to the Registrar valid nomination forms.
- (2) The NEC shall, by notice and at least fourteen days before the Elective General Meeting, circulate to the Members the list of valid nominations together with the details of each candidate and any other relevant information submitted by the candidates.
- (3) Where the NEC determines that no candidate is validly nominated for election to a particular position the NEC shall

declare the position uncontested and inform the Registrar accordingly after the close of nominations.

- (4) Where only one candidate is validly nominated for election to a particular position, the Returning Officer shall declare the candidate to be unopposed and inform the Registrar accordingly after the close of nominations.
- (5) Where two or more candidates are validly nominated for election to a particular position, the NEC shall, in addition to Sub-rule (1), give notice to the Registrar showing the date on which the election shall take place and setting out the names of the candidates in alphabetical order beginning with surnames.

PART III - ELECTIONS

Eligibility to vote

10. (1) A Member in good standing and appearing on the Voters' Roll in the category of membership under Article I V shall have the right to vote in an election at an Elective General Meeting.
- (2) A Voters' Roll shall be made available at least thirty days before an election and a new voter shall not be admitted on the Voters' Roll less than thirty days before an election.
- (3) Despite Sub-rule (1): -
 - (a) a representative of a respective category of membership shall be voted for only by the eligible Members in that particular category of membership; and
 - (b) section or branch office bearers shall be voted for by eligible Members of that particular section or branch.
- (4) Engineering Organisations and Engineering Units shall be voted for by respective Organisations and Units, after which the successful Organisation or Unit shall nominate a representative of that Organisation or Unit to the Institution.
- (5) An engineering student representative shall be voted into office from one of the Institutions as determined by the NEC.
- (6) A Member shall have one vote for an elective position for which the Member is eligible to vote.

Elections

11. (1) At least 12 weeks before the elections, the NEC shall recommend to Council the mode and manner in which the elections shall be conducted in accordance with the Electoral Rules and Procedures. A council member who is a candidate shall not participate in the deliberations where elections are an agenda item.
- (2) The Registrar shall ensure that the legal notice is circulated to the general membership not less than 10 weeks before the date of the elections.

- (3) In the case of Branches and Sections, at least 6 weeks before the elections, the NEC shall recommend to Council the mode and manner in which the elections shall be conducted in accordance with the Constitution.
- (4) These Rules shall, with the necessary modifications, apply to a virtual Elective General Meeting and electronic voting.
- (5) Candidates for President and Vice President shall be given an opportunity to present their ideas for candidature during the presidential debate that shall be arranged by NEC before elections.

Ballot box and election Material

12. The NEC shall ensure that: -
- a) there are sufficient ballot boxes and ballot papers during manual voting or in the case of online voting, that sufficient arrangements have been made.
 - b) there is sufficient security protection against fraud and malpractices; and
 - c) other adequate arrangements are made to facilitate the holding of an election.

Procedure for casting a vote

13. (1) An eligible Member shall be issued with a ballot paper for voting, in case of physical voting, or an electronic equipment (gadget), and in the case of online voting and that sufficient arrangements shall be made.
- (2) Where an eligible Member is voting physically, the eligible Member shall signify that eligible Member's vote by marking against the name of the preferred candidate and afterwards, folding the ballot paper and placing the ballot paper in the ballot box.
- (3) In the case of electronic voting, votes shall be received, retained and recorded in a form and manner as the NEC shall direct using the necessary equipment and method.
- (4) The voting period shall be as provided for in the Legal Notice.

Counting of Votes

14. (1) The Returning Officer shall ensure that the counting of votes cast takes place as soon as practicable after the close of the poll.
- (2) The votes cast shall be counted by the Returning Officer with the assistance of the election officers and election assistants.
- (3) The Registrar shall appoint independent observers who shall be ratified by Council.
- (4) A candidate or a candidate's representative shall be entitled to be present during the counting of votes under Sub-rules (2) and (3).

Spoilt ballot papers

15. (1) The Returning officer shall not count a ballot paper if the ballot paper is: -
- a) not properly completed; or
 - b) unmarked, invalid or there is any uncertainty.
- (2) The Returning Officer or a member of the NEC appointed by the Returning Officer shall write the word "rejected" on a rejected ballot paper and sign the rejected ballot paper.

Questions arising on decision of returning officer

16. A decision by the Returning Officer on a question arising with respect to a ballot paper shall be final.

Sealing of ballot papers

17. (1) The Returning Officer shall, on completion of the counting of votes cast, seal up the ballot papers in marked packets and place the rejected ballot papers in a separate sealed marked packet.
- (2) The Returning Officer shall forthwith, on sealing the ballot papers, deliver the marked packets to the Registrar.
- (3) In the case of electronic voting, on completion of the counting of votes cast, the Returning Officer shall render and sign a report stating the: -
- (a) total number of votes received;
 - (b) number of votes rejected and the grounds for rejection;
 - (c) total number of votes in favour of each candidate; and
 - (d) names of the candidates duly elected.
- (4) The Returning Officer shall submit the report under Sub-rule (3) to the Registrar.

Declaration of results of an election

18. (1) The Returning Officer shall, when the counting of the votes cast is completed and the result of the poll ascertained, declare the candidate with the highest number of valid votes cast as duly elected into a particular position.
- (2) Where two or more candidates tie for an elective position, the voting shall be repeated to decide the candidate with the highest number of votes and if, after repeating the vote, the vote is still tied, the Returning Officer shall conduct a raffle to determine the candidate that is duly elected to a particular position.
- (3) Where only one valid nomination is received for a particular office, the Returning Officer shall declare that nominee as duly elected unopposed and a vote shall not be taken.
- (4) The Returning Officer shall announce the names of all the candidates that have been elected, either as a result of the elections or because a candidate was unopposed.

Custody and destruction of ballot papers

19. (1) The Registrar shall retain the marked packets and online records received under Rule 18 and the report referred to

under Rule 18 for a period of seven days which begins the day after the election results are declared.

- (2) Subject to the Environmental Management Act, 2011, the Registrar shall, after the seven-day period under Sub-rule (1), cause the marked packets and the report to be destroyed by burning, pulping or by any other effective means.
- (3) The Registrar shall not, where the Registrar is informed that an election petition has been filed in respect of an election, destroy the marked packets until the election petition is disposed of.

PART IV - GENERAL PROVISIONS

OFFENCES

20. (1) A Member shall not:-
 - a) directly or indirectly-
 - (i) give, lend, procure or offer money, directly, for another person or on behalf of a voter, to induce a Member to vote or refrain from voting at an election;
 - (ii) promise or agree to give, lend, procure or offer money to induce a Member to vote or refrain from voting or on account of voting or refraining from voting at an election; or
 - (iii) give, lend, procure or offer money to a Member on account of voting or refraining from voting at an election.;
 - b) cause another person to directly or indirectly act in the manner provided under paragraph (a);
 - c) in consequence of a gift, loan, offer, procurement, promise or agreement under paragraph (a), procure or engage, promise or endeavour to procure or engage the return of a candidate or the vote of a Member at a subsequent election; or
 - d) before or during an election, publish a false or misleading statement in relation to the character or conduct of a candidate.
- (2) A Member who contravenes Sub-rule (1) commits an offence and professional misconduct and shall be reported in writing to the Returning Officer and shall be dealt with in accordance with the Act and disqualified from the election.

CANVASSING

21. (1) A candidate may canvass through the use of online and social media platforms such as Facebook, WhatsApp, as well as through physical meetings and other modern means.
- (2) A candidate or representative of a candidate, when

canvassing for votes, shall not produce material that is seditious or issue libelous statements aimed to incite hatred or ridicule against other candidates.

- (3) A Member shall not print posters, t-shirts or banners for a candidate.
- (4) A Member who contravenes Sub-rules (2) and (3) is guilty of professional misconduct and shall be dealt with in the manner provided for in the Act, and in the case of a contravention of Sub-rule (3), the candidate shall be automatically disqualified from the election.

Election Petition

- 22. (1) A candidate who is aggrieved with the results of an election may, within forty-eight hours of the announcement of the results of an election, give notice in writing of the candidate's intention to petition the results.
- (2) A candidate who is aggrieved with the results of an election may, in addition to Sub-rule (1) and within seven (7) days of the announcement of the results of an election, submit the petition to the Registrar stating the candidate's grievances.
- (3) The Registrar shall, on receipt of the petition under Sub-rule (2), submit the petition to the Elections Appeals Body that shall make a ruling based on the evidence presented by the aggrieved candidate. This shall be subject to the Election Rules in the Constitution.
- (4) An election petition shall be disposed of within thirty (30) days from the date of the petition.

Immunity

- 23. An action or other proceeding shall not lie or be instituted against the Returning Officer, election officers, election assistants or the members of the NEC for or in respect of an act or thing done or omitted to be done in good faith in the exercise or performance of any powers, functions or duties conferred under these Rules.