

**INSTITUTE OF SURVEYORS OF**



**TRINIDAD AND TOBAGO**

**BYLAWS**

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**1.0 Interpretation**

In these Bylaws:-

“The Act” means the Land Surveyors Act Ch. 27 No. 2, or as the same may be amended, replaced and re-enacted from time to time.

“AGM” means Annual General Meeting

“EGM” means Extraordinary General Meeting

“Institute” means the Institute of Surveyors of Trinidad and Tobago.

“ISTT Board” means the Board of Directors of the Institute of Surveyors of Trinidad and Tobago

“MISTT” means Full Member of the Institute of Surveyors of Trinidad and Tobago

“Conflict of Interest” is a situation in which a member is involved in multiple interests, financial or otherwise, and serving one interest could involve working against another.

“Simple majority” means a majority in which the highest number of votes cast for any one candidate, issue, or item exceeds the second-highest number, while not constituting an absolute majority”

**2.0 Objectives of the Institute**

The objectives for which the Institute is established are:-

- 2.1 To advance the practice of the sciences and technologies of surveying and mapping; valuation and estate management; quantity surveying; and the development of information systems for the proper management of the land and marine resources of Trinidad and Tobago;

- 2.2 To dedicate the resources of the Institute to promoting measures calculated to benefit and protect members of the public, the Institute and users of surveying and mapping products and services;
- 2.3 To support and protect the character, status and interests of Surveying professionals;
- 2.4 To collect and disseminate information to members and to the public, with respect to the science of surveying and to other sciences incidental thereto via lectures, discussions, publications, conferences, meetings, the Institute's website, blogs, videos and any online, digital or electronic means;
- 2.5 To defend and enforce the rights and privileges of Surveying Professionals;
- 2.6 To consider all questions affecting the interest of the profession, and if necessary, to petition Parliament or other body or private deputations in relation to general measures affecting the profession, and to lobby for changes in the law or practice, and to promote improvements in the principles and administration of the law affecting the qualifications, examination, training, licensing and registration of Surveyors.
- 2.7 To encourage and ensure that the profession of Surveying shall be conducted in an honourable and becoming manner, and to restrain and discourage all conduct which is discreditable, dishonourable, or unbecoming- to the members of such profession, and by any lawful means or due process in accordance with the bylaws of the ISTT, to procure the exclusion from such profession of any persons guilty of conduct rendering them unfit to be members thereof;
- 2.8 To act, if instructed by an aggrieved member of the public, as arbiter in disputes between members of the said profession or between any member or members of such profession and other persons, and to declare the rules which govern professional usage, custom, and to decide all questions of usage, custom arising out of such rules or for which such rules do not provide;
- 2.9 To assist or receive assistance from any other Association promoting or formed to promote any of the above objectives; and to subscribe to any society or association with a view to obtaining any advantages or benefits for the purpose of the Institute; and to subscribe to any fund, movement or society that the Institute may from time to time consider deserving;
- 2.10 To do all such other lawful things as are incidental or conducive to the attainment of the above objectives.

### **3.0 Power of the Institute**

- 3.1 The Institute shall have power to make, alter, revoke and enforce these bylaws for carrying on the business of the Institute, provided always that the bylaws shall not be in conflict with the Institute's Articles of Incorporation or Continuance under the Company's Act; or any Act of Parliament.

- 3.2 Amendments, alterations or revocation of these bylaws can only be made at a duly convened Extraordinary General Meeting or at the Annual General Meeting by simple majority vote of the Membership present.

#### **4.0 The Seal of the Institute**

The Seal of the Institute shall not be affixed to any instrument except by the authority of the ISTT Board and in the presence of two members thereof.

#### **5.0 Membership**

##### **5.1 General Membership**

- 5.1.1 Every member shall be bound to further to the best of his/her ability the objects, interests, and influence of the Institute and shall observe all the requirements of these bylaws of the Institute, made pursuant to the powers in that behalf hereinafter contained.
- 5.1.2 Every member shall abide by the Institute's Code of Ethics

##### **5.2 Divisions and Classes**

- 5.2.1 For the purposes of membership recognition, Divisions of Land Surveyor, Quantity Surveyor and Valuation Surveyor and any other Division which the ISTT Board may identify from time to time for the purposes of further membership recognition are hereby established within the Institute, providing such other Divisions are approved by the membership at an AGM.
- 5.2.2 The Classes of membership of the Institute shall consist of Full Members, Associate Members, Student Members and Honorary Life Members. Honorary Life Members shall be elected by the ISTT Board. Individuals may make applications for Full, Associate or Student membership.

5.2.2.1 A Full Member shall be academically qualified and shall have a minimum number of years of professional practice in the respective Division or discipline of surveying or another Professional Designation; and such combination of academic qualification and professional practice must be acceptable by the ISTT Board. A Full member may carry the designation "MISTT", meaning "Member of the Institute of Surveyors of Trinidad and Tobago" after his/her name.

5.2.2.2 An Associate Member shall be academically qualified. An Associate Member may carry the designation "Assoc.ISTT", meaning "Associate of the Institute of Surveyors of Trinidad and Tobago" after his/her name. An Associate Member may be eligible, and can apply, for Full Membership upon satisfying the ISTT Board that he/she has completed the

recommended period of practice under the supervision of a Full Member of the Institute or other Professional Designation; or any combination of expertise as may be accepted by the ISTT Board in specific cases.

5.2.2.3 Any person actively pursuing a course of study leading to an academic qualification acceptable to the ISTT Board shall be eligible to become a student member of the Institute, but shall not be entitled to vote at meetings of the Institute.

5.2.2.4 Any person who is either no longer actively involved in the practice of professional surveying or who, in the opinion of the ISTT Board, has made a valuable contribution to both the profession of surveying and the Institute may be elected by the ISTT Board as an Honorary Life Member. Any person so elected shall not be liable for any further subscription and shall not be entitled to vote at meetings of the Institute or be eligible for election to the ISTT Board.

### 5.3 Application for membership

5.3.1 The academic qualification for membership is a Bachelor's degree or a higher degree in the relevant field of surveying from a tertiary institution or equivalent that is recognised by the ISTT Board.

5.3.2 Any person who satisfies the academic qualification and has been actively involved in the practice or profession of surveying, under the supervision of a Full member of the ISTT, for a minimum of two years, shall be eligible to become a Full Member of the Institute provided that he/she passes an interview held by the ISTT Board; or an individual who is registered as a Land Surveyor or Trinidad and Tobago Land Surveyor under the Act and passes an interview held by the ISTT Board shall be eligible to become a Full Member.

5.3.3 Every application for membership shall be made in the form prescribed by the ISTT Board.

5.3.4 A Non-refundable Application Fee becomes payable upon application for admission to the Institute. That Fee shall be quantified by the ISTT Board at any of its duly convened meetings.

5.3.5 An applicant must submit a fully completed application form with supporting documents and the non-refundable application fee, to the registered office or official electronic mail address of the Institute. The application will be reviewed for completeness and basic eligibility by a Sub-Committee of the ISTT Board; such Sub-Committee may decline the application citing specific deficiencies and write to the applicant, under the hand of the Secretary of the Institute, informing the applicant of the rejection of the application and the deficiencies. If the application is satisfactory the Sub-Committee may recommend and schedule the applicant for an interview with at least three members of the ISTT Board.

- 5.3.6 The applicant shall attend the ISTT Board interview either physically or virtually. Depending on the applicant's performance at the interview, the applicant may be recommended for the Class of membership in the Division for which the application was made; or may be recommended for another Class of membership; or any other recommendation may be made. The recommendations are to be made by the interviewers to the ISTT Board, in writing, on the application form.
- 5.3.7 The application form, with interviewers' recommendations, shall be brought before the ISTT Board at its next regular meeting where a decision will be made on the Class of membership within a Division. The decision of the ISTT Board will be communicated in writing to the applicant, on a letterhead and under the hand of the Secretary of the Institute, and may be transmitted by electronic mail.
- 5.3.8 The applicant, if successful in being accepted for membership by the ISTT Board, shall sign and return a duplicate of the letter and pay the required subscription as directed. Upon receipt of the proper subscription, the applicant shall be duly enrolled as a member of the Institute.

#### 5.4 Termination of Membership

- 5.4.1 A member of the Institute may withdraw from the Institute by giving to the Institute one (1) months' notice in writing of such intention. A member may, with the consent in writing of the ISTT Board, withdraw any such notice before the end of the financial year in which the notice was given.
- 5.4.2 The Disciplinary Committee of the Institute may recommend that an individual's membership be terminated after investigations and due process is followed.
- 5.4.3 Membership may be automatically terminated for non-payment of subscriptions as outlined in Section 6.0.
- 5.4.4 Former members seeking re-admission will be required to undergo the same procedures as new applicants.

### 6.0 Subscription

- 6.1 The annual subscriptions payable by the various classes of membership shall be quantified by the ISTT Board at any of its duly convened meetings and the membership notified of such proposal at least sixty (60) calendar days prior to the commencement of the calendar year to which such schedule will become applicable.
- 6.2 Annual subscriptions shall become payable on the first day of January of each calendar year to the Treasurer. Persons admitted to the Institute after June 30th shall pay one half of the annual subscription applicable to their Class of membership.

- 6.3 Any member of any Class whose annual subscription remains unpaid after the 31st day of January shall not be entitled, before s/he has paid his subscription in full, to exercise or benefit from any of the rights or privileges of membership.
- 6.4 Any member who has not paid his/her annual subscription for two (2) consecutive years shall be given ninety (90) days' notice in writing of impending termination of membership. Notice shall be transmitted to the member by registered mail and /or by electronic mail to the member's registered address or electronic mail address. If the member does not respond affirmatively to the Notice within the ninety (90) day period, the membership will cease after the expiration of ninety (90) days.
- 6.5 Any person facing impending termination or who wishes to be re-admitted to the membership of the Institute shall be required to pay any arrears of subscriptions and other fees which s/he owes up until the time his/her Notice or the date on which the membership ceased, before his/her application is considered by the ISTT Board. The ISTT Board may, in its discretion, waive the payment of entrance fees of such a member seeking re-admission.

## **7.0 The ISTT Board of Directors**

- 7.1 The business of the Institute shall be managed by a Board of Directors which shall be elected from among the Institute's Full Members and shall consist of a President, President-Elect, Vice President, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, Public Relations Officer, the Immediate Past-President and not more than eight (8) ordinary members. The ISTT Board shall be elected annually at the AGM of the Institute. The Institute shall provide liability / indemnity insurance for its Board of Directors.
- 7.2 The post of President-Elect shall be rotated from year to year among the accepted membership Divisions of the Institute.
- 7.3 Should the President, Secretary or Treasurer be unable to carry out the duties of the post during the term of his office, for reasons including death, illness, absence, retirement or a potential conflict of interest, the Vice-President, Assistant Secretary or Assistant Treasurer respectively shall act in place of the unavailable elected post holder until either the return to office of the elected post holder or until the next AGM of the Institute, whichever shall first happen.
- 7.4 The ISTT Board may meet together, physically or virtually, for the despatch of business and otherwise as they may think fit. The President shall preside at every meeting of the ISTT Board, or if s/he is not present, the Vice President shall preside, and in the absence of the President and Vice-President, the members present shall choose one of their numbers to preside. Questions arising at any meeting of the ISTT Board shall be decided by a simple majority of votes. In the event of an equality of votes, the President or presiding member shall have a second casting vote.
- 7.5 All acts done at any meeting of the ISTT Board by any person acting as a member of such ISTT Board shall, notwithstanding that it be afterwards discovered that there

was some defect in the election or selection of any such member of the ISTT Board or person acting as aforesaid, be as valid as if every such member of the ISTT Board had been duly elected or selected.

- 7.6 The ISTT Board may delegate any of its powers to any Sub-Committee consisting of such Full Members, Associate Members, Student Members or Honorary Life Members as the ISTT Board may think fit. Any Sub-Committee so formed shall, in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the ISTT Board. Sub-Committees may in particular be appointed to represent and put forward the views of separate membership Divisions.
- 7.7 A Sub-Committee may elect a Chairman of its meetings who is a member of the ISTT Board; if no such Chairman is elected, or if at any meeting the Chairman is not present within ten minutes after the time appointed for holding the same, the members present may choose one of their members to be Chairman of the meeting.
- 7.8 A Sub-Committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a simple majority of votes of the members present and in case of an equality of votes the Chairman shall have a second casting vote.
- 7.9 The quorum necessary for the transaction of business by the ISTT Board shall be seven (7) which must include either the President, Vice-President or Secretary.
- 7.10 Meetings of the ISTT Board shall be summoned by the Secretary at the direction of the President, or at the written request of two members of the ISTT Board, providing due and sufficient notice of time, place and business to be transacted being sent to each member of the Board.
- 7.11 It shall be the duty of the Secretary to ensure that minutes of the meeting of the ISTT Board are taken.
- 7.12 If a member of the ISTT Board is subject to a disciplinary matter which has been referred to the Disciplinary Committee by the Initial Review Panel, s/he shall take a leave of absence from the ISTT Board until the matter is resolved.
- 7.13 If a member of the ISTT Board is absent from three (3) consecutive and duly convened meetings of the ISTT Board of Directors, without just cause communicated to the ISTT Board, the ISTT Board may vote by simple majority to have said member removed from the ISTT Board.
- 7.14 At each Annual General Meeting of the Institute, persons appointed to any Committee by the ISTT Board shall retire but shall be eligible for re-appointment.
- 7.15 A member of the Board shall not be personally liable for any act or default done or omitted in good faith in the course of carrying out the responsibilities and functions of, or exercising the power conferred upon the Board.

## **8.0 Meetings of the Institute**

### **8.1 General**

- 8.1.1 Meetings of the Institute shall be held on such dates and at such place or places in the Republic of Trinidad and Tobago or by electronic or virtual means as may be fixed by the ISTT Board.
- 8.1.2 Notices convening any meeting of the Institute shall be given either personally or by being sent to the last known postal or electronic mail address of each member specifying the date, place or electronic link/access code and time of the meeting. Notices shall be sent at least seven (7) calendar days prior to the date of each such meeting: AGM notice periods shall be more than seven days as specified hereunder. Notice shall be deemed to have been given immediately it is posted in the ordinary way of business. The accidental omission to give notice of a meeting to, or the non-receipt of a notice by, any member shall not invalidate the proceedings of any meeting.
- 8.1.3 No business shall be transacted at any meeting unless a quorum of members is present at the time appointed for the meeting to begin. Unless otherwise specified herein for significant meetings, a quorum shall be at least half of the members qualified and/or invited to attend the meeting.
- 8.1.4 If within half an hour of the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned until the same day in the following week at the same place or if such day shall be a Sunday or Public Holiday, then until the next succeeding Saturday and if at such adjourned meeting a quorum is still not present at the time appointed for the meeting, then the Full members present shall form a quorum; and in any other case the meeting shall be dissolved.
- 8.1.5 The President shall preside at every meeting of the Institute or if s/he is not present, the Vice President, and in the absence of both of these officers, the Full members present shall choose one of their number who is also a member of the ISTT Board, to be the presiding member.
- 8.1.6 Motions shall be determined by a simple majority of members present, unless a poll is demanded by any Full Member present.
- 8.1.7 In the event of votes given on a show of hands being equally divided, and provided no poll is demanded as aforesaid, the President or presiding member shall have a second casting vote
- 8.1.8 If a poll is duly demanded, it shall be taken of all members present and in such a manner as the President or presiding member directs and the results of the poll shall be deemed to be a resolution of the meeting at which the poll was demanded.
- 8.1.9 On a poll, every Full Member shall have one vote.



- 8.1.10 No member shall be entitled to vote at any meeting unless all moneys duly payable by him to the Institute have been paid.

## 8.2 AGM

- 8.2.1 There shall be an AGM on such date in every calendar year as the ISTT Board may from time to time determine for the purpose of (a) receiving the report of the ISTT Board, (b) receiving the statement of accounts and (c) considering, if necessary, taking action with reference to any business or motion contained in the agenda, or although not contained in the agenda, which all of the members present may determine to entertain, not being inconsistent with these bylaws.

- 8.2.2 In the case of the AGM, notice must be sent at least fourteen (14) calendar days prior to the AGM, and notice shall be deemed to have been given immediately as it is posted by either registered post or by electronic mail.

- 8.2.3 The quorum for each AGM shall consist of one quarter of the number of Full members or thirty-five (35) Full members, whichever is the lesser, of the Institute entitled to vote thereat.

- 8.2.4 At each AGM:

- 8.2.4.1 The ISTT Board shall present a written report of its proceedings since the last AGM, signed by the President and the Secretary. The ISTT Board shall also present a certified independent review of the accounts of the Institute covering the last financial year ending on the 31st December.

- 8.2.4.2 There shall be an election of an Independent Accountant to hold office until the next AGM and the AGM shall, at the same time, fix the remuneration payable to such Accountant.

- 8.2.4.3 The members of the outgoing ISTT Board shall retire from office, but shall be eligible for re-election; with the exception of the President-Elect who shall take office as the President, and the President who shall take office as the Immediate Past-President. If the President-Elect, for any reason, cannot assume the role of President, a new President from the same Division shall be elected to the role of President by the membership at the AGM.

- 8.2.4.4 There shall an election of an ISTT Board from among the Institute's Full Members for the posts of - Vice President, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, Public Relations Officer and not more than eight (8) ordinary members.

- 8.2.4.5 Persons appointed to any Sub-Committee by the ISTT Board shall retire but shall be eligible for re-appointment.

8.2.4.6 The Institute may, by simple majority at an AGM, remove any member of the ISTT Board and may, by simple majority, appoint another person in his stead. The person so appointed shall retire at the next AGM following his appointment.

### 8.3 EGM

- 8.3.1 An EGM shall be convened by the Secretary –  
(a) whenever he may be instructed by the ISTT Board so to do; OR  
(b) on the requisition in writing of twenty-five (25) Full Members.
- 8.3.2 Notice must be sent at least fourteen (14) calendar days prior to the EGM, and notice shall be deemed to have been given immediately it is posted in the ordinary way of business. The Notice shall state the objectives of the meeting and no other business shall be entertained.
- 8.3.3 The quorum for EGM shall consist of one quarter of the number of Full members or thirty-five (35) Full members, whichever is the lesser, of the Institute entitled to vote thereat.
- 8.3.4 The Institute may, by simple majority at an EGM, remove any member of the ISTT Board and may, by simple majority, appoint another person in his stead. The person so appointed shall retire at the next AGM following his appointment.

### 8.4 ISTT Board

- 8.4.1 The ISTT Board shall meet at least once every quarter-year.
- 8.4.2 Meetings of the ISTT Board shall be summoned by the Secretary at the direction of the President, or upon receipt of a written request of two members of the ISTT Board. In each instance, the Secretary shall provide at least seven (7) days' notice of date, time, place and business to be transacted; such notice to be sent electronically or otherwise to each member of the ISTT Board.
- 8.4.3 The quorum necessary for the transaction of business by the ISTT Board shall be seven (7) which must include two of the following officers – President; Vice-President; Secretary.

### 9.0 Minutes

- 9.1 It shall be the duty of the Secretary to ensure that minutes are recorded and kept for each AGM, EGM and ISTT Board meeting, or any other meeting of the Institute at which the Secretary is required to be present.
- 9.2 It shall be the duty of a Chairman or Presiding member to ensure that minutes are recorded and kept for each meeting of the Institute at which the Secretary is not present; and to ensure that the Secretary subsequently receives the said minutes.

- 9.3 Minutes should include a list of members present and the start and end time of the meeting.
- 9.4 All minutes of the proceedings of the Institute, including the ISTT Board, shall be open for the inspection of any member at all convenient times providing three (3) business days' notice in writing to the Secretary.

## **10.0 Accounts and Assets of the Institute**

- 10.1 The ISTT Board may accept any bequest, gift or donation towards, or to accumulate and provide a fund or an endowment and to invest the same and apply the income arising therefrom, or to resort to the capital thereof, for and of the objectives of the Institute;
- 10.2 The Institute may acquire by purchase, lease, or otherwise, lands and buildings and all other property, real or personal which the Institute for the purpose thereof, may from time to time think proper to acquire, and which may lawfully be held by them, and to re-sell, under-lease, sublet, surrender, turn to account, or dispose of, such property or any part thereof, and to erect upon any such land any building for the purpose of the Institute and to alter or add any building erected upon any such land, and to provide rooms and facilities for the use of the members and for holding and conducting meeting and other like matters;
- 10.3 The ISTT Board may permit any of the buildings of the Institute for the time being under its control to be used, either gratuitously or on such terms and conditions as the ISTT Board may think fit, for public and other meetings, lectures, evening or other classes, discussions, entertainment, or for any other purpose that the Institute deem useful;
- 10.4 The Institute may buy or otherwise obtain furniture, books, papers, apparatus and other things for or which may be of use at or in connection with the Institute or its property;
- 10.5 The ISTT Board may employ servants for the purpose of the Institute and the benefit of its members in connection with the Institute's property and to pay such servants reasonable wages or salaries;
- 10.6 The Institute may borrow or raise money upon all or any of the property of the Institute or without any such security and upon such terms as the Institute shall think fit, upon agreement from the general membership at an AGM or EGM;
- 10.7 The ISTT Board may invest the money of the Institute, not immediately required, in such manner as the Institute shall determine at an AGM or EGM;
- 10.8 An account in the name of the Institute shall be opened at such Bank or Banks as may be elected by the ISTT Board. All contributions, donations, and other moneys of the Institute shall be paid to the Treasurer who shall retain thereout in his hands a sum to be determined by the ISTT Board to meet current disbursements and shall deposit forthwith any sums over and above this amount to the credit of the Institute's

account at such Bank or Banks, and all cheques shall be signed by two authorised signatories of the ISTT Board.

- 10.9 The books of account shall be kept at the registered office of the Institute or at such other places as the ISTT Board think fit and shall always be open for inspection of the ISTT Board. These accounts shall also be accessible to Full Members upon the provision of three working days' notice in writing to the Secretary.
- 10.10 Once at least in every year the accounts of the Institute shall be examined and the correctness of the Balance Sheet ascertained by one or more qualified Accountant or Accountants appointed by the Institute.
- 10.11 Every Accountant of the Institute shall have a right of access at all times to the books and accounts of the Institute and shall be entitled to require from the ISTT Board and officers of the Institute, such information and explanation as may be necessary for the performance of the duties of the Accountants, and the Accountants shall sign a certificate at the foot of the Balance Sheet stating whether or not all their requirements as Accountants have been complied with; and shall make a report to the members on the accounts examined by them and on every balance sheet laid before the Institute in the Annual General Meeting during their tenure of office; and in every such report shall state whether in their opinion the balance sheet referred to in the report is properly drawn up so as to exhibit a true and correct view of the financial state of the Institute; and such report shall be read before the Institute in Annual General Meeting.

## **11.0 Code of Ethics**

The Institute recognises the following principles as being the core of its objectives stated herein and requires all members to abide by this code.

- 11.1 *Integrity* – Members are required to act with honesty and fairness in all their undertakings, particularly in regard to their professional dealings. To achieve this a member must:
  - 11.1.1 Be honest and straightforward with clients and all stakeholders.
  - 11.1.2 Pay regard to the duty of care owed to the parties involved and specifically to the client.
  - 11.1.3 Not accept gifts, donations or rewards that are apart from or in addition to or are significantly less than the agreed or standard remuneration or professional fees for the services rendered, which may suggest or give rise to an improper obligation.
  - 11.1.4 Not certify work that was not done under the member's direct supervision or subject to a thorough review by the member.
- 11.2 *Transparency* – members must conduct all professional dealings with openness and sincerity and ensure that:
  - 11.2.1 They are accessible to the client and all stakeholders at reasonable business hours. A member must not evade clients or deliberately ignore requests for contact or dialogue.

- 11.2.2 Pertinent information is not concealed or withheld from the client, which the client shall be made aware of.
  - 11.2.3 The client or other stakeholder is not misled or misinformed as to terms of service. To this end, a member shall enter into written terms of engagement with the client so that both parties are aware of what is expected of each other.
  - 11.2.4 Advice provided must be presented in plain language that the client or stakeholder can understand. In the event that the advice or service provided is highly technical in nature, the member shall avail himself/herself to the client to provide clarification.
  - 11.2.5 Any possible conflicts of interest must be declared to all parties involved. Where this potential conflict can be seen to introduce bias or any form of undue influence, the member shall decline the instructions received.
  - 11.2.6 If the client and all other stakeholders agree to the member undertaking the assignment after disclosing a potential conflict of interest, this must be agreed to in writing by the client and stakeholders. A written declaration shall be made by the member and issued to the client indicating that the assignment was undertaken with the highest level of professional competence and without bias or prejudice.
- 11.3 *Accountability* – A member must take full responsibility for the assignment undertaken and:
- 11.3.1 Not seek to blame others if difficulties occur.
  - 11.3.2 Take steps to remedy any errors or omissions made in the assignment.
  - 11.3.3 A member shall keep correspondences and all relevant information on file, so that s/he will be sufficiently prepared for an audit of the service provided or to defend the findings of the assignment, for at least six (6) years from the date the service was completed.
- 11.4 *Confidentiality* – A member is expected to keep in private any information personal to the client, the client's agent, property or other information that would be deemed as proprietary or confidential. A member must not disclose such information without prior written permission from the client or any information that is not relevant to the instructions given.
- 11.5 *Competence* – A member must act with skill, care and diligence, and:
- 11.5.1 Only provide services to which the member has the relevant qualifications and experience.
  - 11.5.2 Rely on evidence that is relevant, valid and objective to undertake any assignment.
  - 11.5.3 Ensure that all employees and assistants have the necessary skills and training to carry out the duties assigned to them.
  - 11.5.4 Provide professional leadership and oversight to junior colleagues and other subordinates.
  - 11.5.5 Seek regular professional development and training on modern methods, technologies, equipment and standards that affect the member's practice. This training can be in the form of in-person or virtual workshops, seminars, conferences or classes held by a tertiary institution or an Expert or a Professional Body acceptable to the Institute in which the learning outcomes are relevant to the practice of surveying.

- 11.5.6 A Full member shall undertake no fewer than 20 hours, and an Associate member shall undertake no fewer than ten (10) hours, of professional development each year and shall provide an account of same on the prescribed form by the 30<sup>th</sup> day of December in each calendar year to the Institute.
- 11.6 *Objectivity* – A member must be impartial in all professional undertakings and avoid situations that will potentially bring about personal biases.
- 11.6.1 The member must consider all material facts that relate to the terms of reference for the assignment.
- 11.6.2 If a member is of the view that his/her objectivity in the assignment has been compromised, the member shall recuse himself/herself from the assignment.
- 11.7 *Respect* – Members shall be polite, courteous and considerate to everyone, and particularly clients and stakeholders involved in an assignment. A member must:
- 11.7.1 Acknowledge the client and the contractual relationship that was established.
- 11.7.2 Not discriminate against anyone on any basis, including but not limited to race, colour, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, military status or political affiliation.
- 11.7.3 Be genuine in responding to client concerns and complaints and avoid flared tempers, sarcastic remarks and offensive language and tones
- 11.7.4 Members shall have respect for fellow professionals in that they must not slander him\her.
- 11.8 *Trust* – Members must act in a manner that will promote himself/herself, any organisation to which the member is affiliated and the surveying profession in a positive way. A member must therefore:
- 11.8.1 Uphold the responsibility to promote the reputation of the Institute and by extension, the profession.
- 11.8.2 Provide a professional service for a professional fee.
- 11.8.3 Recognise that his/her conduct and practice bears upon the maintenance of public trust and confidence in the profession and the Institute.
- 11.8.4 Not advertise his/her services in a manner derogatory to the dignity or reputation of the Institute or the surveying profession
- 11.9 *Obedience to the law* – Members must abide by the laws of the country within which the member resides or practices. Members must also observe the legal requirements applicable to the discipline within the jurisdiction and any applicable international laws.
- 11.10 *Reflection* – Members must regularly reflect on this code of ethics to ensure compliance. A member must also continually evaluate the professional service(s) that s/he provides to ensure that the service is consistent with evolving ethical standards or any changes to this code of ethics that are published by the Institute.

- 11.11 This code of ethics does not replace or repeal any code of conduct stipulated in any Act of Parliament, particularly those that stipulate a more onerous obligation on the part of the member.
- 11.12 All members agree to be bound by the Institute's Code of Ethics, both at the initial registration and then annually, on renewal, where they are reminded of the Code and asked to re-state their commitment.
- 11.13 Land Surveying members of the Institute who are also registered with the Land Survey Board are also bound by the code of conduct stipulated in the Act.

## **12.0 Disciplinary Committee**

The ISTT as a professional body is entitled, obligated and within its rights to ensure that its members uphold and maintain professional conduct and the Code of Ethics stated herein and, as a point of principle, treats complaints against its members with the utmost importance.

- 12.1 The disciplinary procedure stated herein is underpinned by the Principles of Natural Justice which include the following:
- 12.1.1 The right to a fair hearing
  - 12.1.2 The right of reply
  - 12.1.3 No bias or conflicts of interest
- 12.2 The ISTT Board shall appoint a Disciplinary Committee to receive and adjudicate on complaints related to members of the ISTT. This committee shall be appointed for a period of three (3) years. The Disciplinary Committee shall consist of 5 members including: one Valuation Surveyor; one Quantity Surveyor; one Land Surveyor; one person who is not a surveyor; and one member who is an attorney at law. The Disciplinary committee shall elect a chairman from one of the three surveying members.
- 12.3 Meetings of the Disciplinary committee will require a minimum of three (3) of its members, including the Chairman to form a quorum.
- 12.4 The non-surveying member is to be drawn from the regulatory/disciplinary bodies of other professional Institutes and will have experience in dealing with breaches of the code of conduct in his/her own professional discipline.
- 12.5 In the event of illness, absence, retirement or a potential conflict of interest with any member of the Disciplinary Committee or if any member of the Disciplinary Committee may be temporarily or permanently unable to function for any reason, the affected member shall send written notification, by electronic mail or otherwise, to the Chairman of the Disciplinary Committee indicating his circumstances. The Chairman of the Disciplinary Committee shall then forward the written notification, under his hand, or in the event of the death of a member of the Disciplinary Committee shall write, by electronic mail or otherwise, to the Secretary or Assistant Secretary of ISTT Board. The ISTT Board shall appoint a replacement member,

temporarily or permanently, within thirty (30) days of the receipt of the correspondence from the Chairman of the Disciplinary Committee.

### **13.0 Disciplinary Procedure**

- 13.1 Any complaint about the conduct of a member should be made in writing, addressed to the Chairperson of the Disciplinary Committee and submitted to the registered office or electronic mail address of the Institute. The written complaint should set out the details of the alleged breach of the Code of Ethics on the prescribed form and shall include any supporting documentary evidence. The prescribed form shall be signed by the complainant and shall be witnessed by a Commissioner of Affidavits.
- 13.2 When a complaint is received, the Office Administrator shall forward the completed prescribed form and supporting documents to the Chairman of the Disciplinary Committee for review.
- 13.3 The Chairman of the Disciplinary Committee shall convene the Initial Review Panel within five (5) business days from the receipt of the complaint at the registered office or by electronic mail. The Initial Review Panel shall consist of the Chairperson of the Disciplinary Committee, the President of the Institute and the Secretary of the Institute. The role of this Initial Review Panel is to determine whether the complaint is admissible according to the following criteria:
  - 13.3.1 The person named in the complaint is a current member of the Institute
  - 13.3.2 The complaint is witnessed by a Commissioner of Affidavits
  - 13.3.3 The complaint relates to a breach of one or more principles of the Code of Ethics.
- 13.4 If the complaint received is against any office holder of the Initial Review Panel or any surveying member of the Disciplinary Committee, then the member against whom the complaint is made shall be replaced by the ISTT Board within two (2) business days by another member until the outcome of the complaint has been decided. In such a circumstance, the Chairman of the Disciplinary Committee or an Alternate Chairman of the Disciplinary Committee, if necessary, shall ensure that the complaint is not reviewed or processed until the affected member has been replaced, as follows:
  - 13.4.1 The Vice-President replaces the President, if necessary; or
  - 13.4.2 The Assistant Secretary replaces the Secretary, if necessary; or
  - 13.4.3 A surveying member on the Disciplinary Committee is replaced by another surveyor of the same Division who shall be recommended by the ISTT Board, if necessary; or
  - 13.4.4 The ISTT Board recommends a replacement in any other circumstance.
- 13.5 If the Initial Review Panel determines that the complaint is admissible according to the established criteria, a copy of the complaint and any supporting documentation (the complaint bundle) shall be admissible to the Disciplinary Committee by



completing the official portion of the complaint on the prescribed form. The Initial Review Panel shall not give an opinion on whether or not there is a case to answer.

13.6 If the Initial Review Panel determines that the complaint is NOT admissible according to the established criteria, or if the person against whom the complaint is made is not, or is no longer a member of the Institute at the time of the breach of the Code of Ethics, the matter shall not proceed any further.

13.7 After the deliberation of the Initial Review Panel is completed, the Chairman of the Disciplinary Committee shall respond to the complainant in writing within ten (10) business days from the receipt of the complaint at the registered office or by electronic mail, using the prescribed acknowledgement letter and giving any reasons for the refusal of the hearing of the complaint. The date of the acknowledgement letter (the acknowledgement date) shall be used as a timeline for further responses.

13.8 If the complaint is deemed admissible to the Disciplinary Committee, the Chairman of the Disciplinary Committee shall ensure that under his hand and within five (5) business days of the acknowledgement date:

13.8.1 Each member of the Disciplinary Committee receives a copy of the complaint bundle; and

13.8.2 Written notification is provided to the member against whom the complaint was made. The notification shall be sent electronically or otherwise and shall include the complaint bundle as well as a covering notification page stating the date of receipt of the complaint, the subject of the complaint, the name of the complainant and a date by which, not to exceed thirty (30) calendar days from the acknowledgement date, to submit written comments electronically or otherwise; and

13.8.3 The President and Secretary of the Institute shall receive a copy of the covering notification page only.

13.9 The Chairman of the Disciplinary Committee shall convene the Disciplinary Committee within seven (7) calendar days of the receipt of the member's response and shall send a copy of the response to each member of the Committee, electronically or otherwise, for independent consideration. If the member does not respond within the stipulated time frame, then the Disciplinary Committee will proceed with the case and reach a decision based on the evidence at hand.

13.10 At the convened Disciplinary Committee meeting the complaint bundle and response shall be discussed and, based on the facts or evidence presented, the Disciplinary Committee may agree on one of the following options and notify the Secretary of the ISTT in writing:

13.10.1 There is no case to be answered and the file can be closed; or

13.10.2 There appears to be a case to answer but additional information or evidence is required before a decision can be made; or

13.10.3 There is a case to answer and a formal hearing should be held; or

- 13.10.4 If it is discovered that the complaint is the subject of court proceedings or before the Land Survey Board, the Disciplinary Committee would await the outcome of the proceedings before pursuing the matter further; or
  - 13.10.5 If it is discovered that the complaint was received after the period stipulated by the Limitation Act has passed, the matter will not be pursued; or
  - 13.10.6 The Disciplinary Committee may make a recommendation for another course of action in a unique circumstance.
- 13.11 If the Disciplinary Committee decides that there is a case to answer, it shall set a venue and date, no later than sixty (60) calendar days from the acknowledgement date, for a formal hearing and direct the Secretary of the Institute to inform the member in writing. The member shall be given at least twenty-one (21) calendar days' notice in writing by registered mail or electronic mail. The formal hearing may be conducted virtually.
- 13.12 The Secretary of the Institute shall also inform the complainant of the scheduled hearing and invite the complainant to attend the hearing to present his/her case.
- 13.13 The Disciplinary Committee may ask the complainant, the member, or any other interested party for further information or clarification of any of the points of evidence prior to the hearing.
- 13.14 The member may attend the hearing in person or submit evidence in writing. If the member chooses not to attend, then the Disciplinary Committee shall consider the written evidence and reach a decision on that basis. If the member attends, he or she shall be invited to present his/her response to the complaint or allegations. The Disciplinary Committee may ask questions and shall then consider its decision in private.
- 13.15 The Secretary of the Institute shall attend the hearing to take a record of the proceedings and advise on procedural matters, but does not take part in the decision-making.
- 13.16 The Chairman of the Disciplinary Committee may adjourn the meeting if the Committee decides that additional information or clarification of a particular point is required, and reconvene it at a later date.
- 13.17 The Disciplinary Committee shall decide on the matter, by simple majority. In the event of an equality of votes, the Chairman shall have a second casting vote.
- 13.18 The Chairman of the Disciplinary Committee shall prepare and sign a formal minute of the meeting, recording the decision taken, the rationale, and any applicable sanctions. A copy of the formal minute shall be sent to the Secretary of the Institute within thirty (30) calendar days after the hearing.

- 13.19 The Secretary of the Institute, after receiving the formal minute of the decision(s) and sanction(s) signed by the Chairman of the Disciplinary Committee, shall present the signed minute and recommended sanction(s) to the next scheduled meeting of the ISTT Board.
- 13.20 The decision(s) and sanction(s) may be ratified by the ISTT Board and must be communicated to both the member and the complainant in writing within seven (7) days of the ISTT Board meeting.
- 13.21 The record of every complaint shall be kept on file for a minimum of six (6) years. Complaints of a criminal nature shall be kept on file for a minimum of ten (10) years or until the person ceases to be a member, whichever occurs last.
- 13.22 Time is of the essence in adjudicating complaints. No complaint shall remain unadjudicated for a period exceeding one year (365 days) from the acknowledgement date pursuant to 13.7 above. A complaint still pending as at the one year anniversary of the acknowledgement date shall be deemed expired and the matter withdrawn. In such an instance, the ISTT Secretary shall write a minute to the Chair of the Disciplinary Committee; the complainant and the member subject to the complaint that the matter has been officially withdrawn due to the delay.
- 13.23 Notwithstanding 13.22 above, the Disciplinary Committee, through its Chairman, may write an appeal to the ISTT Board seeking an extension of time. This extension may be granted by the ISTT Board for a period not exceeding thirty (30) days.

## **14.0 Sanctions**

- 14.1 The Disciplinary Committee will select what it considers to be the most appropriate sanction, which should be proportionate to the seriousness of the breach of the Code of Ethics. The options are:
- 14.1.1 Expulsion from membership (lifetime)
  - 14.1.2 Suspension from membership, for a specific period of time as determined by the Disciplinary Committee, with conditions imposed for reinstatement.
  - 14.1.3 A written reprimand with conditions imposed for continuation of membership
  - 14.1.4 No sanction imposed
- 14.2 The Disciplinary Committee shall put its recommended sanction to the next scheduled meeting of the ISTT Board.
- 14.3 The decision of the ISTT Board must be communicated to both the member and the complainant in writing within 7 days of the meeting.
- 14.4 Expulsions from the membership will result in removal from the published membership register (website and any other published list). If the member has only been suspended for a short period or reprimanded, s/he may be allowed to re-join

this register once s/he has completed remedial requirements as set out by the Disciplinary Committee.

14.5 Members who are suspended will not be required to pay membership fees for the period when s/he is suspended.

14.6 The decision taken by the Disciplinary committee is final; the sanction will be applied and a note made on the member's record.

## **15.0 Appeal**

15.1 The complainant and the member have the right to appeal the decision taken by the Disciplinary committee through the services offered by the Dispute Resolution Centre; and if subsequent redress is required, in a Court of law, within sixty (60) calendar days of the official notice of the decision taken by the Disciplinary Committee as stated in section 13.3 of these bylaws. The decision of the Disciplinary Committee shall be suspended pending the decision taken by the Dispute Resolution Centre or the Court of law if an appeal is lodged.

## **16.0 Dissolution of the Institute**

16.1 Every member of the Institute undertakes to contribute to the assets and liabilities of the Institute in the event of the same being wound up during the time that s/he is a Member (or within one year afterwards) for payment of the debts and liabilities of the Institute contracted before the time at which s/he ceases to be a Member and of the costs, charges and expenses incidental to such winding up and of the adjustments of the rights of the contributors among themselves.

16.2 If any property shall remain on the winding up or dissolution of the Institute after satisfaction of all its debts and liabilities, the same shall be paid to or distributed among its Members equally.

16.3 Expended by the Institute and the matters in which such receipts and expenditures took place and of the property, credits and liabilities of the Institute; and subject to any reasonable restrictions as to the time and manner of inspecting the same that may be imposed in accordance with these bylaws for the time being shall be open to the inspection of the Members providing three (3) business days' notice in writing to the Secretary.

## **17.0 Obligations under the Act**

## 17.1 The Land Survey Board of Trinidad and Tobago (LSBTT)

17.1.1 The Institute shall provide consultation and advice as required in the Act within thirty (30) days of receipt of a request or reminder of an event.

17.1.2 The Institute shall nominate members as required by the Act. The Institute's nominees to membership on the LSBTT, when duly appointed:

17.1.2.1 shall table the Institute's views at LSBTT meetings but will have a free conscience vote.

17.1.2.2 shall provide summary reports at least every 6 months to the Institute's Secretary.

## 17.2 Continuing Professional Development (CPD)

17.2.1 The Institute will acknowledge the prescribed requirements for CPD made by the LSBTT under the Act but shall be at liberty to expand on the content, subject matter and delivery methods; and offer events, activities and trainings on such expanded criteria owing to the Institute's acceptance of other membership Divisions besides Land Surveyors registered by the LSBTT.

17.2.2 The Institute shall recognise CPD events organised, recommended and/or hosted by the LSBTT and shall also recognise CPD hours awarded to its members from the LSBTT.

17.2.3 The Institute may periodically organise or host CPD events or activities, whether in-person or virtually, and may invite non-members of the Institute to participate.

17.2.4 Members who attend a CPD event organised or hosted by the Institute shall be awarded a certificate of attendance on which shall be printed the member's name, Class, Division, date of the event, subject matter/activity and the number of CPD hours as determined by the ISTT Board. Members shall also be awarded CPD hours, rounded to the nearest quarter-hour, for any meeting of the Institute which the member attends; such CPD Meeting hours will be communicated by the Secretary to the member in writing on the Institute's letterhead within fourteen (14) days of receiving the minutes of the meeting. Certificates and letters of CPD hours may be sent electronically. It is the

responsibility of members to safely secure such CPD certificates and letters for their records.

- 17.2.5 Members shall conform to the CPD requirements each year as outlined in the Code of Ethics of the Institute.

These Bylaws were made effective at the duly convened Annual General Meeting held on October 22<sup>nd</sup>, 2020.



Secretary