

# **RATING SURVEYORS' ASSOCIATION**

## **Rules of the Association**

[Revised November 2012] ([Adopted at OGM 29.November.2012](#))

### **Preamble**

It is hereby declared that although the Association is independent of the Royal Institution of Chartered Surveyors and the Institute of Revenues, Rating and Valuation, it is the intention of the Association to act in harmony and as far as possible in conjunction with those bodies.

### **Name of the Association**

1. The name of the Association is "The Rating Surveyors' Association".

### **Interpretation**

2. Unless the context requires otherwise, in these Rules the following words and expressions have the meanings set out alongside them –

"Affiliate"	an Affiliate of the Association, elected in accordance with these rules
"Association"	the Rating Surveyors' Association regulated by these Rules;
"Code of Conduct"	the Code of Conduct regulating members of the Association, as scheduled to these Rules, and as amended or replaced from time to time by the Committee;
"Committee"	the Committee of the Association, constituted in accordance with these Rules;
"Junior"	a Junior of the Association, elected in accordance with these rules
"Member"	a member of the Association, other than an honorary member;
"Website"	the official website of the Association, maintained in accordance with Rule 101

3. Any reference to a numbered Rule, or paragraph or sub-paragraph of a Rule, shall be to the correspondingly numbered or lettered Rule, paragraph or sub-paragraph in these Rules.
4. The Interpretation Act 1978 applies to these Rules as it applies to an Act of Parliament.

## **Objects**

5. The objects of the Association are –
  - (1) To uphold and improve the status of Rating Surveyors, to regulate the customs and usages of the profession and to maintain and extend its usefulness to the public advantage.
  - (2) To encourage harmonious interaction between members and foster a high standard of professional etiquette.
  - (3) To discuss any matters or questions in connection with rating and generally promote the interests of the Rating Surveyors' profession.

## **Classes of membership**

6. The Association consists of the following classes –
  - (1) Members;
  - (2) Honorary Members
  - (3) Affiliates
  - (4) Juniors
  - (5) Retired Members
  - (6) Life Members
7. Except as otherwise provided in these Rules, all classes may generally participate in the activities of the Association and, with the exception of Affiliates and Juniors, vote at general meetings.
8. Members shall be entitled to describe themselves as "Member of the Rating Surveyors' Association" and may use the corresponding contraction "Member RSA". This excludes Affiliates who are to be called "Affiliate Members of the RSA" and Juniors who are to be called "Junior Members of the RSA".

## **Election of members**

9. Every candidate for election as a member of the Association shall –
  - (1) Be a Fellow or Member of the Royal Institution of Chartered Surveyors or a Fellow, Member (Diploma Holder) or Member (Honours) of the Institute of Revenues, Rating and Valuation;
  - (2) Be practising or employed as a rating surveyor; and
  - (3) Have not less than five years' relevant valuation experience as a rating surveyor since obtaining a qualification referred to in (1)
10. The Committee may, notwithstanding 9, elect any person as a member of the Association if it is satisfied that –

- (1) He or she has exceptional standing and experience as a rating surveyor; and
  - (2) He or she is fully aware of the requirements of the Code of Conduct
11. The Committee's decision on the eligibility of any candidate for membership shall be final.
12. Subject to 13, every candidate for election to membership shall be proposed by a member who is not a member of the Committee, with the support of three members, not more than one of whom may be a member of the Committee.
13. A proposal for membership shall be in the form specified by the Committee, be signed by the candidate and his or her proposers, and include –
  - (1) A statement of the candidate's qualifications for membership;
  - (2) A statement by the candidate that he or she is willing if elected to abide by these Rules; and
  - (3) A statement by the candidate that he or she is willing if elected to comply with the Code of Conduct.
14. The Committee shall consider each application for membership at its next meeting after submission of the application.
15. If at least three-quarters of the members of the Committee present at that meeting consent, the Honorary Secretary shall circulate on the website –
  - (1) The name and identifying details of the candidate;
  - (2) A note of the qualifications of the candidate and the candidate's experience;
  - (3) The names of the candidate's proposer and seconders;
  - (4) A date, being not less than 30 days following date of circulation, by which any member may object to the candidate
  - (5) After 30 days the Member will be automatically accepted if there are no objections, and the Treasurer will write to the Member with the set up details.
16. Any Member wishing to object to a candidate for Membership shall do so by emailing the Honorary Secretary.
17. A member objecting to a candidate in accordance with 16 shall give reasons for his or her objections, which shall be founded on the issue of the professional qualifications, experience and conduct of the candidate, failing which they shall be disregarded.
18. Any objection will be discussed at the next Committee Meeting. The Committee will then publish its decision on the website. The Committee does not have to explain the reason for its decision.

19. Election to membership shall be effective from the date of payment by the candidate of an entrance fee of such amount as the Committee shall decide from time to time and payment of his or her annual subscription for the year in question.

### **Honorary membership**

20. Subject to the provisions of the immediately following Rule, a general meeting may on the recommendation of the Committees elect any person for election as an honorary member of the Association on the grounds of his or her position, experience, eminence or worthiness.
21. An Honorary Member shall have all the privileges of Membership and of being present and taking part in all Meetings, but shall not have to pay an annual subscription or joining fee.

### **Election of Affiliates**

22. Subject to 24 every candidate for election as an Affiliate shall –
  - (1) Be a Fellow or Member of the Royal Institution of Chartered Surveyors or a Fellow, Member (Diploma Holder) or Member (Honours) of the Institute of Revenues, Rating and Valuation or be a Technical Member, and
  - (2) Be working in rating valuation.
23. Every candidate for election as an Affiliate shall be proposed by a Member with the support of one other Member.
24. A proposal of a candidate for election as an Affiliate shall be in the form specified by the Committee, be signed by the candidate and his or her proposer and supporter and include –
  - (1) A statement of the candidate's qualifications for election as an Affiliate;
  - (2) A statement by the candidate that he or she is willing if elected to abide by these Rules; and
  - (3) A statement by the candidate that he or she is willing to abide if elected with the Code of Conduct.
25. The Committee shall consider each application for election as an Affiliate at its next meeting after submission of the application.
26. The Committee's decision on the eligibility of any candidate for election as an Affiliate, and on the election or non-election of any candidate as an Affiliate, shall be final.

27. Election as an Affiliate shall be effective from the date of payment by the candidate of an entrance fee of such amount as the Committee shall decide from time to time and payment of his or her annual subscription for the year in question.

### **Upgrading of an Affiliate to membership**

28. Where an Affiliate wishes to seek election as a member the procedure set out in Rule 9 shall be followed as if the application was a new application from a person who was not an affiliate.

### **Election of Juniors**

29. Subject to 31 every candidate for election as a Junior shall –
- (1) Be training to become either a Member of the Royal Institution of Chartered Surveyors, a Member (Diploma Holder) or Member (Honours) of the Institute of Revenues, Rating and Valuation or a Technical Member, and
  - (2) Be working in rating valuation.
30. Every candidate for election as a Junior shall be proposed by a Member who should normally be the candidate's supervisor in relation to gaining their professional qualifications as detailed in 29 (1) above.
31. A proposal of a candidate for election as a Junior shall be in the form specified by the Committee, be signed by the candidate and his or her proposer and include –
- (1) A statement of the candidate's experience, current employer and current duties for election as a Junior;
  - (2) Confirmation of which professional qualifications the candidate is seeking to obtain and the anticipated date of qualification;
  - (3) A statement by the candidate that he or she is willing if elected to abide by these Rules; and
  - (4) A statement by the candidate that he or she is willing to abide if elected with the Code of Conduct.
  - (5) The appropriate payment required for a Junior Member
32. The Committee shall consider each application for election as a Junior at its next meeting after submission of the application.
33. The Committee's decision on the eligibility of any candidate for election as a Junior, and on the election or non-election of any candidate as a Junior, shall be final.
34. Election as a Junior shall be effective from the date of payment by the candidate of an entrance fee/membership fee (which should accompany the candidate's application form) of such amount as the Committee shall decide from time to time.

35. Election as a Junior shall be initially for a maximum of 3 years or to the end of the calendar year in which the candidate is expected to qualify with his/her professional body. Upon expiry of this period the membership committee can either grant an extension of Junior membership for an appropriate period to cover additional time up until qualification or not, or invite the candidate to apply for Affiliate membership.

### **Upgrading of a Junior to Affiliate membership**

36. Where a Junior wishes to seek election as an Affiliate member the procedure set out in Rule 22 shall be followed as if the application was a new application from a person who was not a Junior.

### **Subscriptions**

37. Members and Affiliates shall on 1 January in each year pay in advance to the Honorary Treasurer such annual subscription as is decided by the Committee, subject to confirmation by the ordinary general meeting. The level of subscriptions will be shown on the website and a form for paying by standing order which can be downloaded will be made available. The level of subscription will only be confirmed at the OGM if it changes. Juniors do not have an annual subscription but pay a one off entrance fee/membership fee at the date of joining, which will cover the entire period of membership as a Junior. The level of entrance fee/membership fee will only be confirmed at the OGM if it changes.
38. Where a Member or Affiliate is elected after 31 October in any year, he or she shall not be required to pay any annual subscription in respect of that year.

### **Cessation and reinstatement of membership**

39. A Member or Affiliate whose subscription remains unpaid on 31 March in any year shall be given notice of that fact by the Honorary Treasurer.
40. A Member or Affiliate who remains in arrears with subscription on 30 May in any year, or two months after the date the Honorary Treasurer has given him or her notice, whichever is the later, shall cease to be such, without prejudice to the right of the Association to seek payment of the outstanding subscription and any other sums due to the Association.
41. A former Member or Affiliate who ceased to be such for non- payment of subscription in accordance with 40 shall be reinstated without need for re-election only –
- (1) On payment of the subscription outstanding at the time he or she ceased to be a Member or Affiliate; and payment of an administration charge as determined by the Committee from time to time, and
  - (2) On giving a satisfactory explanation for his or her default, which is accepted by the Committee.

### **Special general meetings**

42. The Committee may convene a special general meeting at any time.

43. Twenty-five or more members may in writing addressed to the Honorary Secretary requisition a special general meeting for the purpose of transacting the business set out in the requisition
44. Where a requisition for a special general meeting has been received by the Honorary Secretary it shall be held not later than 56 clear days following its receipt.
45. The date, time and venue of each special general meeting shall be decided by the Committee.
46. Not less than 14 clear days' notice shall be given of any special general meeting, including for the avoidance of doubt one convened by the Committee.

### **Annual general meetings**

47. An annual general meeting shall be held in March or April in each year. The date, time and venue of the annual general meeting shall be decided by the Committee.

48. The business of the annual general meeting shall be –

- (1) Approval of the minutes of the previous general meeting;
- (2) Announcement of the results of elections to the Committee;
- (3) Consideration of the report of the Officers of the Association;
- (4) Approval of the accounts of the Association;
- (5) Election of the Honorary Auditor;
- (6) Business introduced by the Committee;
- (7) Motions from members, of which not less than 56 clear days' notice in writing has been given to the Honorary Secretary;
- (8) Such other business as may be brought forward, in such order as the President shall decide.

49. Not less than 28 clear days' notice shall be given of every annual general meeting.

### **Ordinary general meetings**

50. An ordinary general meeting shall be held in October or November in each year. The date, time and venue of each ordinary general meeting shall be decided by the Committee

51. The business of each ordinary general meeting shall be decided by the Committee.

52. Not less than 28 clear days' notice shall be given of every ordinary general meeting.

### **Provisions common to all general meetings**

53. Entitlement to chair general meetings shall devolve in the following order, subject to presence and willingness to take the chair –
  - (1) The President;
  - (2) The Vice-President;
  - (3) A member of the Committee, to be elected by the members present at the meeting;
  - (4) A member, to be elected by the members present at the meeting.
54. No business shall be transacted at a general meeting unless a quorum exists at the time the business is transacted.
55. Eight members shall constitute a quorum for any general meeting. If eight members are not present within 15 minutes after the time appointed for the meeting, the Chairman can use his discretion whether there are enough Members present to constitute a quorum. If the Chairman deems necessary the meeting will be adjourned to another date.
56. Notice shall be given on the website of any meeting adjourned under the immediately preceding Rule, and the date, time and venue of the meeting. Those present at the adjourned meeting shall form a quorum in any event.
57. Every general meeting shall have power to adjourn by resolution of the members present.
58. If a general meeting is adjourned, the business of the adjourned meeting shall be stated before the adjournment and entered in the minutes. No business shall take place at the adjourned meeting other than that stated and entered accordingly.
59. Notice shall be posted on the website of the adjournment of any general meeting.
60. All questions at a general meeting shall be decided by a majority of the members present and voting except where otherwise provided by these Rules. The Chairman shall have a second, or casting, vote if there is a tie.
61. The Chairman has a discretion to regulate the proceedings as he sees fit.

### **Powers of the Committee**

62. Subject to the provisions of these Rules, the affairs and finances of the Association shall be managed by the Committee.

### **Meetings of the Committee**

63. The Committee shall decide its own meeting dates, but the President may convene a special meeting at any time to discuss a matter of urgency.
64. Five members of the Committee, to include the President or Vice-President, shall form a quorum at any meeting of the Committee, except that the quorum



shall be nine, to include the President or Vice-President, for any meeting, or part of a meeting which is to consider -

- (1) The proposed expulsion of a Member, Affiliate or Junior; or
  - (2) A proposal for honorary membership.
65. The President shall take the chair at meetings of the Committee but if he or she be absent, or unwilling to take the chair, the Vice-President shall preside. In the absence of both the President and the Vice-President, or if both decline to take the chair, the members of the Committee present shall elect one of their number to preside over the meeting.
66. Subject to any provision in these Rules, the Committee shall reach its decisions by a majority vote of the members present, but the chairman of each Committee meeting shall have a second, or casting vote.
67. The Committee may make standing orders governing its proceedings and business, so long as such standing orders are not inconsistent with these Rules.
68. The Committee shall appoint a Professional Conduct Sub-Committee to consider and advise it on all matters of professional conduct affecting the Association and to investigate and report on all complaints alleging a breach of the Code of Conduct. The Committee may appoint other sub-committees with such terms of reference and powers as it thinks fit.

#### **Membership of the Committee**

69. The Committee shall consist of –
- (1) The President *ex officio*;
  - (2) The Vice-President *ex officio*;
  - (3) An Honorary Secretary, to be appointed by the Committee;
  - (4) An Honorary Treasurer, to be appointed by the Committee;
  - (5) An Honorary Mess Secretary, to be appointed by the Committee;
  - (6) An Honorary Communications Officer to be appointed by the Committee;
  - (7) Seven members, elected in accordance with Rule 73-81;
  - (8) Up to seven members, co-opted by the Committee for such term as it shall think fit (which may extend beyond the next annual general meeting) to represent the interests of such bodies or groups as the Committee shall think desirable;
  - (9) The three most recent Past Presidents of the Association *ex officio*, providing they remain members.

70. Any casual vacancy among the elected members of the Committee shall be filled by co-option of a member to serve until the next annual general meeting, such a co-opted member not counting as one of the co-opted members under 69(8).
71. The Committee may request any elected or co-opted member of the Committee to undertake such duties for the Association as it thinks desirable, but such allocation of work shall only be to the next annual general meeting, when new arrangements may be made.

#### **Term of office of elected Committee members**

72. Each elected Committee member shall serve a four-year term running from the conclusion of the annual general meeting at which he or she is declared elected, being ineligible for re-election thereafter until two years have elapsed.

#### **Election of Committee members**

73. Not later than 31 December in any year, the Honorary Secretary shall give notice of the vacancies which will arise at the conclusion of the next following annual general meeting, and invite nominations from members to fill those vacancies, to be received not later than the next following 31 January.
74. In order to be valid, nomination papers must -
  - (1) Be in writing, in the form specified by the Committee;
  - (2) Be signed by a member as proposer, and signed by two other members as supporters, provided that no serving Committee member may propose or support the nomination of more than one candidate in any one election;
  - (3) Contain a statement by the candidate that he or she is willing to serve if elected;
  - (4) Be signed by the candidate.
75. If the number of valid nominations is equal to or less than the number of vacancies no ballot shall be held, and the candidates nominated shall be declared elected accordingly at the annual general meeting.
76. If the number of valid nominations exceeds the number of vacancies, a ballot shall be held and the Honorary Secretary shall cause voting papers to be sent to every member.

77. Accidental omission to send a voting paper to any member shall not invalidate any election.
78. The voting paper shall contain -
- (1) The names and particulars of the candidates in alphabetical order;
  - (2) Voting instructions;
  - (3) The date, being not later than two clear days before the date of the annual general meeting, by which voting papers are to be returned to the Honorary Secretary.
79. No account shall be taken of any voting paper which is -
- (1) Received by the Honorary Secretary after the date specified; or
  - (2) Ambiguous or otherwise spoiled
80. Having scrutinised the voting papers and counted the votes, the Honorary Secretary shall certify to the annual general meeting the name(s) of the candidates who have been elected by having the highest number(s) of votes.
81. Any dispute or difference arising from any election shall be determined conclusively by the President or such person as he shall nominate.

#### **President and Vice-President**

82. There shall be a President and Vice-President of the Association, who shall be elected by the Members of the Committee according to such procedure as it shall decide.
83. The President shall carry out the functions conferred by these Rules and such other duties as customarily attach to the office.
84. The President shall serve a one-year term, running from the conclusion of the relevant annual general meeting, being ineligible for re-election as such until the expiry of two years running from the conclusion of his or her previous, term of office.
85. The Vice-President shall deputise for the President as necessary in the absence of the President, and in the event of the death, incapacity or resignation of the President, the Vice-President shall be Acting President for the remainder of the term of the President and exercise the full powers of that office.

#### **Finances of the Association**

86. The funds of the Association shall be held in a bank account (or an account with an equivalent institution) in the form of cash or gilt-edged or other securities.

87. At its first meeting following the annual general meeting in any year, the Committee shall determine the arrangements which shall apply in respect of authorising expenditure on behalf of the Association, signature of cheques and other matters relating to the proper custody and management of the funds of the Association.
88. The funds of the Association may be applied by the Committee for the general purposes of the Association (including making donations to charity, but not so that the funds of the Association shall be regarded as charged with charity), but no payment shall be made to any Committee member, Member, Affiliate or Juniors, other than in respect of reimbursement of out-of-pocket travelling expenses and other expenses incurred in the course of Association duties, in accordance with rules laid down by the Committee.

### **Accounts**

89. Accounts showing the financial position of the Association ("the accounts") as at the preceding 31 December shall be prepared and signed by the Honorary Treasurer.
90. The accounts shall be counter-signed by the President and, when audited, placed on the website not less than 28 clear days before the annual general meeting at which those accounts are to be approved. Paper copies of the accounts shall be available at the meeting.

### **Honorary Auditor**

91. The Honorary Auditor shall be elected at the annual general meeting, and serve until the conclusion of the immediately next following annual general meeting, being eligible for re-election.
92. No Committee member shall be eligible for election as Honorary Auditor.
93. In the event of a casual vacancy in the office of Honorary Auditor, the Committee shall appoint a member or associate to fill the office until the next annual general meeting.

### **Professional conduct**

94. Members, Affiliates and Juniors shall comply with the Code of Conduct.
95. The Code of Conduct shall be in the form scheduled to these Rules, but the Committee may from time to time amend or replace the Code of Conduct, without need for amendment of these Rules or reference to a general meeting.
96. Any complaint that a Member, Affiliate or Junior has failed to comply with the Code of Conduct shall be referred to the Professional Conduct Sub-Committee of the Committee ("the Sub-Committee") for investigation and report.
97. The Sub-Committee shall investigate any complaint referred to it under 88 in accordance with such procedures as it shall determine (which shall be published on the website), provided that the Member, Affiliate or Junior

complained against shall have reasonable notice of the allegations against him or her, and reasonable opportunity to answer those allegations.

98. In these Rules, “complaint” includes a reference by the Committee or the Sub-Committee taking up a matter of its own motion.

### **Removal of Members Affiliates or Juniors**

99. The Committee may, following the receipt of a report from the Sub-Committee finding that a complaint against a Member, Affiliate or Junior has been substantiated-

- (1) Take no action;
- (2) Reprimand the Member, Affiliate or Junior against whom the finding has been made;
- (3) Expel from the Association the Member, Affiliate or Junior against whom the finding has been made, such expulsion to be effective immediately, without prejudice to the right of the Association to recover any monies owing by the Member Affiliate or Junior concerned;

but no resolution to expel a Member Affiliate or Junior shall be effective unless passed by not less than two-thirds of the Committee members present at the meeting at which the proposal is considered, and not less than 21 clear days’ notice has been given in writing of the proposed expulsion.

100. Notwithstanding Rules 94-99, the Committee may summarily terminate the membership, affiliateship or juniorship of any person whose continued membership affiliateship or juniorship it deems in its absolute discretion to be injurious to the interests of the Association, and shall not be required to give any reason for so doing.

### **Website**

101. The Committee may maintain a website for the benefit of the Association and its members and have discretion on its use.

### **Notices**

102. Any notice or other communication required by these Rules to be given, or given in writing, may be given by electronic mail or facsimile transmission

### **Amendment of rules**

103. Subject to 104, these Rules may only be amended, suspended, revoked and replaced by a resolution passed at a general meeting by not less than two-thirds of the members present and voting, such meeting having been convened on not less than 21 clear days’ notice.

104. No proposal for the amendment, suspension, revocation or replacement of these Rules may be presented to a general meeting except by –

- (1) The Committee; or

(2) Eleven or more members , by a notice given to the Honorary Secretary not less than three calendar months before the meeting at which it is intended that the proposal be considered.

### **Dissolution**

105. The Association may be dissolved by resolution passed by not less than three-quarters of the members present and voting at a general meeting convened on not less than 28 clear days' notice.
106. In the event the Association shall be dissolved, its funds (net of any payments to meet liabilities properly incurred before the dissolution) shall be apportioned equally among the members who were in good standing at the date of the dissolution.

## **SCHEDULE**

### **Code of Conduct for Members Affiliates and Juniors of the Association**

1. Members shall conduct themselves with diligence, integrity and honesty and in such a manner as to promote the good professional standing of the Association and its members.
2. In their professional activities, members should show themselves to be aware of the public interest, although it is recognised that their primary duty is to their employers or clients.
3. Members shall neither take any action which may conflict with the legitimate interests of their employers or clients, or which would weaken public confidence in the conduct of their employers' or clients' businesses, nor refrain from taking action where a similar result would ensue.
4. In making or advising on commercial decisions, members shall act and be seen to be acting from proper professional motives, uninfluenced by any prospect of advantage to themselves, their families and associates. Particular care should be exercised when accepting hospitality, to ensure that no possible conflicts of interest are seen to arise.
5. Members shall not misuse confidential information acquired in the course of their employment, practice or other professional activities for the gain of themselves, their families or associates.
6. Members shall ensure that they keep fully up-to-date with the knowledge, skills and competences required to carry out their professional work to the highest standards, and shall comply with any continuing professional development requirements that are imposed upon them, as appropriate, by the Association.
7. Members shall comply with the professional conduct rules of any other professional bodies to which they belong, and the Association may take action itself in respect of any conduct which is both a breach of this Code as well as a breach of the rules of another body to which the member belongs.
8. Use of the Association logo shall be reserved to the official communications of the Association, and members shall not display the logo, or any variant of it which might reasonably be taken to represent it, in any document or electronic media,
9. Members shall comply with technical guidance and practice statements laid down from time to time, where these have been issued or endorsed by the Association.
10. Members shall only quote a fee for professional services when they have received sufficient information to assess the nature and scope of the services required. Members shall not offer any financial inducement to secure instructions in place of another practitioner.

11. Members shall give the fullest information of the basis of their charges to all new clients and prospective clients.

12. Members shall not quote fees for professional services which are expressed as a percentage reduction of the fee quoted by another practitioner.

13. Members shall disclose fully to all clients or prospective clients any instructions which may be regarded as conflicting. In any case it is doubtful whether instructions should be so disclosed this should be resolved in favour of full disclosure to both parties.

14. Members shall ensure that all advertising material for their services or those of their firms or employers, or advertising material with which they otherwise are or may reasonably be associated –

(a) is legal, decent, honest and truthful; and/or

(b) does not bring the Association into disrepute.

In this Clause, “advertising material” includes published advertisements, mailshots, telesales, advertising on any website or form of social media, radio and television advertising and any other form of public announcement, electronic or otherwise.

15. Members who hold clients’ monies shall maintain separate bank accounts for this purpose.

16. Members in private practice shall be responsible for ensuring that they or their employers have adequate professional indemnity insurance arrangements consistent with the size and nature of their business

17. Members shall ensure that the Association is kept informed of their current email addresses and website details.

18. In this Schedule, “Member” includes Affiliates and Juniors where applicable.

[End]