



RULES OF THE CONSTRUCTION INDUSTRY COUNCIL OF FIJI

Adopted April 25, 2018

SECTION 1. NAME

The Construction Industry Council of Fiji shall be named the CONSTRUCTION INDUSTRY COUNCIL, abbreviated as CIC.

SECTION 2. OBJECT

2.1 The object of the Council shall be the promotion of the Construction Industry in the following fields:

- the improvement of the standard of construction in Fiji;
- the adoption of standards of materials and workmanship involved in the construction industry;
- the registration of builders, constructors, sub-contractors, suppliers and manufacturers of materials and components used in the construction industry, architects, engineers, quantity surveyors, land surveyors, property valuers, project managers and all those separate organisations involved in the construction industry;
- education for apprentices involved in the construction industry;
- improvement in the standards of ethical behaviour of all those involved in the construction industry and the formulation of a Code of Ethics to regulate this;
- the increase of the public awareness of the importance of an ethical, standardised and accountable construction industry;
- the voice of the Fiji construction industry to communicate and cooperate with the Government of Fiji and local Authorities;

SECTION 3. MEMBERSHIP OF THE COUNCIL

3.1 The Council shall be comprised of one member each from the following organisations and other construction industry organisations that are accredited membership eligibility by a motion passed by majority vote in a General Meeting of the CIC:

Fiji Master Builders Association
Fiji Association of Architects

Fiji Building Designers Association
Fiji Institution of Engineers
Fiji Institute of Quantity Surveyors
Fiji Institute of Surveyors
Fiji Institute of Valuation and Estate Management
Fiji Association of Bankers
Fiji Insurance Association
Fiji Law Society
Consumer Council of Fiji
Ministry of Infrastructure
Ministry of Economy
Ministry of Lands Ministry of Labour
National Fire Authority
Water Authority of Fiji
Fiji Roads Authority

3.2 The representatives of these organisations shall be appointed in writing by their respective organisations.

SECTION 4 ENTRANCE FEES AND ANNUAL SUBSCRIPTIONS

4.1 Entrance Fees

There shall be no Entrance Fees required to join the Council.

4.2 Annual Subscription

The rates of Council subscription for each subscription year (1st August – 31st July) shall be fixed by the CIC Executive Council and published in a schedule, a copy of which shall be sent to each member organisation in July of each year.

The Annual Subscription shall consist of:

A levy on each member organisation represented on the Council fixed at FJD 1000.00 (One thousand Fijian dollars).

4.2.1 Financial Year

The CIC financial year shall be 1st August – 31st July.

4.2.2 Due Date for Subscriptions

The total subscription shall be due on the 1st August of each year and a “grace” period of 31 days shall be given to each member organisation before the subscription is deemed to be in arrears.

4.2.3 Penalties for Subscription Arrears

The penalty for arrears of subscriptions that extend beyond the “grace” period shall be exclusion from any meetings and loss of any participation in the affairs of the Council including being removed from the list of circulation of any Council minutes,

study papers and the like. Further, for the period of exclusion, the name of the member organisation shall be removed from correspondence and media releases made by the Council.

4.2.4 Reinstatement After Arrears are Paid

When all arrears are paid by the member organisation, the member organisation shall be reinstated to the status of full Council participation and shall be entitled to receive copies of all minutes, study papers and the like.

SECTION 5 COMPOSITION AND TENURE OF THE EXECUTIVE COMMITTEE AND AUDITOR

5.1 OFFICERS OF THE EXECUTIVE COMMITTEE

The Council shall, at the Annual General Meeting each year, elect the following six officers of the Executive Committee who shall carry out the day-to-day business of the Council:

- The President
- The Vice President
- The General Secretary
- The Treasurer
- Two Committee Members at Large nominated from any member organisation

These officers shall be elected for a term of one year, but there shall be no restrictions on the re-election to the positions for any subsequent years.

5.2 REMUNERATION FOR SERVICE

Members of the Executive Council shall serve in voluntary status with respect to any fee for services rendered to the CIC, provided however, payment of honoraria may be approved in an Annual General Meeting.

5.3 CASUAL VACANCIES

Where a vacancy occurs in the Executive Committee due to:

- a. Withdrawal of the member organisation from the CIC;
- b. Arrears on behalf of the member organisation;
- c. Death, transfer or migration of the representative of the member organisation; or Member;
- d. Withdrawal of the accreditation of the representation of a member organisation by Motion passed in an Annual General Meeting or Special General Meeting,

the remaining members of the Executive Committee shall fill the vacancy with a ballot carried out by the members of the Executive Committee.

All organisations represented on the Council shall be free to re-appoint their representatives on 1st August each year, but the withdrawal of the representation shall not be made without the approval of the Executive Committee.

5.4 AUDITOR

5.4.1 ELECTION

The Council shall, at the Annual General Meeting each year, elect a qualified auditor to examine the financial records of the CIC. The auditor's remuneration for professional services shall be fixed by the Executive Committee in its first meeting following the Annual General Meeting.

5.4.2 AUDITED ACCOUNTS

The auditor shall present the auditor's report to Annual General Meeting and any interim audit report required by the provision of Government funds.

SECTION 6 DUTIES OF THE ELECTED OFFICERS OF THE EXECUTIVE COMMITTEE

6.1 PRESIDENT

The duties of the President shall be governed by the following rules:

- a. The President shall chair all meetings of the Council and the Executive Committee
- b. The President may, at his / her discretion, appoint a chairperson to represent his / her official position at any Council or Executive Committee meeting at which she / he cannot be present. Such appointment shall be submitted in writing to the General Secretary.
- c. The President shall represent the Council and the Executive Committee in all dealings with the Government of Fiji;
- d. The President or his / her designated representative shall sign all Council correspondence, agreements, MOU's and like official documents.
- e. All media release or comment by the CIC shall come under authorisation by the Executive Committee and the President shall not make any press or media statement without the permission and endorsement of the Executive Committee.
- f. Delegate duties to one or both Executive Committee members at large with the approval of the Executive Committee.

6.2 VICE PRESIDENT

The duties of the Vice President shall be identical to those of the President when the President is unavailable to carry out his / her responsibilities.

6.3 GENERAL SECRETARY

The duties of the General Secretary shall be governed by the following rules:

- a. Record all proceedings of the CIC Annual General Meeting and all interim meetings and shall circulate the Minutes of all such meetings to each organisation and Member of the Council. Such Minutes shall be circulated within fourteen (14) days of each meeting;
- b. Retain all Minutes and Resolutions in a retrievable electronic file format such as MS Word or such other system that the Executive Committee shall approve;
- c. Retain all emails and outgoing correspondence in a retrievable file format;
- d. Handover all retrievable electronically stored CIC files to the Executive Committee upon his / her expiration of membership of the Executive Committee;
- e. Retain hard copies of all approved Minutes, incoming and outgoing correspondence, Council Resolutions media releases, applications, reports, MOU's and like documents that bind CIC to any external agency. Such hard copies shall be filed as a permanent record in a lever arch file or similar hard copy saver files as approved by the Executive Committee and shall be handed over to the Executive Committee upon his / her expiration of membership of the Executive Committee;
- f. Ensure that all correspondence, media release or any other document issued by the Council is signed by those parties who are designated approved signatories by the Executive Committee.
- g. Maintain a record of all member organisations of the Council inclusive of contacts, joining dates, subscription status and disciplinary matters;
- h. Co-sign all meeting Minutes, Resolutions, returns, reports and like documents that require his / her co-signature signature in the capacity of General Secretary;

6.4 TREASURER

The Treasurer shall retain all financial records of the Council and shall hold all such records on an accounting system approved by the Executive Committee and the Auditor and in full compliance with reporting systems required by Government funding. All records shall be retained on an "expenditure account" system with the result of each period between general Council meetings fully reported against expenditure and income. The income and expense statement presented to each general CIC meeting shall clearly show the following:

- a. Cash at bank
- b. Cash value of all unpresented cheques
- c. Expenses to date
- d. Income to date
- e. Forecast of predicted income and expenditure in the next reporting period.

The Treasurer shall assist the Auditor in the compilation of the annual audit report presented at each Annual General Meeting and any interim audit reports required by the provision of Government funds.

6.5 Members at Large

The duties of the members at large shall be as assigned by the President in support of responsibilities and activities undertaken by the Executive Committee.

SECTION 7 PROCEDURE, POWERS AND DUTIES OF THE COUNCIL

7.1 GENERAL MEETINGS

The Council shall meet for general discussion as often as the business of the Council may require, but not less frequently than six times in each fiscal year.

7.2 ANNUAL GENERAL MEETING

The Council shall conduct its Annual General Meeting no later than the 31st October each year. The Executive Committee shall publish public notice of the time, date and venue and Agenda of the Annual General Meeting twenty-one (21) days in advance. Such public notice shall be supplemented by an email to each member organisation and / or individual members of such organisation as such electronic communication is made available to the Executive Committee.

7.3 EXECUTIVE COMMITTEE

The Executive Committee shall meet as often as the business of the Committee may require, but not less frequently than six times in each fiscal year.

7.4 CONTROL OF COUNCIL FUNDS

- a. The control of the funds held by the CIC shall be vested in the collective name of the member organisations which may authorise the expenditure of such sums as it considers necessary for the furtherance of the objects of the CIC.
- b. The Executive Committee shall deposit all funds received into a bank account in the name of the CIC in a locally registered and licenced banking institution with authorised signatories as approved by a resolution passed in a general meeting or Annual General Meeting.
- c. The CIC may invest CIC funds and purchase such fixed and floating assets and securities whether statutory securities or not, as it considers necessary for the furtherance of the objects of the CIC.
- d. The CIC may withdraw, sell or otherwise convert into money any deposit, fixed or floating asset or security of the CIC and may apply the moneys so obtained in any manner permitted by the Rules.
- e. The CIC may use its funds to acquire office premises for the establishment of a Secretariat and employ such person or persons to administer the business of the Secretariat.
- f. All payments shall be approved by the Executive Committee and all cheques and other bank withdrawal authorities shall be valid only if signed by the Treasurer and any one of the President, or the Vice President or General

Secretary, provided that no signatory shall be the same person approving the payment voucher or invoice.

7.5 REPORTING ON THE MATTERS OF THE COUNCIL

7.5.1 Annual Financial Statement

At the end of each financial year the Executive Committee shall present to the Annual General Meeting the Annual Statement of Accounts prepared by the auditor. The Statement shall be circulated to the member organisations in advance of the AGM.

7.5.2 Interim Statements

As may be required as a condition of receiving Government or other external funding, the Executive Committee shall submit an audited financial report to the respective funding agency in accordance with the stipulated format and timing.

7.6 STANDING ORDERS FOR MEETINGS

The Council may make standing orders for the conduct of the general meetings of the Council and the Executive Committee and for regulating the affairs of the CIC, which standing orders shall not be contrary to the Rules. (Refer Appendix 1).

7.7 QUORUM

The quorum for any meeting shall be as follows:

For any meeting of Council: 5

For any Executive Committee: 3

7.8 INTERPRETATION OF RULES

The decision of the Council on the interpretation of Rules, on all matters dealt with by it in accordance with such Rules and on matters not provided in such Rules shall be final and binding on all members.

SECTION 8 ATTENDANCE AND VOTING AT MEETINGS

- a. Member organisations in good financial standing are permitted to have more than one member in attendance and participating in discussions and interactions with other attendees.
- b. Each member organisation in good financial standing shall have the right to exercise one vote only on each motion before such meeting except in the case of equality of voting the Chairman may exercise a casting vote in addition to his / her deliberative vote.
- c. A majority of the member organisations voting shall decide any matter of deliberation unless the Rules otherwise provide.

SECTION 9 CONDUCT AND DISCIPLINE

- a. Each member organisation and each of its individual members shall be bound by the Rules and Code of Ethics of the CIC.
- b. Each member organisation and each of its individual members shall conduct themselves in such manner as to hold up the dignity, standing and reputation of the CIC and the profession or organisation represented in Council.
- c. If a member organisation or its representative be convicted by a competent tribunal of an offence which in the opinion of the Council renders the organisation or the individual unfit to be a member, the Council shall have the right to expel the organisation or the individual from the Council.

SECTION 10 ALTERATION OF RULES

Rules shall be made, amended or rescinded only by a resolution passed at a Special General Meeting or Annual General Meeting of the CIC.

SECTION 11 WINDING-UP

In the event of the winding-up of the Council, any property and effects of the Council shall be bequeathed by the Council for the purpose of furthering the best interests of the construction industry or such other similar purposes as the Council shall decide.

APPENDIX 1

STANDING ORDERS FOR MEETINGS

R1 GENERAL

- a. General meetings of the CIC and Executive Committee shall be conducted in accordance with the following Standing Orders.
- b. Except as provided in the Rules these Standing Orders are not binding on meetings of any CIC committees. Any body not covered may, however, adopt them if it chooses.

R2 CHAIRMAN

- a. At each general meeting of the Council or the Executive Committee, the President, or in his / her absence the Vice-President, shall take the chair.
- b. In the above cases, if the specified officers are not present a meeting shall elect its own Chairman.

R3 MINUTES

Minutes of each meeting shall be kept by the General Secretary and at each meeting the minutes of the previous meeting of a like nature shall be submitted to the meeting for approval and then signed by the Chairman and General Secretary before any other business is transacted.

R4 ORDER OF BUSINESS

Except as provided herein the order in which business is transacted at each meeting shall be at the discretion of the Chairman.

R5 MOTIONS

- a. Except with the permission of the Chairman each motion or amendment shall be in writing.
- b. Each motion or amendment not seconded shall lapse without discussion and shall not be recorded in the minutes except by permission of the meeting.
- c. After each motion or amendment has been moved or seconded it shall not be withdrawn without the permission of the meeting.
- d. Except with the permission of the meeting no motion or amendment shall be proposed which in the opinion of the chairman is the same in substance as any motion or amendment which during the same meeting has been resolved in the affirmative or negative.
- e. Where no specific procedure is laid down the chairman shall refuse to accept a motion to rescind any resolution or other vote if he considers that insufficient notice has been given to members.
- f. Before putting each motion or amendment to the vote the chairman shall clearly state such motion or amendment.

R6 AMENDMENTS

- a. A motion may be amended by leaving out words, by leaving out certain words and substituting other words, by inserting words, or by adding words.
- b. Each amendment shall be relevant to the original motion.
- c. No amendment shall be accepted which produces a direct negative of the motion.
- d. Amendments may be moved in any order considered satisfactory by the Chairman.
- e. When an amendment has been carried, such amendment shall become the substantive motion and shall be open to amendment accordingly.
- f. At the discretion of the Chairman amendments to an amendment shall be allowed.

R7 DEBATE

- a. Except with the permission of the Chairman each member shall rise to speak and shall speak only upon or to introduce a motion or amendment upon a question of order, but not otherwise.
- b. If the Chairman rises a member speaking shall resume his / her seat and no member shall rise or attempt to speak until the Chairman has resumed his seat.
- c. All remarks shall be addressed to the Chairman.
- d. Except with the permission of the Chairman, no member may speak twice to a question before a meeting except: -

- i) In explanation of some material point on which he claims to have been misunderstood, but he shall not introduce any fresh matter.
- ii) That unless otherwise provided a reply shall be allowed to a member who has move a substantive motion, but not to a member who has moved an amendment. No fresh matter may introduced during such reply.
- iii) To move an amendment.

The Chairman may at his / her discretion at any stage of the meeting impose a time limit on speakers, whether generally or on the speakers to any particular motion or amendment before the meeting.

A debate may be interrupted at any time by a question or order, by want of a quorum, by any of the formal motions noted in clause R9 or by a motion for the reading of the document relevant to the motion of the amendment.

R8 VOTING

- a. Voting at meetings shall be conducted in accordance with Section 8 of the Rules. The Rules may not be suspended or varied during a meeting.
- b. When a secret ballot is necessary, scrutineers for such ballot shall be elected by the meeting.

R9 FORMAL MOTIONS

The following formal motions may be moved at any time. The Chairman may refuse to accept any such motion except formal motion (v) if he considers it premature.

- i. "That the question be now put"
- ii "That the meeting proceed to the next business"
- iii. "That the meeting do now adjourn"
- iv. "That the meeting now adjourn to (place and time)"
- v. "That the question be not now put"
- a. A formal motion relating to a motion or amendment may not be moved or seconded by a person who has taken part in the debate on such motion or amendment.
- b. Formal motions (i), (ii) and (iii) when moved or seconded and accepted by the Chairman shall be immediately put without debate or amendment.
- c. If formal motion (i) is carried and the question before the meeting is a motion the mover of such motion may reply after which such motion shall be immediately put.
- d. When formal motion (iv) has been moved and seconded and accepted by the Chairman the place and time only may be debated and amended. Discussion of the motion or amendment previously before the meeting shall be suspended while such formal motion is dealt with.

- e. Formal motion (v) may be moved only in connection with a substantive motion and not with an amendment. When such formal motion has been moved and seconded it shall be debated in conjunction with the substantive motion before the meeting. When the debate terminates, the Chairman shall first put the formal motion. If such motion is carried the meeting shall proceed to the next business without voting on the substantive motion. If the formal motion is lost the substantive motion shall be put without further debate.

R10 POINTS OF ORDER

- a. A member may at any time rise and address the Chairman on a point of order but shall confine his remarks to the point of order raised and shall interrupt a speech only when such necessity arises.
- b. When any question of order or procedure shall arise, it shall immediately be taken into consideration and decided by the Chairman and the matter under discussion shall be suspended until the decision of the Chairman has been given which decision shall not be open to discussion at the meeting.
- c. All questions of order or procedure not provided for in these Standing Orders shall be decided by the Chairman.

R11 ADJOURNMENT

A meeting may be adjourned only by its own resolution except that the Chairman may adjourn a meeting on the occasion of disorder or disturbance and shall do so if less than a quorum is present.

R12 COMMITTEE

A meeting may, by a duly carried resolution, resolve itself into a committee.

In committee each member may speak as often as he desires. The decisions arrived at in committee shall be submitted as substantive motions after the meeting has resumed.

R13 SUSPENSION OF STANDING ORDERS

Any Standing Order may be suspended by the assent of not less than two-thirds of the members present. The voting rules may not be suspended or varied.

Endorsed by:

Gordon Jenkins
President

Stephen Hallacy
General Secretary