

The Constitution

of

The Association of Assessing Officers

of Manitoba

approved by the A.A.O.M. membership –and in effect *August 19, 2001*

*Regulatory Bylaws - Bylaw I Sec. 6 Life Membership &
Sec. 7 Honorary Membership amended May 14/02*

Administration Bylaws –Bylaw V Sec. 2 Annual Fees amended Nov. 21/03

Administration Bylaws – Bylaw II Elections Sec. 2 Item 3 amended Feb. 27/04

Regulatory Bylaw – Bylaw I – Membership – Sec. 4 Item 1 and Section 5 Item 1 amended Jan. 1/05

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Administration Bylaws – Bylaw III – Meetings of the Association Section 3 Quorum amended Oct 6 /2010

The Constitution of The Association of Assessing Officers of Manitoba (August 19, 2001)

The Association of Assessing Officers of Manitoba is an incorporated body as established by *The Corporations Act, R.S.M 1987, c. C225* and any amendments thereto.

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DEFINITIONS

In this Constitution:

- a) **“Accredited Assessor, Manitoba”** means a person whose name is entered in the register of Accredited Assessors of Manitoba;
- b) **“Association”** means The Association of Assessing Officers of Manitoba;
- c) **“Association Registrar”** means the Association Registrar appointed under the bylaws;
- d) **“Bylaws”** mean the bylaws of the Association in effect from time to time;
- e) **“Code of Ethics”** means the obligation imposed on registered members as established under the bylaws;
- f) **“Discipline Committee”** means the discipline committee established under the bylaws;
- g) **“Education Committee”** means the education committee established under the bylaws;
- h) **“Executive Council”** means the executive council of the Association established under the bylaws;
- i) **“Membership Committee”** means the membership committee established under the bylaws;
- j) **“Practice of Assessment”** means the valuation of property for taxation purposes and, without limitation, includes the following:
 - (i) the training and development of persons to perform assessments and the evaluation of educational programs for that purpose;
 - (ii) reviewing and making recommendations respecting legislation related to the performance and use of assessments;
 - (iii) giving evidence before and providing information to judicial and quasi-judicial bodies in their review of assessments;
 - (iv) providing information to the public respecting the performance and use of assessments;
 - (v) performing internal audits of assessments, both before and after they have been submitted to the taxing authority;
 - (vi) the determination of the rental value of property for business tax purposes;
 - (vii) all other duties pertaining to the valuation of property for taxation purposes.

- k) **“Assessment Appraisal”** means the valuation/classification of property for taxation purposes; *(added Jan. 1/07)*
- l) **“President”** means the president of the Association appointed pursuant to the bylaws;
- m) **“Registered Member”** means a regular member of the Association as well as an Accredited Assessor of Manitoba.

ADMINISTRATION BYLAWS

BYLAW I – EXECUTIVE COUNCIL

Section 1 Composition

1. The affairs of the Association shall be managed by the executive council, which shall be composed of:
 - a) nine elected members with voting power who shall be the president, vice-president, past-president, secretary-treasurer, five directors, and who shall be the elected officers of the Association; and
 - b) two public representatives with voting power, appointed by the executive council.

Section 2 Eligibility

1. Accredited and regular members of the Association may be elected as members of the council.

Section 3 Term of Office

1. The term of office for the president, vice-president, past-president and secretary-treasurer shall be for two years and shall begin at the close of the annual meeting immediately following the election process.
2. The term of office for the directors shall be one year and shall begin at the close of the annual meeting immediately following the election process.
3. The term of office for the administrative assistant shall be one year and shall begin at the close of the annual meeting;
4. Despite subsection (1) and (2), a member of the Executive Council shall remain as a member until that member's replacement has been elected or

appointed, as the case may be, unless that person ceased to be a member under Section 4.

5. In no circumstance shall the position of President or Vice President be held by any one person for more than one and one-half (1½) terms in succession.
6. The vice-president succeeds the office of president:
 - a) on the resignation or termination of the president's term of office and thereafter continues in office as president of the Association.

Section 4 Removal from Office

1. The office of a member of the Executive Council shall automatically be vacated:
 - a) if that member is found to be of unsound mind;
 - b) if that member ceases to be a member in good standing of the Association;
 - c) if by notice to the Association, that member resigns that member's office;
 - d) if membership is suspended, expelled or terminated.
2. In the event that a vacancy should occur on the Executive Council during a term of office in relation to any of the offices referred to in Section 1 a – c (with the exception of President) may, on the advice of the Executive Council appoint an Accredited Assessor of Manitoba or a regular member to fill the vacancy for the remainder of the term in question.

Section 5 Powers and Functions

1. The executive council shall govern, manage and regulate the affairs of the Association and without restricting the generality of the foregoing shall,
 - a) establish policies necessary to further the goals of the Association;
 - b) to continue to operate and build an association of professional assessors in order to ensure the professional integrity and skill of assessors and to protect the public;
 - c) to co-operate with public and private bodies to advance these ends;
 - d) to appoint all standing and special committees and to prescribe their duties;
 - e) to elect, suspend, and expel members;

- f) to promote and advance the assessment and valuation of property as a profession or calling;
- g) to advance and promote significant educational programming that will complement in-service technical training;
- h) establish policies governing the professional conduct and discipline committees of the Association;
- i) establish policies governing the financial affairs of the Association including the management of the surplus funds;
- j) establish policies respecting the acquirement and management of Association property;
- k) establish policies governing scholarships, bursaries and prizes;
- l) approve the appropriation, investment and disbursement of Association funds;
- m) review and approve the proposed budget of the Association according to Association policies;
- n) recommend to the Association membership revisions to, or amendments of, the bylaws;
- o) submit to each annual meeting of the Association an unaudited financial statement of the operations of the Association for the past fiscal year of the Association;
- p) conduct its affairs on a not-for-profit basis so as to utilize its income to promote the objectives of the Association;
- q) determine, from time to time, the duties, responsibilities and remuneration of Association officers and employees; and
- r) approve and ensure the safekeeping of the Association Seal.

Section 6 Council Meetings

1. Meetings of the executive council shall be called by the president with two weeks notice or as arranged at a previous meeting of the executive council with not less than four meetings being held between annual meetings.
2. Meetings can be called by fax, telephone, mail or e-mail.
3. A quorum of the executive council shall be five voting members.

Section 7 President

1. The president shall:
 - a) preside at all general and special meetings of the Association, and of the executive council;
 - b) perform all acts and deeds pertaining to this office;
 - c) exercise a general control and supervision over the affairs of the executive council and the Association;

- d) chair the executive council; and
- e) be an ex-officio non-voting member of all committees with exception of the nominations committee, professional conduct committee and discipline committee.

Section 8 Vice-President

1. The vice-president shall:
 - a) in the absence of the president perform the duties of the president;
 - b) act as chair of the legislation and bylaw committee;
 - c) perform such duties as may be assigned by the executive council and the president;
 - d) act as a member of the executive council.

Section 9 Secretary Treasurer

1. The secretary treasurer shall:
 - a) ensure that complete and accurate financial records are maintained;
 - b) prepare a preliminary budget for approval by the executive council;
 - c) ensure the preparation of financial reports for presentation to the membership at the annual meeting;
 - d) record proceedings of the annual meeting of the Association;
 - e) perform such duties as may be assigned by the executive council.
2. The secretary treasurer may delegate any of the duties referred to in subsection (1) to the administrative assistant.

Section 10 Directors

1. The directors shall:
 - a) perform such duties as may be assigned by the executive council and the president;
 - b) act as a member of the executive council; and
 - c) act as members of committees as designated by bylaw or executive council.

Section 11 Administrative Assistant

1. The executive council shall appoint an administrative assistant.
2. The administrative assistant shall:
 - a) maintain records of all meetings of the Association and the executive council;
 - b) circulate the minutes to the executive council before the next regular meeting;
 - c) notify all members of all annual and special meetings, and circulate to members appropriate information and documentation prior to any special or annual meeting;
 - d) issue all notices required by statute, by these by-laws, or by resolution of the executive council;
 - e) perform such duties as may be assigned by the executive council and the president; and
 - f) act as registrar if the executive council so chooses.

Section 12 Past-President

1. The past-president shall:
 - a) act as a member of the executive council on the next two (2) succeeding councils after being president;
 - b) be a member of the legislation and bylaws committee; and
 - c) perform such duties as may be assigned by the executive council and the president.

Section 13 Public Representatives

1. The public representatives shall:
 - a) represent the views of the public on matters before the council; and
 - b) report to the executive council on public concerns.
2. If public representatives are not appointed the positions shall remain vacant.

Section 14 Registrar

1. Executive Council shall appoint a registrar.
2. The Registrar shall:

- a) collect the required fees;
 - b) issue memberships;
 - c) keep record of names and addresses of those granted memberships and the category of memberships held and such other information as may be required; and
 - d) perform other such duties as determined by the executive council.
3. The term of office shall be one year and may be renewed.

BYLAW II – ELECTIONS

Section 1 Election of the Executive Council

1. The president, vice-president and secretary-treasurer shall be elected every two years.
2. The directors shall be elected every year.
3. A member of the executive council shall remain as a member until that member's replacement has been elected or appointed, as the case may be, unless that person ceased to be a member under Bylaw I Section 4.
4. In no circumstance shall the position of president or vice-president be held by any one person for more than one and one-half (1½) terms in succession.

Section 2 Nominations

1. Each accredited and regular member is eligible to submit nominations to the chairperson of the Nominations Committee.
2. All written nominations must be accompanied by a signed statement from the nominee with two signatures of members in good standing two weeks prior to the annual meeting.
3. All nominations from the floor must be accepted by the nominee in person and must be seconded in order to be valid. (*amended February 27, 2004*)
4. Where only one nominee is nominated for a particular office, that nominee shall be elected by acclamation.

Section 3 Voting

1. Voting for elected members of the executive council shall be by ballot at the annual meeting.
2. Scrutineers shall be appointed by the chairperson of the nominations committee prior to voting and shall not be voting members of the Association.
3. Spoiled ballots are defined by Section 97 of *The Election Act*.

BYLAW III – MEETINGS OF THE ASSOCIATION

Section 1 Annual Meeting

1. Notice of the annual meeting shall be mailed at least 30 days prior to the annual meeting stating the date, time and place of the meeting.
2. Resolutions to be voted on at the annual meeting must be circulated by hand, fax, e-mail or mail thirty (30) days prior to the annual meeting.
3. The minutes of the previous years annual meeting and the annual financial statement of the Association shall be included in the Annual Report and distributed to all members at the Annual Meeting;
4. Executive council shall establish the rules and procedures for the conduct of the annual meeting.

Section 2 Special Meetings

1. Executive council may call special meetings of the Association as required at a time and place decided upon by the executive council, stating the date, time and place of the meeting.
2. The notice of the meeting should include an agenda of the items to be discussed and draft resolutions, if relevant.
3. Notice of a special meeting shall be mailed,
 - a) at least 10 days prior to the special meeting;
 - b) twenty-four (24) hours notice shall be given for all special meetings of the executive council;

4. Executive council shall establish the rules and procedures for the conduct of any special meeting.
5. Only business stated in the notice of any special meeting may be dealt with at that meeting.
6. Two special dinner meetings may be held per year, other than the Annual General Meeting.
7. Failure to give proper notice to any person, or persons, shall not invalidate any annual or special meeting, or any resolutions passed, elections, or proceedings taken at such meeting.

Section 3 Quorum

1. A quorum for any annual or special meeting shall be 20% of the voting members. *(amended October 2010)*

Section 4 Voting

1. All questions submitted to a meeting of registered members of the Association shall, unless a poll is demanded by any registered member, be decided in the first instance by a show of hands.
2. Each accredited and regular member shall be entitled to one vote.
3. In the case of an equality of votes, the chairperson shall have a second deciding vote, provided that person was entitled to vote in the first place.
4. At any meeting, unless a poll is demanded, a declaration by the chairperson that a resolution has been carried or rejected shall be conclusive evidence of the fact.
5. All questions arising at any meeting shall be decided by a majority of votes.
6. Unless the executive council directs that a mail in vote is to be held or proxy votes are to be allowed, votes shall be conducted in person only.
7. The executive council may direct that:
 - a) any resolution be voted on by mail and direct the procedure to be followed on such vote, or
 - b) proxy votes are to be allowed in respect of an issue.

8. A proxy vote under subsection 7 shall only be held if the executive council has approved a proxy vote in advance of the meeting where a proxy vote is to be allowed and notice of the right to use proxies has been given to the registered members.
9. Failure to give proper notice of a proxy vote to any person, or persons, shall not invalidate any annual or special meeting, or any resolutions passed, elections, or proceedings taken at such meeting.
10. At a meeting where proxy votes are allowed, proxy votes shall not be counted unless a poll has been demanded by a registered member.

Section 5 Proxy Voting

1. Members may be represented by proxy on a form approved by the executive council. Such proxy shall be signed by the member and shall be in the hands of the secretary-treasurer at least 24 hours before the time of the holding of the meeting referred to herein. Such proxy shall only be used for matters printed in the annual report and for the election of officers at the annual meeting.
2. If the secretary-treasurer is running for office, the proxy vote shall be in the hands of the administrative assistant at least 24 hours before the time of the holding of the meeting referred to herein.

Section 6 Parliamentary Authority

1. In all matters not regulated by these bylaws, Robert's Rules of Order shall govern.

BYLAW IV – ADMINISTRATION

Section 1 Seal

1. The Association shall have a seal in such form as approved by the executive council.
2. Where the seal of the Association is required, it shall be affixed by the registrar, president or person authorized to perform the duties of the registrar.

3. Any document other than membership certificates required to be executed under seal shall be signed by the president or vice-president .
4. The seal shall be kept by the registrar.

Section 2 Fiscal Year

1. The fiscal year of the Association shall be the calendar year.

Section 3 Auditor

1. The auditor shall be a registered accountant.
2. The auditor shall be appointed for the ensuing year by the executive council.
3. The auditors so appointed shall examine the books and accounts of the Association and submit, in writing, to the annual meeting, the result of their examination.

Section 4 Banking and Financial Dealings

1. Banking and financial dealings of the Association shall be with a financial institution approved by the executive council.

Section 5 Signing Authority

1. Signing officers of the Association shall be the president, the vice-president, and the secretary treasurer who are appointed by the executive council.
2. Cheques shall be co-signed by two (2) signing officers of the Association.
3. Legal documents shall be signed in accordance with Association policies.

Section 6 Contribution, Donations or Bequests

1. The Association shall be responsible for the management of donations and bequests as approved by the executive council.

Section 7 Head Office

1. The head office of the Association shall be at a place in the Province of Manitoba as directed by the executive council.

BYLAW V – FEES

Section 1 Registration

1. Registration is deemed commensurate with the issuance of a membership, and the issuance of a membership is deemed commensurate with registration.

Section 2 Annual Fee

1. The registrar shall mail notice for fees by December 1st of the year preceding the membership year. Fees shall be payable by January 1st of the membership year (*amended Nov. 21, 2003*)
2. The annual fee for an accredited and regular member shall be one hundred and twenty-five dollars (\$125.00). (*amended May 10 2007*)
3. A prorated fee equaling 60% of the annual fee may be established to accommodate first time applicants after July 1st of the membership year.
4. After January 31st a late payment penalty, established every year by the executive council, will be charged.
5. Members who have not paid the annual fee, and/or any other fees prescribed by council by March 1st shall cease to be members in good standing of the Association.
6. Refusal to pay the prescribed fees may be deemed reason for expulsion from the Association.

Section 3 Fees for other Memberships

1. Fees for other memberships held are as follows:
 - a) for associate membership, one hundred and forty-five dollars (\$145.00) (*amended May 10 2007*)
 - b) for honorary and life membership, no fee will be charged; and
 - c) for subscribing membership, two hundred and thirty-five dollars (\$235.00) (*amended May 10 2007*)

Section 4 Reinstatement Fee

1. An expelled member of the Association of Assessing Officers of Manitoba may apply to the executive council to have his or her membership reinstated.
2. The reinstatement fee shall be twenty-five dollars (\$25.00) plus all past dues and penalties.

Section 5 General

1. All membership fees are non-refundable.

BYLAW VI – STANDING COMMITTEES

Section 1 Standing Committees

1. The standing committees of the Association shall be:
 - a) The Education Committee; and
 - b) The Legislation and Bylaw Committee
2. Each standing committee shall:
 - a) perform its duties subject to the direction of the executive council;
 - b) meet as frequently as required to fulfill its term of reference; and
 - c) report to the executive council on the business of each meeting of the committee.
3. All members of standing committees shall have voting power, unless otherwise specified.
4. A quorum for the standing committee shall be a majority of its members.
5. Meetings of the committees shall be called by the chairperson of the committee or as arranged at a previous meeting of the committee.

Section 2 Education Committee

1. The members of the Education Committee shall be:
 - a) two accredited members and two regular members that are practicing members of the Association;
 - b) a public representative appointed unless the public representative position is vacant.
2. The chairperson and secretary of the Education Committee shall be elected by the members of the Education Committee for a one (1) year term and may serve successive terms.
3. Appointments shall be for a three year term for all committee members. Committee members may serve consecutive terms.
4. The duties of the committee shall be:
 - a) to establish and maintain an education program for the Association;
 - b) to administer the accreditation program for the Association;
 - c) to establish and administer professional designations for the Association;
 - d) to establish and administer equivalent course recognition as offered in other provinces, or by other associations, organizations, or educational institutions;
 - e) to make available a report, including minutes from committee meetings, at each year's annual meeting; and
 - f) to maintain a recertification program for the Association.

Section 3 Legislation and Bylaws Committee

1. The membership of the legislation and bylaws committee shall be:
 - a) the vice-president who shall be the chairperson
 - b) the past-president; and
 - c) two directors
 - d) a public representative appointed unless the public representative position is vacant.
2. The duties of the committee shall be:

- a) to monitor federal, provincial and municipal legislation affecting assessment appraisers and the assessment appraisal profession, and to make recommendations to the council for Association action when required;
- b) to review *The Municipal Assessment Act* and bylaws of the Association and to make recommendations to the council regarding necessary changes; and
- c) upon the direction of the executive council, to draft recommended changes in *The Municipal Assessment Act* and bylaws.

BYLAW VII – AD HOC COMMITTEES OF THE ASSOCIATION

Section 1 Special Committees

1. The special committees of the Association shall be:
 - a) the Nominations Committee;
 - b) the Resolutions Committee;
 - c) the Annual Conference/Workshop Committee;
 - d) the Membership Committee.
2. Special committees may be appointed by the executive council at any time to carry out objectives of the Association and may be dissolved by a resolution of the council;
3. Unless established by bylaw, the council shall establish for all special committees:
 - a) terms of reference;
 - b) membership and term of appointment;
 - c) chairperson;
 - d) quorum requirements; and
 - e) budget allocation.

Section 2 Nomination Committee

1. The membership of the nomination committee shall be three immediate past presidents appointed annually by the executive council.

2. The term of the nomination committee members shall be one year, renewable for one term if the member is re-appointed.
3. The duties of the committee shall be:
 - a) to call for nominations no later than sixty (60) days prior to the first day of the annual meeting of each year;
 - b) to receive nominations as set out in Bylaw II section 2 for the purpose of preparing a list of nominees;
 - c) to prepare the ballot for officers of the Association with the list of nominees arranged in alphabetical order under the name of each elected position for the coming year;
 - d) to file with the council at least thirty (30) days prior to the first day of the annual meeting, a report of the nominations committee and ballot for officers of the Association; and
 - e) to ensure that voting for elected officers of the Association is conducted in accordance with Bylaw II section 3.

Section 3 Resolutions Committee

1. The membership of the resolutions committee shall be three accredited or regular members appointed by the executive council for alternate terms of two years.
2. The duties of this committee shall be:
 - a) to solicit resolutions from accredited or regular members;
 - b) to review all resolutions submitted by accredited or regular members;
 - c) to edit all resolutions for clarity, legality and correct form and to make suggestions for revision where necessary;
 - d) to ensure that all resolutions relating to a specific subject are presented in a logical sequence and to avoid duplication where possible;
 - e) to declare a resolution beyond the power of the meeting or out of order if it conflicts with the law, *The Municipal Assessment Act*, bylaws and regulations, standing rules or rules of order, or if it concerns matters already under study;
 - f) to evaluate resolutions received after the deadline for submission and to determine whether they are urgent for presentation to the annual meeting;
 - g) to inform members about the process for lobbying for their resolutions; and

- h) to evaluate presentation of resolutions at the annual meeting and make appropriate revision in procedures.

Section 4 Annual Conference/Workshop Committee

- 1. The membership of the conference/workshop committee shall be four accredited or regular members appointed by the council for a term of one year, renewable for one term.
- 2. The duties of this committee shall be:
 - a) to plan the overall format for the annual conference/workshop;
 - b) to organize and facilitate the educational portion of the annual conference/workshop; and
 - c) to organize and facilitate the social activities of the annual conference/workshop.

Section 5 Membership Committee

- 1. The membership of the membership committee shall be three accredited or regular members appointed annually by the executive council.
- 2. The term of the membership committee members shall be one year, renewable for one term if the member is re-appointed.
- 3. The duties of the committee shall be:
 - a) to solicit memberships on behalf of the association;
 - b) to promote the benefits of membership to interested parties; and
 - c) to assist new candidates in acquiring membership with the association.

BYLAW VIII – AMENDMENTS

Section 1 Amendments to Bylaws

- 1. The bylaws of the Association may be amended at any annual or special meeting of the Association as follows:
 - a) amendments to the by-laws of the Association may be proposed by the executive council provided that a draft of any such proposed changes, in the form of a notice of motion, shall be submitted to

- the general membership at least 30 days prior to such annual or special meeting.
- b) amendments to the bylaws of the Association may be proposed by ten (10) registered members in good standing provided that a draft of any such proposed change shall be submitted to the Administrative Assistant of the Association at least 60 days prior to the annual or special meeting and that a draft of the proposed change in the form of a notice of motion shall be submitted by the Administrative Assistant to the general membership at least 30 days prior to such annual or special meeting.
 - c) a vote of the majority of the registered members present and voting, or voting in a mail in ballot if authorized by the executive council, shall be required to carry any motion to amend the bylaws; and
 - d) the amendment shall be effective upon either the approval by a majority of the registered members voting, or, if an effective date is specified in the motion to amend, the specified effective date.

Section 2 Amendments to the Regulations

1. The regulations may be amended by the executive council as follows:
 - a) a proposed amendment shall first be passed by the executive council;
 - b) a copy of the proposed amendment shall be submitted to the registered members in the form of a notice of motion to be considered for approval by the registered members at an annual or special meeting or in a mail in ballot, if authorized by the executive council; and
 - c) if approved by the majority of members voting at the meeting or in the mail in ballot as the case may be, the executive council may refer the amendment to the Lieutenant Governor in Council.
2. The notice of motion referred to in subsection (1)(b) shall be sent to the registered members at least 30 days in advance of
 - a) the annual or special meeting at which it is to be voted on or
 - b) the mail in ballot.
3. Subject to subsection (4), amendments to the regulation may be proposed for consideration by the executive council by any 10 registered members.
4. If the members referred to in subsection (3) wish an amendment to be considered at a particular annual or special meeting the proposed change shall be submitted to the administrative assistant at least 60 days before the meeting at which it is to be considered.

5. On receipt of a proposed amendment, the administrative assistant shall refer the proposed amendment to the executive council, which shall determine whether it will pass the proposed amendment and refer it to the membership in accordance with subsection (1).
6. An amendment proposed under subsection (3) shall not be referred to the regulated members for approval unless it is passed by the executive council.
7. An amendment to the regulation passed by the executive council and approved by the registered members may be effective upon approval of the Lieutenant Governor in Council or the date, if any, that is specified in the amendment, whichever is later.

BYLAW IX – INDEMNIFY

Section 1 Indemnity of Members

1. Each officer and member of the A.A.O.M. council, and each former officer and member of the A.A.O.M. council, and his/her heirs and legal representatives shall be indemnified against all costs and expenses including an amount paid to settle an action or satisfy a judgment reasonably incurred by him/her in respect of any action, suit or proceeding to which he/she is made a party by reason of being or having been a member of the A.A.O.M. council if,
 - a) the member acted honestly, in good faith, and in accordance with the Constitution of the A.A.O.M., with a view of the best interests of the Association; and
 - b) in the case of a criminal proceeding the member had reasonable grounds for believing that his/her conduct was lawful.

BYLAW X – CODE OF ETHICS

Section 1 Code of Ethics

1. Every person who attains and retains membership in the Association of Assessing Officers of Manitoba (hereinafter called the “Association”) pledges to:

- a) conduct activities in a manner that will reflect credit upon the member, the assessment field and the Association; and
- b) co-operate with the Association and its officers in all matters, including, but not limited to, the investigation, discipline or dismissal of members who by their conduct prejudice their status or the reputation of the Association; and
- c) accept only those assessment assignments for which the member has adequate time and technical ability to complete in a competent manner; and
- d) conform in all respects to the code of ethics and the standards of conduct and the bylaws and the constitution of the Association as the same may be amended from time to time.

BYLAW XI – STANDARDS OF CONDUCT

Section 1 Standards of Conduct

1. Every person who attains or retains membership in the Association of Assessing Officers of Manitoba (hereinafter called the “Association”) pledges to abide by the following standards of conduct:
 - a) It is unethical for a member to conduct himself/herself in any manner which will prejudice the members status or the reputation of the Association.
 - b) It is unethical for a member to claim professional qualifications which may be subject to erroneous interpretation or to state qualifications which the member does not possess.
 - c) It is unethical to injure or attempt to injure, falsely or maliciously, directly or indirectly, the reputation or the prospects of another member of the Association of Assessing Officers of Manitoba.

BYLAW XII – CONFLICT OF INTEREST

Section 1 Conflict of Interest

1. Conflict of interest in matters involving Association representatives, shall include:
 - a) elected members of council;

- b) members appointed to serve as delegates, committee members of committee chairs; and
 - c) employees of the Association acting in an official capacity.
2. Members serving in an official capacity as council members or committee members shall declare a conflict of interest in matters under discussion or in decisions taken in which they have a vested interest.
 3. It shall be the responsibility of the chairperson to ensure that members identifying a conflict of interest shall leave the meeting during consideration of the pertinent issue and that action shall be recorded by the secretary of the meeting.
 4. A conflict of interest may be defined as, but is not limited to the following:
 - a) where the member is involved in negotiating wages and/or employment contracts, or completing performance appraisals for Association staff who may be related to that member;
 - b) where the member is involved in determining/reviewing credentials and registration eligibility for an applicant or another member who may be related to that member;
 - c) where the member is involved in the investigation and/or discipline process affecting another member who may be related to that member; and
 - d) where the member is involved in the adjudication of appeal of registration examination marks for a person related to that member.

REGULATORY BYLAWS

BYLAW I – MEMBERSHIP

Section 1 Categories of Membership

1. Membership in the association shall consist of the following categories:
 - a) Accredited Assessment Officer of Manitoba membership;
 - b) Regular membership;
 - c) Associate membership;
 - d) Subscribing membership;
 - e) Honorary membership; and
 - f) Life membership

Section 2 Accredited Assessment Officer of Manitoba Membership

1. Accredited membership in the Association shall be:
 - a) limited to a person who is regularly engaged in the practice of assessment, has completed the education requirements of the Association and has obtained the designation, A.A.M.; (*amended Jan. 1/07*)
 - b) granted upon payment of the fees set by the Association.
2. Accredited membership entitles a person to the following privileges:
 - a) to supervise and/or practice residential, commercial and industrial assessment appraisals in an assessment jurisdiction;
 - b) to supervise and/or practice agricultural land assessment appraisal (collection of agricultural land data and valuation)
 - c) to vote and hold office in the Association;
 - d) to have voice and vote at the annual and special meetings of the Association;
 - e) to be appointed to committees of the Association;
 - f) to receive a copy of Association documents designed for distribution to members; and

- g) to receive the newsletter of the Association.
3. Accredited membership carries obligations including but not limited to the following:
- a) to adhere to the Association's code of ethics;
 - b) to adhere to the Association's standard of conduct.

Section 3 Regular Membership

1. Regular membership in the Association shall be:
- a) limited to a person who is regularly engaged in the practice of assessment, but does not possess the experience and education requirements to obtain the A.A.M. designation; *(amended Jan. 1/07)*
 - b) granted upon payment of fees set by the Association.
2. Regular membership entitles a person to the following privileges:
- a) to practice residential, commercial and industrial assessment appraisals under the supervision of an Accredited Assessment Officer of Manitoba;
 - b) to practice agricultural land assessment appraisal (collection of agricultural land data and valuation);
 - c) to vote and hold office in the Association;
 - d) to have a voice and a vote at the annual and special meetings of the Association;
 - e) to be appointed to committees of the Association;
 - f) to receive a copy of Association documents designed for distribution to members; and
 - g) to receive the newsletter of the Association.
3. Regular membership carries obligations including but not limited to the following:
- a) to adhere to the Association's code of ethics;
 - b) to adhere to the Association's standard of conduct.

Section 4 Associate Membership

1. Associate membership in the Association shall be:
- a) limited to the person who is interested in the theory and practice of assessment appraisal; *(amended Jan. 1, 2005)*
and

- b) does not fall into any of the other membership categories listed in the A.A.O.M. Constitution; (*amended Jan 1 05*)
 - c) granted upon payment of fees set by the Association.
2. Associate membership entitles a person to the following privileges:
- a) to have a voice, but no vote, at the annual and special meetings of the Association; and
 - b) to receive the newsletter of the Association.

Section 5 Subscribing Membership

1. Subscribing membership in the Association shall be:
- a) any, firm, corporation, or organization, that has an interest in the practice of assessment appraisal; (*amended Jan. 1 05*)
 - b) granted upon payment of fees set by the Association; and
 - c) a subscribing member may appoint up to two official representatives.
2. Subscribing membership entitles a firm, corporation or organization to the following privileges:
- a) to receive the newsletter of the Association; and
 - b) to attend the annual meeting of the Association.

Section 6 Life Membership

1. Life membership in the Association shall be:
- a) limited to accredited or regular members or former accredited or regular members of the Association who have retired from active employment in the assessment field or any related field;
 - b) has been a member in good standing for at least twenty years, or upon special consideration;
 - c) contributed directly to the promotion of the Association through service on the executive council or a special committee;
 - d) nominated in writing, by a member in good standing, with supporting documentation; and
 - e) approved by executive council

2. Life membership entitles a person to the following privileges without payment of fee:
 - a) receipt of a certificate of lifetime membership;
 - b) to attend the annual meeting of the Association; and
 - c) to receive the newsletter of the Association.
3. If at any time, an accredited individual holding the designation “Life Membership” resumes work in the field or a related field of assessment, he/she will be obligated to pay dues equal to that of an associate or subscribing member. *(amended May 14/02)*

Section 7 Honorary Membership

1. Honorary membership in the Association shall be:
 - a) limited to individuals not directly involved in assessment appraisal in Manitoba; and
 - b) granted by the executive council in recognition of distinguished service to the assessment appraiser profession or for valuable assistance to assessment appraisal in Manitoba.
2. Honorary membership entitles a person to the following privileges without payment of fee:
 - a) to receive the newsletter of the Association; and
 - b) to attend the annual meeting of the Association.
3. If at any time, an individual, whether accredited or not, holding the designation “Honorary Membership” enters into the field or a related field of assessment, he/she will be obligated to pay dues equal to that of an associate or subscribing member. *(amended May 14/2002)*

Section 8 Change of Status

1. Non-practicing members may become practicing members of the Association by payment of the required fee and compliance with current bylaws and policies governing registration.
2. Persons who have not renewed their membership will have no membership privileges in the Association.
3. Persons who have been suspended or expelled in accordance with the bylaws will have no membership privileges in the Association during the period when the person is expelled or suspended.

BYLAW II – REGISTRATION

Section 1 Registration as a Regular Member

1. All persons applying for registration as a regular member of the Association must:
 - a) *deleted April 9/08*
 - b) complete the prescribed application forms and pay the fees set by the Association.

Section 2 Registration as an Accredited Member

1. All persons applying for registration as an accredited member of the Association must:
 - a) provide proof of having successfully completed the educational requirements of an Accredited Assessment Officer of Manitoba, and all other requirements, as set out by the Association.
 - b) complete the prescribed application forms and pay the fees set by the Association.

BYLAW III – STATUTORY COMMITTEES

Section 1 Statutory Committees

1. The statutory committees of the Association shall be:
 - a) the Professional Conduct Committee; and
 - b) the Discipline Committee.

Section 2 Professional Conduct Committee

1. The registrar shall notify, in writing, the member who is the subject of a report or allegation that a report or allegation has been received and ask for a written response.
2. The committee shall notify, in writing, the person who made the report or allegation that the report or allegation will be reviewed.
3. The committee shall take appropriate action including:
 - a) an informal resolution of the matter;
 - b) request any person to answer any questions and to produce any records, notes or other documents or things in the person's possession or under their control that are or may be relevant to the report or conduct being investigated; and
 - c) with the consent of the person producing them, copy and keep copies of any of the documents or things that are produced under clause (b).
4. The impugned member should be afforded an opportunity to provide a written (or verbal) response to the complaint.
5. The committee shall keep in confidence, all documentation and information received.
6. The committee shall provide, in a timely manner, a report to the discipline committee.

Section 3 Discipline Committee

1. The committee may find a member of the Association guilty of professional incompetence and/or professional misconduct, who, as defined by, but not limited to the following:
 - a) abused a client physically, sexually, verbally or psychologically;
 - b) misappropriated a clients' personal property;
 - c) inappropriately used the assessment appraiser's professional status for personal gain;
 - d) failed to exercise discretion with respect to the disclosure of confidential information about a client;
 - e) purposefully made an inaccurate assessment for personal gain;

- f) failed to inform an employer of the assessment appraiser's inability to accept specific responsibility in area where special training is required or where the assessment appraiser does not feel competent to function without supervision;
 - g) failed to comply with the code of ethics and/or standards of conduct of the Association;
 - h) failed without reasonable cause to respond to inquiries from the Association regarding alleged professional misconduct or professional incompetence;
 - i) engaged in the excessive or habitual use of intoxicating liquor, opiates, narcotics or other habit forming substances;
 - j) conspired to participate in any act of misconduct;
 - k) obtained registration by misrepresentation or fraud; and/or
 - l) contravened any provision of *The Municipal Assessment Act* or the bylaws of the Association.
2. Where the committee determines that the person is not guilty of professional incompetence and/or professional misconduct, written notice that the complaint has been dismissed shall be provided to:
- a) the person who was the subject of the report; and
 - b) the person who made the report.
3. The committee shall hold all hearings in Winnipeg unless directed by the executive council.
4. The committee shall hold in confidence, all sessions, documentation and information received, save and except findings of guilt.
5. Findings of guilt shall be matters of public interest and reported in accordance with Association policy.

BYLAW IV – REMUNERATION

Section 1 Executive Council and Committees

1. Members of the executive council, committees and administrative assistant shall be entitled to remuneration and reimbursement for reasonable and necessary services rendered and costs incurred on behalf of the Association in an amount determined by the executive council.

Section 2 Members and Non-members

1. Under special circumstances the executive council shall have the authority to approve remuneration and reimbursement for reasonable and necessary services rendered and costs incurred for members and non-members who are acting in an official capacity on behalf of the Association in an amount determined by the executive council.

BYLAW V – ADVERTISING BY MEMBERS

Section 1 Advertising

1. Advertising, promotion and other marketing activities must be in good taste, accurate and not capable of misleading the public. Any conduct, either directly or indirectly, or through any medium or agent that:
 - a) misinterprets facts;
 - b) compares either directly, indirectly or by innuendo, the member's services or ability with any other member(s), or promises or offers more effective service or better results, than those available elsewhere;
 - c) deprecates another member as to service, ability or fees;
 - d) creates an unjustified expectation about the results the member can achieve;
 - e) is undignified, in bad taste or otherwise offensive so as to be incompatible with the best interest of the public or members, or tend to harm the standing of the assessment appraiser profession generally; and
 - f) makes statements which are not statements of fact or makes statements that cannot be proven to be accurate by the member;

is to be strictly avoided as such conduct is contrary to the interest of the public and the profession.

2. Inappropriate advertising is prohibited and may result in censure.

BYLAW VI – MEETINGS OF THE ASSOCIATION

Section 1 Special Meetings

1. The executive council shall call a special meeting of the Association upon the written request of at least one third of the eligible voting members of the Association.

BYLAW VII – TRAVEL

Section 1 Travel

1. Selection of delegates to conferences and conventions; in order that all representatives at conventions be familiar with the Association's policies and procedures, will be selected on the following basis:
 - a) president
 - b) vice-president
 - c) treasurer
 - d) council members in order of seniority
 - e) past-president
 - f) committee members
 - g) members at large

BYLAW VIII - USE OF TITLE

Section 1. Use of Title

1. An Accredited Assessor of Manitoba may use the title "Accredited Assessor, Manitoba and the abbreviation A.A.M.

Section 2 Protection of Title

1. No person other than a member shall use the title "Accredited Assessor, Manitoba", and/or the abbreviation "A.A.M.", or any word, title or designation, abbreviated or otherwise, to imply that the person is a member.

BYLAW IX - TRANSITION

Section 1 Transition

1. Members under the former Constitution shall continue as members under this regulation.
2. Accredited Assessors of Manitoba under the former constitution shall continue as Accredited Assessors of Manitoba under this regulation.
3. The former constitution is hereby repealed.