

The Constitution

of

The Association of Assessing Officers

of Manitoba

Approved by the A.A.O.M. membership –and in effect *May 8, 2019*

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.

TABLE OF CONTENTS

Definitions	5
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ADMINISTRATION BYLAWS

BYLAW I – EXECUTIVE COUNCIL

Section 1 – Composition	7
Section 2 - Eligibility	7
Section 3 – Term of Office	7
Section 4 – Removal from Office	8
Section 5 – Powers and Functions	8
Section 6 - Council Meetings	9
Section 7 – President	9
Section 8 – Vice-President	10
Section 9 – Secretary Treasurer	10
Section 10 – Directors.	10
Section 11 – Executive Director	10
Section 12 – Past-President.	11
Section 13 – Public Representatives	11
Section 14 – Registrar.	11

BYLAW II – ELECTIONS

Section 1 – Election of the Executive Council	12
Section 2 – Nominations.	12
Section 3 – Voting	12

BYLAW III – MEETINGS OF THE ASSOCIATION

Section 1 – Annual Meeting	13
Section 2 – Special Meeting	13
Section 3 – Quorum.	14
Section 4 – Voting	14
Section 5 – Proxy Voting	14
Section 6 – Parliamentary Authority	15

BYLAW IV – ADMINISTRATION

Section 1 – Seal.	15
Section 2 – Fiscal Year	15

Section 3 – Auditor.	15
Section 4 – Banking and Financial Dealings.	15
Section 5 – Signing Authority	15
Section 6 – Contribution, Donations or Bequests	16
Section 7 – Head Office	16
 BYLAW V – FEES	
Section 1 – Annual Fees - Policy.	16
Section 2 – Annual Fees - Process.	16
Section 3 – Reinstatement Fee	17
 BYLAW VI – STANDING COMMITTEES	
Section 1 – Standing Committee.	17
Section 2 – Education Committee	18
Section 3 – Legislation and Bylaw Committee	18
 BYLAW VII – AD HOC COMMITTEES OF THE ASSOCIATION	
Section 1 – Special Committees	19
 BYLAW VIII – AMENDMENTS	
Section 1 – Amendments to Administrative Bylaws	19
Section 2 – Amendments to Regulations.	19
 BYLAW IX – INDEMNIFY	
Section 1 – Indemnity of Members	20
 BYLAW X – CODE OF ETHICS	
Section 1 – Code of Ethics	21
 BYLAW XI – STANDARDS OF CONDUCT	
Section 1 – Standards of Conduct	21
 BYLAW XII – CONFLICT OF INTEREST	
Section 1 – Conflict of Interest	21

REGULATORY BYLAWS

BYLAW I – MEMBERSHIP	
Section 1 – Categories of Membership	23
Section 2 – Accredited Assessment Officer of Manitoba Membership	23
Section 3 – Regular Membership	24
Section 4 – Associate Membership	24
Section 5 – Subscribing Membership	24
Section 6 – Life Membership.	25
Section 8 – Change of Status	26
BYLAW II – REGISTRATION	
Section 1 – Registration as a Regular Member.	26
Section 2 – Registration as an Accredited Member.	27
BYLAW III – STATUTORY COMMITTEES	
Section 1 – Statutory Committee	27
Section 2 – Professional Conduct Committee	27
Section 3 – Discipline Committee.	28
BYLAW IV – REMUNERATION	
Section 1 – Executive Council and Committees	29
Section 2 – Members and Non-members	29
BYLAW V – ADVERTISING BY MEMBERS	
Section 1 – Advertising	29
BYLAW VI – USE OF TITLE	
Section 1 – Use of Title	30
Section 2 – Protection of Title	30
BYLAW VII – TRANSITION.	37

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.
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- k) **“Assessment Appraisal”** means the valuation/classification of property for taxation purposes;
 - 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) one 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 Executive 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;
3. Despite subsection (1) and (2), a member of the Executive Council may 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.
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.
5. 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 ceases to be a member in good standing of the Association;
 - b) if by notice to the Association, that member resigns that member's office;
 - c) if membership is suspended, expelled or terminated.
2. In the event that a vacancy should occur during a term of office in relation to any of the offices referred to in Section 4.1 (with the exception of President) the 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 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.

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 to the Executive Director.

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 members of committees as designated by bylaw or Executive Council.

Section 11 Executive Director

1. The Executive Council may appoint an Executive Director.
2. The Executive Director 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 bylaw 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.

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.
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 122 of *The Election Act*.

BYLAW III – MEETINGS OF THE ASSOCIATION

Section 1 Annual Meeting

1. Notice of the annual meeting shall be circulated 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 thirty (30) days prior to the annual meeting.
3. The minutes of the previous year's 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. 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.
3. The notice of the meeting should include an agenda of the items to be discussed and draft resolutions, if relevant.
4. Notice of a special meeting shall be circulated:
 - 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;
5. Executive Council shall establish the rules and procedures for the conduct of any special meeting.
6. Only business stated in the notice of any special meeting may be dealt with at that 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.

Section 4 Voting

1. All questions voted on at a meeting of the Association, unless otherwise requested by a member, shall be decided by a show of hands.
2. Each accredited and regular member shall be entitled to one vote.
3. In the case of a tie vote, the chairperson shall cast an additional vote to decide the question.
4. All questions arising at any meeting shall be decided by a majority of votes.

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. 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 Executive Director at least 24 hours before the time of the holding of the meeting referred to herein.
3. A proxy vote shall 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.

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 corporate seal in such form as approved by the Executive Council.
2. The Executive Council shall determine the use of the corporate seal of the Association.

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. All banking transactions conducted in the name of the Association shall be authorized and signed by the signatories approved by the Executive Council.
2. Executive Council may attach any terms and conditions to the appointed signatories as they determine appropriate.

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 Annual Membership Fee - Policy

1. All members are required to pay an annual membership fee to the Association.
2. Annual membership fees will be calculated to offset the basic operational expenses budgeted for the upcoming fiscal year.
3. As part of the annual budget review, the Secretary-Treasurer shall review membership fees and advise Executive Council of the need for a fee increase, if required, 90 days prior to the fiscal year end.
4. Executive Council will make a motion to increase annual membership fees as necessary and advise members at least 60 days prior to the fiscal year end.
5. All membership fees are non-refundable.

Section 2 Annual Membership Fee - Process

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.
2. A prorated fee equaling 60% of the annual fee may be established to accommodate first time applicants after July 1st of the membership year.

3. After January 31st, a late payment penalty, established every year by the Executive Council, will be charged.
4. Members who have not paid the annual fee, and/or any other fees prescribed by Executive Council by March 1st shall cease to be members in good standing of the Association.
5. Refusal to pay the prescribed fees may be deemed reason for expulsion from the Association.

Section 3 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 and be subject to any fees as determined by Executive Council.

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 Bylaw Committee

1. The membership of the legislation and bylaw 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 Executive Council for Association action when required;
- b) upon the direction of the Executive Council, to draft recommended changes to the bylaws.

BYLAW VII – AD HOC COMMITTEES

Section 1 Special Committees

1. Special committees may be established and appointed by Executive Council at any time to carry out the objectives of the Association, and may be resolved by a resolution of Executive Council.
2. Operational guidelines, such as terms of reference, composition, budget and quorum requirements, shall be established by Executive Council policies.

BYLAW VIII – AMENDMENTS

Section 1 Amendments to Administration Bylaws

1. The Administration Bylaws may be repealed or amended by resolution enacted by no less than two thirds (2/3) members of Executive Council.
2. Thirty (30) days in advance of the Executive Council's consideration of a proposed new bylaw or a bylaw amendment, the Executive Council will make the proposed new bylaw or bylaw amendment available for members review and comment.
3. Executive Council will consider all comments received within the review period prior to passing a resolution on a new bylaw or a bylaw amendment.

Section 2 Amendments to the Regulatory Bylaws

1. The Regulatory Bylaws 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.

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 Executive Director at least 60 days before the meeting at which it is to be considered.
5. On receipt of a proposed amendment, the Executive Director 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.

BYLAW IX – INDEMNIFY

Section 1 Indemnity of Members

1. Each officer and member of the Executive Council, and each former officer and member of the Executive 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 Executive Council if,
 - a) the member acted honestly, in good faith, and in accordance with the Constitution of the Association, 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 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) 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 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.

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 Executive 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 Executive 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
 - c) 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.;
 - 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, industrial, and agricultural land assessment appraisals in an assessment jurisdiction;
 - b) to vote and hold office in the Association;
 - c) to have voice and vote at the annual and special meetings of the Association;
 - d) to be appointed to committees of the Association; and
 - e) to receive a copy of Association documents designed for distribution to members.
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 standards 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;
 - 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, industrial, and agricultural land assessment appraisals.;
 - b) to vote and hold office in the Association;
 - c) to have a voice and a vote at the annual and special meetings of the Association;
 - d) to be appointed to committees of the Association;
 - e) to receive a copy of Association documents designed for distribution to members.

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 standards 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;
 - b) does not fall into any of the other membership categories listed in the A.A.O.M. Constitution; and
 - c) granted upon payment of fees set by the Association.

2. Associate membership entitles a person to the following privileges:
 - a) to attend the annual meeting 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;
 - 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 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.
3. If at any time, an individual, whether accredited or not, 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.

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 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.

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.
4. A person may be re-admitted to the Association, subject to compliance with any policies governing re-admission and upon payment of the required fees that may be fixed by Executive Council.

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) 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; and
 - 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, within 30 days of receipt of such notice.
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, as determined by the committee, 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) conspired to participate in any act of misconduct;
 - j) obtained registration by misrepresentation or fraud; and/or
 - k) 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 Executive Director 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 - 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 VII - 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.