

THE CHESTER ASSOCIATION OF PROPERTY PROFESSIONALS

RULES AND REGULATIONS AS AT 1<sup>ST</sup> JANUARY 2019

Adopted at a General Meeting of the Association, 30th January 1950  
and subsequently amended.

Honorary Secretary's Office:  
4 Vicars Lane, Chester, CH1 1QU

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# THE CHESTER ASSOCIATION OF PROPERTY PROFESSIONALS

## RULES AND REGULATIONS

### SECTION I – GENERAL

#### Name of the Association

1. The name of the Association shall be “the Chester Association of Property Professionals”, formerly known as the Chester Association of Auctioneers, Estate Agents, Surveyors and Valuers.

#### Office of the Association

2. The office of the honorary secretary of the Association for the time being shall be deemed to be the office of the Association.

#### Objects of the Association

3. The objects of the Association shall be to encourage and foster a feeling of unity and harmony amongst its members, to promote and protect the interests of the profession, to provide an element of continuing professional development, and to maintain and extend its usefulness to the mutual advantage of the public and the profession.

#### Interpretation

4. In these presents the following words shall have the following meaning, if not inconsistent with the subject of the context: -

(a) “These presents” – The rules and regulations of the Association as defined in this document together with any duly authorised amendments thereto.

(b) “The Association” – The Chester Association of Property Professionals.

(c) “Member” – A member of the Association.

(d) “Profession” – A business providing property inspection and measurement, valuation, sales and lettings agency, management, construction, maintenance, planning, project management and other surveying and appraisal related professional services within the Chester area.

(e) “Agent” – An individual or firm, practising in one or more branches of the profession, irrespective of membership of the Association or of a professional organisation.

(f) “Senior professional organisations” – The Royal Institution of Chartered Surveyors, The National Association of Estate Agents, The Association of Residential Lettings Agents, The Association of Residential Managing Agents, The Royal Institute of British Architects, The Royal Town Planning Institute, The Chartered Institute of Building, The Institute of Residential Property Managers, Domestic Energy Assessors and Commercial SAP Accreditation Scheme Members, The Chartered Institute of Arbitrators and The Institute of Structural Engineers.

#### Advertising Directions

5. In the absence of any resolution of the Association to the contrary, reference in these presents to the advertising directions of the senior professional organisations shall be deemed to cover any amendments thereto which may be duly adopted in common by the organisations concerned.

## SECTION II – MEMBERSHIP OF THE ASSOCIATION

### Eligibility

6. A member shall be an individual providing services within the Profession.

### Members

7. All of the principals of the firms represented at the meeting of auctioneers, estate agents, surveyors and valuers held at The Blossoms Hotel, Chester, on 28th November 1949, together with such of their professional assistants as were present thereat shall be deemed to be members of the Association, and the founder members thereof.

8. Other eligible persons shall become members of the Association upon their election in accordance with these presents.

9. The number of members shall be unlimited.

### Election to Membership

10. A candidate for election to membership shall make application to the membership secretary. The executive committee shall consider the application and place the same, together with their recommendations, before the next committee meeting of the Association. If at that meeting the candidate shall be duly proposed and seconded, an election shall ensue in accordance with section IV of these presents, and be duly ratified at the AGM.

### Duration of Membership

11. A member shall remain such until such time as he shall have resigned or been suspended or expelled from the Association in accordance with these presents.

### Resignations

12. A member may resign from the Association on giving one calendar months' notice in writing to the membership secretary. Any such notice received by the membership secretary shall at once be passed to the executive committee. The executive committee may at their discretion direct that a resignation shall become effective before the expiration of the notice submitted.

### Suspensions and Expulsions

13. A member may be suspended or expelled from the Association in accordance with Section III of these presents.

### Liability of Members

14. Every member shall be deemed to have agreed to abide by the rules and regulations of the Association as incorporated in these presents together with any duly authorised amendments thereto.

SECTION III – OFFICERS OF THE ASSOCIATION; THE EXECUTIVE COMMITTEE

Officers of the Association

15. The officers shall be members of the Association and shall consist as a minimum of: -
- (a) a Chairperson ) Who shall have been a member
  - (b) a Vice-Chairperson ) of the Association for a minimum of
  - (c) an Honorary Secretary ) 1 year
  - (d) a Membership Secretary )
  - (e) an Honorary Treasurer )
  - (f) a Publicity and Social Media Coordinator )
  - (g) a Social and CPD Coordinator )
  - (h) an Annual Dinner Secretary )

Executive Committee

16. The executive committee of the Association shall consist of the officers of the Association, such other members as may from time to time be necessary, and (without election) the immediate past chairperson.

Election and Tenure of Members of the Executive Committee

17. The officers of the Association shall be elected at each annual general meeting of the Association in accordance with section IV of these presents, the chairperson and vice-chairperson holding office therefrom and until the annual general meeting next ensuing, and the honorary secretary and honorary treasurer from one calendar month therefrom and until one calendar month after the annual general meeting next ensuing.

18. The members of the executive committee, other than the past chairperson, honorary secretary and the honorary treasurer, shall not between them include more than one representative of any one firm.

19. The executive committee shall have the power co-opt any members of the Association from time to time for specific purposes. Paragraphs 18 and 21 of these presents shall not apply in the case of co-opted executive committee members.

20. In the event of the resignation or decease of any member of the executive committee, a successor shall be elected at the next general meeting of the Association and shall hold office of the resigned or deceased member.

Re-Elections

21. A retiring member of the executive committee shall not be eligible for re-election to the committee during a period of one year following his retirement, unless he shall have served thereon for less than the three years immediately prior to his retirement, but this paragraph shall not apply in the case of: -

- (a) The election of a Vice-Chairperson, or
- (b) The office of Honorary Secretary, or
- (c) The Honorary Treasurer
- (d) The Membership Secretary
- (e) The Publicity and Social Media Coordinator
- (f) The Social and CPD Coordinator
- (g) The Annual Dinner Secretary

(Note to paragraph 21 – The immediate past chairperson, so long as he remains such, automatically remains a member of the executive committee under paragraph 16).

22. A retiring chairperson or vice-chairperson shall not be eligible for re-election to his respective office during the five years following his retirement.

#### Duties of the Executive Committee and the Members thereof.

23. The duties and powers of the executive committee shall be as detailed in these presents together with such other duties and powers as may from time to time be delegated to them by a meeting of the Association.

24. The executive committee shall be responsible for the general management of the affairs of the Association, subject to the confirmation of the Association, and shall meet as often as necessity requires.

25. The chairperson of the Association shall normally occupy the chair at meetings of the Association and of the executive committee and shall regulate the proceedings thereat in accordance with these presents. In the absence of the chairperson, the vice-chairperson shall act in his stead, and in the absence of them both, the immediate past chairperson shall so act; in the absence of all three, the remaining members of the executive committee present shall appoint one of their number so to act.

26. The honorary secretary shall, under the direction of the executive committee, conduct the correspondence of the Association and attend all meetings and take minutes of the proceedings thereat.

27. The honorary treasurer shall receive all monies, present all accounts to the executive committee for their approval, and place a statement of the financial position of the Association before the annual general meeting.

28. The membership secretary shall maintain a secure online register of members.

#### Meetings of the Executive Committee

29. Any five members of the executive committee (exclusive of any co-opted members or professional assistants) present shall constitute a quorum.

30. Other than as provided in paragraph 33 of these presents, a simple majority vote of the members present at a meeting of the executive committee shall be deemed to constitute a decision of that committee.

31. Proxy votes shall not be admitted.

32. The chairperson of a meeting of the executive committee shall be entitled to an additional casting vote.

#### Discipline

33. The executive committee shall be empowered: -

- (a) by the votes of the majority of those present at a meeting of the same, to reprimand, or
- (b) by a majority of two-thirds at least of those present as a meeting of the same, to suspend or to expel from the Association.

Any member who violates any of these presents, or any local authority or central government guidelines related to their profession, always provided that before a decision to suspend or expel a member is taken, such member shall be informed in writing of the complaint in regard to his conduct and be given the opportunity of stating his defence either in writing or by appearance before the executive committee. Any such suspension or expulsion may be at any time revoked or modified by the executive committee at a like meeting and by such a majority as aforesaid, and the executive committee may make such terms and conditions as they deem suitable.

34. A member who has been suspended or expelled from the Association in accordance with paragraph 33, may within seven days of his receiving the decision of the executive committee appeal through the honorary secretary for the matter to be referred to a special general meeting of the Association, and in which case the decision of the executive committee shall remain in abeyance. If at the special general meeting a resolution to quash the decision of the executive committee is passed the said decision of the executive committee shall thereupon be quashed, but otherwise it shall be deemed to have been ratified by the special general meeting. No further appeal shall lie.

## SECTION IV – MEETINGS OF THE ASSOCIATION

### Meetings

35. Meetings of the Association shall be either general or annual general meetings or special general meetings, or CPD or social events as may from time to time be organised by the committee.

36. Annually, there shall be at least two meetings of the Association, one of which is to be the Annual General Meeting to be held during the month of November.

37. A special general meeting of the Association for the consideration of any important and urgent question may be convened by the honorary secretary on the receipt of a detailed request in writing by not less than five members. The business dealt with at such meeting shall be restricted to that agenda.

38. The honorary secretary shall send every member not less than seven days' notice in writing of each meeting of the Association, a copy of the agenda will be provided prior to each meeting.

### Quorum

39. Ten members present, of whom at least five are members of the executive committee, shall constitute a quorum.

### Motions Calculated to Bind the Association in General or Relative to the Finances of the Association

40. Any member desiring to bring forward a motion of this nature may do so on giving detailed notice in writing to the honorary secretary at least fourteen days prior to the date of a meeting, and no such motion shall be brought forward at a meeting unless it shall have been included in the agenda as circulated with the convening notice.

41. Subject to paragraph 40 of these presents any member may propose and second such a motion, and any member may without prior notice propose or second any amendment thereto.

42. Such a motion or an amendment thereto, if duly proposed and seconded, shall be carried if it shall receive a vote in favour from not less than two thirds of the members present, and a motion so carried shall become a resolution of the Association.

43. In respect of such a motion or amendment, each member who is present shall be entitled to one vote. The chairperson of the meeting shall be entitled to an additional casting vote.

### Motions to Quash a Disciplinary Decision of the Executive Committee

44. A motion to quash disciplinary decision of the executive committee may be proposed and seconded by any member at a special general meeting convened in accordance with paragraph 34 of these presents, and shall be carried if it shall receive a simple majority vote in favour from the members present but members of the executive committee shall not be entitled to vote save that the chairperson of the meeting shall be entitled to a casting vote. Voting shall be by ballot.

### Motions not previously referred to

45. Motions of a nature other than those covered in paragraphs 40 to 44 of these presents (but not elections to membership or to the executive committee) and amendment thereto may be proposed or seconded at a general or annual general meeting by any member without prior notice always provided that the agenda allows for "any other business".

46. Such a motion or amendment thereto, if duly proposed and seconded, shall be carried if it shall receive a simple majority vote in favour, each member present being entitled to one vote save that the chairperson shall be entitled to an additional casting vote. A motion so carried shall become a resolution of the Association.

#### Elections to the Executive Committee

47. Subject to the provisions of section III of these presents, any member may without previous notice propose or second any other member for election as a member of the executive committee, and when a candidate shall have been duly proposed and seconded an election by show of hands shall ensue. Each member present shall be entitled to one vote per vacancy, and the chairperson of the meeting to use such casting votes as may be necessary. The candidate or candidates polling the higher or highest number of votes shall be deemed to have been elected.

#### Election of New Members

48. A Candidate for election to membership shall not be proposed unless their name shall have been included in the agenda as circulated with the convening order, and unless his election to membership shall have been recommended by the executive committee in accordance with section III of these presents.

49. Subject to the provisions of paragraph 48 of these presents any member may propose or second a candidate for membership.

50. If a candidate for membership shall have been duly proposed and seconded an election by show of hands shall ensue and voting thereat shall be in accordance with paragraph 43 of these presents. A candidate thus polling a favourable vote from not less than two-thirds of the members present or represented and entitled to vote shall be deemed to have been elected a member of the Association.

### SECTION V – CONDUCT

51. A member shall conduct him/herself and his/her business affairs in a professional manner such as shall in no way be against the public interest, or that of a fellow member.

52. The Association shall not require a member to enter into any practising or trading agreement such as would be registerable under the Restricted Trade Practices (Services) Order 1989.

### SECTION VI – ADVERTISING

#### Advertisements

53. A member shall adhere to any directions with regard to advertisements issued by the senior professional organisations.

## SECTION VII – FINANCE

### Income

54. In the absence of any resolution by the Association to the contrary, the income of the Association shall be generated by the events, meetings, social gatherings and the Annual Dinner. Members are therefore expected to ensure representation at these events.

### Expenditure

55. In the absence of any resolution by the Association to the contrary, the expenditure of the Association shall be limited to that necessary to cover the events programme, the administration of the Association and such reasonable out of pocket expenses incurred by the Officers of the Association in the administration of the Association.