

# BYE LAW 3

## COMMITTEES

### 3.1

#### **APPOINTMENT:**

The *Council* may appoint, on the recommendation of the nominating committee, a Committee or Committees or *Authorised persons* who shall have authority, subject to the directions of, and in accordance with, the principles laid down from time to time by the *Council*, to exercise all or any of the powers of the *Council*, as the *Council* may by resolution direct. Such Committee or Committees or *Authorised persons* may be composed of *Members* and/or non-*Members* of the *Institute*.

The *Council*, upon recommendation of the nominating committee, shall appoint a Chairman and a Vice-Chairman of any Committee, Committees or *Authorised persons*<sup>1</sup>.

### 3.2

#### **TERMINATION:**

The *Council*, on recommendation of the nominating committee (such recommendation is not binding on *Council*), at a meeting at which any Committee or Committees or *Authorised persons* cease to remain in office, may appoint a new Committee or Committees or *Authorised persons*, and may reappoint all or any of the *members* of the previous Committee or Committees or *Authorised persons* if they be still qualified. If no appointment of a new Committee shall be made the Committee or persons retiring shall, unless, otherwise determined by the Council, remain in office until a new committee or persons are appointed by the *Council* (which may be done at any meeting of the *Council*)<sup>2</sup>.

### 3.3

#### **POWERS<sup>3</sup>:**

Without prejudice to the extent of the general powers which the *Council* is authorised to confer on any Committee or Committees or *Authorised persons*, and to any provisions of the *Act* or the *Articles*, the *Council* shall have full power to delegate to any Committee or Committees or person the following special powers and duties, and every Committee and *Authorised persons* (save the *Disciplinary Committee*, the *Investigation Committee* and *Appeals Panel*) shall be bound to obey and carry into effect the resolutions of the *Council*, and to report to the *Council* any matters which it considers material to the *Institute*, or its objects or interests as defined in the Memorandum, or which appears to it to affect the interest of the *Profession* and make any recommendations it considers proper in relation thereto.

#### 3.3.1

Powers to regulate, by *Bye-Laws*, the examinations of candidates for admission as Fellows or Associates and to hold examinations for the same, at such times and places, and in such a manner as it may think fit, and to appoint examiners with or without remuneration to conduct such examinations.

#### 3.3.2

Power to interview and/or examine, accept for admission or reject any candidates for admission to the *Institute*.

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<sup>1</sup> See Article 42

<sup>2</sup> See Article 45

<sup>3</sup> See Article 47

3.3.3

Power to issue audit registration, practising certificate and investment business authorisation to *Members* and/or *Firms*.

3.3.4

Power to superintend the publications of the *Council*.

3.3.5

Power to appoint all employees of the *Institute* necessary for the carrying on of the business of the *Institute*, upon such terms and (except in the case of any such employee being an elected *Member* of the *Council*) with such remuneration as it shall think fit, and from time to time to remove such employee.

3.3.6

Power to carry out, subject to the provisions of the *Acts* and the *Memorandum*, the purchase, hiring, sale, mortgage letting and other disposition of any real or personal property for or on behalf of the *Institute*, which has been authorised by a resolution of the *Council*.

3.3.7

Power to use the seal of the *Institute*.

3.3.8

Power to receive all incomings and pay all outgoings, and to have the superintendence of the disposition of the funds and property administered by the *Institute*.

3.3.9

Power to make, vary and annul *Bye Laws* for any of the purposes for which *Bye Laws* may be made by *Council* but any purported exercise of such power shall be void to the extent that such exercise would constitute an addition or alteration of the *Memorandum* or the *Articles*.

3.3.10

Any other power which the *Council* may consider necessary from time to time for the proper running of the affairs of the *Institute*.

**3.4**

**MEETINGS OF COMMITTEES<sup>4</sup>**

A meeting of a Committee may consist of a conference between some or all of the committee members who are not all in one place, but each of whom is able (directly or by means of telephonic, video or other electronic communication) to speak to each of the others and to be heard by each of the others and a Committee member taking part in such a conference shall be deemed to be present in person at the meeting and shall be entitled to vote and be counted in a quorum accordingly; and such a meeting shall be deemed to take place where the largest group of those participating in the conference is assembled, or, if there is no such group, where the chairman of the meeting is located.

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<sup>4</sup> See Article 36