

Constitution and Byelaws of the ASEAN Valuers Association

(Amended and adopted at 14th AVA Congress
July 2006, Singapore)

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CONSTITUTION of the ASEAN VALUERS ASSOCIATION

PREAMBLE

We, the valuers, appraisers, assessors (hereinafter referred to as `Valuers') from the Member Countries of the Association of Southeast Asian Nations (ASEAN), realising that close cooperation among ourselves from the ASEAN Member Countries would help promote the aspirations, objectives and principles of the ASEAN in accordance with the 1967 Bangkok Declaration, the 1976 Declaration of ASEAN Concord and the 1976 Treaty of Amity and Co-operation in South East Asia.

Desiring to help maintain peace and promote prosperity in the ASEAN region through mutual cooperation and the advancement of the profession of valuation;

Bearing in mind that expanding economic and cultural relations among ASEAN countries will create more demand on valuation institutions;

Being aware of the different valuation system prevailing in the ASEAN region;

Having decided to establish an association of Asean Valuers at a meeting of ASEAN Valuers held from June 15 to June 20, 1981, in Kuala Lumpur.

Do hereby adopt and promulgate this Constitution.

ARTICLE I NAME

The name of the organisation shall be the ASEAN VALUERS ASSOCIATION (hereinafter referred to as "AVA").

ARTICLE II OBJECTIVES

- 2.1 The objectives of AVA are:
- a. To promote closer relations, cooperation and mutual understanding amongst valuers in the ASEAN countries.
 - b. To provide the organizational framework for regional cooperation in the study and research in the harmonisation of relevant fields of valuation among the ASEAN countries, as required by the social and economic development of the region and more particularly;
 - i. to provide a framework whereby valuation organisations, teaching institutions, research centres and similar bodies in ASEAN countries can coordinate their activities and conduct collaboration projects;
 - ii. to promote research and studies in various fields of valuation among the Asean countries;
 - iii. to promote, exchange and disseminate information about the land and land tax laws, valuation systems and valuation development of the ASEAN countries;
 - iv. to publish journals, newsletters or bulletins for the furtherance of the aforementioned objectives;
 - v. to organise conferences, meetings, symposia or seminars in furtherance of the aforementioned objectives;
 - c. To cooperate with international, regional, national and other organisations in the furtherance of the aforementioned objectives.

ARTICLE III MEMBERSHIP

- 3.1 The following shall be eligible for membership in AVA:
- a. Institutional members.
Any organisation of members of the valuation profession within any ASEAN country.
 - b. Honorary Members.
Any individual who has distinguished himself in the field of valuation or has made a significant contribution to the objectives of the Association.

- 3.2 Application for membership shall be made to, and shall be approved by, the Governing Council in the manner prescribed in the By-laws.
- 3.3 The status of an Honorary Member shall be conferred by a unanimous decision to the Governing Council in the manner prescribed in the By-laws.

ARTICLE IV ORGANISATIONAL STRUCTURE

- 4.1 AVA shall have the following bodies:
- a. Assembly
 - b. Governing Council,
 - c. Permanent Secretariat and
 - d. The National Committees

ARTICLE V THE ASSEMBLY

- 5.1 The Assembly shall consist of representative of the Institutional Members.
- 5.2 Representatives of other Asean Countries who are presently not due paying members may attend the Assembly as observers with no voting rights.
- 5.3 A regular session of the Assembly shall be called at least once every two (2) years, the venue of which shall be as determined at the proceeding General Assembly. In the event that a proposed General Assembly is not held at the venue so determined, the Governing Council may with consensus determine an alternative venue.
- 5.4 The Assembly shall have the following powers:
- a. to determine the general policies of AVA;
 - b. to elect the officers of AVA;
 - c. to make any amendments to this Constitution;
 - d. to revoke any By-laws made by the Council;
 - e. to fix the venue for the next assembly, and
 - f. to exercise such other powers as it may deem appropriate and necessary to promote, protect and preserve the interests of AVA.

- 5.5 Institutional members shall be entitled to send such number of representatives to the Assembly as may be prescribed in the By-laws.
- 5.6 There shall be a quorum of the Assembly when a majority of the ASEAN member countries are represented by their relevant delegations consisting of representative of institutional members and honorary members.
- 5.7 A motion at the Assembly shall be made by a representative of any institutional member, which shall be seconded by another representative from other institutional members.
- 5.8 Decisions of the Assembly shall be arrived at by consensus of the representatives of institutional members present. Should no consensus be achieved, the relevant motion shall be tabled for voting in a manner so prescribed by the By-laws.
- 5.9 A two thirds majority of all the representatives of the institutional members present is required to carry a motion to become a resolution.

ARTICLE VI GOVERNING COUNCIL

- 6.1 The Governing Council (hereinafter referred to as “the Council”) shall be the governing body of AVA and shall in with consensus have the authority to take any action which the Assembly itself might take, not inconsistent with the Constitution and By-laws and with any resolution made by General Assembly.
- 6.2 The Council shall be composed of
 - a. Seven (7) members designated by each ASEAN country National Committee with at least:
 - i. Two (2) public sector valuers;
 - ii. Two (2) private sector valuers;
 - iii. One (1) lecturer or researcher of valuation.

from amongst who shall be the President and/or Vice-President elected and/or appointed in accordance with Article VII.
 - b. The Secretary-General and Secretary to the President appointed under Article VII as Ex-Officio and non-voting.
 - c. The Treasurer appointed under Article VII as Ex-Officio and non-voting.

- 6.3 Representatives of other Asean Countries who are presently not due paying members may attend the Governing Council meeting as observers, at the invitation of the Council.
- 6.4 The Council shall meet at least once in every two years and shall hold such other meetings at such times and places as may be designated by the President of AVA or, upon request in writing of the majority of the members of the Governing Council or in an emergency by the Secretary-General.
- 6.5 The Council may establish sections or committees of AVA with such jurisdiction and functions as the Council may determine.
- 6.6 The Council shall have the power:
- a. to approve the budget and to fix amount of dues and any special levies;
 - b. to make and amend By-laws for tabling at the General Assembly;
 - c. to receive offers to host the next assembly by the National Committees of the various Asean member countries and recommended a venue following a rotational basis to the General Assembly unless the country due to host is unable to do so.
 - d. to determine the agenda at each sessions of the Assembly; and
 - e. to appoint and prescribe the duties of such officers, employees and agents of AVA, other than those to be elected at the Assembly, as it may deem to be desirable. All such other officers, employees and agents as may be appointed shall hold office at the pleasure of the Council.
- 6.7 There shall be a quorum of the Governing Council when a majority of the Asean member countries are represented.
- 6.8 A motion at the Governing Council shall be made by the President/Vice President from any Asean member country or his appointed representative which shall be seconded by the President/Vice President from another Asean member country or his appointed representative.
- 6.9 Decision of the Governing Council shall be arrived at by consensus of all councilors present and such is necessary for a motion to become a resolution. Should no consensus be achieved, the relevant motion shall lapse.

ARTICLE VII OFFICERS

- 7.1 The following officers of AVA shall be elected by the Assembly at its biennial sessions:
- a. A President;
 - b. A Vice-President from each ASEAN country except the country of the President;
- 7.2 Each officer shall serve for a term beginning at the adjournment of the session at which he was elected and ending with the adjournment of the next session. Provided that in the event of any office not being filled at any session the incumbent shall continue in office until a successor is elected.
- 7.3 The candidate for the Presidency shall be nominated by the delegation of the host country of the next assembly. In the event of the death, permanent disability or resignation of the President his country's National Committee shall as soon as may be name his successor for the remainder of the term.
- 7.4 The President shall act as chairman at all sessions of the Assembly and the Council. He shall be the chief executive and shall exercise general supervision over all its activities and ensure that the resolutions of the Assembly or the Council are implemented. He shall perform such other duties and functions as the Council and the Assembly may determine or delegate.
- 7.5 In the event of the temporary disability of the President, any amongst the Vice-President by the President shall temporarily perform the duties and functions of the President. In the event of the death, permanent disability or resignation of the Vice-President his country's National Committee shall as soon as may be name his successor for the remainder of the term.
- 7.6 A Secretary to the President shall be appointed by the President from his National Committee who shall carry out his secretarial functions.
- 7.7 The Secretary-General shall be appointed by the Governing Council who shall head the Secretariat established according to Article VIII.
- 7.8 The Treasurer shall be appointed by the Governing Council. He shall have custody of the funds of AVA, maintain collections, and disbursements as directed by the Council, as well as any other duties as may be directed by the Council from time to time.

ARTICLE VIII THE SECRETARIAT

- 8.1 The principal office of AVA shall be its Secretariat, which shall be established and maintained at the country as determined by the Governing Council.
- 8.2 The Secretary-General shall be the head of the Secretariat, which shall be the headquarters of AVA, and have custody of its seal and records and shall be responsible for the direction of the employees of AVA. He shall keep proper records of the membership of AVA listed according to Institutional Members and honorary members. He shall attend and keep the minutes of all sessions and meeting of the Assembly and the Council. He shall also have such additional powers and duties as may be assigned to him by the Council.
- 8.3 The Secretariat shall assist the President, Vice President and the Governing Council in carrying out his duties and furnish all relevant information in their custody to him, if required.

ARTICLE IX NATIONAL COMMITTEE

- 9.1 A National Committee shall be established in each country consisting of :
- i. A Chairman
 - ii. Others not exceeding eleven (11) and not less than six (6) representing the Institutional Members of the Asean member country
- 9.2 The National Committee shall elect a Chairman, a Vice-Chairman and a Secretary.
- 9.3 The Chairman of the National Committee shall be nominated as the candidate for President or Vice President of AVA at its biennial sessions.

ARTICLE X FINANCE

- 10.1 AVA shall be financed by dues, special levies to be paid by each member, and such other monies as may be contributed to or raised by it. The amounts of the dues and special levies shall be determined by the Council and prescribed in the By-laws.
- 10.2 The funds of AVA shall be in the custody of the Treasurer who shall submit to the Council an annual statement of Accounts duly audited by external auditors appointed by the Council.
- 10.3 The financial year of AVA shall end on the 31st day of December each year.

ARTICLE XI DISSOLUTION

- 11.1 This Constitution shall continue in force until a resolution to dissolve it shall be adopted at a General Assembly.
- 11.2 Upon the adoption of such a resolution all the debts and charges against AVA shall be discharged in full and the balance of the funds shall be disposed as decided by the General Assembly after studying the recommendations of the Council.

BYE-LAWS of the ASEAN VALUERS ASSOCIATION

MEMBERSHIP

1. Every application for institutional membership in AVA shall be duly signed by its authorized officers. The application shall state the name and address of the applicant and, in the case other than a Government Organization, it must be accompanied by a copy of its Constitution and By-laws and a statement of the number of its members.
2. An application to confer honorary membership shall be made by the National Committee of a member country detailing its and furnishing a resume of the person so nominated. The application shall be seconded by the National Committee of another member country.
3. The application shall be submitted to the Secretariat for approval of the Governing Council (hereinafter referred to as "the Council") which may require additional information from the applicant.

DUES

4. Membership dues shall be as follows:
 - a. A sum of US\$500 per Institutional Member, or other such amounts as may be approved by the Council.
 - b. Honorary members shall not be subject to any membership dues.
5. The dues shall be remitted by the Institutional member via their respective National Committee to the Secretariat on or before the 30th day of June of each year.
6. The Council may impose special levies on its members for such special purposes as it may deem necessary.

SESSIONS OF THE ASSEMBLY

7. The notice of each Meeting of the Assembly shall be given by Secretariat to the National Committee and Institutional Members not less than six (6) months from the date of the Session and thereafter the Agenda shall be posted at least 30 days prior to the date of the session.
8. For each session of the Assembly there shall be a Steering Committee to be appointed by the Council. The Steering Committee shall consist of the President of AVA, the Secretary-General and not more than three (3) other members to be designated by the Council. The Steering Committee shall be responsible for preparing the agenda and other details relating to the session of the Assembly subject to the direction of the Council.
9. The Council may determine the amount of any congress/conference fees which may be planned together with the Assembly and the manner of their payment.
10. Deliberations of the Assembly, the Council and of any Committee of AVA other than the National Committee shall be conducted in English. Deliberation of the National Committee can be conducted in the national language of that country.
11. No person, other than a duly appointed representative of a member of AVA may address the Assembly, Council or any committee thereof except upon the permission of the President or Chairman or at the invitation of the Council.
12. Voting on any motion at the General Assembly shall be by a show of hands unless secret ballot is requested by any representatives of the Institutional Members present.
13. Each Institutional Members present is entitled to one (1) vote.
14. No voting by proxy is allowed.

HONORARIUM AND EXPENSES

15. The Secretary-General shall receive an honorarium to be determined by the Council from time to time and shall be reimbursed for any expenses officially incurred.
16. No other officers of AVA shall be entitled to any salary of honorarium but may be reimbursed for any expenses actually incurred on account of AVA; subject to the approval of the Governing Council.

DEFAULTERS

17. Any Institutional member who is in arrear of its dues or levies shall have its rights and privileges of membership suspended.

REPRESENTATION

18. Each Institutional Member shall be entitled to send seven (7) representatives to the Assembly.

SEAL OF THE ASSOCIATION

19. AVA shall have a seal the form of which shall be determined by the Council. The seal shall not be affixed to any instrument or document except on a resolution of the Council and shall be attested by the Secretary-General.