



MOTIONS TO AMEND THE 2021 EIZ CONSTITUTION

SATURDAY 29 JULY 2023

PROTEA HOTEL NDOLA 09:00

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MOTION 1: TO AMEND ARTICLE IV .

Article	IV
Clause/ SUB Clause	3(C)
CURRENT READING	has been engaged in dishonest, fraudulent, or deceitful conduct
MOTION	It is hereby proposed and recommended that Article be amended to clearly state the body that makes the determination.
Members Motivation	To clearly state the body that makes the determination.
PROPOSED READING	“has engaged in dishonest, fraudulent, or deceitful conduct as determined by the Disciplinary Committee as prescribed in the EIZ Act No 17 of 2010”

MOTION 2: TO AMEND ARTICLE IV

SECTION	Article IV
Clause/ SUB Clause	3(2)(a)(i)
CURRENT READING	“A statutory corporation, company, firm, partnership, association, or other body corporate or unicorporate body involved in engineering may apply to the Institution...”
MOTION	It is hereby proposed and recommended that said clause be revised to correct the word unincorporate to unincorporate.
Members Motivation	To correct the word unincorporate to unincorporate.
PROPOSED READING	“A statutory corporation, company, firm, partnership, association, or other body corporate or unincorporate body involved in engineering may apply to the Institution...”

MOTION 3: TO AMEND ARTICLE IV

SECTION	Article IV
Clause/ SUB Clause	Section 5 sub clause 4
CURRENT READING	An Honorary Member and Life Member shall be exempt from paying subscription fees and shall enjoy other privileges as the Institution may approve at a general meeting from time to time.
MOTION	It is hereby recommended that the said clause be revised to include past presidents, as this is the current practice.
Members Motivation	To include past presidents, as this is the current practice.
PROPOSED READING	An Honorary Member, a Life Member and a past President shall be exempt from paying subscription fees and shall enjoy other privileges as the Institution may approve at a general meeting from time to time.

MOTION 4: TO AMEND ARTICLE IV

SECTION	Article IV -
Clause/ SUB Clause	3(3)(a)(iii)(c)
CURRENT READING	“Lecturing or teaching at a recognized university , institute or school for at least ten years in a responsible position”
MOTION	It is hereby proposed and recommended that said clause be revised to replace the listed institutions by the word “institution” so that it is all encompassing and not restrictive, and also adding “acceptable to Council”.
Members Motivation	So that it is all encompassing and not restrictive, and also adding “acceptable to Council”.
PROPOSED READING	“Lecturing or teaching at a recognized institution for at least ten years in a responsible position acceptable to Council ”

MOTION 5: TO AMEND SECTION IV

SECTION	Article IV
Clause/ SUB Clause	8(a)
CURRENT READING	“has attained the age of sixty years;
MOTION	It is hereby proposed and recommended that the said clause be amended to increase the age from 60 years to 65 to conform to the statutory retirement age as follows:
Members Motivation	To increase the age from 60 years to 65 to conform to the statutory retirement age for qualification as a life member.
PROPOSED READING	“has attained the age of sixty-five (65) years ”;

MOTION 6: TO AMEND ARTICLE IV

SECTION	Article IV Page 13
Clause/ SUB Clause	5(3)
CURRENT READING	“An Honorary Member, a Life Member who is no longer in practice and a Members”
MOTION Members Motivation	It is hereby proposed and recommended that the said clause be revised by addition of another clause as clause 11(6). This is to be consistent with good corporate governance
PROPOSED READING	“An Honorary Member and a Life Member who is no longer in practice shall not hold an elective office in the institution”.

MOTION 7: TO AMEND ARTICLE IV

SECTION/ ARTICLE	SECTION IV - MEMBERSHIP
Clause/ SUB Clause	(6)(2)(h) page 13
CURRENT READING	<p>“A member whose annual subscription is more than six months in arrears shall be notified, and in the event that the Member continues in arrears for up to one year, the Member may, by resolution of the Council, be excluded from the Institution and the Member shall cease to be a Member and the Member's name shall be erased from the register, except that the erasure shall not relieve the Member from liability for the payment of the arrears of subscriptions with penalties”.</p>
<p>MOTION</p> <p>Members Motivation</p>	<p>It is hereby proposed and recommended that the said clause be revised to clarify that arrears cease to accrue after a member’s erasure from the register.</p> <p>To clarify that arrears cease to accrue after a member’s erasure from the register.</p>
PROPOSED READING	<p>“A member whose annual subscription is more than six months in arrears shall be notified, and in the event that the member continues to be in arrears for up to one year, the member may, by resolution of the Council, be removed from the Institution; the member shall cease to be a member and the member's name shall be erased from the register, except that the erasure shall not relieve the member from liability for the payment of the arrears of subscriptions with penalties accrued during the period before being erased from the register. No arrears or penalties shall accrue after erasure of the member from the register”. The Council may have the option of reporting such a member to the Disciplinary Committee.</p>

MOTION 8: TO AMEND ARTICLE IV

SECTION/ ARTICLE	ARTICLE IV -
Clause/ SUB Clause	(6)(2)(c) Page 13
CURRENT READING	Membership subscription fees shall be fixed at a general meeting on recommendations by the Council.
MOTION Members Motivation	It is hereby proposed and recommended that the said clause be amended to provide guidance-regarding adjustment of subscription fees. To provide guidance regarding adjustment of subscription fees.
PROPOSED READING	“Membership subscription fees shall be determined by Council and ratified at a general meeting. Membership fees may be adjusted annually in accordance with the prevailing inflation. ”

MOTION 9: TO AMEND ARTICLE IV

SECTION/ ARTICLE	ARTICLE IV – Cessation of Membership
Clause/ SUB Clause	6(1)(f) Page 14
CURRENT READING	(1) A Member shall cease to be a Member- (a) if the Member resigns by notice in writing to the Institution; (b) on recommendation of the Disciplinary Committee; (c) if the Member dies; (d) if the Member is an undischarged bankrupt; (e) if the Member fails to pay the membership subscription fee, in accordance with clause 6 (2) (h); (f) if the Council is satisfied that the continuation of a person as a Member will be prejudicial to the interests of the engineering profession.
MOTION	It is hereby proposed and recommended that clause (f) be deleted, as removal of a member from the institution should follow the already provided for processes.
Members Motivation	Removal of a member from the institution should follow the already provided for processes.
PROPOSED READING	A Member shall cease to be a Member- (a) if the Member resigns by notice in writing to the Institution; (b) on recommendation of the Disciplinary Committee; (c) if the Member dies; (d) if the Member is an undischarged bankrupt; (e) if the Member fails to pay the membership subscription fee, in accordance with clause 6 (2) (h);

MOTION 10: TO AMEND ARTICLE V

SECTION/ ARTICLE	ARTICLE V -
Clause/ SUB Clause	(2)(3)
CURRENT READING	An Extraordinary General Meeting of the Institution may, on giving Council not less than fourteen days' notice, be requested by fifty Members who are entitled to vote at a general meeting, of whom at least ten shall be Fellows, and the agenda for the Extraordinary General Meeting shall be communicated to the Council at the time of the request.
MOTION	It is hereby proposed and recommended that the said clause be revised to reflect the increase in membership and to thus increase the threshold needed for calling an EGM.
Members Motivation	To reflect the increase in membership and to thus increase the threshold needed for calling an EGM
PROPOSED READING	“An Extraordinary General Meeting of the Institution may, on giving Council not less than fourteen days' notice, be requested by five hundred (500) members who are entitled to vote at a general meeting, of whom at least fifty (50) shall be Fellows , and the agenda for the Extraordinary General Meeting shall be communicated to the Council at the time of the request”.

MOTION 11: TO AMEND ARTICLE IV

SECTION/ ARTICLE	ARTICLE VI
Clause/ SUB Clause	6
CURRENT READING	None-Add a new clause under 7
MOTION	It is hereby proposed and recommended that a new clause is added under 7 to provide recourse should the whole council not be able to function.
Members Motivation	To provide recourse should the whole council not be able to function.
PROPOSED READING	<p>If an incumbent Council is unable to perform the functions of the Institution for reasons connected but not limited to:</p> <ul style="list-style-type: none"> (a) Failure to hold elections following lapse of tenure of council due to force majeure; (b) Legal order (c) Demise of the whole Council; (d) Resignation of the whole Council; <p>the Registrar shall manage the affairs of the Institution for administrative convenience. The Registrar shall convene an EGM within ninety (90) days to elect a new Council.</p>

MOTION 12: TO AMEND ARTICLE IX

SECTION/ ARTICLE	IX
Clause/ SUB Clause	1(a)
CURRENT READING	<p>(1) The Nominations and Elections Committee (NEC)</p> <p>(a) The NEC shall consist of the following members:</p> <p>(i) a representative from Transparency International Zambia as the Chairperson;</p> <p>(ii) a representative from the Law Association of Zambia as the Vice Chairperson;</p> <p>(iii) a representative from the Electoral Commission of Zambia;</p> <p>(iv) a Life Member; (v) a Fellow; (vi) a Professional Engineer; (vii) a Technologist; (viii) a Technician; and (ix) a Craftsperson.</p>
MOTION Members Motivation	<p>It is hereby proposed and recommended that the composition of NEC be amended to retain EIZ leadership and ownership of the process but with neutrality.</p> <p>To retain EIZ leadership and ownership of the process but with neutrality.</p>
PROPOSED READING	<p>(1) The Nominations and Elections Committee (NEC), (a)The NEC shall consist of 8 members as follows:</p> <p>(i) a Chairperson who is a Fellow of the EIZ; (ii) a representative from Transparency International Zambia (TIZ); (iii) a representative from the Law Association of Zambia (LAZ); (iv) a representative from the Electoral Commission of Zambia (ECZ); and (v) four(4) other EIZ representatives appointed by Council.</p> <p>The Vice Chairperson shall be appointed by Council from the LAZ or TIZ representatives.</p>

MOTION 13: TO AMEND ARTICLE IX

SECTION/ ARTICLE	ARTICLE IX
Clause/ SUB Clause	2
CURRENT READING	<p>(2) The Ethics and Integrity Committee</p> <p>(a) The Ethics and Integrity Committee shall consist of the following members:</p> <p>(i) a representative of the Law Association of Zambia as Chairperson; (ii) a Fellow; and (iii) four other Members of the Institution.</p> <p>(b) The members of the Ethics and Integrity Committee shall be elected, except for the Chairperson.</p> <p>(c) The members of the Ethics and Integrity Committee shall serve for a term of two years and may be re-nominated or elected for a further and final term of two years.</p> <p>(d) The Ethics and Integrity Committee shall-</p> <p>(i) investigate cases of breach of the ethics and code of conduct and determine whether a matter can be disposed of by the Ethics and Integrity Committee or can be referred to the Council for onward submission to the Disciplinary Committee, in the case of engineering professional, an engineering organisation or engineering unit; and</p> <p>(ii) deal with petitions relating to a nomination or election in the Institution.</p>
MOTION	It is hereby recommended and proposed that the said clause be repealed to replace the Ethics and Integrity Committee with the elections appeals body and align its function.
Members Motion	To replace the Ethics and Integrity Committee with the elections appeals body and align its function.
PROPOSED READING	<p>There shall be an elections appeals body comprising representatives from;</p> <p>(i) Law Association of Zambia (LAZ) as Chairperson; (ii) Electoral Commission of Zambia (ECZ); and</p> <p>(iii) Three (3) Fellows from EIZ appointed by the Council appointed alongside NEC for a period of 2 years.</p> <p>to deal with petitions relating to nominations or elections in the Institution.</p>

MOTION 14: AMEND ARTICLE X

SECTION/ ARTICLE	ARTICLE X - SECTIONS, REGIONS AND BRANCHES
Clause/ SUB Clause	1(3) and3(3)
CURRENT READING	<p>The management and control of each branch shall be vested in a committee elected every two years by that branch and the Chairperson of the committee shall be a Fellow, Professional Engineer, Incorporate Engineer, Professional Technologist or Certified Technician.</p>
<p>MOTION</p> <p>Members Motivation</p>	<p>It is hereby proposed and recommended that sub clause be amended to the effect that branch executive Committees should appointed by Council:</p> <p>The current system of holding elections still ends up with most positions not filled and Council still ends up filling the positions.</p>
PROPOSED READING	<p>1(3)The management and control of each branch shall be vested in a committee appointed by Council every two years and the Chairperson of the committee shall be a Fellow, Professional Engineer, Incorporate Engineer, Professional Technologist or Certified Technician & the Vice Chairperson shall be a Fellow, Professional Engineer, Incorporate Engineer, Professional Technologist , Certified Technician or Master Craftsperson.</p> <p>3(3)The management and control of each Section shall be vested in a committee elected by that section every two years and the Chairperson of the committee shall be a Fellow or Professional Engineer, as appropriate and that section shall focus on CPD for that particular field.</p>

MOTION 15: AMEND ARTICLE X

SECTION/ ARTICLE	ARTICLE X (PROCEDURE FOR FORMING A SECTION, REGION OR BRANCH)
Clause/ SUB Clause	Entire Annexure
CURRENT READING	4(4,7,11)
MOTION	It is hereby proposed and recommended that the said clauses be amended to the effect that probation period for sections and branches is changed to 1 year from 2 years
Members Motivation	1 year is sufficient to confirm a section or branch
PROPOSED READING	<p>(4) The Council shall consider the petition submitted in accordance with sub-clause (2) and where the Council considers it appropriate, the Council shall approve a request to establish a probationary section or branch for a period of not more than one year. (7) At any time within One-year probationary period, the Council may approve the formation or dissolution of a probationary section.</p> <p>(7)At any time within the one-year probationary period, the Council may approve the formation or dissolution of a probationary section or branch</p> <p>(11) A section or Branch may be discontinued by the Council by petition fifty (50) members eligible to vote and in good standing.</p>

MOTION 16: AMEND ARTICLE X

SECTION/ ARTICLE	ARTICLE X – RESPONSIBILITIES OF A SECTION, BRANCH OR REGION SECRETARY
Clause/ SUB Clause	6
CURRENT READING	The following shall be the duties of a section, branch or region secretary:
<p data-bbox="165 515 333 554">MOTION</p> <p data-bbox="165 689 550 728">Members Motivation</p>	<p data-bbox="690 515 2410 611">It is hereby proposed and recommended that the Preamble is included to the said clauses in order to emphasize that office bearers ought to be in good standing.</p> <p data-bbox="690 743 1625 782">To emphasize that office bearers ought to be paid up.</p>
PROPOSED READING	All committees and section members should be in good standing. The following shall be the duties of a section, branch or region secretary:

MOTION 17: AMEND ARTICLE XI

SECTION/ ARTICLE	ARTICLE XI- AMENDMENTS OF THE CONSTITUTION
Clause/ SUB Clause	4 & 5
CURRENT READING	<p>(4) The Registrar shall ascertain that the notice to amend the constitution is properly before the Registrar, and shall, on ascertaining that the notice is properly before the Registrar, forward the notice to an ad hoc Constitution Review Committee to-</p> <p>(5) The Registrar shall, on completion of the review of the Constitution Review Committee, call for an Extraordinary General Meeting or include the item on the agenda of the next Annual General Meeting of the Institution, as appropriate.</p>
MOTION	It is hereby proposed and recommended that the clauses are rephrased to read properly but maintain the context.
PROPOSED READING	<p>(4) The Registrar shall ascertain that the notice to amend the constitution is properly before the Registrar, and forward the notice to an ad hoc Constitution Review Committee to-</p> <p>(5) The Registrar shall, on completion of the review of the Constitution by the Constitution Review Committee, call for an Extraordinary General Meeting or include the item on the agenda of the next Annual General Meeting.</p>

MOTION 18: AMEND ANNEXURE 1

SECTION/ ARTICLE	Annexure 1 Conduct of Institution meeting Rules-Agenda
Clause/ SUB Clause	(7)(3)
CURRENT READING	The chairperson of the meeting shall have absolute discretion as to the business to be admitted under the item “any other business” except that “any other business” shall be for discussion only and a resolution shall not be moved or adopted under this item.
MOTION	It is hereby proposed and recommended that this clause is completely removed.
Members Motivation	The matters can be dynamic and most times they can be dealt with administratively within the responsibilities of the Chairperson.
PROPOSED READING	None

MOTION 19: AMEND ANNEXURE 1

SECTION/ ARTICLE	Annexure 1 Conduct of Institution meeting Rules-
Clause/ SUB Clause	(7)(4)
CURRENT READING	Business shall not be transacted at an adjourned meeting
MOTION	It is hereby proposed and recommended that this clause is revised to provide clarity;
PROPOSED READING	New business shall not be transacted at an adjourned meeting.

MOTION 20: AMEND ANNEXURE 1

SECTION/ ARTICLE	Annexure 1 Conduct of Institution meeting Rules-
Clause/ SUB Clause	(8)(1)
CURRENT READING	A resolution or an amendment to the resolution shall be put to a vote if it is proposed and seconded except that a resolution or amendment may be proposed, on behalf of the Council, without a seconder by a member of the Council.
MOTION	It is hereby proposed and recommended that this clause is split into 2 and revised to provide clarity
PROPOSED READING	<p>1(a)“A resolution or an amendment to the resolution shall be adopted if it is proposed and seconded, except that if a resolution or amendment is not adopted, it shall be put to a vote and will require a majority vote for adoption.</p> <p>1(b) A resolution or amendment that is proposed by a member of Council on behalf of Council does not require a secondment by another member of Council. All proposals by Council shall be subject to a vote and shall require a majority vote for adoption.</p>

MOTION 21: AMEND ANNEXURE 1

SECTION/ ARTICLE	Annexure 1
Clause/ SUB Clause	(9)(1)
CURRENT READING	An amendment to a motion on the Agenda that seeks to amend the Institution's constitution or any rules under the constitution shall be in writing and submitted to the Registrar as provided under Article
MOTION	It is hereby proposed and recommended that this clause is revised to include the article being referred to;
PROPOSED READING	“An amendment to a motion on the Agenda that seeks to amend the Institution's constitution or any rules under the constitution shall be in writing and submitted to the Registrar as provided under Article XI ”

MOTION 22: AMEND ANNEXURE 1

SECTION/ ARTICLE	Annexure 1
Clause/ SUB Clause	Heading
CURRENT READING	First Annexure (Articles V and IX).
MOTION	It is hereby proposed and recommended that the Heading should be revised to just read First Annexure;
PROPOSED READING	1 st Annexure .

MOTION 23: AMEND ANNEXURE 1

SECTION/ ARTICLE	Annexure 1
Clause/ SUB Clause	9(2)
CURRENT READING	The chairperson may, at the chairperson's discretion, require any other amendment to a motion on the agenda to be in writing and handed to the chairperson.
MOTION	It is hereby proposed and recommended that the clause be amended to correct the word require to request;
PROPOSED READING	“The meeting may, at the Chairpersons discretion, request any other amendment to a motion on the agenda, and such request shall be submitted to the Chairperson in writing.

MOTION 24: AMEND ANNEXURE 1

SECTION/ ARTICLE	Annexure 1
Clause/ SUB Clause	9(3)
CURRENT READING	“An amendment may be removed by a member despite the member having spoken in debate.
MOTION	It is hereby proposed and recommended that the clause be amended to avoid prolonged discussions.
Members Motivation.	to avoid prolonged discussions where members fail to agree
PROPOSED READING	“An amendment may be moved by a member despite the member having spoken in debate. The chairperson of the meeting shall have the right to determine a prolonged debate.

MOTION 25: AMEND ANNEXURE 1

SECTION/ ARTICLE	Annexure 1
Clause/ SUB Clause	11(2)
CURRENT READING	“The chairperson may call the attention of the meeting to continual irrelevance, tedious repetition, unbecoming language or any breach of these Rules on the part of a participant and may direct the participant to discontinue the participant's speech”
MOTION Members Motivation	It is hereby proposed and recommended that the clause be amplified to include ejecting a member from the meeting; The Chairperson should be given authority to excuse a disgruntled member from the meeting.
PROPOSED READING	“The chairperson may call the attention of the meeting to continual irrelevance, tedious repetition, unbecoming language or any breach of these Rules on the part of a participant and may direct the participant to discontinue the participant's speech or to leave the meeting ”

MOTION 26: AMEND ANNEXURE 1

SECTION/ ARTICLE	Annexure 1
Clause/ SUB Clause	12(3)
CURRENT READING	In the event of a tie on the votes cast under sub-rule (2), the chairperson shall have a casting vote.
MOTION	It is hereby proposed and recommended that the clause be revised to provide clarity;
PROPOSED READING	“In the event of a tie on the votes cast under sub-rule (2), the Chairperson shall cast the deciding vote. The Chairperson shall not participated in the initial vote ”

MOTION 27: AMEND ANNEXURE 1

SECTION/ ARTICLE	Annexure 1
Clause/ SUB Clause	13
CURRENT READING	A suspension of these Rules shall be carried by the votes of at least two thirds of the members present and voting at the meeting.
MOTION	It is hereby proposed and recommended that the clause be revised to state simple majority; this is in order to simplify the process.
Members Motivation	this is in order to simplify the process and base the decision on the votes cast as opposed to the members present at the meeting.
PROPOSED READING	“A suspension of these Rules shall be decided by simple majority of votes cast by the members present and voting at the meeting.”

MOTION 28: AMEND ANNEXURE 2

SECTION/ ARTICLE	Annexure 2
Clause/ SUB Clause	Part I
CURRENT READING	“electronic voting” means casting a vote by means of an approved electronic device, as an alternative to manual voting;
MOTION	It is hereby proposed and recommended that the clause be revised to define online voting.
Members motivation	To broaden the scope that is lost in translation.
PROPOSED READING	Online voting, means a form of computer-aided voting in which voters make their selections with the aid of a computer, electronic device or mobile device as an alternative to manual voting;

MOTION 29: AMEND ANNEXURE 2

SECTION/ ARTICLE	Annexure 2
Clause/ SUB Clause	Part II(4)(2)
CURRENT READING	A candidate shall be resident in Zambia at the time of the election and have paid membership subscription fees by 31 December of the preceding year.
MOTION	It is hereby proposed and recommended that the clause be revised to remove the impression that it is enough for a member to be resident in Zambia only at the time of an election.
Members Motivation	to remove the impression that it is enough for a member to be resident in Zambia only at the time of an election
PROPOSED READING	A candidate shall be resident in Zambia and have paid membership subscription fees by 31 December of the preceding year.

MOTION 30: AMEND ANNEXURE 2

SECTION/ ARTICLE	Annexure 2
Clause/ SUB Clause	Part III 6(4)
CURRENT READING	(4) A nomination received after the day and time stipulated by the NEC under sub-rule (3) and in a place other than the designated places under sub-rule (3) shall be null and void.
MOTION	It is hereby proposed and recommended that the clause be revised to add a sentence and to the effect that applicants need to be notified of the status of their application.
Members motivation	Nominees need to be notified of the status of their applications.
PROPOSED READING	A nomination received after the day and time stipulated by the NEC under sub-rule (3) and in a place other than the designated places under sub-rule (3) shall be null and void. The Registrar shall communicate in writing the outcome of nominations within fourteen (14) days after receiving such nominations.

MOTION 31: AMEND ANNEXURE 2

SECTION/ ARTICLE	Annexure 2
Clause/ SUB Clause	Part II 6(6)
CURRENT READING	A sealed nomination form shall be lodged in the nomination box at the designated places as shall be advertised in the notice referred to under sub-rule (2).
MOTION	It is hereby proposed and recommended that the clause be revised to provide for electronic submission of forms, to read as follows: To provide for electronic submission of forms for members who may not be able to physically submit nominations
Members Motivation	
PROPOSED READING	A completed sealed nomination form shall be lodged in the nomination box at the designated places or a completed nomination form shall be submitted electronically as shall be advertised in the notice referred to under sub-rule (2).

MOTION 32: AMEND ANNEXURE 2

SECTION/ ARTICLE	Annexure 2
Clause/ SUB Clause	Part II 6(7)
CURRENT READING	The Registrar shall, on consideration of the nominations lodged by the NEC, inform the unsuccessful candidates.
MOTION Members Motivation	It is hereby proposed and recommended that the clause be amplified to include the period of notifying applicants. Nominees need to be notified of the status of their applications.
PROPOSED READING	The Registrar shall, on consideration of the nominations lodged by the NEC, inform the unsuccessful candidates within seven (7) working days of submission.

MOTION 33: AMEND ANNEXURE 2

SECTION/ ARTICLE	Annexure 2
Clause/ SUB Clause	Part II 6(8)
CURRENT READING	The unsuccessful candidates shall have seven days in which to lodge with the Registrar a complaint or appeal against the Nomination process.
MOTION Members Motivation	It is hereby proposed and recommended that the clause be amplified to include the period for notifying applicants; Nominees need to be notified of the status of their applications.
PROPOSED READING	The unsuccessful candidates may lodge with the Registrar a complaint or appeal against the nomination process within seven (7) working days .

MOTION 34: AMEND ANNEXURE 2

SECTION/ ARTICLE	Annexure 2
Clause/ SUB Clause	Part II 6(9)
CURRENT READING	A complaint or appeal referred to under sub-rule (8) shall be heard by the Ethics and Integrity Committee whose decision shall be final.
MOTION	It is hereby proposed and recommended that the clause be removed completely and replaced by the formation of the elections appeals body.
Members Motivation	Replaced by the formation of the elections appeals body.
PROPOSED READING	None

MOTION 35: AMEND ANNEXURE 2

SECTION/ ARTICLE	Annexure 2
Clause/ SUB Clause	Part II (8)(2)
CURRENT READING	8. (2) A candidate or the candidate's representative is free to witness the opening of the nomination box and shall sign an attendance register.
MOTION	It is hereby proposed and recommended that the clause be amplified to provide for virtual attendance, to read as follows: To provide for virtual attendance.
Members Motivation	
PROPOSED READING	8. (2) A candidate or the candidate's representative is free to witness the opening of the nomination box physically or virtually and shall sign an attendance register if present physically or an electronic register if attendance is by virtual means.

MOTION 36: AMEND ANNEXURE 2

SECTION/ ARTICLE	Annexure 2
Clause/ SUB Clause	Part II (9)(2)f
CURRENT READING	The NEC shall declare a nomination invalid if the nomination form- (f) none
MOTION	It is hereby proposed and recommended that a clause be added as (f) to read as follows;
Members Motivation	To ensure that members seeking elective office have been consistent members of the Institution
PROPOSED READING	9. 2 (f) if the nominee has not been a paid up member of the institution for at least three consecutive years preceding the nomination or election.

MOTION 37: AMEND ANNEXURE 2

SECTION/ ARTICLE	Annexure 2
Clause/ SUB Clause	Part III- ELECTIONS (14)
CURRENT READING	None
MOTION	It is hereby proposed and recommended that a clause be added to Include a statement on online voting in these procedures to read as follows: To provide clarity in how all allowable options for voting will be handled
Members Motivation	
PROPOSED READING	14. (1) An eligible Member shall be issued with a ballot paper for voting or an electronic equipment (gadget), including access credentials and a security password to facilitate online voting.

MOTION 38: AMEND ANNEXURE 2

SECTION/ ARTICLE	Annexure 2
Clause/ SUB Clause	Part III- (20)
CURRENT READING	(20) The Registrar shall retain the marked packets received under rule 18 and the report referred to under rule 18 for a period of seven days beginning the day after the election results are declared.
MOTION	It is hereby proposed and recommended that a clause be revised to provide for keeping of online records as follows: To provide for keeping of online records.
Members Motivation	
PROPOSED READING	The Registrar shall retain the marked packets and online records received under Rule 18 and the report referred to under Rule 18 for a period of seven days which begins the day after the election results are declared.

MOTION 39: AMEND ANNEXURE 2

SECTION/ ARTICLE	Annexure 2
Clause/ SUB Clause	Part IV- (22)
CURRENT READING	(1) A candidate or Member who when canvassing for votes, produces material that is seditious or issues a statement calculated to incite hatred or ridicule against another Member.
MOTION	It is hereby proposed and recommended that a clause be revised to provide for canvassing as follows: To benchmark with likeminded professional bodies
Members Motivation	
PROPOSED READING	1) A candidate may canvass through the use of online and social media platforms such as Facebook, Twitter, WhatsApp, Telegram as well as through physical meetings and other modern means. 2) A candidate or representative of a candidate, when canvassing for votes, shall not produce material that is seditious, or issue libelous statements aimed to incite hatred or ridicule against other candidates.

MOTION 40: AMEND ANNEXURE 2

SECTION/ ARTICLE	Annexure 2
Clause/ SUB Clause	Part IV- (23)5
CURRENT READING	(5) An election petition shall be disposed of within three months from the date of the petition.
MOTION	It is hereby proposed and recommended to reduce the period to thirty (30) day
Members Motivation	90 days is too long a time to dispose off a case.
PROPOSED READING	(5) An election petition shall be disposed of within thirty (30) days from the date of the petition.

MOTION 41: AMEND ANNEXURE 2

SECTION/ ARTICLE	Annexure 2 VII & IX
Clause/ SUB Clause	(12)(1-4)
CURRENT READING	12. (1) An election shall be conducted in a manner as the NEC may direct. (2) An election shall be conducted at an elective general meeting and shall constitute part of the business of the general meeting and an adjournment to the general meeting. (3) Where an elective general meeting is conducted virtually as determined by the Council, the elections shall be conducted through electronic voting. (4) These Rules shall, with the necessary modifications, apply to a virtual elective general meeting and electronic voting.
MOTION	It is hereby proposed and recommended that the clause be overhauled to remove (1), (2), (3) & (4); include additional statements, to read as follows:
Members Motivation	The Council is the Supreme body of the Institution and is expected to discharge its duties responsibly. Creating a body that cannot converge with the supreme body can break down the structures of the Institution defined in the Act with respect to hierarchy and control.
PROPOSED READING	<p>12 (1) At least 12 weeks before the elections, the NEC shall recommend to Council the mode and manner in which the elections will be conducted in accordance with the electoral rules and procedures</p> <p>(2) The Registrar shall ensure that the legal notice is circulated to the general membership not less than 10 weeks before the date of the elections.</p> <p>12 (3) In the case of Sections, at least 6 weeks before the elections, the NEC shall recommend to Council the mode and manner in which the elections will be conducted in accordance with the Constitution.</p> <p>(4) The Registrar shall ensure that the legal notice is circulated to the general membership not less than 4 weeks before the elections.</p>

MOTION 42: AMEND ANNEXURE 2

SECTION/ ARTICLE	Annexure 2 VII & IX
Clause/ SUB Clause	(13)
CURRENT READING	13. The NEC shall ensure that- (a) there are sufficient ballot boxes and ballot papers; (b) there is sufficient equipment for online voting , when necessary;
MOTION	It is hereby proposed and recommended that the clauses be combined as follows:
Members Motivation	The clause attempts to communicate the same things
PROPOSED READING	13. The NEC shall ensure that- there are sufficient ballot boxes and ballot papers during manual voting or in the case of online voting, that sufficient arrangements have been made.

MOTION 43: AMEND ANNEXURE 2

SECTION/ ARTICLE	Annexure 2 VII & IX
Clause/ SUB Clause	(14)
CURRENT READING	none
MOTION	It is hereby proposed and recommended that a clause on the period of voting be included as follows;
Members Motivation	As the interests in elections begin to grow among members coupled with online voting, voting cannot be tied to the short period during the AGM. It could start earlier and end on the day of the AGM.
PROPOSED READING	14(4) The voting period shall be a as provided for in the Legal Notice. (b) Early voting may be allowed as prescribed in the Legal Notice. Article VII_ Elections Clause 2, subclause (2) on Handover shall thus be amended to read; The dissolution of the Council shall be the last item on the general meeting agenda.

MOTION 44: AMEND ANNEXURE 2

SECTION/ ARTICLE	Annexure 2 VII & IX
Clause/ SUB Clause	(15)3
CURRENT READING	(3) In the case of votes cast electronically, the NEC shall appoint qualified people to examine and ascertain the number of votes cast for each candidate in each position.
MOTION	It is hereby proposed and recommended that the clause be amended to give Registrar jurisdiction to appoint independent observers.
Members Motivation	This is the current practice administratively.
PROPOSED READING	The Registrar shall appoint independent observers and ratified by Council.

MOTION 45: AMEND ANNEXURE 2

SECTION/ ARTICLE	Annexure 2 VII & IX
Clause/ SUB Clause	(23)3
CURRENT READING	The Registrar shall, on receipt of the petition under sub-rule(2), submit the petition to the Ethics and Integrity Committee that shall make a ruling based on the evidence presented by the aggrieved candidate.
MOTION	It is hereby proposed and recommended that the clause be amended and remove clause (3) since there is a proposal for the appeals body, as follows: The proposed appeals body will handle petitions
Members Motivation	
PROPOSED READING	23(3) The Registrar shall, on receipt of the petition under sub-rule (2), submit the petition to the Elections Appeals body that shall make a ruling based on the evidence presented by the aggrieved candidate. This shall be subject to the Election Rules in the Constitution.

MOTION 46: ARTICLE II Interpretation

SECTION/ ARTICLE	II Interpretation
Clause/ SUB Clause	Definition
CURRENT READING	good standing” means a Member who is fully paid up for the current year as at 31st December of the preceding year and a Member who pays after 31 December of the preceding year shall be in good standing after thirty working days from the date of payment;
MOTION	It is hereby proposed and recommended that a clause revised to reduce the cooling off period from 30 to 15 days.
Members Motivation	The 30 days period is punitive for a member who had decided to comply
PROPOSED READING	good standing” means a Member who is fully paid up for the current year as at 31st December of the preceding year and a Member who pays after 31 December of the preceding year shall be in good standing after Fifteen (15) working days from the date of payment;

MOTION 47: AMEND ARTICLE IX - COMMITTEES OF INSTITUTION

SECTION/ ARTICLE	ARTICLE IX - COMMITTEES OF INSTITUTION
Clause/ SUB Clause	Clause 1 and 2
CURRENT READING	The clause provides for the NEC and Ethics and Integrity Committee
<p data-bbox="165 535 331 578">MOTION</p> <p data-bbox="165 706 547 749">Members Motivation</p>	<p data-bbox="690 535 1872 578">It is hereby proposed and recommended that the clause be deleted</p> <p data-bbox="690 706 2356 863">The Council is the body of the Institution as per the establishment of the Act and cannot be subordinate to another. Creating a body that cannot converge with the supreme body can break down the structures of the Institution defined in the Act with respect to hierarchy and control.</p> <p data-bbox="690 899 2331 999">The duties of the Organs in question have been provided for under the proposed amendments above.</p>
PROPOSED READING	None

MOTION 48: AMEND ARTICLE VII - ELECTIONS

SECTION/ ARTICLE	ARTICLE 7-
Clause/ SUB Clause	Clause 7 (2)(2)
CURRENT READING	The dissolution of the Council and elections shall be the last item on the general meeting agenda.
MOTION	It is hereby proposed and recommended that the clause be amended to remove elections as agenda of the AGM
Members Motivation	The elections will no longer be the Agenda of the General meeting but will be prescribed in the Legal notice
PROPOSED READING	The dissolution of the Council shall be the last item on the general meeting agenda.

MOTION 49: AMEND PART III - ELECTIONS

SECTION/ ARTICLE	PART III - ELECTIONS
Clause/ SUB Clause	Clause 12 (5)
CURRENT READING	A candidate shall be given an opportunity to speak for five minutes at an elective general meeting for the purpose of introducing themselves to the voters.
MOTION	It is hereby proposed and recommended that the clause repealed to be consistent with the proposed inclusion of canvassing in motion 41and to further allow NEC to arrange for 1 Presidential debate for Presidential Candidates and Vice Presidential Candidates.
Members Motivation	The elections will no longer be an Agenda of the General meeting and candidates will have enough opportunity to canvass face to face with the general membership.
PROPOSED READING	a)There shall be a mandatory presidential and vice presidential debate. Candidates for President and Vice President shall be given an opportunity to present their ideas for candidature during the presidential debate that shall be arranged by NEC before elections.

MOTION 50: AMEND ARTICLE IV - MEMBERSHIPS

SECTION/ ARTICLE	ARTICLE IV - MEMBERSHIPS
Clause/ SUB Clause	Clause 5 (e)
CURRENT READING	<p>The crafts persons category shall consist of the following classes of membership:</p> <ul style="list-style-type: none"> (a) Master Craftsperson; (b) Full Craftsperson; (c) Trainee Craftsperson; and (d) Student Craftsperson. (e) Skilled Persons
MOTION	<p>It is hereby proposed and recommended that the clause repealed to delete (e) and create a sub clause indicating a different membership class</p> <p>Council has prerogative as per the act to create a class</p>
Members Motivation	
PROPOSED READING	<p>Clause (6) The Skills persons category shall consist of the following classes of membership:</p> <ul style="list-style-type: none"> (a) Skilled Persons

MOTION 51: AMEND ARTICLE IV - MEMBERSHIPS

SECTION/ ARTICLE	PREAMBLE
Clause/ SUB Clause	None
CURRENT READING	<p>We, the Members of The Engineering Institution of Zambia, declare and establish this constitution to secure and preserve the principles of our aims and to govern the Institution in an orderly manner. The official copy of the constitution, as verified by the Council, shall be the version in the custody of the Registrar. This official copy will be uploaded on the Institution's website.</p> <p>We, the Members of the Engineering Institution of Zambia submit ourselves to the constitution here established.</p>
MOTION	<p>It is hereby proposed and recommended that the clause repealed to delete (e) and create a sub clause indicating a different membership class</p> <p>Council has prerogative as per the act to create a class</p>
Members Motivation	
PROPOSED READING	<p>The official copy of the constitution, as verified by the Council, shall be the version in the custody of the Registrar, The President and Vice Presidents. This official and signed copy will be uploaded on the Institution's website.</p>

END

Email feedback to **crc@eiz.org.zm**