



By-laws of The AusIMM  
Board of Chartered Professionals



# By-laws

of The AusIMM Board Chartered Professionals

## 1 Definitions

In these By-laws, unless the context otherwise requires:

- a 'AusIMM' means The Australasian Institute of Mining and Metallurgy
- b 'Board of The AusIMM' means the Board of The AusIMM, or any other governance body that in the future may be responsible for the management of The AusIMM
- c 'CP Board' means The AusIMM Board of Chartered Professionals
- d 'Chair' means the Chair of the CP Board
- e 'CPP' means Chartered Professional Program
- f 'CP' means Chartered Professional
- g 'PD' means Professional Development
- h 'Guidelines' means the Guidelines that the CP Board, at its sole discretion, publishes from time to time setting out the criteria, procedures and regulations pertaining to The AusIMM's Chartered Professional program
- i 'Secretary' means the Secretary of the CP Board
- j 'Secretariat' means the Secretariat of the CP Board
- k 'Core Discipline' means one of the technical disciplines in which professionals can be accredited.
- l 'Sponsor' means a person supporting a chartered professional application. This person is required to provide a referee statement in support of the application. The term 'referee' may be used interchangeably here.

## 2 Objectives

The objectives of the CP Board are to implement and manage The AusIMM's Chartered Professional program and in particular:

- a *to ensure the aims and objectives of The AusIMM in regards to its Chartered Professional program are met*

- b *to promote and to ensure adherence to the highest possible standards of competence, conduct and continuing development amongst The AusIMM's Chartered Professionals*
- c *to protect The AusIMM and its Chartered Professionals from the actions of persons or organisations that might erode the Chartered Professional standards of conduct and probity*
- d *to maintain a register of Chartered Professionals*
- e *to act for Chartered Professionals in matters of common concern*
- f *to promote the interests of its Chartered Professionals by maintaining and enhancing their status.*

## 3 Chartered Professional Disciplines

- 3.1 The CP Board accredits professionals in the disciplines of Environment, Geology, Management, Mining Engineering, Metallurgy and Geotechnical Engineering (Mining).
- 3.2 Environment, Geology, Metallurgy, Mining Engineering and Geotechnical Engineering (Mining) are the Chartered Professional Core Disciplines.
- 3.3 The detailed competence and admission criteria applicable to the categories of Chartered Professionals and admission to them are set out in the Guidelines approved and published by the CP Board.

## 4 Eligibility for CP Accreditation

A person shall be eligible for admission to Chartered Professional accreditation and to remain a Chartered Professional if they meet the following requirements:

- 4.1 The person is a financial corporate member of The AusIMM.

- 4.2 The person has a minimum of five years of relevant professional experience in the discipline for which the person seeks Chartered Professional accreditation.
- 4.3 The person fulfils the relevant criteria set out in these By-laws.
- 4.4 The person fulfils the relevant criteria set out in the Guidelines that the CP Board, at its sole discretion, publishes from time to time, setting out the criteria, procedures and regulations pertaining to The AusIMM's CP program.
- 4.5 The person fulfils any other CP Board requirements.

## 5 'Grandfather' Clauses

By virtue of the decision of the Board of The AusIMM of 3 December 1999, the following corporate members of The AusIMM were given the opportunity to be accredited as Chartered Professionals:

- 5.1 A member of The AusIMM who was granted Chartered Practising status prior to 3 December 1999, will be accredited in the same CP category in which that person was previously accredited CPP. An AusIMM member granted CP accreditation under this clause is not eligible for CP accreditation under clauses 5.2 or 5.3.
- 5.2 A person who on 15 March 2000 was a member of the Mineral Industry Consultants Association, if the Board of Management of that Association both certified and recommended that person for Chartered Professional accreditation in one and only one discipline. An AusIMM member granted CP accreditation under this clause is not eligible for CP accreditation under clauses 5.1 or 5.3.
- 5.3 A Fellow of The AusIMM who applied for admission to one and only one CP discipline not later than 10 November 2000. An AusIMM member granted CP accreditation under this clause is not eligible for CP accreditation under clauses 5.1 or 5.2.

## 6 Register of Chartered Professionals

- 6.1 The CP Board compiles, maintains and publishes a Register of Chartered Professionals that lists all accredited Chartered Professionals and, in each case, their:
  - a title and full name
  - b AusIMM membership grade
  - c Chartered Professional discipline and month and year of Chartered Professional accreditation
  - d address, telephone, facsimile number(s) and email address
  - e any other detail about the qualifications and professional experience of the Chartered Professional that the CP Board may consider reasonable to include in the Register.
- 6.2 At the sole discretion of the CP Board, the Register, additions and/or deletions to it may be published in part or in full both in printed form and in any other medium form the CP Board may decide upon.

## 7 Admission to CP Accreditation

- 7.1 *Applications* for accreditation as a Chartered Professional shall be made on the prescribed *application form*, on which the applicant shall give an undertaking to abide by these By-laws, the Code of Ethics of The AusIMM and any other Code in force in The AusIMM.
- 7.2 Each applicant for Chartered Professional accreditation will specify the Chartered Professional discipline for which accreditation is sought.

- 7.3 Each applicant for Chartered Professional accreditation shall furnish with the *application form* the names and addresses of three sponsors who shall be Chartered Professionals or, failing those by order of preference, Fellows of The AusIMM or professionals that, in the opinion of the CP Board, are of comparable standing, and who are in a position to assess the applicant's work in the discipline of CP accreditation which is being sought. The CP Board, at its entire discretion, may request a confidential report from the sponsors in such a form and content as it may decide from time to time.
- 7.4 *Application forms* and their supporting documents shall be forwarded to the CP Board for its consideration.
- 7.5 The Board, at its sole discretion, may reject an application that has not been completed within 90 days of its receipt.
- 7.6 If the CP Board is satisfied that an applicant is eligible for Chartered Professional accreditation, the applicant shall be admitted to the appropriate discipline of Chartered Professional and notified accordingly.
- 7.7 Upon the payment of any prescribed fees, the applicant shall be entered on the Register of Chartered Professionals in accordance with Section 6 above.
- 7.8 Upon the completion of all the admission requirements, the applicant will be issued a Certificate of Chartered Professional accreditation signed by the Chief Executive Officer of The AusIMM or their nominee and the Chair of the CP Board or their nominee.
- 7.9 The CP Board shall have absolute discretion to allow or deny accreditation as a Chartered Professional.
- 7.10 The CP Board shall advise all rejected applicants accordingly.
- 7.11 Any rejected applicant may reapply after 12 months from the date of rejection by submitting a new application.
- 7.12 Any applicant may appeal the rejection of their *application* to the Chief Executive Officer of The AusIMM if that person believes the CP Board has not followed the administrative procedures specified by these By-laws in regards to their admission to CP accreditation.
- 7.13 At the entire discretion of the CP Board, any person who holds CP accreditation may be the subject of a review of their competence and continued ability to meet the requirements of the CP program. This may involve the CP Board asking a person to resubmit an application and/or attend an interview. If the CP Board forms a view that the person is no longer able to meet the program's requirements, then it may cancel or suspend that person's accreditation.

## 8 Post-nominals

- 8.1 Chartered Professionals shall be entitled to describe themselves as being a 'Chartered Professional of The Australasian Institute of Mining and Metallurgy' or a 'Chartered Professional of The AusIMM' and permitted to use the post-nominal 'CP' that will follow the holder's AusIMM membership grade; for example: FAusIMM(CP). Where a Chartered Professional wishes to indicate the discipline, an abbreviation of that discipline will follow CP in brackets, as described in the following examples:

CP only:

- MAusIMM(CP)
- FAusIMM(CP)
- HonFAusIMM(CP)

Discipline-specific list:

- Geology: Geo CP(Geo)
- Geotechnical Engineering: Geotech CP(Geotech)
- Mining Engineering: Min CP(Min)
- Metallurgy: Met CP(Met)
- Environment: Env CP(Env)
- Management: Man CP(Man)

Grade examples:

- MAusIMM CP(Geo)
- FAusIMM CP(Geotech)
- HonFAusIMM CP(Min)

## 9 Professional Development

- 9.1 An accredited Chartered Professional must maintain records of their Professional Development (PD) activities at all times, and must ensure that they are complying with their PD obligations. The CP Board may prescribe the form(s) in which such records must be kept.
- 9.2 A Chartered Professional must retain their records of their PD activities for at least five years.
- 9.3 At its entire discretion, the CP Board or the CP Board's delegate may request that a Chartered Professional provide their records of PD activities for review to check compliance with PD obligations. At its entire discretion, the CP Board may request that a Chartered Professional provide further evidence of compliance with their PD obligations if the records provided are insufficient.
- 9.4 If a Chartered Professional fails to comply with Sections 9.1 to 9.3 above to the satisfaction of the CP Board, the CP Board may cancel or suspend that person's CP accreditation and exclude the person's name from the Register of Chartered Professionals.

## 10 Fees and Subscriptions

- 10.1 The CP Board, subject to the approval of the Board of The AusIMM, may prescribe such fees (in addition to AusIMM membership fees), as may be payable upon application for CP accreditation and/or an annual subscription fee for maintaining CP accreditation. Details of any fees prescribed will be posted on The AusIMM web site: [www.ausimm.com](http://www.ausimm.com)
- 10.2 If prescribed under Section 10.1, an application fee shall be payable upon submission of an application for accreditation as a Chartered Professional. The CP Board may refuse to accept any application that is not accompanied by the prescribed application fee.
- 10.3 If prescribed under Section 10.1, an annual subscription shall be payable on notice of admission to Chartered Professional accreditation. Thereafter, an annual subscription, if any, shall be payable on 1 January of each year.
- 10.4 Where a person is admitted to Chartered Professional accreditation after 1 September in any year, the annual subscription for that year will be waived.
- 10.5 If by 31 March of a membership year a Chartered Professional has not paid the annual subscription prescribed in accordance with Section 10.1 and/or their AusIMM membership fee (prescribed in accordance with The AusIMM By-laws), the CP Board may cancel or suspend that person's CP accreditation and exclude that person's name from the Register of Chartered Professionals.

## 11 Cessation of CP Accreditation

- 11.1 A Chartered Professional that ceases to be a corporate member of The AusIMM shall cease to be a Chartered Professional forthwith and their name should be removed from the Register of Chartered Professionals.
- 11.2 A Chartered Professional who fails to provide evidence of their compliance with their PD obligations within four months of such evidence being due, shall be deemed to have forfeited their Chartered Professional accreditation and shall be removed from the Register of Chartered Professionals.
- 11.3 A Chartered Professional who fails to pay the annual subscription prescribed in accordance with Section 10.1 and/or their AusIMM membership fee (prescribed in accordance with The AusIMM By-laws) by 30 June of the subscription year shall be deemed to have forfeited their Chartered Professional accreditation and shall be removed from the Register of Chartered Professionals.
- 11.4 A person may resign Chartered Professional accreditation by informing the Chair to that effect in writing, whereupon they shall be removed from the Register of Chartered Professionals.
- 11.5 The rights and privileges of a Chartered Professional shall cease immediately upon that person's removal from the Register of Chartered Professionals.

## 12 Complaints and Disciplinary Actions

- 12.1 Any alleged unprofessional behaviour by a Chartered Professional should be reported in accordance with The AusIMM's standard complaints procedures (as established by Clause 26 of The AusIMM By-laws). Alleged unprofessional behaviour includes, but is not limited to, breaches of: these Chartered Professional By-laws; the Chartered Professional Guidelines; any other requirement of the Chartered Professional Board; The AusIMM By-laws; and The AusIMM Code of Ethics.
- 12.2 In investigating a complaint, the Complaints Committee and the Ethics Committee may seek advice from the Chair of the CP Board regarding the complaint. The Complaints Committee and the Ethics Committee may seek advice from the Chair of the CP Board regarding an appropriate independent expert who could provide confidential advice regarding the validity of the complaint.
- 12.3 The CP Board, at its sole discretion, may terminate or suspend a member's Chartered Professional accreditation if the Complaints Committee or the Ethics Committee makes an adverse finding about that person as part of a complaint investigation.
- 12.4 Suspension or termination of membership of The AusIMM for any reason, including as a result of disciplinary action taken with respect to a complaint, will result in automatic suspension or termination of that person's Chartered Professional accreditation.

## 13 Management

- 13.1 The CP Board manages its affairs in accordance with the By-laws of The AusIMM and with these By-laws.
- 13.2 The CP Board will have sufficient members to effectively administer the By-Laws, as follows:
- a a minimum of two members from each of the Chartered Professional disciplines, each of whom will be nominated from and elected by The AusIMM's Chartered Professionals
  - b a Member of the Board of The AusIMM appointed by the Board of The AusIMM, who must be a Chartered Professional

- c the Chief Executive Officer of The AusIMM shall be an exofficio member of the CP Board. A Chief Executive Officer without Chartered Professional accreditation shall abstain from voting in any matters relating to Chartered Professional accreditation or Chartered Professional accreditation policy that may be considered by the CP Board.
- 13.3 The elected members of the CP Board will serve for a period of two years from 1 January. Half of the elected members of the CP Board will retire in any year being one from each Chartered Professional discipline. A retiring member will be eligible for re-election.
- 13.4 Nominations for membership of the CP Board, which must be sponsored in writing by three Chartered Professionals (of which at least one must be within the relevant Chartered Professional discipline) and endorsed by the person nominated, will be called no later than 1 September and will be accepted no later than 30 September in each year.
- 13.5 Members of the CP Board shall be elected by a secret electronic ballot of all registered Chartered Professionals. The ballot will close on 30 November of each year or on such other earlier date as the CP Board may determine. The candidates receiving the largest number of votes will be elected. An independent Returning Officer will determine the results of the ballot.
- 13.6 Any casual vacancy on the CP Board may be filled by the CP Board until the next election.
- 13.7 The CP Board will elect its own Chair and Vice Chair, each of whom will be elected for a period of one year from 1 January. A retiring Chair or Vice Chair will be eligible for re-election.
- 13.8 The CP Board may appoint a Secretary who, if not an elected member of the CP Board or the Board of The AusIMM's appointed member, shall be a non-voting member of the CP Board.
- 13.9 The CP Board shall meet at least three times per year. The quorum for meetings of the CP Board shall be six (6).
- 13.10 The CP Board is empowered to do anything convenient to fulfil its obligations under these By-laws and the By-laws of The AusIMM. This includes publishing guidelines for the administration of the Chartered Professional program.

## **14 Committees**

- 14.1 The CP Board shall appoint such committees as are necessary, from time to time.

## **15 Accounts**

- 15.1 The CP Board is responsible for the conduct of its financial affairs and is fully accountable to the Board of The AusIMM.
- 15.2 The CP Board's financial transactions and accounting shall be carried out in such way as approved by the Board of The AusIMM.
- 15.3 An annual financial statement of the CP Board shall be submitted for the approval of the Board of The AusIMM.

## **16 Change of By-laws**

- 16.1 The CP Board may petition a change of these By-laws by the simple majority vote of its members.
- 16.2 Twenty Chartered Professionals may petition under signature a ballot to change these By-laws.
- 16.3 These By-laws may be changed by a postal or electronic ballot of all Chartered Professionals.
- 16.4 If voting by postal ballot a voting form will be posted to all Chartered Professionals, and the form shall state a closing date for receipt of votes, which date shall be not less than 30 days from the date on which the voting forms were mailed out.
- 16.5 If voting by electronic ballot a voting form will be emailed to all Chartered Professionals, and the form shall state a closing date for receipt of votes, which date shall be not less than 21 days from the date on which the voting forms were emailed out.
- 16.6 In the event of a ballot the CP Board shall appoint an independent Returning Officer who will determine the outcome of the ballot.
- 16.7 A simple majority of the formal votes received will constitute a decision.
- 16.8 Any change of these By-laws shall be subject to the approval of the Board of The AusIMM.

## **17 Non-conflict between these By-laws and The AusIMM's By-laws**

- 17.1 Whether these By-laws are silent in any matter or their provisions are in conflict with those of The AusIMM's By-laws, The AusIMM's By-laws shall take precedence over these By-laws.