

Chartered Institute of Marketing Bill, 2019

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A
BILL

ENTITLED
CHARTERED INSTITUTE OF MARKETING BILL, 2019

AN ACT to establish the Chartered Institute of Marketing as a regulatory body to set standards in the marketing profession and to provide for related purposes.

PASSED by Parliament and assented to by the President:

Establishment of the Chartered Institute of Marketing

1. (1) There is established by this Act a body corporate with perpetual succession to be known as the Chartered Institute of Marketing.

(2) The Institute may for the performance of its functions acquire and hold movable and immovable property, dispose of property and may enter into a contract or any other related transaction.

(3) Where there is a hindrance to the acquisition of immovable property, the immovable property may be acquired for the Institute under the State Lands Acts, 1962 (Act 125) and the costs shall be borne by the Institute.

Objects of the Institute

2. The objects of the Institute are to operate as an independent autonomous body to set standards and regulate the marketing profession.

Functions of the Institute

3. To achieve the objects, the Institute shall

- (a) provide world class training and conduct examinations to improve the skills and competencies of all those working in and aspiring to work in marketing;
- (b) set the marketing agenda for the country;
- (c) champion the role and value of marketing as a critical tool for business development;
- (d) influence Government policy and regulation on marketing activities;
- (e) advocate responsible and ethical marketing practice for marketers and businesses in general;
- (f) develop constant marketing innovative research, best practice and thought leadership processes; and
- (g) promote marketing as a leading career path and employment choice for future generations.

Governing body of the Institute

4. (1) The governing body of the Institute is a Council consisting of

- (a) the President who is the chairperson,
- (b) the Vice President,
- (c) the National Secretary,
- (d) the National Treasurer,
- (e) the Registrar,
- (f) one representative from each of the following:
 - (i) the Ministry of Trade and Industry not below the rank of Director, and
 - (ii) the Ministry of Education not below the rank of Director, and
- (g) two members elected by secret ballot by fully paid up members at the Annual General Meeting of the Institute.

(2) The members of the Council shall be appointed by the President in accordance with article 70 of the Constitution.

Functions of the Council

5. The Council shall

- (a) ensure the proper and effective performance of the functions of the Institute;

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- (b) determine strategies and formulate the policies for the achievement of the objects of the Institute; and
- (c) manage the funds of the Institute and determine the proper use of the funds and fixed assets of the Institute.

Tenure of office of members of the Council

6. (1) A member of the Council shall hold office for a period not exceeding three years and is eligible for re-election but a member shall not be appointed for more than two terms.

(2) Where a member of the Council, resigns, dies, is removed from office or is for a sufficient reason unable to act as a member, a new member shall be appointed through the appointment or election procedure in accordance with section 4.

(3) A member of the Council may at any time resign from office in writing addressed to the President of the Institute.

(4) A member of the Council, who is absent from three consecutive meetings of the Council without sufficient cause ceases to be a member of the Council.

(5) Where there is a vacancy

- (a) under subsection (3) or (4), or subsection (2) of section 8,
- (b) as a result of a declaration under subsection (2), or
- (c) by reason of the death of a member,
- (d) where a member of the Council for sufficient reasons, unable to act as a member,

the Minister shall notify the President of the vacancy and the President shall appoint a person to fill the vacancy in accordance with the Act.

Meetings of the Council

7. (1) The Council shall meet at least once every three months for the despatch of business at the time and in the place determined by the chairperson.

(2) The chairperson shall at the request in writing of not less than one third of the membership of the Council convene an extraordinary meeting of the Council at the time and in the place determined by the chairperson.