



香港城市設計學會
Hong Kong Institute of Urban Design

Bye-laws

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BYE-LAWS

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DEFINITIONS

1. In these Bye-laws, the following expressions shall, unless the context otherwise requires, have the following meanings:

“Code of Professional Conduct” means the Code of Professional Conduct adopted under these Bye-laws to guide the conduct of Fellows, Full Members, Associate Members, Graduate Members, Student Members, Retired Members, Friends of the Institute and Corporate Affiliates in their daily duties as persons engaged in urban design in Hong Kong and/or Asia Pacific;

“Membership and Education Committee” is a committee appointed by the General Council to assess the suitability of a candidate for election as Full Members, Associate Members, Graduate Members, Student Members, Retired Members, Friends of the Institute and Corporate Affiliates and to make recommendations to the General Council to endorse and admit such applications or to accept and approve Corporate Affiliates and Friends of the Institute;

“Review Board” is a committee appointed by the General Council to review the decisions in respect of applications to sit for the Academic Qualifying Assessment, admission to be Full Members, and the suspension or cancellation of the listing of Friends of the Institute and Corporate Affiliates.

THE GENERAL COUNCIL, OFFICERS AND OTHER GENERAL COUNCIL MEMBERS – NOMINATION AND ELECTION

Officers

2. The Officers of the Institute shall be:
 - 2.1 A President who shall be a Fellow or a Full Member;
 - 2.2 Three Vice-Presidents who shall be Fellows or Full Members;
 - 2.3 An Honorary Secretary, who shall be a Fellow or a Full Member;
 - and
 - 2.4 An Honorary Treasurer, who shall be a Fellow or a Full Member.

- General Council Membership
3. The General Council Shall consist of at least 3 members and a maximum of 14 members. The original 3 registered directors of the Institute shall constitute the original General Council, until such time as formal elections can be held, which shall take place within 6 months of incorporation of the Institute.
 4. The General Council shall consist of the following General Council Members:
 - 4.1 The six Officers of the Institute;
 - 4.2 Up to seven other Fellows or Full Members; and
 - 4.3 The immediate Past President of the Institute
 5. The Council may also invite the following to attend meetings of the General Council:
 - 5.1 Up to two Graduate Members elected by the Graduate Members;
 - 5.2 Up to two Student Members, elected by the Student Members; and
 - 5.3 Up to two Academic Advisors.
- Eligibility for General Council Membership
6. All General Council Members shall be elected or appointed from Full Members and Fellows who for the time being reside in Hong Kong and who have fully paid up all their fees and subscriptions to the Institute.
- Term of Office of Council Members
7. (1) A term of office of any General Council Member, unless otherwise specified, shall be the duration from the close of the Annual General Meeting at which his election is announced or when he is elected, as the case may be, to the close of the second coming Annual General Meeting.
 - (2) The President, Vice-Presidents and Office Bearers after serving a term of office, shall be eligible for re-election provided that no person shall hold office as President, a Vice President or Office Bearer continuously for more than two terms.
 - (3) All General Council Members, after serving their term of office, shall be eligible for re-election.
- Election and Appointment to General Council
8. All General Council Members shall be elected or appointed in the manner hereafter prescribed in Clauses 9 to 15 hereof.
- Nomination to General Council
9. The nomination of candidates for the General Council as Officers and other General Council Members shall be conducted annually by the sitting General Council. To this effect the General Council shall give each Fellow and Full Member, not later than 12 weeks before the Annual General Meeting a written election notice containing:
 - (a) a list of the General Council posts open for election;
 - (b) a nomination form; and

- (c) the address of the location for the nomination forms to be returned to. The nomination form, which shall be duly filled in, signed by each nominee and the nominator, shall be returned to and shall reach the return location not later than nine weeks before the Annual General Meeting. The List of the nominees shall be submitted by the Honorary Secretary to the General Council for confirmation not later than seven weeks before the Annual General Meeting.

Election of
General Council
Members

- 10 In the completion of the procedures prescribed in Clause 9 hereof, General Council Members shall be elected in the manner prescribed in this Clause:

Elected by that
Very Fact

- 10.1 For any vacancies in the General Council, if the number of nominees is equal to or less than the number of vacancies, the nominees shall be elected by that very fact. The chairman of the Annual General Meeting shall announce at the meeting the election of these nominees as General Council Members and the posts they respectively hold.

Postal Voting

- 10.2 The General Council shall give each Fellow, Full Member not later than five weeks before the Annual General Meeting a written notice containing:
- (a) the candidates elected by that very fact pursuant to Clause 10.1 hereof;
 - (b) the vacancies that require voting;
 - (c) the confirmed list of nominees for these vacancies;
 - (d) a ballot form with the confirmed list of candidates;
 - (e) the location for ballot forms to be returned to; and
 - (f) a return envelope bearing the address of such location.
- These ballot forms, sealed in the return envelopes, shall be returned to and shall reach the return location not later than two weeks before the Annual General Meeting.

- 10.3 The General Council shall give all classes of membership not less than one week's notice of the time and place of the counting of the votes, and shall have a right, subject to the Bye-laws, to attend and observe the counting.

Vote Counting

- 10.4 The General Council shall appoint any three persons to act as scrutineers, and any number of General Council Members as witnesses in the vote counting, provided that such appointees shall not be candidates for the election being held. The scrutineers shall supervise the counting of the votes not less than three days before the Annual General Meeting, in the presence of the appointed General Council Members. The scrutineers may adopt for this purpose such procedure as they shall deem fit, and in case there is any doubt on the validity of a ballot or a vote, the scrutineers shall endorse the result of

the counting of votes, and the chairman of the Annual General Meeting shall announce the election result at the Annual General Meeting.

Elected by
Highest Vote

10.5 Pursuant to Clause 10.4 hereof, the General Council Members, shall be elected from Fellows or Full Members by the highest votes from Fellows or Full Members. The two Graduate Members who receive the highest votes from the Graduate Members shall be invited to attend Council meetings. The two Student Members who receive the highest votes from the Student Members shall be invited to attend Council meetings.

Further
Nominations
and Election of
General Council
Members

11 In the eventuality that, after the process prescribed in Clause 9 hereof, there is no candidate nominated for a General Council post open for election, further nominations and election shall be made at the Annual General Meeting, in the manner prescribed hereafter:

11.1 The General Council, in issuing the written notice and agenda of the Annual General Meeting pursuant to Clause 32 hereof, shall announce the further nominations and election that shall be held at the Annual General Meeting.

11.2 The chairman of the Annual General Meeting shall issue nomination forms to the Fellows and Full Members as the case may be, present in person at the Annual General Meeting to nominate a candidate from those present. The nomination forms with nominations shall be duly filled in, signed by each nominee and the nominator, and submitted to the chairman.

11.3 The General Council shall appoint any three persons to act as scrutineers to supervise the counting of the votes, provided that they shall not be candidates for election at the same meeting. The scrutineers may adopt for this purpose such procedure as they shall deem fit, and in case there is any doubt on the validity of a ballot or a vote, the scrutineers shall decide on the validity by consensus or majority, and their decisions shall be final.

11.4 Pursuant to Clauses 11.1 to 11.3 hereof, the General Council Members, shall be elected from Fellows or Full Members by the highest votes from Fellows and Full Members.

Loss of Postal
Voting Notices

- 12 (1) Where a Fellow or, Full Member:
- (a) has not received any or all of the notices referred to in Clauses 7 and 8.2 hereof, or any or all of the documents contained therein; or
 - (b) has received any or all of the notices referred to in Clauses 9 and 10.2 hereof and lost the notices, or any or all of the documents contained therein,
- he may apply to the General Council for the notice and/or any or all of the documents contained therein not less than one week before the respective due date for the nomination forms and ballot forms referred to in Clauses 9 and 10.2 to reach the return location, and any such application shall be made in writing in a prescribed form.
- (2) Such an application shall include evidence of the voter's identity.
- (3) Where the application is received by the General Council not less than one week before the respective due date for the nomination forms and ballot forms referred to in Clauses 9 and 10.2 to reach the return locations, and the General Council:
- (a) is satisfied as to the voter's identity; and
 - (b) has no reason to doubt that the postal voter did not receive any or all of the notices referred to in Clauses 9 and 10.2 hereof, or any or all of the documents contained therein, or
 - (c) has no reason to doubt that the postal voter lost any or all of the notices referred to in clauses 9 and 10.2 hereof or any or all of the documents contained therein,

The General Council shall issue another notice and/or any or all of the documents contained therein to the voter.

Casting Vote

- 13 Pursuant to Clause 10 and 11, in the event of any equality of votes, the President shall have a casting vote and shall exercise the vote immediately after vote counting, except that in the event of there being an equality of votes in an election in which the President is himself one of the candidates, the Immediate Past President shall exercise the casting vote, and if he too shall be involved, a Vice-President, as determined by a majority of other General Council Members, shall make the casting vote.

Appointment
Of General Council
Members

- 14 (1) In the event of a General Council Member being unable to continue to function for any reason, or a vacancy in a General Council post open for election still remains after the completion of the process prescribed in Clause 9 hereof, the General Council shall appoint a Fellow, Full Member or, as the case may be, a to fill the said vacancy, except that a vacancy in the post of President shall be filled by a Vice-President, as determined by a majority of other General Council Members,

and the vacancy of that Vice-President shall then be filled by a General Council Member appointed by the General Council.

- (2) General Council Members so appointed pursuant to Clause 14(1) hereof shall hold office, in the case of filling in the post of a General Council Member not being able to function, for the remainder of the term of the General Council post into which they are appointed, and in the case of filling the vacancy of a General Council post that still remains after the completion of the process prescribed in Clause 11 hereof, to the close of second coming Annual General Meeting.

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| Suspending or
Dismissing | 15 | The General Council may suspend or dismiss any General Council Member of the Institute for neglect of duty, dishonesty, incompetence, refusal to carry out the decisions of the General Council, or for any other reasons which the General Council deems good and sufficient in the interest of the Institute. Any General Council Member so dismissed or suspended shall have the right to appeal to an Annual General Meeting or Extraordinary General Meeting whose decision shall be final. |
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THE GENERAL COUNCIL, OFFICERS AND OTHER GENERAL COUNCIL MEMBERS – DUTIES OF OFFICERS

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| President | 16 | <ol style="list-style-type: none">(1) The President shall preside at all Annual General and Extraordinary General Meetings and General Council Meetings and shall regulate the proceedings of these Meetings.(2) With the assistance of the three Vice-Presidents, the Honorary Secretary and the Honorary Treasurer, he shall superintend the general administration of the affairs of the Institute.(3) He shall sign, in conjunction with either the Honorary Secretary or the Honorary Treasurer as specified in Clause 18(4) and Clause 19(6) hereof, every Institute instrument to which the common seal of the Institute is affixed. |
| Vice-President | 17 | In the absence of the President, a Vice-President shall preside in his place as determined by a majority of other General Council Members. |
| Honorary
Secretary | 18 | <ol style="list-style-type: none">(1) The Honorary Secretary shall deal with general correspondence, keep all records of the Institute (except financial) and minutes of all General Council, Annual General Meetings and Extraordinary General Meetings, and handle such matters as the General Council may from time to time determine.(2) He shall keep the common seal of the Institute in safe custody and maintain a List of all Members in all classes of membership and Friends of the Institute and Corporate Affiliates.(3) He shall prepare the Annual Reports of the Institute for submission to the Annual General Meetings and any other reports necessary for the Extraordinary General Meetings. |

- (4) He shall, in conjunction with the President, sign every Institute instrument to which the common seal of the Institute is affixed, except those instruments on financial matters.

Honorary
Treasurer

- 19 (1) The Honorary Treasurer shall be responsible for the safety of all Institute monies and shall keep full and accurate record of all transactions conducted in the name of the Institute.
- (2) He shall report to each meeting of the General Council on the financial situation of the Institute and shall prepare an annual statement of accounts for audit and for presentation to the Annual General Meetings.
- (3) He shall have the right to vote on all matters except financial matters.
- (4) He shall demand and receive all monies due to the Institute and deposit those received in the name of the Institute in a bank account or accounts approved by the General Council or make investment of Institute monies as determined by the General Council.
- (5) He shall have power to retain in his hand for current expenses of the Institute a sum of money not exceeding an amount approved by the General Council from time to time.
- (6) He shall, in conjunction with the President, sign every Institute financial instrument to which the common seal of the Institute is affixed.
- (7) He shall give to every Fellow, Full Member, Associate Member, Graduate Member, Student Member, Retired Member, Friend of the Institute or Corporate Affiliate requesting it an annual audited statement of account of all receipts and expenditures and of the assets and liabilities of the Institute.

Signing of
Cheques

- 20 Cheques of the Institute shall be signed by any two of the Officers of the General Council.

Honorary
Auditor

- 21 (1) The Honorary Auditor of the Institute shall be appointed at the Annual General Meeting for a term ending at the close of the first coming Annual General Meeting.
- (2) In the event when no Honorary Auditor is appointed at an Annual General meeting or in the event when an appointed Honorary Auditor is unable to complete his tenure of office, the General Council may appoint an Honorary Auditor and the Honorary Auditor so appointed shall hold office until the close of the first coming Annual General Meeting.
- (3) The Honorary Auditor shall have access at all reasonable times to the accounts and securities of the Institute. He shall examine and certify the annual accounts of the Institute before submission to an Annual General Meeting for approval.

Honorary Legal
Advisor

- 22 (1) The Honorary Legal Advisor of the Institute shall be appointed at the Annual General Meeting for a term ending at the close of the first coming Annual General Meeting.

- (2) In the event when no Honorary Legal Adviser is appointed at an Annual General Meeting or in the event when an appointed Honorary Legal Adviser is unable to complete his tenure of office, the General Council may appoint a Honorary Legal Adviser and the Honorary Legal Adviser so appointed shall hold office until the close of the first coming Annual General Meeting.

GENERAL COUNCIL MEETINGS

- Frequency of Meetings 23 The General Council shall meet as often as the business of the Institute may require, but there shall be a meeting of the General Council not less than once every three months at such time and place as the President may decide. The President and one other Officer shall convene emergency meetings of the General Council should the circumstances so require.
- Notice 24 General Council Members shall be given not less than seven days written notice of each General Council Meeting.
- Quorum 25 The quorum necessary for the transaction of the business of the General Council shall be a majority of the General Council elected or appointed at that time.
- Decision 26 Decisions taken at a General Council Meeting shall be valid if passed by a majority of votes of those present constituting the requisite quorum. In the case of an equality of votes, the chairman shall have a second or casting vote. The decisions of the General Council shall be binding on all classes of membership, Friends of the Institute and Corporate Affiliates.

DUTIES AND POWERS OF THE GENERAL COUNCIL

- Annual Report 27 The General Council shall prepare an annual report on the state of affairs in the Institute and shall present such report to the Annual General Meeting.
- Powers and Duties 28 In addition to the powers and duties of the General Council as laid down in the Articles and the powers and duties of General Council Members as provided in these Bye-laws, the General Council shall have the following additional powers and duties :
- (1) To appoint and dismiss employees of the Institute;
 - (2) To prescribe the form to be used, and procedure to be adopted by an applicant for admission to the Institute, and to prescribe the form of declaration to be signed by applicants;
 - (3) To prescribe the form of certificates of membership of the Institute;
 - (4) To make the final decision on applications for membership, affiliateship and friendship, disciplinary action against all classes of membership Corporate Affiliates and Friends of the Institute, and any recommendations of the Committees, Boards or

- Working Parties of the Institute;
- (5) To make rules, regulations or guidelines for the establishment and implementation of a mandatory continuing professional development scheme; and
 - (6) To do all such other things as are in the opinion of the General Council, incidental or conducive to the performance of the duties or the exercise of the powers given in the Articles and the Bye-laws.

ANNUAL AND EXTRAORDINARY GENERAL MEETINGS

- 29 The General Meetings of the Institute shall be the Annual General Meetings and the Extraordinary General Meetings.
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| Annual General Meeting | 30 The Annual General Meeting shall be held in every year at such place and time as the General Council may decide. |
| Extraordinary General Meeting | 31 An Extraordinary General Meeting may be convened either by the General Council at any time when the General Council deems it necessary or at the request of not less than 20 percent of the qualified voting Members. Any request from the qualified voting Members shall be in writing signed by those making the request and shall specify the object of the meeting. |
| Entitled to vote | 32 Fellows and Full Members who are qualified by the Articles or these Bye-laws to vote are entitled to attend and to vote at an Annual General Meeting or an Extraordinary General Meeting. |
| Agenda and Notice | 33 (1) The Honorary Secretary, on the instruction of the General Council, shall prepare the agenda of the Annual General Meeting or Extraordinary General Meeting and, shall give all classes of membership written notice of the Meeting.

(2) Written notice of at least 21 days shall be given for an Annual General Meeting or a meeting calling for the passing of a special resolution and at least 14 days for a meeting other than an Annual General Meeting or a meeting calling for the passing of a special resolution. |
| Scope of Discussion | 34 The agenda shall specify the nature of the business to be transacted at the Meeting. Discussion at any Extraordinary General Meeting shall be limited to the matters specified in the agenda. |
| Chairman | 35 The chairman of the Annual General Meeting or Extraordinary General Meeting shall be the President of the Institute. Should he be absent, he should nominate either one of the three Vice-Presidents present to preside. If the President and the three Vice-Presidents are all absent, Fellows and Full Members present at the Meeting shall elect among themselves a Fellow or Full Member to be a chairman to preside at the Meeting. |

- Business 36 The business of an Annual General Meeting shall be:-
- (1) To receive reports from the Officers and other General Council Members;
 - (2) To review the work of the Institute in the past Institute year;
 - (3) To plan future policy;
 - (4) To note the result of the election of the General Council Members of the Institute pursuant to Clause 8.4 hereof;
 - (5) To, if necessary pursuant to Clause 9 hereof, further nominate and elect General Council Members;
 - (6) To appoint the Honorary Auditor;
 - (7) To appoint the Honorary Legal Advisor;
 - (8) To receive the audited accounts for the previous financial year of the Institute and to consider the financial position of the Institute; and
 - (9) To consider any other business.
- Reconvening After Insufficient Quorum 37 In the event of insufficient number of Fellows and Full Members present to form a quorum at a General Meeting, such Meeting shall be reconvened at such time and place as the General Council may decide, but must be held within one month from the date of postponement. A written notice to this effect shall be sent out to all classes of membership at least 14 days in advance. Whatever number of Members is present at that reconvened meeting shall constitute a quorum.
- Failure to Convene Meeting (see Clause 29) 38 If the General Council fails to convene the Meeting at the end of a 14-day period after the request is made, those making such request may themselves convene the meeting: provided that an agenda and written notice of the meeting shall be given to all classes of membership not less than four weeks before the meeting to be convened.
- Voting at General Meetings 39 The manner of voting at an Annual General Meeting or Extraordinary General Meeting shall be at the discretion of the chairman of the meeting.
- 40 At a General Meeting every Fellow, Full Member, Graduate Member or Student Member who is qualified to vote on a particular item as prescribed in the Articles or these Bye-laws shall have one vote and no more on every item requiring voting: provided that, in the case of an equality of votes, the chairman shall have a second or casting vote.
- Decision of General Meetings 41 Any decision reached in a General Meeting shall be binding on all classes of membership, Friends of the Institute and Corporate Affiliates.

MEMBERSHIP, AFFILIATESHIP AND FRIENDSHIP

Fellow

- Qualifications 42 Every applicant for election as a Fellow shall have been a Full Member for not less than 5 years and shall satisfy the General Council that he :
- (a) has been in a senior position in the public or private sector for not less than five years; and
 - (b) has made significant contribution to the work of the Institute or to the field of urban design.
- Application 43 Application for election as a Fellow shall be carried out in the manner prescribed by the General Council from time to time and in accordance with these Bye-laws. Alternatively, the General Council may offer to suitably qualified Full Members to become Fellows.
- Election in General Council 44 The election of Fellows shall be by the General Council at a General Council Meeting, the decision of which shall be valid if passed by a majority of votes of those present constituting the requisite quorum.

Full Member

- Qualifications 45. (1) To be eligible for election as a Full Member, a person shall produce evidence to the satisfaction of the General Council that they possess:-
- (a) a HKIUD accredited post-graduate qualification in urban design with a minimum of 2 years urban design experience and have submitted a log book of his urban design related experience in a prescribed format.. A person with a non HKIUD accredited urban design qualifications shall attain a minimum 3 years of urban design experience and have submitted a log book of his urban design related experience in a prescribed format; or
 - (b) a post-graduate degree in a urban design related professional field, which is found acceptable by the Academic Qualifying Assessment Panel, with a minimum of 5 years of post-qualification urban design experience; and have submitted a statement of experience describing his urban design related experience.
 - (c) a professional qualification (local or non-local) in architecture, engineering, landscape architecture, surveying or town planning, with 5-7 years post-qualification; and have submitted a statement of experience describing his urban design related experience.
 - (d) a post graduate degree in other field with more than 10 years' professional urban design experience (full-time equivalent); and have submitted a statement of experience describing his urban design related experience.

- (2) Any urban design experience must include a minimum of 1 year of experience in Hong Kong or the Asia Pacific region. Only continuous experience of over 6 months is eligible for counting.
- (3) If the evidence submitted is satisfactory to the membership committee, the applicant will be invited to an interview and upon completion of the interview, the membership committee shall make a recommendation to the General Council as to whether the applicant should be admitted as a Full Member. A person shall only be admitted as a Full Member upon endorsement by the General Council and upon satisfaction of any other requirements as may be prescribed by any membership guidelines.

Details of the dissertation or case study, the Academic Qualifying Assessment the related professional fields and the Professional Induction Workshop mentioned above are as prescribed under the appropriate membership guidelines which may be subject to revision from time to time.

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| Accreditation Guidelines | 46. The accreditation requirement of an urban design qualification shall be prescribed on guidelines to be issued by the General Council and made available to the public. |
| Review of General Council Decision | 47. A candidate, whose application to sit for the Academic Qualifying Assessment has been rejected by the General Council on recommendation of the Membership and Education Committee, may seek a review of the decision by a Review Board within four weeks after being notified of the decision. |
| | 48. Upon receipt of an application for review, the General Council shall appoint a Review Board comprising two Fellows and one Full Member who are not members of the General Council or members of the Membership Board involved in determining the planning content of the applicant's planning degree or examination. |
| | 49. The Review Board may approve or reject an application for review. The decision of the Review Board shall be final. |
| | 50. Notwithstanding Clauses 45, 46, 47, 48 and 49 hereof, a candidate who has satisfied the requirements under Clause 6(2) of the Articles may apply for full membership. |
| Recognised Degrees, Diplomas and Experience | 51. For the purpose of Clause 45 hereof, the General Council shall make available to the public: <ol style="list-style-type: none"> (a) A list of degree or diploma courses in urban design in Hong Kong recognized by the Institute; (b) A list of degree or diploma courses in urban design outside Hong Kong recognized by the Institute; |

- (c) A list of the types of practical urban design experience recognized as relevant by the Institute; and
- (d) Guidelines for determining the urban design content of urban design degrees.

Amendments to these lists shall be proposed by the Membership Committee and shall be approved by the General Council.

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| Application for Election | 52. Every candidate for election as a Full Member shall complete such application form or forms, undertake such procedure and supply such information as prescribed by the General Council from time to time. Every application shall be supported by not less than two persons who are Fellows or Full Members and who shall sign on the appropriate form or forms. |
| Interview | 53. A candidate for election as a Full Member shall attend an interview by the Membership and Education Committee under procedures as stipulated by the General Council. |
| | 54. Guidelines setting out the procedures for interview as stated in Clause 58 hereof shall be made available for inspection. |
| Review of Decision | 55. The Membership and Education Committee shall make a recommendation to the General Council on whether an application for election as a Full Member should be endorsed. Within four weeks after being notified of the decision of the General Council in writing to reject his application, a candidate may apply to the General Council to seek a review of the decision. |
| Review Board | 56. Upon receipt of an application for review, the General Council shall appoint a Review Board comprising three Fellows or Full Members who are not members of the General Council or members of the Membership and Education Committee involved in interviewing the candidate. |
| | 57. The Review Board may approve or reject an application for review. The decision of the Review Board shall be final. |
| Election in General Council | 58. Election of Full Members in General Council shall be in the same manner as outlined in Clause 44 hereof for the election of Fellows. |

Associate Member

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| Qualifications | 59 To be eligible to be an Associate Member, a person must apply and submit satisfactory evidence that they possess a degree in a related field with minimum 5 years related experience in Hong Kong and/or Asia Pacific. If the evidence submitted is satisfactory to the membership committee, the membership committee shall make a recommendation to the General Council as to whether the applicant should be admitted as an Associate Member. A person shall only be |
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admitted as an Associate Member upon endorsement by the General Council and upon satisfaction of any other requirements prescribed by the Bye-laws and any membership guidelines.

- Period of being an Associate 60 A person shall not remain as an Associate if he has become eligible for transfer to become a Full Member.
- Application 61 Any candidate for election as an Associate shall complete such application form or forms, undertake such procedure and supply such information as prescribed by the General Council from time to time. Every application for election as an Associate shall be supported by not less than two persons who are Fellows or Full Members and who shall sign on the appropriate form or forms.
- Election in General 62 Election of Associates in General Council shall be in the same manner as outlined in Clause 44 hereof for the election of Fellows.

Graduate Member

- Qualifications 63 To be eligible to become a Graduate Member, a person must apply and submit satisfactory evidence that they possess an accredited post-graduate qualification in urban design. If the evidence submitted is satisfactory to the membership committee, the membership committee shall make a recommendation to the General Council as to whether the applicant should be admitted as a Graduate Member. A person shall only be admitted as a Graduate Member upon endorsement by the General Council and upon satisfaction of any other requirements as may be prescribed by the Bye-laws and any membership guidelines.
- Period of being a Graduate Member 64 A person shall not remain as a Graduate Member if he has become eligible for transfer to become a Full Member.
- Application 65 Any candidate for election as a Graduate Member shall complete such application form or forms, undertake such procedure and supply such information as prescribed by the General Council from time to time. Every application for election as a Graduate Member shall be supported by not less than two persons who are Fellows or Full Members and who shall sign on the appropriate form or forms.
- Election in General 66 Election of Graduate Members in General Council shall be in the same manner as outlined in Clause 44 hereof for the election of Fellows.

Student Member

- Qualifications 67 To be eligible to be a Student Member, a person must apply and submit satisfactory evidence that they are enrolled in an accredited full-time post secondary educational program, including UGC-funded or locally self-financed programs accredited by the Hong Kong

Council for Accreditation of Academic and Vocational Qualifications.

If the evidence submitted is satisfactory to the membership committee, the membership committee shall make a recommendation to the General Council as to whether the applicant should be admitted as a Student Member. A person shall only be admitted as a Student Member upon endorsement by the General Council and upon satisfaction of any other requirements prescribed by the Bye-laws and any membership guidelines.

- Period of being a Student Member 68 A person shall not remain as a Student Member if he has become eligible for transfer to become a higher class of membership.
- Application 69 Any candidate for election as a Student Member shall complete such application form or forms, undertake such procedure and supply such information as prescribed by the General Council from time to time. Every application for election as a Student Member shall be supported by not less than two persons who are Fellows or Full Members and who shall sign on the appropriate form or forms.
- Election in General Council 70 Election of Student Members in General Council shall be in the same manner as outlined in Clause 44 hereof for the election of Fellows.

Retired Member

- Qualifications 71 A Fellow or Full Member who has completely retired from practice in urban design and has ceased to receive remuneration for his urban design services, can apply to the Council to become a Retired Member.
- Application 72 Application for election as a Retired Member shall be carried out in the manner prescribed by the Council from time to and in accordance with these Bye-laws.
- Reinstatement 73 If a Retired Member wishes to be reinstated as a Fellow or Full Member, procedures under Clauses 42, 43 and, 44 shall apply; or a Full Member, procedures under Clauses 52, 53, 54, 55, 56, 57 and 58 hereof shall apply, as the case may be.

Friend of the Institute

- Qualifications 74 Candidates for listing as Friends of the Institute shall possess qualifications or experience related to urban design as deemed appropriate by the General Council.
- Application 75 Every candidate for listing as a Friend of the Institute shall complete such application form or forms, undertake such procedure and supply such information as prescribed by the General Council from time to time. Every application shall be supported by not less than two persons who are Fellows or Full Members and who shall sign on

the appropriate form or forms.

Corporate Affiliate

- Qualifications
- 76 (1) A Corporate Affiliate shall be a corporation carrying on a practice in Hong Kong or Asia-Pacific which offers urban design services at least one of whose directors is a Founding Member, a Member or a Fellow of the Institute. In the event that a Corporate Affiliate ceases to fulfill this requirement the General Council may terminate its membership, but may reinstate the Corporate Affiliate upon the requirement being fulfilled.
- (2) A Corporate Affiliate shall abide by the Articles and Byelaws of the Institute but its obligations shall be separate and distinct from the individual obligations of such persons who may be directors or members or employees of the Corporate Affiliate who may also be Members of the Institute.
- Application
- 77 Every corporation for listing as a Corporate Affiliate shall complete such application form or forms, undertake such procedure and supply such information as prescribed by the General Council from time to time. Every application shall be supported by not less than two persons who are Fellows or Full Members and who shall sign on the appropriate form or forms.

Diploma

- 78 Every Honorary Member, Fellow, Full Member, Associate Member, Graduate Member, Student Member or Retired Member shall be provided with a diploma of the particular class of membership.

FEES AND SUBSCRIPTIONS

- Entrances Fees And Annual Subscriptions
- 79 The Entrance Fees and Annual Subscriptions of Fellows, Full Members, Associate Members, Graduate Members, Student Members, Retired Members, Non-resident Members, Friends of the Institute and Corporate Affiliates may be varied from time to time as shall be recommended by the General Council and confirmed by resolution in an Annual General Meeting or an Extraordinary General Meeting convened for the purpose.
- Due by
- 80 All annual subscriptions shall be paid by the 31st day of July every year.
- 81 Annual subscriptions of newly elected Fellows, Full Members and Associate Members, Graduate Members, and Retired Members, Non-resident Members, as well as newly accepted Student Members, Friends of the Institute and Corporate Affiliates shall be payable in advance.

- 82 From the date of any election or listing approved by General Council in the period from 1st July to 30th June, the subscription payable shall be proportionate to the number of whole quarters remaining in the calendar year.
- Entrance Fees 83 Full entrance fees shall be paid irrespective of the date of election.
- 84 The date of election shall be the date of the General Council Meeting in which the application for election is approved.
- Special Fees 85 The General Council may recommend any special fees to be payable by Members of the several classes in proportion to their annual subscriptions for a specific purpose related solely to the welfare of the Institute. The recommendation shall be confirmed by resolution in an Annual General Meeting or an Extraordinary General Meeting convened for the purpose.
- Refund 86 No entrance fees or annual subscriptions shall be refunded when a Fellow, Full Member, Associate Member, Graduate Member, Student Member, Retired Member, Non-resident Member, Friend of the Institute or Corporate Affiliate resigns or is suspended or expelled from the Institute.
- Fees and Subscriptions to be paid on Transfer 87 Every person transferred from one class of membership to another shall pay:-
 (1) the difference in entrance fees, if any, between the new and the old classes of membership; and
 (2) the difference in annual subscriptions for the remainder of the current year of the new and old classes of membership as calculated in accordance with Clause 79 hereof.
- 88 Every Fellow, Full Member, Associate Member, Graduate Member, Student Member, Retired Member, Non-resident Member, Friend of the Institute or Corporate Affiliate shall remain liable for the payment of his annual subscriptions for the remainder of the current year of the new and old class of membership as calculated in accordance with Clause 76 hereof.
- Arrears 89 Any Fellow, Full Member, Associate Member, Graduate Member, Student Member, Retired Member, Non-resident Members, Friend of the Institute or Corporate Affiliate whose membership is terminated for whatever reasons shall have to pay all arrears.
- 90 The Honorary Treasurer shall on behalf of the General Council issue an appropriate written warning to those Fellows, Full Members, Associate Members, Graduate Members, Student Members, Retired Members, Non-resident Members, Friends of the Institute or Corporate Affiliates whose subscriptions shall not have been paid by 1st of February. In the event of these subscriptions continuing in arrears on 1st of March of the same year, the General Council shall

decide on the course of action that shall be taken including suspensions and expulsion of the Fellows, Full Members, Associate Members, Graduate Members, Student Members, Retired Members, Non-resident Members, Friends of the Institute or Corporate Affiliates concerned.

- 91 A Friend of the Institute whose subscription has not been paid by the end of the first half of any financial year by that very fact shall cease to be a Friend of the Institute.
- 92 The Honorary Treasurer shall on behalf of the General Council issue an appropriate written warning to those Fellows, Full Members, Associate Members, Graduate Members, Student Members, Retired Members, Non-resident Members, Friends of the Institute or Corporate Affiliates who fail to pay the required special fees within three months from the Annual General Meeting or Extraordinary General Meeting at which the resolution on the special fees is passed, specifying a date by which the special fees must be paid.
- 93 Where, by the date specified under Clause 89 hereof, the said special fees are still in arrear, the General Council shall decide on the course of action that shall be taken, including suspensions and expulsion of the Fellows, Full Members, Associate Members, Graduate Members, Student Members, Retired Members, Non-resident Members, Friends of the Institute or Corporate Affiliates concerned.

DISCIPLINE

Code of
Professional
Conduct

94. The General Council shall adopt a Code of Professional Conduct which upon ratification by the Institute in a General Meeting shall be binding on all Fellows, Full Members, Associate Members, Graduate Members, Student Members, Retired Members, Friends of the Institute and Corporate Affiliates so far as provided under these Bye-laws.
95. Fellows, Full Members, Associate Members, Graduate Members, Student Members, Retired Members, Friends of the Institute and Corporate Affiliates shall as far as their position allows, but without prejudice to the Code of Professional Conduct or its equivalent of any other professional body of which they may be members, uphold the aims and objects of the Institute and shall not knowingly act contrary to the spirit of the Code of Professional Conduct or prejudice the reputation of the Institute.
96. No Fellow, Full Member, Associate Member, Graduate Member, Student Member, Retired Member, Friend of the Institute or Corporate Affiliate shall in any way be connected with any occupation or business if such connection is, in the opinion of the General Council, inconsistent with the aims and objects of the

Institute.

- Enquiry
97. The General Council may upon the receipt of a written complaint from any person hold or order to hold an enquiry into the conduct of a Fellow, Full Member, Associate Member, Graduate Member, Student Member, Retired Member, Friend of the Institute or Corporate Affiliate if the General Council thinks that the complaint is made on sufficient valid evidence and that the conduct of the Fellow, Full Member, Associate Member, Graduate Member, Student Member, Retired Member, Friend of the Institute or Corporate Affiliate which is the cause of the complaint is against the aims and objects of the Institute, contrary to the spirit of the Code of Professional Conduct or prejudicial to the reputation of the Institute.
- Powers of General Council
98. Subject to the overriding decision of the Appeal Board, the General Council shall have the power to suspend, expel or reprimand a Fellow, Full Member, Associate Member, Graduate Member, Student Member, Retired Member, Friend of the Institute or Corporate Affiliate who shall have been proved to have acted against the aims and objects of the Institute contrary to the spirit of the Code of Professional Conduct or prejudicial to the reputation of the Institute.
99. The General Council shall have the power to suspend, expel or reprimand a Friend of the Institute who, in the opinion of the General Council, has acted against the aims and objects of the Institute, or prejudicial to the reputation of the Institute.
- Review
100. A Friend of the Institute, who has been suspended, expelled or reprimanded by the General Council, may apply for a review of the decision within four weeks after being notified of the decision of the General Council.
- Review Board
101. Upon receipt of an application for review, the General Council shall appoint a Review Board comprising three Fellows or Full Members who are not members of the General Council involved in suspending, expelling or reprimanding a Friend of the Institute or Corporate Affiliate.
102. The Review Board may approve or reject an application for review. The decision of the Review Board shall be final.
- Rules of Enquiry (Annex A)
103. The General Council shall prepare Rules of Enquiry on the conduct of Fellows, Full Members, Associate Members, Graduate Members, Student Members, Retired Members, Friends of the Institute and Corporate Affiliates. These Rules shall be valid after confirmation by a General Meeting.
- Disciplinary
104. The General Council shall as required appoint from General

- Committee Council Members a Disciplinary Committee, which shall be responsible for investigation into all matters of professional conduct of the Fellows, Full Members, Associate Members, Graduate Members, Student Members, Retired Members, Friends of the Institute or Corporate Affiliates.
- Decisions of Disciplinary Committee 105. The Disciplinary Committee shall make one of the following decisions:-
- (1) To recommend to the General Council to dismiss the charges; or
 - (2) To recommend to the General Council to admonish the Fellows, Full Member, Associate Member, Graduate Member, Student Member, Retired Member, Friend of the Institute or Corporate Affiliate and warn him not to repeat or continue the conduct on which the charge is founded; or
 - (3) To recommend to the General Council to suspend or expel the Fellow, Full Member, Associate Member, Graduate Member, Student Member, Retired Member, Friend of the Institute or Corporate Affiliate concerned.
- Appeal Board 106. The General Council shall as required appoint an Appeal Board. The Appeal Board shall comprise a practising barrister or solicitor or a judge of the Supreme Court and two Past Presidents or Fellows of the Institute nominated by the General Council. No member of the Appeal Board shall be a member of the General Council making the decision which is appealed against. The Appeal Board may affirm, vary, amend or reverse the decision of the General Council.
- Decisions of General Council 107. Decisions of the General Council on disciplinary matters shall be deemed valid if passed by a majority of votes of those General Council Members present constituting the requisite quorum.
- Expulsion 108. If the General Council shall resolve to expel a Fellow, Full Member, Associate Member, Graduate Member, Student Member or Retired Member his name shall be erased from the List of the Institute and he shall thereupon cease for all purposes to be a Fellow, Full Member, Associate Member, Graduate Member, Student Member, Retired Member, Friend of the Institute or Corporate Affiliate. He shall not use any designation or description implying membership or former membership of the Institute.

REINSTATEMENT

109. The General Council shall have the power to reinstate in his former rank as Fellow, Full Member, Associate Member, Graduate Member, Student Member, Retired Member, Friend of the Institute or Corporate Affiliate anybody whose membership has previously been terminated. Provided the application for

reinstatement is submitted within five years from the date of the termination of membership and subject to Clause 107 hereof, such reinstatement may be approved subject to his payment of all subscriptions which would be due had he continued to be a Fellow, Full Member, Associate Member, Graduate Member, Student Member, Retired Member, Friend of the Institute or Corporate Affiliate up to the date of such reinstatement, plus a reinstatement fee equal to that of the current applicable membership entrance fee. Applications for reinstatement submitted after five years from the termination of membership shall be treated as new applications for membership.

110. An application for reinstatement may be referred to the Disciplinary Committee for investigation and report.
111. The reinstatement decision shall be publicly announced by the General Council through any communication means as the General Council shall deem appropriate.

SERVICE OF NOTICE

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| Written Notice | 112. (1) Any notice to be given or issued referred to in the Articles and Bye-laws shall be in writing and may be given to a Member either personally or by sending it by post to the Member at his or her registered address or by electronic communication to an address provided by the Member for that purpose. However, a notice referred to in clause 10.2 hereof may only be given to a Member either personally or by sending it by post to the Member at his or her registered address. |
| Deemed Given | (2) A notice shall be deemed to have been given at the expiration of forty eight hours after the envelope containing it was posted or in the case of a notice contained in an electronic communication at the expiration of forty eight hours after the time it was transmitted.

(3) A Member present at any meeting of the Institute shall be deemed to have received notice of the meeting and, where requisite, of the purpose for which it was called. |
| Accidental Omission | (4) Any accidental omission to give notice of any meeting to or the non-receipt of such notice by any Member or other person entitled to receive notice shall not invalidate the proceedings at any meeting to be held under the provisions of these Bye-laws. |

**RULES OF ENQUIRY
FOR THE DISCHARGE OF COMPLAINTS**

- (1) (a) In these Rules, except where the context otherwise requires, the following words shall have the meanings respectively attributed to them below:

<u>Words</u>	<u>Meanings</u>
“Committee”	the Disciplinary Committee referred to in Clause 101 in these Bye-laws.
“complaint”	a complaint or allegation of improper conduct under Clause 94 in these Bye-laws and Code of Professional Conduct.
“complainant”	any person or persons making a complaint.
“alleged offender”	any member or members against whom a complaint is made including persons who are applying for membership.

- (b) References to Rules and Clauses are to be construed respectively as references to these Rules of Enquiry and to Clauses of the Articles of Association. Words importing the plural shall include the singular and vice versa. Words importing the masculine gender shall include the feminine gender. Unless the context otherwise requires words referred to in the Articles of Association shall bear the meaning attributed to them therein.
- (2) The General Council shall as required appoint the Committee in accordance with Clause 101 of the Bye-laws for the adjudication of complaints.
- (3) The General Council shall appoint from General Council Members to form the Committee. The Committee shall comprise not less than three General Council Members and shall continue in office until the complaint is finally disposed of when it shall be disbanded, unless the General Council replaces any member of the Committee whose premature retirement is unavoidable. Any retiring member of the Committee shall be deemed to continue as a member of the Committee for the purpose of investigation of a particular complaint until the same shall have been finally disposed of.
- (4) The General Council shall appoint a Chairman and Deputy Chairman of the Committee to deal with the matter in confidence. Unless the General Council otherwise decides the President will normally be the

Chairman or in his absence, either one of the 3 Vice Presidents as determined by a majority of other General Council Members. Should both the Chairman and Deputy Chairman be unable to carry out their functions, the General Council may appoint a member of the Committee to act as Chairman for such period as and upon such terms and conditions may be necessary.

- (5) Any act done by a Deputy Chairman or by a person appointed by the General Council under Rule (4) shall be valid and effectual and shall not be questioned on the ground that no occasion had arisen for the deputy to act in place of the Chairman or for a person to be so appointed.
- (6) Subject to the Articles and these Rules each Committee shall have the power to regulate its own practice and procedures. The Committee may appoint a secretary.
- (7) Any complaint shall be made in writing with supporting evidence, full name of the complainant and his personal particulars. This shall be addressed to the Honorary Secretary of the Institute under confidential cover. Anonymous complaints are not dealt with unless the President or either one of the 3 Vice-Presidents as determined by a majority of other General Council Members in his sole discretion thinks otherwise upon referral from the Honorary Secretary.
- (8) Upon receipt of a complaint with supporting evidence the Honorary Secretary shall refer the matter to the President or either one of the 3 Vice-Presidents as determined by a majority of other General Council Members for regulatory comment and guidance. If he is satisfied that a prima facie case exists, he shall order that the complaint be referred to the Committee for investigating.
- (9) If a complaint is made against a member of the General Council or a member of the Committee, the alleged offender shall be deemed suspended without prejudice to his membership of the General Council or the committee, as the case may be, until the investigation of the complaint has been concluded.
- (10) Where a complaint appears to disclose a prima facie case of improper conduct, the Honorary Secretary shall send written notice to the alleged offender of the nature and particulars of the complaint and invite him to put forward his observations in writing to the Committee within 28 days. The alleged offender shall at the same time be informed that he is under no obligation to make any observations to the Committee, but that, if he does not do so or if the Committee does not regard any explanations of his as satisfactory, the matter will be referred to the Committee, which will then invite him to a hearing.
- (11) On receiving the alleged offender's observations the Committee may dismiss the complaint if satisfied that it is unfounded or does not

disclose a prima facie case of improper conduct. It may also dismiss the complaint if it considers that the alleged improper conduct is of such a trivial nature that it should not call for any action.

- (12) As soon as the Committee has decided to proceed with hearing of a complaint, a date and place shall be fixed for the complaint to be heard.
- (13) Not less than 28 days nor more than 42 days prior to the date of the hearing of the complaint the Honorary Secretary shall send by registered post, to the alleged offender concerned a notice stating:
- (a) That the complaint has been referred to the Committee.
 - (b) A summary of the evidence submitted in support of the complaint.
 - (c) The time and place of the hearing.
 - (d) That he is entitled to :
 - (i) attend.
 - (ii) conduct his own case or be represented by a legal practitioner but not by any other person.
 - (iii) be heard, call witnesses and cross-examine other witnesses appearing before the Committee.
 - (e) That subject to any observations he may have with regard to the date, if he fails to appear at the appointed time and place the hearing may proceed in his absence.
 - (f) That he may submit representations in writing, but that in his absence the Committee may disregard any written representations not in the form of a statutory declaration.

At the same time, the Honorary Secretary shall also inform the complainant of the time and place of the hearing and that he is entitled to attend and be represented, as in (d)(ii) above, or submit written representations subject to the conditions of (f) above.

- (14) The General Council may appoint a legal practitioner to advise the Committee on points of law and procedure that arise before, during or after an enquiry.
- (15) The Committee shall hear the evidence of the witnesses who have been made available and may hear the evidence of such other persons as they think fit.
- (16) The Committee may receive any evidence which they consider relevant to the matter referred to the Committee, whether oral or written.
- (17) Evidence given before the Committee shall be admissible

against any person in proceedings before a civil court or other authority having power to deal with the case.

- (18) Subject to paragraph (20), any document or thing produced to the Committee by a witness when giving his evidence shall be made an exhibit.
- (19) When an original document or book is produced to the Committee by a witness, the Committee may, at the request of the witness, compare a copy of it or an extract therefrom of the relevant parts with the original and, after they have satisfied themselves that such a copy or extract is correct and the Chairman has certified thereon that the Committee has compared it with the original and found it correct, the Committee may return the document or book to the witness and attach the copy or extract to the record of the proceedings as an exhibit.
- (20) Every exhibit shall:
- (a) be marked with a number of letter and be signed by the Chairman or have a label affixed to it bearing a number of letter and the signature of the Chairman; and
 - (b) be attached to or kept with the record of proceedings unless in the opinion of the Committee it is not expedient to attach it or keep it with the record.
- (21) When an exhibit is not attached to or kept with the record of the proceedings under sub-paragraph 20(b) above, the Chairman shall ensure that proper steps are taken for its safe custody.
- (22) The Committee may, in deciding whether the alleged offender is guilty of a disciplinary offence, have regard to the Code of Professional Conduct currently in use by the Institute.
- (23) The Institute shall not be liable for travel and legal expenses or any other expenses whatsoever incurred by any person in connection with the hearing of a complaint, but the General Council may at its discretion, and without being deemed to make any admission of liability by so doing, reimburse any person or persons any expenses incurred in connection with any complaint.
- (24) Any notice directed to be given under these Rules shall be deemed to be properly served if sent by registered post to the last known address of the alleged offender. If no reply shall be received from him within 28 days after the time when such letter might be expected to have been delivered to him and a reply by return received from him in the ordinary course of post, the Committee may proceed in default. Provided that if an alleged offender shall, either before or after the complaint has been disposed of, satisfy the relevant body that any notice to him was not in fact delivered or

was delivered later than delivery might have been expected in the ordinary course of the post and that in consequence he was ignorant of the proceedings being taken against him, or unable to take appropriate action in connection therewith, the relevant body shall at his request reopen the relevant proceedings notwithstanding that they may have been concluded, subject to costs, if the relevant body thinks fit, being payable by him.

- (25) The Committee may in any case where it appears just or expedient to do so extend the time for doing anything under these Rules or may dispense with service of any notice or abridge the length of any notice and may adjourn any hearing from time to time.
- (26) The Chairman shall have the proceedings of the Committee recorded in writing and in sufficient detail to enable the General Council to follow the course of proceedings.
- (27) A record of the proceedings shall be signed by the Chairman and other members of the Committee and forwarded to the General Council with its report.
- (28) If in the opinion of the Committee a complaint is substantiated, the Committee shall make recommendations to the General Council as to the action to be taken under Clauses 100.2 and 100.3 of the By-laws.
- (29) If in the opinion of the Committee a complaint is not substantiated, this decision shall be transmitted to the General Council for endorsement and from the General Council to the parties concerned.
- (30) The Committee has the power to order or award costs against or for any person appeared before the Committee.
- (31) The Honorary Secretary shall notify the alleged offender of the decision of the General Council in writing by registered post. The Honorary Secretary shall at the same time inform the alleged offender that he must submit written representations in support of his appeal within 60 days from date of notification of review.
- (32) Upon receipt of an appeal, which may be an appeal against a finding of improper conduct or the decision of the General Council or both, the Honorary Secretary shall refer the appeal to an Appeal Board comprising a practicing barrister or a judge of the Supreme Court and two Past President/Fellows of the Institute nominated by the General Council and in connection with such appeal the Honorary Secretary may require any sum payable as security for costs.
- (33) Unless the Appeal Board otherwise directs it shall not recall

witnesses who gave evidence before the Committee or call other witnesses, and the material before the Appeal Board shall be the record of the proceedings of the Committee and its report and any documents which supported such record or report together with any additional written submissions made in support of the appeal.

- (34) The Appeal Board may affirm, vary, amend or reverse the decision of the General Council and may in addition make such order as to the costs payable relating to the complaint or the appeal as it thinks fit.
- (35) The decision of the Appeal Board shall be communicated in writing to the Honorary Secretary who shall lay it before the General Council and shall then inform the parties concerned.
- (36) In the case where the General Council decides that a member has been guilty of improper conduct, and the member does not appeal, or the member appeals yet the allegation is affirmed by the Appeal Board, it shall, unless it sees special reason to the contrary, cause the fact and particulars of its decision to be posted in the Institute's premises and published in the Institute's journal. It may, and at the request of the alleged offender shall, similarly publish the fact that a complaint has been dismissed.
- (37) Any decision or order of the General Council or of an Appeal Board may be subject to review in the light of new evidence available only after the relevant proceedings have been concluded.

- End