

# CONSTITUTION

*Of the*



## **Zambia Institute of Human Resource Management**

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**Date of Adoption: the 28<sup>th</sup> day of October Two Thousand and Twenty-Two**

**PREAMBLE**

**WE, THE MEMBERS OF THE INSTITUTE;**

**ACKNOWLEDGE** the need to promote and enhance the objects of a modern human resource management profession;

COMMIT ourselves in upholding the provisions of the Zambia Institute of Human Resource Management Act No. 3 of 2022;

RESOLVE to ensure that members in the human resource management profession meet the high standards of practice and be subject to the disciplinary oversight of the Institute;

UPHOLD the need under the Zambia Institute of Human Resource Management Act to make rules and regulations for the better carrying out of the Act, 2022;

AND DIRECT that all members abide by and respect this Constitution;

DO HEREBY SOLEMNLY ADOPT AND GIVE TO OURSELVES THIS CONSTITUTION.

## **ARTICLE 1 COMMENCEMENT**

This Constitution shall come into effect on the date when the Institute shall, by a vote of at least two-thirds of the members voting at a general meeting of the Institute, adopt this constitution.

## **ARTICLE 2 INTERPRETATION**

(1) In this Constitution, unless the context otherwise requires:

“1998 Constitution” means the Constitution which was adopted by the Institute on 9 May 1998.

“Act” means the Zambia Institute of Human Resource Management Act No. 3 of 2022;

“Council” has the meaning assigned to the word in the Act;

“electronic communication” has the meaning assigned to the word in the Electronics Communications and Transactions Act, 2021;

“extra ordinary meeting” means a meeting other than an annual general meeting;

“Institute” has the meaning assigned to the word in the Act;

“member” has the meaning assigned to the word in the Act;

“month” means a calendar month;

“poll” means a form of voting, other than a show of hands, by which the votes are recorded in writing and are capable of being counted accurately;

“Registrar” means the person appointed as Registrar under the Act;

“virtual meeting” means a meeting of the Institute at which some or all of the members are in contact by telephone or by electronic means; and

(2) In this Constitution words used in the singular include the plural and words in the plural include the singular.

### **ARTICLE 3**

#### **CLASSES OF MEMBERSHIP**

- (1) There shall be the following classes of membership;
- (a) honorary fellow;
  - (b) fellow;
  - (c) full member;
  - (d) associate;
  - (e) affiliate; and
  - (f) student.
- (2) Honorary Fellows shall be –
- (a) a Fellow elected by the Council based on criteria determined by the Council from time to time;
  - (b) persons distinguished by their work in any area of Human Resource Management whom the Institute desires to honour for services rendered to the Institute or whose association is of benefit to the Institute;
  - (c) entitled to use the letters HonFZIHRM meaning Honorary Fellow of the Zambia Institute of Human Resource Management; and
  - (d) exempt from paying subscription fees and shall enjoy other privileges as the Institute may, at a general meeting, approve from time to time.
- (3) Fellows shall-
- (a) meet the requirements for admission as a member and shall demonstrate significant individual responsibility, sustained achievement and professionalism in areas relevant to the interests of the Institute to a level required by the Council; and

- (b) be entitled to use the letters FZIHRM (Fellow of the Zambia Institute of Human Resource Management).
- (4) Full Members shall –
  - (a) have a standard of knowledge, understanding and experience as required by the Council; and
  - (b) be entitled to use the letters MZIHRM (Member of the Zambia Institute of Human Resource Management).
- (5) Associates shall be –
  - (a) Students or persons with a minimum number of years of practical experience in human resource management prescribed by the Council, who have passed, or are exempt from, such examinations or other tests as are prescribed for this purpose in or under the Act; or
  - (b) entitled to use the letters AZIHRM Associate of the Zambia Institute of Human Resource Management.
- (6) Affiliates shall be persons who have expressed interest to associate themselves with the objects of the Institute and the human resource management process. Affiliates will be non-practising and non-voting members who will enjoy such rights and privileges as determined by the Council from time to time.
- (7) Students shall be persons working towards a professional qualification recognised by the Council and satisfy other requirements as determined by the Council from time to time.
- (8) The rights and privileges of every member shall be personal, and not transferable.
- (9) All persons admitted to any class shall before becoming a member sign an undertaking to be governed by the Institute's Constitution and the Act.

#### **ARTICLE 4**

##### **APPLICATION FOR MEMBERSHIP**

- (1) A person who intends to be admitted to any class of membership shall apply to the Council in a manner and form determined by the Council.

- (2) A person shall, before being admitted to any class of membership, satisfy the Council that that person –
  - (a) possesses knowledge, training and experience that may be determined by the Council;
  - (b) holds a qualification recognised and validated by the Zambia Qualifications Authority;
  - (c) is a citizen or is resident in the Republic;
  - (d) has an established office or appointment in the Republic in the human resource management profession;
  - (e) is of good character and good professional standing; and
  - (f) meets other requirements as the Council may determine.
- (3) A person shall not be registered as a member of the Institute unless, on the date of that person's application for registration, the person has attained the age of fifteen years and has-
  - (a) passed such qualifying learning program accredited by the Higher Education Authority, on recommendation of the Council;
  - (b) completed such period of practical training in human resource management work as the Council may determine; or
  - (c) acquired such qualifications and experience as the Zambia Qualifications Authority may, on consultation with the Council, determine as adequate for efficient practice as a human resource management practitioner.
- (4) The Council shall, within thirty days of receipt of an application, consider the application for membership.
- (5) Before granting the application, the Council may, if it considers necessary, require the applicant to attend an interview before the Institute and to furnish additional evidence relating to that applicant's character, fitness and suitability to be a member of the Institute.

- (6) Applications for membership shall be considered by the Council or by a committee appointed by the Council.
- (7) Where the applicant has met the requirements under this Constitution and the Act, the Council shall issue the applicant with a certificate of membership.
- (8) Despite clause (7) a student member shall not be issued with a practicing certificate.

## **ARTICLE 5**

### **SUBSCRIPTION FEES**

- (1) The annual subscription fees payable by a class of membership shall be determined by the Council and the Council may whenever it may consider necessary -
  - (a) reduce, the annual subscription fees payable by members outside the Republic who are also members of any institution or society outside the Republic with which a reciprocal agreement in respect of subscriptions is made with the Council;
  - (b) reduce or wholly remit the annual subscription fee payable by any person who has been a member of the Institute who is not less than the statutory retirement age and has been a member for an immediately preceding period of at least five years; and
  - (c) in the case of ill-health, misfortune or other exceptional ground in the Council's opinion, either reduce or waive the subscription fee and arrears, if any, payable by any individual member.
- (2) A member shall promptly inform the Institute in writing the circumstances entitling the member to be placed in the non-practice category or category under Article 5 (1) (c).
- (3) All annual subscription fees shall be due on the 1st day of January in each year.
- (4) A member who pays a subscription fee after the 31<sup>st</sup> day of January, shall in addition to the annual subscription fee, pay a late registration fee as may be determined by the Council.
- (5) Any member of any class whose annual subscription remains unpaid after the



31<sup>st</sup> day of March shall not be entitled, before the subscription fees are paid in full, to exercise or benefit from any of the rights or privileges of membership.

- (6) Members newly admitted to any class before the 1<sup>st</sup> day of July in any year shall pay the annual subscription fees for that calendar year and members admitted on or after the 1<sup>st</sup> day of July in any year shall for that calendar year pay half such annual subscription.
- (7) A person admitted to membership shall pay the applicable annual subscription fee within fourteen days of the admission or within thirty days if the person is outside the Republic.
- (8) If the annual subscription is not paid within the period specified in this Article, the admission to membership shall be cancelled.
- (9) The Council shall have the right to withdraw membership of any class from members whose annual subscription is not paid and the terms and conditions for such withdrawal shall be as determined by the Council.
- (10) A member will only be issued a certificate of membership on paying the required fees together with any unpaid arrear of fees.
- (11) An Honorary Fellow Member shall be exempt from paying annual subscription fee.
- (12) Subject to this Constitution, any person admitted or transferred to the membership class of Honorary Fellow, Fellow, Member or Associate shall have the right to –
  - (a) be issued a certificate of membership both of which will remain the property of, and shall on demand be returned to, the Institute;
  - (b) be present and vote at all general meetings;
  - (c) propose applications for admission to specified class of membership;
  - (d) propose and support the nomination of candidates for election to the Council or any other elective office of the Institute;
  - (e) be a candidate for election as a member of the Council subject to nomination in accordance with

the Electoral Regulations.

**ARTICLE 6**  
**CESSATION AND**  
**RE-ADMISSION TO MEMBERSHIP**

- (1) A member shall cease to be a member of Institute if:
  - (a) the member resigns by notice in writing to the Institute;
  - (b) the member is no longer qualified for registration as a practitioner in accordance with the Act;
  - (c) the member dies; or
  - (d) any subscription or other sum payable by the member to the Institute is not paid on the due date.
- (2) Despite clause (1)(d) the Council may, re-admit a person to membership on payment of such fee as the Council may determine.
- (3) A member who ceases to be a member in accordance with this Article shall remain liable for all subscriptions and other fees due from the member up to and including the date when the member ceases to be a member.
- (4) The Council may readmit to membership in the appropriate class any person whose membership ceased in accordance with Article 6 (1) (a) and (d) provided the member satisfies the Council that he is eligible for readmission and pays such amounts of subscription fees and any arrears as the Council may determine.
- (5) Any member whose membership ceases under Article 6 (1) (b) may be readmitted to membership in accordance with the provisions of the Act.

**ARTICLE 7**  
**THE COUNCIL**

- (1) The composition of the Council shall be as provided for under the Act.
- (2) The office of a member of the Council or Committee of the Council shall not be construed as employment.

- (3) Allowances shall be in accordance with the Act.

## **ARTICLE 8 ELECTION**

- (1) A practitioner shall not be eligible for election as President and Vice President unless such practitioner has attained membership class not below a full member of the Institute.
- (2) The members of the Institute may, by resolution passed in a general meeting, make such electoral rules as may be necessary for the conduct of elections of the President, Vice President and other elective members of the Council.
- (3) The Rules referred to under clause (2), if passed at the same time as the Constitution, will be set out as an appendix to the Constitution.

## **ARTICLE 9 INFORMATION AND COMMUNICATION TECHNOLOGY**

The Institute may, in the exercise of its powers and performance of its functions under the Act or these provisions, employ such Information and Communication Technology as may be appropriate.

## **ARTICLE 10 GENERAL MEETINGS OF THE INSTITUTE**

- (1) A general meeting may either be an annual general meeting or an extraordinary general meeting.
- (2) A meeting called in accordance with this Article may be conducted, in whole or in part, as a virtual meeting so long as the electronic means employed ordinarily enables all persons participating in that meeting to communicate concurrently with each other and without an intermediary and to participate reasonably effectively in the meeting.
- (3) The annual general meeting of the Institute shall be held at such place as the Council may determine.
- (4) The Council shall convene an annual general meeting once in each calendar year, but no more than fifteen months after the date of the previous annual

general meeting which must, at a minimum, provide for the following business to be transacted:

- (a) presentation of the Council's report, audited financial statements for the immediate preceding financial year and the auditor's report;
  - (b) election of members of the Council to the extent required by the Act or this Constitution;
  - (c) appointment of auditors for the ensuing year; and
  - (d) any matters raised by members, with or without advance notice to the Council.
- (5) The Council may, where the Council thinks fit, convene an extraordinary general meeting, and shall, on the requisition in writing of not less than one hundred and fifty voting members of the Institute, proceed to convene an extraordinary general meeting of the Institute.
- (6) A requisition must state the objects of the meeting and must be signed by the requisitionists and deposited at the office of the Registrar.
- (7) Where the Council does not proceed to cause a meeting to be held within thirty days from the date of the requisition under clause (5), the requisitionists or a majority of them may convene the meeting.
- (8) A resolution proposed to be considered by members which would lead to the ratification of an act that is contrary to the Act or this Constitution shall not be considered.

## **ARTICLE 11**

### **NOTICE OF MEETING**

- (1) The Registrar shall send a notice of a general meeting to every member of the Institute at least twenty-one days before the date set for the meeting, setting out the date, time and venue of the meeting.
- (2) The Registrar may, in consultation with the President, send any other information or document to members for purposes of a meeting.
- (3) The accidental omission to give notice of a meeting to a member or the non-receipt of the notice by a member shall not invalidate the proceedings, or a resolution passed at a general meeting.

- (4) A member who desires to move a motion on an issue during the annual general meeting of the Institute shall give to the Registrar notice of the member's intention to move the motion and the notice shall set out the exact form in which the motion shall be presented at the meeting.
- (5) A notice of motion shall be signed by the mover and the seconder of the motion and must be delivered to the Registrar at least twenty-one days before the date set for the meeting where the motion is intended to be moved or discussed.
- (6) A notice of motion may be delivered to the Registrar by sending a signed scanned copy to the official electronic mail address provided by the Registrar and the delivery of the notice is deemed to be made at the end of the day on which the notice was dispatched.
- (7) Where a member sends a notice under clause (6), the member shall deliver the original notice of motion to the Registrar at least 15 days before the date on which the motion is to be discussed.
- (8) A motion shall not be in contravention of this Constitution or the Act unless the motion seeks to recommend an alteration or amendment of the Constitution or the Act.

## **ARTICLE 12**

### **QUORUM AND ADJOURNMENT**

- (1) One hundred and fifty members present in person or by proxy constitute a quorum for a general meeting.
- (2) No business shall be transacted at a general meeting unless a quorum is present when the meeting proceeds to business.
- (3) If within thirty minutes from the time appointed for the meeting a quorum is not present, the meeting:
  - (a) if convened on the requisition of members, shall be dissolved; and
  - (b) shall, in any other case, stand adjourned to a date, time and place determined by the person presiding at the meeting.
- (4) If at the adjourned meeting a quorum of members is not present within thirty minutes from the time appointed for the

meeting, the members then present shall constitute a quorum.

- (5) A member present at a general meeting shall have one vote.
- (6) Unless otherwise specified, proposals at a general meeting are decided by a majority of votes.
- (7) The President or a person presiding at a general meeting shall have a deliberative as well as a casting vote.

### **ARTICLE 13** **PROCEEDINGS AT GENERAL MEETINGS**

- (1) At all general meetings the Chairperson shall devolve to the specified members in the following order, if present and willing to act –
  - (a) the President;
  - (b) the Vice President;
  - (c) a Council member chosen by the Council; and
  - (d) the senior-most fellow member of the Institute present to preside at the meeting if no Council members are present.
- (2) For the purposes of this provision, the power or discretion upon the President regarding conduct of a general meeting shall be exercisable by a person for the time being lawfully presiding at a meeting in the absence of the President.
- (3) The person presiding at a general meeting may require the adoption of any procedures which are in that person's opinion necessary or desirable for the proper and orderly casting or recording of votes at any general meeting of the Institute, whether on a show of hands or on a poll.
- (4) At a general meeting every issue on which a decision is required shall be decided in the first instance by a show of hands, when every member present in person shall be entitled to one vote.
- (5) Unless a poll is directed by the President or demanded by at least three members –
  - (a) a declaration by the President that a resolution or decision has been

adopted or not adopted by a particular majority; and

- (b) an entry to that effect in the minutes of the meeting; shall be conclusive evidence of the facts without proof of the number or proportion of the votes recorded for or against such resolution or decision.
- (6) A direction or demand for a poll may be withdrawn at any time before the adjournment of the meeting and shall not be given or made in respect of the question of adjournment of a meeting.
- (7) A poll allowed in accordance with the provisions of this clause may be undertaken and concluded during the same meeting by –
- (a) causing a division; or
  - (b) where appropriate, be administered electronically according to an established system.

## **ARTICLE 14**

### **NOTICES**

- (1) A notice or other document may be given to a member by hand or sent by courier or by post to the member's registered address or by email.
- (2) Service of any notice or other document properly addressed and sent by pre-paid post shall be deemed to occur when it would be delivered in the ordinary course of the post.
- (3) A notice or document sent by courier shall be deemed to have been sent when received by the courier company and received by the member when delivered by the company in the ordinary course of such deliveries.
- (4) A notice or document sent electronically shall be deemed to be received forty-eight hours later.

## **ARTICLE 15**

### **RESOLUTIONS OF INSTITUTE**

- (1) The Registrar shall keep and maintain a register of all resolutions made by the Institute and a member shall have access to the resolutions at all reasonable hours.

- (2) The Registrar shall also keep a record of the proceedings and decisions of a general meeting.
- (3) The minutes of the proceedings of a general meeting shall be recorded, and if approved by the succeeding general meeting, shall be signed by the President and any minutes so signed shall be conclusive and binding on all members of the Institute.

## **ARTICLE 16**

### **REPRESENTATION OF THE INSTITUTE ON OTHER BODIES AND ENTITIES**

- (1) The Registrar shall keep and maintain a register of all constitutional, statutory and other public bodies where the Institute is required by legislation or otherwise to nominate or elect representatives to sit on their governance forums or organs.
- (2) The register shall contain –
  - (a) the name of the body or entity;
  - (b) the position in which the Institute is represented;
  - (c) the name of the member for the time being in office;
  - (d) the commencement and expected end of the tenure of the member; and
  - (e) a statement on whether the representative is eligible for further appointment.
- (3) The register shall be available for inspection by a member at all reasonable times upon notice.
- (4) Where the Institute is required by legislation or otherwise to nominate a member to serve on a governance organ of a constitutional, statutory or other public body, the Registrar shall issue notice of the vacancy and shall at the same time invite interested qualified members to apply to be considered for that position.
- (5) The Council shall consider all applications received and shall make a decision on the qualified person for nomination to a relevant office.
- (6) The qualification for nomination to a constitutional, statutory or other public body shall include-



- (a) the requirements under the relevant provisions of the Constitution, legislation or requirements of the particular institution to which the member is to be nominated;
  - (b) the relevant experience and competence of the applicant; and
  - (c) the academic qualification commensurate with the office to which the member is to be nominated.
- (7) Despite this clause, the Council may appoint a qualified member to a body or entity where-
- (a) request for nomination has come on short notice; or
  - (b) where the appointment is of temporary nature or for a short period.

## **ARTICLE 17**

### **CODE OF ETHICS**

- (1) A member of the Institute shall at all times adhere to and be subject to the code of issued by the Minister by statutory instrument.
- (2) A code of ethics shall contain rules of professional conduct that generally reflect best practices.

## **ARTICLE 18**

### **BRANCHES AND OTHER ORGANISATIONS**

- (1) The Council may establish, regulate, suspend or dissolve -
  - (a) branches, for members of the Institute;
  - (b) specialist groups for members working in particular industries or occupations; or
  - (c) association of registered students which may be attached to a branch or other organisation of the Institute whilst not being themselves part of the Institute.

- (2) The Council's right to suspend or dissolve any branch or organisation established includes the right to suspend or dissolve any managing or representative Council or committee of any such organisation and all and any funds in the hands of such organisation shall belong to the Institute and in the event of suspension or dissolution shall be returned to the Institute in accordance with the directions of the Council.

## **ARTICLE 19**

### **AMENDMENT OF CONSTITUTION**

- (1) Amendment of the Constitution shall be by a vote of at least two-thirds of the members voting at a general meeting of the Institute.
- (2) No proposal for the alteration of this Constitution shall be considered except at the annual general meeting or at an extraordinary general meeting called for the purpose and for the adoption of such a proposal by members present and voting, in person or by proxy, or in a poll.
- (3) A proposal for the alteration of this Constitution may be put forward either by the Council or by members.
- (4) A proposal given by members shall be in writing and signed by not fewer than one hundred members and deposited at the office of the Registrar.
- (5) A proposal referred to under clause (4) shall not be considered until a report by the Council has been prepared for submission to the meeting.
- (6) The proposal and report of the Council shall be circulated with notice of the meeting subject to the provisions of this Constitution.
- (7) The Institute shall not amend this Constitution unless, after the amendment, the provisions of the Constitution are expressed in terms of and consistent with the Act.

## **ARTICLE 20**

### **REVOCATION OF 1998 CONSTITUTION**

The 1998 Constitution is hereby revoked.

**ARTICLE 21**  
**SAVINGS AND TRANSITION**  
**PROVISIONS**

- (1) Despite the revocation of 1998 Constitution, an act or thing done a power or function or a resolution made pursuant to a provision in the 1998 Constitution shall be as valid as if the act or thing was done, or power or function exercised or undertaken under this Constitution.
- (2) A person who has been elected, nominated or appointed in accordance with a provision in the Act or the 1998 Constitution shall continue to hold office and to perform the functions of that office for the remainder of the term and any appointment or election to fill the position shall subsequently be in accordance with this Constitution.
- (3) The amount of annual subscription fees or other levy payable by a member immediately before the commencement of this Constitution shall continue to be the amount payable by the member under this Constitution until varied in accordance with this Constitution.
- (4) A member who has, immediately before the commencement of this Constitution, paid annual subscription fee or other levy under the 1998 Constitution shall be deemed to have paid the subscription or levy under this Constitution.

ANNEX



human  
resources

**ZAMBIA INSTITUTE OF HUMAN RESOURCE MANAGEMENT ELECTORAL RULES, 2022**

**ARRANGEMENT OF RULES**

**Rules**

**PART I  
PRELIMINARY PROVISIONS**

1. Title
2. Interpretation
3. Principles of election and voting system

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4. Appointment of electoral body
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6. Notices
7. Nomination of candidates and contents of nomination paper
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**PART IV  
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14. Publication of list of voters
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18. Voting by proxy
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**PART V  
GENERAL PROVISIONS**

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25. Indemnity

IN EXERCISE of the powers contained in Article 8 of the Constitution of the Zambia Institute of Human Resource Management, 2022, the following Rules are made:

## PART I PRELIMINARY PROVISIONS

Title

**1.** These Rules maybe cited as the Zambia Institute of Human Resource Management Electoral Rules, 2022.

Interpretation

**2.** In these Rules, unless the context otherwise requires:

“Act” means the Zambia Institute of Human Resource Management Act, No. 3 of 2022;

“Constitution” means the Constitution of the Zambia Institute of Human Resource Management;

“Electoral Committee” means the Electoral Committee established under Rule 4;

“electronic voting system” means a voting system conducted by or through electronic means.

“Institute” means the Zambia Institute of Human Resource Management;

“manual system” means a voting system other than an electronic voting system.

“member” has the meaning assigned to the word in the Act;

Principles of  
election and  
voting system

- 3.** (1) An election shall be conducted by the use of-
- (a) a manual system of voting as provided in these Rules; or
  - (b) an electronic voting system.
- (2) A system that is adopted for elections shall be-
- (a) transparent;

- (2) A system that is adopted for elections shall be:
  - (a) transparent;
  - (b) secure and free from improper influence;
  - (c) conducted by an independent electoral body;
  - (d) administered in an impartial, neutral, efficient, accurate and accountable manner; and
  - (e) auditable.
- (3) The electronic voting system shall relate to:
  - (a) registration of members as voters;
  - (b) identification of a voter;
  - (c) voting;
  - (d) collating and tallying of the votes; and
  - (e) transmitting the results of elections.
- (4) Where the electronic voting system is adopted, the Institute shall, unless an external service provider is engaged to facilitate the process, internally operate an electronic voting system.
- (5) Despite sub -rule (3) an electronic voting system may provide for the necessary mechanisms to electronically carry out any of the steps or processes from the nomination of candidates up to the final release of the results of the election.
- (6) Where an electronic system is to be used, the Council shall satisfy members of the Institute that the system meets the minimum requirements under this Rule, and the Council shall ensure that voting instructions are sent to eligible voters at least fourteen days before the date set for an election.
- (7) The Council shall not adopt an electronic voting system unless the system has mechanisms for back-up and the system is approved by members at a general meeting.

(8) If the electronic voting system fails either before the voting begins, or during the voting process and the failure is not rectified within three hours, or the continued accuracy and reliability of the system cannot be reasonably assured, the returning officer shall make a decision on the way forward, after consulting with the candidates or their authorised representatives generally, including postponing the elections or reverting to the other voting system under this section

## PART II ELECTORAL COMMITTEE

Appointment  
of electoral  
body

**4.** (1) The Council shall consider and nominate an electoral body to conduct the election of the President, Vice President and members of the Council.

(2) The name of the electoral body that is approved by the Council to conduct an election shall be submitted to the members of the Institute at a general meeting for approval prior to the election.

(3) Before the name of an electoral body is presented to the Institute for approval, the Council shall obtain from the electoral body a written commitment on its willingness to conduct the relevant election.

(4) Where a body other than the Electoral Commission of Zambia is to conduct an election, the Council may propose two or more names of suitable bodies or organisations from which the members of the Institute shall approve one for the purpose of conducting the election.

(5) This Rule shall not apply if the electronic system used under sub-rule (5) is sufficiently automated and is monitored by the Electoral Committee during its use.

Appointment  
and functions of  
Electoral  
Committee

**5.** (1) There shall be established an Electoral Committee which shall consist of a Chairperson and four other members appointed in accordance with sub-rule (2).

(2) The Electoral Committee shall consist of:

- (a) a fellow member appointed by a committee of past Presidents of the Institute, to be the Chairperson; and
- (b) four other members nominated by a selection panel constituted in accordance with sub-rule (5).



(3) The Chairperson of the Electoral Committee shall be the returning officer for the purposes of electing members of the Council. The Electoral Committee may appoint any person as returning officer for any other elections conducted by the Institute.

(4) The Registrar shall be the secretary to the Electoral Committee.

(5) For purposes of making nominations under sub-rule (2)(b) –

- (a) the Registrar shall constitute an adhoc panel consisting of not more than one non-Council member from the membership of the functional committees for the time being establish by the Council; and
- (b) the members nominated under this sub-rule shall be from the general membership of the Institute provided that fifty percent of each gender is appointed unless it is not practicable to do so.

(6) A member shall not qualify to be appointed as a member of the Electoral Committee if the member-

- (a) holds an office in the Council;
- (b) is a candidate or nominates a candidate in the relevant election; or
- (c) has contested in an election of the Institute in the immediately preceding three years.

(7) The functions of the Electoral Committee are to –

- (a) ensure that the electoral system, including electronic system of voting, and electoral processes are in accordance with the principles and requirements specified in these Rules;
- (b) issue necessary instructions to all officials responsible for conducting the elections to ensure compliance with these Rules;

- (c) supervise and direct the elections; and
- (d) scrutinise the nomination papers submitted by applicants, determine whether a person has validly been nominated and resolve disputes or complaints relating to the elections.

Subject to these Rules, the Electoral Committee shall regulate its own proceedings

PART III

**NOMINATIONS AND CAMPAIGNS**

Notices

**6.** (1) The polls for any position or office shall be conducted at the Annual General Meeting and shall constitute part of the business of the Annual General Meeting.

(2) At least ninety (90) days before the date of the Annual General Meeting in the year when an election of the Council is to be held, the Registrar shall issue a notice of vacancies in the Council

- (a) to each member of the Institute; or
- (b) through publishing in a daily newspaper of general circulation in Republic or other media.

(3) The notice shall invite interested qualified members to submit nomination papers for election to those offices.

(4) Any notice issued pursuant to this Rule shall -

- (a) specify the office that is vacant on the given date;
- (b) contain the requirements on eligibility to be elected to a vacant office;
- (c) indicate the date and manner in which the nomination paper shall be submitted to the Registrar; and
- (d) require that nomination of a candidate be by at least two members of the Institute of a specified class of membership.

(5) A member may be nominated as a candidate in an election under this Rule if that member-

- (a) is qualified to be elected to the relevant office as at the date set for close of nominations;

Nomination of candidates and contents of nomination papers

- (b) is nominated by two members of the Institute who are qualified to be elected to the office to which the nomination relates;
- (c) pays a non-refundable nomination fee as maybe determined by the Electoral Committee; and
- (d) consents in writing to serve in the office to which the member is nominated.

7.

(1) Nomination as a candidate in an election to an office shall be by way of a nomination paper that shall specify-

- (a) the name and address of the candidate;
- (b) the name of the organisation where the candidate works, if any;
- (c) the year admitted to membership of the Institute;
- (d) the year and office in the Council previously held by the candidate, if any;
- (e) the place where the candidate ordinarily practices, or where the member does not practice, the place where the member ordinarily resides; and
- (f) the office for which the candidate is nominated.

(2) The nomination paper referred to in sub-rule (1) shall be in the Form ZIHRM1 set out in the Schedule.

(3) The nomination paper shall contain a written consent of the candidate by which the candidate agrees to serve in the proposed office, if elected.

Submission of nomination

8.

(1) Before the expiry of the period fixed for submitting nomination papers, a candidate shall personally or by an agent deliver to the Registrar the candidate's nomination paper in accordance with the notice issued by the Registrar under Rule 6 (3).

(2) The nomination papers may be delivered to the Registrar by sending signed scanned copies to the official electronic mail address provided by the Registrar and the delivery of the nomination papers is deemed to be made at the end of the day on which the mail was dispatched to the Institute.

(3) Where a candidate or the candidate's agent sends the nomination paper under subrule (2) the candidate shall deliver the original nomination paper to the Registrar before the period fixed for submission of nomination papers.

(4) The Registrar shall keep a register of names of candidates who have submitted nomination papers.

(5) The register shall contain –

- (a) the names of the candidate;
- (b) the office to which the candidate seeks to be elected; and
- (c) the date and time when the nomination paper was delivered to the Registrar.

(6) The person delivering the nomination paper and the person receiving the paper shall both sign the register.

(7) The Registrar shall upload on the website of the Institute the list of names of candidates who have submitted nomination papers not later than twenty-four hours after the deadline set for submitting the nomination papers.

Withdraw of  
nomination

9.

A nomination may be withdrawn by the candidate, or the person authorised in that behalf, at any time before the expiry of the period appointed for lodging nomination papers by giving written notice to the Registrar.

**10.** (1) The Electoral Committee shall –

- (a) within seven (7) days after the deadline for submitting nomination papers, scrutinize the nomination papers and determine the applicants who qualify to contest for the various positions in the relevant election; and
- (b) immediately issue a notice, for publication on the website of the Institute, specifying the names of candidates who have been validly nominated to various offices together with such other details as the Electoral Committee shall consider necessary.

(2) The Electoral Committee shall declare any nomination invalid if the nomination paper –

- (a) was not duly completed;
- (b) is not properly signed;
- (c) is not lodged as required by Rule 8;
- (d) is not accompanied by the declaration referred to in the nomination paper or the declaration is defective in any material particular; or
- (e) the appropriate fee was not paid.

(3) The Electoral Commission shall endorse on the nomination paper the Committee's reason for declaring the nomination invalid and the Chairperson of the Committee shall sign such endorsement.

**11.** (1) A candidate who has been nominated and approved by the Electoral Committee shall not mobilise or galvanize for votes in accordance with guidelines published by the Electoral Committee.

(2) Immediately upon nomination of the candidates, the Registrar may liaise with Branch Chairpersons and the candidates for the purpose of preparing a calendar of joint meetings of candidates around the country.

(3) A meeting to promote the agenda of a candidate shall be organised by the branches in consultation with the candidates and all candidates shall be invited to attend.

(4) Despite this Rule, a candidate may reach out to members to sell the candidate's agenda or policies –

- (a) by electronic mail addressed to members individually or collectively;
- (b) by participating in a public platform where candidates address members jointly for the purpose of promoting their respective agenda for the society;
- (c) by uploading their manifesto, agenda or information on an electronic platform specially set up by the Registrar on the Institute's website; or
- (d) by such other method as may be approved by members at a general meeting.

(5) Except as provided in subrule (3) a candidate, agent of a candidate or a supporter shall not, with a view to influencing an election outcome –

- (a) convene a meeting or forum of members for the purpose of persuading the members to vote for the candidate or for the object of introducing the candidate or candidate's agenda to members;

- (b) distribute to members pamphlets, literature or other materials relating to the elections;
- (c) display in public places advertisements in whatever form; or
- (d) use the print or electronic media to pass a message relating to a candidate or the relevant election.

(6) A candidate shall not, during the election period, use a language, a word or an expression that is abusive, demeaning or tending to demean, or that is intended to or is likely to ridicule another candidate.

(7) The Electoral Committee may disqualify a candidate who, directly or through agents, contravenes a provision of this Rule

Agents and  
observers

**12.** (1) A candidate may nominate not more than two agents to represent the candidate at a polling or tallying Centre.

(2) The Electoral Committee may, on prior request in writing, allow observers during the election process.

Election without  
ballot

**13.** If the number of candidates nominated to fill vacancies announced does not exceed the number of vacancies in the respective offices, the persons nominated for those offices shall be declared to be elected to the respective offices.

#### PART IV ELECTION PROCEDURE

Publication of  
list of voters

**14.** (1) The Registrar shall, at least thirty days before the date set for elections, publish to the members a list of voters –

- (a) directly to each member through electronic or postal mail;
- (b) by uploading the list of voters on the Institute's website;
- (c) by use of both procedures specified (a) or (b); or

(d) by such other method as the Council may determine.

(2) For the purposes of an election to an office at national level, a member shall only be registered as a voter.

(3) A person who is entered on the register of practitioners at least forty-five days prior to the date of a scheduled election and who has taken out a practising certificate is entitled to vote.

(4) The Registrar shall prepare a supplementary list of voters for the purposes of enabling a person referred to in sub-rule (3) to participate in the election.

(5) The list of voters shall contain details or particulars of members who are eligible to vote and a member is entitled to verify the details in the list of voters before the date set for election.

(6) The Registrar shall submit the list of voters to the Electoral Committee, where applicable immediately upon expiry of the period limited for verification of the register by members, for preparation of polling register.

Ballot paper

**15.**

A ballot paper for use in an election shall have –

- (a) the name of the candidate;
- (b) a coloured passport photograph of the candidate;
- (c) a serial number printed on the front side; and
- (d) a counterfoil with the same serial number.



## 16.

(1) Voting shall be conducted during the times determined by the Electoral Committee but such times may be extended by the presiding officer for not more than two hours for good cause to be recorded.

(2) A voter shall present a national identity card or a valid passport to an election official before being allowed to vote.

(3) The Electoral Committee or the person overseeing elections shall implement measures to confirm that the right person votes and that there is no possibility of a person voting more than once.

(4) If, by reason of being unable to read or write, or otherwise unable to vote in the manner set out in these Rules due to a disability, a voter may request a presiding officer for assistance and the presiding officer shall permit the voter to be assisted or supported to the extent necessary by a person of the voter's own free choice.

(5) If a candidate or agent refuses or fails to record the reasons for refusal or failure to sign the declaration form, the presiding officer shall record the fact of their refusal or failure to sign, but the refusal or failure to sign shall not by itself invalidate the results announced.

(6) Where a candidate or agent of a candidate is absent, the presiding officer shall record the fact of their absence.

## 17.

(1) The polls for any position or office shall be conducted at an Annual General Meeting and shall constitute part of the business of an Annual General Meeting.

(2) A person eligible to vote and is a fully paid-up member shall cast that person's vote for any position or office.

(3) A member of the Institute who is not fully paid up, shall not vote during any election.

(4) An eligible voter shall be identified by-

(a) a membership card or national identity card or passport; and

(b) evidence that the eligible is a paid-up member of the Institute.

(5) Every poll taken under these Rules shall be by secret ballot and in accordance with the provisions of these Rules.

Voting by proxy

**18.**

(1) A member eligible to vote may vote by proxy provided that no voter shall be appointed proxy by more than one member.

(2) A member voting by proxy shall complete the Form ZIHRM2 set out in the Schedule.

Recount of ballot papers

**19.**

(1) A candidate or agent, if present when the counting is completed, may require the presiding officer to have the ballots re-checked or recounted.

(2) A presiding officer may, on own initiative, cause the ballots to be recounted.

(3) A recount of ballots under this Rule shall not take place more than once.

Counting of votes and certificate of results

**20.**

(1) The Returning Officer shall ensure that the counting of votes cast takes place as soon as practicable after the close of the poll.

(2) A candidate or that candidate's agent in any election shall be entitled to be present and observe the counting of votes cast.

(3) The votes cast shall be counted by the Returning Officer with the help of election officers.

(4) The Returning Officer shall formally announce the results of an election as soon as the counting of votes is complete.

(5) The results as certified by the Returning Officer shall constitute the official results of the elections.

(6) The Registrar shall keep the results and election materials used until any dispute has been decided in accordance with Rule 23 or the time within which a candidate may challenge the results has expired.

Equality of votes

**21.** The poll shall be repeated if there is an equality of votes between two or more leading candidates.

Control of persons

**22.** The presiding officer shall keep order during voting and may require persons who are not eligible to vote to leave the Annual General Meeting during voting.

Determination of election disputes

**23.** (1) A person who is aggrieved by the results of an election may, within seven days of the announcement of the results, lodge a complaint in writing to the Electoral Committee.

(2) A complaint to the Electoral Committee shall be lodged with the Registrar who shall refer that complaint to the Electoral Committee.

(3) A complaint shall contain all the facts and evidence intended to be relied upon and shall set out the legal provision alleged to have been contravened.

(4) The complainant may be required to verify the facts set out in the complaint by an affidavit and adduce further evidence, where necessary.

(5) The Complainant shall serve the complaint on the Respondent within three days of lodging the complaint.

(6) The secretary to the Electoral Committee shall, within three days of receiving the complaint, set a date for hearing the complaint and shall notify all parties.

(7) The Electoral Committee shall expeditiously hear and determine all complaints referred to it, regard being had to the timelines set out under these Rules.

(8) The Electoral Committee will determine the complaint within fourteen calendar days from the date it is lodged with the Registrar.

(9) The Electoral Committee shall deliver a written decision which shall contain reasons for the decision and delivered on a date and time duly notified to the parties prior to the decision.

(10) The Electoral Committee shall have power to-

- (a) cancel or nullify the nomination of a person;
- (b) impose conditions on a candidate;
- (c) nullify an election;
- (d) declare a candidate to be duly elected; or
- (e) make such other order as it may consider just in the circumstances.

(11) The Electoral Committee may, for sufficient cause, allow a person to be joined to a proceeding before it.

(12) A person who is dissatisfied with the decision of the Electoral Committee may appeal to the High Court within fourteen days of the decision.

(13) The law, practice and procedure provided for under the Electoral Process Act, and any rules made thereunder for the time being applicable to election petitions shall, with necessary modifications, apply to the appeal.

(14) Where an election is nullified, fresh elections shall be held for the affected office within ninety (90) days without holding fresh nomination of candidates.

PART V  
**GENERAL PROVISIONS**

Amendment

**24.** These Rules may be amended by a resolution of the Council but no such amendment shall come into force until the Rules are approved by a resolution of the Institute at a general meeting.

Indemnity

**25.** Members of the Electoral Committee, Returning Officers and Elections Officers shall not be personally liable for anything done or omitted to be done in the performance of their duties under these Rules

Zambia Institute of Human Resource Management Electoral Rules

**NOMINATION PAPER**

To: The Returning Officer

We the undersigned being full members of the Institute do hereby nominate-

Firstname Surname (BLOCK CAPITALS)					
Name and Postal Address of Firm or Employer					
Year first admitted to ZIHRM membership		Current Practicing Certificate No.			
Have you previously held a Council position? (Tick)	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	If Yes state the year and office previously held
Wish to stand as a candidate for election as <sup>1</sup>					
And I, the said candidate for election hereby declare that I accept the nomination.					
Election Agent (Full Names)					
Postal Address					
Date				Signature of Candidate	
Received by me at					
Time Received		Date Received		Signature of Returning Officer	
	Full Names BLOCK CAPITALS		Signature	Member's Practicing Certificate Number	
Proposed by					
Seconded by					
Supported by					

<sup>1</sup> Indicate President, Vice President, Hon Secretary, Hon Treasurer or council member, as the case may be.

**NOTES**

1. Candidates must acquaint themselves with the provisions of the Electoral Rules before completing this nomination paper.
2. When this nomination paper is lodged it must be accompanied by the fee prescribed under paragraph (e) of Sub-Rule 10(2).
3. A candidate may authorise another person to countersign a nomination paper on his behalf and to lodge it with the Returning Officer, but, in that event, the written authorisation of the candidate is required to be attached to the nomination paper.

## Zambia Institute of Human Resource Management Electoral Rules

### PROXY FORM

I \_\_\_\_\_ (Name of Appointer)  
of \_\_\_\_\_ (Address)  
being a paid-up (Fellow Member/Full Member/Associate Member) (*delete as appropriate*) of the Zambia Institute of Human Resource Management do hereby appoint Dr/Mr/Mrs/Ms \_\_\_\_\_ as my Proxy to vote for me on my behalf at the Annual General Meeting of the Zambia Institute of Human Resource Management to be held on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ (date of AGM)

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

I \_\_\_\_\_ will not be attending the Annual General Meeting.

Signed \_\_\_\_\_  
MEMBER

#### NOTES

1. This proxy form must only be used by person who holds a valid practicing certificate of the Zambia Institute of Human Resource Management (ZIHRM).
2. A member entitled to attend, participate in and vote at the AGM may appoint any individual as a proxy to attend, participate in and vote at the AGM in the place of the person giving it.
3. A vote given in terms of an instrument of proxy shall be valid in relation to the AGM notwithstanding the death of the person granting it, or the revocation of the proxy, in respect of which the vote is given, unless notification in writing of such death or revocation shall have been received by the Institute before the commencement of the AGM or adjourned AGM at which the proxy is used.
4. The Chairperson of the Electoral Committee may reject or accept any form of proxy which is completed and/or received other than in compliance with these notes.
5. Proxy forms should be lodged at the offices of Zambia Institute of Human Resource Management, Plot No. 1780, Buchi Road, off Lubambe Road, Northmead, Lusaka to be received by no later than the time and date (or 48 hours before any adjournment of the AGM, which date, if necessary, will be notified on the Institute's website).
6. Any alteration or correction made to this proxy form, other than the deletion of alternatives, must be initialled by the signatory(ies).
7. Any proxy appointed pursuant to this proxy form may not delegate his/her authority to act on behalf of the relevant member.
8. Unless revoked, an appointment of a proxy pursuant to this proxy form remains valid only until the end of the AGM or any adjournment of the AGM.
9. If the AGM is adjourned or postponed, valid proxy forms submitted for the initial AGM will remain valid in respect of any adjournment or postponement of the AGM.