

**Myanmar Environmental Assessment Association
(MEAA)**

Memorandum and Articles

July 17th, 2018

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Myanmar Environmental Assessment Association (MEAA)

1. Introduction

Ministry of Natural Resources and Environmental Conservation (formerly known as Ministry of Environmental Conservation and Forestry) established Environmental Conservation Department in 2012. According to the sub-section (k) of Section (7) of Environmental Conservation Law (No. 9/2012), it is to establish the system of environmental impact assessment system and sub-section (e) of Section (2) of Environmental Conservation Rules (No. 50/2014) permits third party individual/person and organizations to conduct Environmental Impact Assessment. Until 25th July 2016, there were 32 local third party organizations that were in service under the permit of Environmental Conservation Department and transitional registration certificate were given to 55 third party individuals/person and 37 number of local third party organizations on 20th July 2017.

With an intention of national sustainable development, stakeholder meetings of local third party organizations, held on 28th August 2017 and 13rd November 2017, provided outcomes to establish “Myanmar Environmental Assessment Association”, as Union level association, in accordance with the Myanmar Company Act. Memorandum and article of Myanmar Environmental Assessment Association was confirmed through the decision from founding meeting of Myanmar Environmental Assessment Association which hosted 91 national scholars and 47 third party organizations on 19th January 2018.

The following chapters describe Memorandum and article of Myanmar Environmental Assessment Association.

Myanmar Environmental Assessment Association

Memorandum

1. Name

This Association shall be known as “ ” or, in English, Myanmar Environmental Assessment Association (MEAA in abbreviation)”.

2. Location

Registration location for the association shall be within Yangon, Yangon Region, and the Republic of the Union of Myanmar.

3. Policy

During the stakeholder meeting of local third party organization on 28th August 2017, the policies of MEAA were decided as follow;

- a) to support National Sustainable Development and safeguard natural resources;
- b) to develop human resources in Impact Assessment Studies
- c) to improve technical know-how in Environmental and Social Impact Assessment study
- d) Promotion of environmental awareness and issues

4. Objectives

On November 13rd, 2017 and December 18th, 2017, the objectives of MEAA resulting from the stakeholders meeting of local third party organization were decided as follow:

- (a) Provision of consultancy assistance to support the tactics and strategies of national development as independent third party association;
- (b) Development of unity strength among local EIA firms and national scholars for sustainable growth of MEAA association;
- (c) Safe transfer of ESIA knowledge and technology to those who are interested throughout the nation; offer of public awareness trainings and environmental training programs;
- (d) Initiatives of capacity buildup programs in Impact Assessment studies through collaboration with national authorities, Non-Government Organizations (NGOs), International Non-Government Organizations (INGOs) and Civil Society Organizations (CSOs);
- (e) Provision of information to MEAA members for the engagement of Environmental and Social Impact Assessment study and research activities;
- (f) For the sake of national sustainable development and improvement of ESIA technology, engagement with international organization ;
- (g) Strengthening technical know-how of local EIA firms while understanding of third party consultancy service with professional ethics, duties and responsibilities;
- (h) Provision of best consultancy suggestions to project investors in consideration of environmental and social, cultural heritage and community safety issues to be included in ESIA project formulation and design;

- (i) Sharing project experience, knowledge and environmental issues to tackle the complexity of development projects through workshops, seminars, stakeholders meetings;
- (j) Distribution of knowledge and information regarding with the environmental impact assessment;
- (k) Development of national environmental data base by collaborative works between national authorities, local third party firms, Non-Government Organizations (NGOs), International Non-Government Organizations (INGOs) and Civil Society Organizations (CSOs);
- (l) To open sub-associations in the republic of the union of Myanmar for carrying out conveniently the process of association, if required; and
- (m) Formation of MEAA association as Non-Profit and Non-Political Organization.

5. Legal Compliance

It is obligatory to conduct activities and functioning which are not against the laws, notifications and rules and regulations of the present and future.

6. Responsibility for Non-Conformity to Legal Compliance

Anyone who breaches or infringes or violates the section 5 of this chapter must follow the meeting decision of central committee.

7. Financial duty after deregistration

On the date of deregistration of association, central committee of that particular time is responsible to settle debts and expenditure of deregistration of association completely, within the limitation of existing financial condition and properties of association.

8. Excess finance and property management after deregistration of association

After deregistration and taking responsibility of settling payable debt, without distribution or sharing the remaining properties of association by the association members, it is to transfer and donate to other association which shares/has the same objectives as MEAA. In case of failure to do so, in accordance with the order from law court which has jurisdiction in such case, donation and transferred must be conducted.

9. Limitation

As the objectives of this association, which consists of local EIA firms and national third party individuals is sustainable development; MEAA members are not allowed to engage in any political organization. From the date of assignment to the Central Committee member by the political party, he or she is being regarded under withdrawal of membership.

Articles of Myanmar Environmental Assessment Association

Chapter (1)

Name and Objective

1. Name

This Association shall be known as “ ” or, in English, Myanmar Environmental Assessment Association (MEAA in abbreviation)”.

2. Location

Registration location for the association shall be within Yangon, Yangon Region, and the Republic of the Union of Myanmar.

3. Objective

This association is established to implement the objectives, which have been stated in the section (4) of MEAA memorandum, or to present, identify and implement subject matter as a consultancy expert and third party independent association.

Chapter (2)

Membership

4. Membership Application

A person or an organization or a representative person of an organization, mentioned below can apply membership of this association. Nonetheless, applicant shall be the one who do not take duty and responsibility from any political parties.

(a) Student Member

Students who are studying in university/college level can be applied as a Student Member.

(b) Affiliated Member

A person whose interest is willing to participate and who holds the citizenship of the Union of Myanmar can be applied as an Affiliated Member.

(c) Junior Member

- (c-1) A person who holds a degree that is recognized by local or foreign university/college can be applied
- (c-2) A person who holds a diploma that is recognized by local or foreign university/college can be applied
- (c-3) Affiliated Member who has 2-year of membership and 2 years of experiences in environmental and social impact assessment, with the reliable evidences and approval of Central Committee can be applied.
- (c-4) A person who proposed to be a member that is stated in paragraph (c-1 to c-3) of section (4) of chapter (2) will need the recommendations from two persons who are from Member level.

(d) Associated Member

- (d-1) A person who holds a degree that is recognized by local or foreign university/college with the 2 years of experience in Environmental and Social Impact Assessment can be applied.
- (d-2) A person who holds a diploma that is recognized by local or foreign university/college with the 3 years of experience in Environmental and Social Impact Assessment can be applied.
- (d-3) A person who has 5 years of experience in their associated specialization that is relevance in research can be applied.
- (d-4) A Junior Member who has been a member of two years in the association and one year of experience in Environmental and Social Impact Assessment can be applied.
- (d-5) A person who proposes to be a member that is stated in paragraph (d-1 to c-3) of section (4) of chapter (2) will need the recommendations from two persons who are from Member level.

(e) Member

- (e-1) A person who is a Functional Consultant with the consultant registration certificate of Environmental Conservation Department or who hold a diploma

degree or master degree and who has one year of experience in Environmental and Social Impact Assessment can be applied.

- (e-2) A person who holds a master degree that is recognized by local or foreign university/college with the 2 years of experience in Environmental and Social Impact Assessment can be applied,
- (e-3) A person who holds a degree that is recognized by local or foreign university/college with the 3 years of experience in Environmental and Social Impact Assessment can be applied,
- (e-4) A person who holds a diploma that is recognized by local or foreign university/college with the 5 years of experience in Environmental and Social Impact Assessment can be applied,
- (e-5) A person who has 8 years of experience in their associated specialization that is relevance in research and 5 years of experience in Environmental and Social Impact Assessment can be applied,
- (e-6) A person who has four years of membership, as an Associate Member in the association and two years of experience in Environmental and Social Impact Assessment can be applied,
- (e-7) The person who proposes to be a member that is stated in paragraph (e-1 to e-6) of section (4) of chapter (2) will need the recommendations from two persons who are from the Fellow level.

(f) Fellow Member

- (f-1) A person having Key Consultant Registration Certificate of Environmental Conservation Department and 3 consecutive years of experience in Environmental and Social Impact Assessment can be applied,
- (f-2) A person holding a Ph.D. that is from recognized local or foreign university/college, having at least one national or international research publication, concerned with their associated specialization and having two years of experience in Environmental and Social Impact Assessment can be applied.
- (f-3) A person who holds a master degree that is from recognized local or foreign university/college with the 4 years of experience in Environmental and Social Impact Assessment can be applied,
- (f-4) A person who has 4 years of membership, as Member, in this association and 2 years of experience in Environmental and Social Impact Assessment can be applied,
- (f-5) A person who is not only practically working in the Environmental and Social Impact Assessment but also actively participating in sustainable development of the association and improvement of technical know-how can propose to be a member that is stated in paragraph (f-1 to f-5) of section (4) of chapter (2) and can be applied as a Fellow member.

(g) Life Member

A person who has 15 years of membership and 8 years of experiences in Environmental and Social Impact Assessment can be applied.

(h) Honorary Member

Association's faculty committee shall have the right to honor a person or an organization who/which is actively participate in development of association as an honorary member.

(i) Distinguished Honorary Fellow

Association's faculty committee shall have the right to honor a person or organizations which are actively participate in development of association as a distinguished honorary member.

(j) Distinguished Honorary Patron

Association's faculty committee shall have the right to honor a country's leaders which are actively helping in development of association as a distinguished honorary patron.

(k) Corporate Member

- (k-1) Company must have registration at Investments and Companies Directorate Department.
- (k-2) Company must have registration at ECD, as third party organization.
- (k-3) A company who is willing to collaborate with MEAA and meets the requirement that stated in paragraph (k-1and k-2) of section (4) of chapter (2) can be applied as a Corporate Member.
- (k-4) A company or a third-party consultancy organization, although it is not registered at ECD, who is looking forward to sustainable development and meets requirement stated in paragraph (k-1) of section (4) of chapter (2) can be applied as a Corporate member. However, meeting decision of Central Executive Committee concerning with the matter whether being accepted or objected to the membership proposal of company or third-party organization shall be informed and provided as advisory recommendation to Central Committee. Such advisory recommendation taken through the secret voting and $\frac{3}{4}$ votes of attendees in the closest Central Committee meeting and decide whether to accept or object the membership proposal.

5. Approval of membership

According to the section (4), after accepting submitted membership proposal by the General Secretary of the association (or) office team, a membership review committee which is assigned by the Central Executive Committee shall evaluate the proposal and submit to the nearest meeting of Central Committee and approve the membership to those who is eligible to the following criteria.

- (a) A person who is approved member has to pay the prescribed fees and annual fees.
- (b) Have to commit the agreement to follow the association's rules and regulations.
- (c) Have to make a commitment to take responsibilities that has given by the association.

6. Certified Membership Card/Certificate

When certified membership card/certificate is issued, after having signature of Chairman and General Secretary, membership card certified by the association should present a membership

level, signature of member and passport photo. The Certified Member Card/Certificate can be issued by criteria of Central Committee of Myanmar Environmental Assessment Association.

7. Ineligible membership proposal

A proposal which is disqualified to the criteria may be applied again when it is completely meet the eligibility to the criteria.

8. Entrance fees and Annual fees

A person whose membership is being certified has to pay the following entrance and annual fee.

Member Level	Entrance Fee(kyats)	Annual Fee (kyats)
Student Member	1,500	1,500
Affiliated Member	5,000	3,000
Junior Member	5,000	5,000
Associated Member	7,000	10,000
Member	10,000	12,000
Fellow	10,000	15,000
Corporate Member	1,000,000	500,000

Central Committee can revise the entrance and annual fees of the association accordingly.

9. Patrons

Central Committee can elect patrons from appropriate persons who are actively participated and supported development of the association.

10. Emblem

Central Committee can identify the emblem and needs to take approval in nearest Annual General Meeting or Annual Plenary Conference.

11. Office Seal

Office Seal shall not be used in any circumstance except the person assigned by Central Committee. The assigned person shall not use the seal except the matter of association concerned.

Chapter (3)

Duties, Responsibilities and Entitlements of Members

12. Duties and Responsibilities

- a) Members shall pay the prescribed annual fees during the specified period.
- b) Shall follow the described rules and regulations
- c) Shall take full responsibilities that are assigned by association.
- d) Shall not establish sub-groups within association which causes conflict of interest with association.
- e) Prohibition of any acts and behavior that cause deterioration to the objectives of association.

13. Entitlements/Privileges

- a) Technical Awareness Raising Committee (Technical Committee 3) which is assigned by Central Committee have to create opportunities by nomination of training candidate from the suitable members when implementing capacity building program in Environmental and Social Impact Assessment Studies with collaboration from the national government agencies, CBOs, NGOs and INGOs.
- b) If there are any occasional needs of Environmental and Social Impact Assessment services or need of research activities or any possible engagements available to members, such information is informed and distributed to members in appropriate ways.
- c) Occasionally, association will hold workshops and seminars in order to alleviate complexity of EIA projects. By means of sharing experience, knowledge and environmental and social information through such workshop and seminar, members will develop their experiences and knowledge.
- d) The member will get benefit from distribution of knowledge and information by MEAA.
- e) When member proposes to use the national environmental and social data which is collected with the collaboration from relevant government organizations, local third parties, Non-Government Organizations (NGOs), International Non- Government Organizations (INGOs), Civil Society Organizations (CSOs), Technical Awareness Raising Committee/Technical Committee (3) may allow to use data and information on the basis of evaluation on data usage proposal and receipt of commitment, depending on objectives of the data usage by the proposed member are not against the existing laws, national interest, objectives of the association and so on,
- f) According requirement of Technical Committees assigned by Central Executive Committee, Lifetime Members and Fellow Member are allowed to participate in any one of Technical Committees or Lifetime Members, Fellow Member and Members are allowed to participate in a Supporting Team (1) to Technical Committee. Similarly, Associate Members, Junior Members, Student Members and Affiliated Members are allowed to participate in a Technical Committee's Supporting Team (2) which is formed as per requirement of Technical Committees assigned by Central Executive Committee. However Supporting Team (2) is to support duty and responsibilities of Supporting Team (1) which is assigned by Technical Committee.

- g) Patron, Honorary Members, Corporate Members, Associated Members, Junior Members, Student Members, and Affiliated Member has rights to attend and discuss in Annual General Meeting/Plenary Conference. Nonetheless, right to vote is not allowed. Similarly, with an invitation of Chairman, aforementioned members have rights to attend and discuss in the meeting. Nonetheless, right to vote is not allowed. Members, Fellow Members and Lifetime Members have rights to vote in Annual General Meeting/Plenary Conference.
- h) It is officially allowed to use relevant initials of membership after the name: A.M.MEAA for Associated Member, M.MEAA for Member, F.M.MEAA for Fellow Member, Hon.M.MEAA for Honorary Member, Hon.Fellow.MEAA for Honorary Fellow Member, Dist.Hon.Fellow.MEAA for Distinguished Honorary Fellow Member and Dist.Hon.Patron. MEAA for Distinguished Honorary Patron.

Chapter (4)

Resignation and Being Taken Action of members

14. Resignation for membership, Dismissal, Termination and Appealing

Concerning resignation, dismissal, termination and appealing of members, it is to be executed in accordance with the under following rules and regulations.

(A) Resignation

A member's resignation letter is to be sent to the general secretary one month in advance, with the decision of central executive committee a member can resign. A member's resignation is completed and confirmed on the day of his/her informed resignation date. Any money that is given in advance cannot be retrieved. His/her daily toward the association must be completed as well.

(B) Dismissal

If the central executive committee (CEC) decides a member is not suitable or necessary anyone due to certain reasons, letter of advice to discuss the member can be sent to the CEC. Through the secret voting and $\frac{3}{4}$ votes of CEC attendees, that member can be dismissed.

(C) Termination

Automatic termination of a member is related to under following section (14), paragraph C-1. As paragraph C-2 is the principle laid down by CEC, concerning then the decision of that team is final.

C-1 Automatic termination

- (1) When deceased
- (2) When rebel against established government
- (3) When entering religious order

C-2 Termination from CEC

- (1) When radiated a crime that would have effect on one's character
- (2) When one's action is against the process and objective of the association, becoming detrimental to the Association's benefits.
- (3) When involved in one of the political parties
- (4) When withdrawn from previous status as a representative of one's original association
- (5) If annual membership is overdue, relevant committee is to inform in writing to the person concerned. If the written notice is neglected and the person fails to balance the fee within two months CEC will decide to take action.
- (6) When the association is terminated according to existing law

- (7) When other member organization that holds the membership of this organization is abrogated from organizational registration according to existing law

15. Appealing

If the terminated member is not satisfied with the action he/she can make appeal at the closest CEC meeting that is to be held. The decision of CEC is final.

Chapter (5)

Association Structure

16. Election of Central Committee and Central Executive Committee members

To implement the objectives, and policies of MEAA, the central committee and central executive committee members shall be elected by life members, senior members, and members who attend the plenary conference as follows:

- A. Twenty five Central Committee members shall be elected with the votes at the plenary conference.
- B. The Central Committees shall elect 11 Central Executive Committee members from them.
- C. The 11 Central Executive Committee members shall nominate/elect the former chairman who was succeeded by the existing chairman and a previous former chairman as a Central Executive Committee. Therefore, there shall be 27 Central Committee members and 13 Central Executive Committee members.
- D. The Central Executive Committee members shall elect the following positions.

No.	Position	Quantity
1.	Chairman	1
2.	Vice Chairmen	2
3.	General Secretary	1
4.	Joint General Secretary	2
5.	Treasurer	1
6.	Publicist/Press Secretary	1
7.	Audit	1
8.	Member	8
Total		11

- E. The Executive Committee members, including the elected persons shall comprise as follows.

No.	Position	Quantity
1	Chairman	1
2.	Immediate-Past Chairman and Past Chairman.	2
3.	Vice Chairmen	2
4.	General Secretary	1
5.	Joint General Secretary	2
6.	Treasurer	1

7.	Publicist/ Press Secretary	1
8.	Audit	1
9.	Member	2
	Total	13

17. Terms and Conditions for the Elections of Central Committee

- A. At least one technician from a respective field shall be elected as Central/Central Executive Committee member.
- B. The chairman of Central Executive Committee shall has the power to appoint a person specialized in a main subject field as a Special/Honorary Central Committee, if the Central Executive Committee could not elect the person specialized in a subject field. Even though he/she shall have the right to participate in the meetings of the Central Committee, he/she shall not have the right to vote or make decision. (A main subject field is a subject in which Doctorate Degree, Master Degree, Postgraduate Degree, Bachelor Degree, and diploma were awarded in this country or other countries and recognized by the Republic of the Union of Myanmar.)
- C. If the chairman of the Central Executive Committee assumes/believes that the chairmen and general secretaries of the branch offices of the association should be included in the committee, the chairman shall appoint them as honorary/special members. Those members shall not have a right to vote or make decision, even though they can participate in the meetings of Central Committee.

18. The Establishment of Branch Offices

- (a) If the Central Committees and Central Executive Committees consider that the regional/state, district and township offices should be established, they can make necessary arrangements for those.
- (b) If it is necessary to organize the executive committees at State/Regional, District and Township levels, the Central Executive Committee shall superintend to organize those committees.

19. Advisory Team

The advisory team to the Myanmar Environmental Assessment Association shall comprise the former chairmen of the Association, patrons and other suitable people in order to provide the advices for the development of the Association and take coordination.

20. Technical Affairs Committee/ Technical Committee

In implementing the activities of the committee to achieve the objectives of the association, the Central Executive Committee can establish the technical affairs committees. Those committees can comprise Central Executive Committees, Central Committees and technical members. The Central Executive Committee shall take responsibility for organizing the technicians who are closely working under the superintendence of the association. These committees shall be organized as follows (Annex-A):

- (a) Special Technical Advisory Committee or Technical Committee (1)
 - (a-1) The Environmental Impact Assessment Special Advisory Committee shall be organized with the superintendence of the Central Executive Committee.

- (a-2) This Technical Advisory Committee shall comprise Central Committees/ Central Executive Committees, Life Members, and Senior Members.
 - (a-3) If necessary, the technical Advisory Committee shall organize the Supporting Team/Taskforce (1) with the approval at the meeting of Central Executive Committee. If still necessary then, the Advisory Committee shall organize the Supporting Team/Taskforce (2) with the approval at the meeting of the Central Executive Committee.
- (b) Development Advisory Team or Technical Committee (2)
- (b-1) Development Advisory Team shall be organized with the superintendence of the Central Executive Committee in order that the team can support best in the areas/affairs of environmental socio-economics, cultural heritage and social organizations, which should be taken into consideration in designing the Environmental Social and Economic Impact Assessment project for the development plan of investors.
 - (b-2) The Development Advisory Team shall comprise Central Committees/ Central Executive Committees, technical life members and senior members.
 - (b-3) The team shall follow the professional/technical ethics in providing advice for the respective sectors.
 - (b-4) The EIA activities of MEAA in which the members of the Advisory Team are involved shall not be the same with those of the third party for which the members are working or their freelance activities. The team members shall follow the rules occasionally stipulated by the Central Executive Committee.
 - (b-5) The Development Advisory Committee can organize the supporting team/ taskforce (1) with the approval from the meeting of the Central Executive Committee.
- (c) Technical Awareness Raising Committees or Technical Committee (3)
- (c-1) Technical Awareness Raising Committees shall be organized with the superintendence of the Central Executive Committees for raising the respective technical awareness of ESIA.
 - (c-2) The Technical Awareness Raising Committees shall comprise the Central Executive Committees, members and external technicians.

21. Supporting Team/ Taskforce

The Central Executive Committee shall take responsibility or approve to organize the Supporting Team/ Taskforce as appropriate, in order to obtain the support from the respective members of Technical/Related Affairs Committees in implementing the respective activities of the Central Executive Committee for achieving the objectives of the Association. The Supporting Teams/ Taskforces shall be founded as follows:

- (a) Supporting Team/ Taskforce (1)
 - (a-1) The Supporting Team/ Taskforce (1) shall comprise life members, senior members, and members from the respective areas.
 - (a-2) The Team/ Taskforce shall support to conducting the responsibilities of the Technical/Related Affairs Committees.
- (b) The Supporting Team/ Taskforce (2)

- (b-1) The Supporting Team/ Taskforce (2) shall comprise associated members, junior members, student members, and affiliated members.
- (b-2) The Supporting Team/ Taskforce (2) shall support in conducting the responsibilities of the Supporting Team/ Taskforce (1).

22. The Central Committee/Central Executive Committee

The Central Committee shall be organized at the Plenary Conference. If the number of the committee members did not meet the required numbers, the members of the Association shall be elected with the majority votes. The increase or decrease in the numbers of the Central Committee/ Central Executive Committee shall be decided at the Plenary Conference.

23. Appointing the Office Staff

- (a) The office staff shall be appointed to conduct the administration and office tasks of the Association by paying wages.
- (b) The office staff shall be appointed to conduct the administration and office tasks of the Association's branch offices by paying wages.

24. Financial Audit

The internal audit shall be assigned for regular auditing the financial balance of MEAA.

Chapter (6)

Qualification, Duties and Authority of Members of Central Committee

25. Ability of Central Committee's Members

Members of Central Executive Committee must possess the following qualifications.

- (a) Must have intention for the benefit of the organization and members.
- (b) Must possess professional ethic, dignity and integrity of a technician.
- (c) Must have paid annuals fees and all due payments to the organization
- (d) Must be free from participation in political parties.
- (e) Must have (2) years membership experience, as Member level at least.

26. Responsibility and Authority of Central Executive Committee and Central Committee

The duties and authority of the Central Committee and Central Executive Committee of Myanmar Environmental Assessment Association are as follows:-

- (a) implementing for the members to get the entitlement set by the organization for members.
- (b) Central Executive Committee shall be obligating the Central Committee and shall be undertaking the effectiveness of the prescribed organizational rules to achieve the aims and objectives of the Association.
- (c) following strictly to the policies of Republic of the Union of Myanmar and implementing accordingly to the existing laws, rules, procedures, orders and directives.
- (d) implementing in compliance to the prescribed rules of the Association, based on the objectives of the organization.
- (e) obligating by distribution of work and supervising accordingly, for all financial matters of the organization such as receivables, liabilities and funding of the association.
- (f) the tenure of the Central Committee and Central Executive Committee is (2) years at a time and responsible for the election and formation of a new Central Committee and Central Executive Committee, before the expiry of the tenure.
- (g) obligating to conduct the general meeting (Plenary Conference) of the organization and at the end of the (2) year tenure period, shall discharge only after the systematic handing-over to the new Central Committee, within (30) days.
- (h) forming educational and technical affairs committees, supporting groups and determining the organization set ups and their duties and powers.
- (i) tendering advice to the Electoral Commission mentioned as per section (37), if the additional qualifications of the next electoral nominees of the Central Committee is deemed necessary by the existing Central Executive Committee.

27. Responsibility and Authorities of Chairman and Vice Chairman

The duties and powers of the Chairman and Vice Chairman of Myanmar Environmental Assessment Association are as follows:-

- (a) supervising and sharing the duties and work distribution with the Central Executive Committee for the development of the Impact assessment technology in Myanmar and to upgrade the quality of the environment subject matter of the members of MEAA.
- (b) supervising and sharing the duties and work distribution with the members of Central Executive Committee on all financial matters such as fund and fees of the association.
- (c) supervising and sharing the duties and work distribution with the members of Central Executive Committee on all matters related to receivable and deliverable obligates/liabilities of the association.
- (d) supervising together with the members of Central Executive Committee for smooth implementation of the objectives of the association as documented.
- (e) Chairman is to conduct the annual general meeting for all members of the association every year and the general election for Central Committee and Central Executive Committee every (2) years.
- (f) Chairman in coordination with members of the Central Executive Committee, is to appoint new staff, when it is deemed necessary for the smooth operation of the office.
- .(g) Chairman is allowed, not more than (3) lakhs of Myanmar Kyats per time for the expenditure of the association, but not more than three times before every Central Executive Committee meeting and must obtain the approval from Central Executive Committee, if deemed necessary to expend more.
- .(h) Chairman in coordination with members of the Central Executive Committee, is to determine and approve the budget, that was drawn and submitted occasionally by the Financial Committee (or) Treasurer for the annual/ yearly ordinary and regular maintenance expenses and income and expenditure accounts for extra ordinary cases.
- (i) tendering necessary advice, supervising and coordination to branches of association, Technical Affairs committees and sub committees.
- (j) Accepting the resignation submitted on variable causes by the Central Committee and members of Central Executive Committee.
- (k) submitting / informing at least once in every six months to the Central Committee on the work performance of Central Executive Committee.
- (l) Vice Chairmen are to be sharing and working for the duties and responsibilities of the Chairman and an appropriate Vice chairman is to obligate in the absence of the Chairman. Besides Vice Chairmen are to be leading in committees for holding general meetings for all members and in electoral committees
- (m) Chairman and Vice Chairmen are to be participating accordingly in the Technical Affairs committees as intellectual or technical members, sharing the supervisory duties.

28. Responsible and Authorities of Immediate Past Chairman and Past Chairmen

Responsibilities and authorities of the immediate past Chairman and Past Chairmen of Myanmar Environmental Assessment Association are as follow;

- (a) to support the elected Central Committee Chairman in undertaking the tasks relating to policy and business matters;
- (b) to take the responsibility of management and cooperation with CEC members in the development of environmental and social impact assessment methodology and improvement in technical skill and qualification of members of the association;
- (c) to participate and allocate the responsibility and execute the activities for the matters related to rights, authority sharing and collecting fund for the Association in cooperation with Central Executive Committee Members'
- (d) to manage and supervise the stated activities to be implemented in facilitation with aims and objectives mentioned in the memorandum of organization and documents of the association in cooperation with members of the Central Executive Committee;
- (e) to participate in forming special committee for the development of EIA/SIA studies and process (for educational and good practice purpose) by the order of CEC;
- (f) to assist in continual improvement of currently undertaking tasks; and
- (g) to participate and undertake the duties and responsibilities occasionally assigned by the CEC.

29. Responsibility and Authorities of General Secretary and Joint General Secretary

The authorities and responsibilities of the General Secretary and Associate Secretaries of MEAA are as follow;

- (a) to guaranty the ability, good behavior and character of Chairman and Vice Chairman to conduct good practices in leading the association;
- (b) to take the responsibilities of the Secretary of the meeting whenever Central Executive Committee meeting, Central Committee meeting, and Annual General Meeting of the members of the MEAA are convened; and compile the discussion notes and developing a meeting report and submit the final report;
- (c) to take actions to convene meetings, record documents, issue statements, make decision for successful implementation, and supervise the office staffs and manage to run the office;
- (d) to organize the association members, accept new application and evaluate the application;
- (e) to present the Government's instructions or notification to the Central Executive Committee meeting, prepare report and provide feedbacks, and supervise to integrate different disciplines of fields of study applied along the EIA process;
- (f) having authority to sign with General Secretary as associate signatory in keeping data, statistics, information as documentation, collecting funds for the Association and issuing for spending;

- (g) to present the functions and undertakings of Central Executive Committee submit to the Central Committee once every (6) months and
- (h) Joint General Secretaries shall be accountable for the responsibility of the General Secretary and share his/her' duties. Joint General Secretary shall serve as master of ceremony whenever Annual General Meeting/Plenary Conference is held with members of the Association.

30. Responsibility and Authorities of Treasurer

The responsibilities and authorities of the treasurer of MEAA are as follow;

- (a) if required, acting as chairman of finance committee, undertaking supervision the finance matters of association, establishing finance committee with members, preparing and documenting the necessary rules and regulations of finance requirements and complying performance of supervision with the approval of Central Committee;
- (b) managing working process at collection of admission fee, annual fee, donation and other income and taking responsibility to use annual budget in accordance with the specified account titles, as well; If not sufficient at any accounts title, required amount is to be proposed to Central Executive Committee.
- (c) submitting the monthly financial balance, which is detailed calculated, to Central Executive to receive the agreement and presenting the financial statement at Plenary Conference for approval;
- (d) according to the agreement of Central Executive Committee, to examine and remit the payable notes or vouchers and to manage fund systematically as well; to deposit the any extra budget (i.e., more than 5 lakh kyats) at designated bank within specified period;
- (e) delivering expenditure after receipt of approval from Central Executive Committee;
- (f) in case of any urgent and important association affairs, allowing advanced expenditure up to one lakh kyats with approval from 2 members of Central Executive Committee;
- (g) withdrawal of deposit from the bank after receipt of two signs from Chairman and General Secretary (or) Treasurer;
- (h) for the sake of sustainable development of MEAA, preparing and documenting rules and regulations of budget usage as per requirement of finance committee or treasurer and managing to be able to use the budget with the approval of Central Committee
- (i) regarding with the remaining receivables by the association, sending written notice to members (or) relevant persons and presenting issues at Central Executive Committee meetings if required; and
- (j) explaining financial balances to whom is officially assigned to take over the self-responsibilities and hand over the financial documents.

31. Authorities and Responsibility Publicist/Press Secretary

The authority and responsibility of Publicist (Press Secretary) of Myanmar Environmental Assessment Association are described as follows. He /She shall

- (a) act as representative for Chairman, Vice Chairman and Secretary
- (b) act as chairman of Information Committee if necessary and perform public communication and information activities of said committee
- (c) establish information committee with eligible members with approval of central committee if necessary
- (d) be a member in presser/speaker team of Myanmar **of** Environmental Assessment Association
- (e) strive to meet the requirements of the objectives mentioned under subsection 4-J of section 4 of Memorandum such as dissemination of information and knowledge sharing
- (f) prioritize and implement the information regarding with membership entitlement (Chapter 3, section 13)

32. Authorities and Responsibility of Financial Audit

The authority and responsibility of financial auditor of Myanmar Environmental Assessment Association are described as follows. He /She shall

- (a) act as chairman of Audit Committee if necessary and be able to engage as a member of other technical/ affair committees;
- (b) Conduct financial audit in every sixth month regularly; appoint external financial auditor and arrange financial auditing activities prior to the annual conference; presenting all audit findings at the conference and getting confirmed;
- (c) Promptly report to chairman and vice chairman in case of discovering suspicious financial activity or financial transaction; and
- (d) In case of misuse of organization's fund and /or property for personal gain, auditor must file a suit against the person(s) the organization has a dispute with.

Chapter (7)

Systems of Election

33. Objectives

The Fundamental objectives of election system of Myanmar Environmental Assessment Association are as followed.

- (a) Election of representatives who are truly represented the subject of Environmental and Socio economic assessment in accordance with the objectives of Constitution and Articles of Association.
- (b) Participation Willingly in election according to the objectives with the unity of Environmental and Socio economic impact assessment consultants.
- (c) Election of skilled full Committee Members in order to implement the objectives of the association effectively.

34. Submission of Proposal and Voting

The representatives who are skillful and have desire to be elected shall submit the proposal at least 45 days prior to the election in order not to dispute between members. Confidential voting system shall be practiced in voting the representatives if it is necessary. Everyone who has right to vote shall propose once.

35. Successful Election

Election shall be successful if there are one third of all members who has right to vote or the attendance of 100 members who has right to vote in the election of Central Committees.

36. Election of Candidates/Nominee

Candidate/nominee shall be elected by number of member voting in successful election which is in line with section 35.

37. Organizing of Elective Commission

- (a) Elective commission shall be organized two months in advance before the ending of Central Committee lifetime in order to select new Central Committee and to hold General Assembly Meeting.
- (b) Current President Team shall organize elective commission organized in accordance with section 37(a).
- (c) Reviewing and confirmation of the Nominees' qualifications for Central Committee Members shall be conducted according to section 25.
- (d) As the assumption of Central Executive Committee, additional Nominees' qualifications for Central Committee Members shall be reviewed and confirmed.

38. Election of Central Committee

One-third portion of the new Central Committee member shall be from members of previous Central Committee. This one-third portion of the new Central Committee member shall be nominated by existing Central committee. Nonetheless, nomination must not be to those who have already engaged in present Central Committed for 2 terms.

39. Election of Central Executive Committee

Among 25 Central Committee Members, 11 Central Executive Committee Members shall be selected. Central Executive Committee shall not include 2 representative persons or associates from same association/organization or same local third party EIA firms. (Annex-B)

40. Election of Immediate-Past-Chairman

Eleven Central Executive Committee Members of Myanmar Environmental Assessment Association shall select the President who is qualified with the requirements of section 25, Article 6, and proposes to perform as Central Committee Member and previous Central Committee for the position of Immediate-Past-President according to the votes of members.

Note: The life time of the Immediate-Past-President shall be the same with the currently elected President/Chairman.

41. Election of the Past Chairman

Eleven Central Executive Committee Members of Myanmar Environmental Assessment Association shall select the President who is qualified with the requirements of section 25, Article 6, and proposes to perform as Central Committee Member and previous Central Committee for the position of Past President according to the votes of members.

Note: The life time of past president is two years and one shall be elected whenever he or she is desired.

42. Election of Chairman

Thirteen central executive committee members from Myanmar Environmental Assessment Association shall select the one who has qualified with the requirements of section 25, article 6 as Chairman of the central executive committee according to the votes of members.

Note: The life time of Chairman is two years and president has right to be elected only for two-consecutive times.

43. Election of the Vice Chairmen

Thirteen central executive committee members from Myanmar Environmental Assessment Association shall select the one from ten central executive committee members who have qualified with the requirements of section 25, article 6 as two Vice Chairmen by exclusion of Chairman, Immediate Past Chairman and Past Chairman according to the votes of members.

44. Election of General Secretary

Thirteen central executive committee members from Myanmar Environmental Assessment Association shall select the one from 8 central executive committee members who has qualified with the requirements of section 25, article 6 as the General Secretary according to the votes of members.

Note: The life time of General Secretary is two years and has right to be elected only for two-consecutive times.

45. Election of Joint General Secretaries

Thirteen central executive committee members from Myanmar Environmental Assessment Association shall select the two from 7 central executive committee members who has qualified with the requirements of section 25, article 6 as two Joint General Secretaries according to the votes of members.

46. Election of Treasurer

Thirteen central executive committee members from Myanmar Environmental Assessment Association shall select the one from 5 central executive committee members who has qualified with the requirements of section 25, article 6 as the Treasurer according to the votes of members.

47. Election of Publicist/Press Secretary

Thirteen central executive committee members from Myanmar Environmental Assessment Association shall select the one from 4 central executive committee members who has qualified with the requirements of section 25, article 6 as the Publicist.

48. Election of Financial Audit

Thirteen central executive committee members from Myanmar Environmental Assessment Association shall select the one from 3 central executive committee members who has qualified with the requirements of section 25, article 6 as the Financial Audit according to the votes of members.

49. Confirmation

In declaration of the name list of selected Chairman, Immediate Past Chairman, Past Chairman, Vice Chairmen, General Secretary, Joint General Secretaries, Treasurer, Publicist, Audit by Election Committee at Plenary Conference, the name list of selected Chairman, Immediate Past Chairman, Past Chairman, Vice Chairmen, General Secretary, Joint General Secretaries, Treasurer, Publicist, Audit are declared and confirmed at the Conference.

50. Organizing Technical Committees

Central Committee shall call upon the first meeting as soon as Annual General Meeting was held and representatives from Central Executive Committee Members are assigned as leaders of Committees and shall organize Technical Committees including Central Executive Committee Members in accordance with Section (20) to (21) of Article (5).

51. Organizing Audit Team

Audit Team including Central Committee Members shall be organized by allocating the Financial Audit as team leader according to Section (24) of Article (5).

52. Vacancy/Substitution

If there is vacancy in Central Executive Committee, Central Committee shall select the right one from Central Committee members by voting system. If the position of Chairman is vacant, Central Committee shall elect the right one from two Vice Chairmen by voting system. If general secretary position is vacant, Central Committee shall select the one from two joint general secretaries by voting system. If the position of vice president position, joint general secretary, treasurer, publicist, and audit is vacant, Central Executive Committee members shall select the one from Central Executive Committee members by voting system.

Chapter (8)

System of Meeting

53. Agenda of Annual General Meeting (AGM)/Plenary Conference (PC)

It shall be annual or special meeting. It shall be held according to the following agenda.

- (a) Minutes of meeting of the last Annual General Meeting or special meeting shall be declared and confirmed.
- (b) Annual report of Central Executive Committee shall be declared and confirmed.
- (c) Accessed financial report shall be confirmed.

54. Annual General Meeting/Plenary Conference

The first General Assembly Meeting shall be held during 18 months after obtaining the permission to establish. In coming years, it shall be held during 15 months after holding the last meeting.

55. Invitation

Members could be invited via invitation letter in person, via registration letter and via advertisement in the national newspaper. Among them, the most appropriate way will be used to invite. Member shall be invited 1 month in advance for Annual General Meeting and 14 days in advance for Special Assembly Meeting.

56. Regulation for invitation

Invitation letter shall be sent according to the address updated recently for any meeting. The absence of a member shall not affect the decision made at the meeting.

57. Number of members to hold the meeting

There shall be one third of registered members or at least 100 members who has right to vote in order to succeed Annual General Meeting or Special Meeting.

58. Chairman of Meeting

If Chairman or Vice Chairmen are absence in Association meeting or Central Executive Committee Meeting, attendee shall appoint someone to conduct as a Chairman of Meeting.

59. Attending the meeting

If Central Committee Member or Central Executive Member is continuously absent 3 times to attend Central Committee meeting or Central Executive meeting or Technical Committee meeting without informing leaves, it will be automatically regarded that the membership as a Central Committee Member or Central Executive Member is ceased.

60. Rules for holding Annual General Meeting

Special Annual General Meeting will be held when the CEC assumes that it is necessary or 3 days after at least 25% of members insist that they would like to hold with precise program. The reason and issues of the meeting shall be included in the invitation letter and it shall be sent to the members 14 days prior to the meeting. Besides, only the issues described in the invitation letter are allowed to discuss at the meeting.

61. Meeting Postponing and Cancelling

If at least one third of total members or 100 members do not attend to any meeting or regarded numbers of members are not present at the meeting after one hour of fixed time mentioned in the invitation letter, the meeting which is held due to the request of members shall be called off immediately. The meeting which is held owing to other reasons shall be postponing to the date decided by the president. At the postponed meeting, the primary issues can be decided with the attendees.

62. Urgent Special Meeting

When Articles of Association are needed to amend, all CEC members will be called upon for urgent meeting and the preparation which is the most suitable to the emerged situation have to be prepared and it shall be confirmed at the upcoming Annual Assembly Meeting.

63. Holding Regular Meeting and Being Successful

CEC meeting shall be held at least one time in two months. It will be successful at least 30 percent of CEC members are present. Central committee shall be held one time in three months. It will be achieved at least 30 percent of central committee members attend. Technical Committee meeting will be conducted one time in three months based on the necessity. It will be succeeded at least 30 percent of central committee members attend.

64. Coordination Meeting

Coordination Meeting of technical and affair committee will be conducted if necessary.

65. Rules for Decision making

In Annual General Meeting or Plenary Conference Plenary and meetings of Central Committee and Central Executive Committee, decision can be made in accordance with the wills of attending members who have right to vote. If the number of votes is same, Chairman of the meeting will can put a vote in order to decide the winning side. If a decision made by Annual General Meeting/Plenary Conference is required to change during 6 months after making decision, Special AGM/PC shall be held and it can be amended only by the agreement of 60 percent of members attending the meeting, However, beyond the limited duration, it can only be amended by majority votes in AGM/PC Plenary on that decision or putting vote by Chairman to decide the winner in case of equal in number of votes.

66. Regulations for Representative of Association

The representatives of Association have to follow the following regulations.

(a) Rules for Representative of Association

Central Executive Committee can appoint any member to attend departmental meeting of government as the representatives of this association. Members appointed as the representative of association have to conduct by complying the instruction of association.

(b) Coordination

The person who conducted as a representative of the association shall present and take instruction from Central Committee if the issues negatively affecting the interest of Republic of the Union of Myanmar and critical issues that can give adverse impact on the country emerge. If it is an emergency, representative shall discuss and conduct with at least two persons of Chairman, Vice Chairman or Secretary.

Chapter (9)

General

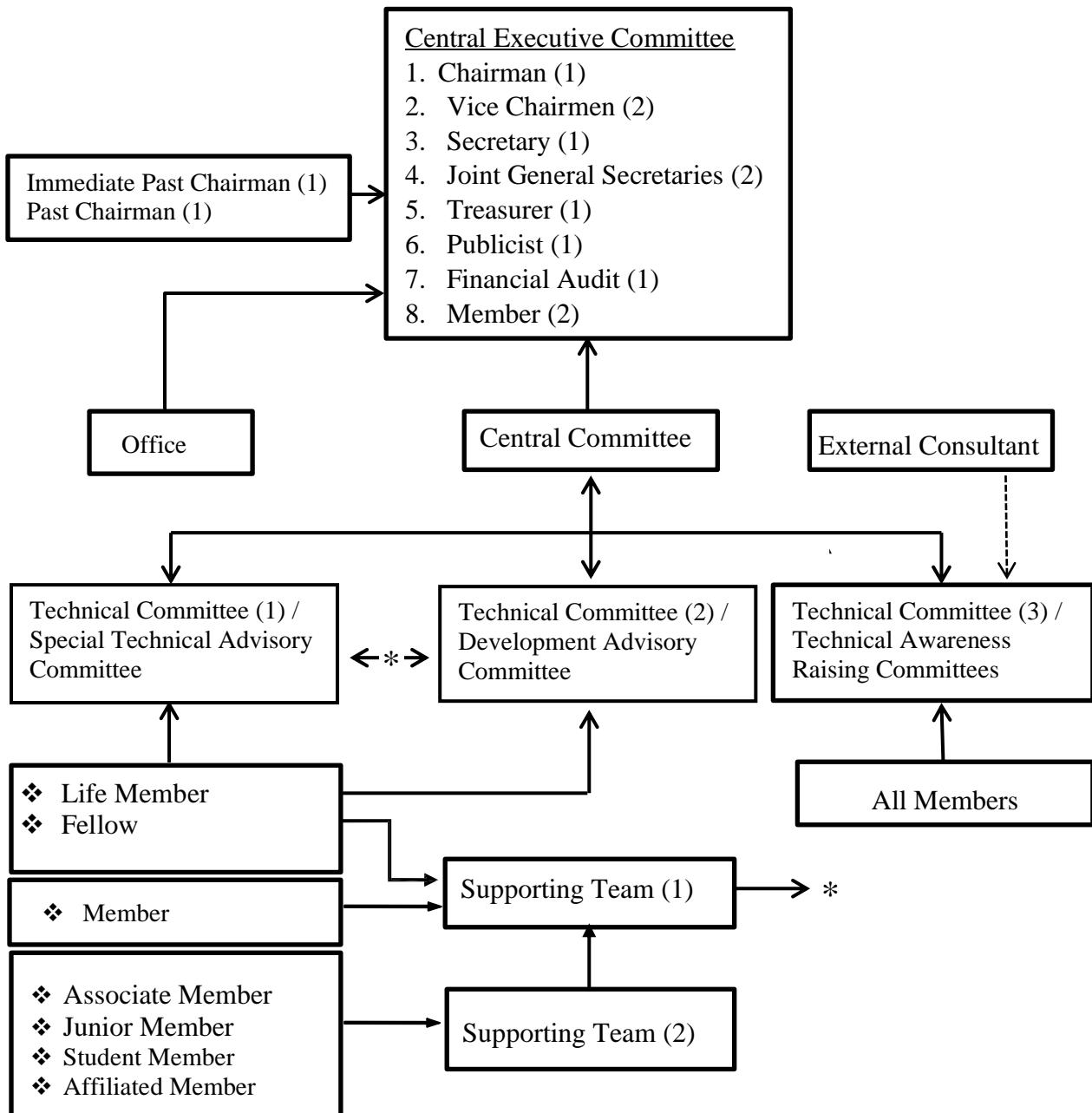
67. Amendment of Association Memorandum and Article

- (a) By three-fourth of majority of all attending members of AGM/PC, this article of association can be amended, substituted and ceased without against to the section (5) of memorandum.
- (b) However it is needed to amend urgently, amendment, substitution and addition can be done in accordance with the will of successful Central Committee Meeting and the amendments shall be confirmed at the nearest Annual General Meeting/ Plenary Conference. Nonetheless, such amendment will be effected only when the confirmation of respective Ministry is achieved.

68. Confirmation

This Memorandum and Article is agreed and decided by all members in Annual General Meeting/ Plenary Conference held on (XXXXXX).

Appendix (a) Association Structure



Appendix (b) Diagram for System of Central Committee Election

