

REPUBLIC OF GHANA

**CHARTERED INSTITUTE OF MARKETING,
GHANA REGULATIONS, 2023**

(L.I. 2479)

**CHARTERED INSTITUTE OF MARKETING, GHANA
REGULATIONS, 2023**

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IN exercise of the power conferred on the Minister responsible for Education acting on the advice of the Council by section 51 of the Chartered Institute of Marketing, Ghana Act, 2020 (Act 1021), these Regulations are made this 30th day of October, 2023.

Preliminary Provisions

Purpose of Regulations

1. The purpose of these Regulations is to provide for
 - (a) conditions for registration of marketing professionals;
 - (b) the practice standards for marketing professionals;
 - (c) the discipline of marketing professionals;
 - (d) the details of the register of members;
 - (e) the election of members of the Council; and
 - (f) the effective and efficient implementation of the Act.

Application of Regulations

2. These Regulations apply to a member of the Institute and a marketing professional.

Registration

Registration of members of the Institute

3. For the purposes of section 25 of the Act, an application for registration as a member of the Institute shall be
 - (a) made in the form published on the website of the Institute or any other medium determined by the Council; and
 - (b) accompanied with
 - (i) a Declaration in the form set out in the First Schedule signed by the applicant;
 - (ii) any other information required by the Institute; and
 - (iii) the prescribed fees.

Registration of marketing professionals

4. (1) A marketing professional shall register with the Institute.
- (2) For the purpose of the Act, a marketing professional is a person or body specified in the Second Schedule.

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(3) For the purpose of subregulation (1), an application for registration as a marketing professional shall be

- (a) made in the form published on the website of the Institute or any other medium determined by the Council; and
- (b) accompanied with
 - (i) a professional marketing certificate issued by the Institute;
 - (ii) any other information required by the Institute; and
 - (iii) the prescribed fees.

(4) The Institute shall issue a marketing professional who is registered under the Act with a membership card in the form set out in the Third Schedule.

Certificate of registration

5. (1) A certificate of registration issued in accordance with section 26 of the Act shall indicate the category of membership of the applicant to whom the certificate is issued and be in the form set out in the Fourth Schedule.

(2) A certificate of registration is the property of the Institute.

Practice Standards for Marketing Professionals

Duty to act with integrity and honesty

6. (1) A marketing professional shall act with integrity in a manner not to bring the profession of marketing and the name of the Institute into disrepute.

(2) A marketing professional shall act with honesty in dealing with a customer, a client, an employer or an employee of the marketing professional.

Prohibition against unfair practice or unprofessional practice

7. A marketing professional shall not engage in an unfair practice or unprofessional practice that injures the business, reputation or interest of another marketing professional.

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Misleading information

8. (1) A marketing professional shall not
(a) make, or
(b) cause to be made
a false, deceptive or misleading statement about a product or a service relating to the marketing professional.

(2) A marketing professional shall not
(a) broadcast, or
(b) cause to be broadcast,
any information about a product or a service relating to the marketing professional that is false, deceptive or misleading.

(3) A marketing professional shall ensure that an advertisement on a product or a service relating to the marketing professional is accurate and contains the relevant information to enable a consumer to make an informed decision.

Conflict of interest

9. (1) A marketing professional shall avoid a situation where the personal interest of the marketing professional conflicts or is likely to conflict with the performance of the functions of the marketing professional.

(2) A marketing professional who has an interest in a matter related to the performance of the functions of the marketing professional shall

- (a) disclose in writing the nature of the interest of the marketing professional to a relevant party; and
- (b) not perform the functions of the marketing professional in respect of that matter.

Restriction on disclosure of information

10. (1) A marketing professional shall not disclose any information which consists of a

- (a) secret manufacturing process;
- (b) trade secret; or

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(c) any business information that was obtained by the marketing professional in the course of the exercise of a power or duty conferred on the marketing professional by the Act or these Regulations.

(2) Despite subregulation (1), a marketing professional may disclose information if

- (a) the information is public information; or
- (b) the disclosure is made for the purpose of a civil or criminal proceeding.

Holding out without approval by the Institute

11. A marketing professional shall not hold out or be held as having the approval of the Institute in connection with an activity without the approval in writing of the Institute for that purpose.

Continuing professional development

12. (1) A marketing professional shall

- (a) complete a minimum of thirty-five hours of continuing professional development in a calendar year; and
- (b) submit details of the continuing professional development undertaken by the marketing professional to the Council in a form and at the time determined by the Council.

(2) The Council may vary the minimum number of hours of continuing professional development specified under paragraph (a) of subregulation (1).

(3) For the purposes of subregulation (1), the Council shall specify the nature, content and format of courses and other activities.

Discipline of Members and Marketing Professionals

Professional misconduct

13. (1) A member shall not engage in an act that constitutes a professional misconduct as set out in the Third Schedule to the Act.

(2) A member who engages in professional misconduct is liable to disciplinary action by the Council.

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- (3) Subject to section 11 of the Act, the Council
- (a) may initiate investigations into an allegation of a professional misconduct and proceed to conduct disciplinary proceedings without a petition or a complaint from a person; or
 - (b) shall investigate a petition or a complaint of a professional misconduct and conduct disciplinary proceedings for the professional misconduct.
- (4) Where a professional misconduct is a criminal offence, a person who committed the professional misconduct may, in addition to a disciplinary action that may be taken against the person, be prosecuted.

Procedure for proceedings of a Disciplinary Committee

14. (1) A person who has reason to believe that an action or omission of

- (a) a member of the Institute, or
 - (b) a marketing professional registered under the Act
- constitutes a professional misconduct may submit a petition or a complaint in writing to the Registrar of the Institute.

(2) Where a petition or a complaint about a professional misconduct is against the Registrar, the petition or the complaint shall be addressed to the President of the Council.

(3) The Institute shall, in writing, acknowledge receipt of a petition or a complaint within seven days after receipt of the petition or the complaint.

(4) The Institute shall within fourteen days after the receipt of a petition or a complaint, forward for a response in writing a copy of the petition or the complaint to

- (a) the member or marketing professional against whom the allegation of professional misconduct is made; and
- (b) any other person mentioned in or affected by the petition or the complaint.

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(5) The Council shall in accordance with the Second Schedule to the Act, constitute a Disciplinary Committee within fourteen days after the receipt of a response to the petition or the complaint.

(6) The Council shall provide the members of the Disciplinary Committee with copies of the petition or the complaint and the response to the petition or the complaint.

(7) The President of the Council shall not be a member of the Disciplinary Committee.

(8) The person who made a petition or a complaint of a professional misconduct, a party to the disciplinary proceedings relating to the subject matter of the petition or the complaint, or a member of the Disciplinary Committee that is hearing the petition or the complaint shall not comment on the complaint or disciplinary proceedings in the media unless the petition or the complaint is heard or otherwise disposed of.

(9) A party to a matter that is the subject of a disciplinary proceeding shall not take the matter to court or for any other dispute resolution process unless the matter is heard or otherwise disposed of by the Disciplinary Committee.

(10) A person who is aggrieved by a decision of the Disciplinary Committee may apply to a Court.

Procedure for the Election of Members of the Council

Elections Committee

15. (1) For purposes of the conduct of an election for members of the Council, the Council shall appoint an Elections Committee comprising three members of the Institute.

(2) The members of the Elections Committee shall be appointed not less than one month before the date of the election.

(3) The Council shall dissolve the Elections Committee at the end of the election.

(4) The Electoral Commission shall supervise an election conducted by the Elections Committee.

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Functions of Elections Committee

16. (1) The Elections Committee shall

- (a) request, in writing, for nominations for positions in the Council from members in good standing;
- (b) vet nominations for each position and inform the candidates of the decision of the Elections Committee;
- (c) submit the list of approved candidates to members before the Annual General Meeting to enable members form an opinion;
- (d) ensure that the appropriate electronic voting system is built and tested for robustness and security measures have been assured;
- (e) open a campaign window and inform each candidate of the available opportunity to advertise the nomination of the candidate to members;
- (f) ensure a pre-election system audit and a post-election system audit before the Presiding Officer generates the results of the polls; and
- (g) present the winner for each position contested to members at the Annual General Meeting.

(2) The Elections Committee is responsible for any other issue necessary for the conduct of a free and fair election.

Qualification for President

17. A person is qualified to be elected as President of the Institute if

- (a) on the day of elections, the person has been a full member of the Institute for not less than ten years; and
- (b) the person
 - (i) is a fully qualified Professional Marketer with the Institute; or
 - (ii) has an analogous professional marketing qualification.

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Qualification for Vice President

18. A person is qualified to be elected as the Vice President of the Institute if

- (a) on the day of elections, the person has been a full member of the Institute for not less than ten years; and
- (b) the person
 - (i) is a fully qualified Professional Marketer with the Institute; or
 - (ii) has an analogous professional marketing qualification.

Qualification for National Secretary

19. A person is qualified to be elected as National Secretary of the Institute if

- (a) on the day of elections, the person has been a full member of the Institute for not less than eight years; and
- (b) the person
 - (i) is a fully qualified Professional Marketer with the Institute; or
 - (ii) has an analogous professional marketing qualification.

Qualification for National Treasurer

20. A person is qualified to be elected as National Treasurer of the Institute if

- (a) on the day of elections, the person has been a full member of the Institute for not less than eight years; and
- (b) the person
 - (i) is a fully qualified Professional Marketer with the Institute; or
 - (ii) has an analogous professional marketing qualification.

Qualification for member of the Council

21. A person is qualified to be elected as a member of the Council of the Institute if

- (a) on the day of elections, the person has been a full member of the Institute for not less than five years; and

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(b) the person

- (i) is a fully qualified Professional Marketer with the Institute; or
- (ii) has an analogous professional marketing qualification.

Nomination of candidates

22. (1) A person who seeks to contest elections as a member of the Council shall

- (a) be a fully paid-up member of the Institute;
- (b) complete an electronic nomination form at the authorised website of the Institute; and
- (c) ensure that the nomination of the person has been seconded by three other fully paid-up members of the Institute.

(2) A person who seconds a nomination shall indicate the consent of that person in an electronic mail response sent by the candidate to the seconder for the purpose and copied to the Secretariat and the Elections Committee.

(3) A candidate shall, in completing the electronic nomination form, provide evidence of all relevant qualifications.

Withdrawal of a candidate

23. A candidate

- (a) may withdraw from contesting for a position at any time before elections; and
- (b) shall inform the Elections Committee in writing, of the decision to withdraw.

Conduct of elections

24. (1) The Elections Committee shall for purposes of elections

- (a) write to the Electoral Commission to appoint a presiding officer who shall preside over the elections for the purpose of declaring the results of the electronic polls;
- (b) assign each qualified voter a unique token to the microsite created for the purpose of the elections;

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(c) ensure that the system for voting

- (i) has a means to track each person who casts a vote and prevent a member from casting more than one vote;
- (ii) keeps each vote a secret;
- (iii) allows voters to vote for one candidate only for each of the positions being contested; and
- (iv) allows for voting to start at 6:00 a.m. and end at 6:00 p.m. on the day of voting.

(2) The presiding officer shall be the only official with login credentials to click and generate a report of the polls for the purpose of declaration of the results.

Ballot paper

25. (1) The ballot of every voter shall consist of a ballot paper.

(2) Each ballot paper shall

- (a) contain the names and photographs of each candidate and the position being contested by the candidates; and
- (b) have a number printed on the ballot paper.

Time for voting

26. Voting shall take place between the hours of 6:00 a.m. to 6:00 p.m.

Eligibility to vote

27. A member who is in good standing is eligible to vote at an election.

Voting

28. (1) A member shall have one vote.

(2) The results declared at the close of voting shall be ascertained by counting the votes cast for each candidate.

(3) The candidate for each position who receives the highest valid votes cast shall be declared elected for that position.

Equal number of votes

29. (1) In the event of a tie between two candidates for any position, the Elections Committee shall, on the same day, open the system for a run-off to be conducted to determine a winner.

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(2) The candidates for an election under subregulation (1) shall be the candidates who obtained equal votes at the previous election and the candidate who obtains the highest number of valid votes at the run-off shall be declared elected.

Declaration of election results

30. The presiding officer shall, immediately after generating the results of the polls, publicly declare the outcome of the results for each position and forward a copy of the declaration to the Elections Committee.

Presentation of winners

31. The chairperson of the Elections Committee shall on receipt of the declaration, present the winner for each position contested at the Annual General Meeting.

Fellow Status

Conferment of Fellow status

32. (1) The Council has the exclusive right to confer fellow status on a qualifying member.

(2) For the purposes of enrolment as a fellow, a fellow of the Institute may nominate a person who qualifies to be enrolled as a fellow under subsection (1) of section 15 of the Act.

(3) A nomination under subregulation (2) shall be

- (a) made electronically on the website of the Institute or in writing in the form set out in the Fifth Schedule; and
- (b) signed by the nominee and two current fellows who are the proposer and seconder or two seconders, if the proposer is not a fellow.

(4) The Institute shall within three days acknowledge receipt of the nomination.

(5) In furtherance of subsection (1) of section 10 of the Act, a committee of the Council shall vet and recommend nominated candidates for the conferment of a fellow status to the Council.

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(6) The Council shall, within five months after receipt of a recommendation of the committee of the Council, respond appropriately to the candidate.

(7) Where the Council elects a candidate as a fellow, the Council shall confer a fellow status on the candidate at an induction ceremony organised by the Institute.

(8) The Council shall, during the inauguration of a new Governing Council, confer a fellow status on a newly elected President and Vice President.

Miscellaneous Provisions

Fees of the Institute

33. (1) The Institute may charge the following fees:

- (a) annual subscription fee;
- (b) admission fee;
- (c) exemption fee;
- (d) examination fee;
- (e) tuition fee;
- (f) registration fee;
- (g) re-sit fee;
- (h) accreditation fee;
- (i) license fee;
- (j) re-marking fee;
- (k) late registration fee; and
- (l) any other fee or charge that the Council may determine.

(2) A fee payable under subregulation (1) is as specified in the Fees and Charges (Miscellaneous Provisions) Act, 2022 (Act 1080).

Payment of fees

34. (1) A member shall pay in full, the relevant fees specified in regulation 33.

(2) A fee paid under this regulation is not refundable or transferrable.

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Interpretation

35. In these Regulations, unless the context otherwise requires,
- “analogous professional marketing qualification” means a professional marketing qualification approved by the Institute;
 - “institutional member” means a platinum member, a gold member, a silver member or a micro member;
 - “member in good standing” means a member who has paid in full, the relevant fees specified in regulation 33;
 - “unfair practice” means the use of a deceptive marketing practice, including
 - (a) false or misleading representation in respect of the label of a product or the sale of a product;
 - (b) false promotion, advertising or marketing of a product or service;
 - (c) pricing with hidden cost;
 - (d) ambush marketing or unethical or dishonest association with the sponsor of an event without the express permission of the sponsor;
 - (e) a marketing practice that contravenes an enactment in respect of intellectual property; and
 - (f) a marketing practice that contravenes the Data Protection Act, 2012 (Act 843); and
 - “unprofessional practice” means a professional misconduct as defined in the Third Schedule to the Act.

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SCHEDULE

First Schedule
(regulation 3(b)(i))

Declaration



**CHARTERED INSTITUTE OF MARKETING, GHANA
DECLARATION**

ON THE OCASSION OF MY INDUCTION AS A MEMBER OF THE CHARTERED
INSTITUTE OF MARKETING, GHANA,
I,, SOLEMNLY DECLARE
THAT I SHALL

1. UPHOLD THE OBJECTS OF THE INSTITUTE;
2. FAITHFULLY OBSERVE THE LAWS AND DECISIONS OF THE INSTITUTE;
3. DILIGENTLY DISCHARGE ALL MY OBLIGATIONS AS A MEMBER OF THE INSTITUTE; AND
4. EFFECTIVELY AND CONSCIENTIOUSLY PARTICIPATE IN ALL ACTIVITIES OF THE INSTITUTE, SO HELP ME GOD.

.....
SIGNATURE

.....
DATE

BEFORE ME:

.....
(NATIONAL PRESIDENT, CIMG)

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Second Schedule

(regulation 4 (2))

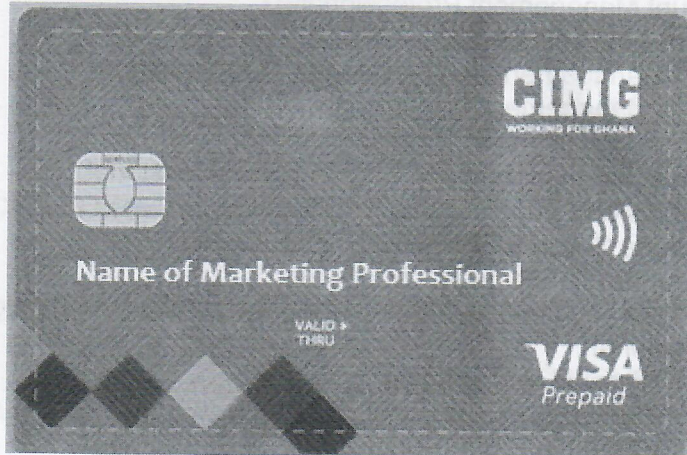
Marketing Professional

1. Account Management Professional
2. Advertising Professional
3. Brand Management and Development Professional
4. Brands Management Professional
5. Channel Development Professional
6. Channel Management and Distribution Professional
7. Channels and Supply Chain Professional
8. Corporate Social Responsibility Professional
9. Creative Professional
10. Customer Relationship Management and Customer Service Professional
11. Digital Channel Professional
12. Digital Marketing Professional
13. Direct Marketing Professional
14. Ecommerce Professional
15. Events Marketing Professional
16. Marketing Research Professional
17. Media Professional
18. Online Marketing Professional
19. Partnership and Sustainability Professional
20. Pricing Analytics Professional
21. Product Management and Development Professional
22. Promoter
23. Public Relations Professional
24. Research and Insight Professional
25. Sales Promotion Professional
26. Selling and Sales Management Professional
27. Sponsorship and Donations Professional
28. Strategy and Planning Professional
29. Total Quality Management Professional
30. Any other marketing related professional determined by the Council by publication in the *Gazette* and a daily newspaper of nationwide circulation.

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Third Schedule
(regulation 4 (4))

Membership Card of a Marketing Professional



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Fourth Schedule
(regulation 5 (1))

Certificate of Registration



Chartered Institute of Marketing, Ghana

This is to certify that

.....

Has on this Day of..... 20....., been
admitted as a **FULL MEMBER** of the Institute and is therefore
authorised to use the designatory letters **MCIMG**

Signed on behalf of the Council

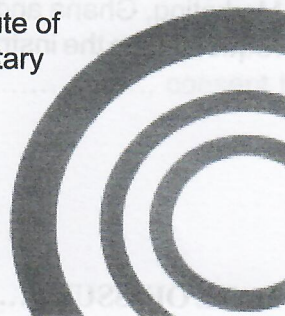
_____ National President

_____ Registrar / CEO

This certificate is the property of the Chartered Institute of
Marketing, Ghana and must be returned to the Secretary
when requested on the instructions of the Council.

DATE OF ISSUE:

VALID UNTIL:



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Kindly complete this section

Information provided would be circulated to the membership Committee and
Governing Council of the CIMG

NAME:

AGE:

MARITAL STATUS:

QUALIFICATION:

MEMBERSHIP RECORD (i.e. your years of membership, positions held etc)

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REGULATIONS, 2023*

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DR. YAW OSEI ADUTWUM
Minister responsible for Education

Date of *Gazette* notification: 20th November, 2023.

Entry into force: 19th December, 2023.

GHANAIAN INSTITUTE OF MARKETING
REGULATIONS 2023

Kindly complete this section
and the information provided should be returned to the Membership Committee and
Governing Council of the CIMG

NAME: DR. YAW OSEI ADUTWUM
Minister responsible for Education

AGE:

MARITAL STATUS:

QUALIFICATION:

MEMBERSHIP RECORD:

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