

**-THE
BYE - LAWS
OF**



**THE NIGERIAN INSTITUTION
OF ESTATE SURVEYORS
AND VALUERS
(LAGOS STATE BRANCH)**

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THE NIGERIAN INSTITUTION OF ESTATE SURVEYORS AND VALUERS

BYE-LAWS FOR THE LAGOS STATE BRANCH

CHAPTER ONE

PREAMBLE

1. Members of The Nigerian Institution of Estate Surveyors and Valuers, Lagos State Branch are desirous of reviewing the operating Bye laws due to changes in the National Constitution as well as in the practice of the profession.
2. These Bye-Laws have been made pursuant to the Article.20.2.1 (a) of 2013 Constitution of The Nigerian Institution of Estate Surveyors and Valuers and the rules and regulations guiding the practice of Estate Surveying and Valuation made under the Estate Surveyors and Valuers (Registration Act) (see Chapter111 Laws of the Federation of Nigeria 1990 which is also known as Decree No. 24 of 1975).
3. The provisions of this Bye – laws shall have binding force on all members and authorities of The Branch so long as it is consistent with the provisions of the Constitution of the Nigerian Institution of Estate Surveyors and Valuers.
4. Any part or section of these Bye-laws inconsistent with the provisions of the Constitution of the Institution and / or the laws establishing the rules for the practice of Estate Surveying and Valuation in Nigeria shall to the extent of the inconsistency be void.

CHAPTER TWO

SECRETARIAT

The Secretariat of the Branch shall be situated at Plot A Block 12 Elephant Cement Way, Alausa CBD Ikeja or any other location as approved by the AGM.

CHAPTER THREE

Aims and Objectives:

1. The aims and objectives of the Lagos State branch of the Institution shall be as contained in Article 4 of the Constitution of the Institution, of which the Branch is an arm, to wit:
 - a. To be committed to positive change embracing enterprise and developing new ideas and technologies in Estate Surveying and Valuation through strong alliances and collaboration that will promote economic empowerment and high integrity.
 - b. To establish high and reputable standards of professional conduct and practices in the landed Profession throughout the Federal Republic of Nigeria.
 - c. To secure and improve the technical knowledge that constitutes Land Economy, Real Estate and Allied Matters, Valuation and Appraisal of Plant, Machinery & Business Assets, Land and Facilities Management, Estate Agency, Building Maintenance, Property Development and Investment, Housing Finance and Development, Town and Country Planning, as well as Land Administration Systems.
 - d. To promote the general interest of the profession and to maintain and extend its usefulness for the public good by advising, educating and informing members of the public, Government (Federal, State and Local) statutory bodies, associations, institutions and such like bodies on all matters coming within the scope of the profession.
 - e. To promote the advancement of knowledge in Estate Surveying, Valuation and Real Estate Management through publications and continuing professional development programs.
 - f. To initiate and consider any legislation relevant to the objects of The Institution.
 - g. To acquaint the public, government at all levels with the role of the Estate Surveyor and Valuer in the economic development of the country.
 - h. To engage in any other lawful activities which may be conducive to the promotion of any or all the objects of The Institution mentioned above for profit or non-profit purposes.

CHAPTER FOUR

MEMBERSHIP AND ADMINISTRATION

1. Membership

- a). Membership of the Branch shall be open to all persons qualified to be members of The Institution, who are resident or practicing in any part of Lagos State and who are resident or practicing in any part of Lagos State and who are resident or practising in nearby states where no branch of **The Institution exists**.
- b). There shall be five grades of the branch namely:
 - a) Fellow
 - b) Associate
 - c) Probationer
 - d) Graduates and
 - e) Student.

2. Executive Committee:

a. Composition and term of office

The Executive Committee of the Branch shall consist of the following Officers whose term of office shall be two years provided that no officer shall hold same office for more than 1 term.

- i) The Chairman, who shall be a Fellow of the Institution
- ii) The Vice Chairman
- iii) The Honourary Secretary
- iv) The Honourary Treasurer
- v) The Honourary Financial Secretary
- vi) The Honourary Publicity Secretary
- vii) The Honourary Assistant Secretary
- viii) The Immediate Past Chairman and
- ix) 4 (four) Un-Official members, at least one of whom shall be a fellow of the Institution.

b) Functions of the Executive Committee

The Executive Committee of the Branch shall:

- i) Be the highest executive authority of the Branch with regards to the day-to-day administration of the Branch; and
- ii) Relate to the National Council of The Institution in all matters affecting the Branch.

- iii) manage the finances of the Branch in a prudent manner and for the proper running of the Branch and shall cause the account to be audited annually;
- iv) summon regular General Meetings of the Branch, this shall be held not less than four times in a year.
- v) appoint suitable bankers for the funds of the Branch;
- vi) assist members of the Branch in connection with all matters affecting The Institution, including their membership.
- vii) increase public awareness of the practice of the profession of Estate Surveying and Valuation, especially in Lagos State;
- viii) appoint a solicitor for the Branch as may be necessary; and
- ix) cooperate with the National Council and the National Secretariat of The Institution in all professional matters, which are within the jurisdiction of the Branch, including the screening of candidates for examinations, interviews and tests. PROVIDED that the Executive Committee shall have powers to recommend, withhold or defer recommendation based on the contribution of each candidate in terms of finance, attendance at activities and any other criterion applicable in this wise.

4. Establishment of Sub-Committees:

- 1). The Executive Committee of the Branch shall have the power:
 - a) To establish both standing and ad-hoc Sub-Committees for the Branch from time to time and as may be necessary.
 - b) To determine the composition and functions of each Sub-Committee; and
 - c) To appoint members into such Sub-Committees, including the Chairmen and other members. provided, such members shall be in good financial standing with the Branch and the Institution as at the time of appointment.

5. Duties of Officers.

a) The Chairman of the Branch shall:

- i) Preside over all meetings and other public functions of the Branch
- ii) Summon directly or through the Secretary of the Branch all meetings, conferences and other public functions of the Branch;
- iii) Deliver an address on any topical issue at the first General Meeting of the Branch following his or her election into office;
- iv) Submit an address, when necessary, at the meetings of the Branch but not less than once a year;
- v) Serve as an ex-officio Member of all Sub-Committees of the Branch; and
- vi) Perform any other duty as may be assigned by both the General Meeting and the Executive Committee of the Branch.

b). The Vice Chairman of the Branch shall:

- i) Preside at all meetings or other public functions of the Branch, in the absence of the Chairman of the Branch;
- ii) Carry out all other duties which the Chairman of the Branch is unable to perform, due to ill-health, old age or absence; and
- iii) Perform any other duty as may be assigned by the General Meeting, the Executive Committee and / or the Chairman of the Branch.

c). The Honourary Secretary of the Branch shall:

- i) At the direction of the Chairman, call Executive Committee Meeting, General Meeting, Annual General Meeting and Extraordinary general meeting of the Branch
- ii) Keep the records of the Branch and the minutes of all its meetings, including a short summary of all decisions taken thereat:
- iii) Issue and dispatch circulars, letters and other correspondences of the Branch;
- iv) Act on the instruction of the Chairman or at the direction of the General meeting, and/ or the Branch Executive Committee;
- v) Furnish, with the cooperation of the Chairman and other Officers of the Branch, an Annual Report or a Special Report, when necessary, on the activities of the Branch or any of its organs; and
- vi) Perform any other duty as may be assigned by the General Meeting, the Executive Committee and/ or the Chairman of the Branch.

d). The Honourary Treasurer of the Branch shall:

- i) Demand, receive and collect all monies due or payable to the Branch by any person and pay all such monies into the designated accounts;
- ii) Ensure the implementation of the decisions or directives of the General Meeting of the Branch, with regard to all financial matters;
- iii) Ensure the preparation and circulation of the accounts of the Branch to every member at, during or before the relevant meeting;
- iv) Prepare and submit, for the approval of the Executive Committee of the Branch, an Annual Budget and other periodic financial statements containing proposals for revenue and expenditure estimates of the Branch;
- v) Head the Finance Sub-Committee of the Branch; and
- vi) Perform any other duty as may be assigned by the General Meeting, the Executive Committee and/ or the Chairman of the Branch.

e) The Honourary Financial Secretary of the Branch shall:

- i) Keep records of the all financial transactions of the Branch
- ii) Advise the Executive Committee of the Branch from time to time, on all financial matters, including the financial position of the Branch;

- iii) Invest the funds of the Branch in the manner approved of by the General Meeting and/ or the Executive Committee of the Branch
- iv) Assist the Treasurer to prepare and submit, for the approval of the Executive Committee of the Branch, an Annual Budget and other periodic financial statements containing proposals for revenue and expenditure estimates of the Branch;
- v) Be a member of the Finance Sub-Committee of the Branch; and
- vi) Perform any other duty as may be assigned by the General Meeting, the Executive Committee and/ or the Chairman of the Branch.

f) The Honourary Publicity Secretary of the Branch shall:

- i) Promote the good image of the Branch by publicizing the activities of the Branch;
- ii) Issue official releases and public statements on behalf of the Branch on all matters of general interest, in consultation with the Chairman and/ or the Executive Committee of the Branch; and
- iii) Perform any other duty as may be assigned by the General Meeting, the Executive Committee and/or the Chairman of the Branch.

g) The Honourary Assistant Secretary of the Branch shall:

- i) assist and act in the absence of the Honourary Secretary of the Branch in the discharge of all duties of the Secretary
- ii) Serve as Secretary or nominate any person to serve as Secretary to a sub – committee of the Branch, provided such a person is a member of the Sub committee
- iii) Perform any other duty as may be assigned by the Honourary Secretary, General Meeting, the Executive Committee and/or the Chairman of the Branch.

h). Un-official member of the Branch shall:

- i) perform any duty, which may be assigned from time to time by the General Meeting, the Executive Committee and/or the Chairman of the Branch.

CHAPTER FIVE

FINANCES OF THE BRANCH

a) Bankers

The Executive Committee shall have the powers to appoint a Banker or Bankers for the safe keeping and operations of the finances of the Branch

b) Signatories to the account

In line with Article 20.4 of the Institution, The signatories to the bank account of The Branch shall be the Chairman, the Vice-Chairman, The Honourary Secretary and the Honorary Treasurer of the Branch, provided that all of them or any two of them including the Chairman shall have the authority to sign cheque or other instruments of the bank.

c) Audit of the Branch Finances

The Branch shall at its Annual General Meeting appoint or elect two (2) Honorary Auditors who shall be Financial Professional Members and who shall not be members of the Branch Executive Committee nor any of its sub-committees.

The Honourary Auditors shall:

- i) Be responsible for the examination of the Books of Accounts and the records of Assets and Liabilities of the Branch for the period the audit relates; and
- ii) Shall hold office for one year at a time and may be reappointed or re-elected for another term, provided that no one shall hold office for more than 2 years consecutively.
- iii) In the case of death, resignation or incapacity of one or both Honorary Auditors, the Branch Executive Committee shall appoint an Honorary Auditor or Honourary Auditors for the remainder of the term and shall report such replacement appointment or appointments to the next Annual General Meeting of the Branch.
- iv) The Auditors shall have the powers to call for and inspect the financial books of the Branch at any time, provided that one week notice is given to the Honorary Treasurer and / or relevant sub – committee of the Branch.
- v) Monitor all monies received and all expenses made in the Branch and advise the Executive Committee and / or the Chairman of the Branch of their findings
- vi) Perform any other duty as may be assigned by the General Meeting

d) Financial Year of the Branch

The financial year of the branch shall be in tandem with the Financial Year of the Institution

e) Finances of the Branch

- i) The Branch shall appoint a standing finance Sub-Committee to advise the Executive Committee for purposes of generating adequate funds for the activities of the Branch
- ii) The Executive Committee of the branch shall cause an Annual Budget to be prepared at the beginning of each financial year for the Branch.
- iii). Each member of the Branch shall pay Annual Dues to the Branch, the amount of which shall be determined from time to time by the Executive Committee of the Branch, provided that the amount of the dues shall not exceed fifty percent (50.00%) of the annual subscriptions paid by each grade of member to The Institution.
- iv) Annual Dues payable shall be due on or before 30th September each year and the list of financial members as at midnight 30th September shall form the voters List for subsequent year
- v). The Executive Committee of the Branch shall have the power to, for genuine reasons and based on need:
 - a) Impose levies, other than Annual Dues, on members of the Branch and/or on approved firms operating within the jurisdiction of the Branch; and
 - b) Seek donations from responsible persons or bodies outside of the profession.
- vi). The Branch shall organize lectures, symposia, seminars, workshops and other public function for purpose of the corporate development of its members and the generation of revenue for its general administration and other activities.
- vii). All funds belonging to the Branch shall be kept, in the name of the Branch, in accounts with bankers appointed by the Executive Committee of the Branch.
- viii). The Executive Committee of the Branch shall direct the Honorary Treasurer of the Branch on the investment of funds of the Branch income-generating businesses for purposes of getting additional revenue.
- ix). All expenditure incurred in or on behalf of the Branch shall be incurred in accordance with the provisions in the Annual Budget and approved by the Chairman, provided that expenditures not provided for in the Budget may be incurred only with the prior approval of the Chairman and/ or the Executive Committee of the Branch.
- x). All cash disbursements and payments made by, in or on behalf of the Branch shall be made only after they have been duly authorised by the Chairman of the Branch, whether or not the expenditure involved has received prior approval or has been provided for in the annual Budget of the Branch.
- xi). All financial documents of the Branch, including cheques drawn on the accounts of the Branch, shall be signed by the Chairman, the Honourary

Secretary and the Honourary Treasurer, provided that for purposes of withdrawing funds from a bank account maintained by the Branch, the Chairman may sign the necessary papers with either the Honorary Secretary or the Honorary Treasurer.

- xii). The Honorary Treasurer and/ or the Honorary Secretary of the Branch shall keep and maintain a cash account for purposes connected with the day-to-day needs of their offices in amounts determined from time to time by the Executive Committee of the Branch.
- xiii). Where the Honorary Auditors of the Branch recommend that an Officer or a member of the Branch be surcharged, the Executive Committee of the Branch shall serve a demand notice stating the amount of the surcharge to such a person directing the payment of the specified amount within thirty days of the service of the notice.

CHAPTER SIX

ELECTIONS AND VOTING

1. Eligibility for election

For purpose of contesting elections into the Executive Committee of the Branch, the following eligibility criteria shall be met:

- a) For the post of the Chairman, the candidate shall be a financial member and Fellow of The Institution who has been active in the affairs of the Branch for not less than five years preceding the date of the election:
- b) For all other posts other than the position of the Chairman, the candidate shall be a financial member and Fellow or an Associate of The Institution, who has been active in the affairs of the Branch for not less than three years preceding the date of the election;
- c) For the post of Un-Official member, the candidate shall be either a Fellow or Associate of the Institution who has been active in the Branch for at least five years preceding the date of the election.
- d) Where an elected member of the Executive Committee of the Branch fails to attend at least one half (50%) of the regular meetings of the Committee during its tenure, such a member shall not be eligible for election into any position in the subsequent Executive Committee of the Branch.

2. Elections:

- a) Regular elections into the various positions on the Executive Committee of the Branch shall be held once in every two (2) years at the Annual General Meeting of the Branch.

- b) In the event of a vacancy occurring in an elective position on the Executive Committee of the Branch before the expiration of its tenure, a bye- election shall be conducted to fill the vacancy for the remainder of the term at an Emergency General Meeting called for that purpose not later than 30 days after the vacancy has occurred.
- c) A member of the Branch who has met the requirements for election into a position on the Executive Committee listed in Chapter 3 above shall qualify for election into that position, provided that the member:
 - i) Has not held office in that position for more than 1 (one) term of 2years and
 - ii) Is not indebted in any way to the Branch or the National Institution

3). **Voting**

a) **Appointment of Electoral Committee.**

At a General Meeting immediately preceding an AGM of the Branch the members present and eligible to vote at the meeting shall appoint 3 professional members who are eligible to vote and be voted for, into the electoral committee;, one of whom shall be a Fellow and Chairman of the Electoral Committee, for the elections into the various positions on the incoming Committee at the AGM next, provided, none of such appointed members shall

- i) be a candidate for the election
- ii) be a member of the out –going Committee; and
- iii) have voting rights in the elections for which they will serve,

b) **Conduct of elections**

The election of eligible persons into the various positions on the Executive Committee of the Branch shall be conducted by ballot either manually or electronically as approved by the AGM and the winners shall be determined from the results of the voting based on simple majority of the valid votes cast by the eligible members of the Branch. provided that in the event of .a tie in votes cast, the outgoing Chairman shall have a casting vote to decide the winner or winners.

c) **Divisions at Meetings**

- . All matters involving divisions at the meetings of the Branch, including those of the Executive Committee and the Sub-Committee of the Branch, shall be decided by a simple majority of the members present and voting, un-less where it is otherwise specified in these Bye-Laws,

CHAPTER SEVEN

REMOVAL AND RESIGNATION OF ELECTED OFFICERS:

- 1). An elected officer of the Branch may be removed from office for reasons of:
 - a) Certified Insanity; and
 - b) Gross misconduct
- 2). In the case of insanity, the affected officer would be advised to resign the post when the case is proved from medical evidence or clear observation, provided that where the Officer refuses to resign, the Executive Committee of the Branch shall declare the post vacant by a vote of not less than two – thirds majority vote of the members present and voting at a special meeting convened for that purpose. .
- 3). Where an elected officer of the Branch is found guilty of misconduct by a body of competent jurisdiction including the Professional practice Committee of the Institution or the Investigative Committee of the Branch, such an officer shall be removed from office by a two-third-majority vote of the members of the Branch present and voting at a special meeting convened for that purpose.
- 4). Gross misconduct shall include stealing, robbery, embezzlement, fraud, non-performance of duty, and other acts of indiscipline unbecoming of a person holding such a position and considered as such by the Executive Committee of the Branch.
- 5). Notice of the allegation of gross misconduct against an Officer of the Branch shall be entertained only where:

A petition is presented by a corporate member of the Branch who is in good financial standing; provided such

 - a) petition is signed by at least 5 (five) other professional members of the Branch and who are in good financial standing.
- 6). When an allegation of gross misconduct against an Officer of the Branch has been duly submitted, the Executive Committee of the Branch shall:
 - a) Cause an inquiry to be conducted into the allegation;
 - b) Notify the affected Officer of the particulars of the allegation and
 - c) Direct the affected Officer to submit a defence within one month of the notice.
- 7). Where an Officer of the Branch is found guilty of such gross misconduct which would warrant his removal from office, the Chairman of the Branch, or the Vice-Chairman where the Chairman is incapacitated, shall, if necessary, summon an Extra-Ordinary General Meeting of the Branch for purposes of considering and dealing with the matter.

- 8). An Officer of the Branch shall be removed from office before the expiry of his/her tenure only in accordance with Chapter 7 (4) above and the motion for the removal from office shall be moved by a Professional Member of the Branch, all of whom shall be financially up-to-date.
- 9). An Officer of the Branch may vacate office before the expiration of his or her term by resigning from the post, provided that a notice to that effect is given to the Chairman of the Branch, or in the case of the Chairman of the Branch to the Honorary Secretary of the Branch.

CHAPTER SEVEN

PROFESSIONAL CONDUCT AND DISCIPLINE:

1. A member of the Branch, including those working with, under or through them shall:
 - a) Abide by the ethics and norms of practice as contained in the Constitution and Code of ethics of the Nigerian Institution of Estate Surveyors and Valuers as well as the Rules published by the Estate Surveyors & Valuers Registration Board of Nigeria; and any other extant law of practice
 - b) Not conduct himself or herself in any manner that is likely to bring the image of the Institution into disrepute; provided that all members of the Branch shall have a right of hearing and the process shall be as follows:

Notice of the allegation of gross misconduct against an Officer of the Branch shall be entertained only where:

A petition is presented by a Professional member of the Branch who is in good financial standing; provided such petition is signed by at least 5 (five) other Corporate members of the Branch and who are in good financial standing.

2. When an allegation of gross misconduct against an Officer of the Branch has been duly submitted, the Executive Committee of the Branch shall:

Constitute an investigative panel of not more than 3 financial members one of whom shall be a Fellow to:

 - a) Cause an inquiry to be conducted into the allegation;
 - b) Notify the affected Officer of the particulars of the allegation and
 - c) Direct the affected Officer to submit a defence within one month of the notice.
 - d) Present a report of findings and apportion blame for implementation by the Executive Committee

The Branch shall receive or cause to be received and investigated, reports on all cases of professional misconduct, including acts of indiscipline, flouting of

established directives, and violation of approved codes of behaviour or dereliction of duty, by any members of the Branch or by an approved firm operating within the jurisdiction of the Branch.

Notwithstanding any clause or provision made herein, where there is conflict of interest between the Executive Committee of the Branch and the National Council of the Constitution in all matters of discipline, the Branch shall abide by the decision of the Council.

3. DISPUTE RESOLUTION AMONG MEMBERS

- a.** The Executive Committees shall constitute a Conciliation and / or Mediation panel to reconcile members and refer cases of professional misconduct, including acts of indiscipline, flouting of established directives, violation of approved codes of behaviour or dereliction of duty, by any member of the Branch or by an approved firm operating within the jurisdiction of the Branch to the National Council of The Institution for appropriate action.

CHAPTER EIGHT

Welfare:

- a)** The Branch shall maintain a Welfare fund separate from the Benevolent Fund levied by the Institution for purposes of assisting members who are in distress and/ or beneficiaries of deceased members.
- b)** The Executive Committee of the Branch shall apply the Welfare fund of the Branch to the benefit of all members of the Branch who:
 - i) Have genuine need as determined by the Executive Committee,
 - ii) Are active in the Branch; and
 - iii) Are in good standing financially as at the time of need
- c)** The Executive Committee of the branch shall
 - i) Arrange for the Branch to be represented at the burial or funeral ceremony of a deceased member of the Branch; and
 - ii) Send representatives to the wedding, coronation or chieftaincy installation, anniversary and related social activities of any member of the branch.
- c)** The Executive Committee of the Branch shall decide, as it deems fit, what measures to take in the event of incapacity or death of a member of the Branch and in such other welfare cases at it may feel that a member of the Branch needs help notwithstanding any contrary provision in these Bye-Laws, provided that the member so affected is financially up to date and has been active in the affairs of the Branch.
- d)** Each member of the Branch shall:

- i) Make it a point of social duty to be present during the wedding ceremonies of other members of the Branch; and
- ii) Make out time to visit other members of the Branch who are sick.

CHAPTER NINE

Amendment to these Bye-Laws:

- 1) A proposal to alter, amend or revise these Bye- Laws shall be:
 - a) Made by way of motion and in writing by a Professional Member of the Branch who is in good standing financially ; and
 - b) Supported by at least five other Corporate Members of the Branch, all of whom are in good standing financially.
- 2) The Executive Committee of the Branch shall also have power to initiate proposals to alter, amend or revise these Bye-Laws.
- 3) All proposals to alter amend or revise these Bye-Laws shall be considered and adopted by a two third majority of the members present and voting at a General Meeting or an Extra Ordinary General Meeting of the Branch called for that purpose.

DEFINITIONS/ INTERPRETATIONS.

In the construction of this Bye – Laws, unless there is anything in the subject or context repugnant thereto, the several words hereinafter mentioned or referred to shall have or include the following meaning/interpretation:

“The Lagos State Branch” means the Branch of The Institution based in Lagos State.

“Constitution” means the current approved constitution of The Institution.

“Branch Secretariat” means the administrative headquarters and primary place of business of the Lagos State Branch.

“Fellow means a fellow of The Institution duly transferred to that grade of membership as provided in the constitution.

“Associate” means a member of The Institution duly elected to that grade of membership as provided in the constitution.

“Probationer” means a person who has completed a course of study in a higher institution of Learning but has not passed the examination approved and/or prescribed by the Institution and who is so registered with the Institution.

MADE BY THE ORDER
OF THE
EXECUTIVE COMMITTEE OF THE
LAGOS STATE BRANCH OF THE NIGERIAN INSTITUTION OF ESTATE
SURVEYORS & VALUERS
THIS.....DAY OF.....APRIL 2014