

# ROYAL COLLEGE OF PHYSICIANS OF EDINBURGH

## LAWS

### AS AMENDED DECEMBER 2015

[These Laws incorporate changes to the following – as agreed at the Annual Meeting in December 2015 in relation to the T&MC:

- To amend Chapter IV, Laws 8, to increase the number of elected seats in Scotland from 6 to 9 and in England & Wales from 4 to 7.
- To amend Chapter IV, Law 11 to read, ... Additional co-opted Members may also be appointed to the Trainees and Members' Committee periodically, for one year, by a majority vote of the Trainees and Members Committee ....]

## CHAPTER I OF THE COLLEGE AND COMMON SEAL

1. The College shall consist of Fellows and Members.
2. Members shall be elected to Membership of the College as MRCP Edin, or MRCP(UK) (Chapter III).
3. Holders of the Diploma of MRCP Edin, or of MRCP(UK), or MRCPCH may be enrolled as Collegiate Members (Chapter IV).
4. The Fellows, Collegiate Members and the Council shall administer the property and affairs of the College, enact the Laws, elect Members and grant Licences and Diplomas.
5. An Ordinary or Extraordinary Meeting of the College shall be constituted by a Meeting of the Fellows and Collegiate Members.
6. The Common Seal of the College shall be kept in the custody of the Secretary.
7. The Common Seal shall be affixed under the authority of the President to all Diplomas, Certificates, Charters, Dispositions or other deeds or instruments granted by the College and to such other documents as the College, Council or President shall direct.
8. The Common Seal when affixed to Charters, Dispositions or other deeds or instruments granted by the College shall be attested by three of the Trustees and by the President or a Vice-President or Treasurer or Secretary of the College for the time being.

## CHAPTER II OF FELLOWS

1. The Fellows of the College shall elect the President, the Vice-President(s) and Fellows to serve on the Council.

2. The Secretary shall intimate annually to all Fellows of the College that it is their privilege and duty to nominate Members for consideration for advancement to the Fellowship. In this Chapter 'Members' shall include those holding a Diploma of MRCPCH.

3. All nominations shall be examined by the Fellowship Committee. The Fellowship Committee shall be made up of two Members of the Council selected by the Fellows of the Council from those Councillors elected by the Fellows and two Fellows elected for that purpose at the Annual Meeting who shall not be members of the Council. The election shall take place as provided for in Chapter XII, Law 9. The Fellowship Committee shall make recommendations to the Fellows of the Council concerning each member nominated for advancement to the Fellowship. Thereafter the Fellows of the Council shall consider those recommended by the Fellowship Committee for election to the Fellowship. Both the Fellowship Committee and the Fellows of the Council shall give special attention to the qualifications, professional standing, appointments and contributions to the literature of each nominee. A decision to recommend a candidate for advancement to Fellowship under this Law will require a three quarters majority of the Fellows of the Council present and voting. The Council shall then submit to the Fellows of the College the names, qualifications and appointments held by those Members they recommend for election under this Law.

4. The Fellows of the College may comment on each candidate for advancement proposed by the Council under Law 3. Such comments must be addressed to the Secretary of the College and received within one month of the date of intimation under Law 3 (which shall be the date the intimation was posted by the College).

5. In the event that no comments are received, the candidate shall be deemed conditionally elected upon the following (1) receipt of the candidate's declaration form, which form shall be in such terms as shall be determined by Council from time to time (2) acceptance of the form by the Secretary (which acceptance shall be in the Secretary's sole discretion) (3) written confirmation of the candidate's desire to proceed with advancement to Fellowship (4) payment of any fee payable under Chapter VIII, Law 2, (5) written confirmation that the candidate will pay any annual fee payable under the Laws and (6) acceptance of the Promissory Obligation. If the candidate's declaration, confirmation, payment and acceptance is received within seven weeks of the date of posting of the Secretary's letter advising of the conditional election of the candidate, the candidate shall be deemed to have been elected to the Fellowship at the Council meeting at which his conditional election took place.

If the candidate's declaration, confirmation, payment and acceptance of the Promissory Obligation is not received within seven weeks, the Secretary shall write to the candidate to give a further seven weeks for their receipt or an explanation of his failure.

If the candidate's confirmation, payment, declaration and acceptance of the Promissory Obligation is received within the second 7 week period, and if the declaration is accepted by the Secretary, the candidate shall be deemed to have been elected to the Fellowship at the Council meeting at which his conditional election took place.

If no timeous response is received, the nomination shall lapse but if an explanation of a candidate's failure to make a complete response is received by the Secretary he may, at his discretion, refer the nomination to the next available Council Meeting. At that Meeting, the Fellows of the Council may, by a three quarters majority decision of the Fellows of the Council present and voting, (1) elect the candidate and decide whether or not to exempt him from payment of the fee (or fees as the Council may resolve) payable under Chapter VIII, Law 2, in which case, the Fellow shall be deemed to have been elected at the date of the said Council Meeting; (2) postpone the candidate's advancement to allow the Secretary to write to the candidate to advise of the Council's decision and invite him to satisfy conditions (1)-(6) in Law 5 above. The candidate's nomination shall be considered at a Council meeting after the candidate has satisfied the conditions, which Council Meeting shall be taken as the date of his election; or (3) reject his explanation whereupon his nomination shall lapse.

6. If comments are received, the Council may seek further advice and defer a decision on the nomination pending further investigation. Once that investigation is completed, Council shall proceed to take a decision on the nomination at a subsequent meeting of Council and, if the Council approves the nomination, the candidate shall be deemed elected at that meeting so long as conditions (1)-(6) in Law 5 above have been met.

7. Fellows may propose for election to the Fellowship under Law 8 hereof medical graduates or licentiates who are not Members of the College or other persons of exceptional distinction. Such proposals require to be seconded by another Fellow. All such proposals shall be examined by the Fellowship Committee. The Fellowship Committee shall make recommendations to the Fellows of the Council concerning each such proposal for election to the Fellowship.

8. The Fellows of the Council having considered the recommendations of the Fellowship Committee may recommend for election to the Fellowship medical graduates or Licentiates who are not Members of the College provided that their contribution to medical practice is especially meritorious. The Fellows of the Council may also recommend for election to the Fellowship other persons of exceptional distinction. At the discretion of the Council, any Fellow elected under this Law may exceptionally be exempted from payment of the fee payable by a Fellow on election and annually thereafter (Chapter VIII, Law 2). A three-fourths majority of those Fellows of the Council, present and voting, shall be necessary for any candidate proposed to be recommended for election by the Fellows under this Law.

9. The Council from time to time shall submit to the Fellows of the College the names of those proposed under Law 8 hereof together with a precis of the careers of the candidates. Thereafter the election procedure shall follow the procedure set out in Laws 4 to 6 of this Chapter save that the candidate shall have no obligation to pay any fees under Chapter VIII Law 2 if the Council propose him for Fellowship on that basis.

10. Every Fellow on election shall have his name and date of election placed on the List of Fellows maintained at the College.

11. Fellows shall have their names placed on the List according to the date of their election. When two or more Fellows are elected on the same day their seniority shall be determined according to the date of their Membership or the date of their Diploma of MRCPCH, but if their election as Members be of the same date, according to the date of their original qualification in medicine.

12. Subject to Law 14, a duly elected Fellow (the conditions of his election having been met) shall have all the rights and privileges of Fellowship, intimation to this effect being sent to him by the Secretary.

13. The Council shall annually at a Meeting of the College submit for approval the Regulations regarding the annual subscription payable by Fellows (Chapter XIII & 3, Law 10) always provided that any Fellow elected under Chapter II, Law 6 and Law 8 and exempted by the Council from payment of the fee payable by a Fellow on election shall be exempted from payment of the annual subscription. Fellows who have paid one of the rates of annual subscription and those exempted by the Regulations under the provisions of Law 6 and Law 8 and Chapter VIII, Law 2 hereof shall be entitled to enjoy a range of privileges determined by Council from time to time. In addition, Fellows shall be entitled to vote by post or other electronic means as determined by Council, and according to the specific constituencies, for the election of the Fellows of the Council.

14. Any Fellow not in good standing, as defined in Chapter VIII Law 2, for such period as Council shall determine from time to time, shall be deprived of all College services and shall not be entitled to vote, nor attend any meetings of the College nor hold any College post.

15. Eight Fellows of the Council present at a Council Meeting, whether in person or through electronic linkage, shall constitute a quorum for the purposes of this Chapter.

16. The Diploma presented by the College to its Fellows shall be in the form given in Appendix No. II.

### **CHAPTER III OF MEMBERS**

1. Any person, holding a qualification in Medicine approved by the Council, with whose knowledge of Medicine the College is satisfied, may be elected a Member of the College.
2. The categories of Members shall be as described in Laws Chapter I, Laws 2 and
- 3.

### **Members of the Royal Colleges of Physicians of the United Kingdom (MRCP(UK))**

3. The Royal Colleges of Physicians of the United Kingdom comprise the Royal College of Physicians of Edinburgh, the Royal College of Physicians and Surgeons of Glasgow, and the Royal College of Physicians of London. A member of the Royal Colleges of Physicians of the United Kingdom is a person who has been admitted and passed an examination which satisfies the requirements of each of the Colleges, and who has been elected by each of them to Membership of the Royal Colleges of Physicians of the United Kingdom.
4. Every candidate for election to the MRCP(UK) shall have passed an examination arranged in accordance with the Regulations approved by the Royal Colleges of Physicians of the United Kingdom (Chapter III, Law 8).
5. The Council shall be responsible for the selection of such examiners as may be required.
6. Every candidate for the MRCP(UK) shall have paid (a) Examination Fees and when successful (b) a Diploma Fee and after election shall pay any other fees required by the College in accordance with the Regulations approved by the College.
7. The motion for the election of a candidate to Membership of the Royal Colleges of Physicians of the United Kingdom shall be determined at a Meeting of the Council, a majority of three-fourths of the Fellows and Collegiate Members voting being necessary to carry it. The Council shall make available in the College the names of those elected under this Law.
8. Amendments to the Regulations and the Instructions for the Examination for the Diploma of Membership of the Royal Colleges of Physicians of the United Kingdom shall be approved by the Council and reported to the College at any Meeting of the College.
9. Every Member of the Royal Colleges of Physicians of the United Kingdom shall on election by the three Colleges, have his name placed on the List of Members of the Royal Colleges of Physicians of the United Kingdom maintained in the College.

### **Members of the Royal College of Physicians of Edinburgh (MRCP Edin.)**

10. Every candidate for election to the MRCP Edin., excluding those who are exempt under the provisions of Law 12, shall have passed an examination arranged by the Council.

11. Every candidate for the MRCP Edin., shall have paid (a) Examination Fees and (b) Diploma Fee and after election shall pay any other fees required by the College.

12. Fellows of the College shall have the privilege of proposing for election to the MRCP Edin., persons who fulfil the conditions of Law 1 of this Chapter and who have attained professional eminence. The Council shall have power to exempt such persons from the whole or from any part of the prescribed examination. Each such candidate shall be supported by two Fellows of the College who shall provide the Council with written evidence in support of the proposal. Candidates proposed under this Law shall comply with the provision of Law 11 of this Chapter.

13. In the case of each candidate who has passed the examination and in the case of each candidate exempted from the whole or part of the examination, on the Council being satisfied with all the circumstances, it shall be necessary at a meeting of the College for a motion to be moved and seconded for the election of each such candidate to the Membership of the College, a majority of three-fourths of the Fellows and Collegiate Members voting being necessary to carry it.

14. The names, qualifications and addresses of candidates for election to Membership of the Royal College of Physicians of Edinburgh, together with the names of the Proposer and Secunder, shall accompany the Billet summoning the Meeting at which the motion for election is to be determined.

15. The motion for the election of a candidate to the Membership of the Royal College of Physicians of Edinburgh shall be determined at an Ordinary Meeting of the College, a majority of three-quarters of the Fellows and Collegiate Members voting being necessary to carry it.

16. Every Member of the Royal College of Physicians of Edinburgh, on election, shall have his name placed on the List of Members maintained in the College.

#### **CHAPTER IV OF COLLEGIATE MEMBERS AND ASSOCIATES**

1. A Member (Chapter I, Laws 2 and 3) at any time subsequent to his election is entitled, on application in writing to the Secretary of the College, to be designated a Collegiate Member of the College and having signed the Declaration (Appendix VII), and to have his name placed on the List of Collegiate Members maintained in the College on payment of the required fee.

2. Collegiate Members shall conform to the Laws and Regulations of the College.
3. Collegiate Members shall be entitled to privileges additional to those of Members. The nature of such privileges shall be determined by the Council.
4. Collegiate Members who have signed the Declaration (Law 1) and are in good standing may attend the Annual and Ordinary Meetings of the College, propose motions and vote on motions other than those relating to the Fellowship.
5. Collegiate Members who have signed the Declaration (Law 1) may attend Extraordinary Meetings of the College, propose motions and vote on motions other than those relating to election to or forfeiture of the Fellowship.
6. The Council shall annually at any Meeting of the College submit for approval the Regulations regarding the annual subscription payable by Collegiate Members.
7. Any Collegiate Member in arrears with his annual subscription for such period as the Council shall determine from time to time shall, after due intimation made in writing to his last known address, be deprived of Collegiate Membership
8. The Collegiate Members shall elect biannually a Committee, hereafter known as the Trainees & Members' Committee which shall consist of 17 Collegiate Members, elected from those Collegiate Members working in the following geographical areas or practising in the following categories and in the numbers indicated, and 2 Associates who shall be elected from and by their number in accordance with Law 10 below and practising in the following geographical areas. An Associate or Collegiate Member will also be elected into the Staff, Specialty and Associate Specialist Grade seat. The boundaries of the geographical areas listed below may be altered by Motion of the Council at a Meeting of the College. An alteration to such boundaries shall require a two-thirds majority of those present and voting. All candidates must be eligible to stand for the constituency they seek to represent at the date of the election. In the first instance, all questions of entitlement to stand shall be determined by the Secretary. A Collegiate Member denied the right to stand by the Secretary's decision may appeal in writing to the President within 14 days of the Secretary's decision. The President's decision shall be final.

<b>Constituency</b>	<b>Area</b>	<b>Number of Seats</b>
A	Scotland	9
B	England and Wales	7
C	Northern Ireland	1
D	Staff, Specialty and Associate Specialist	1

E	Associates (UK)	2
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9. The same Collegiate Member or Associate may be elected biannually as a member of the Trainees and Members' Committee for 3 successive two-year terms but not for any longer consecutive period. Any Collegiate Member or Associate may be re-elected after having been out of office for one year. Any Collegiate Member or Associate who ceases to qualify mid-term may serve out that term.

10. Annually the Secretary of the College shall intimate to Collegiate Members and Associates that nominations for membership of this Committee must be made. Only Collegiate Members and Associates resident within the United Kingdom and who satisfy the conditions of Law 9 of this Chapter will be eligible for nomination. It shall be competent for any Collegiate Member to nominate one or more Collegiate Members and any Associate or Collegiate Member to nominate one or more Associates. The Secretary of the College shall, on receipt of the nomination, notify the Collegiate Member or Associate concerned. He shall thereafter issue voting papers by post or electronic equivalent to Collegiate Members and Associates, listing those nominated who have not withdrawn their names. Each eligible Collegiate Member and Associate shall vote in accordance with the accompanying voting instructions. The voting papers or electronic equivalent must be returned to the College by a date specified by the Secretary and not less than two working weeks before the Annual Meeting. The Secretary shall ensure that a minimum of four weeks is given for nomination and voting.

11. The votes shall be counted by the Secretary or in his absence by any other Office Bearer of the College. Those Collegiate Members or Associates up to the number required in each category who received the largest number of votes shall be elected. Should the number of nominations be equal to or fewer than the number of vacancies which exist in any category any Collegiate Member so proposed shall be deemed to have been elected to membership of the Trainees and Members' Committee. In the event of insufficient nominations having been received to fill all the vacancies in any Collegiate Member category the elected members of the Trainees and Members' Committee may co-opt another Collegiate Member to fill these vacancies. In the event of insufficient nominations having been received to fill one of the Associate vacancies, a second-placed candidate for the other constituency shall be deemed elected as a second Associate to serve on the Trainees and Members' Committee and if no such candidates exist elected members of the Trainees and Members' Committee may co-opt another Associate to fill this vacancy

Additional co-opted Members may also be appointed to the Trainees and Members' Committee periodically, for one year, by a majority vote of the Trainees and Members' Committee, in order to ensure the ongoing delivery of the College's operational objectives. All co-opted Members shall assume the same rights as elected members, but there should always be a majority of elected members both on the Trainees and Members' Committee and participating in any votes.



12. Where an elected member of the Trainee and Members' Committee resigns mid-term, the Committee may request a mid-term election to preserve the required majority of elected members. The election shall be called at the discretion of the President and follow the procedures laid out in Chapter IV.

13. The newly appointed Committee shall meet before the Annual Meeting of the College to elect a Chair, and up to 3 Vice-Chairs any 2 of whom can attend as members of Council. The Committee shall nominate one or more Collegiate Members or Associates to membership of each committee of the College other than the Fellowship Committee.

14. In addition to the meeting to elect a Chair and up to 3 Vice Chairs, the Trainees and Members' Committee shall meet at such other times during the year as the proper discharge of their duties may require. Four elected Collegiate Members of the Committee shall constitute a quorum.

15. The Trainees and Members' Committee shall prepare an annual report on its activities for submission to Council.

16. A meeting of Collegiate Members may be called by the Trainees and Members' Committee at any time.

## **CHAPTER V OF LICENTIATES**

1. The Licence of the College may be obtained conjointly with those of the Royal College of Surgeons of Edinburgh and of the Royal College of Physicians and Surgeons of Glasgow (Triple Qualification). The Regulations and the fees to be paid shall be arranged from time to time between the College and these Bodies.

2. Every applicant, before receiving the Licence, must sign the Promissory Declaration in the form given in Appendix No. IV.

3. The Diploma granted by the College to its Licentiates shall be in the form given in Appendix No. V. The Diploma granted conjointly with the Royal College of Surgeons of Edinburgh and the Royal College of Physicians and Surgeons of Glasgow (the Triple Qualification) shall be in the form given in Appendix No. VI.

4. The Council of the College when necessary shall submit for approval at any Meeting of the College the Regulations and the fees to be paid for the Licence of the College.

## **CHAPTER VI OF DIPLOMAS IN SPECIAL SUBJECTS**

1. The College shall grant, after examination by itself or in conjunction with other Royal Colleges or Faculties, Diplomas in special subjects in medicine as may be from time to time determined. Persons to whom the College has granted such Diplomas shall be known as Diplomates.

2. The Council of the College when necessary shall submit for approval at any Meeting of the College the Regulations and the fees to be paid for such Diplomas.

## **CHAPTER VII OF FACULTIES AND JOINT FACULTIES**

1. The College may institute and establish such Faculties in the College and may delegate such powers to and confer such rights upon the members of any such Faculty as it may from time to time determine.

2. The College may combine with any other body or bodies in instituting and establishing a Joint Faculty in the College and may further combine with any such other body or bodies in delegating powers to and conferring rights upon the members of any such Joint Faculty to such extent as the College may from time to time determine.

3. The College shall have power in relation to any Faculty in the College to grant a Diploma of Membership in that Faculty and to charge reasonable fees therefor and to appoint duly qualified examiners and to make Regulations for the examination of candidates for such Membership and to confer the said Diploma without examination on a limited number of suitably qualified persons.

4. The College shall also have power in relation to any such Faculty to grant a Diploma of Fellowship in that Faculty with or without examination and to charge reasonable fees therefor and to appoint duly qualified examiners and to make Regulations for the examination of candidates for such Fellowship.

5. The College shall have power in relation to any Joint Faculty instituted and established under Law 2 of this Chapter to combine with the relevant other body or bodies in granting a Diploma of Membership in that Faculty and in charging reasonable fees therefor and also in appointing duly qualified examiners and making Regulations for the examination of candidates for such Membership and in conferring the said Diploma without examination on a limited number of suitably qualified persons.

6. The College shall also have power in relation to any such Joint Faculty to combine with the relevant other body or bodies in granting a Diploma of Membership or Fellowship in that Faculty with or without examination and in charging reasonable fees therefor and in appointing duly qualified examiners and making Regulations for the examination of candidates for such Membership or Fellowship.

7. The College may inaugurate a Faculty or combine with any other relevant body or bodies in inaugurating a Joint Faculty and may designate the first Members and Fellows and appoint the first officers and convene the first meeting of the said Faculty or Joint Faculty.

8. The affairs of each Faculty or Joint Faculty shall be managed and administered by a Board of Faculty composed as provided for in the Standing Orders of the said Faculty or Joint Faculty. The Council shall appoint annually at least one Fellow or Collegiate Member of the College to serve on the Board of the said Faculty or Joint Faculty.

9. The affairs of any Faculty or Joint Faculty and the rights and obligations of its Members and Fellows shall be regulated by Standing Orders approved by the College and it shall be expressly provided in any such Standing Orders that no change shall be made in them without the approval of the College.

10. Any Faculty or Joint Faculty shall submit any proposed amendments to its Standing Orders to the College. Such amendments shall be considered first by the Council, which may approve them on behalf of the College or refer them to a Meeting of the College, if considered necessary.

11. The Board of any Faculty or Joint Faculty, may, and if requested by the College, shall make recommendations to the College in furtherance of the objects of the Faculty with special reference to research, lectures, awards, examinations and other matters related to its specially.

12. Every Member or Fellow of a Faculty or Joint faculty in the College shall after his admission be presented with a Diploma in such form as shall from time to time be approved by the College (and in the case of a Joint Faculty by the other body or bodies) and the Board of the said Faculty.

13. Every person prior to his admission as a Fellow or Member of any Faculty shall make and subscribe his name to the following declaration:

I hereby faithfully promise to abide by the Standing Orders of the Faculty and the Laws and Regulations of the Royal College of Physicians of Edinburgh as they apply to Members or Fellows of the Faculty of..... and every person prior to his admission as a Fellow or Member of any Joint Faculty shall make and subscribe his name to such declaration as may be approved by the College and the other body or bodies concerned.

14. The College shall be entitled at any time to revoke any powers which it has delegated to any Faculty. It shall also be entitled at any time by giving not less than two years' notice in writing to the Board of any Faculty to sever any or all connection between the College and that Faculty and to terminate the right of that Faculty to describe itself as a Faculty of the College. It shall also have power to combine with the other body or bodies concerned in taking such actions in relation to any Joint Faculty.

## **CHAPTER VIII OF FEES**

1. The total Fee to be paid for all categories of Fellows, Members and Associates of the College shall be of such amount and shall be payable in such manner as agreed by Council and announced at a Meeting of the College.
2. The Fee to be paid by a Fellow on election and annually thereafter shall be determined by the Council from time to time always provided that at the discretion of the Council (1) any Fellow elected under Chapter II, Law 6 or Law 8 may be exempted from payment and (2) in exceptional circumstances a Fellow unable to make payment of the fee may be exempted from payment. Fellows who have paid their annual fee and those subject to exemptions (Chapter II, Law 6 and Law 8 and Chapter VIII, Law 2) shall be referred to as "Fellows in good standing with the College".

## **CHAPTER IX OF CENSURE, SUSPENSION AND EXPULSION OF FELLOWS**

1. Any Fellow who shall have been convicted in the United Kingdom or in the Courts of any other country of a criminal offence or who shall, after due inquiry, be Judged by the Fellows to have been guilty of serious professional misconduct or shall, after due inquiry, be judged by the Fellows to have violated any Rule or Regulation of the College, may, if the Fellows see fit be censured or deprived sine die or for such time as the Fellows may determine, of all rights and privileges which as a Fellow he does or may enjoy or may, if the Fellows see fit, be expelled from the College and be deprived of his Fellowship and of all rights and privileges which as a Fellow he does or may enjoy.
2. If it shall at any time appear that a Fellow has obtained admission to Fellowship of the College by fraud, false statement or information the Fellows after due inquiry may censure, suspend or expel such a Fellow.
3. This and the succeeding Laws of this Chapter shall apply to all proceedings for censure, suspension or expulsion of a Fellow. The complaint or information on which action is required under Laws 1 and 2 of this Chapter shall be brought before the members of the Council who are Fellows of the College, who shall, if they decide to proceed further, prepare a motion which with their opinion thereon, shall be submitted to an Extraordinary Meeting of the Fellows of the College, specially convened for this purpose.
4. Notice of the terms of the motion and of the date of the meeting at which the Fellows will decide whether it is to be entertained shall be posted by registered letter addressed to the person to whom the matter relates at his last known address at least twenty-eight days before the date of the meeting.

5. At the meeting above referred to the motion will be proposed and seconded. The person to whom the matter relates shall be entitled to make written representations or to appear personally. A vote of the Fellows of the College shall be taken as to whether it is expedient to entertain the motion, and in the event of this being carried by a majority, the motion will be brought before a second Extraordinary Meeting of the Fellows specially convened for this purpose.

6. Notice of the hearing of the motion and of the date of the Extraordinary Meeting of the Fellows of the College at which the motion is to be heard shall be posted by registered letter to the person to whom it relates at least twenty-eight clear days before the date of the Meeting. The notice shall intimate that he shall be entitled, if he so requires, to appear personally or to be represented by Counsel or Solicitor and to lead evidence in support of his defence and to cross-examine witnesses upon whose evidence the case against him is based. Notice of his intention in this respect shall be given by written intimation to the Clerk at least seven clear days before the date of the Meeting.

7. The Fellows after hearing the evidence put before them by a majority of not less than three fourths of the Fellows voting at the Meeting may censure, suspend or expel the Fellow. The motion before the Meeting may be amended in such manner as a majority of the Fellows present may determine.

8. Within seven days of the hearing of the motion the Clerk shall send by registered letter written intimation of the resolution of the Meeting to the person to whom the matter relates at his last known address.

9. A Fellow who is suspended shall be deprived of all rights and privileges which as a Fellow he does or may enjoy sine die or for such time as may have been determined. A Fellow who is expelled from the College shall be deprived of his Fellowship and of all the rights and privileges which as a Fellow he does or may enjoy.

## **CHAPTER X**

### **OF CENSURE, SUSPENSION AND EXPULSION OF COLLEGIATE MEMBERS, MEMBERS, LICENTIATES AND DIPLOMATES**

1. Any Collegiate Member who shall have been convicted in the United Kingdom or the Courts of any other country of a criminal offence or who shall, after due enquiry be judged by the Council of the College on the recommendation of a Meeting of Collegiate Members called for that purpose to have been guilty of serious professional misconduct or to have violated any Law, Rule or Regulation of the College may be censured or be deprived sine die or for such time as the Council of the College shall determine of all the rights and privileges which, as a Collegiate Member he does or may enjoy.

2. Any Member, Licentiate or Diplomat who shall have been convicted in the United Kingdom or the Courts of any other country of a criminal offence or who shall

after due inquiry, be judged by the Fellows and Collegiate Members to have been guilty of serious professional misconduct or who shall after due inquiry be judged by the Fellows and Collegiate Members to have violated any Law, Rule or Regulation of the College may, if the Fellows and Members see fit, be censured or be deprived sine die or for such time as the Fellows and Collegiate Members may determine of all the rights and privileges which as a Member, Licentiate or Diplomate he does or may enjoy, or may, if the Fellows and Collegiate Members see fit, be expelled from the College and deprived of his Membership, Licence or Diploma and of all rights and privileges which as a Member, Licentiate or Diplomate he does or may enjoy.

3. If it shall at any time appear that a Member, Licentiate or Diplomate has obtained admission to or a Licence or Diploma from the College by fraud, false statement or information the Fellows and Collegiate Members shall, after due enquiry, censure, suspend or expel such a Member, Licentiate or Diplomate.

4. This and the succeeding Laws of this Chapter shall apply to all proceedings for censure, suspension, or expulsion of a Member, Licentiate, or Diplomate. The complaint or information on which action is required under Laws 1,2 and 3 of this Chapter shall be brought before the Council who shall if they decide to proceed further prepare a motion which with their opinion thereon shall be submitted to a meeting of the Fellows and Collegiate Members.

5. Notice of the terms of the motion and of the date of the meeting at which the Fellows and Collegiate Members will decide whether it is to be entertained shall be posted by registered letter addressed to the person to whom the matter relates at his last known address at least twenty-eight clear days before the date of the meeting.

6. At the meeting above referred to, the motion shall be proposed and seconded. The person to whom the matter relates shall be entitled to make written representations or to appear personally. A vote of the Fellows and Collegiate Members shall be taken as to whether it is expedient to entertain the motion, and in the event of this being carried by a majority, the motion shall be brought before an Extraordinary Meeting of the Fellows and Collegiate Members specially convened for this purpose.

7. Notice of the hearing of the motion and of the date of the Extraordinary Meeting of the Fellows and Collegiate Members of the College at which the motion is to be heard shall be posted by registered letter to the person to whom it relates at least twenty-eight clear days before the date of the Meeting. The notice shall intimate that he shall be entitled, if he so requires, to appear personally or to be represented by Counsel or Solicitor and to lead evidence in support of his defence and to cross-examine witnesses upon whose evidence the case against him is based. Notice of his intention in this respect shall be given by written intimation to the Clerk at least seven clear days before the date of the Meeting.

8. The Fellows and Collegiate Members after hearing the evidence put before them by a majority of not less than three fourths of the Fellows and Collegiate Members voting

at the Meeting may censure, suspend or expel the Member, Licentiate or Diplomat. The motion before the Meeting may be amended in such manner as a majority of the Fellows and Collegiate Members present may determine.

9. Within seven days of the hearing of the motion the Clerk shall send by registered letter written intimation of the resolution of the Meeting to the person to whom the matter relates at his last known address.

10. A Member, Licentiate or Diplomat who is suspended shall be deprived of all rights and privileges which as a Member, Licentiate or Diplomat he does or may enjoy sine die or for such time as may have been determined. A Member, Licentiate or Diplomat who is expelled from the College shall be deprived of his Membership, Licence, or Diploma and of all rights and privileges which as a Member, Licentiate or Diplomat he does or may enjoy.

## **CHAPTER XI OF THE ELECTION OF THE PRESIDENT, VICE-PRESIDENT(S) AND COUNCIL**

1. The Council shall consist of the President, the President-Elect, a maximum of two Vice-Presidents, fourteen other elected Fellows, and one Fellow of each Faculty or Joint Faculty nominated by that Faculty or Joint Faculty (“the Fellows of the Council”) and two members of the Trainees & Members' Committee elected by that Committee. The President and Vice-President(s) shall not be entitled to represent a constituency. No member of the Council shall represent more than one constituency.

2. The election of the President, Vice-President(s) and Fellows to serve on the Council, shall be by postal vote (or by electronic ballot as the Council may direct) taken prior to the Annual Meeting or, should there be insufficient nominees, in accordance with Chapter XII. The result of the election shall be announced at the Annual Meeting.

3. The President will serve for a period of three years and will be eligible for re-election as President for a further period of three years. The Vice-President(s) will serve for a period of three years and shall be ineligible for re-election as Vice-President thereafter. Fellows elected to Council will serve for a period of three years and will be eligible for re-election for a further period of three years. After a period of six consecutive years on the Council, a Fellow shall be ineligible for election for one year except as President or Vice-President. Should the office of President or Vice-President fall vacant during a term a Fellow shall be elected to serve for a period of three years. The procedure shall be as set out in Law 5 of this Chapter but the Secretary shall call for nominations forthwith. Any period served by the President or Vice-President or Council Member following his election to fill a vacancy during a term shall not count towards the maximum period of office allowed under this Law.

*[The first election of the President under this rule will take place in 2009, that for the Vice-Presidency currently held by (Professor Webb) in 2009 and that for the Vice-Presidency currently held by (Professor Brunt) in 2010.]*

4. Subject to the following provisions of this Chapter, Fellows on Council shall be elected from and by those Fellows working in the following constituencies, and in the numbers indicated for each constituency. No Fellow may stand for more than one constituency. In the first instance all questions of entitlement to stand or vote shall be determined by the Secretary. A Fellow denied the right to vote or to stand by the Secretary's decision may appeal in writing to the President within fourteen days of notification of the Secretary's decision. The President's decision shall be final.

Where a constituency is geographical its physical boundaries shall be displayed on the College's website and be available on request to the Secretary. Geographical boundaries may be changed by Motion of the Council at a Meeting of the College. Any change proposed in the Motion by the Council shall only come into effect if approved by two thirds of those present and voting at the Meeting. Where a constituency is geographical, only those Fellows paying a UK subscription or exempted in perpetuity from payment upon election (Cap. II, Laws 6 and 8) and working principally in the constituency, or if retired domiciled in it, may stand or vote.

Only Fellows engaged in paediatric practice or retired from it and paying a UK subscription or exempted in perpetuity from payment upon election (Cap. II, Laws 6 and 8) shall be entitled to nominate and vote in the paediatric constituency.

Only Fellows appointed to their Consultant posts within the last 10 years and paying a UK subscription or exempted from payment in perpetuity from payment upon election (Cap. II, Laws 6 and 8) shall be entitled to stand for and vote in the Recently Appointed Consultants' constituency.

Eligibility to vote in any constituency shall be determined at the date of issue of voting papers. A candidate must be eligible to stand for the constituency he seeks to represent at both the date of this nomination and at the date of the election.

<b>Constituency</b>	<b>Area</b>	<b>Number of Seats</b>
A	Lothian, Fife and the Borders	3
B	West of Scotland	1
C	Central Scotland	1
D	Northern Scotland	1
E	North of England	1



F	West of England	1
G	Central England	1
H	South of England	1
I	Northern Ireland	1
J	One Fellow working in Paediatric Practice	1
K	Recently Appointed Consultants	2
L	Greater London	1
M	Wales	1

5. At least three months prior to the expiry of the term of the President or Vice-President the Secretary of the College shall invite all Fellows who have paid one of the rates of subscription applicable to Fellows or who are exempt from such payment (Chapter II, Law 6 and Law 8, Chapter VIII, Law 2) to nominate one or more Fellows as President and Vice-President(s). At the same time, the Secretary shall invite all such Fellows who are eligible to vote in Council constituencies to nominate Fellows to fill the vacancies which occur in the number of elected Fellows serving on Council at the forthcoming Annual Meeting. The said invitations shall include a note of the duties and responsibilities of each office. The number of vacancies occurring in the Council shall be listed separately for each category. Each nomination shall state the constituency for which the candidate is nominated and be signed by two Fellows of the College who as at the date of nomination, must be eligible to vote for the candidate they propose. The candidate must sign and complete a Consent Form giving details of his career, appointments, place of work and details of any office held within or for the College. This Consent Form shall be received by the Secretary by a date specified by the Secretary in the accompanying explanatory papers.

6. Nomination papers duly completed must be returned to the Secretary of the College to reach him by a date determined by the Secretary subject to the approval of Council. A list of Fellows nominated for election as President, Vice President(s) and to Council, the office for which each candidate is nominated and the names of the proposers shall be published by the College.

7. On receipt of duly completed nominations, the Secretary of the College shall arrange for the preparation of voting papers or their electronic equivalent for the election of the President, Vice-President(s) and the vacancies on Council showing the names of those nominated for election to fill these vacancies and the place of work, with a precis of the career and appointments, of each nominee.

8. The voting paper shall be sent by post or electronically to all Fellows eligible to vote (Laws 4 and 5) together with instructions as to the voting procedure. Fellows may vote for any number of candidates up to the number of vacancies in each category. The voting paper (or electronic vote as the case may be) shall be returned by post or by hand to the Clerk or, with the approval of Council, to an outside agency in the envelope provided, to reach either the College or outside agency by a date specified by the Secretary and not less than two weeks prior to the Annual Meeting of the College. The Secretary shall ensure that a minimum of four weeks is given for nomination and voting.

9. Prior to the Annual Meeting the Secretary will arrange for the votes to be counted. This may be by three Fellows not being candidates together with the Clerk or, with the approval of the Council, by an outside agency. Should any voting paper be found to be not in accordance with the Laws it shall be destroyed. After the vote is declared by the President at the Annual Meeting of the College all voting papers shall be destroyed by the Clerk or, under his direction by the said outside agency.

10. Should the number of nominations for any office be equal to or fewer than the number of vacancies which exist for that office, any Fellow so proposed shall be deemed to have been elected to that office. In the event of insufficient nominations having been received to fill all the vacancies in any category on Council, the vacancies shall remain unfilled until the next election. If more than two nominations are received for President, or Vice-President, or for a seat on Council, the election shall be by single transferable vote. In the event of a tie, the Fellow or Fellows most senior on the List shall be elected (Chapter II, Law 10). If a Fellow is nominated for more than one office for which there is a vacancy his candidature shall be considered first for President, next for a Vice-Presidency and then for any vacancy on Council for which he is nominated.

11. The result of the elections shall be announced by the President at the Annual Meeting.

12. The Vice-President(s) and those Fellows duly elected to Council shall take their seats at the Annual Meeting.

## **CHAPTER XII OF THE ANNUAL MEETING - ELECTION OF THE PRESIDENT, VICE-PRESIDENT(S), LIBRARY COMMITTEE, FELLOWSHIP COMMITTEE AND OTHER STANDING COMMITTEES**

1. At the Annual Meeting (Chapter XIV, Law 1) when the President takes the Chair he shall announce that only Fellows in good standing (Chapter VIII, Law 2) with the College are entitled to vote in the elections at the Annual Meeting.

2. The name of the Fellow elected by postal ballot (Chapter XI, Law 2) as President shall be announced.

3. If no written nominations for the election to the office of President or Vice-President have been received it shall be competent for any Fellow to propose one of the Fellows as President or Vice-President and on this motion being seconded by another Fellow and no other being proposed the Fellow so nominated shall be elected President or Vice President. If more than one Fellow has been duly proposed and seconded as either President or Vice-President, an election will be held amongst the Fellows present using a single transferable vote system. Four scrutineers nominated by the President shall count the votes without leaving the room. The Fellow receiving the greatest number of votes under this system shall be deemed elected as President or Vice President. Should two of the Fellows receive an equal number of votes, the senior of them on the List shall be President or Vice-President (Chapter 2, Laws 10 and 11).
4. The newly elected President shall take office on 1st March of the following year and shall have a vote at Council meetings from the date of election.
5. The name(s) of the Fellow(s) elected by postal ballot (Chapter XI, Law 2) as Vice-President(s) shall be announced.
6. The names of those Fellows elected by postal or electronic ballot (Chapter XI, Law 2) to serve on the Council shall be announced by the President.
7. After the election of the President and Vice-President(s), the President shall call for nominations for the election of four Fellows to serve on the Library Committee (Chapter XVIII, Law 1). It shall be competent for any two Fellows to nominate one or more Fellows for election. The election if required shall be by card vote.
8. Thereafter the President shall call for nominations for the election of two Fellows to serve on the Fellowship Committee (Chapter II, Law 3). It shall be competent for any two Fellows to nominate one or more Fellows for election. The election, if required, shall be by card vote.
9. Thereafter the President shall call for nominations for the election to each of the other Standing Committees so designated by the College (Chapter XIII, Para 4, Law 1). It shall be competent for any two Fellows to make one or more nominations. The elections, if required, shall be by card vote.
10. The Council of the College, at the first Council meeting following the Annual Meeting, shall elect all Office Bearers. These Office Bearers shall continue in office for one year. At the same time the President and the Fellows of the Council elected at the Annual Meeting shall appoint two of their own number to serve on the Fellowship Committee for one year.
11. The Secretary shall publish the names of the Office Bearers and members of the Standing Committees.

12. Should the office of President or Vice-President fall vacant during a term and should the post not have been filled under Chapter XI law 5, the Fellows may elect a new President or Vice-President to serve for a period of three years. The manner of election to any office, vacant in these circumstances, shall be as described in this Chapter.

13. If a Fellow who is a Member of the Council shall die or resign during his period of office, a new Member of Council shall be elected by postal vote to serve the remainder of the vacant term in accordance with Chapter XI, Law 3. The Secretary shall invite those Fellows who pay one of the rates of subscription applicable to Fellows of the United Kingdom or who are exempt from such payment (Chapter II, Law 6 and Law 8, Chapter VIII, Law 2) to nominate one or more Fellows to fill the vacancy occurring in the number of elected Fellows serving on the Council. The nomination papers duly completed must be returned to the Secretary of the College to reach him no later than one month from the date of invitation of nominations. Voting papers shall be sent to all Fellows eligible to vote, to be returned to the Clerk in the envelope provided to reach the College by 12 noon no later than one month from the date of despatch by the Secretary of the College. The procedure for nominations, preparation of voting papers, counting of votes and election to the Council shall be in accordance with the provisions of Chapter XI. The name of the Fellow elected shall be announced by the President at the next Meeting of the College.

14. In the event of the death or resignation of the Treasurer, Secretary, Honorary Librarian, Registrar, Dean, Assessor, Clerk or Auditor during the currency of the year, the Council shall have the power to fill the vacancy.

15. Where an amendment or addition to the Laws is approved at an Extraordinary or Ordinary Meeting of the Fellows and Members, that change shall have effect from the beginning of the meeting at which the change is approved unless the contrary is stated in the motion to amend or add to the Laws.

## **CHAPTER XIII OF THE POWERS AND DUTIES OF THE OFFICE-BEARERS**

### **&1. THE PRESIDENT**

1. The President shall be Chairman of all meetings of the College. He shall regulate the debates, announce the method of voting (Chapter XVI, Law 17) and declare the sense in which the question has thereby been determined.

2. He shall not originate or second any motion while acting as Chairman.

3. He shall have one vote as a Fellow and a casting vote in the event of an equal division except as provided for in Chapter XII, Laws 3 and 6.

4. He shall appoint and discharge all College Committees save the Standing Committees and shall be ex officio a member of every Committee.
5. He may from time to time inspect the examinations.
6. He shall sign the Diplomas granted by the College.
7. In his absence his duties and powers including the signing of Diplomas shall be exercisable by the Vice-President or if there are two, the Vice-President who has held office as Vice-President for the longest period or in the event of a tie, the senior on the List (“the senior Vice-President”).

## **& 2. THE VICE-PRESIDENT(S)**

1. In the absence of the President, the senior Vice-President shall carry out the duties of the President and shall have the powers of the President including the signing of Diplomas but the senior Vice-President may, at his discretion, authorise the other Vice-President to carry out any of his duties.

## **& 3. THE COUNCIL**

1. The Council shall be constituted as stated in Chapter XI, Law 1. The acts of the Council shall not be invalidated by the existence of any vacancy in the offices of President, a Vice-President or member of Council or by any informality afterwards discovered in the election or appointment of such President, a Vice-President or Member of Council. Five members of whom at least three shall be Fellows elected to membership of Council, shall be a quorum except as provided in Chapter II, Law 15.
2. The Council shall fill any vacancy in the office of Trustee arising by death, resignation or otherwise, and shall intimate the action taken to the College at the next Meeting of the College.
3. The Council shall appoint the Librarian.
4. The Council at its first meeting following the Annual Meeting shall proceed to appoint Office Bearers and two elected Fellows of Council as members of the Fellowship Committee (Chapter XII, Law 11).
5. Not less than fourteen days before any Meeting of the College, the Council shall meet to consider the business to be brought before the Fellows and Collegiate Members at their next meeting and to instruct the Secretary in the preparation of the Billet which shall be issued not less than four days before the meeting of the College.

6. The President, a Vice-President, Treasurer, Secretary, Registrar or Dean may call a Meeting of the Council when any one of them should deem it necessary.
7. The Council may call Extraordinary Meetings of the Fellows or of the Fellows and Collegiate Members for the consideration and disposal of any special business of the College at any time.
8. The Council shall prepare all business for the Meetings of the College and shall manage and administer the affairs and property of the College in terms of the Laws and under such instructions as may be given from time to time by the Fellows and Collegiate Members in Meeting assembled.
9. The Council shall determine annually in consultation with the Library Committee the sum available from the general funds of the College for expenditure by the Committee. The Library Committee shall be entitled to propose to the Council expenditure in excess of this sum if it considers that such would be in the best interests of the College.
10. The Council shall annually at a Meeting of the College submit for approval the Regulations regarding the annual subscription payable by Fellows (Chapter II, Law 15).
11. The Council may exempt any Fellow elected under Chapter II, Law 6 and 8 from payment of the Fee payable by a Fellow on election.
12. The Council shall annually at a Meeting of the College submit for approval the Regulations regarding the annual subscription payable by Collegiate Members and Associates (Chapter IV, Law 6).
13. The Council shall, when necessary report to a Meeting of the College the regulations for the examination for the Diploma of Membership of the Royal College of Physicians of Edinburgh.
14. The Council shall report to a Meeting of the College amendments to the Regulations and the Instructions for the Examination for the Diploma of Membership of the Royal Colleges of Physicians of the United Kingdom.
15. The Council shall arrange in accordance with the Regulations and Instructions approved by the Royal Colleges of Physicians of the United Kingdom such parts of the examination for the Diploma of Membership of the Royal Colleges of Physicians of the United Kingdom as may be within its jurisdiction.
16. The Council shall when necessary report to an Ordinary Meeting of the College the Regulations and Plans for the examinations for the Licence of the College and for Diplomas in Special Subjects in Medicine.

17. The Council from time to time shall determine the nature of the privileges additional to those of Members to which Collegiate Members and Associates shall be entitled.

18. In the event of it being deemed necessary to take steps for the censure, suspension or expulsion of a Fellow, Collegiate Member, Member, Licentiate or Diplomate the members of the Council who are Fellows on a complaint against a Fellow, or the Council on all other complaints shall prepare the motion for such censure, suspension or expulsion and shall make the necessary arrangements for the submission of the motion (Chapters IX and X).

19. The Council may appoint Committees to advise it on any aspect of its business. Membership of Council Committees need not be confined to members of the Council.

#### **& 4. COMMITTEES**

1. The Standing Committees of the College shall be the Library Committee, the Fellowship Committee and such other Committees as the College may so designate. The Fellows to serve on these Committees shall be elected as provided for in Chapter XII, Laws 8, 9 & 10. One or more Collegiate Members or Associates, the number to be decided by the Council, to serve on each of these Committees with the exception of the Fellowship Committee shall be nominated annually by the Trainees & Members' Committee.

2. College Committees, other than the Standing Committees shall be appointed and discharged by the President. Membership of College Committees shall always include but need not be confined to Fellows and Collegiate Members of the College. The composition and terms of reference of each College Committee appointed shall be intimated to the College at the next Ordinary Meeting subsequent to its appointment until the Committee is discharged after presenting its final report to the College.

3. Council Committees to advise on any aspect of its business shall be appointed by the Council and shall always include but need not be confined to Fellows and Collegiate Members of the College.

4. The Trainees & Members' Committee shall be elected bi-annually as provided for in Chapter IV.

5. No expenses shall be incurred by any Committee without the approval of the Council, except in respect of the Library Committee as provided for in Chapter XIII, Para 3, Law 9 and Chapter XVIII, Law 4.

#### **& 5. THE TREASURER**

- 1.. The Treasurer shall receive, disburse and be accountable for the funds of the College and shall be responsible for the safe keeping of all titles and securities.
2. He may pay, without any special order, the ordinary expenses of the College but shall not pay or disburse any other sum without previous direction to that effect from the Council.
3. He shall prepare the Accounts of the College and Trust Funds as at the Thirty First day of January or such other date as may be determined by the Council in each year and shall present or cause to be presented to an Ordinary Meeting or to the Annual Meeting each year, a Statement of the Accounts duly audited.
4. He shall keep accounting records sufficient to disclose at any time the financial position of the College.
5. He may retain in his hands such a sum not to exceed a maximum to be determined from time to time by the Council of the College, but any surplus above the maximum sum shall be lodged in the Bank. When the funds so lodged are more than is necessary for current requirements, the balance shall be placed in an interest bearing account in the name of the College.
6. He shall not overdraw the current account of the College without the authority of the Council.
7. He may expend a sum not to exceed a maximum to be determined from time to time by the Council of the College on such repairs to the building as may be necessary. When the estimated expense exceeds that sum he shall obtain the prior authority of the Council.
8. After the Accounts of the College and Trust Funds have been approved, they shall be filed in the College.
9. The Treasurer shall be authorised to employ assistants for the necessary work connected with his responsibilities.
10. On demitting office the Treasurer shall hand over all documents and papers in his custody, with a proper inventory thereof, to his successor in office whose receipt for the same shall free him from all further responsibility regarding them.

## **& 6. THE AUDITOR**

1. The Council shall appoint (Chapter XII, Law 11) a Registered Auditor to audit the Statement of Accounts of the College. Such Accounts will include a Statement of the Accounts of the Trust Funds held by the College.



2. For their services the Auditors shall receive such fees as the Council may determine.

## **& 7. THE TRUSTEES**

1. The Trustees shall consist of the Treasurer and four Fellows.
2. On a vacancy occurring in the office of Trustee by death, resignation or otherwise, the Council shall fill the vacancy, and shall intimate the action taken to the College at the next Meeting of the College.
3. The Trustees shall manage the investments of the College and shall invest all monies belonging to the College in the name of the College in its corporate capacity (Chapter XVII, Laws 6 and 7), with the exception of the sums allowed to be retained in the Bank and in the Treasurer's hands (Chapter XIII, Para 5, Law 5) and investments quoted on the Stock Exchange which may be registered in the name of a nominee company in a designated account on behalf of the College.
4. They shall meet at least twice in each year. Three Trustees shall constitute a quorum.

## **& 8. THE SECRETARY**

1. The Secretary shall take charge of all the general correspondence of the College.
2. He shall summon all Meetings of the College and Council by Billets on which he shall enter the business proposed to be transacted.
3. At all Meetings of the College or Council he shall take, or cause to be taken, Minutes of the Proceedings including the names of the Fellows and Collegiate Members attending.
4. The Secretary's Minutes of College Meetings shall prior to their approval be made available by him for inspection by Fellows and Collegiate Members within the College and electronically.
5. He shall at all times allow Fellows and Collegiate Members access to the Minutes of the College Meetings. Other persons shall be permitted to inspect them only on making written application to the Council and receiving its sanction.
6. He shall, when directed by the Council, submit to a meeting of the College the opinion of the Council on motions or other matters of business which have been considered by it and shall give such explanations at Meetings of the College as the Council may direct (Chapters IX and X).

7. He, or in his absence any other Office Bearer, shall count the votes for the annual election of the Trainees & Members' Committee (Chapter IV, Law 11).

## **& 9. THE REGISTRAR**

1. The Registrar shall have charge of all correspondence regarding the qualifications granted by the College after examination.

2. He shall, subject to the control of the Council, make plans for examinations held under the auspices of the College and make the necessary arrangements for candidates to attend for such examinations.

## **& 10. THE HONORARY LIBRARIAN**

1. The Honorary Librarian, who shall be Convener of the Library Committee, shall have the general control of the Library and shall supervise the Librarian and Library staff.

2. Amendments to the Regulations governing the use of the Library may be submitted for approval to any Meeting of the College.

## **& 11. THE CLERK**

1. The Clerk, who shall normally be the Legal Adviser to the College, shall be a solicitor in practice in Edinburgh.

2. He shall be appointed annually by the Council.

3. He shall attend all the Meetings of the College and the Meetings of the Council at which Billets for Meetings are considered. He shall be responsible for those parts of the voting procedure for election of the President, Vice-President(s) and the Council as defined in Chapter XI.

4. For these services (Law 3) he shall receive a salary the amount of which shall be determined annually by the Council. For other services he shall be entitled to charge the appropriate professional fees.

5. In the event of the Clerk being unavoidably prevented from attending a Meeting, he shall depute a competent person to perform his duties who shall be approved by the President.

6. In the event of the College deciding to entertain a motion for the censure, suspension or expulsion of a Fellow, Collegiate Member, Member, Licentiate or

Diplomate, the Clerk shall send a copy of the motion to the Fellow, Collegiate Member, Member, Licentiate or Diplomate accused (Chapters IX and X).

## **& 12. THE DEAN**

1. The Dean, who shall be the Convener of the Education Committee, shall be responsible for the organisation of all educational activities of the College subject to the control of the Council.

## **& 13. THE ASSESSOR**

1. The Assessor, who shall be the Convener of the Audit Committee, shall be responsible for the organisation of all audit activities of the College subject to the control of the Council.

## **CHAPTER XIV OF MEETINGS OF THE COLLEGE**

1. The Annual Meeting of the College shall be held on or as near to as possible St. Andrew's Day. It shall be held first for the purpose of intimating the results of the postal ballot for the election of the President and the Vice-President(s) (or their election if no written nominations had been received) and the names of the Fellows to serve on the Council, electing four Fellows to be members of the Library Committee, two Fellows to be members of the Fellowship Committee and Fellows to be members of other Standing Committees (Chapter XII). Thereafter, the Annual Meeting may receive reports from Council or Office Bearers and may transact any items of Business appropriate for an Ordinary or Extraordinary Meeting. The Annual Meeting shall be attended only by Fellows and Collegiate Members in good standing with the College of whom twenty-five shall be a quorum.

2. Ordinary Meetings of the College shall be held at such times as the Council may determine. Ordinary Meetings shall be constituted by a meeting of Fellows and Collegiate Members. A quorum shall consist of twenty-five Fellows and Collegiate Members.

3. Not less than fourteen days before the Annual Meeting and each Ordinary Meeting, the Council shall meet to consider the business and to instruct the Secretary in the preparation of the Billet which shall be issued not less than four days before the meeting of the College.

4. Extraordinary Meetings of the Fellows of whom twenty-five shall be a quorum, may be called at any time should the President or the Council deem it necessary for the consideration and disposal of any special business concerning the Fellows of the College. It shall be incumbent on the President to call an Extraordinary Meeting of the Fellows on

a requisition to that effect specifying the purpose of such a Meeting and signed by any ten of the Fellows being delivered to him or to the Secretary of the College. Such a Meeting shall be held within twenty-eight days of the receipt of the requisition.

5. Extraordinary Meetings of the College for the consideration of any special business of the College may be called at any time should the President or the Council deem it necessary. A quorum shall consist of twenty-five Fellows and Collegiate Members. It shall be incumbent on the President to call an Extraordinary Meeting of the College on a requisition to that effect, specifying the purpose of such Meeting and signed by at least five Fellows and at least five Collegiate Members, being delivered to him or to the Secretary of the College. Such Meeting shall be held within twenty-eight days of receipt of the requisition.

6. Every Fellow and Collegiate Member in good standing with the College who has paid one of the rates of annual subscription applicable to the United Kingdom or is exempt from such payment shall be summoned to all Meetings of the College. The summons shall be by a Billet specifying the day and hour and the business to be transacted at the Meeting.

7. The Billets summoning the Meetings and all intimations required by the Laws of the College shall be sent by post or electronically. The fact of such Billets having been despatched to the address last furnished to the Secretary by a Fellow or Collegiate Member shall be held to be sufficient evidence of legal delivery. The accidental failure to send a Billet to any Fellow or Member shall not invalidate any Meeting.

## **CHAPTER XV OF THE ORDER OF BUSINESS**

### **& 1. Of All Meetings**

1. All Meetings shall be constituted by the President taking the Chair and all Meetings shall be dissolved or adjourned by the President leaving the Chair.

2. The President shall be addressed by those who speak in the Meetings.

3. In the event of the President being absent the senior Vice-President shall take the Chair. In the absence of both, the Chair shall be taken by the remaining Vice-President or the Senior Fellow on the Council present at the Meeting.

4. Notice of all business to be transacted at the Meetings of the College shall be given in the Billets which shall be issued at least four days before the day of the Meeting.

### **& 2. Of the Annual and other Election Meetings**

1. The business shall be transacted in the form prescribed in Chapter XII and Chapter XIV.

### **& 3. Of the Ordinary Meetings of the College**

1. The Secretary shall submit for approval the Minutes of the last Ordinary Meeting and of any subsequent Meetings of the College. When approved they shall be signed by the President or by the Chairman for the time being.
2. Fellows taking their seats for the first time shall be introduced (Chapter II, Law 13).
3. Any Motions for election to the Fellowship shall be determined.
4. Motions for election to the Membership shall be determined.
5. The names of those who have received the Licence or a Diploma since the previous Ordinary Meeting shall be announced.
6. Reports of Committees shall be received and discussed.
7. Any other business which is in accordance with the Laws may be brought forward (Chapter XVI)
8. At any Ordinary or Extraordinary Meeting the President or Chairman may allow an Address or an informal discussion on any matter of interest but no binding decision shall be taken at that meeting on any subject raised in such discussion.
9. The order in which items of business are taken shall be as stated in the Billet.

### **& 4. Of Extraordinary Meetings of Fellows of the College or of the College**

1. No business shall be transacted except that for which the Meeting has been summoned.

## **CHAPTER XVI OF MOTIONS, LAWS AND PROTESTS**

1. No business shall be transacted at any meetings of the College unless it shall have been first considered by the Council.

2. All business to be transacted shall be brought before a meeting of the College in the form of a Report by a Committee, a Motion by the Council or a Motion by a Fellow or Collegiate Member duly seconded.
3. When business is to be brought before a Meeting of the College in the form of a Report, the Report shall either be circulated with the Billet summoning the Meeting or be made available on the College website at least 4 days before the Meeting, due notice being given in the Billet.
4. No Report or recommendation contained in a Report shall be approved, disapproved or otherwise dealt with by the College unless by a motion or amendment proposed and seconded.
5. It shall not be lawful under the foregoing Law for any Fellow or Collegiate Member to table any motion or amendment not relating to matters brought before the College in the Report.
6. When business is to be brought before the College on a motion by the Council, the motion shall appear in the Billet summoning the Meeting at which it is to be proposed.
7. When business is to be brought before the College on a motion by a Fellow or Collegiate Member a copy thereof shall be sent to the Secretary at least twenty-one clear days before the Meeting of the College at which it is to be proposed.
8. The Secretary shall submit any motion so received by him to a Meeting of the Council to be held at least fourteen days before the Meeting at which the said motion is to be considered.
9. The Secretary shall include the motion in the Billet summoning the Meeting at which it is to be proposed.
10. When a motion is under consideration at a Meeting of the College any amendment shall be put in writing, signed by the proposer and seconder and before it is spoken to by other Fellows or Collegiate Members, it shall be read from the Chair. All amendments shall be framed so that they may be read as independent motions. No amendment shall be withdrawn after having been read from the Chair unless by permission of the Fellows and Collegiate Members.
11. The seconder of an amendment may reserve his speech until any stage of the debate, but the proposer of the motion alone has the right of reply, provided always that a Fellow or Collegiate Member may speak to a point of order or in explanation of some material part of a speech made by him which he believes to have been misunderstood.

12. If an amendment be proposed it shall be disposed of before any other amendment is moved. All amendments shall be disposed of before the original motion is put to the vote.

13. The amendment shall be put to the vote. If it be rejected a second amendment may be moved and shall be disposed of in the same way; and so on until no further amendment is proposed.

14. Should every amendment be rejected the original motion shall be put to the vote.

15. If any amendment be carried it shall then be regarded as the substantive motion and treated, as to further amendments and the right of speaking in reply and in all other respects, as an original motion.

16. It shall not be competent to move a direct negative to any motion. When a Fellow or Collegiate Member is unwilling that the College should come to a decision on any motion he may move the previous question, which without discussion shall be put to the Meeting by the President or Chairman in the following form: "Is it the pleasure of the Fellows and Collegiate Members that the motion be considered?" If this question be answered in the negative the motion shall not be further considered.

17. All motions and amendments shall be determined by a simple majority of Fellows and Collegiate Members voting, except where special majorities are required by the Laws. The voting may be by a show of hands, by card, by ballot or electronically at the discretion of the President or Chairman except where the method of voting is prescribed by the Laws.

18. A motion for the abrogation or alteration of a Law shall be determined by a two-thirds majority of the Fellows and Collegiate Members voting at one Meeting of the College. If at this Meeting any amendment to the original motion be approved the amended motion must be determined at a second Meeting.

19. Any Fellow or Collegiate Member present at a Meeting may protest against a decision reached by the Fellows and Collegiate Members. His dissent shall be recorded in the Minutes if he so requests at the Meeting.

20. It shall not be lawful to take any exception to the Minutes, except on the ground that their narrative of the *res gestae* is inaccurate or that the Meeting in question had not been properly summoned.

21. Law 1 of this Chapter may be suspended on the motion of any two Fellows or Collegiate Members on their submitting in writing to the President or Chairman the motion together with a statement of the business proposed to be discussed and determined, and of the reasons for regarding it as urgent. The Proposer shall not speak in support of the proposal for suspension. The President or Chairman shall read the motion and statement from the Chair and the College shall, without debate, proceed to determine

whether or not Law 1 of this Chapter shall be suspended. A majority of three-fourths of the Fellows and Collegiate Members -voting shall be required to carry the motion for suspension. Any such suspension shall cease to be effective when the business has been determined.

Note: Special majorities are prescribed as follows:

Election to the Fellowship at a Meeting of the College	3/4
Election to the Membership	3/4
Alienation of Property	3/4
Money Votes	3/4
Suspension and Expulsion	3/4
Suspension of Chapter XV Law 1	3/4
Abrogation or Alteration of a Law	2/3
Change in Trainees & Members' Committee Areas	2/3
Change in Council geographical constituencies	2/3

## **CHAPTER XVII OF THE PROPERTY OF THE COLLEGE**

1. No motion which would have the effect of alienating any part of the property of the College or applying it to other than the ordinary purposes of the College, except as provided for in Laws 2 and 3 of this Chapter, shall be determined unless approved by a majority of three-fourths of the Fellows and Collegiate Members voting at any two Meetings of the College, six days at least intervening.

2. When it is considered desirable to dispose of furniture or equipment belonging to the College the Council shall appoint a Committee to examine the articles and make recommendations. Thereafter the Council may at their discretion sanction such disposal or propose a motion for such disposal at any Meeting of the College where it shall be determined by a simple majority of the Fellows and Collegiate Members voting.

3. When in the opinion of the Library Committee it is desirable to dispose of books belonging to the College the Library Committee shall make recommendations to the Council. Thereafter the Council may at their discretion sanction such disposal or propose a motion for such disposal at any Meeting of the College where it shall be determined by a simple majority of the Fellows and Collegiate Members voting.

4. A list of furniture and equipment disposed of under Law 2 of this Chapter shall be available for inspection by the Fellows and Collegiate Members.



5. The Council shall make no donation, subscription or other payment exceeding a sum to be determined by the College from time to time except for the ordinary expense of the College, without the approval of the College.

6. The securities of all sums of money or property that may belong to or constitute any part of the funds of the College and all heritable rights connected therewith, shall be taken in favour of the College in its corporate name or in favour of the persons who may be Trustees for the time being and their successors in office with exception of investments quoted on the Stock Exchange which may be registered in the name of a nominee company in a designated account on behalf of the College.

7. The Trustees shall have power to lend out and invest the monies belonging to the College or any part thereof in any investments authorised by the Trustee Investments Act 1961 and subject to the restrictions imposed by Section 2 of that Act as amended by the Charities (Trustee Investments Act 1961) Order SI 1995 No.01092 and after having previously obtained and considered advice from a person who is reasonably believed to be qualified by his ability in and practical experience of financial matters.

### **CHAPTER XVIII OF THE LIBRARY AND LIBRARY COMMITTEE**

1. The President and Honorary Librarian together with four other Fellows elected annually at the Annual Meeting and one Collegiate Member or Associate nominated annually by the Trainees & Members' Committee shall form a Committee for the superintendence of the Library including the purchase of books and the making of recommendations to the Council for the disposal of unwanted books (Chapter XVII, Law 3). The election shall take place as provided for in Chapter XII, Law 8.

2. The Library Committee shall meet at least once each year. Three members shall form a quorum.

3. The Council shall determine annually in consultation with the Library Committee the sum available from the general funds of the College for expenditure by the Committee. The Library Committee shall be entitled to propose to the Council expenditure in excess of this sum if it considers that such would be in the best interests of the College.

4. The Library Committee shall review annually the Regulations governing the use of the Library and shall submit any proposed amendments to the regulations to the Council Meeting preceding the Annual Meeting of the College. The Library Committee's proposals shall be presented for approval to the College at that Meeting on the motion of the Honorary Librarian.

5. The Committee may at other times make amendments to the Library Regulations. Such amendment shall be submitted at the next convenient Meeting of the Council and shall not be effective until approved by the Council.

6. The use of the Library by all classes of readers and borrowers shall be governed by the current Library Regulations a copy of which shall be displayed in the Reading Rooms.

7. It shall be proper for provision to be made under the Library Regulations whereby persons other than Fellows and Members may consult or borrow books.

8. If any borrower shall fail to return a book within seven days of a recall notice being sent to him, no other books shall be issued to him until he has returned the book or has notified its loss. In the latter event, or if the book is not returned to the Library in spite of further recall notices, the Library Committee may require the borrower to bear the cost of replacing the missing volume.

9. The Library Committee shall on the advice of the Librarian adjudge whether any book has been returned in a damaged condition and may require the reader to bear the cost of repair or replacement.

10. Books may be lent to other libraries at the discretion of the Librarian.

11. No book shall be issued on loan if, in the opinion of the Librarian, this be inexpedient because of its rarity or physical condition.

12. No manuscript shall be issued on loan except with the approval of the President, whom failing one of the Vice Presidents, and the Honorary Librarian following advice from the Librarian and under such conditions as may be appropriate. Intimation of the loan of any manuscript shall be made to the next meeting of Council

13. No book may be sent or taken out of the British Isles except with the permission of the President and the Honorary Librarian.

## **CHAPTER XIX OF DIPLOMAS**

1. All the Diplomas of the College shall be engraved according to a pattern approved by the Council. The Secretary shall be responsible for the safe custody of the plates.

## **CHAPTER XX OF REPRESENTATIVES OF THE COLLEGE**

## **& 1. Representatives on the Conjoint Committee of Management of the Triple Qualification**

1. The Council on behalf of the College shall annually elect a Fellow or Collegiate Member as one of the three representatives of the College on the Conjoint Committee of Management of the Triple Qualification, such representative holding office for three years, pursuant to the agreement between the co-operating authorities.
2. It shall be competent for any two Fellows or Collegiate Members to nominate any one Fellow or Collegiate Member for election. Such nomination must be intimated to the Secretary at least twenty-one days before the Meeting of Council for election.
3. The Secretary shall on receipt of a nomination notify the Fellow or Collegiate Member nominated.
4. In the event of no nomination being received, it shall be competent at the Council Meeting for any two Fellows or Collegiate Members on Council to nominate a Fellow or Collegiate Member for election as Representative.

## **& 2. Representative on the Lister Postgraduate Institute**

1. The Council, on behalf of the College shall elect a Fellow or Collegiate Member as a representative of the College on the Lister Postgraduate Institute for such period as the College may from time to time determine and subject to a term of office not exceeding five years.
2. It shall be competent for any two Fellows or Collegiate Members to nominate any one Fellow or Collegiate Member for election. Such nomination must be intimated to the Secretary at least twenty-one days before the Meeting of Council for election.
3. The Secretary shall on receipt of a nomination notify the Fellow or Collegiate Member nominated.
4. In the event of no nomination being received, it shall be competent at the Council Meeting for any two Fellows or Collegiate Members on Council to nominate a Fellow or Collegiate Member for election as a Representative.

## **& 3. Representatives on the United Examining Board**

1. The Council, on behalf of the College shall elect two Fellows or Collegiate Members as representatives of the College on the United Examining Board, such representatives holding office for a period not exceeding five years, pursuant to the agreement between the co-operating authorities.

2. It shall be competent for any two Fellows or Collegiate Members to nominate any one Fellow or Collegiate Member for election. Such nomination must be intimated to the Secretary at least twenty-one days before the Meeting of Council for election.

3. The Secretary shall on receipt of a nomination notify the Fellow or Collegiate Member nominated.

4. In the event of no nomination being received, it shall be competent at the Council Meeting for any two Fellows or Collegiate Members on Council to nominate a Fellow or Collegiate Member for election as a representative.

#### **& 4. Representatives on other Boards**

1. The Council shall from time to time, as it sees fit, appoint representatives of the College to act on other medical and charitable boards.

### **CHAPTER XXI OF HONORARY FELLOWS**

1. The Fellows of the College may offer the Honorary Fellowship to persons of high distinction, whom the Fellows desire to honour. Such persons shall be nominated by the Fellows of the Council and elected by a postal or electronic vote of all Fellows in good standing with the College. A majority of nine-tenths of the Fellows voting shall be required to carry the proposal in the affirmative. Honorary Fellows, if medically qualified, shall be entitled to enjoy all the privileges of ordinary Fellowship.

### **APPENDIX No. 1**

#### **FORM of Promissory Obligation to be signed by every Fellow before taking his seat in the College:**

I, ..., a Fellow of the Royal College of Physicians of Edinburgh, incorporated by Royal Charter on 29th Day of November 1681, agree to adhere to all the present and future laws of the College, to promote and contribute to fellowship and to the work of the College, to vote conscientiously when required and to conduct myself with the highest level of probity in all affairs related to the College and to the profession of Medicine.

### **No. II**

**A DIPLOMA in the following terms shall be granted to every FELLOW of the College:**

'COLLEGIUM Regium Medicorum Edinburgense, rogante Praeside, Sociisque annuentibus, decrevit ornatissimum virum A.B. in Societatem suam co-optare, et Collegam adsciscere. Ipsum ideo in societatem co-optat, Socium adsciscit omniumque honorum atque privilegiorum quibus Socii ejusdem Collegii fruuntur, participem facit. In cujus Rei fidem, hoc diploma, sigillo suo, Praesidis, Secretariiue chirographis munitum, expediri jussit.

'Actum Edinburgi, in Conventu Sociorum. die,' etc.

**No. III**

**A DIPLOMA in the following terms shall be granted to MEMBERS of the College:**

"COLLEGIUM Regium Medicorum Edinburgense, rogante Praeside, Sociisque annuentibus, decrevit virum ornatissimum **A.B.** in ordinem Membrorum co-optare, et Membrum adsciscere. Ipsum ideo in ordinem Membrorum co-optat, Membrum adsciscit, omnium honorum atque privilegiorum, quibus Membra ejusdem Collegii fruuntur, participem facit. In cujus Rei fidem, hoc diploma, sigillo suo, Praesidis Secretariiue chirographis munitum, expediri jussit.

'Actum Edinburgi, in Conventu Sociorum, die,' etc.

**No. IV**

FORM of Declaration to be signed by Licentiates:

I hereby promise to maintain and defend all the rights and privileges of the Royal College of Physicians of Edinburgh, and to promote the interests of the College to the utmost of my power. I also promise, under pain of forfeiture of this Diploma, that I shall not advertise nor employ any other unbecoming method of obtaining practice, nor allow my name to be connected with anyone who so acts, or who is engaged in any discreditable kind of medical work. I also promise to obey all the laws and bye-laws of the said College made or to be made, and to submit to the penalties therein imposed.

**No. V**

**A DIPLOMA in the following terms shall be granted to every LICENTIATE of the College:**

'COLLEGIUM Regium Medicorum Edinburgense, rogante Praeside, Sociisque annuentibus decrevit ornatum virum A.B. in numerum Permissorum co-optare. Ipsum ideo in numerum Permissorum co-optat, omniumque privilegiorum quibus Permissi ejusdem Collegii fruuntur, participem facit. In cujus Rei fidem, hoc diploma, sigillo suo, Praesidis Secretariiq; chirographis munitum expediri jussit. 'Actum Edinburgi, in Conventu Sociorum' etc.

## **No. VI**

A DIPLOMA in the following terms shall be granted to every DIPLOMATE IN Edinburgh and the Royal College of Physicians and Surgeons of Glasgow.

THAT.....has presented her/himself for examination for the Diploma in .....before the Conjoint Board of Examiners appointed by the Royal College of Physicians of Edinburgh, the Royal College of Surgeons of Edinburgh, and the Royal College of Physicians and Surgeons of Glasgow, and having duly fulfilled all the conditions necessary for admission to the said examination has satisfied the Examiners. Accordingly, this Diploma in..... is granted to her/him this day of One thousand nine hundred and

## **No. VII**

### **Declaration to be signed by every Collegiate Member and Associate**

I, ..... one of the Collegiate Members / Associates of the Royal College of Physicians of Edinburgh hereby faithfully declare,

1. That I shall uphold the rights and privileges of the College and promote the interests of the College to the best of my ability.
2. That I shall obey the Laws, Bye-Laws and Regulations of the College made or to be made.
3. That I shall never divulge or publish anything that is acted or spoken or proposed to be transacted in any meeting of the College, or Council or Committee thereof, without leave asked and obtained from the President or the Secretary of the College.

## **CHAPTER XXII OF ASSOCIATES**

1. Council may award licences to non-Members on such terms as they may prescribe from time to time, to be known as "Associates". Associates shall not be Members of the College. An Associate shall upon acquisition of MRCP(UK), cease to be an Associate. Associates shall be subject to the discipline of the College as if they were Collegiate Members.

