



Rules and Regulations

Fiji College of
General
Practitioners

Last Modified: 21 April 2013

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PART I - PRELIMINARY

1. Name

The name of the organisation shall be the Fiji College of General Practitioners.

2. Registered Office

The registered office of the College shall be Suite 10, Spring Street, Toorak, Suva, Fiji or any site within Fiji that the Executive Council determines

3. Registered Address

The registered address of the College shall be P. O. Box 14012, Suva.

4. Interpretations

In these Rules and Regulations, unless stated to the contrary:

"Decree" means the Medical and Dental Practitioner Decree 2010

"College" means the Fiji College of General Practitioners.

"College Council" means the Executive Council of the College comprised of duly elected officials.

"General Meeting" means the Annual General Meeting (AGM) or Special General Meeting (SGM).

"General Practice" means a discipline of clinical scientific medicine, which provides comprehensive medical care as a continuing responsibility to an individual client and his/her family in the community regardless of age of the client or presence of a condition that may temporarily require the services of a specialist.

"General Practitioner" means a person who has complied with or met the professional and legal requirements necessary to practice medicine and to provide health care services.

"Regulations" means Medical and Dental Practitioner (General Practice) Regulations 2010.

"active member" means a member of the College who has consistently involved himself/herself in College committees including those at Faculty level.

PART II - MEMBERSHIP

5. Outline

The Membership Regulations are included as Schedule I of this document and outline the membership guidelines of the College and is to be considered a part of the Rules and Regulations document, but may be published and distributed as a separate document.

6. Amendment

Amendment to the Membership Regulations may only be done as an amendment to the Rules and Regulations of the College and must follow the procedure as outlined in Part VIII.

PART III – GOVERNANCE

7. Structure and Organisation of the College

(a) The permanent constituent bodies of the College shall be:

(i) The College

(ii) The College Council

(iii) The College Faculties

(b) Other bodies or committees and sub-committees set up under the authority of the College or the College Council shall also be regarded as duly constituted bodies of the College.

8. College

(a) The College shall have the supreme authority. It shall meet every year under the chairmanship of the President or an elected Council member in absence of the President. The meeting shall be

convened by the secretariat in consultation with the College Council. The decision of the College shall be binding on all members.

9. College Council

- (a) The College Council shall comprise of a President, four (4) elected members and a representative of each faculty.
- (b) The College from amongst its members shall elect a President.
- (c) The management and control of the College and of its funds is vested in the Council and everything that can be done by the College which is not required by this Decree, by College rules, or by the College in general meeting to be done by the College may be done by the Council.
- (d) Subject to the College rules, the Council may—
 - (a) make by-laws to provide for all matters not expressly reserved to the College in general meeting;
 - (b) prescribe the conditions for applicants for admission as members of the College and for the changes in the classification of members either generally or in particular cases;
 - (c) appoint such officers, and servants for the College as the Council considers necessary and determine their duties and terms of service;
 - (d) appoint bankers, accountants and legal advisers of the College;
 - (e) purchase, rent or otherwise acquire or furnish suitable premises for the use of the College;
 - (f) bring to a general meeting of the College any matter which it considers material to the College or to the interest of the profession and make recommendations and take action as it considers fit or as the meeting directs;
 - (g) communicate with other similar bodies and with members of the profession in Fiji or elsewhere on matters likely to prove beneficial or interesting to members and to negotiate and arrange with such bodies for reciprocal recognition of the status of the members of the College;
 - (h) establish committees of the College;
 - (i) delegate any of its powers, except this power of delegation, to a committee on conditions and for periods it considers appropriate;
 - (j) exercise all other powers conferred on the Council by this Decree, the Constitution and Rules or the College in general meeting.

10. Other officers of the College

There shall be other officers of the College who shall be paid or unpaid, as the Council may decide and appoint from time to time.

11. Other Bodies or Committees and Sub-Committees

- (a) To assist the Council in handling the affairs of the College, the Council may from time to time appoint other bodies/committees and sub-committees consisting of members of the College including the committees for any particular area or district in Fiji, and may, except as otherwise expressly provided by the Decree, Regulations or any other legislation, delegate to any such body/committee all or any of the powers of the Council.
- (b) All bodies/committees and sub-committees must be chaired by a member of the Council.
- (c) The College may co-opt or appoint any member of the public to such Bodies and Sub-Committees in the interest of the College.
- (d) **Board of Censors**
 - (i) The College must appoint a Board of Censors with an elected Council member as Chair, to be known as Censor-in-Chief.
 - (ii) The Censor-in-Chief as the Chairperson of the Board consisting of undermentioned members shall recommend to the Council for normal ratification:
 - (1) **Censor examination** who shall be responsible for conducting examinations when introduced and ratified by the Council.
 - (2) **Censor admission protocol**; who shall be responsible for assessing that candidates have fulfilled the pre-requisites for the entrance procedures.

- (3) ***Censor assessment procedures***; who shall be responsible for the assessment procedures for the College Membership.
- (iii) The Council shall appoint a panel of assessors on the recommendation of the Board of Censors assessment procedures.
- (iv) The Board of Censors shall carry out such other duties as directed by the Council.
- (v) The Censor-in-Chief will:
 - (1) Be responsible to the Council for ensuring that the College's examinations, assessment and admission procedures of the College are followed.
 - (2) Be responsible to the College for reviewing, and making recommendations for alterations to the examination, assessment and admission procedures of the College.
 - (3) Be Chief Examiner of the College.

12. Suspension

The Council may suspend from office a member of the Council and such body/committee who is guilty of or alleged to have acted dishonestly or in a manner contrary to the interests of the College. A suspended member may appeal to and be heard by a General Meeting held in accordance with the provisions of these Constitution and Rules. The General Meeting shall decide whether to reinstate the member to his/her position, ratify the act of suspension, or expel the member from such body/committee.

13. Removal of Officers and Members

An officer or a member of the Committee shall be removed from the office by the Council except the President and four elected Council members who shall be removed only by the vote of General Meeting.

14. Vacation of Office

- (a) An officer or a member of the Committee shall vacate his office:
 - (i) if he/she ceases to be a member of the College
 - (ii) if he/she is absent without leave from three (3) consecutive meetings
 - (iii) if he/she is suspended by the Council or Committee as the case may be.
- (b) Upon vacating his/her office, the officer or member of the Committee shall forthwith hand over to the Council or Committee as the case may be all bonds, securities, effects, books, papers and property of the College in his/her hand or custody or otherwise under his/her control

15. Leave of Absence

- (a) The officers of the Council may be granted leave of absence for a period not exceeding six (6) months by the Council.
- (b) The Council on the recommendation of the respective Committee/Sub-Committee may grant the members of the Committee/Sub-Committee leave of absence for a period not exceeding three (3) months

16. Acting Appointment

- (a) When an officer of the Council or a member of the Committee/Sub-Committee is granted leave of absence, ceases to be an officer/member or is for any reason unable to perform his/her duties as an officer/member, the Council may appoint another officer/member to act in that office until
 - (i) the period of leave of absence has expired,
 - (ii) another person is elected to that office or
 - (iii) until that officer is able to perform those duties, as the case may be.
- (b) If a vacancy is created by the preceding Sub-Rule (a), and if the need arises a member may be co-opted to fill the vacant position in an acting capacity.

17. Declaration of Appointments

The College Council shall be declared elected at an Annual General Meeting of the College.

18. Tenure of Office

- (a) The officers declared elected in clause 16 above shall hold office for two years from the close of the AGM during which they were elected and shall be eligible for re-election for a further two years.
- (b) An officer who completes his or her second term will not be eligible for re-election until two years after the second term of office ends.
- (c) The officers of the Boards/Committees and sub-committees appointed by the Council shall hold office from the date of their appointment until the close of the AGM following such appointment and shall be eligible for re-appointment.
- (d) The term of office for the faculty representatives will be one year.

19. Officers of the Council

(a) **President**

- (i) The President must be a full member or fellow of the College.
- (ii) The President must have been an active member for at least five (5) consecutive years directly prior to election.
- (iii) The President shall:
 - (1) Preside over the General Meetings and all other public meetings and sign the minutes.
 - (2) Represent the College on formal occasions.
 - (3) Bestow all the honours, Awards, Diplomas of the College with power to delegate this where appropriate.
 - (4) Refer any enquiry regarding College Policy, Function or Attitudes to the Council and only speak publicly for the College with the consent of the Council.
 - (5) Preside at all meetings of the Council and the duties that custom and usage may require.
 - (6) Be an ex-officio member of all Committees.

(b) **Elected Council Members**

Elected Council members must:

- (i) Be full members or fellows of the College.
- (ii) Have been an active member for at least five (5) consecutive years directly prior to election.

(c) **Representatives of faculty**

- (i) Representatives of faculty must be:
 - (1) a current member of the College
 - (2) elected by majority at a faculty annual general meeting
- (ii) Each representative must personally attend the Council meeting and make contributions to further the aims and objectives of the College.
- (iii) Each representative is empowered to hold its own meeting within the faculty on matters associated with the business of the College and any matter which requires action by the Council.
- (iv) After each meeting of the Council, the representatives are to ensure that the outcome(s) of the meeting is/are conveyed to the members of his/her faculty for their information and for any action that they may be required to take.

20. Vacancies

- (a) In the event of vacancy to any of the elected positions, the Council may appoint a full member or fellow to fill the vacancy
 - (i) Any members appointed under this clause shall hold office until the next Annual General Meeting, at which time an election to fill that position.

PART IV - FACULTIES

21. Constitution

- (a) Council shall determine from time to time the number of Faculties, and the geographical areas covered by each, needed to administer the College.
 - (i) Members of the Faculty shall be those Members and Fellows of the College whose registered address fall within the area of Faculty.

- (ii) A member in good standing in one Faculty, who moves to another area where another Faculty exists, shall automatically become a Member of that Faculty.
- (b) Rules and Regulations
 - (i) The Faculty aims and objects are those of the College.
 - (ii) The College Rules and Regulations bind the faculties.
- (c) Fellows and Members of the Faculties shall be entitled to:
 - (i) Receive all notices sent out by the Faculty
 - (ii) Attend and speak and vote at any General Meeting of the Faculty
 - (iii) Hold office in the Faculty.
- (d) Each faculty shall have the power by resolution of a General Meeting passed by a two-thirds majority to make Policies and Roles for its own governance provided that such Policies and Rules are not inconsistent with anything contained in the Rules and Regulations of the College as amended from time to time.
- (e) Any such Faculty Policies and Rules may be amended, repealed, replaced, added to or otherwise changed by resolution of the General Meeting of the Faculty passed by two-thirds majority.
- (f) Notice of any such motion stating the exact wording of the proposed Policies and Rules or change must be given in writing to each Member of the Faculty at least seven (7) days prior to the General Meeting.
- (g) All resolutions passed under (d) and (e) above shall require the consent of the College Council before becoming operative.

22. Officers of the Faculty

- (a) The officers of the Faculty shall be the Chairperson, and two elected Board Members. Each shall hold office until his/her successor is elected.
- (b) The Chairperson shall be elected every two years by the new Faculty Board from among its members at its first meeting for the term of two years and may be re-elected for a maximum of further two consecutive years. He/she shall chair all meetings of the board. He/she shall ensure that the Board initiates and carries out actions to fulfil the aims of the College at a local level, and shall ensure that directives from the Council are implemented in the Faculty area.
- (c) The Officers of the Faculty shall keep accurate minutes of all Board meetings and attend to all members of the Faculty.
- (d) The officers of the Faculty:
 - (i) shall cause to be kept proper accounts of the funds of the Faculty;
 - (ii) shall deposit or cause to be deposited all funds and other valuables in the name and to the credit of the Faculty as may be ordered by the Board;
 - (iii) shall render to the board, whenever it may be requested, an account of all his/her transactions, and of the financial condition of the Faculty, with vouchers, duly audited and signed by the auditors designated by the Board and at the expiration of his/her successor together with the money, books and other property belonging to the Faculty;
 - (iv) and shall provide a set of audited accounts to the central Finance Committee for the ratification prior to the AGM of the College.

23. The Board of Faculty

- (a) Each Faculty shall have a Board, which shall consist of:
 - (i) The members of the Executive Committee of the Faculty
 - (ii) Up to four other persons, Members of the College or co-opted for a specific purpose and for specific time. Such persons shall have speaking rights and voting rights at Board Meetings on matters related to their specific purpose. The Chairperson of the Board's decision is to be final in regard to voting rights.
 - (iii) Ex officio any Members of the Council of the College.
- (b) The Fellows and Members who are to be Members of the Board in category (ii) and (iii) of Sub-Rule (a) above shall be elected as follows:
 - (i) Nominations may be made prior to, or from the floor of the AGM of the Faculty.
 - (ii) The consent of the nominee must be obtained.

- (iii) The Fellows and members of the Faculty shall then vote by secret ballot for their representatives.
 - (iv) If a tie for the last place results, then either a further ballot by show of hands or by secret ballot, if requested by one of the tied nominees, shall be held.
- (c)
- (i) The first meeting of each Board shall be held immediately after the AGM of the Faculty to which the Board belongs.
 - (ii) Subsequent meetings shall be held at three monthly intervals or as required.
- (d) The Board of Faculty shall:
- (i) Keep a Faculty Register of Fellows and Members.
 - (ii) Keep minutes of each meeting of the Faculty and its committees.
 - (iii) Forward to the Council a copy of the minutes of each meeting of the Faculty and the Faculty Board.
 - (iv) Ensure that the Policies and Rules of the Faculty and of the Council of the College are observed.
 - (v) Promote the continuing education of its members and to foster research in general practice.
 - (vi) Carry out any duties delegated to it by the Council.

24. Annual General Meeting

- (a) The Annual General Meeting of the Faculty shall be held at such place as may be determined by the Board, not later than one month prior to the Annual General Meeting of the College.
- (b) Fourteen days' notice of the Annual General Meeting shall be given to each member of the Faculty. Such notice shall give the time and place of the meeting and the agenda.
- (c) The quorum shall be twenty (20) percent of current faculty membership.
- (d) Voting shall be by voice or show of hands except when one quarter of those present request a secret ballot.
- (e) The Chairperson shall have a casting vote in the event of a tie.
- (f) The business shall include the election of Faculty representatives to the Council of the College.

25. Special General Meetings

- (a) Special General Meetings (SGM) may be called by the Board or must be called upon receipt of a requisition signed by ten (10) Fellows and/or ten (10) Members.
- (b) Seven (7) days notice in writing shall be given to each member of the Faculty stating the business to be conducted at the SGM.
- (c) The quorum shall be twenty (20) percent of faculty membership.
- (d) A resolution to be passed shall require not less than a two-thirds majority of those present with voting rights.

PART V – MEETINGS

26. Executive Council Meetings

- (a) The Council shall transact official business of the organization at Executive Council meetings and will determine the time and place for such meetings to take place.
- (b) The quorum for an executive council meeting will be fifty (50) percent of the Council membership.
- (c) The President shall preside at Executive Council Meetings.
- (d) If the President is not present at the date, time and place fixed for the holding of an Executive Council Meeting, the members present shall elect from amongst the Council members present, a chairperson and the said duly elected chairperson shall preside over the meeting.

27. Annual General Meeting

- (a) The AGM of the College shall be held no later than three (3) months after 31st of December in any given year, provided, however, the Council shall have powers to extend the time at its discretion if a situation beyond its control arises.

- (b) Subject to the last preceding Sub-Rule, the Council shall determine the time, date and the place where AGM is to be held.
- (c) The Council shall give members at least thirty (30) days notice of the time, date and place of the AGM.
- (d) A notice of the AGM shall be posted in the daily papers.

28. Business at AGM

The business at the AGM must include:

- (a) Minutes of the last AGM and of any intervening General meetings;
- (b) Annual Report of the Council
- (c) Annual Report of Committees;
- (d) Annual Report of representatives on outside bodies;
- (e) Annual Financial Report;
- (f) Resolutions and referenda;
- (g) Confirmation of amendments to the Constitution and Rules passed by the Council;
- (h) Annual address of the President;
- (i) Elections and the Declaration of the Results;
- (j) New business;
- (k) Closing of meeting.

29. Special General Meeting

- (a) Special General Meetings (SGM) of the College may be called by the Council or by written request to the Council signed by at least twenty (20) percent of the membership of the College to discuss matters contained in the request.
- (b) Twenty (20) percent of the financial members may, by notice in writing, give the Council a clear thirty (30) days notice of any matter to be placed before SGM.
- (c) The Council shall prepare an agenda for such meeting containing matters communicated to him under Sub-Rule (a) of this Rule, and matters for which he has had notice under Sub-Rule (b) of this clause.
- (d) No other business other than the agenda items made up of the request made under Sub-Rule (a) and (b) of this clause shall be discussed in the SGM.

30. Quorum

Twenty (20) percent of the financial members of the College present in person constitute a quorum at a General meeting.

31. Presiding at the Meetings

- (a) The President shall preside at General Meetings.
- (b) If the President is not present at the date, time and place fixed for the holding of a General Meeting, the members present shall elect from amongst the Council members present, a chairperson and the said duly elected chairperson shall preside over the meeting. If no Council members are present, the members may elect a full member or fellow to chair the meeting.

32. Adjournment of General Meetings

- (a) If, at the expiration of one hour after the time fixed for the holding of a General Meeting a quorum of members has not at any time been present, the meeting shall stand adjourned to a date to be fixed by the Council.
- (b) The Chairperson of the General Meeting, may with the approval of the members present at the meeting, adjourn the meeting to another date, time and place which shall be communicated to the members.

33. Voting at General Meeting

- (a) A member is entitled to vote on each motion put to General Meeting

- (b) Save as otherwise herein provided, a resolution at a general meeting shall be determined by majority votes of the members present in person.
- (c) If more than fifty (50) percent of the members present at a General Meeting request that a resolution be decided by secret ballot, the resolution shall be so decided.
- (d) A secret ballot under this Rule shall be conducted in such manner as the meeting directs, or in the absence of such direction, as the Chairperson directs.
- (e) The Chairperson of the General Meeting has no deliberative vote but has the casting vote.
- (f) No member whose subscription is more than sixty (60) days in arrears, or who has not paid a levy imposed by the College shall be eligible to vote at a General Meeting.

34. Restriction on Debate

- (a) If at a General Meeting, a majority of the members present resolve that debate shall be restricted, the Chairperson shall specify a time not more than five minutes which shall be maximum time that any member may be permitted for speaking in relation to any motion before the Chair.
- (b) In any debate so restricted save by way of explanation or contradiction of mis-statement, or by leave of the meeting, a person shall be allowed to speak more than once with the approval of the Chair on a motion, provided that the mover of the motion shall be allowed to speak in reply.

35. Notices

- (a) Notices and directions to be given to the Council under this PART shall be in writing and may be given in person or may be left at the Registered office and shall be given twenty one (21) days time to allow the Council to carry out any consequential steps in the manner required by the Rules.
- (b) Notices to be given by the Council under this PART shall be in writing and may, in his/her discretion be delivered to members personally or by posting to the address of a member last known to the Council, or by the established internal mail system of the College and the time of such delivery, posting or leaving shall be deemed to be the time at which the notice is given.

PART VI – ELECTION

36. Appointment of Returning Officer

- (a) The Council shall appoint a Returning Office for the election.
- (b) The appointment of the Returning Office may be made from within the members of the College or from outside, in which case, the person appointed shall be of a high standing.
- (c) A Member appointed as the Returning Officer will not be eligible for election as an Officer or Member of any Committee.

37. Eligibility for Election

Subject to Sub-Rule (b) of the last preceding clause, a financial member is eligible for election as an officer or member of the Council if he or she meets the criteria set out in clause 19.

38. Form of Nomination

- (a) A nomination shall be made by at least two members of the College eligible to vote at the election.
- (b) In the absence of the nominee, a written consent of the nominee shall be necessary for the nomination to be valid.

39. Election

- (a) If the number of candidates nominated for election as officers does not exceed the number to be elected, the persons shall be declared elected.
- (b) If the number of candidates nominated for election as officers exceed the number to be elected, secret and postal ballots shall be conducted by the Returning Officer in accordance with the provisions made under this PART in relation to the position or positions in question.
- (c) When an election is necessary, the Returning Officer shall notify the Council and the Council shall furnish to the Returning Officer a list of names and addresses of the members of the College who

are, at the end of the financial year of the College immediately preceding the AGM in question, financial members or have since become financial members.

- (d) Members whose names are specified in the list furnished to the Returning Officer under Sub-Rule (c) of this clause are eligible to vote at the election.
- (e) When an election is necessary ballot papers shall be given to the members who are eligible to vote and are present at the commencement of the AGM, as soon as possible after such commencement.
- (f) The members entitled to vote shall, as soon as possible after the commencement of the meeting, mark the ballot papers in the manner directed by the Returning Officer.
- (g) The Returning Officer shall collect the ballot papers as early as is convenient in the course of the AGM and as he does so, shall mark off the names of those voting on the list supplied to him/her under Sub-Rule (c) of this clause, and in so doing shall ensure that no member votes more than once.
- (h) The Returning Officer may appoint to assist him/her in counting of votes, such persons, as he/she thinks fit, and who are not candidates for election.
- (i) If the Returning Officer is satisfied that a ballot paper clearly indicated the intention of the voter, he/she shall allow and admit the ballot paper, but if not satisfied, shall disallow and reject the ballot paper.
- (j) A candidate who receives the highest or higher number of votes shall be declared elected.
- (k) In the event of equal number of votes being recorded for two or more candidates, the Returning Officer shall record the votes and then proceed to hold fresh voting. If this second voting eventuates in equal numbers of votes again then the name of the candidate should be picked from a hat.
- (l) Except as provided in the last preceding Sub-Rule, the Returning Officer is not entitled to vote at an election for which he/she is the Returning Officer.
- (m) Members who are unable to attend the AGM due to personal reasons/commitment should apply to the Returning Officer for postal ballots at least a month in advance of the AGM.
- (n) Members applying for postal ballot are to ensure that the ballot papers are marked and returned to the Returning Officer in sealed envelopes at least seven (7) days before the AGM.

40. Declaration of Results

The Returning Officer shall furnish to the Council the results of the election during or before the AGM and the Chair shall declare the results during the AGM.

41. Affiliation and Amalgamation

- (a) The College may, upon a decision of the majority of the members entitled to vote and at the meeting of which eight (8) weeks notice shall have been given seek affiliation/amalgamation with any other organisation.
- (b) Decisions taken under this Rule shall be valid only where secret ballot has been taken, and where, of the votes cast and recorded, those in favour of the proposal exceed by two-thirds or more the votes against the proposal.

42. Secret Ballot

All decisions by voting members on the following matters shall be taken by secret ballot:

- (a) Election of Officers of the Council
- (b) Alteration to Rules and Regulations
- (c) Dissolution of the College
- (d) The affiliation or amalgamation of the College with any other organisation
- (e) The imposition of levies
- (f) Variation to fees and subscriptions
- (g) Any other matters the Council deems it fit to deal it through secret ballot.

PART VII- FINANCE

43. Financial Year

The financial year of the College will end on December 31st of each year.

44. Properties and Monies of the College

The properties and the monies of the College is vested in the Council for the time being as the trustees of the College for the use and benefit of the members.

45. Investment

The Council shall deal with or invest the property and the money of the College in such manner as the Council decides.

46. Bank Account

- (a) The Council shall open and maintain in the name, and on behalf of, the College such account or accounts at such bank or banks as the Council determines.
- (b) The Council shall pay into an account of the College all monies received by them on behalf of the College.
- (c) Money shall not be drawn from an account of the College except by cheque or order signed by any two of the elected members, including the President, of the Council.

47. Fees

- (a) The College during the AGM, which will be held each year in accordance with these Rules and Regulations, shall decide the fees payable by the members to the College and their amounts.

48. Use of funds

- (a) The funds of the College may, subject to the provisions of the Act, Regulations and these Rules and Regulations shall be expended only for following objects: -
 - (i) Payment of salary, allowances and expenses to officers and employees of the College engaged in the performance of the tasks associated with the College;
 - (ii) Payment of expenses for the administration of the College including the audit of the accounts of the funds of the College;
 - (iii) Prosecution or the defense of *any* legal proceeding to which the College or any member thereof is a party, when such prosecution or defense is undertaken for the purpose of securing or protecting any right of the College as such or any right arising out of the relations of any member with another member or with a person who is not a member of the College; "Party" for purposes of this Sub-Rule means a member having involved or was engaged in performing task(s) associated with the objects of the College
 - (iv) Expenses incurred on College business by officers and members of the College;
 - (v) Affiliation fee or contributions payable to any institution or organisation through which the College shall derive benefit and approved by the College Council;
 - (vi) Erection of any building or the purchase or lease of any building or land required for the purpose of the College and for the rent, upkeep and furnishing thereof provided approval is given by the College Council;
 - (vii) Educational, cultural and vocational training of members as approved by the College Council and any incidental expenses thereof;
 - (viii) Purchase of books, newspapers and other literature and the upkeep of a reading room for the use of the members;
 - (ix) Editing, printing, publication and circulation of any book, newspaper or other periodical, bulletin, pamphlet or other printed literature for the advancement of the lawful objects of the College or the promotion of the interests of its members as such;
 - (x) Payment of interest on loans and the payment of income and other legally imposed taxes;;
 - (xi) Provision of social facilities for members;
 - (xii) Any other object which the Minister may on the application of the College approve to be an object for which funds may be expended by the College, under such conditions as the Minister may, by the same approval or by any other appropriate method, direct.

- (b) Any Officer of the College failing to comply with the provisions of this Part of these Rules and Regulations may be tried under the court system or under the disciplinary system provided under these Rules and Regulations depending on the nature of offence(s) committed.

49. Inspection of Books and Accounts

- (i) The books and accounts of the College shall be open for inspection by the members of the College at such place and times and under such conditions as the Council determines.

50. Audit

- (a) The Auditor of the College shall immediately before the presentation of the statements referred to in Rule 36(d) (v):
- (i) audit the books, accounts and vouchers of the College; and
 - (ii) certify whether or not, in his/her opinion, the statements are properly drawn up, and are true and correct according to books and accounts of the College on the information furnished by the Council or by a member of the College.
- (b) The Council may, at such times as it thinks fit, direct the Auditors of the College to audit the books, accounts and vouchers of the College, and Auditors shall furnish to the Council a report on the audit.

51. Auditors of College

Any person, other than the member of the College, officer of the Council or a member of the Committee, shall be elected by majority at each AGM as the Auditor of the College and the person so elected shall carry out audits of books and accounts of the College as required by, or in pursuance of, these Rules and Regulations. The qualifications of the person elected shall be approved by the majority votes during AGM before the appointment is made.

52. Tenure of Office of Auditors

The Auditors of the College shall hold office until the next ensuing AGM office and are eligible for re-election.

53. Vacancy in the Office of Auditors

Where an Auditor is unable to perform his/her duties, the Council shall appoint another person to act as an Auditor in his/her place until next ensuing AGM.

PART VII- CODE OF ETHICS

54. Outline

The Code of Ethics are included as Schedule II of this document and outline the ethical standards to guide members of the College and is to be considered a part of the Rules and Regulations document, but may be published and distributed as a separate document.

55. Amendment

Amendment to the Code of Ethics may only be done as an amendment to the Rules and Regulations of the College and must follow the procedure as outlined in Part VI.

PART VIII - AMENDMENT TO RULES AND REGULATIONS

56. Amendment to Rules and Regulations

No part of the Rules and Regulations may be amended, repealed, replaced, added or otherwise changed, except-

- (a) The Council by resolution may in writing propose any change at least thirty (30) days prior to the AGM.
- (b) Twenty (20) or more percent of the financial members may in writing propose any change by submitting the same to the Council at least sixty (60) days prior to the AGM.

- (c) Notice of proposed change shall be given to the members in writing or through an advertisement in the media or both, thirty (30) days before the AGM or SGM specially convened to deal with such changes.
- (d) An affirmative vote of at least two-third ($\frac{2}{3}$) of members with voting rights present at the meeting shall be required for adoption of any such proposal.

Date Ratified (Insert date the Rules and Regulations are initially ratified)
Date Revised (Insert date the Rules and Regulations are revised)
Date Revised (Insert date the Rules and Regulations are revised)
Date Revised (Insert date the Rules and Regulations are revised)

SCHEDULE ONE – MEMBERSHIP REGULATIONS



Membership Regulations

Fiji College of General
Practitioners

Last Modified: 21 April 2013

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1. Membership

Any natural person may apply to be a member of the College.

2. Classes of Membership

2.1. There shall be the following classes of membership:

- (a) Provisional
- (b) Associate
- (c) Full
- (d) Fellow

3. Qualification for Membership

3.1. To qualify for **Provisional** membership, the individual must:

- (a) Be fully registered as a General Practitioner with the Fiji Medical Council OR employed in the Ministry of Health in a Medical Officer capacity at the Sub-divisional and Health Centre level; and
- (b) Have an appropriate Work Permit if the member is from an overseas country

3.2. To qualify for **Associate** membership, the individual must:

- (a) Be a fully registered medical practitioner with the Fiji Medical Council; and
- (b) Be in private general practice

3.3. To qualify for **Full** membership, the individual must:

- (a) Be a fully registered medical practitioner with the Fiji Medical Council; and
- (b) Have been engaged in general practice for a minimum period of three (3) years; and
- (c) Ideally have completed special vocational training for general practice, the length and extent of which shall comply with the requirements of the College Council as defined from time to time; and
- (d) Satisfy the Board of Censors by such examination as the College Council shall determine, the Board of Censors shall make appropriate recommendation to the Council, which is responsible for the final decision; or
- (e) Has demonstrated a level of knowledge, skill and competence, acceptable to or approved by the Board of Censors, that qualifies the person in the opinion of the Board of Censors to carry out an expanded medical care role which recognizes the persons enhanced capacity, knowledge, skill and expertise to make independent and collaborative clinical and public health judgements

3.4. To qualify for to be a **Fellow**, the individual must:

- (a) Have been in full-time general practice for a minimum period of five (5) years; and
- (b) Have been a financial member of the College for the past five (5) years and have been paying subscriptions annually; and
- (c) Be an active Full member of the College; and
- (d) Must possess a post-graduate Diploma in General Practice or Family Medicine from a University recognised by the Board OR have an equivalent qualification after examination/assessment by the Board

- (e) Have documented evidence of having obtained a minimal of fifty (50) CPD points awarded by the College on an annual basis for the past three (3) years; and
- (f) Be nominated/sponsored by a Fellow of the College for Fellowship
OR
- (g) Fellowship may be awarded for meritorious service either to:
 - (i) The science or practice of medicine; or
 - (ii) The aims or the work of the College

4. Application Procedure

- 4.1. Applicants must complete in full the relevant application form
- 4.2. Completed application forms with accompanying documents must be submitted to the Secretariat for processing along with a payment for the application fee.
- 4.3. The Secretariat vets the application for completeness and presents the application to the Executive Council for approval.

5. Special Categories of Membership

- 5.1. The College may also grant the following special categories of membership:

- (a) Retired Members
- (b) Life Members
- (c) Honorary Members

5.2. *Retired Members*

- (a) Retired membership shall be granted to all members who are no longer actively engaged in professional activities.
- (b) Retired members shall not be required to give evidence of postgraduate study.
- (c) Retired members shall have full privileges of membership.
- (d) Retired members shall pay reduced annual dues as determined from time to time by the Council.

5.3. *Life Members*

- (a) Life membership shall be granted automatically to all Members except Honorary members on attaining the age of sixty-five years.
- (b) Life Members shall not be required to give evidence of postgraduate studies.
- (c) Life Members shall have full privileges of Membership.
- (d) Life members shall not pay annual dues.

5.4. *Honorary Members*

- (a) Honorary membership may be conferred by the Council on individuals of distinction who have made an outstanding contribution to the cause of the general practice or to the medical profession in general, and who need not be graduates of medicine.
- (b) Honorary Members may be proposed by the Council or by a Faculty.
- (c) Honorary members who are not already Members of the College shall be entitled to the privileges of the floor of General Meetings but shall not be entitled to vote or to hold office.
- (d) Honorary Members shall not pay annual dues.

6. Members' Duties, Rights and Privileges

- 6.1. A member of the College must uphold the aims and objectives of the College
- 6.2. A member must comply with the Rules and Regulations of the College and pay the annual dues and levies that the College charges
- 6.3. A member must let the College know if he or she changes his or her contact address or other contact details
- 6.4. A member who has paid his or her annual dues may:
 - 6.4.1. Attend and speak at any general meeting of the College
 - 6.4.2. Vote in any College election, or on any resolution able to put to a general meeting of the College
 - 6.4.3. Hold office in the College subject to further qualification requirements of the office
- 6.5. A **Full** member shall be designated "Member of Fiji College of General Practitioners" (abbreviated MFCGP)
- 6.6. A **Fellow** shall be designated "Fellow of the Fiji College of General Practitioners" (abbreviated FFCGP)
- 6.7. Members are entitled to attend all activities of the College and receive all benefits of the College
- 6.8. Provisional members, Associate members, Full members and Fellows must attain the minimum Continuing Professional Development (CPD) points per annum, as stipulated in the FCGP Continuing Professional Development Points System, to continue membership status

7. Annual Dues

- 7.1. Every member except honorary members and life members shall pay to the College annual dues of an amount which shall be determined for each class of membership by the College at the AGM each year.
- 7.2. The Council may in exceptional circumstances reduce or waive an individual's annual dues.
- 7.3. Members shall be billed for dues by mid January and shall pay the dues before the end of February each year.
- 7.4. Members in default of annual dues for one year and duly notified by registered mail sent to their current address as shown on the College roll shall not exercise a vote nor hold office.
- 7.5. Those in default for payment for two years shall be notified of such by registered mail sent to their current address as shown on the College roll. This notice is to state that unless all arrears are paid membership will be rescinded in thirty (30) days from the date of mailing and the member 's name will be removed from the membership roll. Once membership is rescinded the person may acquire membership only in the manner prescribed by these Regulations as though he/she has never been a member.

8. Membership Certificate

On successful application a member will be issued with a membership certificate from the College stipulating the membership class or category and date attained.

9. Membership Register

The College will keep a membership register that records (but is not limited to) each Member's:

- (a) name, contact address and any other contact details;
- (b) membership class or category;
- (c) dates when he or she became or stopped being a member;
- (d) dates when his or her membership class or category changed;
- (e) Faculty in which he or she lives or works (one to be chosen);

10. Discipline

10.1. By becoming a Member and subscribing to the College, each member agrees to the right of the College, to discipline him/her in accordance with the Rules and Regulations and specifically waives any right or claim to damages to any disciplinary action lawfully taken by the College.

10.2. *Loss and Restoration of Membership*

10.2.1. The Membership of any member/fellow who has been de-registered by the Fiji Medical Council shall automatically be rescinded.

10.2.2. Where Membership/Fellowship of the College is rescinded, the certificate of Membership/Fellowship shall be surrendered by the member to the President voluntarily, failing that, upon demand by the President.

10.2.3. Restoration of membership shall be at the discretion of the Council.

11. Expulsion

No member of the College shall be expelled from the College except where a member is accused of breaching any of the provisions made in relation to the College by any legislation or by these Rules and Regulations which the Council considers to be serious and likely to bring disrepute to the medical profession. However, before any such action is taken, the member concerned shall be given the opportunity to respond to any allegation made against him/her and necessary actions have been taken in accordance with the Regulations to deal with the allegations.

12. Termination of membership

12.1. Membership of any member may be terminated in such manner, and upon such grounds as may from time to time be prescribed. However, before any such termination takes place, the member concerned shall be given reasonable opportunity to respond as to why his/her membership should not be terminated

12.2. Any member of the College, who fails to meet the qualification requirements for membership, shall thereupon automatically cease to be a member of the College. Such cessation shall not in any way affect any antecedent liabilities and obligations on the part of such member to the College and vice-versa

13. Endorsement by a General Meeting

Resignation, expulsion and termination referred to in clauses 11, 12, and 13 respectively shall be decided and endorsed by a General Meeting

14. Fees

The current fee structure of the College is included as Appendix I.

15. Forms

The application forms for membership of the College is included as Appendix II.

Appendix I – Fee Structure

| Item Description | Category | Fee (FJD) |
|-------------------------|-----------------|------------------|
| Application Fee | Fellow | 100.00 |
| | Full | 100.00 |
| | Associate | 100.00 |
| | Provisional | 100.00 |
| | Honorary | - |
| | Retired | - |
| | Life | - |
| Annual Subscription | Fellow | 350.00 |
| | Full | 350.00 |
| | Associate | 350.00 |
| | Provisional | 350.00 |
| | Honorary | - |
| | Retired | - |
| | Life | - |

Endorsed at the Annual General Meeting held at the Warwick Resort on April 21st, 2013.

Appendix II – Application Form



**The Fiji College of
General Practitioners**

Application for Membership

| | | | |
|----|---|---|------------------|
| 1 | NAME | | |
| 2 | GENDER | <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE | |
| 3 | DATE OF BIRTH | | |
| 4 | ADDRESS | | |
| | | PRACTICE | RESIDENCE |
| | PHYSICAL ADDRESS | | |
| | PHONE | | |
| | MOBILE | | |
| | FAX | | |
| | POSTAL ADDRESS | | |
| | EMAIL ADDRESS | | |
| 5 | CLASS OF MEMBERSHIP | | |
| | <input type="checkbox"/> PROVISIONAL <input type="checkbox"/> ASSOCIATE <input type="checkbox"/> FULL <input type="checkbox"/> FELLOWSHIP | | |
| 6 | QUALIFICATIONS | | |
| | QUALIFICATION | INSTITUTION | YEAR |
| | | | |
| | | | |
| 7 | REGISTRATION | | |
| | REGISTERING BODY | REGISTRATION NO. | |
| 8 | CURRENTLY PRESCRIBED JOURNALS | | |
| | | | |
| 9 | AREA OF SPECIAL INTEREST | | |
| | | | |
| 10 | POSTGRADUATE WORK EXPERIENCE | | |
| | | | |

| | | |
|----|--|--------------------------|
| 11 | DECLARATION | |
| | <p>I, _____, (Name) SEEK TO BECOME A MEMBER OF THE COLLEGE AND I WILL ABIDE BY THE RULES, REGULATIONS AND ALL NECESSARY STATUTORY REQUIREMENTS GOVERNING THE COLLEGE.</p> | |
| | <p>_____</p> <p>SIGNATURE OF APPLICANT</p> | <p>_____</p> <p>DATE</p> |
| | <p>PLEASE ENCLOSE A COPY OF:</p> <p style="padding-left: 40px;">CURRICULUM VITAE REGISTRATION CERTIFICATE PRESCRIBED FEE PAYABLE TO THE COLLEGE PROOF OF CITIZENSHIP OR WORK PERMIT LETTER OF GOOD STANDING FROM RELEVANT MEDICAL COUNCIL</p> | |
| | OFFICIAL USE ONLY | |
| | (a) FEE PAID | (b) RECEIPT NO. |
| | (c) DATE | |
| | (d) COMMENTS | |
| | (e) <input type="checkbox"/> ACCEPTED <input type="checkbox"/> REJECTED | |
| | SIGNATURE | DESIGNATION |
| | DATE | |

SCHEDULE II – CODE OF ETHICS



Code of Ethics

Fiji College of
General
Practitioners

Last Modified: 21 April 2013

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1. Preamble

This code of ethics articulates and promotes a body of ethical principles to guide doctors in their relationships with patients, colleagues and society.

The Fiji College of General Practitioners accepts the responsibility for setting the standards expected of its members.

2. Doctor and Patient

- (a) Consider the wellbeing of your patient.
- (b) Treat your patient with respect and compassion.
- (c) Approach health care as collaboration between doctor and patient.
- (d) Practice the art and science of medicine to the best of your ability.
- (e) Continue lifelong self-education to maintain and improve your standard of care.
- (f) Maintain accurate medical records.
- (g) Ensure that doctors and other health professionals upon whom you call to assist in the care of your patients are appropriately qualified.
- (h) Do not exploit your patient for any reason.
- (i) Do not engage in any form of sexual activity with a patient.
- (j) Refrain from denying treatment to a patient because of a judgement based on discrimination.
- (k) Respect your patient’s choice to choose their doctor freely, to accept or reject advice and to make their own decision about treatment or procedures
- (l) Maintain patient confidentiality. Exceptions may include where there is a serious risk to the patient or other people or when required by law
- (m) Upon request of your patient make available to another doctor a record of your findings and treatment.
- (n) Recognise that an established therapeutic relationship between doctor and patient must be respected.
- (o) Having initiated care in an emergency setting continue to provide care until your services are no longer required.
- (p) When a personal or moral judgement prevents you from recommending some form of therapy inform your patient so that they may continue treatment elsewhere.
- (q) Recognize that you may decline to enter into or continue a patient doctor relationship where alternative health care is available and there is no emergency situation.
- (r) Recognize your clinical limitations and refer appropriately.
- (s) Recognize the need or request for overseas treatment in those patients requiring services not available in Fiji. Counsel your patient where necessary and help in any way possible to secure the required services.
- (t) Place an appropriate value on your services when determining your fees. Consider the time, skill and experience involved in the performance of those services together with any special circumstance.
- (u) Ensure that your patient is aware of your fees and be prepared to discuss openly health care costs.
- (v) When referring your patient for services or to institutions in which you have a direct financial interest provide full disclosure.
- (w) If you work in a group practice or institution place your professional duties and responsibilities to your patients above the commercial interest of the owners or others who work within this practice.
- (x) Ensure security of storage, access and utilization of patient information.

- (y) Remember your obligation to preserve life but where death is imminent and where curative or life prolonging treatment appears to be futile or where the patient refuses further treatment try to ensure that death occurs with dignity and comfort.
- (z) Respect the right of a terminally ill patient to receive treatment for pain and suffering even when such therapy may shorten the person's life.
- (aa) Recognize the need for physical, psychological, emotional and spiritual support for the patient family and other carers not only during the life of the patient but after death.
- (bb) Respect the patient's choice to explore other forms of therapy including traditional medicine, acupuncture etc. and be prepared to offer medical support when necessary.
- (cc) If at any time you are involved in counselling regarding transplantation involving either recipients or donors, living or dead, recognize the right of the donor, recipient and families and ensure they receive sensitive, compassionate support throughout the process.

3. Doctor and Colleagues

- (a) When involved in any form of clinical research ensure that the appropriate research committee appraises the project and considers the ethical implications of the research.
- (b) Ensure that a peer group reviews the results of any research before public release.
- (c) Honour your obligation to pass on your professional knowledge and skills to colleagues and students.
- (d) Before teaching, which involves patients ensure that patients are fully informed and have consented to participate and respect their right to withdraw at any stage.
- (e) Refrain from exploiting students or colleagues under your supervision,
- (f) Build a professional reputation based on integrity and ability.
- (g) Recognize that your personal conduct may affect your reputation and that of the profession.
- (h) Refrain from making comments that unnecessarily damage the reputation of a colleague.
- (i) Report suspected unethical or unprofessional conduct of a colleague only to the appropriate body.
- (j) Where patients complain to you about the conduct of another doctor respect the right of the patient and assist them in resolving the issue.
- (k) Accept responsibility for your own physical and mental health as this may affect your ability to carry out your duties.
- (l) Keep yourself up to date on relevant medical knowledge, codes of practice and legal responsibility.
- (m) Confine advertising of professional services to the presentation of information reasonably needed for patients and other professionals to make an informed decision about your services.
- (n) Any announcement or advertisement should be true in all respects and should not bring the profession into disrepute.
- (o) Obtain the opinion of an appropriate colleague acceptable to your patient if diagnosis or treatment is difficult or obscure or in response to a reasonable request by your patient
- (p) When referring a patient make available all relevant information and whether or not you wish the colleague to assume the continuing care of your patient.
- (q) Alternatively, when an opinion has been requested by a colleague report in detail your findings and recommendations
- (r) Should a consultant or specialist find a condition requiring referral to another specialist this should only occur following discussion with the patient's general practitioner - except in an emergency

4. Doctor and Society

- (a) In order to provide high quality health care you must safeguard clinical independence and professional integrity from increased demands of society, third parties, individual patients and governments
- (b) Refrain from entering into any contract with a colleague or organization, which may conflict with professional integrity and your primary obligation to your patient.
- (c) Recognize your right to refuse to carry out services you consider to be unethical, against your moral, religious or cultural beliefs or not in the best interest of your patient
- (d) Endeavour to improve the standards, quality and access to medical services in the community
- (e) Accept a share of the profession's responsibility to society in matters relating to health, safety, education and legislation that affect health.
- (f) Recognize your responsibility to give expert advice to assist courts or tribunals
- (g) When providing information to the public give opinions held by the profession in a form readily understood. If presenting a personal opinion that may contradict the opinion of the profession as a whole indicate that this is the case.
- (h) Do not countenance, condone or participate in the practice of torture or other forms of cruel, inhuman, or degrading procedures whatever the offence of which the victim is suspected, accused or convicted
- (i) Do not endorse therapeutic goods in public.
- (j) Exercise caution when publicly advertising non-therapeutic goods.
- (k) Do not have any public association with products that clearly affect health adversely

5. Conclusion

Changes in society, science and the law constantly raise new ethical issues and may challenge existing ethical principles. The Fiji College of General Practitioners will work with any of their members who are presented with an ethical dilemma to resolve issues.

6. References

- (a) Australian Medical Association - code of ethics 2006
- (b) World Medical Association - international code of medical ethics
- (c) Recommended web sites:

www.gmc-uk.org

www.ama.com.au