

AMA(SA) BY-LAWS



SOUTH AUSTRALIA

**The Australian Medical Association Incorporated
South Australian Branch
BY-LAWS
June 2016**

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1 INTERPRETATION

- 1.1 Where not repugnant to the context words occurring in these Bylaws will have the same meaning as defined in section 3 of the Rules.
- 1.2 The provisions contained in the Rules will prevail in the event of inconsistency between these Bylaws and the Rules.

2. SUBSCRIPTIONS

- 2.1 The Annual Subscription of all members of the Association will be such amount and must be paid within such time or times as may be determined by the Executive Board from time to time.
- 2.2 Entrance fees (if any) must be paid at the time of application.
- 2.3 Subscriptions may be paid annually in advance at the beginning of the membership year or by monthly instalments.
- 2.4 Where a member applies for, and is accepted for membership after the beginning of a membership year , that member must pay a pro-rata subscription based upon the number of whole months remaining in that membership year.
- 2.5 Non-payment of Subscriptions
 - 2.5.1 A member whose subscription remains unpaid three (3) months after the beginning of the membership year will not be entitled to receive notice of meetings, journals or be entitled to vote or hold office.
 - 2.5.2 A member whose subscription remains unpaid six (6) months after the beginning of the membership year will be deemed to have ceased to be a member from that date.
- 2.6 Hardship
 - 2.6.1 A member may apply to Executive Board for relief of or deferment of payment of subscription on the ground of financial hardship. Such application must be made no more than three (3) months after the beginning of the membership year.
 - 2.6.2 The Executive Board may make such arrangements for relief and deferment of payment as it considers appropriate including the levying of additional charges for late payment.
 - 2.6.3 A member who has entered into such arrangement with Council will maintain all his or her rights and privileges as an ordinary member, provided however that if the member defaults in such arrangements for more than thirty (30) days his or her membership will be terminated.
 - 2.6.4 The Executive Board must report to the members annually, as to the number of deferred payment arrangements entered into with members.

3. MEETING PRACTICES

3.1 Conduct

Council, the Executive Board and the Association in General Meeting must conduct business at meetings in accordance with the meeting practice code approved by Council from time to time.

3.2 Office Bearers

Office bearers are:

- The President
- The Vice President
- The Chairman of Council

3.3 Notice

Meetings must be notified to each member at least five clear days prior to the meeting.

3.4 Minutes

- 3.4.1 The minutes of the preceding meeting must be presented to the next meeting for confirmation by resolution and signed by the Chairman as a true and correct record of that meeting.
- 3.4.2 The minutes must be kept secure but will be open to inspection by any member.

3.5 Voting

- 3.5.1 All motions may be decided by a simple majority, unless the President or Chair directs that a matter must be decided by secret ballot.
- 3.5.2 Any member of Council, the Executive Board or a Committee may abstain from voting and such abstention must be recorded in the minutes if requested.
- 3.5.3 Any member of Council, the Executive Board or a Committee may request that his or her dissenting vote be recorded.
- 3.5.4 In the event of a tied vote a Chair may exercise a casting vote in addition to a deliberative vote except in the case of meetings of Council where the right of a casting vote remains with the President.

4. SPECIALTY GROUPS

4.1 For the purpose of electoral representation on Council, the Specialty groups of South Australia are comprised of members in the categories listed below:-

- General Practitioners
- Physicians
- Psychiatrists
- Pathologists
- Radiologists
- Surgeons
- Obstetricians and Gynaecologists
- Anaesthetists
- Doctors in Training
- Emergency Physicians
- Paediatricians
- Ophthalmologists,
- Dermatologists
- Orthopaedic Surgeons

4.2 Specialty Groups may form their own constitutions but must not create rules which conflict with Association Rules and Bylaws.

5. REGIONS

5.1 For purposes of electoral representation on Council the regions of South Australia are defined by the following boundaries outside a ring around Adelaide including Gawler, Mount Barker and Willunga.

Country North (Two Representatives)

State boundaries including Eyre Peninsula and Yorke Peninsula and divided from Country South by a line from Chain of Ponds to Cockburn on the New South Wales border.

Country South (Two Representatives)

State boundaries including Kangaroo Island and the Riverland divided from Country North by a line from Chain of Ponds to Cockburn on the New South Wales border.

5.2 Regions may form their own constitutions but must not create rules which conflict with Association Rules and Bylaws.

5.3 Affiliated Local Associations of Members

5.3.1 Local Associations of Members of the Branch formed with the object of promoting the interests of their members may be affiliated to the Branch. When applying for affiliation the proposed Association must submit to Council a copy of its rules which amongst other things must set out the local boundaries or areas within which its members practise.

5.3.2 Affiliated Local Associations may form their own constitutions but must not create rules which conflict with Association rules and must notify any repeal, amendment or alteration to rules of council.

Such rules may provide that any medical practitioner who is not a member of the Branch may be admitted to meetings of the Affiliated Local Association as an observer for a period not exceeding two years and may take part in the debate at any meeting but no such observer will be entitle to vote on any matter or to hold office in the Affiliated Local Association.

5.3.3 No Local Association may without first obtaining the written approval of Council do any act or make any written or verbal pronouncement on any medico-political matter or on any matter or questions which affects Members of the Branch generally.

5.3.4 Every Affiliated Local Association must furnish to Council in the month of May in each year a report of its proceedings during the previous year, together with a statement showing the names and addresses of all its members and such other particulars as the Council may require.

6. ELECTION

6.1 There must be an election conducted annually for members of Council as required by Rule 19.

6.2 The Council must appoint a Returning Officer for its elections who may be the Public Officer or failing him, an appropriate person who is not a member.

6.3 The Council must appoint two (2) members to act as scrutineers who may not be candidates for election.

6.4 The Council may establish a date for the AGM in accordance with Rule 28 and must be mindful of the following Election Schedule

<u>Days Between</u>	<u>Days Prior to AGM</u>	<u>Accumulated Days</u>	<u>Following Nominations Call</u>
	63	0	Call for Nominations
21 minimum	42	21	Closure of nominations and roll
14 maximum	28	35	Mailing of ballot papers
21 set	7	56	Closure of ballot (voting day)
4 set	4	60	Notify Candidates
3 minimum	0	63	Annual General Meeting

- 6.5 Nominations for candidates are to be called for by notice to all members. Such notice must be given in the publication sent by the Association to all members at least 21 days prior to the closing date for nominations.
 - 6.6 The rate and time that nominations close will be the same as that for the closure of the register of members for verification of eligibility to stand for or vote at election.
 - 6.7 Nominations must be in writing and addressed to the returning officer signed by two members as proposers and by the nominee (candidate) accepting the nomination and certifying his qualifications for office. The nominee may give a short statement of the qualifications and experience that fit him for office.
 - 6.8 Nominations must be received at the Branch Office not later than 5:00 pm on the date stated for closure of nominations.
 - 6.9 The returning officer must within 14 days of the closure of the nominations send to all members who are eligible to vote in the election in a particular category ballot papers on which must be printed lists of the candidates in the particular category or categories and boxes in which to mark the voter's preference. A paper may be enclosed by the returning officer with short statements of facts as supplied by candidates under Bylaw 6.7 above.
 - 6.10 The returning officer must take such steps as may reasonably be required to ensure the propriety of the election and to ensure eligibility of the voter.
 - 6.11 If no election is required in any particular category the returning officer must notify members in the publication sent by the Association to all members.
 - 6.12 Voting will close 35 days after the closure of the nominations and voting papers must be received on or before 5:00 pm on the final day for voting. Papers received after 5:00 pm on voting day must be declared invalid by the Returning Officer.
 - 6.13 The results of the election must be notified by the Returning Officer to the candidates within four days of the close of voting.
 - 6.14 The results of the election must be notified to the members at the Annual General Meeting and published in the publication sent by the Association to all members.
7. CODE OF CONDUCT (RULE 25.1)
- 7.1 Any member who knowingly offends against the Bylaws or meeting practices may be requested by the Chairman to leave the meeting.
 - 7.2 Any member who knowingly releases information outside the requirements of Rule 27 may be censured and such censure must be recorded in the minutes.
 - 7.3 The Chairman may move a motion of censure against a member if the member is knowingly offending against the general conduct expected of member of Council and of the profession generally.
 - 7.4 The motion must be passed by two-thirds of the members present at a meeting.

8. EXCLUSION FROM MEETINGS

- 8.1 Meetings of Council are open to members. However the Council has the right to resolve to exclude members from their meetings upon the following grounds: (Rule 23.6)
- 8.1.1 The subject to be discussed could infringe the rights of privacy of a natural person or deceased natural person.
 - 8.1.2 The subject to be discussed could give a commercial advantage to a person or persons.
 - 8.1.3 The subject to be discussed contains reference material entrusted in confidence to the Council by a third party.
 - 8.1.4 Any other grounds considered appropriate by the Chair.

9. REGISTER OF MEMBERS- Rule 14

- 9.1 Members must supply the following information on application and must notify any changes which occur:-
- Full name of member
 - Qualifications
 - Date of birth
 - Where and when qualified
 - Year first registered to practice In Australia
 - Year first registered to practice in S.A. and whether currently registered
 - Specialty group nominated
 - Practice addresses (up to 3)
 - Telephone, fax number and email address
 - Date of joining AMA/BMA {if other than In S.A. Branch)
- (The Register of Members may contain and members are encouraged to supply the following information:
- The name of the member's spouse
 - The residential address
 - The residential telephone or fax number
 - General information as supplied or verified by members)
- 9.2 The register of members may be kept in electronic form but at least annually a readable version of the register must be made available.
- 9.3 The Council must ensure the historical records of membership are maintained for at least fifty years.