

WITNESS Ourselves at Westminster the *Fourteenth* day of *May* in the *Fifty-second* year of Our Reign.

BY WARRANT UNDER THE QUEEN'S SIGN MANUAL

THE SCHEDULE

ORDINANCES OF THE ROYAL COLLEGE OF GENERAL PRACTITIONERS

Interpretation

1. In these Ordinances, the following words and expressions have the meanings shown beside them, subject to the context:

“The Bye-Laws”	The Bye-Laws of the College.
“The Charters”	The original Charter, the Supplemental Charter to which these Ordinances are scheduled and any other Supplemental Charters, as amended, added to or revoked from time to time.
“The College”	The Royal College of General Practitioners, incorporated by Royal Charter.
“The Council”	The Council of the College.
“The Chief Executive”	The head of staff of the College, including any person temporarily carrying out the duties of the post.
“General practice”	General medical practice as a principal, or as a qualified assistant, or as a locum tenens of a registered medical practitioner, or as an, employed general medical officer in Her Majesty’s Forces or otherwise.
“In writing”	Written or produced by any substitute for handwriting, wholly or partly, including facsimile transmission, use of electronic mail or inclusion on computer disk.
“In good standing”	Means that the member or associate so designated has duly paid all fees and subscriptions due from him or her to the College.
“Overseas”	Any country or territory outside the United Kingdom.
“Registered medical practitioner”	A person who is fully registered with the practitioner” General Medical Council under Section 30 of the Medical Act 1983.
“Trustee Board”	The Trustee Board of the College constituted in accordance with Article 15A of the Supplemental Charter.

2. References to “member” and “membership” include, subject to the context, “fellow” and “fellowship”, but exclude “international fellows”, “international members” and “international membership”.
3. The Interpretation Act 1978 applies to these Ordinances as to an Act of Parliament, with the exception of the definition of “registered medical practitioner”.

[Agreed AGM 21/11/14]

Membership of the College

4. (1) Applications for membership shall be in such form and contain such information as the Council may require.
- (2) Each applicant for membership (excluding international membership and fellowship) must be a fully registered medical practitioner and, unless the Council in its discretion in an exceptional individual case waives any or all of the following requirements, shall EITHER:
 - (i) have completed special vocational training for general practice, the length and content of which complies with the requirements of the Council, and satisfy the Council by examination that he or she has had satisfactory training for general practice; OR
 - (ii) have been a registered medical practitioner for at least the five years immediately preceding his or her application and satisfy the Council by such method of assessment as is laid down by the Council that he or she undertakes the responsibilities of general medical practice to a standard at least equivalent to that required to pass the examination mentioned in (i).
- (3) Each applicant for international membership shall be a medical practitioner registered outside the United Kingdom who has satisfied the requirements of an approved assessment body. In this paragraph, "approved" means approved by the Council.

Fellowship of the College

5. The College in general meeting may upon the recommendation of the Council appoint as a fellow or international fellow respectively any member or international member of the College who has been such for a continuous period of not less than five years.
6. A member is qualified for recommendation and appointment as a fellow or international fellow under Ordinance 5 if he or she has satisfactorily completed a process of assessment of his or her abilities as a general medical practitioner in such manner as the Council may decide, or has been nominated for fellowship or international fellowship for his or her distinguished contribution to general medical practice.

Associateship of the College

7. A person is eligible for admission as an associate if he or she is a fully or provisionally registered medical practitioner, and complies with the requirements in the Bye-Laws. Associate status granted to any person who is provisionally registered ceases after two years if he or she has not become fully registered in that time.

Termination or suspension of membership or associateship

8. (1) Subject to (2), any member or associate who ceases to be a registered medical practitioner shall cease to be a member or associate of the College. Where a person's registration as a medical practitioner is suspended for more than three months, his or her membership or associateship shall likewise be suspended.
- (2) A person who has voluntarily ceased to be a registered medical practitioner on the basis that he or she has retired permanently from medical practice, or is taking a temporary career break, and who was at the date of his or her ceasing to be so registered a member of the College in good standing, shall be entitled to continue his or her membership of the College.

International affiliate status

9. (1) The Council may afford affiliate status, which is not a form of membership of the College, on such conditions as it shall decide to medically-qualified persons outside the United Kingdom who are not registered medical practitioners.
- (2) The privileges of holders of international affiliate status shall be decided by the Council, but shall not include any right to receive notices for, or to attend, speak or vote at, general meetings.

Fees and subscriptions

10. Each applicant for membership, associateship or international affiliate status shall pay to the College the application fee laid down under the Bye-Laws.
11. No person shall be admitted as a member, associate or international affiliate until he or she has paid the entrance fee laid down under the Bye-Laws.
12. Each member, associate and international affiliate shall pay the annual subscriptions laid down under the Bye-Laws. The Trustee Board may reduce the subscription payable in any particular case or category of cases on the grounds of hardship or for other good reason.

General meetings

13. The College shall in every year hold an annual general meeting at such time and place as may be decided by the Trustee Board. Not more than fifteen months shall elapse between any two successive annual general meetings. The Trustee Board and the Council may each convene a general meeting at any time.
14. Fifty or more members may give notice in writing to the chief executive requiring the Trustee Board to convene a general meeting to consider a motion stated in the notice. If the Trustee Board does not within 28 days of receipt of the requisition convene a general meeting accordingly, the members requisitioning the meeting may require the chief executive to convene the general meeting.
15. The Bye-Laws may lay down rules governing general meetings, if not inconsistent with the Charters and these Ordinances.

President

16. The College in general meeting may appoint any member, fellow or honorary fellow¹ as President of the College. The procedures for electing the President shall be as stated in the Bye-Laws.
17. The President holds office until the end of the second annual general meeting after his or her appointment (disregarding any adjournment of that meeting for this purpose), following which his or her successor takes office. A vacancy shall arise in the office of President in the same way as a vacancy would arise in the office of a Council member. No person shall be eligible for re-election as President unless the Council certifies that exceptional circumstances exist justifying his or her possible re-election.
18. If a casual vacancy arises in the office of President, the Council may:

¹ This excludes specifically International Members and Fellows, Fellows Ad Eundem and Associates in training.

- (1) Elect a Council member to fill the office until the next annual general meeting; or
 - (2) Convene a general meeting to fill the vacancy; or
 - (3) Leave the office vacant until the next annual general meeting.
19. Where a person who is not a member of the College is elected as President, the Council shall appoint a member of the College as Deputy President, who shall discharge the duties of the President on his or her behalf.

The Trustee Board

19A. The Trustee Board shall consist of:

- (1) Eight members of Council, of whom one shall be the Chair of the Trustee Board; and
- (2) Four lay persons appointed by the Council on the basis of their special expertise and knowledge.

19B. (1) The Bye-Laws shall state:

- (a) Whether any of the Council members of the Trustee Board shall be *ex officio* and, if so, which officers shall serve on the Trustee Board *ex officio*;
 - (b) Any additional criteria which are thought to be appropriate for the election or appointment of the members of the Trustee Board;
 - (c) The procedure for the election by the Council of the Council members of the Trustee Board (other than any *ex officio* members), with a view to ensuring that the procedure is fair and transparent and complies with the Equality Act 2010 and College policies in this regard, as well as the guidance issued by the Charity Commission of England and Wales;
 - (d) The procedure for selecting and appointing lay members of the Trustee Board, with a view to ensuring that the procedure is fair and transparent and complies with the Equality Act 2010 and College policies in this regard, as well as the guidance issued by the Charity Commission of England and Wales; and
 - (e) The term of office of members of the Trustee Board (other than any *ex officio* members), whether members (other than any *ex officio* members) can be re-appointed or re-elected and, if so, for what number of occasions.
- (2) (a) Subject to (b), the Bye-Laws may subject to such conditions as are stated empower the Trustee Board to make regulations governing its meetings and procedures.
- (b) Questions arising at any meeting of the Trustee Board shall be decided by a majority of those present and voting and in the case of a tie, the Chair of the meeting shall have a second, or casting, vote.
- (3) Any act done in good faith by a meeting of the Trustee Board shall be valid, notwithstanding any defect in the appointment of any person or any other procedural irregularity, but this paragraph shall not validate any act contrary to the College object or any provision in the Charters, these Ordinances or the Bye-Laws.

The Council

[Agreed AGM 21/11/14]

20. The Council shall be constituted, and Council members elected or appointed, in accordance with the Bye-Laws, if consistent with the Charters and these Ordinances.
21. Only a member of the College shall be eligible to be a member of the Council, but the Bye-Laws may subject to the prior consent of the Council provide that eligibility may be extended to other categories of person.

Removal and suspension of Council members and Trustee Board members

22. (1) The office of a Council member or a lay member of the Trustee Board shall be vacated in any of the following circumstances:
 - (a) He or she resigns in writing addressed to the Chief Executive;
 - (b) In the case of a member of the Trustee Board, he or she becomes disqualified from holding office as a charity trustee under the Charities Act 2011 as amended, re-enacted or replaced from time to time;
 - (c) In the case of a Council member or a member of the Trustee Board, he or she is absent without leave from four consecutive meetings of the Council or the Trustee Board, as the case may be, and the Council resolves that the office shall be vacated;
 - (d) In the case of a Council member, his or her term of office as a Council member expires and he or she is not re-elected or re-appointed to the Council;
 - (e) In the case of a Council member, he or she ceases to be a member of the College; or
 - (f) He or she is removed from office as a Council member or a lay member of the Trustee Board by the Council under Ordinance 23.
 - (2) Provisions in this Ordinance, and in Ordinances 23 – 25, relating to vacation of office by, or removal or suspension of, a Council member as such shall be taken in the case of a Council member of the Trustee Board to include also vacation of office, removal or suspension of that member from office as a member of the Trustee Board.
 - (3) Provisions in this Ordinance, and in Ordinances 23 – 25, relating specifically to members of the Trustee Board as such apply to both Council members of the Trustee Board and lay members of the Trustee Board.
23. (1) Subject to the conditions set out in (2), the Council may remove a Council member or a lay member of the Trustee Board on any of the following grounds:
 - (a) The member has, in the opinion of such committee or other body as the Council has established to investigate the conduct of Council members and lay members of the Trustee Board:
 - (i) failed to comply in a serious respect with any Code of Conduct the Council has adopted and which is for the time being in force; or
 - (ii) seriously neglected his or her duties as a Council member or a lay member of the Trustee Board, other than in respect of failure to attend meetings of the Council or the Trustee Board, as the case may be; or
 - (b) The member has been convicted of any criminal offence in any court in the

United Kingdom, the Isle of Man or the Channel Islands which would, in the case of a member of the Trustee Board, not disqualify him or her from acting as a charity trustee, other than:

- (i) One leading to an absolute or conditional discharge, or
- (ii) A motoring offence where a fine or disqualification from driving for 12 months or less was imposed

and the committee or other body referred to in (a) recommends his or her removal; or

- (c) In the case of a Council member, he or she has been the subject of adverse findings by the General Medical Council, other than those leading him or her to be erased from the register or suspended from practice, and the body referred to in (a) recommends his or her removal.

- (2) The conditions under which the Council may remove a Council member or a lay member of the Trustee Board from office under Ordinance 23(1) are:

- (a) Not less than two-thirds of the members present and voting at the Council meeting which is considering the proposed removal must vote in favour of it;
- (b) Not less than 21 days' notice must be given of the Council meeting at which the proposed removal is to be considered;
- (c) Notice in writing of the proposed removal, stating with sufficient particularity the grounds on which it is proposed, must be given to the member concerned not less than 21 days before the Council meeting at which the proposed removal is to be considered: and
- (d) the member must be afforded a reasonable opportunity to make representations to the Council, whether in person or by a legal representative, as he or she shall decide, on the subject of his or her proposed removal both –
 - (i) in writing, prior to the Council meeting at which the proposed removal is to be considered, such written representations being circulated to Council members prior to that meeting, and
 - (ii) orally, at the Council meeting at which the proposed removal is considered.

- 24. (1) Without prejudice to the other provisions in this Ordinance, the Council may suspend a Council member or lay member of the Trustee Board from his or her duties for such period as it shall specify, if:

- (a) it would otherwise be empowered to remove him or her from office under Ordinance 23(1);
- (b) the procedural conditions set out in Ordinance 23(2) have been satisfied;
- (c) it considers that this would be a more appropriate sanction in relation to the matters concerned than removal from office; and
- (d) in the case of a lay member of the Trustee Board, it has consulted the Trustee Board.

- (2) Without prejudice to the other provisions in this Ordinance, a Council member or a lay member of the Trustee Board shall be suspended from his or her duties if:

- (a) the Council refers a complaint against the member arising under the Code of

Conduct to such committee or other body established to investigate the conduct of Council members; or

- (b) the Chief Executive receives written information that the member has been convicted of a criminal offence falling within Ordinance 23(1)(b); or
- (c) in the case of a Council member, the Chief Executive receives written information that the member has been the subject of adverse findings by the General Medical Council falling within Ordinance 23(1)(c).

3. Suspension of a Council member or a lay member of the Trustee Board under (2) shall continue:

- (a) until the committee or other body referred to in Ordinance 23(1)(a) issues a report exonerating the member, if a complaint has been referred to that committee or body under that provision; or
- (b) until the committee or other body referred to in Ordinance 23(1)(a) issues a report recommending that the member should not be removed, where the member has been the subject of a criminal conviction falling within Ordinance 23(1)(b)); or
- (c) where neither (a) nor (b) applies, until the Council meeting at which the proposed removal of the member is considered, and the Council has decided whether the member should be removed.

4. Without prejudice to the other provisions in this Ordinance, the Council may suspend any Council member or lay member of the Trustee Board from his or her duties for a period of up to 90 days where, in the opinion of the Council having consulted the Trustee Board in the case of a lay member of the Trustee Board, this is necessary to separate the member from any employee of the College who has made a complaint against that member.

25. A Council member who is suspended from practice by the General Medical Council shall be suspended from his or her duties as a Council member during the period of suspension by the General Medical Council.

Proceedings of the Council

26. The Council may meet to transact business, adjourn and otherwise regulate its meetings as it thinks fit and may make standing orders for this purpose. Questions arising at any Council meeting are decided by a majority of those present and voting. In the case of a tie, the Chair of the meeting shall have a second, or casting, vote.

27. The continuing members of the Council may act notwithstanding any casual vacancies, but if the number of Council members falls below the quorum for Council meetings the remaining Council members may act only to fill vacancies or to convene a general meeting. If there are no Council members able or willing to act, any two members of the College may convene a general meeting to appoint members of the Council.

28. Any act done in good faith by a Council meeting or by a committee meeting, or by a member of the Council or of a committee, shall be valid, notwithstanding any defect in the appointment of any person or any other procedural irregularity.

Financial powers of the Trustee Board

29. The Trustee Board may exercise all the financial powers of the College and may make regulations dealing with the exercise of these powers.

[Agreed AGM 21/11/14]

Investment powers

30. The College acting through the Trustee Board may invest its moneys in any investment authorised by the Trustee Investments Act 2000, as amended, repealed or re-enacted from time to time, or in any investment authorised by any other statute, in the Charities Official Investment Fund or under a scheme made by the Charity Commissioners for England and Wales.

Power to make Bye-Laws

31. The Trustee Board may make, amend, add to or revoke Bye-Laws for the regulation of the College and generally to further the College object, if not inconsistent with the Charters and these Ordinances.
32. A Trustee Board resolution making, amending, adding to or revoking Bye-Laws has no effect until confirmed by a resolution of a general meeting passed by a majority of the members voting.

Devolved councils

33.
 - (1) The regional councils in Scotland and in Wales shall henceforth be known as devolved councils. The Council shall establish a devolved council in Northern Ireland² as soon as practical following the coming into force of this Ordinance, and may establish additional devolved and overseas councils.
 - (2) The devolved councils shall further the College object in their areas, and may exercise delegated functions on behalf of the College and the Trustee Board or the Council, depending on the allocation of responsibility for the function stated in Articles 15A and 16 respectively of the Supplemental Charter, subject to any conditions stated in the Bye-Laws, and provided the Trustee Board or the Council, as the case may be makes appropriate arrangements to be kept informed about the exercise of such delegated functions.
 - (3) Nothing in this Ordinance precludes the Trustee Board or the Council as the case may be from exercising any function delegated to a regional council.
34. The Bye-Laws shall regulate the terms of reference, powers and membership of the devolved and overseas councils, and may adopt different terminology to refer to them. Each devolved and overseas council shall adopt rules for the administration of its affairs, if not inconsistent with the Charters, these Ordinances or the Bye-Laws. No such rules shall have effect until approved by the Trustee Board.

Faculties

35. The existing faculties of the College shall be continued, and the Council may establish additional faculties, with the purpose of furthering the College object. The name and scope of each faculty shall be decided by the Council. Faculties may exercise delegated functions on behalf of the College and the Council, subject to any conditions stated in the Bye-Laws and provided the Council makes appropriate arrangements to be kept informed about the exercise of such delegated functions.
36. The Bye-Laws shall regulate the terms of reference, powers and membership of faculties.

² The Northern Ireland Council was established on 1 April 2003
[Agreed AGM 21/11/14]

Each faculty shall adopt rules (to be known as "Faculty Bye-Laws") for the administration of its affairs, if not inconsistent with the Charters, these Ordinances or the Bye-Laws. No such rules shall have effect until approved by the Trustee Board.

Sub-Faculties

37. Any faculty may, with the approval of the Council, establish a sub-faculty and make provision for its membership and the regulation of its affairs.

Officers and staff of the College

38. The Council may appoint a chairman and other officers, with such duties as the Council decide, and may suspend or remove them from office.
39. The Trustee Board may appoint a chief executive and such other staff of the College as it may decide, with such duties as may be decided, and may decide their terms and conditions of employment.

Accounts and audit

40. (1) The Trustee Board shall ensure that proper books of account are kept in compliance with relevant accounting standards. The Trustee Board shall lay before each annual general meeting accounts for the previous financial year containing an income and expenditure account and balance sheet, together with the auditors' report on those accounts.

(2) The accounts circulated to members before the annual general meeting may be in summary form, provided the full accounts are available on request before and at the meeting.
41. A Council member is entitled to inspect the accounting records of the College at any time. Any member of the College is entitled to inspect the accounting records of the College, subject to any restrictions imposed by the Trustee Board.
42. Auditors shall be elected at each annual general meeting. The Bye-Laws shall state the procedure for the nomination and election of the auditors. The auditors must be registered auditors under the Companies Act 1985 (or any consolidation or re-enactment of that Act).
43. The remuneration of the auditors shall be fixed by a general meeting, or in such manner as a general meeting may decide.
44. The auditors are entitled to receive notice of every general meeting, to attend such meetings and to speak on any item of business concerning them as auditors.

Authentication of documents

45. The chief executive and any person authorised by the chief executive may sign any document issued by or on behalf by the College to authenticate it, and may certify as a true copy any copy of, or extract from, such a document:

The common seal

46. The common seal of the College shall be affixed to any document only with the authority of the Trustee Board. Use of the common seal shall be counter-signed by two members of the Trustee Board or by one member of the Trustee Board and the chief executive.

Indemnity

[Agreed AGM 21/11/14]

47. Every member of the Trustee Board, Council member, auditor, or member of the College staff may, subject to the Charter, be indemnified by the College for any liabilities arising from the carrying out of his or her duties.