

**COLLEGE BYELAWS**  
**[Agreed AGM 2024]**

**Interpretation**

1. Words and phrases defined in the Charters or in the Ordinances mean the same in these Byelaws, unless the context otherwise requires.
2. The Interpretation Act 1978 applies to these Byelaws as to an Act of Parliament.

**Subscriptions and fees**

3. (1) Unless Byelaws 4-6 apply, and subject to (4), a member or associate shall pay in respect of each subscription year an annual subscription ('the annual subscription') of not more than £650, fixed by the Trustee Board.
- (2) Annual subscriptions are due for any subscription year on 1 April in advance.
- (3) In these Byelaws, 'subscription year' means the period running from 1 April in one year to the immediately next following 31 March.
- (4) If a member or associate is admitted later than 30 June in any year, the period running from the admission date to the immediately next following 31 March shall be deemed to be his or her first subscription year, and the amount of the annual subscription payable by him or her shall be reduced as follows:

<u>Date of admission</u>	<u>Percentage reduction in annual subscription</u>
1 April – 30 June	No reduction
1 July – 30 September	25%
1 October – 31 December	50%
1 January – 31 March	75%

- (5) Members have a three-month grace period to update their circumstances and apply for their annual subscription to be amended for the current subscription year.
4. (1) Subject to (2), reductions in annual subscription may be claimed in the following circumstances:

Professional income below a specified amount

- (a) of one-half by a member or associate if his or her annual gross income from all professional services for the 12 months ending on the immediately preceding 31 March was below a specified amount, or
- (b) of one-quarter by a member or associate if his or her annual gross income from all professional services for the 12 months ending on the immediately preceding 31 March was below a specified amount;

Retired or professional income below a specified amount

- (c) of three-quarters by a member or associate if:
  - (i) on 1 April in any subscription year he or she had permanently retired from medical practice, evidenced in

such manner as the Vice Chair Finance and Member Value on behalf of the Trustee Board may require, or

- (ii) on 1 April in any subscription year he or she had temporarily retired from medical practice due to maternity, ill-health, a career break or some other reason acceptable to the Trustee Board;

Less than two years' standing

- (d) a discount of at least £100 from the annual subscription by a member
  - (i) who passed the MRCGP examination within two years of the current subscription year and
  - (ii) who has been a member of the College for less than two subscription years on the immediately preceding 31 March, and
  - (iii) whose annual gross income from all professional services for the 12 months ending on the immediately preceding 31 March was above a specified amount.

Overseas residents

- (e) by a member or associate who on 1 April in any subscription year was permanently resident outside the United Kingdom, the Channel Islands or the Isle of Man who will pay fees linked to the World Bank category for their country of residence. Residents in Band A countries pay 50% of full membership subscriptions, Band B 25%, Band C 10% and Band D 5%;

Training for general practice

- (f) by a person seeking to be admitted as an associate who is at the time of admission undergoing training for general practice, who shall pay a specified fee; and

Members of secondary affiliation

- (g) of one-half by a member if:
  - (i) on 1 April in any subscription year he or she was liable to pay a membership subscription to another medical Royal College or faculty which is a member of the Academy of Medical Royal Colleges, and
  - (ii) in the 12 months ending on the immediately preceding 31 March he or she undertook annual NHS appraisal with another medical organisation for which membership of the other Medical Royal College or faculty was primarily appropriate, evidenced in such manner as the Trustee Board may require.

- (2) Any claim for a reduction in annual subscription under this Byelaw shall be subject to:

- (a) the power of the Trustee Board to decide if the claim is valid; and

(b) no more than one claim for a reduction being made by a member or associate at any one time.

(3) In this Byelaw, 'specified' means specified by the Trustee Board.

5. The Trustee Board may in its discretion reduce the annual subscription payable by an individual member or associate.

### **Life membership or Associateship**

6. A member or associate who on 1 April in any subscription year has either been such for 40 consecutive years or has reached the age of 70 and fulfilled such requirements for continuity of membership as the Trustee Board may lay down from time to time may become a life member or associate, as the case may be, and no longer needs to pay annual subscriptions. The Trustee Board may on application grant a similar exemption to a member or associate who has permanently retired from medical practice and who pays a lump sum equal to three times the full annual subscription he or she would otherwise be required to pay under Byelaw 3.

### **Fellowship fees**

7. Unless Byelaw 8 applies, a candidate to be appointed as a fellow shall pay a fee of not more than £800, fixed by the Trustee Board, before his or her appointment takes place. The President may waive all or part of this fee.

8. No fee is paid by a candidate to be appointed as an Honorary Fellow. No more than twelve (12) Honorary Fellows shall be elected in any one year. Honorary Fellows may use the post-nominal FRCGP[Hon] after their name.

### **Resignation**

9. A fellow, member or associate may resign in writing. In such instances, the ex-members shall no longer be entitled to use the post-nominals MRCGP, FRCGP, MRCGP[INT], or FRCGP[INT] after their name.

### **Non-payment of annual subscription**

10. A fellow, member or associate who is in arrears in his or her annual subscription for two months shall automatically cease to be a member. In such instances, the ex-members shall no longer be entitled to use the post-nominals MRCGP, FRCGP, MRCGP [INT], or FRCGP[INT] after their name.

### **Reinstatement**

11. (1) A former fellow, member or associate may apply to be reinstated, if they remain eligible, by paying the relevant subscription. Reinstatement in the current membership year requires full payment of the annual fee.

(2) Members can reinstate their membership retrospectively, by two membership years, one of which being the current year.

(3) Reinstatement shall be subject to the agreement of the Trustee Board (or such other body / officer delegated authority to consider such requests) and may be made subject to such conditions as that body / officer shall consider necessary.

### **Provisions relating to general meetings**

#### **Preliminary notice**

12. Preliminary notice of each General Meeting (other than one convened on a members' requisition) shall be given not less than 70 clear days before the date of the meeting. The preliminary notice shall state the date by which any member wishing to raise a matter at the meeting must give notice of it to the Chief of Staff.

### **Notice**

13. (1) At least 21 clear days' notice of a General Meeting shall be given. The notice shall state the date, time and place of the meeting and the business to be dealt with.
- (2) Accidental failure to give notice of a General Meeting to a person entitled to attend shall not invalidate the meeting.
- (3) The notice shall also state that members are strongly requested to give advance notice to the Chair of the meeting of any amendments which they propose to move to any resolutions, but indicating that failure to give such notice shall not prevent the moving of any amendment.

### **Quorum**

14. (1) The quorum for a General Meeting is 25 members.
- (2) If within ten minutes of the time stated in the notice a quorum is not present, the meeting shall be abandoned, if convened on a members' requisition. Otherwise, the meeting shall be adjourned to the same day and time in the following week, at the principal office of the College, when the members present shall constitute a quorum in any event.
- (3) No business may be dealt with unless a quorum is present.

### **Business of the Annual General Meeting**

15. The agenda of the Annual General Meeting, subject to any adjustment by the Chair, shall be as follows:
- (1) Approval of the minutes of the preceding General Meeting.
- (2) Receiving the annual report.
- (3) Receiving the audited accounts.
- (4) To note the election of the President, if applicable.
- (5) To note the election of the persons appointed or elected as members of the Council, and notification of the membership of the Trustee Board.
- (6) Business introduced by the Council, including the election of Fellows.
- (7) Other business, in such order as is decided by the Chair.

### **Restrictions on motions and amendments at General Meetings**

16. No motion or amendment to any motion may be admitted for discussion at any General Meeting if in the opinion of the Chair it would require the Trustee Board to act contrary to charity law or would infringe the College object.

### **Business of other General Meetings**

17. The business of any other General Meeting is to approve the minutes of the preceding General Meeting and to deal with the business stated in the notice.

### **Chairing of General Meetings**

18. The President chairs all General Meetings. The Chair of the Council presides in the absence of the President. In the absence of the President and the Chair of Council, the Council members present shall elect one of their number to take the chair. If there are no Council members present, or if all decline to take the chair, the members present shall elect one of their number to take the chair.

### **Adjournment**

19. (1) The Chair may, if the meeting agrees, adjourn a general meeting to a future fixed date and time or sine die, and must do so if directed by the meeting.
- (2) No business may be dealt with at an adjourned meeting other than that left unfinished at the original meeting.
- (3) At least seven days' notice of the adjournment is given if the meeting is adjourned for 30 days or more, but otherwise no notice of the adjournment need be given.

### **Voting**

20. Unless the Charter or Ordinances state otherwise, a resolution is carried by a majority of the members voting. In the event of a tie, the Chair has a second, or casting, vote.
21. The Council may in advance of a General Meeting direct a postal vote on any question at that meeting, such postal vote to be held after the meeting. The arrangements for the postal vote shall be decided by the Council. The result of a postal vote shall equate to a resolution passed by a show of hands at the meeting.
22. Postal voting may be carried out electronically in accordance with rules made by the Council.

### **Rules of debate**

23. A motion may be debated by any General Meeting only if it has been proposed and seconded.
24. A member may not without the consent of the Chair speak more than once on any motion, other than to raise a point of order or explanation. The mover of a motion has the right of reply to the debate on that motion.
25. (1) An amendment to a motion shall be within the scope of the motion and be for one or more of the following purposes:
- (a) To delete words from the motion;
  - (b) To insert words in the motion or add words to the motion;
  - (c) To delete words and substitute others.
- (2) If an amendment is carried, the motion as so amended becomes the substantive question before the meeting, and may be further amended. Only one amendment to a motion may be debated at any time, unless otherwise agreed by the chair.

26. All speeches must be directed to the Chair and be directed to the matter under discussion. A member may speak for no more than ten minutes, unless otherwise agreed by the Chair, except that the mover of a motion may speak for up to 15 minutes.
27. A motion to close the debate on a motion shall be in the form "That the question be now put", and shall be put to the meeting without any debate. If a closure motion is carried, the mover of the substantive motion under consideration has the right of reply before the motion is put to the vote.
28. The Chair may direct any member to leave the meeting, if in his or her opinion that member is guilty of disorderly behaviour or persistent breach of the rules of order.

### **Minutes**

29. Minutes shall be kept of every General Meeting and submitted for confirmation to the following General Meeting. Minutes shall be published by such means as the Council may decide, including electronically.

### **Rulings of the Chair**

30. The ruling of the Chair is conclusive on any point of order relating to the convening of the meeting, or on any point of procedure at the meeting.

### **Election of President**

31.
  - (1) Nominations for the office of President must be completed on the nomination form provided by the Returning Officer, signed or approved by the nominee, and their proposer and seconder, who must be College members in good standing.
  - (2) If there is more than one candidate for the office of President, a ballot shall be held in which every Member or Fellow in good standing is entitled to vote. The ballot shall be conducted by Electoral Reform Services ('ERS') (or another comparable organisation decided by the Trustee Board) in substantially the same manner as a ballot for the election of members of the Council.
  - (3) All those who are Associate members under Ordinance 7, and are undertaking training in general practice as defined in Byelaw 4(1)(f), in good standing, shall also be permitted to vote in the ballot for election of a new College President, but shall not be entitled either to stand for election, nominate, propose or second candidates.

### **Composition of the Council**

#### **General provisions**

32. The Council consists of up to 75 members, composed of the following:
  - (1) 32 Faculty representatives, appointed under Byelaw 33;
  - (2) 18 Elected members, elected under Byelaw 36;
  - (3) Additional members appointed by a General Meeting under Byelaw 41, or appointed by the Council under Byelaw 42;
  - (4) The President *ex officio*, so long as he or she is a member of the College;

- (5) The Officers of the Council as laid out under Council Standing Orders;
  - (6) The Chair of Trustee Board and Member Trustees *ex officio*;
  - (7) The Chairs of the Devolved Councils *ex officio*;
  - (8) For the year following his or her ceasing to hold the office, the immediately preceding Chair of Council *ex officio*, if not otherwise a member of the Council;
  - (9) The First5 Chair *ex officio*; and
  - (10) The Chair and Deputy-Chair of the Associates in Training Committee *ex officio*
33. (1) Each faculty shall be entitled to one representative on the Council. A faculty may have one additional representative in one or other (but not both) of the following circumstances:
- (a) If the membership of the faculty on the immediately preceding 31 March was equal to 5% or more of the whole membership of the College in the United Kingdom; or
  - (b) If the representative of the faculty holds a post or office in the College prescribed by the Council for this purpose.
- (2) Each Faculty may, whether or not it has an additional representative because of Byelaw 34(1)(a) or (b) above, appoint a deputy representative who is entitled to attend Council meetings in the absence of its regular representative and to be treated for all purposes at that meeting as if he or she were a Council member.
- (3) The Council may, in exceptional circumstances, decide that any faculty shall, notwithstanding (1), be afforded additional representation for any particular year, provided that the maximum size of the Council set out in Byelaw 33 is not thereby exceeded.
- (4) The Council shall have power to adjust the application of these Byelaws as is necessary for the purpose of ensuring that any Council member serving at the date these Byelaws come into force is able to complete his or her current term of office, provided that the maximum size of the Council set out in Byelaw 33 is not thereby exceeded.
34. No individual may hold more than one Council position. If an individual who is currently a member of Council is elected or appointed to serve in another position on Council, they are deemed to have resigned from their previous position with effect from the date they take up the new position and their previous position shall be filled as soon as practicable as a casual vacancy in accordance with the applicable rules.

#### **Faculty representatives and deputies**

35. (1) Each faculty must appoint its representative and deputy before the College Annual General Meeting. Designate appointments should be made between May – September at any Faculty board meeting, and ratified at Faculty AGMs as appropriate.
- (2) Notice of the name of the appointed faculty representative and deputy must be received by the Chief of Staff not later than 14 clear days before the College Annual General Meeting.

- (3) Faculty representatives appointed under (1) take office at the end of the College Annual General Meeting and serve until the end of the following Annual General Meeting.
- (4) If a casual vacancy arises for a faculty representative, the faculty shall appoint another representative to fill the vacancy until the end of the following College Annual General Meeting. The representative so appointed takes office when the Chief of Staff receives the notice of appointment.

### **Elected members**

36. The number of elected Council members is 18, or such other higher number, not above 50% of the overall size of the Council, as the Annual General Meeting decides. No member of the College may be elected to the Council unless he or she is in good standing at the time of nomination.

### **Retirement of elected members by rotation**

37. (1) One-third of the elected Council members (or the nearest number to that representing one-third, rounding upwards) retires at the end of each Annual General Meeting, being eligible for re-election. The members to retire are those who have served longest since their election, or last re-election, as the case may be.
- (2) If more than one-third of the elected Council members would otherwise be due to retire under this Byelaw, the members to retire shall, unless the members agree otherwise among themselves, be decided by drawing of lots.
38. (1) Should a vacancy arise among elected members elected under Byelaw 37, either by resignation or any other cause, the post shall be filled (if the person is still willing and eligible) by the candidate who would have been elected next in the election the vacant elected member position was elected. They shall serve the remainder of the original term of office.
- (2) Should the vacancy remain unfilled, it shall be filled by the candidate who was next to be elected in the subsequent election to that the vacant elected member position was elected. This process should be repeated until the vacancy is filled.

### **Procedure for election**

39. (1) Vacancies created as a result of retirements of Council members in rotation are filled at the Annual General Meeting concerned, under the procedure set out in this Byelaw.
- (2) Candidates standing for election to Council must be proposed and seconded by two members of the College in good standing using the nomination form provided by the Returning Officer.
- (4) If in any year the number of candidates is more than the number of vacancies to be filled, a ballot shall be held to fill the vacancies, in which every Member or Fellow in good standing shall be entitled to vote. All Associates in Training (AiTs) in good standing shall also be permitted to vote in the ballot for nationally-elected Council members, but shall not be entitled either to stand for election, nominate, propose or second candidates.



- (5) ERS (or some other comparable organisation decided by the Trustee Board) shall act as scrutineer of the ballot, and shall receive, open and examine the voting papers and certify the results of the ballot. Single transferable voting shall apply to the ballot in accordance with the standard model laid down by ERS. In the case of a tie between candidates, the winner shall be decided by the drawing of lots. The scrutineer's certificate of the result of the ballot shall be conclusive in the absence of any challenge.
- (6) If a challenge to the result of a ballot is received by the Chief of Staff from a candidate within 28 days of publication, it shall be referred to the determination of a solicitor nominated by the President of the Law Society for the time being, such solicitor to act as an expert rather than an arbitrator. The solicitor so nominated shall be empowered to decide his or her own procedure. The determination of the nominated solicitor shall be conclusive.

### **Role of Chief of Staff in College elections**

40. The Chief of Staff (or another member of the Executive Management Team or the Company Secretary, as designated by the Chief of Staff) shall act as Returning Officer for all College elections, and as such shall be empowered to exercise such functions as are customarily carried out by the holder of such an office, including (without limitation) –
  - (1) (a) Determining the appropriateness and/or validity of any nominations for office or election following a recommendation made by the Nominations Sub-Committee when sitting as an assessment panel. (NB: when sitting as an assessment panel, the Nominations Sub-Committee shall expressly exclude the Chief of Staff so as not to prejudice any subsequent appeal against the decision of the Nominations Sub-Committee under (5) below.)
    - (b) If deciding to reject a recommendation made by the Nominations Sub-Committee, the Returning Officer shall:
      - (i) Record their reasons and justification in writing;
      - (ii) Advise the Chair and members of the Nominations Sub-Committee of the decision before it becomes public knowledge
  - (2) Determining the timetable for the stages in any College election;
  - (3) making administrative arrangements for the conduct of the election;
  - (4) determining any question as to the form and content of voting papers and any document issued in connection with the election (including, without limitation, candidates' statements); and
  - (5) Making a ruling on any disputed issue which is not otherwise dealt with in accordance with provisions in these Byelaws. Such decision shall be final and binding.

### **Appointment of additional members**

41. A General Meeting may appoint any member of the College as a Council member, either to fill a vacancy among the elected members, or as an additional member. The term of office of any member so appointed runs to the end of the next Annual General Meeting, and the member is eligible for re-election.

42. In order to bring particular expertise to the Council's work, the Council may appoint a member of the College as a Council member, either to fill a casual vacancy, or as an additional member, provided this can be done without exceeding the maximum permitted number of non-faculty members on the Council. The term of office of any Council member so appointed runs to the end of the next Annual General Meeting, and the member is eligible for re-appointment or re-election.

### **Appointment of auditors**

43. Auditors shall be appointed at each Annual General Meeting and shall hold office until the next Annual General Meeting. The requirements and procedure for appointment shall be determined by the Trustee Board from time to time.

### **Trustee Board**

#### **Council members of the Trustee Board**

- 44 (1) The eight Council members of the Trustee Board specified in the Ordinances shall consist of –
- (a) The Chair of Council, the Honorary Secretary of Council and the Vice Chair Finance and Member Value, each of whom (unless otherwise disqualified under the Charities Act 2011) shall hold office *ex officio*;
  - (b) A Council member who shall be the Chair of the Trustee Board, elected by ballot of the Council; and
  - (c) Four Council members elected by ballot of the Council, who shall be known as Member Trustees.
- (2) No member<sup>1</sup> shall be eligible for election as the Chair of the Trustee Board unless he or she has previously held office either as President, Chair of Council, Honorary Secretary or Vice Chair Finance and Member Value, or similar position at Devolved Council level; or is a current or former Trustee of the College, or a Council member with a minimum of five years' experience on Council and is not disqualified under the Charities Act 2011.
- (3) No member shall be eligible for election as one of the members of the Trustee Board referred to in 43(1) (b) & (c) above unless his or her application has been considered by the Nominations Sub-Committee (or a panel of that Committee) and the Sub-Committee (or panel) has certified that the member is, by reason of his or her probity, expertise and experience, a fit and proper person to hold the office. The panel referred to above shall comprise the Chair of the Trustee Board, the Chief of Staff and the Chair of the Nominations Sub-Committee as a minimum.
- (4) One of the four members of the Trustee Board referred to in 43(1)(c) above shall be designated as a representative of the members of the College who are members of Faculties falling within the areas of the Devolved Councils. Any such person shall themselves be a member of a Faculty falling within the areas of the Devolved Councils and confirm their willingness to act as such representative.
- (5) If carrying out such interviews, which shall be discretionary, of members

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<sup>1</sup> If not a current Council Member, they will be made an additional member under Byelaw 42 or 43

under (3), the Nominations Sub-Committee (or panel) shall be compliant with the principles set out in the Commissioner for Public Appointments Code of Practice, and the HMRC and Charity Commissioners' trustee eligibility guidance as to the "fit and proper person test". The Nominations Sub-Committee (or Panel) may, at its discretion, appoint a non-voting advisor to advise on compliance with the Equalities Act 2010.

- (6) The method of voting in the ballot to elect the Chair and Council members of the Trustee Board shall be decided by the Council from time to time.
- (7) The Chair of the Trustee Board shall serve an initial term of three years, with the possibility of a further three years, being eligible for re-election on an annual basis, running from the conclusion of the first Council meeting following each annual general meeting.
- (8) The other Council members of the Trustee Board shall serve a three-year term of office, running from the conclusion of the first Council meeting following each annual general meeting, and be eligible for one further consecutive term of three years only.
- (9) The method of confirmation of the second three year term of office for Trustees elected under Byelaws 44(1)(b) and 45(1)(c) shall be by ballot of Council members.
- (10) Council may, for the more convenient organisation of any election or appointment or, if it resolves that exceptional circumstances require, extend or reduce any period or vary any commencement or termination date referred to in this Byelaw.

#### **Independent members of the Trustee Board**

- 45.
- (1) The four Independent Members of the Trustee Board specified in the Ordinances shall be appointed by resolution of the Council, on the recommendation of the Nominations Sub-Committee of the Trustee Board, and in the light of their expertise and experience in matters within the terms of reference of the Trustee Board.
  - (2) Recommendations by the Nominations Sub-Committee for a first appointment of an Independent Members of the Trustee Board shall be based on a process involving public advertisement of the vacancy, short listing of candidates if their number reasonably demands it, interview by the Nominations Sub-Committee (or a panel of that Committee), and such further enquiries as the Nominations Sub-Committee thinks fit. The panel referred to above shall comprise the Chair of the Trustee Board, the Chief of Staff and the Chair of the Nominations Sub-Committee as a minimum.
  - (3) When carrying out interviews of candidates under (2), the Nominations Sub-Committee (or panel) shall be compliant with the principles set out in the Commissioner for Public Appointments Code of Practice, and the HMRC and Charity Commissioners' trustee eligibility guidance as to the "fit and proper person" test. The Nominations Sub-Committee (or Panel) may, at its discretion, appoint a non-voting advisor to advise on compliance with the Equalities Act 2010.
  - (4) The Independent Members of the Trustee Board shall serve a three-year term of office, running from the conclusion of the first Council meeting following each annual general meeting, and be eligible for one further

consecutive term of three years only.

- (5) In this Byelaw, “Independent” refers to a person who is not, and has never been, a registered general medical practitioner.

### **Senior Independent Trustee**

46. Trustee Board shall make provision in their Regulations to appoint a Trustee appointed under Byelaw 45 as the Senior Independent Trustee.

### **Power to make regulations**

47. The Trustee Board may make regulations governing its meetings and procedures (including delegation of functions and the appointment of Committees), so long as such regulations are not inconsistent with the Charters, Ordinances or these Byelaws.

### **Devolved Councils**

48. Devolved Councils may exercise delegated functions on behalf of the College and the Council in respect of the matters set out in their terms of reference, subject to the Charter, the Ordinances, these Byelaws and any general or special directions made by the Council. Nothing in this Byelaw precludes the Council from exercising any such delegated function.

49. The terms of reference of Devolved Councils are:

- (1) To promote generally the attainment of the College object in the relevant area, by co-ordinating the work of the College in the area, by supporting the membership of the College in the area and by developing its own initiatives and strategies on an area-wide basis, particularly in respect of:
  - (a) improving patient care through standard-setting and patient links;
  - (b) promoting the values of the College;
  - (c) increasing resources for primary care;
  - (d) facilitating continuous professional development of members of the College; and
  - (e) communication with members of the College.
- (2) To advise the Council of the College on governmental, legal and regulatory issues specific to the area and affecting the College and general practice within the area.
- (3) To participate on behalf of the College in public debate within the area on the matters set out in (2), and to respond to consultations about them.
- (4) To publicise the work of the College both nationally and within the area concerned, and to develop a public relations strategy for the work of the College within the area, if consistent with the overall strategy agreed by the Council of the College.
- (5) To contribute to the strategic and policy planning processes of the College from the perspective of the area, formulating and carrying forward an operating plan, including budgetary recommendations, for

approval by the Council or the Trustee Board, depending on the allocation of responsibility for the function as stated in Articles 15A and 16 of the Supplemental Charter respectively, complying with the planning, monitoring and evaluation procedures adopted by the Council and its committees.

- (6) To promote and support academic research within the area on all aspects of general practice.
  - (7) To be responsible in accordance with the approved budget for expenditure of funds allocated to it by the Trustee Board, ensuring that all expenditure is properly authorised and accounted for, in compliance with legal requirements and financial regulations laid down by the Trustee Board.
  - (8) To carry out income-generating activities, ensuring that all income is properly accounted for and dealt with in accordance with financial regulations laid down by the Trustee Board.
  - (9) To take such incidental action as may be necessary to fulfil the objectives in (1) – (8).
50. Devolved Councils may exercise delegated functions on the matters set out in their terms of reference without prior reference to the Council, but may seek specific approval from the Trustee Board or the Council for any proposed action or expenditure. A member of the Council who is a member of a Devolved Council may refer to the Trustee Board or the Council, depending on the allocation of responsibility for the function as stated in Articles 15A and 16 of the Supplemental Charter respectively, any proposed action or expenditure by that Devolved Council.
51. Minutes of meetings of Devolved Councils shall be kept. The minutes of such meetings shall be sent, by hard copy or electronically, to the Chief of Staff within 28 days after the meeting.
52. Each Devolved Council shall make rules, subject to the approval of the Trustee Board, governing its procedure and operations. Such rules shall conform to the model laid down by the Trustee Board and deal in particular with:
- (1) The election, tenure and responsibilities of officers of the Devolved Council;
  - (2) The appointment and terms of reference of committees or boards of the Devolved Council;
  - (3) The procedure and timetable for convening meetings of the Devolved Council, including provisions about quorum, rules of debate and use of electronic communications; and
  - (4) Financial control, including drawing up a budget for approval by the Trustee Board, approval of expenditure within budget, banking arrangements, signature of cheques and the drawing up of accounts.
53. (1) The membership of a Devolved Council shall consist of:
- (a) The President of the College, ex officio;
  - (b) The Chair of College Council, ex officio;
  - (c) Such number of members of the Council resident within the area concerned appointed by the Council as is specified in the rules of

the Devolved Council, who shall be members, ex officio;

- (d) Representatives of each of the faculties / trusts within the area specified in the Devolved Council's Byelaws (this will vary in each Devolved Country);
  - (e) Such maximum number of members as is specified in the rules who shall be elected by ballot of all members of the faculties within the relevant area, so long as the number of members of the devolved council is not brought above such maximum number as the Trustee Board may approve; and
  - (f) Such additional members as may be elected by the devolved council, so long as the number of members of the devolved council is not brought above such maximum number as the Trustee Board may approve.
- (2) The composition of the Devolved Council in Northern Ireland shall comply with Section 75 of, and Schedule 9 to, the Northern Ireland Equality Act 1998.
  - (3) A Devolved Council may make provision in its rules for the attendance of observers at its meetings and those of its committees and boards.
  - (4) Each Devolved Council shall, not later than 1 May in any year, send to the Chief of Staff an income and expenditure account and balance sheet relating to the 12 months up to 31 March in that year, for audit and publication in the annual financial report of the College.

## **Faculties**

- 54. The terms of reference of each Faculty are to further the College object in its area, subject to the Charter, Ordinances and these Byelaws.
- 55. The names and areas of each Faculty shall be decided by the Council from time to time, but no change may be made unless there has been consultation with the board of the Faculty concerned, and with neighbouring Faculties.
- 56. All members of a Faculty are entitled to attend, speak and vote at general meetings of the Faculty and generally participate in its activities. Associates of a Faculty may not vote at general meetings of the Faculty, except on the election of associates to the board of the Faculty.
- 57. The affairs of each Faculty shall be regulated by rules ('Faculty Byelaws') made by the members of the Faculty in general meeting, subject to the approval of the Trustee Board. Faculty Byelaws shall deal with the following matters, subject to the Charter, Ordinances and these Byelaws, and conform to model faculty Byelaws laid down by the Trustee Board:
  - (1) Matters relating to membership of the Faculty.
  - (2) General meetings, including provision for dispensing with the need for an annual general meeting in certain circumstances, use of electronic communications, quorum, rules of debate and voting.
  - (3) The composition and method of appointing or electing members of the board of the Faculty, in which shall be vested the management of its affairs, including provision for persons who are not members of the College to be co-opted onto the board of the Faculty.

- (4) The procedure for electing the Faculty representative and deputy representative on the Council.
  - (5) The election, term of office and responsibilities of the officers of the Faculty.
  - (6) The election of committees of the board of the Faculty.
  - (7) Financial control, including the drawing up of a budget for approval by the Trustee Board, approval of expenditure within budget, banking arrangements, accounts and signature of cheques.
58. The Council will ensure that all parts of the College contribute to the need to develop a positive view of general practice as a career choice, and will mandate its membership section, faculties and Devolved Councils to provide advice and practical support to partners (such as Deaneries and medical schools) who offer career advice, in order to impact on student and junior doctor awareness and consideration of general practice / family medicine as a career.

#### **Code of Conduct**

59. Any Code of Conduct approved by the Council shall have effect and be binding on members as though forming part of these Byelaws.

#### **Notices**

60. Any notice or document which must be given or published under these Byelaws may be given by such printed or electronic means, or combination of means, as the Trustee Board decides, including publication on the College website.

#### **Commencement**

61. These Byelaws shall be deemed to have come into force on the date the Supplemental Charter of the College is granted by Her Majesty The Queen, when all previous Byelaws, and all amendments to them, shall be revoked, but without affecting the validity of anything done under them.