



**The Colleges of Medicine
of South Africa
(CMSA)**

Rules

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INTERPRETATION

1. In these Rules (where not repugnant to the context):

the expression the "Mol" means the Memorandum of Incorporation for the time being of the CMSA;

words occurring in these Rules and also occurring in the Mol shall bear the same respective meaning in these Rules as they bear in the Mol;

words importing only the singular number include the plural number, and vice versa;

words importing only the masculine gender include the feminine gender, and vice versa;

words importing persons shall include juristic persons;

the marginal or head notes appearing in these Rules shall not be taken into account in the interpretation of the Rules, the said notes having merely been added for convenience or reference.

Conflict with Mol

2. These Rules shall be construed so as not to conflict with the Mol.

ALTERATION OF RULES

3. The making, amendment, alteration or repeal of a Rule shall be carried out in the following manner:

Alteration of Rule by the Board

- (a) Any 2 (two) or more Directors desiring to propose a new Rule or an amendment to, or alteration in, or repeal of, an existing Rule, must give notice of motion (duly signed by them) to the honorary registrar or the company secretary at the office of the CMSA not less than 28 (twenty eight) calendar days prior to the Board meeting at which it is to be brought forward, and the terms of the motion shall be placed upon the agenda for that meeting and circulated to all Directors in accordance with the Mol.

Approval by the Senate

- (b) Any new Rule, or an amendment to, or alteration in, or repeal of, an existing Rule, shall be presented to Senate for approval and if the motion with or without amendment is accepted and passed by not less than two-thirds of the total votes of the members of Senate present at the meeting referred to in 3(a), it shall in the form thus approved by the Senate, come into operation on a date to be determined by the Senate.

Authoritative copies of Rules

4. Every enactment, alteration or repeal of a Rule shall be entered, together with the date, by the honorary registrar or the company secretary, or other officer appointed thereto in a copy of the printed Rules kept for that purpose, and shall be initialled by the president of the CMSA, and such copy shall be the authoritative copy of the Rules until the next reprinting of the Rules.

TRIENNIAL CMSA ELECTIONS

ELECTION AND TERMS OF OFFICE OF CONSTITUENT COLLEGE COUNCILS

5. (1) Insofar as the Senate authorises the election of a Constituent College Council, such Council shall be elected by the members of the relevant Constituent College and shall take office at the close of the ordinary meeting immediately succeeding their election.
- (2) The members of a particular Constituent College shall in the premises be eligible to vote only in an election relating to their respective Constituent College.
- (3) The election of Constituent College Councils shall be conducted in a manner consistent with the provisions following:

Nomination of Candidates

- (a) Not later than on the first day of March in each year during which a new Senate is to take office, there shall be dispatched to each member of the relevant Constituent College at his/her registered address (or failing such, to his/her last known address) a notice of the forthcoming elections of Constituent College Councils, together with a copy of the relevant Rules and inviting nominations for the relevant vacancies. Such notice shall further state the latest date by which nominations must be received, and also the date of the elections, due regard being had for the date of the following ordinary meeting.
- (b) Candidates for election to a Constituent College Council must be members of the relevant Constituent College who do not hold only a Diploma qualification of that College and shall be nominated in writing by two (2) members of the relevant Constituent College who do not hold only a Diploma qualification of that College.
- (c) Candidates for election as a Diplomate representative to a Constituent College Council must be Diplomates of the relevant Constituent College who do not hold any specialist qualification and shall be nominated in writing by two (2) Diplomates of the relevant Constituent College who do not hold any specialist qualification.
- (d) The nomination of a person proposed as a candidate shall not be valid unless he/she has signified his/her consent thereto either by endorsement on such nomination paper or by separate letter from him/her lodged with the honorary registrar or the company secretary - the said consent to declare that, if elected, he/she will accept office.

Time for receiving nominations

- (e) Every nomination paper, together with the candidate's consent to stand for election, shall be lodged with the honorary registrar or the company secretary not less than 55 (fifty-five) calendar days prior to the date fixed for the election.
- (f) If at the expiration of the time appointed for the receipt of nominations none be received, or if the number of eligible candidates validly nominated shall be less in number than the number of members necessary to constitute the relevant Constituent College Council to be elected, the eligible candidate or candidates validly nominated (if any) shall be deemed and declared to be elected and the president of the CMSA shall

thereupon fill any vacancy or vacancies for which no valid nomination has been received.

- (g) Any person or persons designated by the president of the CMSA to fill any such vacancy or vacancies for the purpose of these Rules shall be regarded as an elected member or as elected members (as the case may be) of the Council of the relevant Constituent College.

When to issue voting papers

- (h) At least 21 (twenty-one) calendar days prior to the date fixed for the election a voting paper or voting papers shall be sent to members at their respective registered addresses (or failing such to their last known respective registered addresses), together with a list of the candidates for election, the curricula vitae of the candidates for election and a statement as to the number to be elected.

Method of voting

- (i) Each member of a constituent College desiring to record a vote or votes (as the case may be) shall mark upon the voting paper received by him/her one cross only (thus x) against the name of each candidate for whom he/she intends to vote and a member shall be deemed to have spoilt his/her voting paper and the vote or vote purporting to be recorded thereon shall not be counted if:
 - (i) he/she votes for more candidates than there are persons to be elected as indicated in any accompanying instructions; or if
 - (ii) he/she votes more than once for the same person or returns more than one voting paper.

Counting of Votes and Validity of Voting Papers

- (j) The votes shall be counted by scrutineers, who shall be members of the CMSA in good standing appointed by the finance and general purposes committee, but whose names do not appear on any voting papers as election candidates.
- (k) Any voting paper adjudged by the chairman of the scrutineers (as appointed by the finance and general purposes committee) to be incorrectly filled in shall be declared to be invalid.
- (l) The chairman of the scrutineers, in conjunction with the CEO, shall report the results of the election to the president of the

CMSA who shall ensure that the newly elected members of Constituent College Councils are informed of their election.

- (m) The president of the CMSA shall declare formally which candidates are elected and report to the next succeeding ordinary meeting.
- (4) The respective number of members to constitute the respective Constituent College Councils shall from time to time be determined by the Constituent College Council and submitted to Senate for approval.
- (5) Additional Constituent College Council members, who need not necessarily be members of the CMSA, may with the consent and approval of the president of the CMSA be co-opted by the respective Constituent College Councils, but so that the total number of such persons co-opted to the Council shall not exceed two-fifths (rounded up to the next number) of the elected membership of the relevant Constituent College Council for the time being in terms of Rule 35(2). However, non-members of the CMSA who are co-opted to the Councils of Constituent Colleges shall be considered by Senate for membership of the CMSA in the respective Constituent Colleges, upon receipt of a nomination for membership (in the appropriate category) from the Councils of the respective Constituent Colleges, as determined by the Mol, Rules or Regulations.
- (6) Any casual vacancy which may occur at any time in a Constituent College Council shall be filled by the members of the relevant Constituent College Council by co-opting a member of such Constituent College; or alternatively, with the consent and approval of the president of the CMSA, a medical or dental practitioner of standing who need not necessarily be a member of the CMSA, may be co-opted to fill the vacancy with the proviso set out in the preceding Rule 5(5).
- (7) Each member of a Constituent College Council shall have the power to nominate another member of the relevant Constituent College to act as his/her alternate in his/her place during his/her absence or inability to act as such member and provided that the appointment of such alternate shall be approved by the relevant Constituent College Council and on such appointment being made the alternate shall in all respects be entitled to exercise and discharge the duties and functions of the member of the Constituent College Council whom he/she represents in such member's absence or inability to act.
Terms of office of Constituent College Council members
- (8) At the close of the third ordinary meeting of each triennium, all the Council members of the various Constituent Colleges of the CMSA shall retire from office but shall be eligible for re-election as Council members. The effect hereof shall be that Constituent College Council members will remain in office for minimum periods of three years each,

while a newly-elected Council will take office after each cycle of three years at the close of the relevant ordinary meeting.

- (9) The presidents of Constituent Colleges shall not hold office for more than three triennia, either consecutive or separate.
- (10) The retiring presidents of Constituent Colleges shall *ipso facto* be members of the newly elected Constituent College Councils.

ELECTION AND CONSTITUTION OF THE SENATE

Election of office bearers and representatives

- 6. (1) The respective results of the elections of Constituent College Councils shall be announced at least six weeks prior to the date set for the relevant ordinary meeting of the CMSA succeeding the elections and the CEO shall communicate with the elected members of the relevant Constituent College Councils and arrange that each of the respective Councils elect:
 - (a) a president;
 - (b) a secretary; and
 - (c) their Council's representatives on the Senate.
- (2) The representatives of Constituent College Councils on the Senate shall be members of the respective Constituent Colleges who hold specialist qualifications and shall exclude members who hold only a Diploma qualification.
- (3) This election shall take place as soon as reasonably practicable, but no later than one month before the date fixed for the ordinary meeting referred to in Rule 6(1) above.
- (4) The presidents and secretaries of Constituent Colleges and the Constituent College representatives on the Senate shall be members of the respective Colleges.

Election of Diplomate representatives on the Senate

- 7. The names of the Diplomates, elected to the respective Constituent Colleges Councils shall be announced at least six weeks prior to the date set for the relevant ordinary meeting of the CMSA succeeding the elections and the CEO shall communicate with the elected Diplomates and arrange that they elect two representatives on the Senate no later than one month before the date fixed for the ordinary meeting referred to in Rule 6(1) above.

Equality of votes

8. In the event of an equality of votes in any election for membership of the Councils or the Senate and such equality affecting the result of the election the president or senior vice-president of the CMSA shall have a casting vote.

Date of confirmation of names of representatives on the Senate

9. The date fixed for the confirmation of the names of representatives on the Senate by the president of the CMSA or his/her designate shall be on a date determined by the Senate, but not more than fourteen and not less than 7 (seven) calendar days before the date fixed for the ordinary meeting referred to in Rule 6(1) above.

When new members take office

10. The election of new Senators as aforesaid shall take effect as from the close of the ordinary meeting at which the Senators, whose places such new members are elected to fill, retire from office.

HONORARY OFFICERS OF THE CMSA -THEIR NOMINATION, ELECTION AND POWERS

PRESIDENT

Nominations for the office

11. (1) Immediately after the second Senate meeting of each triennium, nominations for the office of president of the CMSA (proposed, seconded and supported by curricula vitae) shall be invited from the members of the Senate. The nominations received, with the full curriculum vitae of each candidate, shall be placed before the Senate for consideration at the next meeting.

Timing of election

- (2) The election of the CMSA president shall take place at the end of the third Senate meeting of each triennium and shall be by confidential ballot.

Election procedure

12. The retiring president of the CMSA shall ask every Senator to write down on the ballot paper the name of the candidate nominated in terms of Rule 11, for

whom he/she votes. If more than one name be written down, the ballot paper shall be null and void. If two-thirds or more of the votes shall be cast in favour of any one member, he/she shall be declared elected. If there shall be no such majority the president of the CMSA shall be elected by ballot as aforesaid from the candidates who shall have received:

- (a) the highest number of votes (if there is a tie at the highest number); or
- (b) the highest and second highest number of votes.

At such second ballot the candidate with the highest number of votes shall be declared elected even though such candidate may have received less than two-thirds of the votes; and in case of a tie the candidate who has served for the longer period on the Senate shall be declared elected, or if such candidates have served on the Senate for the same length of time, the one who is senior in age shall be declared elected.

Duties and powers of CMSA president

13. The CMSA president shall be *ex officio* chairperson of all Constituent College Councils and committees. In the case of emergency and in case it is impossible to summon a meeting of the Senate or the appropriate Constituent College Council or committee in time to deal with such emergency, the president of the CMSA shall take such immediate action as may seem necessary to him/her in the circumstances, and shall report the matter to the next meeting of the Senate or the appropriate Constituent College Council or committee as the case may be.

VICE-PRESIDENTS

Nominations for the office

14. (1) Immediately after the second Senate meeting of each triennium, nominations for the office of vice-president of the CMSA (proposed, seconded and supported by *curricula vitae*) shall be invited from the members of the Senate. The nominations received, with the full curriculum vitae of each candidate, shall be placed before Senate for consideration at the next meeting.

Timing of election

- (2) The election of the vice-presidents of the CMSA shall take place at the end of the third Senate meeting of each triennium and shall be by confidential ballot.

Election procedure *Senior vice-president*

- (3) The retiring president of the CMSA shall call for participation in the election of a senior vice-president from among the candidates nominated in terms of Rule 14(1) and those who were nominated for president of the CMSA in terms of Rule 11 and were unsuccessful in that election, should they be available for election as vice-president.

Every member of the Senate shall be asked to write down on the ballot paper the name of the candidate for whom he/she votes. If more than one name be written down, the ballot paper shall be null and void. If two-thirds or more of the votes shall be cast in favour of any one member, he/she shall be declared elected. If there shall be no such majority the president of the CMSA shall be elected by ballot as aforesaid from the candidates who shall have received:

- (a) the highest number of votes (if there is a tie at the highest number); or

- (b) the highest and second highest number of votes.

At such second ballot the candidate with the highest number of votes shall be declared elected even though such candidate may have received less than two-thirds of the votes; and in case of a tie the candidate who has served for the longer period on the Senate shall be declared elected, or if such candidates have served on the Senate for the same length of time, the one who is senior in age shall be declared elected.

*Election procedure
Junior vice-president*

- (4) Immediately following the election of the senior vice-president, the retiring president of the CMSA shall call for participation in the election of a junior vice-president from among the remaining candidates who were unsuccessful in the elections of president and/or senior vice-president. The election of the junior vice-president shall be governed by the procedure set out in Rule 14 (3).

Duties and powers of vice-presidents

- (5) The senior vice-president, or in his/her absence, the junior vice-president, shall in the absence of the president of the CMSA or in the case of the president's inability or unwillingness to act, undertake his/her duties both in routine business and on public occasions.

HONORARY OFFICERS

15. (1) At the first Senate meeting of each triennium, the president of the CMSA shall call for nominations from the members of the Senate for

the election of the chairpersons of the finance and general purposes committee, examinations and credentials committee and education committee, the honorary treasurer and the honorary registrars, from either the members of the Senate, or from the members of the CMSA.

- (2) If two-thirds or more of the votes shall be cast in favour of any one person nominated, he/she shall be declared elected. If there shall be no such majority the honorary officers shall be elected by ballot from the candidates who shall have received:
- (a) the highest number of votes (if there is a tie at the highest number); or
 - (b) the highest and second highest number of votes.

At such second ballot the candidate with the highest number of votes shall be declared elected.

HONORARY TREASURER

Election

16. The honorary treasurer, who must be a Senator, shall be elected from either the members of the Senate or from the members of the CMSA.

Powers and Duties

17. (1) The honorary treasurer shall pay or cause all monies received on behalf of the CMSA, to be paid into an account in the name of "The Colleges of Medicine of South Africa" at the bankers appointed by the Board.
- (2) The honorary treasurer shall keep or cause to be duly kept an account of all monies received and expended and may pay without special order the current ordinary expenses of the CMSA.
- (3) The honorary treasurer may not disburse any other sum unless previously authorised to do so by the Board or the finance and general purposes committee. He/she shall report all extraordinary expenditure to the next succeeding meeting of the finance and general purposes committee.
- (4) The honorary treasurer shall prepare or cause to be duly prepared, reports for the finance and general purposes committee and meetings of the Board and Senate, and an income and expenditure account and balance sheet to be audited in accordance with paragraph 104 of the Mol.

- (5) The honorary treasurer shall at all times be prepared to give such information on the finances of the CMSA as may be required by the Board, Senate, the finance and general purposes committee, the Constituent College Councils or committees.
- (6) The honorary treasurer shall hold office for no more than three consecutive triennial periods.

HONORARY REGISTRARS

Election

18. The honorary registrars, who must be members of the Senate, shall be elected from either the members of the Senate or from the members of the CMSA.

Powers and duties

- (1) The honorary registrar based in the region of the finance and general purposes committee shall summon extraordinary meetings together with the company secretary under the direction of the president of the CMSA. He/she shall act as medical adviser in the general administration, officiate at meetings and ceremonies as required and generally act as substitute for the chairperson of the finance and general purposes committee.
- (2) The honorary registrar based in the region of the examinations and credentials committee, shall ensure that applications for admission of candidates to examinations are in due form, shall officiate at examinations, ceremonies and meetings and generally attend to examination related matters. He/she shall act as substitute for the chairperson of the examinations and credentials committee.
- (3) The honorary registrar based in the region of the education committee shall ensure that applications for continuing professional development accreditation are in due form, officiate at examinations and meetings and generally attend to education related matters. He/she shall act as substitute for the chairperson of the education committee.
- (4) The honorary registrars shall hold office for no more than three consecutive triennial periods.

HONORARY OFFICERS EX OFFICIO MEMBERS OF COUNCILS AND COMMITTEES

19. The president, vice-presidents, chairpersons of standing committees, honorary treasurer and honorary registrars shall be *ex officio* members of all Board committees and all councils and committees of Senate.

DECLARATION OF HONORARY OFFICERS

President

20. Each president of the CMSA shall, before entering upon his/her office as president, make the following declaration before the Senate:

"I, solemnly declare that I will, so far as in me lies, be faithful to the trust committed to me as president of The Colleges of Medicine of South Africa NPC, and I pledge myself in all loyalty to the service of the College; I will diligently pursue the objects of its foundation, and I will without fear, favour or prejudice uphold the Mol and Rules of the College, and the just rights of all members."

Declaration by officers-elect

21. Any other officer-elect before entering upon his/her office shall make the following declaration before the Senate:

"I, solemnly declare that I will, so far as in me lies, be faithful to the trust committed to me as vice-president (chairperson of the examinations and credentials committee, chairperson of the education committee, honorary treasurer, honorary registrar or other honorary officer as indicated), and I pledge myself in all loyalty to the service of The Colleges of Medicine of South Africa NPC".

TEMPORARY SUBSTITUTES FOR HONORARY OFFICERS

22. In the case of emergency, the president of the CMSA may appoint temporary substitutes for honorary officers and report their actions to the next meeting of the Senate.

HONORARY EDITOR

Appointment and duties of honorary editor

23. (1) The honorary editor shall be appointed by the finance and general purposes committee, from amongst the members of the CMSA, and shall be appointed triennially at its meeting held immediately after the ordinary general meeting, provided that the operation of

the Rule may be held in abeyance by the Senate for such time as the Senate in its discretion considers it appropriate.

- (2) If and when appointed the honorary editor shall be responsible for editing the publications of the CMSA under the direction of the finance and general purposes committee.

Appointment of assistant honorary editor

24. An assistant honorary editor may be appointed by the finance and general purposes committee, from amongst the members of the CMSA, if the Senate in its discretion considers it necessary.

ARCHIVES LIBRARY

Appointment and duties of honorary librarian

25. An honorary librarian may be appointed triennially by the finance and general purposes committee, from amongst the members of the CMSA at its meeting held immediately after the ordinary meeting, provided that the operation of the Rule may be held in abeyance by the Senate for such time as the Senate in its discretion considers it appropriate.
26. If and when appointed, the honorary librarian shall have charge of the library under the direction of the finance and general purposes committee. He/she shall suggest to the finance and general purposes committee the books to be purchased or rebound, and such other requirements as may be necessary for the usefulness and proper maintenance of the library. He/she shall enter, or cause to be entered in the library catalogue, all books purchased by or presented to the CMSA.

TERMS AND CONDITIONS OF EMPLOYMENT OF SALARIED PERSONNEL

27. Subject to any existing contractual arrangements, the salaries, terms and conditions of service, hours and holidays of all salaried employees of the CMSA shall be determined from time to time by the finance and general purposes committee, in accordance with law and under the direction of the Board.

ANNUAL ACCOUNTS AND REPORT

28. Without derogating from the provisions of the Mol, the Senate may from time to time cause an abstract, approved of by the auditors, of the balance sheet and accompanying accounts and reports so far as relevant, to be published,

and may further cause a report of the annual ordinary meeting of the CMSA to be sent to all members whose names are on the Register.

BANKERS AND SIGNATORIES TO CHEQUES

Choice of bankers by whom cheques and authorisation forms signed

29. (1) The Board may from time to time determine who shall be the bankers of the CMSA.
- (2) All cheques or authorisation forms or electronic fund transfers shall be signed by the honorary treasurer and the CEO, or failing either one of them, one of such members of the Board as may be appointed by the finance and general purposes committee as signatories.

MEETINGS

ORDINARY GENERAL MEETING

Time of holding meeting

30. (1) Subject to paragraph 35 of the Mol, an ordinary meeting of the CMSA shall be held before the expiration of six months after the completion of each financial year of the CMSA, and the date and place of the meeting shall be fixed by the Senate.

Business of meeting

- (2) The business of an ordinary meeting shall be to receive and consider the income and expenditure account and balance sheet, the reports of the Board, the Senate and of the auditors, to receive a report as to the election (if any) of Senators and Constituent College Councils, to consider any motion proposed by the Senate or any member and any other business which ought to be transacted at an ordinary meeting in terms of the Mol.

SENATE MEETING

Motion of censure

31. In the event of any motion being brought forward for the censure or removal of any Senator, Director, officer or examiner of the CMSA, the vote shall be taken by ballot.

Minutes

32. A copy of the unconfirmed minutes of any meeting of the Senate shall be issued to reach Senators as soon as practicable after the meeting.

COMMITTEES

BOARD OF TRUSTEES

Constitution and rights of the board of trustees

33.
 - (1) There shall be a board of trustees of the CMSA to manage matters related to fund-raising and the investment of funds raised by the board of trustees.
 - (2) The board of trustees shall be constituted every 3 years at the first meeting of each new Senate and shall consist of not less than 9 members or such greater or smaller number (at all times being an odd number) as the Senate may from time to time decide; provided always that in case the Senate decides to reduce the number of trustees, such reduction shall not be to a number less than seven.
 - (3) The board of trustees shall comprise medical and non-medical persons and it shall be in the discretion of the Senate to determine whether a trustee has been appointed in the capacity of a medical or a non-medical trustee.
 - (4) The trustees shall be:
 - (a) the president of the CMSA for the time being, as the deputy chairperson of the board of trustees, or his/her delegate;
 - (b) such additional persons as may be appointed by the Senate of the CMSA, provided always that not less than one half of the

trustees thus appointed shall be members of the CMSA, one of whom shall be the immediate past president of the CMSA;

- (c) an honorary treasurer, who shall, unless otherwise directed by the Senate, be the honorary treasurer of the CMSA.
- (5) The newly constituted board of trustees shall take office at the first meeting of the board after every new Senate is elected and at that meeting, the board of trustees shall elect a chairperson from amongst the non-medical trustees.
- (6) The activities of the board of trustees, its meetings and other deliberations shall be determined from time to time by the board of trustees and any disputes shall be referred to the Senate which shall determine the resolution of such a dispute.

RISK COMMITTEE

Constitution and rights of the committee

- 34. (1) There shall be a risk committee to ensure that effective risk management, including risk identification, assessment, intervention and ongoing monitoring, is present and maintained in all the CMSA functions and structures.
- (2) The risk committee shall consist of:
 - (a) three members of the Senate elected triennially at the first ordinary meeting of the new Senate, but with the proviso that to be eligible for election, such members shall have served a minimum of one triennium on the Senate;
 - (b) one member nominated by the CMSA board of trustees;
 - (c) any person of good standing who shall be external to the professional activities of the CMSA and who possesses the requisite experience, knowledge and skills in audit and risk management in the corporate environment;
 - (d) the honorary treasurer; and
 - (e) the company secretary.
- (3) The chairperson of the committee shall be drawn from any of the individuals with suitable experience identified in (b) or (c) above.

- (4) The vice-chairperson of the committee shall be a senior member of the Senate who is not a Director and shall be one of the individuals identified in (a) above.

POWER OF CONSTITUENT COLLEGE COUNCILS, COMMITTEES, SUBCOMMITTEES TO CO-OPT MEMBERS

35. (1) All Constituent College Councils, committees or subcommittees of the Senate shall be entitled to co-opt additional members with the consent and approval of the president of the CMSA and such co-opted members may be persons who are not members of the CMSA.
- (2) Co-opted members shall not exceed two-fifths (rounded up to the next number) of the total membership of the relevant Council, committee or subcommittee.

TIME LIMIT FOR BUSINESS OF COMMITTEES OR SUBCOMMITTEES AND THEIR DISSOLUTION

36. In the case of committees or subcommittees, other than the standing committees, a time shall be fixed by the Senate within which the business entrusted to the committee or subcommittee shall be finished and reported to the Senate. When a committee or subcommittee, other than a standing committee, has made its final report to the Senate, it shall be automatically dissolved, unless the Senate shall otherwise determine.

EXAMINERS

Appointment of examination panel

37. The Constituent College Councils shall be required to constitute panels of examiners for their own disciplines, from which the examinations and credentials committee shall select the examiners to act at each examination.

Duties of examiners

38. The examiners shall enquire into and test the knowledge and competencies of candidates in accordance with the Mol and the Rules laid down for each examination and shall render their reports to the Senate.

Honoraria and fees for examiners

39. Honoraria and fees for examiners shall be fixed from time to time by the Senate, on the recommendation of the examinations and credentials

committee and with the approval of the finance and general purposes committee.

MEMBERSHIP OF THE CMSA

- 40. The Senate may from time to time elect and admit persons to be members of the CMSA in accordance with the provisions of the Mol.

Election of Fellows, Certificants and Diplomates

- 41. The examinations and credentials committee shall review all applications for admission to the aforesaid status of members, shall examine the professional and ethical standing of candidates and shall report its recommendations to the Senate.

Requirements for enrolment as a member

- 42. No person shall become or be enrolled as a member, or use the relevant designation until he/she has fulfilled all the conditions set out in the Mol and Rules, signed such declarations as may from time to time be prescribed by the Senate, and be formally admitted.

The form of the aforesaid declaration is as follows:

DECLARATION

I, do solemnly and sincerely declare:

That while a member of The Colleges of Medicine of South Africa NPC (CMSA) I will at all times do all within my power to promote the objects of the CMSA and to uphold the dignity of the CMSA and its members;

that I will observe the provisions of the Mol, the Rules, and Code of Ethics of the CMSA as in force from time to time;

that I will obey every lawful summons issued by order of the Board or the Senate of the CMSA, having no reasonable excuse to the contrary;

and I make this solemn declaration faithfully promising to adhere to its terms.

Dated at this day of

.....
Signature

.....
Witness (who must be a member or

Commissioner of Oaths)”

Admission in absentia to Fellowship, and to the status of a Certificant or Diplomate

43. A Fellow, Certificant or Diplomate may be admitted *in absentia*, if in the opinion of the Senate, the circumstances are such as to justify this.

Certificate of Fellowship and of the status of a Certificant or Diplomate

44. Each Fellow, Certificant or Diplomate shall be entitled to the appropriate form of certificate under the seal of the CMSA.

Conditions of Honorary Fellowship and Fellowship ad eundem

45. (1) Honorary Fellows and Fellows *ad eundem* shall be formally admitted by the president of the CMSA at a ceremonial gathering of the CMSA.
- (2) Honorary Fellows or Fellows *ad eundem* shall be required to sign an appropriate form of declaration as authorised by the Senate.
- (3) Honorary Fellows or Fellows *ad eundem* shall not be required to pay any registration fee or subscription.
- (4) Honorary Fellows or Fellows *ad eundem* shall not, by virtue of holding such title, be entitled to exercise the rights and obligations of members as provided for in the Mol.
- (5) Existing members who become Honorary Fellows or Fellows *ad eundem* shall not by reason of that appointment be precluded from continuing to exercise all the rights and privileges to which they were previously entitled by virtue of their membership.

Privileges of members who do not hold an examination qualification

46. Founders, Associate Founders and Associates shall have the same privileges as Fellows, Certificants, Members and Diplomates but they shall not be entitled to use any abbreviations behind their names denoting their membership.

Canvassing

47. No member shall either directly or indirectly canvass for election or re-election to the Senate or for appointment or re-appointment to any office in the CMSA; and no member shall either directly or indirectly solicit recommendations from any member for any advancement.

Disciplinary action

48. If at any time it shall be brought to the notice of the Senate that any member of the CMSA has obtained admission into the CMSA by false statement, fraud or imposition, or that any member has been convicted of any criminal offence or has acted in any respect in a dishonourable, disgraceful, improper or unprofessional manner, or that he/she has been guilty of conduct which when regard is had for his/her profession or calling is dishonourable, disgraceful or improper, or that he/she has acted in a manner calculated to bring discredit on the CMSA or to render him/her unfit to remain a member or that he/she has violated any provision of the Mol or the Rules of the CMSA relating to members, as the case may be, the president of the CMSA and the Senate may call the member before them and having investigated the case and found the charges proved, may censure and admonish him/her, or if they deem the case to be of such a degree of gravity as cannot be adequately dealt with by censure and admonishment, the Senate may remove such member from the register, subject to compliance with the Mol.

Membership Register

49. The full details of members of the CMSA are captured on an electronic database and shall be regarded as privileged information.

Use of archives library

50. Members shall be privileged to read in the library , subject to such rules and regulations as may from time to time be made by the finance and general purposes committee.

SOUTH AFRICAN DEMOGRAPHY

51. Senate shall from time to time take whatever steps it deems necessary to ensure that the membership of the Senate, councils and committees reflect the demography of the Republic of South Africa.

CONFLICT BETWEEN MOI AND RULES

52. In case of any conflict between the Rules and the Mol, the provisions of the Mol shall prevail.