

THE ASSOCIATION FOR CLINICAL BIOCHEMISTRY AND LABORATORY MEDICINE

General guidance on the application of these Bye-laws

All new or proposed Bye-laws or variations to Bye-laws must be submitted to a general meeting. The notice of the general meeting should explain the Bye-law in question. Members have the right to approve, amend or reject the proposal. A simple majority vote of those voting is necessary. Bye-laws which change any existing rules must be approved by a general meeting before they are effective, but Bye-laws on new matters are effective until the next general meeting when Members must be given the opportunity to confirm, amend or cancel them. If such rules were contained in the Articles instead of in the Bye-laws, any proposed change would require a 75% majority; Members could vote for or against the change but could not amend it; if passed, notice of the resolution would need to be filed at Companies House. Bye-laws are subject to the Memorandum and Articles. To the extent that they conflict with the Memorandum and Articles they are invalid.

BYE-LAWS

1 Applications for Membership

All Members must sign an application form or signify their wish to be entered as Members and their willingness to be bound by the rules of the Association.

2 Classes and Categories of Membership and Eligibility

2.1 Voting Members

2.1.1 Ordinary Members

Persons admitted as ~~Ordinary~~ Members shall be a health professional with an interest in ~~Clinical Biochemistry and/or~~ Laboratory Medicine ~~in the UK or Ireland~~, but may continue their membership after retirement from active professional life. Admission to membership is at the discretion of Council and the decision of Council is final. Candidates shall be elected to membership of the Association by Council on the advice of its officers, but Council shall not change the conditions under which Members shall be admitted without reference to a General Meeting of Members.

~~2.1.1.1 Ordinary Overseas Members~~

~~Persons admitted as Ordinary Overseas Members shall be a health professional with an interest in Clinical Biochemistry and/or Laboratory Medicine resident outside of the UK or Ireland, but may continue their membership after retirement from active professional life. Admission to membership is at the discretion of Council and the decision of Council is final. Candidates shall be elected to membership of the Association by Council on the advice of its officers, but Council shall not change the conditions under which Members shall be admitted without reference to a General Meeting of Members.~~

2.1.1.2 Honorary Members

Persons who have made a distinguished contribution to ~~Clinical Biochemistry and/or~~ Laboratory Medicine at international level may, following the recommendation of Council and by a majority of at least two-thirds of those voting at a General Meeting, be elected Honorary Members of the Association.

2.1.2 Emeritus Members

Persons who have been ~~Voting~~ ~~Ordinary~~ Members of the Association for at least ten years and have retired from full-time employment and who have made an exceptional contribution to the objects of the Association may, on the recommendation of Council and by a majority of at least two-thirds of those voting at a General Meeting, be elected Emeritus Members of the Association.

2.1.3 Fellow Members

Persons who have been ~~Voting Members~~ ~~Ordinary~~ or Affiliate Members of the Association for at least ten preceding consecutive years and have retired from full-time employment may, on the recommendation of Council and by a majority of at least two-thirds of those voting at a General Meeting, be awarded the title of Fellow.

2.2 Non-Voting Members

2.2.1 Retired Members

Normally, at the discretion of Council, persons who have been ~~Ordinary~~ Members of the Association for not less than ten preceding years upon retirement from full-time employment may become Retired Members of the Association on the first day of the subscription year following retirement. They shall not be eligible for membership of Council. They shall receive all papers relating to General Meetings of the Association and notices of meetings organised by the Region in which they reside. Retired Members shall be able to purchase for their personal use any of the Association's publications at concessionary rates as determined by Council.

2.2.2 Student Members

Persons who are undergraduates or wholly grant supported post-graduate research students ~~resident in the United Kingdom and who are not subject to UK income tax~~ may at the discretion of Council be admitted as Student Members. Applications for admission to Student Membership shall be submitted in the same form as that for ~~Ordinary~~ Membership. Written application must be made at the beginning of each subscription year to renew membership with evidence that the applicant is still a student. Student Membership shall cease on the final day of the subscription year of completion of studies but on gaining permanent employment the person may, at the discretion of Council, be admitted to ~~Ordinary~~ ~~Voting~~ Membership (2.1.1).

~~2.2.2.1 Overseas Student Members~~

~~Persons who are undergraduates or wholly grant supported post-graduate research students not resident in the United Kingdom and who are not in employment may at the discretion of Council be admitted as Overseas Student Members. Applications for admission to Overseas Student Membership shall be submitted in the same form as that for Overseas Ordinary Membership. Written application must be made at the beginning of each subscription year to renew membership with evidence that the applicant is still a student. Overseas Student Membership shall cease on the final day of the subscription year of completion of studies but on gaining permanent employment the person may, at the discretion of Council, be admitted to Overseas Ordinary Membership.~~

2.2.3 Federation Members

Persons who are engaged in the practice of laboratory medicine or allied disciplines holding academic qualifications equivalent to those required for ~~Ordinary~~ Membership, who ~~wish joined~~ to be represented by the Federation ~~for trade union support only but for whom wider participation as Members of the Association is inappropriate~~ may, at the discretion of Council, ~~be admitted to maintain~~ Federation Membership.

2.2.4 Temporary Retired Members

~~Ordinary~~ Members of the Association ~~resident in the United Kingdom~~, who undertake a career break or become temporarily retired, may, ~~at the discretion of Council~~, on application, become Temporary Retired Members. Such Members shall confirm at the beginning of each subscription year that they are not in employment. They shall not be eligible for membership of Council.

~~2.2.5~~ **Temporary Members**

~~Non-members with an interest in Clinical Biochemistry and/or Laboratory Medicine who wish to register to attend a scientific meeting of the Association may become Temporary Members for the duration of the meeting. Temporary Members shall not be entitled to discounts or subsidies applicable to Ordinary Members.~~

~~2.2.56~~ **Corporate Members**

~~Companies or corporate bodies who supply goods and/or services to Clinical Biochemistry and Laboratory Medicine laboratories may, at the discretion of Council, be admitted to Corporate Membership of the Association. The name of Corporate Members must be published. Nominated employees of Corporate Members may attend meetings of the Association other than General Meetings, and the Honorary Meetings Officer shall be notified in advance of the names of such employees as will attend and shall have discretion to admit, or refuse admission, to such employees. Corporate Members shall be given copies of Association publications on the same terms as Ordinary Members, or multiples of such copies as Council may decide. Corporate Members may, at the discretion of the Honorary Meetings Officer, participate in exhibitions (but not for sale of products) at Association meetings. Corporate members will be considered to be Sole Traders on a recommendation from the Corporate Members Executive, and subject to the agreement of Council.~~

~~2.2.7~~ **Temporary Corporate Members**

~~Companies or corporate bodies who supply goods and or services to Clinical Biochemistry and Laboratory Medicine laboratories and who wish to exhibit (but not for the sale of products) at a single Association meeting only, may at the discretion of Council be admitted to Temporary Corporate Membership of the Association for the duration of the meeting. Temporary Corporate Members shall not be entitled to discounts or subsidies applicable to Corporate Members.~~

3 **Voting Rights**

~~Ordinary, Honorary, Emeritus and Fellow Members (with the exception of Student, Federation, Corporate, Retired and Temporary Retired)~~ will have full voting rights at all General Meetings. Each such Member shall have one vote. No other class of Members will have any right to vote at General Meetings.

4 **Subscriptions**

Members shall pay a subscription to ~~the Director of Finance of~~ the Association in the year of their application for membership, and annually thereafter if elected by Council.

4.1 The amount of the subscription for ~~Ordinary~~ Members shall be determined by a vote at a General Meeting.

4.2 The amount of any subscription for ~~Retired and Student~~ Members shall be determined by a vote at a General Meeting.

4.3 Members who are only Members of the Federation shall pay an annual subscription appropriate to the operation of Trade Union activities, which will be determined at the Annual General Meeting of the Federation.

~~4.4 Student Members shall pay a lower subscription which will be determined annually by Council.~~

~~4.45~~ Corporate Members shall pay an annual subscription which will be determined annually by Council

~~4.56~~ Honorary, Emeritus, Fellow, and Temporary Retired Members shall pay no subscription.

~~4.67~~ Corporate Membership of the ACB for Sole Traders will be set at an appropriate rate as determined by Council and recommended by the Director of Finance. The rights of Sole Trader Corporate Members will in all other aspects be comparable to those of other Corporate Members as given under Bye-law 2.2.6.

5 **Members' Obligations to the Association**

Members are obliged to comply with the Code of Conduct established by the appropriate registration body, the Health and Care Professions Council, the General Medical Council or other registration bodies as appropriate and in addition will also comply with the Code of Conduct of the Association.

6 **Matters Relating to the Election of Council Members**

6.1 **The President**

The President is elected for four years, one as President Elect, two as President and one as Past President and is not eligible for re-election for a second term. The Nominations Committee will receive nominations from the Membership and suggest candidates to Council who will elect the President. Election shall be by a simple majority of the elected members of the Association Council. This decision is then taken to a General Meeting for ratification.

6.2 **The Directors**

The maximum continuous tenure of the office of Director of Finance, Director of Education, Training & Workforce, Director of Scientific Affairs, Director of Clinical Practice, Director of Regulatory Affairs, Director of Publications & Communications, Director of Conferences & Events, Chair of the Immunology Professional Committee, Chair of the Microbiology Professional Committee and Company Secretary shall be five years, renewable annually, whether in one or more of these capacities. In exceptional circumstances, and with the agreement of Council, Directors can stand for election for a maximum of a further two years. Any extended tenure of the post of Director of Regulatory Affairs shall be covered by the Rules of the Federation and renewable annually at the Federation AGM. Periods in office shall commence and cease at the conclusion of the Annual General Meeting. At a convenient time during the year the Company Secretary shall give call for nominations for all offices requiring to be filled. The call for nominations will be notified to members in the next available issue of the Association's magazine, including the deadline for nominations. Nomination must be made on the official form, which must be signed by three current ~~Ordinary Voting~~ Members and the nominee and must be returned to the Administrative Office by the deadline for nominations. Any nominee must be an ~~Ordinary Voting~~ Member. If there is more than one nominee, a ballot will be held.

6.3 **Ordinary Members Elected by the Membership as a Whole ('National Members')**

National Members elected by the membership as a whole are elected by ballot for 3 years. As far as possible only one National Member shall retire each year and in certain circumstances this may lead to a National Member's period of office being extended for a further year. National Members are not eligible for re-election as Ordinary Members to serve for two consecutive 3 year terms, but a National Member may be elected during or at the conclusion of their period in office as a Director or President. Procedures for nomination shall be similar to the procedures for nominating Directors.

6.4 **Ordinary Members Elected by Regions ('Regional Members')**

Regional Members elected by Regions are elected for 3 years. The method of election and procedures for nomination shall be determined by the Regions, subject to the approval of Council who shall only intervene if it appears that the method selected by the Regional Committee is causing dissatisfaction among the Sections in that Region or among a large number of ~~Ordinary~~ Members of the Association. Regional Members are not eligible for re-election as Regional Members for two consecutive three year terms, but in certain circumstances a Regional Member's period of office may be extended for a further year subject to the approval of Council. A member may be re-elected as Regional Member during or at the conclusion of their period in office as a Director or President.

6.5 **Vacancies**

Council may appoint persons to fill any vacancies in their numbers. Any person so appointed shall stand down at the next Annual General Meeting and may offer themselves for re-election. If an appointed member of Council or any Officer is re-elected by the Members the period prior to the Annual General Meeting at which their election takes effect shall not be counted in calculating their period of office.

7 **Non-Executive Director (NED)**

Council may appoint a person to fill this vacancy for a period of 3 years. NED is eligible for reappointment for a second consecutive three-year term of office subject to the approval of Council. Thereafter NED is not eligible for reappointment for a further three years. The appointee can not be a member or past member or employee or past employee of the Association.

8 **Regional Committees**

- 8.1 A regional levy may be requisitioned for expenses for Regions in the United Kingdom or Republic of Ireland.
- 8.2 The amount of money requisitioned from the Director of Finance for Regional expenses will be limited to one tenth of the subscriptions of all the Members assigned to that Region.
- 8.3 The Director of Finance will require separate accounts to be kept related to the operation of the Federation of Clinical Scientists.

9 **Ballots**

- 9.1 All electronic ballots will be secret and will be conducted by the Senior Administrative Officer of the Association. All voting Members will be sent details electronically of how they can vote providing the member has given their prior consent to this method of communication and the onus is on the member to provide a current valid email address. All other voting members will be sent postal ballots. On the deadline for the ballot two members of the Administration office staff, including the senior administrator or deputy, plus a non-voting witness – usually a retired member familiar with the needs and mechanisms – will check the electronic voting returns and validate their eligibility, together with the procedure defined below for postal returns.
- 9.2 All postal ballots will be in secret and will be conducted by the Senior Administrative Officer of the Association according to the following procedure: Voting forms will be sent to all voting Members, coded to minimise fraud, together with a reply-paid self-addressed envelope for the voting return, a letter of explanation for the vote with instructions and deadlines and, in the case of a proposal for the election of a member of Council or other body, a CV or other material from the nominee. Returned pre-paid envelopes received before the deadline for the postal ballot will be stored unopened securely until the deadline. Voting returns arriving in a plain envelope will be resealed unread and will be reopened and counted in the ballot. Returned pre-paid envelopes received after the deadline will be stored separately unopened and will not be counted in the ballot. On the deadline for the postal ballot two members of the Administration office staff, including a senior administrator or deputy, plus a non-voting witness – usually a retired member familiar with the needs and mechanisms – will check the voting returns by each of them in turn opening one envelope, validating the voting return and including it in the count. Invalid returns will be kept separate and not included. Once all returns have been opened each of the three persons conducting the ballot will perform the count and repeat it if they do not agree on the result. Close counts (with a majority of less than 10 votes) will automatically be re-verified and recounted. The agreed result of the ballot will be signed off by all three persons conducting the ballot. The result will be notified to appropriate parties, including any nominee for election, and will be published subsequently in the Association’s monthly journal. Valid and invalid voting papers, together with other paperwork relating to the ballot, will be boxed and stored sealed for a period of 2 years before disposal.