

Constitution BMS of NSW

About the Bangladesh Medical Society of NSW

Mission:

To promote the art and science of medicine and the betterment of public health. Our mission is to promote goodwill, good health and exchange knowledge among the members and the populations within the community and abroad.

Core Values:

Leadership

Excellence

Integrity and Ethical Behaviour.

Vision:

To be an essential part of the professional life of every Medical Graduate and doctor of Bangladeshi origin.

The Bangladesh Medical Society of NSW helps doctors help patients by uniting Medical Graduates nationwide to work on the most important professional and public health issues.

BMS policy on issues in medicine and public health relevant to its community is decided through its democratic policy-making process.

BMS of NSW is a non-profit organization.

Constitution

Article I

The name of this organization is the Bangladesh Medical Society of NSW

Article II

The objects of the Society are to promote the science and art of medicine, the betterment of public health, and to represent the issues particular to the medical profession in Australia.

Article III

The Bangladesh Medical Society of NSW shall be composed of medical Graduate and doctor of Bangladesh origin either by birth or descent who lives in Australia

Article IV

The governing body of the BMS shall be the Executive Committee, which shall be composed of elected members.

Article V

The Officers of the Society shall consist of a President, three Vice-Presidents (Vice President-1, Vice President -2 and Vice President -3), a Treasurer, a General Secretary, two Joint Secretaries, an

Organizing Secretary, an Education Secretary, a Publication Secretary, a Social Welfare and Cultural Secretary, and 16 members. The role of Joint secretaries shall be determined by president and General secretary as required.

Article VI

Meetings of the Executive Committee and of the General Membership shall be conducted as described in Section C under Article X.

Article VII

Funds may be raised by dues; alternative arrangement of fundraising activities may take as per the decision of the Executive Committee.

Article VIII

Amendments to this constitution may be made, provided that they shall be presented to the executive committee (EC) for discussion and resolution. EC then may decide to send any matter to the constitution subcommittee for scrutiny. Constitutional subcommittee shall submit their proposal back to the Executive Committee for initial approval by two thirds majority. Final approval requires two-thirds vote of the members present in the general meeting, provided the quorum is filled.

Article IX

Benevolent Fund Committee shall be an independent committee. It will be formed in the annual general meeting by election with mandate of one year duration. It will consist of a chairperson and four members. This committee will make their policies and guidelines for the conduct of its affairs in harmony with the constitution and wishes of general members. Executive Committee and Benevolent Fund Committee's duration will be one year.

Article X

Organization:

Section A: Definition

A.1 The Bangladesh Medical Society of NSW (hereafter referred to as BMS).

A.2 The BMS shall be governed by the Executive Committee (referred to as EC)

Section B: Membership

The BMS shall consist of those Medical Graduates/doctors in good financial standing with the BMS.

B.1 There shall be three categories of membership

a) **Life member** shall be offered to general members who already paid \$1000 of subscription at a time.

b) **General member** – Yearly membership fee is required. Membership Financial year: 1st of January to 31st of December of each year.

c) **Honorary member:** As required EC shall determine the honorary member and approved by the annual general meeting. An Honorary Member shall be entitled to all the rights and privileges of general members except voting rights. Honorary Member shall not be liable to pay an annual subscription for membership.

B.2 Eligibility – General membership will be offered to a Medical Graduate and doctors who are Bangladeshi in origin either by birth or descent and lives in Australia.

B.3 Funds may be raised by payment of membership fees.

B.4 Good Financial Standing shall be defined as having paid the membership dues for the period equivalent of a year (i.e., 1st January to 31st December of each year).

B.5 The executive committee shall abide by the constitution. Members shall be bound by the decisions of the Executive Committee. Executive Committee may vary membership dues according to the financial ability of respective group of medical graduates.

Section C: Meeting

C.1 General Meetings of BMS shall be open to all financial members.

C.2 Executive Committee meetings shall be called (2 weeks' notice) at the discretion of the President, and open only to members of the Executive Committee, or those others specifically invited at the discretion of the Committee. Electronic meeting (zoom meeting) may be held in special circumstances where face to face meeting practically appeared to be impossible, informed electronic agreement and consent received by all and implementation process can proceed prior to the next Executive Committee meeting.

C.3 There shall be at least one meeting of the General Members annually known as Annual General Meeting – AGM. There may have additional meetings of the general membership known as Special General Meeting. The quorum of the general meeting shall consist of 30 members.

C.4 Notice of Meeting

At least 14 days clear notice of the holding of a General Meeting specifying the place and day and the time of the meeting shall be given to the Financial Members entitled to receive notice in the manner provided in this Constitution. The non-receipt of a notice by or the accidental omission to give notice to any Member shall not invalidate the proceedings at any General Meeting.

C.5 Quorum shall consist of a one third majority of the seated officers of the Executive Committee.

C.5.1 In the case of General Members meetings, quorum shall consist of at least 30 members within an hour of commencement of the meeting. If within an hour from the time appointed for the Meeting a quorum of Members is not present, the Meeting if convened upon the requisition of Members shall be dissolved. In any other case it shall stand adjourned to the same day in the following week at the same time and place and if at the adjourned Meeting a quorum of Members is not present those present shall be a quorum.

C.6 Sub-Committee meetings shall be held at the discretion of the respective sub-committee chairs.

C.6.1 In the case of sub-committee meetings, quorum shall consist of one (1) of the sub-committee members.

C.6.2 The Chair of a subcommittee shall be considered a committee member.

C.7 All meetings shall be conducted as per the guidelines of Robert's Rules of Order (Simplified Robert's rules of Order .pdf. is attached) unless otherwise it is specified in this constitution

C.8 In case of an emergency or in any crisis period if President fails to call an EC meeting, then EC meeting may be called by any member of the EC committee provided, he has support of two third of EC members by writing.

C.9 Annual General Meeting

The business of an Annual General Meeting shall be:

1 (a) The reception, discussion and consideration of the Accounts, Balance Sheets and ordinary Reports of the Treasurer, Secretaries of the Executive Committee and of the Auditors.

1 (b) Executive Committee will set up the agenda to be discussed in general meeting. There shall be a session open up for the general members for questions and answers (Q and A).

1 (c) To transact all business required by statute, by this Constitution.

Section C.10: Advisory Council:

There shall be an advisory council to support Executive committee if needed. Members of advisory council preferably should limit within 10 members. President will call the express of interest among the past EC members. Finally, EC will nominate preferably 10 advisory council members. They are welcome to attend in every EC meeting and will be entitled to take part in agenda discussions. They will also receive a copy of regular emails between Executive Committee members and notices.

Section D: Powers and Functions

D.1 Any and all polices pertaining to the BMS of NSW can be brought forth to the executive committee by any member of the BMS of NSW.

D.2 All proposed policies, resolutions, or issues that have been brought forth to the executive committee shall be debated and voted on by the executive committee. All decisions of the executive committee usually shall be approved by a simple majority, save where otherwise specified.

D.3 Voting shall be conducted according to presidential prerogative.

D.4 Any member can request funds for projects pertaining to BMS interests.

D.4.1 Requests for funds must be submitted in writing.

D.4.2 Allocations up to and including \$500.00 shall require approval of the president.

D.4.3 Allocations more than \$500.00 shall require approval of the executive committee.

Article XI

Executive Committee (EC)

Section A: Membership

A.1 The Executive Committee shall consist of the following officers: a President, three Vice-Presidents (Vice President -1, Vice President -2, Vice President-3), a Treasurer, a General Secretary, two Joint Secretaries, an Organization Secretary, an Education Secretary, a Publication Secretary, a Social welfare and Cultural Secretary, and 16 members.

A.2. The immediate past-President shall be placed in the Executive Committee as Ex-officio member.

A.3.General Secretary shall call the EC meeting by the direction of the President.

A.4. Discipline

The Executive Committee shall have the power on the representation or complaint of any Members of the BMS to investigate the issues. Depending on the circumstances EC may form a special disciplinary action committee to inquire the matter. Judgement may vary from simple warning to expulsion depending on the severity of the offence.

- (a). At least 14 days' notice in writing of the motion shall be given to the member concerned to address Disciplinary action committee it's defence.
- (b) Disciplinary action committee shall end their investigation in a reasonable time. They shall submit their decision to the EC committee for approval by two third majority.

A.5 Entitlement to Inspect Books

Each Member is entitled to inspect the books and documents of the BMS but not any of the following:

- (a) Those relating to personal matters concerning a particular individual.
- (b) Those relating to personal hardship of any Member.
- (c) Those containing information relating to matters of ethics or professional conduct concerning a particular individual.
- (d) Those containing information given to the BMS in confidence.
- (e) Those containing legal advice or any matter that would be privileged from production in legal proceedings on the ground of legal professional privilege

Article XII Elections

A.1. Three Election Commissioners shall be appointed by the Executive Committee. Among them Executive Committee shall appoint one election commissioner to serve as a Chief Election Commissioner.

A.2. The electoral procedure shall be the prerogative of the Election Commissioners.

A.3 The date, time and venue of the general election shall be declared by the Election Commissioners who must serve a general notice of election schedule on the website of BMS-NSW and/or by email to the voters at least 4 weeks before the general election date.

A.4. Nominations for positions of the executive Committee and Benevolent fund committee (Chairman and four members), shall be submitted to the Election Commissioners as per schedule.

A.5. The tenure of the committee shall be for one year from March to March. The general election may not be delayed beyond March of the year.

A.6. Last date for nomination submission will be three weeks before Election Day. Last date of withdrawal will be preferably two weeks before the Election Day. The final list of the nominated members will be posted in the BMS -NSW website and or emailed to voters soon after the withdrawal date at least clear 7 days before the election date.

A.7. Members may nominate themselves.

A.8. Nominations shall be submitted in writing or email.

A.9. General member with updated membership contribution in due time will be the voter of upcoming election of BMS- NSW. To be eligible for voter membership subscription fee must be deposited and fund should be clear to BMS account by midnight 7th of February each year. Any person who is the voter of BMS can be nominated for any position in the Executive Committee.

A.10. Elections shall take place in March every year. It can be delayed in unavoidable natural calamities or unavoidable circumstances. Executive Committee initially shall recognise such circumstances with two third majorities. Final approval is required in General meeting of general members by two third majorities.

Article XIII

Responsibilities and functions of Office bearers

Section A: President

A.1 The President shall serve as the chief liaison between the BMS and all other organizations and persons. The President will be the "Public Officer" to the Department of Fair Trading.

A.2 The President shall chair the Executive Committee and shall be an ex-officio member of all BMS sub-committees.

A.3 The President shall not have a vote on the Executive Committee except in the case of a tie.

A.4 The President shall determine the agenda for Executive Committee meetings. The President will forward the agenda to the Secretary for publication at least one (1) week prior to the meeting date, except in the case of emergency meetings.

A.5 The President shall have the sole authority to allocate funds up to and including \$500.00 without prior approval of the Executive Committee.

A.6 President including EC members and all Members of BMS have got constitutional bindings. The president shall ensure that the BMS is running as per constitution. President shall also work as per guidelines and decision taken by the EC usually by the simple majority unless otherwise specified.

Section B: Vice-President

B.1 The Vice-Presidents shall be responsible for all activities allocated to them by president.

B.2 In case of resignation or leave of absence by the President, the Vice-President 1 shall act as Interim President until the President assumes office. Vice-Presidents 2 or 3 will then assume the position of Vice-President 1 or 2 respectively.

B.3 The Vice-President 1, General Secretary and Treasurer shall keep a chapter membership list and update on electronic template.

B.4 The Vice-President 1 may obtain room reservations for meetings, speakers, and all other activities pertaining to BMS.

B.5. A vacancy in the office of Vice-President, Treasurer, Other Secretaries, and members shall be filled by the Executive Committee as soon as it is practical by an election by a simple majority to fill the vacant office.

Section C: Treasurer

C.1 The Treasurer shall maintain the account.

C.2 The Treasurer shall prepare cheques for payments or electronic fund transfer.

C.3. All BMS financial debits or reimbursements shall be solely conducted through the BMS bank account.

C.4. All cheques written from the BMS cheque account shall be signed by both the President and the Treasurer.

C.5 The Treasurer shall prepare an account statement for the Executive Committee for each Executive Committee meeting.

C.6 The Treasurer shall prepare both an annual budget for presentation to the Annual general meeting

Section D: General Secretary

D.1 The General Secretary is responsible for keeping minutes and attendance of all Executive Committee meetings and email in 7 days of EC and General meetings.

D.2 The General Secretary is responsible for keeping of all records and documents of the BMS of NSW.

D.3 The General Secretary and other secretaries will work as per guidelines given by the President.

Section E: Publication Secretary

E.1 The Publication Secretary will be the public relations (PR) officer and shall be responsible for maintenance of a web site.

E.2 The Publication Secretary shall be responsible for organizing and keeping an inventory of publicity materials in the storage space provided the organization, and for setting up said materials at BMS functions, when necessary.

E.3 The Publication Secretary shall be responsible for promoting all events.

Section F: Social Welfare and Cultural Secretary

F.1. The Social Welfare and Cultural Secretary is responsible to identify the individuals or group of people in the community or society in Australia or abroad in particular in Bangladesh, who are needy, suffering in a natural disaster or environmental trauma or in a financial hardship. The Social Welfare and Cultural Secretary will hold and manage a number of cultural functions as decided by the EC.

F.2. The Social Welfare and Cultural Secretary is responsible to make a concrete proposal to the EC if any financial help or other help to the individual or the community can make their life easier.

Section G: Sub-Committees

G.1. The Sub-Committees may be formed according to the interests of the BMS to be determined by the existing office bearers and Executive Committee.

G.2. Respective office bearer shall be the chairperson of the subcommittee belongs to them.

G.3. Subcommittee members will assist the chairperson as required.

G.4. Constitution Sub Committee: There shall be a permanent standing Sub-Committee on the Constitution. The process of formation of constitution sub-committee shall be decided by EC with simple majority.

Section H: Terms of Office

H.1 All newly elected EC members shall have a formal acclimatization period of preferably one week from their election during this period, the outgoing EC shall turn over all materials, and make their replacements aware of all resources relevant to their positions.

H.2 All terms of office shall be for one year starting March to March of each year

Section I: Removal from Office

I.1 Executive Committee Members who are remiss in their duties shall be notified of probation by the Committee, and also notified of removal from probation by the Committee

I.2. Three (3) or more documented consecutive absences from the EC meetings shall be considered negligence, and thus, grounds for probation.

I.3. Executive Committee Members, who are on probation, shall be subject to immediate recall at the discretion of the remaining members of the Committee.

I.4. Any member of the Executive Committee can be recalled by a 2/3 majority of the Executive Committee for negligence or wrongdoing.

I.5. Executive Committee Members, who are to be recalled, shall be given one (1) week notice, should they wish to plead their case before the Committee.

Section J: Vacancies in Offices

J.1 In the event of the vacant of the president position, the first Vice-President shall discharge the duties of that office and shall be titled interim President. The second Vice-President will assume the role of first Vice-president.

J.2. A vacancy in the office of Vice-President, Treasurer, any Secretaries shall be filled by the appointment of President subject to approval of simple majority of Executive committee.

Article XIV

Section A: **Amendments**

A.1 Amendments to the constitution shall be presented to the Constitution Sub-Committee by any member in good standing.

A.2 The constitution sub-committee shall scrutiny the proposed changes adopted by EC and will submit proposal of the proposed changes of the constitution to the executive committee for initial approval by the two third majority. The EC may accept or reject any proposal given by the constitution sub-committee.

A.3 The general members shall get notice about proposed changes at least 14 days before the annual general meeting or special general meeting

A.4 The Constitution shall be amended finally by a two-third majority vote of the general members in the general meeting.

Section B: Liability of Members on a Winding Up

Every Member of the Society undertakes to contribute to the assets of the Society in the event that the Society is wound up during the time that he or she is a Member or within one year afterwards for payment of the debts and liabilities of the Society contracted before the time at which he or she ceases to be a Member and the costs charges and expenses of winding up the Society and for the adjustment of the rights of the contributors amongst themselves such amount as may be required not exceeding the sum of \$2.00.

Section C: Auditor

C.1 The Society shall at every Annual General Meeting confirm to the Members that an Auditor has been appointed for the following year.

C.2 No member of BMS of NSW shall be capable of acting as the Auditor.

C.3 The Auditor shall be nominated and appointed and his or her duties regulated in accordance with the NSW Associations Act.

Section D: Notices

D.1 A notice may be served by the Society upon any Member either personally, by email or by sending it through the post in a prepaid letter envelope or wrapper addressed to the Member at his, her or its address in New South Wales that is last known to the Society.

D.2 No notice of Meetings or other proceedings of the Society shall be required to be served on any Member who has no address (email or residential or official) in New South Wales known to the Association.

D.3 Any notice sent by email or by post shall be deemed to have been served on the day following that on which the letter, envelope or wrapper containing the same was posted and in proving service, it shall be sufficient to prove that the letter, envelope or wrapper containing the notice was properly addressed and put into the post office. A certificate in writing signed by the Secretary of the Society (BMS of NSW) that the letter or wrapper containing the notice was so addressed and posted shall be conclusive evidence. Electronic evidence of email sent shall be conclusive evidence. Where a given number of days' notice or notice extending over any other period is required to be given, the day of service shall be counted in the number of days or period.

Article XV: ABOUT FBMSA

Federation of Bangladesh Medical Societies of Australia (FBMSA) is a representative body formed by the representatives of different states/territories medical societies. BMS-NSW was one of the pioneers to form that body.

BMS-NSW as an organisation is one of the members of FBMSA. Doctor as an individual is not the member of FBMSA.

Three representatives from BMS will represent FBMSA every year. They shall be elected preferably from EC by simple majority. They will uphold and represent the interest of BMS of NSW in the Federation.