

THE CONSTITUTION
of the
MEDICAL AND DENTAL CONSULTANTS' ASSOCIATION OF NIGERIA

Adopted by the Annual Delegates Meeting

Held at

Lagos, 20th July, 1991

And amended by the Annual Delegates Meeting, Benin City,

23rd August, 1997 and Delegates meeting in Zaria

On 28th August, 1999.

DECLARATION OF GENEVA

Adopted by the 2nd WMA General Assembly, Geneva, Switzerland, September, 1948. And amended by the 22nd World Medical Assembly, Sydney, Australia, August 1983 and the 35th World Medical Assembly, Venice, Italy, October 1983 and the 46th WMA General Assembly, Stockholm, Sweden, September 1994.

AT THE TIME OF BEING ADMITTED AS A MEMBER OF THE MEDICAL PROFESSION:

I SOLEMNLY PLEDGE myself to consecrate my life to the service of humanity.

I WILL GIVE to my teachers the respect and gratitude which is their due;

I WILL PRACTICE my profession with conscience and dignity:

THE HEALTH OF MY PARENT will be my first consideration;

I WILL MAINTAIN by all means in my power, the honour and the noble traditions of the medical profession.

MY COLLEAGUES will be my sisters and brothers.

I WILL NOT PERMIT considerations of age, disease or disability, creed, ethnicity, gender, nationality, political, race, sexual orientation, or social standing to interfere between my duty and my patient.

I WILL MAINTAIN the utmost respect for human life from its beginning even under threat and I will not use my medical knowledge contrary to the laws of humanity.

I MAKE THESE PROMISES solemnly, freely and upon my honour.

THE CONSTITUTION

Article 1.0

NAME OF THE ASSOCIATION

The name of the Association shall be the “**The Medical and Dental Consultants’ Association of Nigeria**”, **M.D.C.A.N.** for short here-in-after referred to as “The Association”.

ii SUPREMACY OF THE CONSTITUTION:

This constitution is supreme and its provisions shall have binding force on all authorities, organs, chapters and members of the Association and where applicable by any other persons.

Article 2.0

AIMS AND OBJECTIVES

- i.** To promote the achievement and maintenance of the standard of health services throughout Nigeria.
- ii.** To uphold the ethics of the Medical and Dental professions at all times.
- iii.** To promote the professional development of Health and Allied Sciences.
- iv.** To consider regularly National Health issues and advise Government appropriately.
- v.** To advise on Consultancy Services in the various health institutions in Nigeria.
- vi.** To promote the welfare of all Medical and Dental Consultants in Nigeria.
- vii.** To co-operate with organizations which have similar aims and objectives.

Article 3.0

MEMBERSHIP

- i.** Membership of Association is open to any Medical practitioner registered with the Medical and Dental Council of Nigeria and a financial member of the NMA, who has obtained registerable specialist qualification, has been appointed as a Consultant by a Federal or State Government Health Institution. This is without prejudice to whether the officer is currently serving or has left service. Admission to membership shall be through the local branch/chapter which status is granted registered institutions only even when there are multiple campuses or annexes.

RIGHTS OF MEMBERS:

- I. There shall be freedom of thought and expression within the Association.
- II. No person shall be deprived of membership of the Association on grounds of sex, ethnic origin, religion or political beliefs.

3.2 TERMINATION OF MEMBERSHIP

Membership shall be terminated in one of the following ways:

- I. By resignation in writing to the Branch/Chapter Secretary. Resignation shall take effect four weeks after receipt of the written notice by the branch/chapter Secretary. Persons who have resigned their membership may be readmitted after all the arrears of the annual subscription have been paid.
- ii. By removal of the practitioner's name from the Medical or Dental Register. Such a person could be re-instated on application to the Secretary-General only if his/her name has been restored to the Nigerian Medical and Dental Council Register.
- iii. By expulsion, as in Article 19 below.
- iv. By termination of membership of the NMA voluntarily or otherwise. Such a person could be reinstated on the restoration of the membership of the NMA.

Article 4.0

ADMINISTRATION:

The governance of the Association shall be vested in:

- i. The Biennial Delegates Meeting (B.D.M)
- ii. The National Executives Council (NEC)
- iii. The Branches and Chapters of the Association.

Article 5.0

BIENNIAL DELEGATES' MEETING (B.D.M)

- i. The Biennial Delegates' Meeting shall be supreme authority of the Association.
- ii. The Biennial Delegates' Meeting shall meet at least once every two years before the end of November at a venue to be determined by the previous Biennial Delegates' Meeting, provided that the holding of the Biennial Delegates Meeting at any other time shall not by that fact alone invalidate its proceedings.
- iii. The President in consultation with the Secretary General shall have the power to summon the Biennial Delegates' Meeting and Scientific Conference.
- iv. The Biennial Delegates' Meeting and Scientific Conference shall hold once every two years in August. National Officers shall be elected at the B.D.M. and conference biennially.

5.1 AGENDA

- i. The Agenda of the Biennial Delegates' Meeting together with all supporting documents shall be forwarded by the Secretary General to reach the accredited delegates of the chapters/branches not later than one month before the Delegates' meeting.
- ii. The National Executive Council shall have the power to determine the items to be included in the Agenda for the Delegates' Meeting and their listing order provided that the item proposed for inclusion on the agenda may be sent by any chapter/branch to reach the Secretary General not later than two months before the Biennial Delegates' Meeting.

5.2. PRESENTATION AT THE BIENNIAL DELEGATES' MEETING:

- I. Each branch/chapter shall be represented at the Biennial Delegates' Meeting by 2 (two) representatives. A chapter which has more than forty (40) members shall be entitled to an additional delegate for each other extra forty (40) members.
- ii. The National Executive Council may appoint an Ad hoc Credentials Committee to ensure that any accredited delegate "is in good financial standing before the commencement of the Delegates' meeting and may bar any delegate" not in good standing from participating in the Delegates' meeting.
- iii. Each Branch/Chapter shall elect as its accredited delegate(s) only candidates in good financial standing who belong to chapters and have been actively involved in the affairs of the Association.
- iv. The National Executive Council may bar a branch/chapter not in good financial standing from voting or being voted for.

- v. A special Delegates' Meeting may be held at such time and place as the National Executive Council may decide or following the request in the form of a resolution to the National Executive Council by at least six Chapters/Branches of the Association.
- vi. Such a meeting shall be summoned by the President in consultation with the Secretary General, within two months of receipt of such a request.

5.4 **CHAIRMANSHIP OF MEETINGS:**

The President and in his absence, the first Vice-president, shall preside over the Delegates' meeting and NEC Meetings. In the absence of the President and the first Vice President, the second Vice President shall preside. In the absence of the President and the Vice-president, any other person, elected by a simple majority of the accredited delegates present by voting, shall preside.

5.5 **ACCREDITED DELEGATES TO THE BIENNIAL DELEGATES' MEETING:**

- i. A meeting of the chapter may be specially convened for the purpose of electing accredited delegates to the Delegates' Meeting. Voting at such a meeting may be by secret ballot or by show of hands as may be decided by the meeting.
- ii. Only members in good financial standing in the chapter shall have the right to nominate and vote for candidates for election as accredited delegates to the Delegates' Meetings.
- iii. The election of accredited delegates shall be by a simple majority of members present and voting at such a meeting.
- iv. The names of the accredited delegates shall be forwarded by the Branch/Chapter Secretary to the Secretary General in good time to enable the Secretary General forward to them the Agenda for the Delegates Meeting at least one month before the meeting.
- v. Only branches/Chapters which have fully fulfilled their financial obligations to the Association shall have right to be represented by accredited delegates at the Delegates' Meeting.

5.6 **QUORUM**

- i. The quorum at Biennial Delegates' Meetings shall be twenty-five percent (25%) of all accredited delegates to the Biennial Delegates' Meeting representing at least six chapter/branches.

- ii. If a quorum is not formed some reasonable hours after the scheduled commencement of the meeting, the meeting may adjourn, and be reconvened at a suitable time, if need be, the National Executive Council shall take appropriate decisions on behalf of the Association in the interim. Such decisions must be tabled for ratification at the reconvened Biennial Delegates' Meeting.

5.7 MOTIONS:

Motions for debate at the Biennial Delegates' Meeting shall be filed with the Secretary General at least two weeks before the date of the meeting.

5.8 VOTING:

- i. At any Biennial Delegates' Meeting, any question shall be decided by a simple majority. Voting shall be by a show of hands or by secret ballot as may be decided by the meeting before the question is put.
- ii. Only accredited delegates of branches/chapters in good financial standing shall have voting rights at the Delegates' Meeting.

5.9 SUB-COMMITTEES OF BIENNIAL DELEGATES' MEETING:

The Biennial Delegates' Meeting shall have the power to set up ad hoc Committees on any issue and such Committee shall be directed to report back to the Biennial Delegates' Meeting.

Article 6.0

NATIONAL EXECUTIVE COUNCIL:

- i. Shall be the governing body of the Association
- ii. Shall have full powers to act on behalf of the Association in accordance with the provisions of the Constitution.
- iii. Shall consist of all Elected National Officers of The Association as listed in Article 8 (i) and the following:
 - (a). The three immediate past Presidents of the Association
 - (b). The immediate past Secretary General of the Association
 - (c). Chairman and the Secretary of each Chapter.
 - (d). Shall have a quorum of six (6) chapters two of whom shall be the President or the 1st Vice-President and the Secretary General or Assistant Secretary General.

- (e) Shall have the power to co-opt any member to its deliberations as observer but such members shall not have voting rights.
- iv. The President in consultation with the Secretary General shall act on behalf of the Association in between NEC meetings and report to the next NEC meeting.
- v. The President in consultation with the Secretary General shall have power to summon an Extra-ordinary meeting of NEC to consider pressing problems and report content and outcome to the next NEC and Biennial Delegates' Meeting.
- 6.1. To be elected a member of the National Executive Council, a candidate must obtain a majority of votes cast by the delegates present and voting in a secret ballot, or a show of hands.
- 6.2. The National Executive Council shall meet as frequently as it deems necessary but shall have at least three statutory meetings annually on dates and venues to be decided by the members of the National Executive Council sitting in Council. For now these times shall be January, April and August.
- 6.3. An Extra-ordinary meeting of the National Executive Council may be summoned at the request of at least six (6) members of the National Executive Council from at least six Chapters.
- 6.4. **AGENDA:**
 - i. Items for inclusion on the agenda of any meeting of the National Executive Council shall be forwarded through the Branch/Chapter Secretary to reach the Secretary General not later than one month before the scheduled meeting.
 - ii. The President, in consultation with the Secretary General, shall have the power to determine the items to be included on the agenda and their listing order.
 - iii. The agenda of the Council's meeting together with supporting documents shall be forwarded to the members of the National Executive Council at least two weeks before the meeting.
- 6.5. Every motion at a meeting of the National Executive Council shall be decided by a simple majority of votes of members present either by secret ballot or by show of hands.

- 6.6 The National Executive Council may make a report to the Biennial Delegates' Meeting on any matter as it deems necessary.
- 6.7. The National Executive Council shall direct the Treasurer to invest any excess fund of the Association in a manner most beneficial to the Association.
- 6.8. The National Executive Council shall constitute the Central Disciplinary Appeals committee of the Association.
- 6.9 The President, and in his absence, the first Vice President, shall preside over the meetings of the National Executive Council.

In the absence of the President and the Vice President, the second Vice President shall preside.

In the absence of the President and the Vice Presidents, any other member of the Council may be elected to preside by members of the Council present either by secret ballot or by show of hands.

- 6.10 Any vacancy which occurs in the National Executive Council during the course of the tenure of the executive shall be filled by the National Executive Council from within the membership of the NEC and such appointment shall be valid until the next Biennial Delegates' Meeting. Except in the case of a 1st Vice President who will be replaced by an appropriate member from the same zone.
- 6.11 If for any reason a serving President cannot complete his tenure, the 1st Vice-President will automatically assume the Presidency and complete the tenure before starting his own tenure as President.
- 6.12 In the event of a crisis of succession or a vacuum on the leadership, the Executive stands dissolved and the three immediate past Presidents shall run the affairs and conduct elections within six months duration.
- 6.13 **HANDING OVER:**
 - i. Following the election of a new Executive Council a period of two weeks only shall be allowed for handing over.
 - ii. The handing-over notes shall indicate in writing the amount of money in the Accounts of the Association, with indication that all files, documents, Cheque books and other property of the Association have been handed over within the stipulated time.

Article 7.0

BRANCHES AND CHAPTERS

- i. Not less than 10 members shall constitute a chapter. Where there are less than 10 members in a state, such members shall affiliate with the nearest chapter until they attain 10 members.
- ii. A chapter shall have the right to make Rules and Regulations of its own provided they are not in conflict with the Constitution of the National MDCAN
- iii. Each Chapter shall deposit copy of its Rules and Regulations with National Executive Council.
- iv. Every Chapter is bound by the Constitution of the Association. Whenever there is a conflict between the Branch/Chapter's Rules and Regulations and this Constitution, the Constitution shall have over-riding powers.
- v. Any Branch/Chapter's Rules and Regulations which contradict or are in conflict with the Constitution of the Association, shall to that extent be null and void and of no effect.
- vi. The administration at the chapter level shall be vested in an Executive Committee elected biennially by that chapter.
- vii. The Chapters of the Association shall be responsible for making arrangements for the times and places of their meetings.
- viii. Chapters of the Association shall hold at least three meetings every year and minutes of the last meeting shall be presented and discussed at each NEC meeting. Similarly, Chapters shall discuss minutes of NEC at their next meetings.
- ix. Meetings of Chapters shall be presided over by the Chairman of the chapter or in his absence, any other member selected on the basis of their own bye-laws.

Article 8.0

OFFICERS OF THE ASSOCIATION:

8.1 The National Officers of the Association shall be:

- i. President
- ii. 1st Vice-President
- iii. 2nd Vice-President
- iv. Secretary General
- v. Assistant Secretary General

- vi. National Treasurer
- vii. Publicity Secretary
- viii. Auditor
- ix. Editor of the Journal

8.2 The term of the office for all National Officers shall be two years. No member shall hold the same office for more than one term without break of one term. Provided the term of office for the Editor shall be as stated in Article 10.

8.3 For administrative convenience and effectiveness, the President, Secretary General and Treasurer shall be elected from the same Branch of the Association. The Branch from which these officers are elected shall host the National Secretariat for the two year term.

8.3a The National Secretariat shall rotate through the four medical zones of the country (North West, North-East, South-West and South East) provided there are active members in the medical zone who will fulfill the criteria for the election into the national offices of President, Secretary General and Treasurer.

8.3b When the zone on rotation cannot, the next zone(s) shall take over and the rotation shall continue in a north to south alternative avoiding North to North or South to South rotation.

8.4 There shall be legal Adviser who shall be appointed by the Biennial Delegates' Meeting for one year which is renewable for the year only.

8.5 There shall be a Patron of the Association who shall be of unquestionable integrity.

8.6 Officers of the Chapters shall be

- i. Chairman
- ii. Secretary
- iii. Treasurer

and such other officers as may be required by the Branch/Chapter for the conduct of its affairs.

Article 9.0

9a. REQUIREMENT FOR BECOMING THE PRESIDENT, 1ST VICE PRESIDENT AND 2ND VICE PRESIDENT

1. Anyone must have been a Consultant for ten years and served as an officer of national or chapter of MDCAN
2. 1st Vice President shall be President-Elect

9b. DUTIES OF THE OFFICERS

9.1 THE PRESIDENT

- i. Shall preside over all proceedings of the association and the Executive Council, and is the Chairman of the Central Disciplinary Appeals Committee. He shall normally sign the minutes of all meetings.
- ii. Shall be signatory to the Association's Bank Books
- iii. Shall have a casting vote at all meetings at which there is a division on any matter in addition to his normal voting right.
- iv. Shall deliver a Guest Lecture at the period of his last NEC meeting and shall be published in the MDCAN journal.

9.2 THE VICE-PRESIDENT

- i. In the absence of the President, the 1st Vice President (and in his absence, the 2nd Vice President) shall perform his duties. In the absence of the President and the Vice Presidents, the meeting shall appoint any available member of the National Executive Council to preside
- ii. The Vice President shall generally assist the President in the performance of his duties and act for the President whenever the President is unable, for any reasons whatsoever, to perform the duties of his office.
- iii. The 2nd Vice President shall act when 1st Vice President is absent
- v. 1st Vice President shall attend at least four out of all six NEC Meetings in a President's tenure.

9.3 THE SECRETARY-GENERAL

- i. Shall be at least five years as Consultant and served as officer at national or chapter level.
- ii. Shall handle all correspondence of the Association.
- iii. Shall summon, issue agenda and keep regular minutes of National Executive Council, the Centre Disciplinary Appeals Committee, any extraordinary NEC Meeting and the Biennial Delegates' Meetings.
- v. Shall provide secretarial facilities for the Association
- vi. Shall serve as the communications link between the National and the Branch or Chapter Executive Committees
- vii. Shall circulate the Biennial Report to all members least two weeks before the Biennial Delegates' meeting.
- viii. Shall be signatory to the Association's bank books
- ix. Shall keep imprest account of not more than N2,000 for expenses.

9.4 THE ASSISTANT SECRETARY GENERAL

Shall assist the Secretary General and, in his absence, shall perform the functions of the office of Secretary General.

9.5 THE NATIONAL TREASURER

- i. Shall receive all monies due to the Association and make all payments ordered by the Executive Council and or approved by the President.
- ii. Shall pay all monies of the Association promptly into the approved bank not later than two(2) working days after the money has been given to him/her
- iii. Shall keep record off all receipts and payments
- iv. Shall be signatory to the Association's Bank Accounts
- v. Shall render a written account to the Biennial Delegates' Meeting and from time to time report on finances of the Association to the National Executive Council.
- vi. All payment out shall be by cheques.
- vii. Shall keep an impress account of not more than N1,000.00

9.6. THE PUBLICITY SECRETARY

- i. Shall project and advertise the best image of the Association to the Nation and the world.
- ii. Shall publicize all activities of the Association such as notification of meetings, etc.
- iii. Shall act as Chairman of any social committee appointed by the Association and shall collaborate with the Branches and Chapters.

9.7 THE AUDITOR

- i. Shall check and verify the Accounts of the Association and present an audit report to the Delegates' Meeting.
- ii. Shall not be a member of the National Executive Council.

9.8 THE EDITOR OF THE JOURNAL

The Editor shall be responsible for the publication of the Journal as defined under Article 10 of this Constitution.

Article 10.0

JOURNAL OF THE MEDICAL AND DENTAL CONSULTANTS' ASSOCIATION OF NIGERIA

There shall be a Medical Journal of the Association.

- 10.1 **Name:** The name of the journal shall be the Nigerian Journal of Clinical Practice or any name that may be approved by the National Executive Council (NEC) herein before and after referred to as Journal.
- 10.2 **Ownership:** The Journal shall be the property of Medical and Dental Consultants' Association of Nigeria
- 10.3 **Aims of the Journal:** Subject to the provisions of this Constitution, the aim of the Journal shall be:
 - i. To provide a medium for the dissemination and permanent record of the results of Scientific Medical, Dental and Basic Medical Sciences Research in Africa and Nigeria in particular.
 - ii. To serve as a forum for the dissemination of general information and reports of conferences of the Medical and Dental Consultant's Association of Nigeria, among members and other Health Workers.

10.4 **Functionaries of the Journal**

i. **The Editor:** The Editor shall be appointed by Council subject to ratification by the Biennial Delegates' Meeting for a term of three (3) years subject to renewal for a second term of 3 years only.

ii. **Assistant Editors**

a. At least ten Assistant Editors shall be appointed by Council on the recommendation of the Editor.

b. In order to establish a system that guarantees continuity, five of the first ten (10) Assistant Editors appointed under this Constitution shall be replaced after 3 years and the other after the fourth year.

c. Thereafter any Assistant Editor shall serve a term of three years but may be removed by the Council on the recommendation of the Editorial committee.

iii. **The Editorial Advisers**

The Editorial Advisers shall be appointed by Council on the recommendation of Editorial Committee. They shall serve a term of four years each and shall be eligible for one other term only. There shall be not less than twenty (20) Editorial Advisers reflecting geographical and specialty interests as much as practicable. An Editorial Adviser may be removed by the Council on the recommendation of Editorial Board.

iv. **The Editorial Committee shall consist of the following Officers:**

a. The Editor as Chairman

b. The Assistant Editors

c. The Secretary General of MDCAN

d. The National Treasurer of MDCAN

e. The Editor shall appoint the Secretary to the Editorial committee from among the Assistant Editors.

10.5 **Management of the Journal**

The Editorial Committee shall be vested with the management including production and sales of the journal in accordance with Article 10(6) below. It shall meet every 3 months and the meeting shall be summoned by the Secretary General in consultation with the Editor. At least 5 members including the Editor and Secretary of the Editorial Committee shall form a quorum.

10.6 **Duties of Functionaries of the Journal**

i. The Editor:

- a. The Editor shall receive manuscripts for publications and shall be responsible for obtaining assessments regarding publish-ability of such manuscripts.
- b. He shall present such manuscripts and the assessors comments to the Editorial Committee, the decision which shall be final as the acceptance or rejection of manuscripts.
- c. He shall make a written progress report to every Biennial Delegates' Meeting
- d. He shall prepare annual and when necessary supplementary budget(s) for the Journal which shall first be vetted by the Editorial Committee and approved by the National Executive Council.
- e. He shall present an audited account to BDM biennially.
- f. He shall maintain an Editorial Office

ii. **The Secretary of the Editorial Committee** shall assist the Editor in the management of the Journal. He shall act for the Editor and when necessary.

iii. **The Assistant Editors** shall assist the Editor in the production of the Journal and one of them may be asked deputize for him, subject to confirmation by the Council whenever the deputisation is to last up to a year or more. They shall also assist in reading and correction proofs of the Journal.

iv. The Editorial Advisers:

The Editorial Advisers shall:

- a. Ensure strict adherence to the objectives and policies of the Journal.

- b. Advise the Editorial Committee on all other matters relating to the efficient publication of the Journal
- c. Meet with the Editorial Committee at least once a year.

10.7 Producer:

When necessary a producer shall be appointed by Council on the recommendation of the Editorial Committee and on such terms as shall be determined by Council on the recommendation of the Editorial Committee to produce the Journal for MDCAN.

10.8 Bankers:

There shall be a separate bank account for the financial transactions of the Journal. The signatories to the Journal account shall be the Editor or the Secretary of Editorial committee and the President. The editor shall be entitled to an imprest to be determined by the Council. All expenditure shall be subject to guidelines set by the approved budget(s).

Article 11.0

TRUSTEES

- 11.1 Five Trustees shall be appointed by the Delegates' Meeting of the Association and they shall each hold office at the pleasure of the Association or until resignation but all or any of them shall be removed from office at any time by a resolution of a Delegates' Meeting of the Association.
- 11.2 If the certificate of Occupancy is granted, the Trustees shall have power to accept and hold in trust all belongings to the Association and all land acquired on behalf of the Association, subject to such conditions as the Government may impose.
- 11.3 All properties of the Association, freehold or leasehold and other interests in land acquired for the use and benefit of the Association shall be vested in the Registered Trustees.
- 11.4 The Registered Trustees shall deal with properties of the Association.
- 11.5 In the event of death, resignation or removal of a Registered Trustee, an Extra-ordinary General meeting will be held to appoint another eligible member of the Association as Trustee.
- 11.6 The Registered Trustees may hold office at the pleasure of Association but a Trustee shall cease to hold office if he:
 - a. resigns his office;

- b. ceases to be a member of the association;
 - c. is certified insane;
 - d. is officially declared bankrupt;
 - e. is convicted of a criminal offence involving dishonesty by a court of competent jurisdiction;
 - f. is removed from office by a majority vote of accredited members present at any General Meeting of Association;
 - g. Ceases to reside in Nigeria
- 11.7 Whenever a vacancy occurs in the office of Trustee, it shall be filled temporarily by the National Executive Council until the next Delegates' Meeting.
- 11.8 The Trustees shall have a common seal
- a. The common seal shall be kept in the custody of Secretary General who shall produce it when required use by Trustees.
 - b. All documents to be executed by the Trustees shall signed by each of them and sealed.

Article 12.0

ELECTION OF OFFICERS

- 12.1 Elections of National Officers of the Association shall take place at the Biennial Delegates' Meeting and shall be by Secret ballot.
- 12.2 Nominations of Officers shall be made, signed and seconded any two financial members of the Association. Such nominations shall reach the Secretary General not later than 4 weeks before the scheduled Biennial Delegates' Meeting. Nomination may also be made and seconded verbally at the Biennial Delegates' Meeting.
- 12.3 Before commencement of the elections, the outgoing President shall dissolve the National Executive Council and appoint a Returning Officer who shall conduct the election according to the provisions of the Constitution.
- 12.4 No National Officer shall be allowed to hold office for more than one term in the same office without at least one term break. For continuity, the Editor of the Journal shall hold office for six

years after which another Editor must be elected. Editor can be re-elected for a maximum of two terms.

- 12.5 Persons to be nominated for the post of President, 1st and 2nd Vice President must have been a Consultant for not less than 10 years and served as an officer at national or chapter level.
- 12.6 Persons to be nominated for the post of Secretary General must have been Consultant for not less than 5 years and served as an officer at the national or chapter level.
- 12.7 Election of officers of chapter Executive Committees shall take place biennially at a meeting called for that purpose.
- 12.8 Nominations shall be made, signed and seconded by any two financial members of the Branch/Chapter.
- 12.9 Such nominations shall reach the Chapter Secretary at least two weeks before the meeting. Nomination also may be verbal at the Biennial Meeting for the purpose
- 12.10 Before the commencement of the elections, the Chapter Chairman shall dissolve the Chapter Executive Committee and appoint a Returning Officer who shall conduct the elections according to the provisions of the Constitution.
- 12.11 No Branch officer shall be allowed to hold office for more than two years in the same post. Such an officer is however eligible for re-election after at least one term break.

Article 13.0

FINANCE:

- i. The annual subscriptions shall be N 150.00 per member per month but may be varied at any time by the Delegates' Meeting.
- ii. Payment of subscription by Chapters shall be made on or before August NEC meeting of every year.
- iii. The National Executive Council in consultation with chapters may impose special levies on each member for specified purposes.
- iv. All monies accruing to the Association shall be lodged in a Bank to be recommended by the Executive, and that Bank's Branches shall also serve the various Branches and/or Chapters of the Association.

- v. The financial year of the Association shall be January through December of every year.
- vi. All money withdrawal shall be presented by application to the President for approval, firstly, then to the Treasurer.
- Vii Signatories to withdrawals of money shall include two officers only, namely the President and the Treasurer and in his absence the Secretary General.

Article 14.0

BANKING:

Money belonging to the Association shall be deposited by the Treasurer in a duly licensed bank in Nigeria in accordance with the directives of the Executive Council. All cheques drawn on the Association's Bank Account shall be signed by two officers namely the President and the Treasurer, or in his absence the Secretary General.

Article 15.0

AUDITING:

The Delegates' Meeting shall appoint one Auditor to audit at least once a year the books and accounts of the Association, which shall be kept in proper form by the Treasurer. The Auditor shall submit to the Delegates' Meeting a report thereon:

- i. Highlighting any faults or irregularities of whatever nature that may be discovered;
- ii. Commenting on any systems used in keeping the books or employed in the financial administration of the Association.

Article 61.0

INVESTMENT OF ASSOCIATIONS FUNDS:

The association's funds not required for immediate use shall, on the directive of the National Executive Council, be invested by and in the name of the Trustees in such Public Stock, Government Securities and any other manner as the National Executive Council may direct provided that at least 60% of the funds shall be invested in gilt-edged Securities.

- 16.1 The funds of all branches and chapters of the Association shall be the property of the Association and nothing in any Rules shall prejudice the right of the National Executive Council to institute proceedings to recover any money due to, or any property of the Association, such funds shall be held in trust for a period not exceeding the exigencies of the situation.
- 16.2 All properties acquired for the association in whatever custody, and for whatever conditions, shall belong to the Association.
- 16.3 The Delegates' Meeting or National Executive Council acting on behalf of the Delegates' Meeting and subject to ratification of the Biennial Delegates' Meeting shall have the power to employ the funds of the Association in such manner as may be deemed necessary and expedient.

Article 17.0

LEVIES

- i. The National Executive Council may, if it considers it necessary so to do, impose a levy upon all members of the Association which the members shall be required to pay forthwith. The levies shall be collected by the Branch Officers and forwarded.
- ii. A Branch Executive Committee may, if it considers it necessary so to do and with the consent of the National Executive Council, impose a levy on all members of the Branch who shall be required to pay such a levy forthwith.
- iii. If any member fails to pay a levy within eight weeks of its imposition, the amount shall be treated as arrears of contributions.

Article 18.0

MISCELLANEOUS:

- i. Subject to the laws of the land, members of the Association shall not take part in a strike or in any way without their services from their employers without the express approval of the National Executive Council and the members as determined at a NEC Meeting in a secret ballot. The only exception is when such a strike is duly called by the Nigerian Medical Association in consultation with the National MDCAN. The Association may call out all its members in a strike in exceptional situations as directed at any NEC/Delegates' Meeting.

- ii. In deciding whether or not to authorize any form of industrial action, the National Executive Council shall be guided by the advice of the branches and provisions of the law.
- iii. The National Executive Council shall stand dissolved at the end of the Biennial Delegates' Meeting immediately before the elections or at any other time upon a resolution of a special Delegates' Meeting supported by at least two-thirds of the delegates (from least six Branches and not chapters) present and voting by secret ballot.
- iv. When the National Executive Council is dissolved at a special Delegates' Meeting, a Caretaker Committee made up of the 3 past Presidents shall run the affairs of the Association and conduct elections within 6 months during which two NEC Meetings must hold.
- v. In the event of a crisis of succession or vacuum in leadership, the Executive Council stands dissolved automatically, the three immediate past Presidents shall run the affairs of the Association and conduct an election within six months and hold two NEC Meetings. The Leader shall always be the oldest past President.
- vi. In the event of dissolution as provided in this Constitution and subject to the laws of the land, the assets and liabilities of the Association shall be fully discharged and any funds remaining shall be divided among the members in equal shares.

Article 19.0

DISCIPLINE:

- i. Any member found guilty of committing an act capable of bringing the name of the Association into disrepute shall be disciplined.
- ii. The Branch or Chapter shall, for the purpose of enforcing discipline, constitute the Disciplinary Committee in that Branch/Chapter.
- iii. Any member, who by any gross act of misdemeanor shall put the image of the Association into disrepute, may be reprimanded or suspended by his Branch or Chapter's Disciplinary Committee, depending on the gravity of the misdemeanor, provided that no disciplinary action shall be taken against any member who has not been given notice of the charges against him and reasonable opportunity to defend himself against such charges.
- iv. A disciplined member shall have the right of Appeal to the Central Disciplinary Appeals Committee.

- v. The Central Disciplinary Appeals Committee shall comprise the National President, the Vice Presidents, the Secretary General, the Treasurer and two other members elected at the Biennial Delegates' Meeting.
- vi. The Central Disciplinary Appeals Committee shall be the body to which appeals shall lie and it shall also be the only competent body with the power to recommend expulsion of any member to the Biennial Delegates Meeting (B.D.M). The power to expel lies solely with the Delegates Meeting.
- vii. Expelled members shall forfeit all the rights and privileges of membership of the Association.
- viii. Any member who divulges the official secrets of Association shall have a motion of censure passed on him by his Branch/Chapter or the General Assembly and have this recorded against him.
- ix. A branch shall have the right to remove any officer elected or appointed by it but such an act shall be reported in writing to the National Executive Council within a period of four weeks.
- x. A branch officer so removed shall stand removed until the Branch/Chapter decides otherwise.
- xi. The National Executive Council may remove any National Officer subject to the right of appeal to the Delegates' Meetings.
- xii. A National Officer so removed shall stand removed until the Biennial Delegates' Meeting decides otherwise.

Article 20.0

REGISTERED OFFICE:

The Registered Office of the Association shall be at any place as the Delegates' Meeting may decide from time to time.

Article 21.0

THE CONSTITUTION:

- i. This document shall be the "Constitution of the Association" and may be amended from time to time.
- ii. This Constitution shall be binding on all Branches and Chapters. Any Rules and Regulations drawn up at Branches/Chapter levels must be in accordance with the spirit of this Constitution.
- iii. Any Rules and Regulations which contradict/derogate from or are inconsistent with the provisions of this Constitution, shall to that extent, be regarded as null and void and of no effect.
- iv. Motion of amendment to the Constitution by any member or group members or Chapter or Branch shall be sent in writing not less than three months before the Delegates' Meeting through the Secretary General to the National Executive Council. Such an amendment however shall receive the prior endorsement of the Branches/Chapters to which the member(s) belong(s)
- v. The amendment shall be discussed in at least one NEC meeting but not the NEC just before the Biennial Delegates' Meeting.
- vi. The amendment can only be ratified at the Biennial Delegates' Meeting by a two-thirds majority vote of all accredited members present and voting in secret ballot.
- vii. All ratified amendments shall take effect immediately after their adoption by the Biennial Delegates' Meeting.
- viii. Each new member shall be supplied free of charge with a copy of the Constitution of the Association and notified of all subsequent amendments thereto.

Article 22.0

INTERPRETATION:

- i. The words 'he', 'him' and 'his' refer to both sexes.
- ii. A "financial Member" or Chapter is one who has fully paid his annual dues and levies.

Article 23.0

TRANSITION, REVOCATION AND INDEMNITY CLAUSES

- 23.1 All Rules and Regulations made under the old Constitution shall remain in force until new Rules and Regulations are made to replace them.
- 23.2 From the date when this Constitution comes into effect, any other Constitution of the Association by whatever name called shall cease to have effect.
- 23.3 Notwithstanding the provision of Article 23(2) This Constitution is effective from Saturday 23rd August, 1997 at the conclusion of the Biennial Delegates' Meeting where it was adopted by the Delegates present at the BDM which was held at Benin City.