

Registrar of Companies
Companies House
Crown Way
Cardiff
CF14 3UZ

(12)

- subject
resolution + articles
revised

Our Ref: CS/NH/kp

Council Secretariat

30 June 2015

Dear Sir/Madam

Company Number 00008848

Further to sending you our Memorandum and Articles for 2014-15 session on 15 August 2014, please find enclosed the amendments to the Articles (AGM 3/Appendix III of ARM 1A), passed at BMA's Annual Representative meeting on 22 June 2015 and the Annual General meeting on 23 June 2015. We will forward a copy of the complete revised Articles and Bye-Laws once finalised, in July 2015

Yours faithfully

Kumi Patel

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| A02 | *A4CNMC3I* | 29/07/2015 | #160 |
| | COMPANIES HOUSE | | |
| A11 | *A4ASVY3M* | 02/07/2015 | #453 |
| | COMPANIES HOUSE | | |

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Chief executive Keith Ward

Registered as a Company limited by Guarantee Registered No 8848 England
Registered office BMA House Tavistock Square London WC1H 9JP
Listed as a Trade Union under the Trade Union and Labour Relations Act 1974

BRITISH MEDICAL ASSOCIATION

Company No: 00008848

**Appendix III - Amendments to the Articles
(AGM 3 / Appendix III of 2015 ARM 1A)**

Resolutions passed on 22 and 23 June 2015

4 August 2015

BRITISH MEDICAL ASSOCIATION

2015 ANNUAL REPRESENTATIVE MEETING (ARM) 22 – 25 June 2015, Liverpool

AGM 3 / App. III (of ARM 1A)

APPENDIX III Amendments to the Articles (2015 ARM)

| ARTICLE REFERENCE | RECOMMENDED CHANGE | EXPLANATION |
|----------------------|---|--|
| Members' conduct | | |
| Article 14 | <p>Article 14 be amended to read (amendments in bold) -</p> <p><i>'(3) The chief executive (or those persons appointed by him/her to conduct the investigation) may. upon concluding the investigation;</i></p> <p><i>(a) dismiss the allegation with no further action upon concluding the investigation;</i></p> <p><i>(b) issue an oral or written warning upon concluding the investigation; or</i></p> <p><i>(c) refer the allegation to go to a hearing upon concluding the investigation; or</i></p> <p><i>(d) during or after the investigation and in consultation with the council chair, representative body chair or treasurer, temporarily suspend a member from some or all BMA offices pending a hearing. Such a suspended member shall have the right of appeal against the decision to suspend within 21 days to an appeal panel of three members appointed annually by</i></p> | <p>Board of directors proposed at its meeting on 11 December 2014 and this was recommended for approval by council at its meeting on 11 March 2015 to allow the chief executive to temporarily suspend a member (in consultation with a chief officer)</p> <p>This would allow an option of an immediate response to any serious issue and would avoid the situation whereby a member can continue to use social media for example to criticise the BMA while the very lengthy due process (designed before social media existed) was followed</p> <p>Suspension may take place as soon as apparently good reason is found, that the member cannot delay suspension through refusal to cooperate with an investigation, and that a member may appeal to a panel that must be convened within 21 days of receiving the appeal. Intention would be the same panel as is referred to in article 14(7) which is why it has been designated an appeal panel</p> |

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| | <p><i>the council. Any appeal hearing shall take place within 21 days of the appeal being received.'</i></p> <p>Where the chief executive considers that a warning is appropriate the member concerned shall be invited to comment on the sanction before it is finalised and may request that the matter be dealt with by a hearing instead '</p> | |
| <p>Chair (AGM)</p> <p>(This is listed and dealt with separately as agenda item 2 on the AGM agenda).</p> | | |
| Article 43 | <p>Article 43 be amended to read -</p> <p>'Chair</p> <p>43 <i>Any director of the Association as nominated by its board of directors shall preside as chair at the opening of each general meeting In the absence of such nomination from the board, the chair of council shall preside, and in their absence a chair shall be appointed by the meeting '</i></p> | <p>Agreed to transfer the responsibility of chairing the AGM from the BMA president to a director as nominated by the board of directors Following last year's constitution of the new board of directors it was felt that the role of chair at a general meeting would fit better with the remit of the board and that its members were better placed to deal with the general administration of the BMA</p> |
| Oversight and finance committee | | |
| Article 79 (2) (m) | <p>Article 79 (2) (m) be amended to read (amendments in bold) -</p> <p><i>'(m) establish the following subcommittees having such constitution and terms of reference as determined by it from time to time cases committee, conferences subcommittee, investments subcommittee, charitable purposes subcommittee, appointments oversight subcommittee '</i></p> | <p>Add appointments oversight subcommittee to list of subcommittees that are established by the oversight and finance committee</p> <p>The subcommittee was set-up by council in the last session but an oversight meant that it was omitted from the revised articles in error</p> |

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| SMOKING | | |
| Article 103 | Article 103 be amended to read - <i>'103 The smoking or use of tobacco, and the use of e-cigarettes, including vapeing or similar, shall be prohibited at all BMA events, whatever their nature and venue '</i> | Aims to clarify that the prohibiting of smoking should cover e-cigarettes including vapeing or similar for all BMA events |

