At the Council Chamber, Whitehall

THE 27th DAY OF JUNE 2018

BY THE LORDS OF HER MAJESTY'S MOST HONOURABLE PRIVY COUNCIL

The Privy Council has approved the revised Ordinances of The Royal College of Anaesthetists set out in the Schedule to this Order.

Richard Tilbrook

SCHEDULE

REVISED ORDINANCES OF THE ROYAL COLLEGE OF ANAESTHETISTS

"1. INTERPRETATION

1.1 In these Ordinances, unless the context otherwise requires:

"Affiliate" means an Affiliate of the College.

"Associate Fellow" means an Associate Fellow of the College.

"Associate Member" means an Associate Member of the College.

"Charter" means the Charter of the College granted on 16th March 1992, as amended from time to time.

"Critical care", "pain medicine" and "perioperative medicine" mean subjects related to anaesthesia within the meaning of the Charter.

"Diploma" means a diploma conferred or recognised by the College.

"Election Day" means the third Wednesday in December or such other time as the Council may from time to time determine.

"Fellow" means a Fellow of the College.

"Fixed Day" means the first Wednesday in March or such other day, within one month thereafter, as the Council may from time to time determine.

"Foundation member" means a Foundation Member of the College

"Honorary Fellow" means an Honorary Fellow of the College.

"Member" means a person in the category of Member of the College and, where the context so requires, includes persons in the categories of Fellow, Associate Fellow, Member, Associate Member, or Affiliate.

"Registered medical practitioner" means a medical practitioner registered, whether with full or limited registration, by the General Medical Council under the Medical Act 1983 and subsequent amendments.

"Regulations" means Regulations made by the Council in accordance with these Ordinances.

"Specialist register" means the Register kept by the General Medical Council.

"Student member" means a Student Member of the College

"Trainee" means a registered medical practitioner who is registered with the College for training in anaesthesia, critical care or pain medicine.

"United Kingdom" means United Kingdom of Great Britain and Northern Ireland.

1.2 Words or phrases defined in the Charter have the same meanings herein.

1.3 References to any Act of Parliament, or order or instrument thereunder, include any statutory modification or re-enactment thereof.

1.4 Words in the singular include the plural and vice versa.

2. CATEGORIES OF MEMBERSHIP OF THE COLLEGE

FELLOWSHIP

2.1 Subject to such further provision as may be made in Regulations, Fellows shall be such persons as are:

(a) admitted by Examination

(b) medical, dental or veterinary practitioners or other persons as prescribed by Council, elected without examination

(c) practising anaesthesia, critical care or pain medicine the United Kingdom admitted ad eundem

ASSOCIATE FELLOW

2.2 Associate Fellows shall be such registered medical practitioners practising anaesthesia, critical care or pain medicine as are admitted to associate fellowship in accordance with Regulations.

HONORARY FELLOW

2.3 The Council may elect distinguished persons to be Honorary Fellows of the College, who shall enjoy such rights and privileges as may be specified from time to time in Regulations, provided that they shall not by virtue of such honorary fellowship hold themselves out as qualified to practise medicine or anaesthesia, critical care or pain medicine. Honorary Fellows shall not be subject to the disciplinary procedures of the College, but their status as Honorary Fellows may be rescinded by the Council.

MEMBER

2.4 Subject to such further provision relating to admission as may be made in Regulations, Members shall be registered medical practitioners who are, at the time of application, Associate Members or have completed training in the United Kingdom in accordance with requirements specified in Regulations, and have passed the relevant examination of the College or such other examination as may be specified from time to time in Regulations.

ASSOCIATE MEMBER

2.5 Associate Members shall be registered medical practitioners practising anaesthesia, critical care or pain medicine as are admitted to associate membership in accordance with Regulations.

AFFILIATE

1.6 Affiliates shall be such persons, not being registered medical practitioners in anaesthesia, critical care, pain medicine or perioperative medicine but those being involved in or with an interest in the development or delivery of anaesthesia, critical care, pain medicine or perioperative medicine, as may be admitted to this category of membership in accordance with Regulations.

STUDENT

1.7 Student members shall be such persons, not being registered medical practitioners, but currently studying a medical or health related degree as may be admitted to this category of membership in accordance with Regulations.

FOUNDATION

1.8 Foundation members shall be registered medical practitioners with an interest in pursuing a career in anaesthesia, critical care or pain medicine as are admitted to Foundation membership in accordance with Regulations.

3. RIGHTS AND PRIVILEGES AND OBLIGATIONS OF MEMBERSHIP

3.1 Provided that they are in good standing with the College and/or Faculty, Fellows, Associate Fellows, Honorary Fellows, Members, Associate Members, and Affiliates may describe themselves respectively without abbreviation as "Fellow", "Associate Fellow", "Honorary Fellow", "Member", "Associate Member" or "Affiliate" of:

(a) the Royal College of Anaesthetists and/or
(b) a Faculty of the Royal College of Anaesthetists
(c) the Faculty of Intensive Care Medicine.

3.2 The following post-nominal letters may be used:

Royal College of Anaesthetists

Fellow:	"FRCA"
Member:	"MRCA"

Faculty of Pain Medicine of the Royal College of Anaesthetists

Fellow:	"FFPMRCA"
Diplomate Fellow:	"DFPMRCA"
Member:	"MFPMRCA"

Faculty of Intensive Care Medicine

Fellow:	"FFICM"
Member:	"MFICM"

3.3 Subject to the Regulations, Fellows and Members of the Royal College of Anaesthetists shall be entitled to stand for election to the Council, and Fellows, Associate Fellows, Members and Associate Members shall be entitled to vote in elections to the Council.

3.4 Regulations may from time to time confer other rights and privileges, other than the right to use titles or post-nominal letters, on any category of membership of the College.

4. FEES AND SUBSCRIPTIONS

4. Subject to the approval of a general meeting of the College, the Council may prescribe fees payable in respect of admission or election to any category of membership of the College and annual subscriptions. Regulations may provide for the remission of all or any of such fees and subscriptions, for the forfeiture of rights and privileges of membership for those in arrears, and for any other matter relating to fees and subscriptions. The Council may also provide for the charging of fees in respect of examination entry.

REGISTERS

4a. A Register of Fellows shall be maintained in accordance with Regulations. The College may also maintain a voluntary register of registered medical and other healthcare practitioners practising anaesthesia, critical care or pain medicine who are not in membership of the College nor trainees.

DIPLOMAS

4b. The admission or election as the case may be of Fellows, Associate Fellows, Honorary Fellows, Members, Associate Members and Affiliates shall be signified by Diploma under the seal of the College in such form as the Council may from time to time determine.

5. BOARD OF TRUSTEES & COUNCIL

5.1 In accordance with the Charter the management of the business affairs of the College as set out in the regulations shall be vested in the Board of Trustees with other responsibilities delegated to Council.

5.1.1 The Board of Trustees shall consist of:
(a) the President, who will act as chair of the Board of Trustees;
(b) the Vice-Presidents;
(c) Deans of the faculties;
(d) members elected by Council from amongst elected members of Council; the exact numbers will be determined under the College's Regulations;
(e) up to five trustees recommended for appointment to Council by the College's Nominations Committee and approved by Council

5.1.2 No less than two thirds of the Board of Trustees shall be drawn from elected members of Council.

5.1.3

(1) The Council shall consist of:

(a) up to 20 members, who are on the specialist register, elected by the Fellows and Associate Fellows from amongst the Fellows by Examination of four or more years' standing, and the Fellows ad eundem.

(b) at least two members, who are neither consultant anaesthetists nor trainees, elected by the Members and Associate Members, who are not trainees from amongst the Fellows and Members:

(c) at least two members, who are trainees and Fellows by Examination, elected by trainees; and

(d) co-opted members.

(2) For the purpose of elections to Council, the Council shall have power, within the limits fixed by sub-paragraph (1) of this paragraph, to determine the number of Council Members to be elected.

5.2 Elected Council Members

(1) Subject to sub-paragraph (5) of this paragraph, the initial period of service of a Council Member elected under Ordinance 5.1.3(1)(a) shall not exceed six years. On completing their initial period of service, they shall be eligible for re-election for one further period, which shall not exceed four years, but shall not be eligible for re-election thereafter or to serve for a period longer than ten years in the aggregate; provided that in the event of the resignation of a Council Member from their office the completion of their initial period or of any subsequent period to which they may have been elected, they shall be eligible at a later date to stand for re-election for that part of their period of office of six or four years, as the case may be, that remains uncompleted.

(2) The period of service of a Council Member elected under Ordinance 5.1.3(1)(b) shall be six years and they shall be eligible for re-election for one further term of four years, and a Council Member elected under Ordinance 5.1.3(1)(c) shall serve for one four year term.

(3) On the Fixed Day in every year any Council Member whose current period of office shall, in accordance with sub-paragraphs (1) or (2) of this paragraph, be due to expire shall cease to be a Council Member, without prejudice to their re-election for any further period for which they may be eligible.

(4) In computing the period for which a Council Member elected or re-elected otherwise than on the Fixed Day in any year has held office they shall be deemed to have been elected or re-elected on the Fixed Day nearest to the day of their actual election or re-election.

Special provisions relating to the holders of the office of President and Vice-President

(5) (a) The provisions of sub-paragraphs (1), (2) and (3) of this paragraph relating to the lengths of periods of service as a Council Member and the termination of such periods of service shall not apply to any such Member holding the office of President or Vice-President during any term or terms to which such Member may be elected to any such office and such Member shall remain a Member of Council throughout such term or terms.

(b) A President or a Vice-President who, by virtue of the foregoing sub-paragraph, continues in office as Council Member for a period longer in aggregate than ten years, or such longer period to which they may be entitled through the operation of proviso of Ordinance 5.2 (1), shall remain a Member of the Council until the date of the Council election following their demission of office as President or Vice-President, as the case may be, and for the avoidance of doubt still be considered as an elected Council member.

(c) If a Member of Council, by virtue of sub-paragraph (a) of this paragraph, has been exempted from standing for re-election as a Council Member after six years of service they shall remain so exempt if there is less than one year to run between their demission of the office of President or Vice-President and the date on which they will complete ten, subject to proviso of paragraph 5.2(1), years' service as a Council member.

Conduct of elections

(6) Vacancies amongst Council Members occasioned either by Council Members going out of office in accordance with Ordinance 5.2(3) or by any other cause shall be filled by election as hereinafter prescribed on the Election Day in every year: provided that if at any time the number of Council Members shall be reduced below twelve the Council may appoint such date for filling such vacancies as it may think fit.

(7) Notice of the Election Day and of the number of vacancies, distinguishing between those arising under Ordinance 5.1.3(1)(a), (b) and (c), shall be advertised in such manner as the Council may direct.

(8) Every candidate for election as a Council Member, shall, within such period and in such form as shall be directed by the Council in Regulations, deliver to the College a notice with their signature of their intention to stand as a candidate together with a nomination, signed by three Fellows, of the candidate as a fit person to be a Council Member. Subject to Ordinance 5.2(9)(a), a list of such candidates and of the Fellows nominating them respectively shall be published by the Council at such time before the Election Day as the Council shall direct.

(9) (a) In the election of Council Members, if the number of candidates does not exceed the number of vacancies for each candidate then no election will be held

(b) In Council elections, votes shall be given by voting papers or in such other manner, and subject to such other requirements, as shall be specified from time to time in Regulations.

Definition of "prescribed seniority"

(10) For the purpose of this Ordinance, "prescribed seniority" shall mean such seniority as shall from time to time be prescribed by the Council by regulations.

5.3 Co-opted Council Members

(1) The Council may from time to time co-opt additional Council Members ("co-opted Council Members") to represent branches of medicine, groups of practitioners or kindred institutions not represented by the elected Council Members.

(2) If no election has been made under Ordinance 5.1.3, the Council may co-opt eligible Fellows and Members and, notwithstanding the provisions of Ordinance 5.3.(3), for such periods of less than one year, as the Council may determine.

(3) A co-opted Council Member shall hold office in that capacity for as long as their role requires subject to annual renewal nor shall they be entitled to voting rights enjoyed by elected Council Members.

(4) Not less than seven days' notice shall be given to Council Members of the number of co-options and the branches of practice to be considered and the Council shall, unless otherwise determined, consult that College or other body which in the opinion of the Council represents the appropriate branch of practice. If there is more than one candidate the co-option of Council members can be determined by ballot, and to be co-opted a candidate must receive the favourable votes of an absolute majority of those present whether voting or not.

5.4 Meetings of Board of Trustees and Council

(1) There shall be four meetings of the Board of Trustees and six meetings of Council in every year and at such other times as may be determined by the Board of Trustees, Council or by the President on the request in writing of eight or more elected Council Members or members of the Board of Trustees.

(2) The quorum for the transaction of business at a meeting of the Board of Trustees shall be two-thirds of the Board's Members, including the President or a Vice-President.

(3) The quorum for the transaction of business at a meeting of the Council shall be the President or a Vice-President and ten other elected Council Members.

5.5 Delegation of Board of Trustees and Council Powers

(1) The Board of Trustees and Council may establish boards which recommend committees and ad hoc committees or sub-committees for the purpose of dealing with any subject as it may from time to time determine and in particular there shall be established Boards to deal with Finance and Resources reporting to the Board of Trustees and matters relating to professional anaesthetic issues reporting to Council.

(2) The Board of Trustees and Council shall have power to determine by Regulations the constitution and procedures of boards, committees and sub-committees.

(3) The Board of Trustees and Council may by resolution delegate all or any of its functions, powers, duties and discretions to any board, committee, sub-committee, officer or individual upon terms and subject to such conditions as the Board of Trustees and Council may from time to time by resolution determine.

5.6 Regulations

Subject to the provisions of the Charter and these Ordinances the Council by resolution may from time to time make, alter and repeal such Regulations as it may think fit for regulating generally the affairs of the College save that Regulations in respect of election or admission fees and subscriptions require the approval of the Members in General Meeting.

6. OFFICERS OF THE ROYAL COLLEGE OF ANAESTHETISTS

6.1 The President and the Vice-Presidents shall be elected or re-elected annually by the Council from amongst the elected Council Members as prescribed by the Regulations.

6.2 The maximum terms of office of a President shall be three years, and of a Vice-President two years. A casual vacancy shall be filled in the same manner as defined in the Regulations.

6.3 The President and Vice-Presidents, together with the Chair for the time being of the Finance and Resources Board, shall be joint Treasurers of the College.

6.4 For the purpose of this ordinance the expression 'elected Council member' shall include such a member, elected or re-elected under Ordinance 5.1(1)(a) who, having completed ten years' service in that capacity has continued in office as a Member of the Council for longer than ten years by virtue of the operation of Ordinance 5.2(5).

7. FACULTIES AND JOINT FACULTIES

7.1 Any faculty or joint faculty instituted or established pursuant to Article 10 of the Charter shall be instituted and established, and Fellowships in any such faculty or joint faculty (including Honorary Fellowships) may be granted, in accordance with such Regulations as the Council (in the case of a faculty) or the Council acting in combination with the other body concerned (in the case of a joint faculty), may from time to time determine and prescribe.

7.2 The status of Fellows and Honorary Fellows in any such faculty or joint faculty and the rights, privileges, conditions and restrictions applicable to such status shall be such as the Council or the Council acting in combination with the other body concerned may from time to time by Regulations prescribe, save that Regulations relating to the subscriptions, if any, payable in respect thereof shall require the approval of a meeting of Fellows and Members of the College.

8. TERMINATION OF MEMBERSHIP AND RESCISSION OF DIPLOMAS

8.1 The Council shall have power to terminate the membership of any Member:

(a) if they are convicted of any criminal offence;

(b) if they have their name erased from the Medical Register by the General Medical Council under section 36 of the Medical Act 1983 (or any statutory re-enactment or modification thereof);

(c) if a Receiving Order is made against them or they make any composition with their creditors;

(d) if at any time the Council, after due enquiry, in accordance with the disciplinary proceedings set out in paragraph 8.2 below, shall resolve that the interests of the College so require.

8.2 The procedure for disciplinary proceedings shall be as follows:-

(a) The Council shall establish a disciplinary Committee of three persons to hold an Inquiry; whose members shall include the President or one of the Vice-Presidents.

(b) Not less than twenty-one days' notice of the date, time and place for the Inquiry shall be given to the Member concerned accompanied by written details of the allegations against them which are to be considered; and they shall be informed that they will (if they so desire) be given an opportunity of stating their case and defending themselves before the disciplinary Committee and that they may cross-examine and call witnesses and that they may be represented at such Inquiry.

(c) If the disciplinary Committee at or following that meeting shall determine that a motion be placed before Council that membership shall be terminated in the interests of the College the Member shall be notified in writing that they are entitled to appeal to the Council itself within twenty-one days.

(d) Any appeal to the Council shall be heard by the Council following the same procedure for the appeal as laid down in sub-paragraph (b).

8.3 Any Member whose membership shall have been terminated under sub-paragraph 8.1 of this Ordinance may only reinstated by a resolution of the Council.

8.4 If any person holds a Diploma (other than a Diploma in Veterinary Anaesthesia) and shall have obtained the Diploma by any fraud or false statement and a hearing has been afforded to such person in accordance with the relevant provisions in sub-paragraph 8.2 of this Ordinance, the Council may by resolution rescind and declare void the Diploma. The Diploma shall then become the property of the College and shall on demand be delivered up to the College and such person shall forfeit all and any of their rights and privileges as a holder of the Diploma.

8.5 Any person whose Diploma shall have been rescinded and declared void under sub-paragraph 8.4 of this Ordinance may only have their Diploma restored to them upon a resolution of the Council revoking the resolution passed under sub-paragraph 8.4 of this Ordinance. The person shall, subject to such conditions as the Council may in the particular case see fit to impose, be restored to their rights and privileges as a holder of the Diploma.

9. MEETINGS OF MEMBERS

Annual General Meeting

9.1 The Council shall convene an Annual Meeting of Members for the transaction of such business as the President or the Council may determine and for the discussion of

such Motions as may be delivered to the College by Members in the form prescribed in the Regulations. Each Annual Meeting shall be summoned at such time as the Council shall determine provided that not more than fifteen months shall elapse between Annual Meetings.

Extraordinary Meeting

9.2 The Council may, as and when it thinks fit, convene Extraordinary Meetings of Members for the purposes aforesaid.

9.3 The Council shall, on the requisition of not less than 0.75% of voting members in good standing, forthwith proceed to convene an Extraordinary Meeting of Members for such objects as shall be stated in the requisition. The requisition shall be signed by the requisitionists and delivered to the principal office of the College and may consist of several documents in like form each signed by one or more requisitionists. If the Council does not within twenty-one days from the date of delivery of the requisition proceed duly to convene a meeting the requisitionists or any of them numbering more than one-half of all of them may themselves convene a meeting but no meeting so convened shall be held after three months from the said date. Any reasonable expenses incurred by the requisitionists by reason of the failure of the Council duly to convene a meeting shall be repaid to the requisitionsts by the College.

Notice of Annual General Meeting

9.4 The date, time and venue for every Meeting of Members shall be announced in the President's email newsletter, College publications and website or such other publication as the Council may determine and by notification sent to each member (including Fellows) whose address or email is recorded at the College and is in the British Isles. At least twenty-one days' notice of every Meeting of Members (exclusive of the day on which it is served and of the day for which it is given) specifying the place and hour of the Meeting and of the business to be transacted shall be given. The timing shall permit the publication of the final agenda on the College website or such other publication as the Council may determine, not less than seven clear days before the date of the Meeting.

Agenda and quorum

9.5 The agenda of the Annual Meeting shall include the presentation of the annual report and audited accounts of the College for the last completed financial year.

9.6 The quorum for the transaction of business at a Meeting of Members shall be twenty (exclusive of Council Members). The Chair shall be taken by the President or in their absence a Vice-President selected by the meeting or if neither the President nor any Vice-President is present then by the senior Council member present. The Chairman may with the consent of the Meeting and shall if so directed by the Meeting adjourn the Meeting from time to time and from place to place.

Motions for the Annual Meeting

9.7 A resolution put to the vote of the Meeting shall be decided on a show of hands and every Member present.

9.8 Motions introduced by Members for discussion at the Meeting shall be signed by the Mover or by the Mover and other Members, and shall be received by the Chief Executive Officer by the date stipulated in the announcement of the meeting.

9.9 The President shall determine what motions are in order, and direct the arrangement of the agenda.

9.10 With the exception of approval of changes in the Charter and Ordinances and in the level of annual subscription, motions passed at a Meeting of Members are only advisory to the Council.

9.11 Subject as aforesaid meetings of Members and the convening thereof and proceedings thereat shall be regulated by the Regulations.

10. ACCOUNTS

10. The Board of Trustees shall cause proper books of accounts to be kept with the respect to the receipts and expenditure of the College and of its assets and liabilities. Once at least in every year the accounts shall be examined and their correctness ascertained by one or more auditors being a person or persons who, if the College were a company formed and registered under the Companies Acts, would be qualified for appointment as its auditor. There shall be laid before each Annual Meeting of Members the audited accounts for the last financial year of the College.

11. INVESTMENT POWERS

11.1 Monies held by the College (including the sale proceeds of other investments held) may be invested in such stock funds shares securities and other investments (including without limitation land of any tenure or any interest therein and works of art) within the United Kingdom or elsewhere and whether producing income or not and without need for diversification as may be thought fit;

and for the avoidance of doubt but without prejudice to the generality of the foregoing the College may invest monies within its control in:

(a) foreign currency;
(b) futures and options;
(c) the subscription for or underwriting of (for the purpose of allocation) new issues:

Provided that in the case of an investment under (a) and (b) such investment is for the protection of monies and other investments held by the College and the Board of Trustees is satisfied that such investment is not speculative and will not expose such monies and other investments to undue risk.

11.2 Registration and Management of Investments

(1) Investments, and certificates or other documents of title to investments, in the beneficial ownership of the College or of which it is a trustee may be registered in the names of, and/or deposited for safe keeping with, nominees acting as bare trustees for the College in accordance with such arrangements (including remuneration) as may from time to time be approved by the Board of Trustees;

(2) Management of investments in the beneficial ownership of the College or of which it is a trustee may be delegated on a discretionary basis to such persons, duly authorised under Financial Services and Markets Act 2000 or any successor Act as may from time to time be approved by the Board of Trustees and upon such terms and conditions (including remuneration) and subject to such limitations as may be agreed between such persons and the Board of Trustees.

11.3 The provisions of this Ordinance shall not apply to monies held by the College (including sale proceeds from other investments held) on specific trusts and which are subject to separate investment powers.

12. RAISING OF MONEY

Pursuant to the objects of the College the Board of Trustees shall, subject to any trust deed, have power to raise money by borrowing it or by selling, converting, calling in, mortgaging or otherwise charging all or any part of the property of the College: provided that no lender nor any purchaser or mortgagee paying or advancing money on a sale, conversion, calling in, mortgage or charge shall be concerned to see that such money is wanted or that no more than is wanted is raised or otherwise as to the application thereof.

13. COMMON SEAL

13.1 The Common Seal of the College shall consist of the Armorial Bearings, Crest, Supporters and Motto of the College as registered in Her Majesty's College of Arms and shall be kept in the custody and for the sole use of the Board of Trustees and the Council.

13.2 The Common Seal shall not be affixed to any instrument unless it is witnessed by the signature of the President or one of the Vice-Presidents (or in their absence by the senior Council Member available).".