

European Academy of Paediatrics EAP UEMS Section of Paediatrics

BY LAWS (RULES OF PROCEDURE)

Approved by the General Assembly on Dec 3 2016 in Brussels

Introduction

Amendment to the By Laws (ByL)

The General Assembly of EAP, deciding by the majority of two thirds of the full Members, can only change the By laws in the respect of the statutes under the following conditions:

- The proposal of amendment must have been introduced by the Executive or by more than a third of the full Members;
- The whole text of the proposal must be sent, in toto, with the agenda of the convocation for the General Assembly meeting.

Suspension of the ByL

Exceptionally, for a particular problem the solution of which brooks no delay, the General Assembly ruling by majority of two thirds of full Members, may temporarily suspend the application of the ByL, without infringing the Statutes. This suspension shall remain a single act: it shall be justified in the minutes of the meeting.

Application of the ByL

A ByL shall enter into effect on the day after its adoption by the General Assembly. It shall be sent by the Secretary General as soon as possible, to the members.

For any case not covered in the Statutes or the present ByL, in case of doubt as to the interpretation of an article of the Statutes or ByL, and in an emergency making it impossible in practice to convene an extraordinary plenary assembly, it is up to the Executive or the President and the Secretary General acting together:

- 1) to jointly decide upon the matter safeguarding the spirit of the Statutes of EAP/UEMS.
- 2) to report to the following plenary assembly applying, as the case may be, the procedure of suspension of the ByL.

Article I. Members

I.1. Delegates

A. Appointment and mandate (according to the EAP UEMS/SP Statute art. 7).

The status of specialist doctor is required in order to validly sit on the bodies of EAP/UEMS SP. When delegates are appointed, member organisations shall ensure, as far as possible, that specialist doctors are chosen in case of equal qualification.

After each 2 terms, the nomination of delegates has to be confirmed by the national association. Delegates should participate in the Winter and Spring meetings: in case of absence for two consecutive meetings the EAP Secretariat will inform the National Society.

B. Honorary Members

The Executive Committee may confer the title of Honorary Member upon a national delegate or a former member of the Executive in respect of exceptional services.

Honorary members can only have an advisory role. They may be invited to attend meetings of the Executive Committee or Permanent Councils upon proposal by the Executive Committee (EC) at the expense of the latter.

D. Past President

During the term of office of the new President, the Executive shall invite the preceding President to take part in the Meetings of the Executive Committee and of the Permanent Councils for one year.

E. Junior Doctors

A representative of the European Junior Doctors Permanent Working Group who should be a Junior Doctor as defined in the EJD statute (*"a physician who has not yet attained a definitive post at senior level in the healthcare system of his or her home country "*) and should be working in paediatrics in countries which are member states of the Council of Europe can participate to the

EAP meeting activities and can be invited to participate in the Executive Committee meetings, without voting rights .

F. Individual Members

Individual Members must pay the renewal of their membership fees by March 31st and in any case before participating to the Permanent Council Meeting to which they are assigned during an EAP meeting.

I.2. Rights

A. Speaking right

The Full, Associate, and EAP subspecialty paediatric delegates, EJD-PWG delegate and Individual Members have the right to ask the President for the floor at any time when they want to address the meeting.

The Observers and Affiliated Societies Delegates may only speak with the agreement of the President.

Guests and experts may be admitted to General Assembly and meetings of the Permanent Councils, with the Executive Committee's permission. They may only take the floor when the President/Chairman expressly asks them to do it; their statement shall be concise and strictly confined to the subject under discussion.

B. Suspension of rights

Any irregularity in the payment of the subscription entails suspension of the right to vote. The irregularity shall be submitted to the EC which shall decide upon other measures to take, notably a prohibition on speaking at meetings.

I.3. Loss of Membership

A. Resignation

Member organisations resigning from EAP/UEMS SP will continue to be liable for the payment of their subscription up until the end of the financial year during which they withdraw.

B. Dismissal

Failure to pay the annual subscription for two consecutive years shall entail dismissal, insofar as the subscription reminder had been notified by registered letter or certified mail, and that the General Assembly had voted for dismissal. The EC may decide to readmit an excluded Member organisation with a decision by two thirds of the Full Delegates present or represented in the General Assembly after payment of the outstanding annual fees

Article II. Voting procedure

II.1. Open ballot

Voting is done verbally, country by country, according to the EAP/UEMS SP Statute on a show of hands, in three stages: "for", "against", "abstentions". As an "abstention" is not a definite vote ("yes" or "no"), such votes are not included in the decision. However, the total number of definite votes must represent more than 50% of the total votes cast.

The President may request the general Assembly to vote again if a decision is unclear.

II.2. Secret ballot

The President may, on his/her own initiative or at the request of a third of the full Members present or represented, decide to proceed with a vote by secret ballot. Moreover, any vote relating to persons shall be carried out by secret ballot.

In this case, the ballot papers are collected by the President or Secretary General and the final count can be declared on demand.

Article III.

III.1. Formal invitation and agenda

The convocation with the date and place of meetings of the General Assembly shall be brought to the attention of Delegates and Members with a provisional agenda together with any relevant document, including financial reports, to be discussed in the GA at least four weeks before the meeting. The final agenda shall be sent or posted on the website by the Secretary General at least two weeks before the date of the meeting.

Any national delegation wanting to place a subject on the agenda of the meeting shall do so in writing to the Secretary General, at least eight weeks before the meeting. Once this time limit is exceeded, the subject is automatically carried over to the agenda of the next meeting, unless, during the meeting, two-thirds of full members present decide otherwise.

III.2. Venue of the meeting

To support the proposal for a place for Spring Meetings, the member country which is the candidate host, is bound to submit to the Secretary General a complete written report including a provisional budget one year in advance of the actual year the candidate country wants to host the spring meeting. The report, sent at the latest two months before the meeting of the General Assembly held at the Spring meeting, should prove that the place chosen fulfils the following required criteria:

- Possesses the necessary technical, administrative and hotel infrastructure;
- Has easy availability (access by air, rail and road);
- Provides favourable quality/price ratio.

The national organization representing the host country's paediatricians shall formally commit itself in writing to pay all the expenses entailed for the meetings of the EAP/UEMS SP not covered by the registration.

The EAP PCO will collaborate with the National Society to the organization of the meeting under the supervision of the EC.

III.3. Extraordinary plenary assemblies

The date, place and object of extraordinary General Assemblies shall be brought to the attention of Members at least four weeks before the meeting. The convocation and the final agenda shall be sent at least two weeks before the date of the meeting.

Article IV. Executive Committee

IV.1. Election of the members of the Executive

The election of the members of the Executive occurs under the following conditions:

- The election of members of the Executive must appear on the agenda of the General Assembly as a separate item, specifying the posts to be filled.
- The call for candidatures should be sent three months in advance
- A candidature must be received in written form by the Secretariat at least two months before the meeting. A candidate can be proposed for more than one Office, but can only be accepted to hold one Office

- The order of voting is:

- 1- The President;
- 2- The Secretary General;
- 3- The Vice-President.
- 4- The Treasurer;
- 5- The Chair of the European Board of Paediatrics

The Enlarged Executive Committee consists of the Executive Committee with the addition of :

- The Chair of the Primary Care Council

- The Chair of the Secondary Care Council
- The Chair of the Tertiary Care Council
- The Liaison Officer
- The Executive Director

The procedure is as follows:

The candidates introduce themselves.

The vote is made by secret ballot and supervised by an Election Committee ("Bureau de vote").

The Election Committee is formed by three delegates representing three full member countries present in the assembly, excluding members of the Executive in office and candidates for office subject to ballot. These three delegates are chosen in relation to their length of service within the EAP: they appoint among themselves the person who shall assume the office of President of the Election Committee. The Election Committee is responsible for the correct compliance with the voting procedure, in particular the circulation, collection and sorting of ballot papers.

Once the Election Committee is formed, and throughout the whole duration of the vote, the President shall relinquish his place in favour of the President of the Election Committee who declares the vote open, once he has ensured that all candidates have effectively left the meeting room and are located in a room where it is impossible for them to hear the discussions and a fortiori, intervene in them. After the candidates have departed, the President of the Election Committee reads the list of candidates' names for each office and asks the assembly to give its opinion on the validity and acceptability of each candidate. Once the voting procedure has started, no candidature shall be withdrawn or introduced. However, between two rounds of voting, the President of the Election Committee may propose that the assembly allows the voluntary withdrawal of a candidate.

To be declared elected, a candidate shall receive the majority of votes of full Members present or represented. If no majority emerges at the first round, a second round shall take place at the end of which, if no candidate has received the majority required, a third round is organized between the two candidates having received the largest number of votes in the previous round. If no majority emerges, the candidate with the longest service within the EAP/UEMS SP is declared elected.

Following the collection of ballot papers, the votes are counted aloud in the meeting room. The President of the Election Committee proclaims the result, which is entered in the minutes, after which he declares the vote closed and relinquishes his place in favour of the President who recalls the candidates absent during the vote and informs them of the result of the vote.

Successful candidates to the Executive Committee shall commence office on the following EC meeting ensuring a smooth transition of responsibilities. They will be expected to sign and conform to the Code of Conduct/ Declaration of Interest, as agreed by the General Assembly.

The Chairs of the Permanent Councils, the Liaison Officer and the Executive Director should be selected among the Delegates or Individual Members working in countries which are member states of the Council of Europe. <http://www.coe.int/en/web/portal/47-members-states>

The Elections for the Chairs in the Permanent Groups should follow the same procedure.

The Liaison Officer and the Executive Director, who do not have voting rights, might be appointed upon recommendation of the majority of EAP/UEMS SP EC members.

IV.2. Vacancy

A. The President

In the case of a vacancy during the mandate of the President, he/she shall be replaced by the Vice-President within the EC until the election of a new President at the next meeting of the General Assembly

B. The other members of the Executive

In the case of the death, resignation or dismissal of any other member of the Executive Committee, the Executive will provide a replacement for her/him until the election for that post at the next General Assembly.

C. If one of the EC members ends his term as National Delegate during her/his mandate as EC member he/she can continue to remain in the EC until the end of his mandate.

IV.3. Missions

A. The President

The President is notably charged:

- to promote and pursue the objectives and resolutions of the General Assembly;
- to preside over the meetings of the Executive and the General Assembly ;
- to represent EAP/UEMS SP in relations with third parties.

B. The Secretary General

The Secretary General is charged more particularly:

- to promote and pursue the objectives and resolutions of General Assembly;
- with the organization of meetings of the Executive Committee and the General Assembly;
- to ensure that information and correspondence are forwarded by the Secretariat
- to keep the archives;
- to promote the activity of the Permanent Councils, Working Groups/Task Forces/Network and to take part in their meetings whenever he sees fit;
- to control the drawing-up of the minutes of every meeting for which he is responsible;
- to send the text of Statutes, the ByL and any amendment to the Members.

C. The Treasurer

The Treasurer is charged more particularly:

- with the calculation of the annual subscription to be proposed to the EC, based on a draft budget and in conformity with the key approved by the EC;
- to send out the requests for payment of subscription and to ensure their payment within the time required to balance the budget;
- to control expenditure and to establish an annual balance sheet to be submitted for the approval of the EC.
- to approve each major expense (preliminary budget) which will be done in the name of EAP/UEMS SP in collaboration with EAP President or Secretary General
- to submit the annual financial report (declaration) in Belgium as state of registration of the legal entity.

D. The Vice-President

The Vice-President is charged more particularly:

- to deputize for the President in any part of his functions, if he is personally prevented from so doing;
- any other representation by delegation of the President or the Secretary General.

E. The Chair of the European Board of Paediatrics

The Chair of the European Board of Paediatrics is charged more particularly:

- to guarantee the highest standards of care in the field of the Paediatrics in the countries of the European Union and when possible Council of Europe, by ensuring that the training is raised to the highest possible level.

F. The Chairs of the Permanent Councils

The Chairs of the Permanent Councils are responsible to provide a professional, scientific and educational forum for all members and delegates of Sub Specialty Societies in collaboration with the Working Groups/Task Forces/Network Chairs.

G. The Liaison Officer

- The Liaison Officer is responsible for relations with the other International and European Organizations focusing on Children Health and also, importantly, with the European Institutions and its members and the Press Office. He/she may participate in the EC meetings without voting rights.

Her/his activities have to be evaluated by the EC every third year and, based on this evaluation and relevant decisions of the EC, her/his appointment is extended or terminated. The Liaison Officer can be dismissed by the EC, at any time after the first year.

Candidates for the position should be Delegates or individual members working in countries which are member states of the Council of Europe and must notify their intent to the EC with a written request, personal statement, and current CV, at least two months prior to the start of the appointment.

H. The Executive Director

See the EAP/UEMS SP Statute art.14.2

The EC can allocate to the Executive Director an honorarium for the time spent attending events and on activities for the EAP UEMS SP. The amount of this honorarium shall be determined by the EC. The EC will inform the GA on these activities and any honorarium paid.

The Executive Director and the Liaison Officer must present a Declaration of Interests and submit it to the President of EAP/UEMS-SP and Chairman of Ethics Working group for further consideration.

IV.4. Financing

1. Travel, accommodation and subsistence expenses of members of the Enlarged Executive, instructed to carry out clearly defined representational activities, shall be reimbursed by the EAP/UEMS SP only if they are justified. The members of the Enlarged Executive must have been given prior formal approval by the Treasurer and, only in exceptional circumstances by the President and/or the Secretary-General. The same procedure will apply to any other persons undertaking activities on behalf of EAP/UEMS SP.

2. The EC can allocate to its members an allowance for the time spent attending events and on activities for the UEMS and/or for Secretarial support. The amount of this allowance shall be determined by prior formal approval by the General Assembly.

3. EC can decide to contract an assistant professional accountant and agree a schedule of fees for other services that can be provided for EAP/UEMS SP activities. The amount of this contract and schedule of fees shall be determined by prior formal approval by the General Assembly.

.Article V. Accounts

Day-to-day administration of the accounts of UEMS is the responsibility of the Treasurer in collaboration with the Secretariat under the supervision of Secretary General.

The GA elects two internal auditors for three years not renewable. One of them must come from a full Member Country .The two auditors are in charge of the verification of accounts of and reporting to the General Assembly..

The Auditors will receive the information and documents of the fiscal year accounts at least four weeks before the first General Assembly after the end of the Fiscal Year.