

# HONG KONG COLLEGE OF RADIOLOGISTS

## BYLAWS

### Bylaw 1 Interpretation

1. In these Bylaws, unless the context otherwise requires –
  - 1.01 “Bylaws” means the Bylaws for the time being of the College;
  - 1.02 “College” means Hong Kong College of Radiologists;
  - 1.03 “Council” means the Council of the College;
  - 1.04 “financial year” means the period from 1<sup>st</sup> January in any calendar year to 31<sup>st</sup> December in the same calendar year;
  - 1.05 “medically qualified” in relation to any person means:
    - (1) any medical practitioner fully registered or temporarily registered in Hong Kong under the Medical Registration Ordinance (Chapter 161);  
or
    - (2) any medical practitioner possessing a qualification or qualifications adjudged by the Council to be of status comparable to that mentioned in section (1) of this definition;
  - 1.06 “radiologist” means a medically qualified person professionally engaged in the use of radiation (both ionizing and non-ionizing) or associated techniques in the investigation, diagnosis and treatment of disease. The word “radiology” shall be construed accordingly;
  - 1.07 “Fellow” means a member who has been admitted as a Fellow pursuant to the Articles, but does not include an Honorary Fellow;
  - 1.08 “Honorary Fellow” means a member who has been admitted as an Honorary Fellow pursuant to the Articles;
  - 1.09 “Member” means a member who has been admitted as a Member pursuant to the Articles, but does not include an Honorary Member;

- 1.10 “Honorary Member” means a member who has been admitted as an Honorary Member pursuant to the Articles;
- 1.11 “Associate Member” means a member who has been admitted as an Associate Member pursuant to the Articles;
- 1.12 “Trainee Member” means a member who has been admitted as a Trainee Member pursuant to the Articles;
- 1.13 “member” means a member of the College (whether a Fellow or an Honorary Fellow or a Member or an Honorary Member or an Associate Member or a Trainee Member) except when used in connection with membership of the Council or of any Committee or of any Subcommittee;
- 1.14 “Ordinance” means the Companies Ordinance (Chapter 32);
- 1.15 “in writing” means written, printed or lithographed, or partly one and partly another, or reproduced in visible form by any other means;
- 1.16 “seal” means the common seal of the College;
- 1.17 Unless the context otherwise requires, words and expressions contained in these Bylaws
- (1) importing the singular number shall include the plural number, and vice versa;
  - (2) importing the masculine gender shall include the feminine gender;
  - (3) importing persons shall include corporations; and
  - (4) shall bear the same meaning as in the Ordinance or any statutory modification thereof in force at the date on which these Bylaws become binding on the College.

## Bylaw 2 Membership

- 2.1 The membership of the College shall consist of Fellows, Honorary Fellows, Members, Honorary Members, Associate Members, Trainee Members and such other categories of membership as the Council may provide for.
- 2.2 The Council shall determine the criteria including examinations, assessments, qualifications, experience, training and continuing medical education where appropriate for admission to various categories of membership and may from time to time amend such criteria.

- 2.3 The Council may admit a person as a Fellow who has fulfilled the admission criteria as stated in Bylaw 2.4. The Council will, however, retain absolute discretion over which nominees should be admitted as Fellows of the College.
- 2.4 Fellows shall be medically qualified persons who:-
- (1) have passed the examinations laid down by the Education Committee and approved by the Council for this purpose; and
  - (2) are currently engaged in active radiological practice in Hong Kong, and
  - (3) have undergone recognized training and possess experience in radiology of such nature and duration as may be determined suitable and sufficient by the Council from time to time, and
  - (4) are normally resident in Hong Kong.
- 2.5 It will be for the College to decide in its absolute discretion whether a particular nominee's training or any part of it is of sufficient standard to be considered as appropriate recognized training in Radiology.
- 2.6 Honorary Fellows or Honorary Members shall be persons of eminence or persons who have rendered outstanding service to medical science or to the College.
- 2.7 Members shall be persons who:-
- (1) have passed the examinations laid down by the Education Committee and approved by the Council for this purpose; and
  - (2) are currently engaged in active radiology practice in Hong Kong, and
  - (3) are normally resident in Hong Kong.
- 2.8 Associate Members shall be persons who:-
- (1) are Fellows of other Hong Kong Academy of Medicine Colleges and are interested in the practice of radiology, or
  - (2) are medically qualified and possess qualifications in the practice of radiology, or
  - (3) are members of other professions and are interested in the practice of radiology.

- 2.9 (1) Trainee Members shall be persons who are enrolled as trainees of the College, actively participating in the Training Programme, but have not passed any examinations laid down by the Education Committee.
- (2) The membership of every Trainee Member will be reviewed every five years by the Membership Committee.

### Bylaw 3

#### Admission of members

- 3.1 The Council, with recommendation from the Membership Committee, shall determine the procedure for admission of members of the College and may amend these procedures from time to time.
- 3.2 The admission of a Fellow shall be upon the award of a diploma of Fellowship in Radiology, duly attested by the signatures of the President and the Warden under the seal of the College.
- 3.3 Conferment of an Honorary Fellowship or Honorary Membership shall be by Council nomination and election at a General Meeting of the College.

### Bylaw 4

#### Subscriptions

- 4.1 The Council shall determine the registration fee (the fee paid for registration during the admission) and annual subscription for different categories of membership of the College from time to time.
- 4.2 The said registration fee shall be considered due at the time of admission, and the said annual subscription shall be considered due on the 1<sup>st</sup> January of each year or in the case of members admitted during the year, at the time of admission.
- 4.3 Annual subscription must be collected and delivered to the College no later than 31<sup>st</sup> March of each year. Otherwise a surcharge will be required as determined by the Council.

### Bylaw 5

#### Resignation of members

- 5.1 Any member may resign by written notice to the Honorary Secretary.
- 5.2 Resignation shall take effect no earlier than the date on which such written notice is received by the Honorary Secretary.

- 5.3 Fees paid to the College are not refundable. Fees shall be payable up to the date of receipt of written notice of resignation.

## Bylaw 6

### Termination of membership

- 6.1 Subject to Bylaws 6.2 and 6.3 the Council has the power and discretion to terminate a person's membership, if a member
- 6.1.1 has been convicted of a serious offence punishable by imprisonment;
  - 6.1.2 has been found guilty of serious professional misconduct by the Medical Council of Hong Kong;
  - 6.1.3 has acted in a manner prejudicial to the objectives or the good name of the College;
  - 6.1.4 has become bankrupt;
  - 6.1.5 has become of unsound mind; or
  - 6.1.6 has obtained admission to College by false statement, fraud or imposition;
  - 6.1.7 is a Trainee Member and:-
    - 6.1.7.1 has not been actively participating in the endorsed Training Programme including having ceased to remain a fulltime member of an accredited training department in the corresponding specialty;
    - 6.1.7.2 ceased to be qualified to take the Part I Fellowship Examination; or
    - 6.1.7.3 has ceased to hold a valid practicing certificate issued by the Medical Council of Hong Kong.
- 6.2 The resolution to terminate a person's membership shall be passed by a majority of not less than three-fourths of the members of the Council with voting rights or by Resolution of the College passed at an Extraordinary General Meeting by not less than three-fourths of the members present and voting.

- 6.3 Provided that not less than 28 days before the meeting of the Council at which such a resolution is passed the member shall have had notice of such meeting and of what is alleged against him and of the intended resolution and that he shall at such meeting and before the passing of such resolution have had an opportunity of giving orally or in writing any explanation or defence he may think fit and provided further that any such member may by notice in writing lodge with the Honorary Secretary not less than 24 hours before the time for holding the meeting at which the resolution is to be considered by the Council, elect to have the question dealt with by the College in general meeting and in that event and Extraordinary General Meeting of the College shall be called for the purpose and if at the meeting such a resolution be passed by a majority of not less than three-fourths of those present and voting (such vote to be taken by ballot) the membership of the member concerned shall be terminated and his name removed from the Register.
- 6.4 Where a Resolution for the removal of a member has been passed by the Council, the member may, within 14 days after the date of the Resolution, appeal against the Resolution to the Council, then an Appeal Committee will be appointed to investigate the case.
- 6.5 Pending the determination of the appeal, the Honorary Secretary shall not remove the name of the member from the Register.
- 6.6 If the membership fee or any other moneys due by a member to the College is not received by within 12 months after such payment falls due, despite two written reminders by the College to pay, the member shall automatically forfeit his membership. Reinstatement of College membership shall be at the discretion of the Council and upon payment of the current annual subscription and all moneys owed by the member in arrears.
- 6.7 The reinstatement of membership shall be at the discretion of the Council. The reinstatement procedures will be determined by the Council from time to time.

- 6.8 Whenever a member of the College (including an Honorary Fellow or a Fellow or an Honorary Member or a Member or an Associate Member or a Trainee Member) is removed from the Register for whatever reason(s), in the letter to notify the member to this effect, his notice should be brought to Article 19 and he should be reminded NOT to describe himself as being a member of the College. In addition, the Medical Council of Hong Kong and the Hong Kong Academy of Medicine should be informed of this decision by the College as FHKCR is a quotable qualification and HKCR derives statutory power from the HKAM.
- 6.9 The name of a deceased member will be removed from the Register of subscribing members for accounting purpose.

#### Bylaw 7

##### Awards, conferment or revocation

7. The Council may specify particulars of academic awards, distinctions, or certifications to be awarded by the College and provide for matters relating to their grant, conferment or revocation.

#### Bylaw 8

##### Code of professional conduct

8. The Council has the discretion to cause a code of professional conduct to be established and such code may be updated, published and issued from time to time.
- 8.1 All members are urged to familiarize themselves with and abide by the Code of Professional Conduct of the Medical Council of Hong Kong.
- 8.2 Fellows shall accord to their professional colleagues proper respect. In particular, Fellows shall not exploit the services of their junior colleagues.
- 8.3 Fellows should obtain the approval of an appropriate ethics committee before carrying out any research involving animals or human beings.
- 8.4 Fellows should obtain the informed consent in writing of the patients before conducting research on them, except where the appropriate ethics committee has confirmed in writing that no such consent is required.
- 8.5 Fellows should not plagiarize the work of others or claim originality of invention or discovery or acquisition of scientific data which are not the result of their own work.

- 8.6 Any breach of the code of professional conduct of either the College, the Medical Council of Hong Kong may be a cause for the Council to terminate a person's membership.

#### Bylaw 9

##### Membership services and welfare of employees

9. The Council shall provide for the welfare of the members of the College and its employees.
  - 9.1 The use of the College's premises, services, and facilities are subject to the House Rules which shall be observed by all members.
  - 9.2 The House Rules shall be determined by the House Sub-committee and approved by the Council from time to time.
  - 9.3 The House Sub-committee shall be responsible for overseeing the management and welfare of employees of the College.

#### Bylaw 10

##### Duties of Officers and Council

10. The Officers shall be supported by salaried staff who will not be Council members but may be present at Council meetings without voting rights. The duties of the Officers are as follows:-
  - 10.1 The President shall:-
    - 10.1.1 be the person with overall responsibility for the administration and work of the College;
    - 10.1.2 provide the leadership to ensure the objectives of the College are promoted;
    - 10.1.3 be the Chairman and have a casting vote at Council meeting;



10.1.4 in the case of emergency and of it being impossible to summon a meeting of the Council or the appropriate Committee in time to deal with such an emergency the President shall have power to take such immediate action as may seem necessary to him in the circumstances, and shall report the matter to the next meeting of the Council or of the appropriate Committee as the case may be; and

10.1.5 represent the College on official occasions.

10.2 The Senior Vice-President shall:-

10.2.1 act for the President in his absence;

10.2.2 represent the President whenever necessary; and

10.2.3 assist the President in the affairs of the College.

10.3 The Vice-President shall:-

10.3.1 act for the President in the absence of the Senior Vice-President;

10.3.2 represent the President whenever necessary; and

10.3.3 assist the President in the affairs of the College.

10.4 The Warden shall:-

10.4.1 be the Chairman of the Education Committee;

10.4.2 be the principal academic officer of the College; be responsible for coordinating and monitoring postgraduate education and training and continuing medical education programmes of the College;

10.4.3 ensure the proper organisation and conduct of examinations; and

10.4.4 be responsible for liaising with other Colleges where matters relating to education and examinations are concerned.

10.5 The Honorary Secretary shall:-

10.5.1 assist the President in the administration of the College;

10.5.2 cause proper minutes of every Council meeting or any other Committee meetings as directed by the Council to be recorded;

10.5.3 maintain the Register of members;

10.5.4 give proper notice to each member of the General Meetings and of any duly made and approved Regulation or Bylaws;

10.5.5 keep the official copy of the Memorandum and Articles of Association and the Bylaws, and entering therein any change duly made, and prepare for the printer a revised edition thereof when order by the Council; and

10.5.6 be responsible for the correspondence of the College.

10.6 The Honorary Treasurer shall:-

10.6.1 manage the financial affairs of the College as directed by the Council;

10.6.2 be the Chairman of the Finance Committee, and prepare and report an updated financial report for each Council meeting; and

10.6.3 cause proper accounts to be kept of the moneys received and expended by the College and of its assets and liabilities.

10.7 The Council and the Council Meeting:-

10.7.1 At least four Ordinary Meetings of the Council shall be held each College year.

10.7.2 A clear seven days' notice shall be given of every Ordinary Meeting of the Council to the members of the Council.

10.7.3 The President may at any time, and shall upon a requisition in writing from four members of the Council stating the purposes for which the meeting is to be convened, convene an Extraordinary Meeting of the Council.

10.7.4 A clear four days' notice stating the purposes of an Extraordinary Meeting shall be given to the members of the Council, except that if in the opinion of the President a case of emergency has risen, an Extraordinary Meeting may be convened on shorter notice.

- 10.7.5 Questions arising at any meeting shall be resolved by a majority of votes, and in case of an equality of votes the Chairman shall have a casting vote.
- 10.7.6 The President, or in his absence or if he is unwilling to act, the Senior Vice-President, or in his absence or if he is unwilling to act, the Vice-President, shall take the chair at meetings of the Council, or in his absence or if he is unwilling to act, the members of the Council present shall choose some one of their number to be Chairman at such meeting.
- 10.7.7 In the event of any motion being brought forward for the censure or removal of any Officer or employee of the College, the vote shall be taken by ballot.
- 10.7.8 Except where otherwise provided the votes of members of the Council shall be taken as the Chairman may think fit, but any three members of the Council present shall have the right to demand a ballot. Every ballot shall be taken in such manner as the Council shall from time to time prescribe.
- 10.7.9 A meeting of the Council for the time being at which a quorum is present shall be competent to exercise all or any of the authorities, powers and discretions by or under the Memorandum & Articles of Association or these Bylaws vested in or exercisable by the Council generally.
- 10.7.10 The meetings and proceedings of any Committee shall be governed by the provisions in the Articles and these Bylaws for regulating the meetings and proceedings of the Council so far as the same are applicable thereto and are not superseded by any regulations made by the Council.
- 10.7.11 All acts done at any meeting of the Council or of a Committee, or by any person acting as a member of the Council or of a Committee, shall, notwithstanding that it shall afterwards be discovered that there was some defect in the appointment of such member of the Council or of the Committee, or person acting as aforesaid, or that they or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a member of the Council or of the Committee.
- 10.7.12 A resolution in writing signed by all the members of the Council shall be as valid and effectual as if it had been passed at a meeting

of the Council duly called and constituted.

10.7.13 All records, books and papers shall at all times be open to the inspection of members of the Council.

10.7.14 A copy of the unconfirmed minutes of any meeting of the Council or of any Committee shall be issued to each member thereof as soon as practicable after the meeting and shall be confirmed in the next succeeding meeting.

10.7.15 Minutes, whether confirmed or unconfirmed, of all meetings of the Council or of any Committee shall be regarded as confidential, and it shall be the duty of all members to whom such minutes are issued to maintain such confidentiality.

10.7.16 Co-opted Council Members

- (1) The Council shall have power to co-opt Fellows as additional Council members, provided that the number of co-opted members shall not at any time exceed five (including the immediate past President).
- (2) Co-opted members of the Council shall have no voting rights in Council Meetings.
- (3) Every co-opted member of the Council shall hold office until the next Annual General Meeting following his co-option, but shall be eligible for election.
- (4) Usually the nomination and the election of the co-opted members shall be carried out in the first Council Meeting after the AGM.
- (5) If there are vacancies in the co-opted members, nomination and election may be taken place in any Council Meeting.

## Bylaw 11

### Examination and Training

11.1 The Training Requirement will be determined by the Education Committee from time to time.

11.2 The Education Committee shall constitute a Board of Examiners to conduct the College examinations and to determine the results.

11.3 For the Exit Assessment, a Member with membership for more than one year is allowed to sit for the Exit Assessment after fulfilling the other criteria as laid down by the Education Committee.

Bylaw 12  
Financial policy

12. The financial policy of the College shall be under the direction and control of the Finance Committee.

Bylaw 13  
Postal ballots

13.1 Where, under the Ordinance, a postal ballot is to take place, the following provisions of this Bylaw shall have effect (save where specific provisions governing the postal ballot for the election of Council Members have been provided for under the relevant Regulations or where, in the reasonable contemplation of the Council, particular amendments to these standard procedures should be introduced for that particular postal ballot).

13.2 Notice of a postal ballot shall be given not less than 12 days before the date which the College specifies as the final date for the receipt of completed ballot papers (referred to this Bylaws as “the voting day”). Where the notice of a postal ballot is sent by post (whether ordinary or registered, as decided upon by the College in its absolute discretion), it shall be deemed that such notice will have been received on the next working day (which, for the avoidance of doubt, will not include a Saturday) following the day of posting (save for addresses outside Hong Kong, when such notice will be deemed to have been received 5 working days after the day of posting).

13.3 Subject to the provisions of this Bylaw, notice of a postal ballot shall be given to every Fellow of the College who would be entitled to vote in the postal ballot.

13.4 Notice of a postal ballot:-

(a) may contain such other notice relating to the postal ballot; and

(b) may be accompanied by such other documents,

as thought necessary by the Council to inform the Fellows of the substance of the vote in question.

13.5 The accidental omission:-

(a) to give notice of a postal ballot; or

(b) to send any document required by sub-paragraph 13.4 above to accompany such a notice

to any person entitled to receive it, or non-receipt of such a notice or document by such a person, does not invalidate the postal ballot.

13.6 Notice of the postal ballot, together with the ballot paper and such other notices and documents as referred to in sub-paragraph 13.4 above, shall be sent either by ordinary or registered mail to every Fellow entitled under sub-paragraph 13.3 above to vote in the postal ballot, and the address to which these documents will be sent shall be the address of that particular Fellow registered with the College.

13.7 The voting day shall be specified in the notice of the postal ballot. Only ballot papers received by the College by close of business on the voting day shall be valid. Ballot papers may be returned to the College by hand or by post, but proof of posting is not proof of receipt.

13.8 Only original ballot papers must be returned and will be considered valid. Photocopies of ballot papers will be invalid as will faxed ballot papers.

13.9 The ballots shall be counted by the Honorary Auditor and/or Honorary Legal Adviser of the College or its delegated members or staff as the Council may direct. The Honorary Auditor and/or the Honorary Legal Adviser shall have the right to determine the validity of any ballot paper returned in accordance with, inter alia, the provisions in sub-paragraph 13.8 above. Their reasonable decision or decisions (as the case may be) will be final. The Honorary Auditor and/or Honorary Legal Adviser (as the case may be) shall then inform the Council the result of the postal ballot, who shall then arrange for the publication of such results in whichever way they think best to voting Fellows, and also to other parties as decided by the Council in its absolute discretion.

Bylaw 14  
Subspecialty Chapters

14. To set up Subspecialty Chapters under the three specialties and to authorize such Subspecialty Chapters to represent the College in liaison with local and overseas experts and/or organisations of the respective subspecialties, subject to such Subspecialty Chapters report to the Council regularly, and refer policy matters to the Council for decision.

14.1 Subspecialty Chapters shall consist of members of the College appointed in such manner and on such terms as may be decided by the Council. The term of office for each member is one year, and is eligible for reappointment.

14.2 The Council may at any time dissolve or re-constitute any Subspecialty Chapter.

14.3 Meetings of all Subspecialty Chapters shall be convened and their proceedings governed as closely as may be in the manner prescribed in the Bylaws in respect of meetings of the Council.

14.4 No expense shall be incurred by any Subspecialty Chapter unless a sum of money has been endorsed by the Council for the specific purpose of that Subspecialty Chapter.

#### Bylaw 15

##### Alteration of Bylaws

15.1 The Bylaws shall be those set out above and may be added to, amended or revoked from time to time by the College in General Meetings by a Resolution of which not less than twenty-one days' written notice has been given prior to such Meeting, passed by not less than two-thirds of those entitled to vote at the Meeting.

15.2 Such alteration shall be entered, together with the date, by the Honorary Secretary in a copy of the printed Bylaws kept for that purpose, and shall be signed by the President, and such shall be the authoritative copy of the Bylaws until the next reprinting of the same.

*\*1<sup>st</sup> version adopted and passed during 1<sup>st</sup> EGM on 23 November 1993*

*2<sup>nd</sup> version adopted and passed during 10<sup>th</sup> EGM on 28 October 2005*

*3<sup>rd</sup> version adopted and passed during 12<sup>th</sup> EGM on 19 December 2006*

*4<sup>th</sup> version adopted and passed during 17<sup>th</sup> EGM on 16 September 2011*