

**FIJI INSTITUTE OF MEDICAL
LABORATORY SCIENCE**

Fiji Institute of Medical Laboratory Sciences

By-Laws

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TO PROVIDE FOR THE OPERATION AND REGULATION OF THE FIJI INSTITUTE OF MEDICAL LABORATORY SCIENCES ASSOCIATION

VOTED for by the Members of the Fiji Institute of Medical Laboratory Sciences Association –

PART 1 – PRELIMINARY

1. *Short title and commencement*

- 1.1 The name of the Association shall be Fiji Institute of Medical Laboratory Sciences.
- 1.2 This Constitution may be cited as the Constitution of the Fiji Institute of Medical Laboratory Sciences Association 2022.
- 1.3 This Constitution comes into force on a date or dates elected by a majority vote of the Members at the Annual General Meeting of the Association.

2. *Interpretation*

- 2.1 In this Constitution, unless the context otherwise requires -

“**AGM**” means the Annual General Meeting of the Association held in accordance with Part 5 of this Constitution;

“**Association**” means the Fiji Institute of Medical Laboratory Sciences;

“**Bank Account**” means the operating account of the Association which is held at a Bank;

“**SGM**” means the Special General Meeting of the Association held in accordance with Part 4 of this Constitution;

“**General Meeting**” means the Annual General Meeting and the Extraordinary General Meeting of the Association held in accordance with Part 4 of this Constitution;

“**General Resolution**” means a resolution which has been passed at an AGM or SGM by at least 50% of the votes cast by the members of the Association;

“Registrar” means such officer as the Minister may appoint to carry out the duties of the Registrar under the Industrial Associations Act [Cap 95];

“Special Resolution” means a resolution which has been passed at an AGM or SGM by at least 75% of the votes cast by the members of the Association; and

“Writing” means but is not confined to any written letters, emails, or any other electronic medium of communication.

3. Objectives and Purpose

3.1 The Objectives and purpose of the Fiji Institute of Medical Laboratory Sciences Association is to:

- i. To secure the complete organization of the Association;
- ii. To represent the interest of the members of the Fiji Institute of Medical Laboratory Science to the Fiji Government;
- iii. To negotiate all matters relating to the promotion and development of the Fiji Institute of Medical Laboratory Sciences;
- iv. To establish and promote standards appropriate to the profession of the Medical Laboratory Science;
- v. To improve the standards, status, education, and training of members of the association;
- vi. To confer appropriate categories of membership on those entitled to receive them;
- vii. To act in the best interest of the profession and to undertake or conduct the affairs of the profession considered necessary or beneficial to the institute or its members;
- viii. To encourage publication of material relating to or associated with Medical Laboratory Science;
- ix. To promote, conduct and organize professional examination as maybe required by the membership; and

- x. To provide counsel, advice and representation on matters pertaining to Medical Laboratory Science.

4. *General Obligations*

4.1 The Obligations of the Fiji Institute of Medical Laboratory Sciences Association is to:

- i) To ensure that its members at all material times are to uphold the dignity and honor of the profession, to accept its ethical principles and not engage in any activity which will bring discredit to the profession;
- ii) To ensure that Medical laboratory science shall be practiced by registered Medical Laboratory Scientists and Technicians or persons acting under their supervision;
- iii) At all times the primary aim shall be to provide valued and precise clinical information;
- iv) All Medical Laboratory Scientists shall maintain currency of competence in the knowledge and practice of medical laboratory science and shall share their knowledge with colleagues and promote learning;
- v) Medical laboratory science shall be practiced without bias to a patient's or colleague's race, religion, gender, age, political belief or medical condition
- vi) Every Medical Laboratory Scientists and Technician shall respect the confidential and personal nature of professional records and, except where the best interest of the patient requires, or the law demands, shall not disclose such information to anyone without the patient's authorization.

5. *Application*

5.1 This Constitution shall, except as expressly provided otherwise apply to the members of the Fiji Institute of Medical Laboratory Sciences Association.

6. *Mission Statement*

6.1 The Fiji Institute of Medical Laboratory Sciences [FIMLS] is a professional body representing the profession and practice of Medical Laboratory Science in Fiji.

- 6.2 The institute is committed to promoting professional excellence through communication, education, and code of ethics to achieve the finest laboratory science.

7. *Code of Ethics*

- 7.1 Members of the Fiji Institute of Medical Laboratory Science (FIMLS) who are registered to practice as Medical Laboratory Scientists or Technicians in Fiji shall observe the Code of Ethics and comply with any rulings introduced by the FIMLS to protect the professional standards and reputation of the practice of medical laboratory science in Fiji.

PART 2 – MEMBERSHIP AND ELECTION OF OFFICERS

8. *Membership*

- 8.1 Classes of Membership:

- (a) **Life Members-** any member who the council considers has given outstanding service to the Institute and the profession of Medical Laboratory Science who notwithstanding anything to the contrary in these rules shall retain the privileges of his/her previous membership.
- (b) **Fellows** – any person who fulfills the requirement of the Council and the examining bodies or assessors approved by the Council for a higher qualification than that required for Membership.
- (c) Members – individuals registered as:
 - i. **Medical Phlebotomist:** with the qualification of Certificate in Phlebotomy or equivalent.
 - ii. **Clinical Laboratory Assistant:** with the qualification of Certificate in Clinical laboratory or equivalent.
 - iii. **Medical Laboratory Technician/ Technologist:** with the qualification of Diploma in Medical Laboratory Technology or equivalent.
 - iv. **Medical Laboratory Scientist:** with the qualification of Bachelor of Medical Laboratory Sciences or equivalent.

v. **Medical Laboratory Scientist (Specialization):** with the qualification above Bachelor of Medical Laboratory Sciences or equivalent as assessed and approved by the Executive Council. (Medical Laboratory Specialization, Management, or any other laboratory related fields)

(d) **Associate** – any person who is not eligible for any other class of membership.

(e) **Affiliate-** any person who works closely with the laboratory department but does not have a Medical Laboratory Science qualification.

(f) **Students** – any student enrolled in Certificate in Phlebotomy program, Clinical Certificate Laboratory Technology, or bachelor's degree in medical laboratory science in Fiji.

(g) **Private/ Commercial Laboratory-** any laboratory operating in Fiji as a diagnostic/ pathology facility.

Members shall be regularly and normally engaged in the industry which the Institute represents and shall not be a member of another Industrial Association.

8.2 Entrance and Annual Subscription Fees:

- i. Medical Phlebotomist:
Registration: 100 FJD
Annual Subscription/ Renewal: 50 FJD
- ii. Clinical Laboratory Assistant:
Registration: 130 FJD
Annual Subscription/ Renewal: 60 FJD
- iii. Medical Laboratory Technician/ Technologist
Registration: 150 FJD
Annual Subscription/ Renewal: 70 FJD
- iv. Medical Laboratory Scientist
Registration: 180 FJD

Annual Subscription/ Renewal: 90 FJD

- v. Medical Laboratory Scientist (Specialization)
Registration: 200 FJD
Annual Subscription/ Renewal: 100 FJD
- vi. Associate Member
Registration: 80 FJD
Annual Subscription/ Renewal: 40 FJD
- vii. Affiliate Member
Registration: 300 FJD
Annual Subscription/ Renewal: 150 FJD
- viii. Student
Registration: 30 FJD
Annual Subscription/ Renewal: 30 FJD
- ix. Private/Commercial Laboratory
Registration: 500 FJD
Annual Subscription/ Renewal: 300 FJD

All renewals of membership are subjected to the CPD points gathered for the year.

- 8.3 The Annual General Meeting of the Association shall have the power to alter all fees, subscriptions, and contributions for the purpose of providing further benefits for the members.

9. Lapse, Removal and Cessation of Membership

- 9.1 Members who fail to pay their Annual Subscription/ Renewal Fee before 31st March of the current Year and are more than thirteen (13) weeks in arrears of subscriptions shall not be entitled to any Association benefits nor will they be permitted to vote at any Association's meeting. Such members shall cease to be members of the Association and would thus require to re-register as a new member.
- 9.2 All members must abide by the rules of the Association. Any member breaking the rule

may be liable to a fine not exceeding \$200 or face expulsion by the Executive Council. Any member fined or face expulsion shall have the right to appeal to the Annual General Meeting whose decision shall be final.

- 9.3 A member shall cease to be a member of the Association when these circumstances happen: death, migration, voluntary withdrawal of membership and expulsion through disciplinary action on a member by the Executive Council and any other reasonable circumstances to which the Executive Council deems fit.

PART 3 – CONSTITUTION AND GOVERNANCE

10. Constitution

- 10.1 The supreme authority of the Association shall be vested in the Annual General Meeting and subject to that authority, the Association shall be governed by the Executive Council.
- 10.2 The Annual General Meeting shall be held within three (3) months of the end of the financial year at a time and place to be determined by the Executive Council. The General Secretary shall prepare the agenda and make it known by inserting the notice circulating in the Republic of the Fiji Islands twenty-eight (28) days before such meeting.
- 10.3 All members other than Student members and resident in Fiji whose subscriptions are not more than thirteen (13) weeks in arrears are entitled to vote at the Annual General Meeting.
- 10.4 An extraordinary General Meeting may be called by the Executive Council at the request of fifty percent (50%) or more of the total number of members of the Association who are not more than thirteen (13) weeks in arrears with their subscriptions. A twenty-eight (28) days' notice shall be given with the agenda of such meeting and may be published in the Republic of the Fiji Islands
- 10.5 The Annual or Extraordinary General Meeting called in conformity with this constitution shall be the only authority to rescind, alter or add to any of the rules in this constitution.
- 10.6 Notices of motion for consideration at the Annual General Meeting must be submitted to the General Secretary in writing fourteen (14) days before the days fixed for such meeting.
- 10.7 Nominations for the election of the President, (2) Vice Presidents, Treasurer, General

Secretary, Assistant Secretary, Assistant Treasurer and five (5) Committee members shall reach the General Secretary fourteen (14) days before the date fixed for such meeting

- 10.8 The quorum for all Annual or Extraordinary General Meeting of the Association shall be thirty percent (30%) of the voting members
- 10.9 The voting will be by show of hands provided that if fifty percent (50%) or more voting members at the Annual or Extraordinary General Meeting ask for a vote to be taken by secret ballot on any important issue, such vote must be taken by secret ballot.
- 10.10 All matters for decision by secret ballot at an Annual or Extraordinary General Meeting shall be held under the Authority of the Executive Council or a Sub – Committee appointed by the Executive Council.
- 10.11 The General Secretary or other officer appointed for the purpose shall be responsible for issuing ballot forms. Ballot forms will only be issued to voting members.
- 10.12 All ballot forms must be filled in the place provided. It must not be signed by the person filling it and placed in the sealed box provided only by the person filling it. The Executive Council or the Sub-Committee responsible will appoint people to supervise and safeguard ballot boxes.

11. Governance

- 11.1 All laboratory personnel employed in the Public/ Private laboratories in Fiji are mandated to be registered as members of the Fiji Institute of Medical Laboratory Sciences.
- 11.2 All private/commercial laboratories operating in Fiji, are to be registered with the Fiji Institute of Medical Laboratory Sciences.

PART 4 - THE EXECUTIVE COUNCIL

12. Executive Council

- 12.1 The Executive Council shall consist of the President, (2) Vice Presidents, General Secretary, Assistant Secretary, Treasurer, Assistant Treasurer and five (5) Committee Members duly elected at an Annual General Meeting.

12.2 The Executive Council shall consist of representatives from one of the following:

- 1) Central/Eastern Rep (Public & Private)
- 2) Western Rep (Public & Private)
- 3) Northern Rep (Public & Private)
- 4) Public Relations Officer
- 5) Events Coordinator

13. Vacant Office

13.1 In the event of the vacation of office before the expiry of the full term, for any reason, by an officer or other member of the Executive Council, the vacancy shall be filled by the Executive Council and such appointments will hold good until the next Annual General Meeting elections. In filling such vacancy, the Executive Council shall consider the merits of the candidate

13.2 In the event where the Treasurer, being temporarily absent from the Republic of the Fiji Islands or for any other reason are unable to perform their function required of them under these rules, The Executive Council may appoint an Acting Treasurer to perform their respective duties on their behalf during such absence or disabilities

13.3 Any officer or other members of the Executive Council who are absent without satisfactory reason for three (3) consecutive meetings may be removed from the office by the Executive Council.

14. Powers of the Executive Council

14.1 The Executive Council may suspend for a period not exceeding three (3) months and/or recommend for dismissal of any officer for neglect of duty, dishonesty, incompetence, refusal to carry out decisions of the Executive Council or for any other reason that it deems good and sufficient and in the interest of the Association. Any officer who is suspended shall have the right to appeal to the Annual or Extraordinary General Meeting.

14.2 Any officer or member of the Executive Council may be removed by a majority of three quarters ($\frac{3}{4}$) of the voting members present at an Extraordinary General Meeting.

- 14.3 The Executive Council shall uphold the objects of the Association and shall protect its funds against extravagance or misappropriation. The Executive Council shall give all necessary instructions as to the investment of the funds of the Association to the officers of the Association who are responsible for such matters.
- 14.4 The Executive Council shall give instructions to the General Secretary and all other officers of the Association in regard to the conduct of the affairs of the Association. It may appoint a Sub – Committee as it considers necessary.
- 14.5 The Executive Council shall give instructions to the General Secretary and all other officers of the Association in regard to the conduct of the affairs of the Association. The Committee shall appoint such organizers and clerical staff as is considered necessary on such terms as it considers desirable and dismiss such organizers and staff for reasons which the Executive Council deems good and sufficient. It may appoint a sub – committee as it considers necessary.
- 14.6 If any member is proved to the satisfaction of the Executive Council to have been guilty of the conduct prejudicial to the interest of the Association, the Executive Council may:
- i. fine such member a sum not exceeding two hundred (\$200) dollars
 - ii. suspend such member from the Association for a period not exceeding three (3) months OR
 - iii. expel such member from the Association
 - iv. Any member so fined suspended or expelled shall have the right to appeal to the Annual or Extraordinary General Meeting
- 14.7 The decision of the Executive Council shall be binding on all members of the Association.

15. Meeting of the Executive Council

- 15.1 The Executive Council shall meet at least once every month at such time and place where the Executive Council thinks fit. The quorum shall consist of not less than fifty percent (50%) members of the Executive Council.

PART 5 – GENERAL MEETINGS

16. *Annual and Special General Meetings*

- 16.1 A General Meeting of members of the Institute shall be held at such times and places as the Council shall determine. Notice in writing of the time and place of such General Meetings shall be sent to each members of the Institute, either not less than twenty-eight (28) days before such meeting or if the Council in its discretion considers that urgent business makes it desirable for a shorter period before such meeting as the Council thinks fit and in the latter case the decision of the Council as to the shorter period of notice shall be final and binding on the members of the Institute.
- 16.2 All members and employees of the Institute shall have the right to attend and speak at meetings of the Institute, but only members defined by 8 hereof whose subscription is paid shall have the right to vote. Each member having the right to vote whether present in person or represented by proxy shall be entitled to one vote.
- 16.3 The annual General Meeting of the members of the Institute shall be held no later than the twenty third (23rd) day of September in each and every year, and at such meetings the Council of the Institute and other office bearers shall be elected for the ensuing year.
- 16.4 The Secretary, within fourteen (14) days of receipt of a requisition signed by at least of a requisition signed by at least ten per cent (10%) of the voting members of the Institute, specifying the reason for the requisition, shall forthwith call a Special General Meeting of the Institute to be held not earlier than twenty-one (21) days and not later than thirty-five (35) days after receipt of such a requisition, and if the Secretary shall fail within fourteen (14) days of receipt of such requisition to call the said Special General Meeting then the requisitioners shall be entitled to do so.
- 16.5 At any General Meeting of Members of the Institute thirty (30) voting members shall form a quorum.
- 16.6 At any of the meeting of the Association, the following matters may be considered:
- i. reports from the Executive Council to be received and to review the past work of the Association and plan for future policies;
 - ii. to consider motions, if any, for which due notice has been given;
 - iii. to receive the accounts for the previous financial year and to consider the financial position of the Association;

- iv. to elect the Association Office Bearers; and
- v. to consider any other business on the agenda.

17. *Voting*

- 17.1 Unless otherwise specified herein all matters discussed at any meeting of the Institute shall be decided by a majority of the voting members present, either in person or represented by proxy. Any voting member who may be unable to attend any meeting may give a written proxy to any other person being a member of the Institute to attend at such a meeting on his/her behalf to vote thereat and such written proxy shall be in the hands of the Secretary seven (7) days prior to the date fixed for the meeting at which such proxy is to be used.
- 17.2 Every vote shall be taken in the first instance by voices except in respect of such matters as may by these Rules be required to be decided by secret ballot.
- 17.3 The Chairman of any meeting shall have a deliberative as well as a casting vote.
- 17.4 All officers and members of the Executive Council must be fully paid members with all subscription cleared prior to any election of office in the Association during an Annual or Extraordinary General meeting

PART 6 – OFFICERS OF THE ASSOCIATION

18. *President*

- 18.1 The President shall be elected every two (2) year(s) at the Annual General Meeting and shall serve for two (2) year(s) in office until the Annual General Meeting and shall be eligible for re-election.
- 18.2 The President, if present, shall preside at all Annual or Extraordinary General Meeting and Executive Council Meeting and shall be responsible for the proper conduct of business. He/She shall sign each minute of the meeting after they are approved. The President shall endeavor to secure the observance of these rules by all members, and he/ she shall have a casting vote.
- 18.3 The President shall see over all the officer bearers and their delegated duties to ensure that the duties are being performed appropriately.

18.4 The President will chair the Journal Committee and will be the representative to the AHP Council.

19. Vice President

19.1 The Vice Presidents shall be elected every two (2) year(s) at the Annual General Meeting and shall serve for two (2) year(s) and shall be eligible for re-election.

19.2 The Vice Presidents shall be responsible for the Legal Matters that concerns the Institute.

19.3 The Vice Presidents shall be responsible for all Communications from the Institute, this may include via the FIMLS Newsletter and Website.

19.4 The Vice Presidents shall be responsible for the FIMLS Members Awareness Programs. The Vice Presidents shall ensure that all membership related reports are generated yearly.

19.5 The Vice Presidents shall be responsible for the Partnership, Structure & Collaborations with other organizations of the Institute.

20. General Secretary

20.1 The General Secretary shall be elected every two (2) year(s) at the Annual General Meeting and shall serve for two (2) year(s) and shall be eligible for re-election.

20.2 He/She can call and attend all meetings and record the minutes thereof. He/She shall have the right to speak and vote.

20.3 He/She shall conduct the correspondence and general business of the Association in accordance with the rules and shall carry out all instructions given to him/her by the Annual or Extraordinary General Meeting and by the Executive Council.

20.4 He/She shall keep a register of all members in which shall be entered:

- i. The name, address, and occupation of each member;
- ii. The date of which each member was admitted to membership;
- iii. The payments made by each member in respect to entrance fee,

subscriptions or any other payments provided for under the constitution and the dates of such payment;

- iv. The dates of which any member ceased to be a member;
- v. He/She shall prepare the Annual Report of the Association for submission to the Annual General Meeting and any other report necessary for the Extraordinary General Meeting. At the end of each financial year the General Secretary shall forward to the Registrar of Industrial Associations the Association's annual returns, auditor's report and such other information as may be properly called for;
- vi. He/She shall supervise generally the work of the Association. Where he is employed on a full-time basis, he shall be fully responsible for the overall administration and affairs of the Association. He/She may engage such a number of staff as shall be determined by him after consultation with the Executive Council.

21. Assistant Secretary

21.1 He/ She can call and attend all meetings and record the minutes thereof in the absence of the General Secretary. He/ She shall have the right to speak and vote.

21.2 He/ She shall assist in conducting the correspondence and general business of the Association in accordance with the rules and shall carry out all instructions given to him/ her by the Annual or Extraordinary General Meeting and by the Executive Council.

21.3 He/ She shall assist in keeping a register of all members in which shall be entered:

- i. The name, address and occupation of each member
- ii. The date of which each member was admitted to membership
- iii. The payments made by each member in respect to entrance fee, subscriptions or any other payments provided for under the constitution and the dates for such payments.
- iv. The dates of which any member ceased to be a member
- v. He/ She shall assist in the preparation of the Annual Report of the Association for submission to the Annual General Meeting and assistance to any other report necessary for the Extraordinary General Meeting. At the end of each financial year the Assistant Secretary shall assist in the forwarding to the Registrar of Industrial

Associations the Association's annual returns, auditor's report and such other information as may be properly called for.

- vi. He/ She shall assist in the supervision generally of the work of the Association. Where he/she is employed on a full time basis, he/ she shall be fully responsible for the overall assisting the administration and affairs of the Association. He/ She may assist in the engagement of such a number of staff as shall be determined by the General Secretary after consultation with the Executive Council.

22. Treasurer

- 22.1 The Treasurer shall be elected every two (2) year(s) at the Annual General Meeting. He/She shall serve for two (2) year(s) until the next Annual General Meeting and shall be eligible for re-election.
- 22.2 He/She shall be responsible for the safety of all monies belonging to the Association and shall keep a full and accurate account of all transactions conducted in the name of the Association. He/She shall prepare a Financial Statement of Accounts for audit and for presentations to the Annual General Meeting. He/She shall have the right to speak and to vote on all matters except financial matters.
- 22.3 On a request made to him at the Annual General Meeting or thereafter within one month of the receipt of such request, he/she shall give to every voting member of the Association free of charge a general statement of accounts of all the receipt and expenditure of the Association.
- 22.4 He/She shall deposit in the bank appointed by the Executive Council all such money received by him.

23. Assistant Treasurer

- 23.1 The Assistant Treasurer shall be elected every two (2) year(s) at the Annual General Meeting. He/She shall serve for two (2) year(s) until the next Annual General Meeting and shall be eligible for re-election.
- 23.2 He/She shall be responsible for assisting in ensuring the safety of all monies belonging to the Association and shall keep a full and accurate account of all transactions conducted in the name of the Association. He/She shall assist in preparing a Financial Statement of Accounts for audit and for presentations to the Annual General Meeting. He/She shall have the right to speak and to vote on all matters except financial matters.

24. Public Relations Officer

- 24.1 The Public Relations Officer shall be elected every two (2) year(s) at the Annual General Meeting. He/She shall serve for two (2) year(s) until the next Annual General Meeting and shall be eligible for re-election.
- 24.2 The Public Relations Officer shall be responsible for the marketing of the Institute. He/She shall look after the Newsletter, Digital Marketing, and Marketing Material. The Public Relations Officer shall also ensure that members are informed about FIMLS.

25. Divisional Representatives

- 25.1 The Divisional Representatives shall be elected every two (2) year(s) at the Annual General Meeting. He/She shall serve for two (2) year(s) until the next Annual General Meeting and shall be eligible for re-election.
- 25.2 The Divisional Representatives shall be responsible for gathering member's related information from the various divisions. He/she shall conduct yearly profiling of all Public & Private laboratories, to update the membership Master List.
- 25.3 The Divisional Representatives shall ensure that members are notified of all information in regard to FIMLS.
- 25.4 The Divisional Representatives shall all ensure that laboratories professionals in their divisions are FIMLS registered members.

26. Events Coordinator

- 26.1 The Events Coordinator shall be elected every two (2) year(s) at the Annual General Meeting. He/She shall serve for two (2) year(s) until the next Annual General Meeting and shall be eligible for re-election.
- 26.2 The Events Coordinator shall be responsible for all FIMLS related events. He/She shall look after the planning, logistics & execution of FIMLS events that are part of the FIMLS yearly calendar.

PART 7 – FINANCE

27. Audited Accounts

- 27.1 There shall be an independent Auditor of the Accounts of the Association. The auditor shall be endorsed bi-annually by the council. The Auditor shall examine the books and accounts of the Institute and shall verify and certify the Annual Balance Sheet and Accounts of the Institute.
- 27.2 The Treasurer shall cause all the accounts of the Association to be audited as soon as possible after the close of each financial year and a copy of audited accounts and Auditor's report be available to the Registrar on or before the thirty-first (31st) day of March in every year.
- 27.3 A copy of the audited accounts and auditor's report of Association funds shall be conspicuously placed at the office of the Association where it may be conveniently examined by any member.
- 27.4 Any member to be allowed at any reasonable time to inspect the accounts books and the register of members. Applications to do so must be made to the General Secretary.

28. Accounts

- 28.1 The Treasurer shall deposit all monies received in the Bank of the Association as promptly after receipt thereof as circumstances may permit.
- 28.2 The account signatories shall be any three (3) executive council members physically present in Suva (as per FIMLS bank requirements) chosen and approved by the executive council.
- 28.3 The Account signatories shall have electronic access to the FIMLS account and would be liable for all monetary transactions incurred electronically.
- 28.4 The FIMLS account of the operation shall be operated by signed cheques or actioned electronically by any two approved signatories.

29. Use of Funds

- 29.1 The funds of the Association shall be used solely for:
- i. The authorized payment of salaries, allowances, and expenses of officer of the Association and legal fees;
 - ii. The payment of expenses of the Administration of the Association, including audit of accounts of funds of the Association;

- iii. The prosecution or the defense of any legal proceedings to which the Association or any member is a party when such prosecution or defense is undertaken for the purpose of securing or protecting any rights of the Association as such or any rights arising out of the of the relations of any member with his employer;
- iv. The conduct of disputes on behalf of the Association or any member;
- v. Allowances to members on account of death, old age, sickness, accidents, or unemployment of such members not exceeding \$500 FD;
- vi. Expenses incurred on Industrial Association by officers and members of the Industrial Association;
- vii. The erection of any building or the purchase or lease of any building or land required for the purpose of the Association and for the rent, upkeep, furnishing and thereof;
- viii. The education, cultural and vocational training of members and any incidental expenses thereof;
- ix. The organization of any theatrical performances, concert, reception, dance, sports, meeting, or excursion;
- x. The purchase of books, newspaper and other literature and the upkeep of reading materials for the use of members;
- xi. The editing, printing, publication and circulation of any book, newspaper or other periodical, bulletin, pamphlet, or other printed literature for the advancement of the lawful objects of the Industrial Association or the promotion of the interests of its members;
- xii. Contribution of any charitable, educational, or cultural institution or society.
- xiii. The provision of social and welfare amenities for its members;
- xiv. Any other objects which by notification in the Gazette the Minister may be the same or any subsequent notification direct;
- xv. The use of funds on any of the above matters should be done with the approval of the Executive Council.

29.2 The funds of the Association which are not required for current expenses may, on the direction of the Executive Council, be invested by the President, Treasurer and General Secretary in Government securities, or in such other securities as the Executive Council may recommend and which are approved by the voting members at the Annual General Meeting.

30. *Remuneration of Council*

- 30.1 Members of Council shall be compensated for their meals, transportation and accommodation whenever required for council meeting and related FIMLS activities. All the Council expenditures will be tabulated and presented at the Annual General Meeting.
- 30.2 Members of the Council shall be compensated for their meals, transportation and accommodation whenever required for Council meetings and related FIMLS activities.
- 30.3 The rates shall be adopted of that of the current Ministry of Health and Medical Services per diem rates.
- 30.4 All the Council expenditures will be tabulated and presented at the Annual General Meeting

31. *Financial Year*

- 31.1 The financial year of the Association shall commence on the first (1st) day of January each year and ends on the thirty first (31st) day of December of the same year.
- 31.2 Subscription, Renewal Payments, and Sponsorships
- 31.3 Any payments (annual subscriptions, registrations, renewals, or sponsorships) made to the FIMLS in monetary value shall be directed to the FIMLS bank account.
- 31.4 Any executive council members found to receive any cash transactions on behalf of the association shall be dealt with legally.

PART 8 – MISCELLANEOUS

32. *Executing Agreements*

- 32.1 All industrial agreements, deed, documents of the securities for money, mortgage or other instruments shall be executed under the common seal of the Association and signed by the

President and the General Secretary or such other persons as the Executive Council may appoint on their behalf.

33. Common Seal

- 33.1 All industrial agreements, deed, documents of the securities for money, mortgage or other instruments shall be executed under the common seal of the Association and signed by the President and the General Secretary or such other persons as the Executive Council may appoint on their behalf.

34. Liabilities

- 34.1 Every member of the Executive Council shall be liable for such sums of money or monies he/she shall actually receive but shall not be answerable for the acts, receipts, neglects, defaults of any other person or persons or for joining in any respect in any receipts of other acts for conformity or for loss or for expenses happening to the Association or the Executive Council through the insufficiency or deficiency of the title of any property or properties purchases or acquired by or on behalf of the Association not for the insufficiency or deficiency of any security in or upon which may of the money or monies of the Association shall be vested by the order of the Executive nor for any loss or damage arising from bankruptcy, insolvency or tortuous act of any banker, collector or other persons with whom or in whose hands money or monies, property or properties, security or securities, effect or effects of the Association or the Executive Council shall be deposited or paid or for any loss, damage or misfortune whatever, which may happen in the execution of duties of this office in relations thereto unless the same shall happen through his/her own willful act, neglect or default.

35. Rules, Standard Operating Procedures, Bylaws and Regulations


- 35.1 The members in General Meeting may by way of majority decision resolve to make, amend or rescind rules, standard operating procedures, bylaws and regulations for the purposes of establishing policy, rules of conduct and procedures for purposes of good governance of the Association. The Secretary shall call every such General Meeting by sending notice in writing of such proposal to each member of the Institute at his/her last known address not less than sixty (60) days prior to the date fixed for such meeting.

After three (3) years of being implemented, the rules, standard operating procedures, bylaws and regulations so established shall be placed before the member for reaffirmation, or rescission, as the majority of the votes cast by the members shall decide.

36. Dissolution

- 36.1 The Institute may only be wound-up in accordance with the terms and conditions of the Industrial Association Act (Ed.1978) and subsequent amendments.
- 36.2 Any resolution to wind-up the Institute shall be decided at a General Meeting duly notified and called for in the terms of these rules, and such a resolution shall require a bare majority of those members present and financial at the commencement of the meeting.
- 36.3 On the winding-up of the Institute or its dissolution by the Registrar of Industrial Association Act , the real property and all other assets, funds, investments and other possessions of the Institute shall be realized for cash as soon as reasonably possible after the winding-up or dissolution. If there shall remain after due settlement of just debts and liabilities any properties whatsoever whether real or personal, and/or monies, the same shall be paid to such registered trust which is charitable under the laws of Fiji, as the meeting may determine.
- 36.4 In the event of winding-up or dissolution no member shall be liable for any more than his/her current outstanding subscription of any arrears or levy.


DATED this 20th day of June, 2023




President




Vice President



Vice President



Secretary



Treasurer

