

APPENDIX II

Amendments to the ARTICLES (ARM 2024)

The current articles and bye-laws can be found at: https://www.bma.org.uk/media/7483/bma_articles-and-bye-laws-2023-24.pdf

You can also ask any questions in advance of the meeting by e-mailing llaird@bma.org.uk

Article	RECOMMENDED CHANGE	EXPLANATION
PART 1 – INTERPRETATION 1	PART 1 – INTERPRETATION 1. ... <i>“the Medical Act” means The Medical Act 1983 or any statutory re-enactment or modification thereof for the time being in force;</i> <i>“Medical practitioner” means any person who holds a primary medical qualification and is normally eligible to be included on the General Medical Council List of Registered Medical Practitioners. This definition shall not include any person solely eligible to register with the General Medical Council under The Anaesthesia Associates and Physician Associates Order 2024.</i>	To clarify the changes to the definition of a voting member of the BMA, to take account of the introduction of the regulation of PAs and AAs by the GMC under the Medical Act.
Eligibility for Voting Membership 4	Eligibility for Voting Membership 4. <i>The following persons shall be eligible for voting membership of the Association</i> (1) <i>As ordinary members (not being overseas members):</i> (a) <i>any person who is registered as a medical practitioner under the Medical Act;</i> (b) <i>any person who is registered as a medical practitioner under the Medical Act and whose erasure from the Medical Register was not as a consequence of disciplinary action;</i> (c) <i>any person who, although not registered as a medical practitioner under sub-paragraph (a) and (b) hereof, is possessed of any medical qualification the</i>	To propose changes to the definition of a voting member of the BMA, taking account of the introduction of the regulation of PAs and AAs by the GMC under the Medical Act.

holding of which is a condition precedent to their being eligible to be so registered **as a medical practitioner**, provided that this sub-paragraph shall not apply in the case of a person whose name has been erased from the Medical Register in consequence of disciplinary action;

- (d) any person who is a member of a class of persons whom the council may from time to time specify as eligible for ordinary membership upon such conditions as the council may specify.

Provided always that:

- (i) a person whose registration **as a medical practitioner** under the Medical Act has been suspended as a consequence of disciplinary action for a period not exceeding 12 months shall, notwithstanding anything contained in the Medical Act, continue to be eligible for ordinary membership of the Association; and
- (ii) the address of the member as held on the Association's register of members is within the United Kingdom of Great Britain and Northern Ireland.

(2) As overseas members: -

- (a) any person who is registered **as a medical practitioner** under the Medical Act;
- (b) any person who has previously been registered **as a medical practitioner** under the Medical Act and whose erasure from the Medical Register was not as a consequence of disciplinary action;
- (c) any person who, although not registered **as a medical practitioner** under sub-paragraph (a) and (b) hereof, is possessed of any medical qualification the

holding of which is a condition precedent to their being eligible to be registered **as a medical practitioner**, provided that this sub-paragraph shall not apply in the case of a person whose name has been erased from the Medical Register in consequence of disciplinary action;

- (d) any person whose name is registered on the medical list (or equivalent) held by any regulatory body of the geographical area in which such person practises medicine, and which confers on them the right to practise medicine **as a medical practitioner** under the laws of that geographical area, provided that this sub-paragraph shall not apply in the case of a person whose name has been erased from the medical list (or equivalent) in consequence of disciplinary action;
- (e) any person who is a member of a class of persons whom the council may from time to time specify as eligible for overseas membership upon such conditions as the council may specify.

Provided always that:

- (i) a person whose registration **as a medical practitioner** under the Medical Act or equivalent overseas legislation has been suspended as a consequence of disciplinary action for a period not exceeding 12 months shall, notwithstanding anything contained in the Medical Act or equivalent overseas legislation, continue to be eligible for overseas membership of the Association; and

	<p><i>(ii) a person whose qualification for membership arises under paragraph 2 (d) of this Article and who has been suspended as a consequence of disciplinary action for a period not exceeding 12 months shall continue to be eligible for overseas membership of the Association; and</i></p> <p><i>(iii) the address of the member as held on the Association's register of members outside the United Kingdom of Great Britain and Northern Ireland.</i></p> <p><i>(3) As medical student members: - Medical students who are enrolled for a course of study in the United Kingdom for or leading to a primary medical qualification.</i></p>	
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APPENDIX III

Amendments to the ARTICLES and BYELAWS (ARM 2024)

The current articles and bye-laws can be found at: https://www.bma.org.uk/media/7483/bma_articles-and-bye-laws-2023-24.pdf

You can also ask any questions in advance of the meeting by e-mailing llaird@bma.org.uk

Article	RECOMMENDED CHANGE	EXPLANATION
7	<p>Articles to be amended to read (amendments tracked):</p> <p>Register of Members Subject to the provisions of all subsequent articles, as hereinafter provided the persons for the time being named in the current register of members of the Association whose respective workplace, institution or home addresses es are situate at places within the area of is allocated to any division or branch, and no others shall be deemed to be the voting members of that division or branch.</p> <p>The persons deemed to be voting members of more than one division or branch must designate one division or branch to be their primary division or branch. Provided always that any member who has become a member of a division other than that in which they reside shall be a member of such first mentioned division and shall not be a member of the division in which they reside.</p>	<p>Provision for members to be allocated to divisions based upon work, study, or home address (for most members the preference will be for work address, and this will be set out in the SOs). Some updating/streamlining of language.</p>
13.	<p>Members' conduct</p> <p>13. The grounds upon which a member, officer or member of any committee may be investigated are that: -</p> <p>(2) They are alleged to have wilfully and persistently refused to comply with the articles, bye-laws or the rules of any division or branch of which they may be a voting member.</p>	<p>Remove 'voting' as conduct should be up to standard even when in non-voting capacity.</p>

27	<p>PART 3 – LOCAL ORGANISATION</p> <p>27. (1) The members of the Association shall be formed into separate local bodies styled (in the United Kingdom, Channel Islands and Isle of Man) “divisions” and (elsewhere) “branches”.</p> <p>(2) Each division or branch shall consist of a body of members and have a local area determined as hereinafter provided.</p>	To remove reference to local area.
28	<p>Formation, Alteration, Dissolution, etc, of Branches and Divisions</p> <p>28. The organisation committee on behalf of council may from time to time determine, recognise and modify what bodies of members and geographical areas shall constitute local representative structures. Not less than one month’s notice in writing shall be given to any recognised representative structure to which whose boundaries or area any change is proposed. The organisation committee may also, on behalf of council, on giving not less than six months’ notice in writing, close down any local representative body.</p>	To remove reference to geographies as divisions will now be primarily workplace based.
29	<p>29. In determining the boundaries or areas of divisions and branches structures, the organisation committee shall have regard to the expressed wishes of the local bodies concerned, to the importance of maintaining a close relationship with local statutory or functional bodies and other local professional groups, and to transport facilities.</p>	Remove reference to areas
64	<p>Special Representatives Meeting</p> <p>64. (1) Special representative meetings shall be convened at any time by the representative body chair on the requisition of the council, or on the requisition of not less than fifteen percent of the constituent bodies of the representative body entitled to appoint voting representatives under the bye-laws, provided that at the time of such requisition such constituent body is not deemed to be inactive</p>	Removal of requirement for constituent bodies of the RB to be only those who “entitled to appoint voting representatives”. This enables divisions to be constituent bodies even if ARM seats are allocated at a regional level. Constituent bodies are then defined in the bye-laws.

	or disorganised	
70	<p>Implementation of Resolutions</p> <p>70. (1) If the council determine that a referendum is expedient, then a nominated officer of the Association shall within 14 days from the date of the determination, send by post to the secretary of each division a requisition requiring them within four weeks to convene a meeting of the members of their division (hereinafter called “the division meeting”) for the purpose of considering the resolution, and shall with each such requisition transmit such observation on the subject of the resolution as the council may direct.</p>	Remove requirement for referendum requisition to be sent by post to allow divisions to operate efficiently and effectively.
71	<p>71. (1) If the council determine that a plebiscite (of all members resident in the United Kingdom) is expedient, then a nominated officer of the Association shall within 14 days from the date of the determination send by post to each voting member (resident in the United Kingdom) a ballot paper together with such observations on the subject of the ballot as the council may direct.</p>	Removal of requirement to send plebiscite ballot by post.

BYE-LAWS OF THE ASSOCIATION		
Second schedule to the bye-laws		
SCHEDULE REFERENCE	RECOMMENDED CHANGE	EXPLANATION
Bye-law 18	<p>Divisional Meetings</p> <p>18. General meetings of each division shall be held:</p> <p>(1) for the appointment of officers;</p> <p>(2) for the formation of motions for submission to the annual representative meeting (motions may be agreed electronically and must have the agreement of</p>	To add any other matters set out in division standing orders to the business of division general meetings.

	<p>at least five members of that division); and</p> <p>(3) for the purpose of considering the agenda of that annual representative meeting and instructing the representative or representatives thereon.</p> <p>(4) for the purpose of considering any other matters as set out in the division standing orders</p>	
<p>Bye-law 19</p>	<p>Joint Committees and Joint Meetings of Divisions</p> <p>19. (1) Any division may concur with any other division or divisions in appointing a joint committee for any purpose in which those divisions are jointly interested, and in conferring with or without conditions or restrictions on any such joint committee any powers which each appointing division might exercise if the purpose related exclusively to the area of such appointing division, and in providing for the constitution and term of office of such joint committee.</p> <p>(21) Where the members of two or more divisions desire to meet in combination for the purpose of discussing matters in which those divisions are jointly interested, or for the appointment of any such joint committees as aforesaid, such 'combine' meeting(s) may be convened by the secretaries of those divisions jointly or by agreement by one of such secretaries.</p> <p>(2) Such Combine meetings as</p>	<p>19 (1) removed as no current use of or need for joint committees, to be replaced by combines, below.</p> <p>19 (2) newly added to require two Combine meetings per session, to</p>

	<p>aforesaid should be convened a minimum of twice in each session, with one such meeting to be in service of an educational or campaigning purpose.</p>	<p>ensure pan-BoP interaction – note this is a minimum</p>
<p>Bye-law 20</p>	<p><i>Change of Divisions</i></p> <p>20. (1) Any member whose address as registered for the time being in the register of members of the Association is within the United Kingdom may apply to become an ordinary member of a division other than that in whose area they reside. Every such application shall be forwarded to head office and shall include a statement of the reasons therefor. If at the time the council shall form the view that a change was registered without there being proper reason therefor, the council shall investigate the matter and may if it thinks fit retrospectively restore the member's former division allocation. Address in the register. Subject as aforesaid such proposed change shall become effective immediately upon receipt by the Secretary of the Association.</p> <p>(2) The result of any such application shall be notified forthwith by head office to the secretary of each of the divisions concerned and (where appropriate) the necessary entries shall immediately upon receipt by the Secretary of the Association be made in the register of members of the association</p> <p>Primary and secondary divisions</p> <p>20. (1) Voting members of a Primary Division shall be:</p> <p>(a) entitled to be elected to the roles of Divisional Officers as determined by Standing</p>	<p>Removed “change” as no need to further specify than in Article 7, replaced by Primary and Secondary Divisions descriptions.</p> <p>Sets out the rights in primary and secondary divisions, ensuring all can be represented in all relevant employment situations, but nobody acquires double-representation in national issues such as elections or SRM requisition.</p>

	<p>Orders, including Honorary Secretary and Deputy Chair;</p> <p>(b) allocated to a constituency for the purpose of elections to UK Council, National Councils, Regional Councils and the Representative Body.</p> <p>(c) able to, as part of a constituent body of the Representative Body, vote to requisition a Special Representative Meeting.</p> <p>(2) All voting members of a division (primary or secondary) shall be entitled to:</p> <p>(a) vote in elections of Divisional Officers</p> <p>(b) vote upon matters of Divisional policy, to establish negotiating mandates, and upon any collective bargaining settlements applicable solely to members of the division or a subgroup thereof</p> <p>(c) be elected to the Division executive committee and/or local BMA negotiating apparatus form and vote upon motions for submission to the annual representative meeting</p>	
<p>Bye-law 31</p>	<p>31. Divisions Regions and nations</p> <p>(1) Each division shall elect at least one divisional representative and council shall annually allocate the remaining seats for divisional representatives, Representatives shall be elected according to the proportionate membership of each region/nation over the twelve months preceding 1 October next before the annual representative meeting at which the representatives are due to take office, the total not to be less than half the membership of the representative body.</p> <p>(2) In any one year where a division is entitled to elect two representatives, not more than one shall be in the same primary branch of practice as defined in bye laws 56 (2) 2.2</p>	<p>These changes set region or nation as the constituency for ARM, to allow for multi-member constituencies. This complies with the Romney recommendations. This gives opportunity for constraints or quotas to be set for Branches of Practice, gender, ethnicity, country of primary medical qualification, or other under-represented characteristics as determined by policy.</p>

	<p>and 58 (4). In electing seats, mechanisms to ensure representation of branch of practice and other characteristics of the membership, as advised by the organisation committee from time to time, will be applied.</p> <p>3) In any one year where a division is entitled to elect three or more representatives not more than two shall be in the same primary branch of practice as defined in bye-laws 56 (2) 2.2 and 58 (4).</p> <p>(4-3) All elections of divisional representatives and of their deputies shall take place no later than 22 February next before the annual representative meeting at which the representatives are due to take office.</p> <p>(5) The secretary of each division shall not later than 1 March preceding the annual representative meeting, or such other date as council shall from time to time determine, give notice to the Association at its registered office of the name, address and primary branch of practice of each representative and deputy representative elected by their division.</p> <p>(6-4) Any seats to which no eligible representative has been elected in accordance with bye-law 31 (5 3) above, shall be reallocated by council as it shall from time to time determine.</p> <p>(7 5) In allocating seats in accordance with bye-law 31 (6 4), council shall have due regard to the</p>	<p>Renumbered. "Divisional" removed as there will be a bigger constituency</p> <p>No longer required as elections will be completed in a bigger constituency, and members can give their own details.</p> <p>Renumbered</p> <p>Renumbered. Change to allow broad consideration of representative balance.</p>
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	<p>proportion of members residing in the geographical area of the electing bodies and the branch of practice the representative balance of seats already elected.</p> <p>(8 6) Each division shall elect a A member or members of the Association who (or one of whom in such order of precedence as may be fixed by the division representative characteristics at the time of the election) shall act as deputy in place of any representative of that division region or nation at any representative meeting in the event of that representative being unable or unwilling to attend such meeting and any such deputy shall, for the purposes of such meeting, be the representative of the division region or nation so electing them.</p> <p>(9 7) Such deputy or deputies, who shall normally, but not necessarily, belong to the same primary branch of practice as the representative for whom they act as deputy, shall be elected at the time and in the manner provided with respect to the election of representatives</p>	<p>Renumbered. Under this change, deputies could be specified as meeting the same demographic criteria of the person originally elected.</p> <p>Renumbered</p>
<p>Bye-law 34</p>	<p>Other electing bodies</p> <p>(4) <u>Devolved Nation councils and English regional councils</u> The number of representatives to be determined by Council, as advised by organisation committee.</p>	<p>Addition of Devolved Nation and Regional Councils to the list of electing bodies to ARM, to enable experienced members to support the other geographical representatives</p>

<p>Bye-law 36</p>	<p>Deputies Term of Office of Representatives; Resignation; casual vacancies</p> <p>(1) Any representative or deputy elected or appointed may resign their office by notice in writing to the Association at the registered office.,and, in addition, in the case of a representative or deputy elected by a division by notice in writing to the divisional secretary.</p> <p>(4) An electing body division may, by resolution passed by a majority of not less than two thirds of the members present and voting at a meeting of the division electing body specifically convened for the purpose, request recall any representative or deputy representative of that body division to resign their office and if they fail to do so within seven days they shall be deemed to have resigned that office and decide to elect an alternative. Any such meeting shall be convened by the divisional regional secretary, national chair of council, or chair of conference upon a request in writing signed by not less than ten members of the division electing body and delivered to the divisional regional secretary, national chair of council, or chair of conference. A copy of any resolution passed at such meeting shall be sent forthwith by the divisional Secretary to the representative or deputy representative in question.</p>	<p>Removal of notice to divisional secretary to reduce administrative burden.</p> <p>Change to electing body, as this will not be the division.</p> <p>Effective right of recall extended to all electing bodies and widened pool of responsible office holders to match. Removed references to divisions who may not elect to RB directly in future. Renamed recall for clarity – instead of “request to resign” and then “deemed to have resigned”.</p>
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