

## DECLARATION OF GENEVA

Adopted by the 2nd WMA General Assembly Geneva, Switzerland, September 1948 And amended by the 22nd World Medical Assembly Sydney, Australia, August 1968 And the 35th World Medical Assembly Venice, Italy, October 1983 And the 46th WMA General Assembly Stockholm, Sweden, September 1994

AT THE TIME OF BEING ADMITTED AS A MEMBER OF THE MEDICAL PROFESSION:

I SOLEMNLY PLEDGE myself to consecrate my life to the service of humanity;

I WILL GIVE to my teachers the respect and gratitude which is their due;

I WILL PRACTICE my profession with conscience and dignity;

THE HEALTH OF my patient will be my first consideration; I WILL RESPECT the secrets which are confided in me, even after the patient has died;

I WILL MAINTAIN by all means in my power, the honour and the noble traditions of the medical profession; MY COLLEAGUES WILL be my sisters and brothers; I WILL NOT permit considerations of age, disease or disability, creed, ethnic origin; gender, nationality, political, race, sexual

orientation, or social standing to intervene between my duty and my patient;

I WILL MAINTAIN the utmost respect for human life from its beginning

even under threat and I will not use my medical knowledge contrary to the laws of humanity;

I MAKE THESE promises solemnly, freely and upon my honour.

## The Bye-Law

### SECTION 1 PREAMBLE

1. In line with the provisions of the Constitution of the Nigerian Medical Association, the following Bye-Laws shall govern the proceedings at the meetings and conduct of affairs of Kwara State Branch of the Nigerian Medical Association hereinafter referred to as the Kwara State NMA.

2. These Bye-Laws shall define the composition of the State Officers Committee (SOC) and the State Executive Council (SEC) to run the affairs of the Kwara State NMA and also establish standing committees of the Kwara State NMA and define their compositions.

3. As provided for by Article (2) and 6 (2), (4) and (5) of the Constitution of the Nigerian Medical Association, where there exists a conflict between the Constitution and the Bye-Law of Kwara State NMA, the former shall supercede the later.

### SECTION 2 MEMBERSHIP

1. Any Medical or Dental Practitioner registered under the Medical and Dental Practitioner Decree 23 of 1988 (Act CAP 221 Laws of the Federation) and as subsequently amended shall have a right of membership of the Association on payment of the annual practicing fee in the said Decree 23 of 1988 (Act CAP 221 Laws of the Federation) and has paid all the NMA Kwara State's dues and levies, as may be reviewed from time to time, unless otherwise prescribed herein in this bye-law.

#### 2. MEMBERSHIP CATEGORY:

(a) Ordinary Members

(i) These shall be registered Medical and Dental Practitioners in Kwara State who pay their annual subscription and /or practicing fees and all NMA Kwara State's dues and levies regularly as and at when due and, unless otherwise exempted by the National Executive Council or State Executive Council provided no candidate for election or /delegate shall qualify for such exception.

(ii) It shall be the sole responsibility of the individual Medical or Dental Practitioner to ensure the payment of his practicing fee to the Medical and Dental Council of Nigeria (MDCN) as and at when due.

(b). Others (Life Members, Honorary Members, Associate Members, Student Members and Distant Members) as in Article 4, sub-section 1(b), (c), (d), (e), and (f) of the NMA Constitution.

#### 3. TERMINATION OF MEMBERSHIP

As in Article 4 sub-section 2 a, b, and c. of the National Constitution.

### SECTION 3

#### A. MEETINGS

##### i. Annual General Meeting (AGM)

(a). In line with the provisions of Article 6 (6) of the Constitution of the NMA, the Kwara State NMA shall hold an AGM within three (3) months of the Annual Delegates Meeting (ADM). This meeting shall, among other things conduct the election of the officer in an election year and nominate its representatives on various bodies or organs of the Association where indicated.

(b). The AGM shall open with the recitation of the Physician's Oath.

(c). The AGM shall be the highest decision making body of the Kwara State NMA.

(d). Annual Delegates Meeting (ADM): Delegates to the ADM shall be nominated by the SEC well in advance of the ADM.

##### ii. Ordinary General Meeting (OGM)

There shall be at least, six (6) OGM of the Kwara State NMA during each executive year.

##### iii. Emergency General Meeting (EGM)

An EGM of the Kwara State NMA can be called by the SEC or by a request in writing signed by, at least, Twenty (20) members drawn from at least three (3) affiliated bodies or Zones with at least five (5) signatories from each of the affiliated bodies or Zones.

#### NOTICE OF MEETING

1. Notice of the AGM of the Kwara State NMA stating the date, time and venue of the meeting shall be dispatched to all the Affiliated bodies and zones and published for all members, at least six (6) weeks before the date of the meeting.
2. Seven (7) days notice shall be given in respect of an OGM and SEC but EGM and an emergency SEC meeting may be summoned within the shortest possible time necessary to assemble a quorum for the consideration of an urgent matter.
3. The date and venue of an OGM shall be decided at the SEC meeting preceding the OGM.

#### SECTION 4

##### QUORUM

1. In line with the provisions of Article 8 (5) of the NMA Constitution, Twenty (20) members shall constitute the quorum at the AGM, OGM or EGM provided that at least three (3) of the affiliated bodies or Zones are represented.
2. Quorum at the SEC meetings shall be one-third (1/3) of the members to the next whole number.
3. Quorum at the SOC shall be one half (1/2) of the members to the next whole number.
4. In the event that a quorum is formed in the absence of the Chairman and/ or Secretary of a committee or body, the members present at the meeting shall elect a Chairman and/or Secretary from among themselves for the purpose of proceeding with the business of that meeting only.

#### SECTION 5

##### VOTING

1. The election of State Officers shall be by secret ballot.

2. There shall be an Electoral Committee • comprising of one representative of each affiliated bodies and a representative of the House Officers. The Committee shall be constituted by nomination at the floor of OGM preceding the AGM. The Chief Returning Officer shall be appointed from among the members by themselves. The Committee shall issue guidelines for the conduct of the election in line with the provisions of the NMA Constitution and this Bye-Law. While the Chief Returning Officer shall prepare a valid voters' register before the election, members who have not paid up to date all Kwara NMA dues and levies shall be denied the right to vote or be voted for, and other benefits as determined by the Kwara State NMA.

3. Every eligible voter shall be duly accredited for the election by the Electoral committee and there shall be no voting by proxy.

In the case of a tie, the Chairman in addition to his/her original vote shall have a casting vote. The Chairman here refers to the Kwara NMA Chairman; and in the case of Standing or Ad-hoc committees, the Chairmen of such committees.

Voting on other resolutions and issues discussed in the open house shall be by show of hands unless otherwise decided by acclamation or consensus.

Voting at SOC, SEC and Committees' meetings shall be by show of hands.

## SECTION 6

### ELECTION OF STATE OFFICERS

- i. All members of Kwara NMA who have not paid all their dues and levies up to date shall not be eligible to vote or be voted for.
- ii. Notice shall be given by the Secretary of the Kwara State NMA for nominations to all State offices, at least six (6) weeks before the date fixed for the AGM.
- iii. Nomination papers shall be designed and made available by the Secretariat.
- iv. A duly completed nomination paper should reach the Secretary not later than 10.00 am on the day of election.
- v. The Secretary shall, in the presence of at least one other State Officer and the Chief Returning Officer or his/her nominee, compile a list of all candidates duly nominated and present the list at the beginning of the AGM with the offices being contested.
- vi. In the case of posts for which there is no nomination, nominations shall be allowed on the floor of the AGM.
- vii. "Any candidate may withdraw his/her nomination in writing at anytime before the commencement of the election.
- Viii
  - a) The Chairman shall dissolve the SEC at the conclusion of the 2nd year AGM.
  - b) Any candidate validity proposed and seconded for an office shall be declared unopposed if there is no other validity nominated opposing candidate for the office at the close of nomination.
  - c) The order of election shall start with the office of the Chairman and continue in the manner of order of precedence as contained in this Bye-Law.
  - d) In the event that the election of officers becomes inconclusive, the Chief Returning Officer shall within 48 hours summon a Committee of all past Chairman who shall elect among themselves at least three (3) members to run the affairs of the Association for 3 months within which another election will be conducted. The Committee so constituted shall elect a Chairman from among their members provided it shall not be the immediate past Chairman. The Committee shall call for fresh nominations except for officers elected unopposed. The nomination and closing as set up in the first notice and/or announcement shall remain valid.

## SECTION 7

### OFFICERS OF THE KWARA STATE NMA

1. The officers of the Kwara State NMA shall be as follows:-The Chairman The Deputy Chairman The Vice Chairman The Secretary The Deputy Secretary The Assistant Secretary The Treasurer The Financial Secretary The Public Relations Officer The Social Secretary The Editor

2. The term of these officers shall be for two years which is not renewable. No members shall hold the same office for more than one term without a break of at least one term.

3. The order of precedence in the Kwara State NMA shall be in the descending order as stated in Section (1) above.

4. The duties of the officers shall be similar to those of the national officers, including other duties as may be determined by the AGM.

5. The elected officers of the Kwara State NMA shall constitute the State Officers Committee (SOC). The SOC shall meet as deemed necessary.

## SECTION 8

### FUNCTIONS OF STATE OFFICERS

1. Chairman

The Chairman shall preside over all meetings of the Association. The Chairman shall be the Chief accounting officer of the Association. The Chairman, in consultation with Council Members shall interpret the Constitution and decide any doubtful points. Any disagreement arising from such interpretation shall be referred to the Committee of Past Chairman which shall be the final arbiter. The Chairman shall act as deemed necessary on behalf of the SEC in between meetings, but must report to SEC for ratification at

the next meeting.

The Chairman shall be the Chief spokesman for the Association. The Chairman shall present a budget for approval to the first OGM each year. The Chairman shall authorize all expenditure exceeding the impress, limits of which shall be determined by SEC from time to time provided such authorized expenditure shall not exceed twenty per cent (20%) of the approved limit. The Chairman shall see to the preparation of an audited account at the end of the executive year.

2. Deputy Chairman

In the absence of the Chairman, the Deputy Chairman shall take precedence over the Vice-Chairman, performing all the duties of the Chairman. He shall head the AGM Organizing Committee.

3. Vice Chairman

In the absence of the Chairman and Deputy Chairman, the Vice Chairman shall perform all the duties of the Chairman. The Vice Chairman shall head the Physician's Week Planning Committee.

4. Secretary

The Secretary shall handle all correspondence and shall take and keep minutes of all meetings and records of the Association. The Secretary shall arrange with the Chairman the order of the proceeding at meetings. The Secretary shall see to the general management of the Secretariat. The Secretary shall operate an impress account to be determined by SEC. The Secretary may delegate responsibilities to the Deputy Secretary or Assistant Secretary.

5. Deputy Secretary

Shall act for the Secretary in his absence and shall co-operate with the Secretary at all times. He shall assist the Secretary to take minutes at the OGM and AGM. He shall serve as Secretary to all Standing Committees of the Association unless otherwise stated herein in this Bye-Law.

6. Assistant Secretary

He shall perform all functions delegated by the Secretary. He shall take minutes at all Executive Council Meetings.

7. Treasurer

He shall receive all monies to the Association. He shall make payments approved by the Council or the Chairman. He shall keep all bank documents related to the Association, e.g. receipts, tellers, cheque book, etc. He shall be the head of the Finance Committee.

8. Financial Secretary

He shall keep a record of all income and expenditure. He shall present same book for auditing of account. He shall keep all receipts. He shall be a member of the Finance Committee. He shall present quarterly report to SEC.

9. Public Relations Officer

The PRO shall be the image maker of the Association. He shall be responsible for publicizing all the activities of the Association and AGM Committee.

10. Social Secretary

He shall ensure the provision of refreshment at all meetings. He shall secure the appropriate venue for all meetings.

As a member of the AGM Organizing Committee, he shall be responsible for the Annual Dinner. He shall be a member of the Physician's Week and Education Committee. "

11. Editor

He shall collate material for the Newsletter. He shall edit the Newsletter. He shall ensure the production of, at least, three Newsletters and one Journal per executive year. He shall be the head of the information Bureau. He thus shall be responsible for collating, recording of the State's Health statistics.

12. NMA Representative on Various Bodies

Any Representative of the Association on government bodies or parastatals shall uphold the interest of the NMA on such a body. He shall defend the interest of Doctors. He shall liaise with the Chairman in lieu of SEC meetings. He shall present a quarterly report to SEC. The tenure of such a Representative shall be same as that of body in which he/she is serving.

## SECTION 9

### STATE EXECUTIVE COUNCIL (SEC)

1. There shall be a SEC which is the governing body of the Kwara State NMA and shall have full power to act on its behalf when necessary.
2. Composition of the SEC
  - a. All the State Officers
  - b. Immediate Past Chairman
  - c. Immediate Past Secretary

- d. Chairman Medical and Dental Consultants Association of Nigeria, UITH Branch (MDCAN), Ilorin.
  - e. Chairman, Association of General and Private Medical Practitioners of Nigeria (AGPMPN), Kwara State Branch.
  - f. President, Association of Resident Doctors, UITH Branch (ARD-UITH) Ilorin.
  - g. Chairman, National Association of Government Medical and Dental Practitioners of Nigeria (NAGGMDPN) Kwara State.
  - h. Representative, National Association of Doctors in University Health Services, (NADUHS) University of Ilorin Chapter
  - i. President, Medical Women Association of Nigeria (MWAN), Kwara State branch.
  - j. Chairman, Association of Medical Doctors in Basic Medical Sciences (AMDOBAMS), University of Ilorin branch.
  - k. Representatives of the Kwara State NMA on Statutory Bodies
  - l. National Officers Practicing in Kwara State.
  - m. Any other member co-opted to its meetings.
3. The statutory meeting of the SEC shall be held, at least, once in a month

SECTION 10  
STANDING COMMITTEES

- 1. (a) The SEC shall have power to appoint Standing Committees and Ad-hoc Bodies.
- (b) The life span is subject to renewal for another year at the discretion of the SEC.
- 2. The Standing Committees shall be:
  - (a) Medical Ethics and Practice Committee
    - i. Function: To define and monitor level of care in health facilities.  
To investigate all petitions and complaints of unethical practices referred to it by SEC.  
To facilitate the education of members on medico-legal issues.
    - ii. Composition: This Committee shall consist of statutory members as follows:
      - A past NMA Chairman as Chairman.
      - Three (3) members of at least ten (10) years professional experience.
      - One (1) Dental Surgeon.
      - Deputy Secretary shall be the Secretary.
      - Other members may be co-opted as deemed necessary by the SEC.
  - (b) Loan Committee
    - i. Functions: To negotiate, secure and disburse loans to members from reputable banks and any other financial institution approved by the OGM/EGM
    - To consider all requests for financial assistance from within and outside the association and advice SEC/SOC appropriately
    - To screen all intending beneficiaries of the NMA loan and determine their credit worthiness or otherwise. Any appeal against the decisions of the committee shall be considered by the SEC and lor OGM/EGM.
    - To have full responsibility for the management of the loan accounts and ensure a hitch free repayment of loan granted to members either from the banks or the association. The Chairman NMA, Chairman and Secretary of the committee shall be the signatories to the loan accounts.
  - ii. Composition:
    - 1. Chairman- to be appointed by SEC and ratify by the OGM/EGM
    - 2. Secretary- shall be the Asst. Secretary, representing the Secretariat
    - 3. Financial Secretary and Treasurer shall represent the SOC
    - 4. One nominated representative from each of the
    - 5. affiliated bodies.
  - iii. Tenure: The tenure of the committee shall be the duration of an executive year.

- (C) Disciplinary Committee
- i. Function: To look into all cases of misconduct against any member of the Association referred to it by SEC. Shall make recommendations to SEC which will in turn deliberate on the report before presenting it to OGM for consideration and ratification.
  - ii. Composition: This Committee shall consist of the following members statutorily:
    - A past NMA Chairman as Chairman
    - Three (3) members of, at least, ten (10) years professional experience.
    - One (1) Dental Surgeon
    - One (1) co-opted member from the same affiliate body as the member being investigated, if not present among the statutory members above.
    - Deputy Secretary shall be Secretary.
- (d) Education Committee
- i. Function; To organize educative health programmes for the benefit of the members and the general public.
  - ii. Composition:
    - The State Vice Chairman as Chairman.
    - One representative from each of the affiliated bodies.
    - Editor.
    - Assistant Secretary as Secretary
- (e) Finance Committee
- i. Function: To raise funds for the activities of the Association.
  - iii. Composition:
    - The State Treasurer as Chairman.
    - Financial Secretary.
    - The Treasurers of all affiliated bodies
    - Secretary to be selected by Committee.
- (f) Building Committee
- i. Function: To facilitate the building and maintenance of an NMA Secretariat in the State.
  - ii. Composition; As determined by SEC.
- (g) State AGC/AGM Committee  
This committee shall be headed by the Deputy Chairman. The composition of other membe is to be determined by SEC. The committee stands dissolved at the end of each AGC/AGM.
- (h) Newsletter Editorial Committee  
Composition to be decided by the SEC as recommended by the editor.
- h. State Advisory Committee
- i. Composition:
    - a. The oldest past Chairman present Committee shall be the Chairman.
    - b. The State Secretary as Secretary.
    - c. All past State Chairman.
    - d. All past State Secretaries.
    - e. Representative on UITH Board.
    - f. Representative on Private Hospital Registration Board.
    - g. Chief Medical Director, UITH Ilorin.
    - h. Director of Medical Services and Training, Ministry of Health, Kwara State.
    - i. Director, Unilorin Health Services.
    - j. Director, Kwara Polytechnic Health Service, Ilorin.
    - k. This committee shall meet, at least, once a year preferably midway in the executive year.
 Functions as referred in the NMA Constitution.
3. Ad-hoc Committees/Bodies
- 1) The SEC shall have power to appoint Ad-hoc Committee or Bodies.

- 2) An Ad-hoc Committee/Body stands dissolved on completion of its assignment or at the end of the life span of the SEC that appoints it.
- 3) Members of the Committee may be subject to unlimited re-appointments.
- 4) The terms of reference and life span shall be determined by the SEC.

#### SECTION 11

##### DISCIPLINARY ACTION AND REMOVAL FROM OFFICE

- 1) The provisions of Article 5 and 15 of the constitution of the NMA shall apply. However, the State Disciplinary Committee shall perform function similar to those of the National Disciplinary Committee (NDC) and submit its recommendations to SEC for deliberations. The SEC will then present the recommendations to OGM for ratification.
- 2) An appeal may be made to the next AGM in waiting and submitted to the Chairman and/or Secretary within a month or before the next AGM whichever is earlier. The decision of the AGM shall take immediate effect. The decision of the AGM shall be final.

#### SECTION 12

##### REPRESENTATION ON OTHER BODIES

Where the Kwara State NMA has to nominate members to any other body, the SEC shall nominate such members to an OGM for notification. The tenure of such representation shall be as for the tenure of such a constituted body, which is renewable only once.

#### SECTION 13

##### FINANCE AND BANKING

- 1) The SEC shall decide the monthly/annual dues payable by members and make recommendations to an OGM for ratification.
- 2) The SEC shall have power to make special levies and/or subscriptions from time to time as necessary and recommend to an OGM/EGM for ratification.
- 3) Money belonging to the Kwara State NMA shall be deposited in a duly licensed Bank in Nigeria in accordance with the directive of the OGM.
- 4) All cheques drawn on such accounts shall, after due approval by the State Chairman, be signed by any two or the following:

The Chairman

The Secretary

The Treasurer

The State Chairman shall be the Chief Accounting Officer of the Association.

- 5) Pursuant to Article 3, and relying on the provisions of Article 6 of the NMA constitution, the association shall have power to enter into financial negotiations, acquire assets, engage in business ventures/partnerships, borrow money on behalf of members, invest in shares and equities, or engage in any other financial transaction; so long it is in furtherance of promoting the welfare and good interaction of members and for the progress or the association, and as approved from time to time by SEC and ratified by the OGM/EGM/AGM.
- 6) SEC shall have power to deny any member/affiliate their due rights and privileges if they default in paying any special levies and/or subscriptions as and when due.
- 7) The association may receive, acquire, accept and hold real and personal property by gifts or purchase, lease or otherwise acquire for the purposes of the association, and may sell, lease, invest or otherwise dispose thereof in such a manner that may be deemed expedient for such purposes.

#### SECTION 14

##### AUDITORS

An Internal Audit Committee comprising three (3) members shall be appointed at the OGM preceding the AGM during which its report shall be presented by its Chairman.

#### SECTION 15

##### STATE ROLL OF HONOUR

- A. Article 17 Section 3 of the Constitution of the NMA shall apply.
- B. State Committee on Awards and Honour  
Composition:

- A past Chairman of NMA as Chairman.
  - A past Secretary.
  - The current Secretary as Secretary
  - Two other members, each with no less than ten (10) years professional experience.
- C. In any one year, the AGM shall not confer more than three (3) honours on members.
- D. Individual awardees may be recommended for Fellow of the NMA.

#### SECTION 16

##### AMENDMENT TO THE BYE-LAWS

- 1) Notice of any amendment to the Bye-Laws shall be sent to the SEC through the Secretary, not later than six (6) months before the AGM at which the proposed amendment(s) is to be considered.
- 2) The SEC shall thereafter set up a Bye-Law Review Committee specifically for this purpose. The committee shall write the affiliated bodies and zones for their inputs, which must reach the committee within two (2) weeks.
- 3) The Committee shall receive, consider all proposals for amendment(s) and present its recommendation(s) to the SEC
- 4) The proposed amendment(s) and recommendation(s) shall thereafter be sent to the Affiliated Bodies/Zones at least six (6) weeks before the AGM, which must give a feedback to the SEC. at least four (4) weeks before the AGM.
- 5) The AGM shall deliberate on the proposed amendments) for adoption as presented by SEC. The amendment(s) shall be adopted by 2/3 of members present at the AGM provided Vi shall be approximated to the higher whole number and voting shaft be by show of hands.
- 6) Amendment to this Bye-law becomes mandatory with any review of the NMA Constitution.

#### SECTION 17

##### TRANSITION; REVOCATION AND IDEMNITY CLAUSES

- 1) All regulations and rules made under a current Bye-law of Kwara State NMA shall remain in force until a new Bye-law is made to replace them.
- 2) From the date when this Kwara State NMA Bye-law comes into effect, any other Bye-laws of the Kwara State NMA shall cease to have effect.
- 3) Notwithstanding the provisions of Article 16 (2) of Kwara State NMA Bye-law above, all acts done under the provisions of the Bye-laws, Rules and Regulations revoked by this Kwara State Bye-law shall have effect as if they were done under the provisions of this Kwara State NMA Bye-laws.

#### SECTION 18

##### EFFECTIVE DATE

These Bye-laws are effective from the conclusion of the Annual General Meeting (AGM) of the Kwara State Branch of NMA where it was unanimously adopted by the members present, held at Olufunmilayo Hall, Circular Hotels Limited, Ilorin this 16th day of August, 2007.