

# Guidelines

UNICEF/UNDP/World Bank/WHO Special Programme for Research & Training in Tropical Diseases (TDR)



## FAME Constitution

Published on behalf of FAME  
(Forum for African Medical Editors)



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# **FAME CONSTITUTION**

**UNICEF/UNDP/World Bank/WHO  
Special Programme for Research and  
Training in Tropical Diseases (TDR)**



TDR/RCS/FAME/04.1

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**FORUM FOR AFRICAN MEDICAL EDITORS (FAME): CONSTITUTION**

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# Forum for African Medical Editors

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## CONSTITUTION

### PREAMBLE

**WHEREAS** Africa is the second largest continent, with over 50 sovereign states, it has poor infrastructure such as transportation, telecommunications, and technology and especially health care, and faces various challenges including civil strife, refugees and internally displaced persons, which places an even greater burden on health care providers;

**AND WHEREAS** the continent, given its disease burden and economic conditions, has a massive need for medical and health research as well as continuing education;

**AND WHEREAS** these factors have limited development of science and technology bringing down economic development and thereby frustrating medical research and publication of health and development journals;

**This Constitution provides as follows:**

## PART ONE

### Description of the organization

**Article I:**  
*Name* The name of the organization shall be the FORUM FOR AFRICAN MEDICAL EDITORS hereinafter referred to as 'The Forum'. In the abbreviated form, the Forum may be referred to as FAME.

**Article II:**  
*Registered Office* The registered office of the Forum shall be at such a place as the Board of Trustees of the Forum may from time to time decide.

**Article III:**  
*Nature of the Forum* The Forum shall be a non-governmental, voluntary, non-partisan and not for profit organization whose mission is to improve better health of the public through out Africa.

**Article IV:**  
*Objectives* The objects of Forum for Africa Medical Editors (FAME) shall be:

- a) To promote higher education and continuing medical education
- b) To promote the best of scientific medicine in order to improve the health of the public
- c) Facilitate co-operation and communication among editors of medical journals throughout the world
- d) Improve editorial standards and promote professionalism in medical editing through education, self-criticism, and self-governance.
- e) Promote research in peer review and medical editing.
- f) Co-operate with any National or international body which pursues objectives similar to or compatible with the aforesaid objects.
- g) Do all such things as are incidental or conducive to the attainment of the above objectives.

The objects of the Forum shall not be carried on for the profit of its members and no part of the income or assets of the Forum shall inure for the benefit of any member or officer of the Forum provided however that such remuneration of officers or employees shall be fixed by the Board of Trustees of the Forum shall not be considered to be a profit for purposes of this article.

**Article V**  
*Membership*

The Forum shall have the following categories of membership:

- a) *Regular membership*: Editors of peer reviewed medical journals are eligible for regular membership. Definitions: "Editor" means a person with current or previous responsibility for determining acceptance of manuscripts; "peer reviewed" means submitting most of the articles it eventually publishes for review by experts outside the journal's own staff; "medical journal" means a periodical whose readers are mostly physicians and whose published articles mostly relate to medicine. Candidates who do not meet these criteria may, in exceptional circumstances, be elected to regular membership by majority vote of the Membership Committee. Regular members may vote, hold office, and serve on committees.
- b) *Associate membership*: Persons who, while not eligible for regular membership, have interests in medical journal editing and peer review may apply for associate membership. Associate members will have all rights and privileges of other members except that they may not vote or hold office.

**Article VI**  
*Eligibility to Membership*

Application for regular membership should include evidence that the editor's journal(s) is (are) peer reviewed as well as copies of its masthead and instructions to authors. Application for associate membership should include a description of the applicant's background and interest in medical editing and peer review. All applications will be evaluated by the Membership Committee, with a majority vote required for election to membership. Appeals from negative decisions by the Membership Committee may be made to the Board of Trustees where two-thirds majority of the Board's membership is required to overturn the decision.

**Article VII**  
*Cessation of Membership*

- a) *Resignation*: Members wishing to resign from any category of membership should do so in writing to the Board of Trustees.
- b) *Expulsion*: Involuntary removal from membership for any cause or reason requires two-thirds vote of the Board of Trustees.
- c) *Death*

**Article VIII**  
*Appeal*

- a) Any person or group of persons aggrieved by the decision of the board of trustees to deny or expel them from membership may appeal against the decision within 30 days from the effective date of such denial or expulsion.
- b) The board of trustees shall provide a members report at every annual general meeting of the Forum detailing final decisions to deny or expel from membership any person or group of persons and the reasons therefore.
- c) Any member or applicant concerned shall have the right if he or she so wishes to address the Annual General Meeting or make representations in writing to the secretary who shall read out to the meeting the written representations so received.

**Article IX**  
*Subscription  
Fee*

- a) If and where applicable, every qualified member shall pay to the secretariat on or before 31st December every year an annual membership subscription fee according to the scale, which shall from time to time be laid down by the Forum.
- b) Subscription fee is recoverable in arrears.

**Article X**  
*Dues and  
Assessments*

The need for dues and assessments shall be determined by the Board of Trustees in consultation with the Finance Committee. If and when dues or assessments are levied, members shall be notified in writing and must pay such dues or assessments within 90 days of notification.

## **PART TWO**

### **Administration and management**

**Article XI**  
*Board of  
Trustees*

The administration of the Forum shall be vested in the officers of the Board of Trustees:

- a) *Chair*. The Chair shall preside at all meetings of the organization and its Board of Trustees, including meetings conducted by electronic means. S/he shall appoint committee members and shall have such powers and perform such duties customary for an organization's chief executive officer. The term of the Chair's office shall be for a maximum of two terms of two years each. Should the office of the Chair falls vacant for whatever reason, the Vice Chair shall automatically occupy the office in an acting capacity for the remainder period or duration of the term.
- b) *Immediate Past Chair*
  - i. Upon completion of a term as Chair, the officer shall automatically become Immediate Past Chair for a maximum of two terms of two years each, subject to the Chair not relinquishing, resigning or in any manner vacating the office before the expiry of two terms.
  - ii. Should the Chair opt not to contest the second term and or resign or in any manner relinquishes his/her office after the first term, the Immediate Past Chair shall automatically vacate the office in favour of the Chair who shall occupy the office of the Immediate Past Chair.
- c) *Vice Chair*. The Vice Chair shall be elected biennially, under procedures described elsewhere herein and serve for two years at which time s/he shall be eligible for re-election to the same or any other office. S/he shall preside at meetings of the Board of Trustees or members in case of absence or disability of the Chair.

- d) *Secretary.* The Secretary shall keep, or cause to be kept, minutes of the meetings of the Board of Trustees and the members and shall be responsible for transcribing and distributing such minutes to the appropriate recipients within 30 days of each meeting. The Secretary shall, in general, perform such other duties assigned by the Chair or Board of Trustees. His or her term of office shall be two terms of two years each.
- e) *Treasurer.* The Treasurer shall be responsible for all funds and securities of the Forum, including collection and receipt of monies due and payable to FAME and disbursement of appropriate payments and such other duties that might be assigned by the Chair or Board of Trustees. S/he shall serve for two terms of two years each.
- f) At least one trustee at-large

**Article XII**  
*Composition and  
 Elections of the  
 Board of Trustees*

- a) *Composition.* The Board of Trustees shall comprise of at least six persons including the officers enumerated in Article V (Chair, Immediate Past Chair, Chair Elect, Secretary, and Treasurer) plus five Trustees at-large.
- b) *Trustees at-large.* The term of office for Trustees at-large shall be two years, renewable once. Initially, the terms shall be staggered so that no more than two Trustees at-large positions become vacant each year.
- c) *Election of officers and Trustees.* At its inaugural meeting, officers to be elected shall be the Chair, Vice Chair, Secretary, and Treasurer and Trustees at-large. Thereafter, officers and trustees shall be elected from a slate of nominees presented by the Nominating Committee (composed of one Trustee at-large and one other member who is not an officer or Trustee, both appointed by the Chair, and chaired by the Immediate Past Chair). The slate shall be publicized to the membership 21 days before the scheduled elections. Nominees for any position may be added to the slate upon receipt of a written petition signed by at least ten members. The final nominee slate will then be circulated by electronic or other means to the entire membership for their voting. A quorum for purposes of election shall be one-third of regular members. At the time of voting, the members present shall determine the method of voting.
- d) *Vacancies.* If a vacancy occurs among the officers or Board of Trustees, it shall be filled by appointment by the Chair with advice of the Board of Trustees. Such appointment shall continue until the next regular election when the office shall be filled by the procedures described elsewhere herein.
- e) *Removal.* Any officer or Trustee may be removed from office by two-thirds vote of the full Board of Trustees.
- f) *Meeting of the Board of Trustees.* The Board of Trustees shall meet, by tele phone conference, electronic mail, or in person, at least once per year.

**Article XIII**  
 Quorum

The quorum of the Board of Trustees shall be 50% of members, and which shall include at least one trustee-at-large.

**Article XIV**  
*Communication  
with Members*

- a) The primary means of communication between the Board of Trustees and the membership and among members shall be electronic mail. Each member shall be responsible for maintaining a currently accurate e-mail address with the Secretary.
- b) Meetings of the members may be called from time to time by the Chair. Notice of such meetings shall be sent to members at least 21 days in advance of said meeting.
- c) The Secretary shall reduce the deliberations of such meetings into a report.

**Article XV**  
*Committees*

- a) *Standing Committees.* Standing committees of FAME shall be Information and Communication Technology (ICT), Finance, Membership, Editorial Policy, Education, and Ethics committees. Except as provided hereinafter, chairs of committees shall be appointed annually by the Chair, with the advice of the Board of Trustees, and may be reappointed; members of committees shall be appointed annually by the Chair, with the advice of the chair of the respective committee, and may be reappointed. The chairs of standing committees shall report to the Board of Trustees at least annually and all reports released publicly shall first be sent to the Board of Trustees for review and approval.
- b) *Information and Communication Technology (ICT) Committee.* The ICT Committee shall be responsible for maintaining the FAME website and other matters related thereto.
- c) *Finance Committee.* The Finance Committee shall be responsible for overseeing financial management of the organization, including budget planning and control. It shall be chaired by the Treasurer.
- d) *Membership Committee.* The Membership Committee shall be responsible for promoting membership and for evaluating and approving applications for membership.
- e) *Editorial Policy Committee.* The Editorial Policy Committee shall be responsible for evaluating general and specific editorial policies for member journals to consider and making recommendations related thereto to the Board of Trustees for possible dissemination to the membership.
- f) *Education Committee.* The Education Committee shall be responsible for developing and reevaluating educational materials and recommending to the Board of Trustees their possible dissemination to the membership.
- g) *Ethics Committee.* The Ethics Committee shall be responsible for developing statements on ethical issues and the code by which member journals should abide, and recommending to the Board of Trustees their possible dissemination to the membership. The Ethics Committee may, on referral by the Chair, also evaluate allegations of ethical improprieties against FAME members.
- h) *Other Committees.* The Chair may appoint with the advice of the Board of Trustees, such other committees or task forces as may be deemed advisable. Appointment of such committee or task force shall be accompanied by a written statement of (a) purpose, (b) members and chair, and (c) anticipated life of the committee or task force.

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## PART THREE

### Accounts and finances

- Article XVI**  
*Annual Reports*      The treasurer shall present to the General Meeting, for approval of the financial report and statements of accounts for the preceding year(s).
- Article XVII**  
*Fiscal Year*      The fiscal year of FAME shall commence on 1st January and ends on 31st December.
- Article XVIII**  
*Auditors*      The finances and accounts of the Forum shall be audited in every financial year by accredited auditors appointed for the purpose by a majority vote of members present at the General Meeting.
- Article XIX**  
*Use of Funds*      a) The funds of the Forum shall be used only for the objects of the Forum (as defined herein).  
b) The Board of Trustees shall cause all monies and funds received and paid to the Forum to be deposited in the name of the Forum in any bank or banks so approved.  
c) The Board of Trustees shall maintain prudent accounting and financial standards in respect of all funds and properties of the Forum.  
d) No part of the Forum's funds may be distributed to members.
- Article XX**  
*Dissolution*      In the event of dissolution or final liquidation, the remaining assets of FAME shall be applied and distributed as follows: All liabilities and obligations of the Forum shall be paid, satisfied, and discharged, or provision shall be made therefore; any assets held on the condition they be returned, transferred, or conveyed upon dissolution shall be disposed of in accordance with such requirements; all remaining assets of every nature and description whatsoever shall be distributed to one or more corporations, funds, foundations, qualified for exemption from tax as an exclusively charitable or educational corporation fund or foundation.
- Article XXI**  
*Indemnification*      The Board of Trustees shall purchase or cause to be purchased an insurance policy to indemnify officers, Trustees, or employees against any and all expenses and liabilities actually and necessarily incurred by them or imposed on them in connection with any claim, action, suit, or proceeding (whether actual or threatened, brought by or in the right of the Forum or otherwise, civil, criminal, administrative or investigative, including appeals) to which the defendant may be or is made a party by reason of his/her being or having been an officer, Trustee, or employee of the Forum, provided, however, that there shall be no indemnification in relation to matters as to which s/he shall be adjudged in such claim, action, suit or proceeding to be guilty of a criminal offense or liable to the Forum for damages out of his/her own negligence or misconduct in the performance of a duty to the Board of Trustees.

The provisions of this Article shall be applicable to claims, actions, suits, or proceedings made or condemned after the adoption hereof, whether arising from acts or omissions to act occurring before or after adoption thereof.

**Article XXII**  
*Amendments*

- a) *Proposal.* Amendments to this constitution may be proposed by:
  - i. majority vote of the Board of Trustees or
  - ii. a petition signed by at least 10% of the regular members. Such proposed amendments shall identify the relevant article and section and state the precise words to be amended.
- b) *Vote.* Upon receipt of an amendment proposal as outlined in (a) above, the Secretary shall within 60 days cause the proposed amendment to be sent to regular and emeritus members for vote. Two-thirds majority of those voting shall be required for adoption of the amendment.
- c) *Notification.* The Secretary shall notify the membership of the results of a vote conducted in accordance with (ii.) above.

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## SCHEDULE

### Forum for African Medical Editors

#### Regulations governing the administration of Forum of African Medical Editors

1. These regulations, for the time being, shall be construed with references to the provisions of the Societies' Act, Cap 108 Laws of Kenya and Trustees Act Cap 167 Laws of Kenya and terms used in these Regulations shall be taken as having the same respective meaning as they have been used in the referred document and Acts.

#### Board of Trustees

2. There shall be a Board of Trustees, which shall consist of not less than six and not more than ten trustees who shall elect amongst them a Chair, Secretary and Treasurer.
3. The corporate level shall consist of the Board of Trustees, which shall have power to create a management structure for effective discharge of the objects and mission of the Forum.
4. There shall be the Chair, Board of Trustees in charge of Corporate Stewardship, coordination public of relations, links with national and international agencies and mobilization of resources from the donor communities.
5. The Forum is established in Kenya and the Trustees shall have power to establish its head-quarters or create offices in any country of the world in furtherance of the interest of the FORUM.
6. The Trustees shall hold office for a period of two years renewable by majority vote of all trustees.
7. Any new trustee shall be appointed by a consensus of all sitting members of the Board of Trustees.
8. Any trustee may resign by notice in writing to the Chair of the board and shall thereupon cease to be a trustee and member of the board.
9. The first trustees shall be as provided in the Trust Deed and shall be at liberty to nominate other trustees as may become necessary in promotion of the objects of the Forum.
10. There shall be the Patron of the Forum, whose nomination shall be made by the Board of Trustees to advise and give general policy guidelines on the operations of the Forum.

## Meetings

11. Meetings and decisions of the Trustees shall be regulated as follows, that is to say:
  - a) The Trustees shall meet at a mutually agreed intervals PROVIDED the Chair or in his/her absence any other trustee may convene meetings of the Trustees as and when he/she considers the same necessary or desirable for the proper conduct of their business or any two Trustees by written notice to the Chair require the Chair to convene a meeting within a stipulated period and if the Chair shall fail to call such a meeting the Trustee requesting for the meeting may convene the meeting;
  - b) At the first meeting of the Trustees and thereafter at intervals of two years the Trustees shall elect one of them to be Chair and the others to hold other offices as may become necessary; and in any case, in accordance with Article XIII of the Constitution.
  - c) Every meeting of Trustees be convened by a written notice sent to the Trustees at least 14 days before the date of the Meeting or by a short notice if more than half of the Trustees agree in writing;
  - d) The quorum necessary for a meeting shall be two Trustees provided that any meeting at which there is no quorum within half an hour after the time appointed for the meeting shall automatically stand adjourned to the same day of the next week at the same time and place;
  - e) Decisions shall (except as provided by Clause 13 hereof) be by majority vote of the Trustees present at any meeting, and in the event of equality of votes the Chair shall have a casting vote;
  - g) A resolution in writing signed by all the Trustees, as alternative to a meeting, shall constitute a valid decision;
  - h) Proper minutes shall be kept of all meetings and resolutions of the Trustees; and
  - i) In all other respects the Trustees shall regulate their own procedure including procedure for taking votes when necessary.
12. The Trustees may from time to time at their discretion delegate all or any of their powers or duties under these presents:
  - a) To such committees (consisting of Trustees and/or others) as they may appoint; or
  - b) To any two of the Trustees alone; on such terms and conditions as they think proper.
13. The Trustees may also at their discretion seek and accept professional or other advice with regard to the performance of any of their duties or the exercise of any of their power with or without payment for such advice.
14. All moneys from time to time received by or on behalf of the Trustees shall be paid forthwith into a bank or banks selected by the Trustees and (with the exception only of any imprest accounts opened by the Trustees for operation by specified officers) shall not be withdrawn therefrom otherwise than under the signatures of at least Two persons designated for that purpose by the Trustees.
15. The Trustees shall before the commencement of each calendar year cause to be prepared and approved a budget of both recurrent expenditure and capital expenditure for that year with power nevertheless to authorize modifications thereof at any time or times during the same year:

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Provided that:

- a) Approval of every such budget shall require the concurrence therein of the Trustees; and
  - b) There shall be no recurrent expenditure or capital expenditure otherwise than in accordance with the budget so approved without the consent of the Trustees.
16. The Trustees shall cause proper accounts of the Forum Fund and all dealings therewith and of all undertakings activities in relation thereto to be kept at all times and once in each calendar year to be audited and presented to them for their approval.
  17. Any Trustee who is not able to perform his/her duties on account of absence for whatever reason may, subject to approval by his/her co-Trustees, either by formal power of attorney or by informal writing under his/her hand appoint any of the Trustees to be his/her representative and a representative so appointed shall have like powers duties and status in all respects as if he was himself/herself a Trustee.
    - a) Approval of every such budget shall require the concurrence therein of the Trustees; and
    - b) There shall be no recurrent expenditure or capital expenditure otherwise than in accordance with the budget so approved without the consent of the Trustees.
  16. The Trustees shall cause proper accounts of the Forum Fund and all dealings therewith and of all undertakings activities in relation thereto to be kept at all times and once in each calendar year to be audited and presented to them for their approval.
  17. Any Trustee who is not able to perform his/her duties on account of absence for whatever reason may, subject to approval by his/her co-Trustees, either by formal power of attorney or by informal writing under his/her hand appoint any of the Trustees to be his/her representative and a representative so appointed shall have like powers duties and status in all respects as if he was himself/herself a Trustee.
  18. Any Trustee may be employed by the Trustees in any capacity for such period with such powers and duties and on such terms and conditions with or without remuneration as they from time to time think fit.
  19. Any Trustee being an advocate, doctor or other person engaged in any profession shall be entitled to charge and be paid for professional work undertaken by him/her at the specific request of the Trustees.
  20. All or any of the provisions of these presents (other than the Primary Objectives) of this Forum may at any time or times be modified or extended (including the addition of further secondary objectives) in such manner and to such extent at the majority of Trustees may from time to time by Supplemental Declaration in writing under their hands determine.
  21. Vacation of office by any Trustee may be interpreted as effective under the following conditions:
    - a) The office of a Trustee shall *ipso facto* be vacated:
      - If he becomes bankrupt or fails to make any arrangement with his creditors generally;
      - If he becomes of unsound mind;
      - If he is absent from three consecutive meetings of the Board of Trustees without leave of absence from Trustees and the other Trustees resolve that his office be vacated;

- If by notice in writing to the other Trustees s/he resigns his office;
- If s/he is requested in writing by all his co-Trustees to resign.

b) The Trustees may appoint any person to replace any deceased or retired Trustee.

22. The Trustees shall be indemnified and at all times remain indemnified out of the Forum Fund against all debts liabilities claims and damages incurred or made against them in their capacity as Trustee of the Forum other than in the case of willful and individual fraud or wrongdoing or wrongful omission on the part of the Trustees or any one or more of them.

### **Duties of he Board of Trustees**

23. The Board of Trustees shall be governed by the provisions of the Trustees Act, Chapter 167 Laws of Kenya. It shall be the duty of the board to employ qualified personnel for the management and advancement of the objects of the Forum.

### **Seal**

24. The Board shall provide a common seal for the Forum, which shall be kept under such custody and control as the Board may from time to time determine. The seal of the Board shall not be affixed to any instrument except pursuant to a resolution of the Board in the presence of two members thereof one of who shall be the Chair and both of whom shall countersign.





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