

THE BYE-LAWS

~ Of ~

THE ROYAL COLLEGE OF OPHTHALMOLOGISTS

ADOPTED BY THE TRUSTEE BOARD

Revised 24 April 2025

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MAKING AND ALTERATION OF THE BYE-LAWS

1. The Trustees have the power to make, revoke, add to or amend Bye-Laws for the regulation of the College. The Ordinances direct the Trustees to make Bye-Laws.
2. The Trustees resolved at their meeting held on 24 April 2025 to adopt new Bye-Laws which are set out below.
3. (a) A proposed resolution to make, amend or repeal a Bye-Law which is submitted by a member will be considered by the Trustees at their next meeting.

(b) A Bye-Law made by a resolution passed by the Trustees will take effect immediately.

(c) Every enactment, amendment or repeal of a Bye-Law will be filed electronically.

INTERPRETATION

4. (a) The expressions “the Charter” and “the Ordinances” means the Royal Charter and Ordinances for the time being which are the constitutional documents for the College.

(b) “Standing Committees” means committees established by the Trustees and referred to in these Bye-Laws.
5. Any question as to the interpretation of the Bye-Laws will be decided by the Trustees whose decision will be binding.
6. The Bye-Laws must not conflict with the Charter or the Ordinances.

EXAMINATIONS

7. (a) Examination dates will be published on the College website.

- (b) Candidates must apply to the Examinations Committee not later than the date specified in the published announcement.
 - (c) Candidates will be permitted to sit examinations if they meet the eligibility criteria as outlined in the application process.
 - (d) Candidates are not permitted to sit an examination if they have been removed from the medical register by the General Medical Council in the United Kingdom or if a determination of a regulatory body elsewhere has a comparable effect.
8. Candidates must provide the Examinations Committee such information as the Examination Committee may require for the purpose of monitoring examinations.
 9. The Examinations Committee will make and alter from time-to-time regulations for the holding of examinations and issue instructions for the control of examinations.
 10. (a) The Examinations Committee will appoint a panel of Examiners, from which will be selected Examiners for each examination.

(b) The panel will be reviewed as required by the Examinations Committee.

(c) Examiners must hold a license to practice from the General Medical Council in the United Kingdom or from an appropriate regulatory body elsewhere, as determined by the Chair of the Examinations Committee.
 11. Examiners will enquire into and test the professional knowledge and clinical ability of candidates for Fellowship. A report on each examination will be prepared for the Examination Committee.
 12. Eligibility to sit examinations, their content and structure and the criteria to be applied to candidates will be determined and published by the Examinations Committee which will be subject to the approval of the Trustee Board.
 13. If a candidate is unable to sit an examination on the date specified, the College may in appropriate cases provide a partial refund on provision of a medical letter.

14. The Examinations Committee will notify the Membership Department of the names of successful candidates.
15. Expenses of Examiners will be fixed from time to time by the Trustees on the recommendation of the Finance and Risk Committee.

FELLOW BY EXAM

16. Candidates may seek Fellowship by exam by virtue of having passed the required examinations as stipulated above. Only paying members in good standing are entitled to use the post-nominals FRCOphth by exam.

FELLOW BY NON-EXAM ROUTE

17. The Trustees may from time to time decide alternative eligibility criteria and/or assessment processes for awarding Fellowship to medical practitioners who have not passed the FRCOphth exams.
18. Should Trustees decide that ratification of these memberships by Council is required, this may be carried out by email.

MEMBERSHIP BY ELECTION

19. Candidates may seek Membership by virtue of holding a substantive UK NHS Consultant post in ophthalmology for less than three years or a Specialty and Associate Specialist (SAS) post in ophthalmology in the UK NHS for three years or more and being able to provide:
 - (a) Postgraduate qualification in Ophthalmology;
 - (b) Evidence of contribution at a local/ national level to education and training or to scientific advancement of the practice;

- (c) Confirmation from responsible officer or equivalent of annual appraisals for the qualifying years as per these Bye-Laws;
 - (d) Two referee reports from two referees who are either active members of the College at FRCOphth or MRCOphth, or the equivalent in aligned international organisations.
20. Work experience for part-time work is working part-time less than 50%. This time requirement is extended by 1 year for every 10% less than 50%.
21. Should Trustees decide that ratification of these memberships by Council is required, this may be carried out by email.
22. Members in good standing are entitled to use the post-nominals 'MRCOphth by election'.

AFFILIATES

23. Applicants may seek Affiliateship by virtue of holding a primary medical degree and being able to provide:
- (a) Two referee reports from two referees who are either active members of the College at FRCOphth or MRCOphth, or the equivalent in aligned international organisations;
 - (b) Persons who are undergoing Ophthalmic Specialist Training (OST) who will be called Trainee Affiliates or Trainee Fellow Affiliates (once they have passed the final Fellowship exams). College membership is required whilst on OST.

ASSOCIATES

24. Applicants may seek Associate Membership by virtue of being a:
- (a) Medical undergraduate;
 - (b) Medical graduate who is not eligible to be Fellows, Members or Affiliates; or

- (c) Person who is in professions allied to ophthalmology, examples including optometrists, orthoptists, nurses and ophthalmic technicians.

SUBSCRIPTIONS

25. Members, except Honorary Fellows, must pay an annual subscription. Exceptions are pre-existing non-paying senior members who held this type of membership on or before 20 May 2025.
26. The annual subscription is payable for the period from 1st January to 31st December in any given year except as provided for in these Bye-Laws.
27. Members admitted after 1 February, will pay a prorated fee for the remainder of the calendar year.
28. Membership (except for Honorary Membership) will be invalidated unless the annual subscription is received within 3 months of the renewal date and members may be removed from the register by the College.
29. Persons without active membership are not entitled to use College post-nominals or access other benefits of membership.
30. The College may decide in special circumstances such as ill health or unemployment to waive the membership fee in which case the member will remain in good standing and shall continue to enjoy the privileges accorded to members. Members must notify the College of any changes to their circumstances as reasonably practicable in the manner required by the College and before fees are payable.

SENIORS

31. All members, except for Associate members, who have attained the normal UK pensionable age or who declare themselves to have retired permanently from clinical practice may in the manner required by the College, become a Senior member.
32. Senior members will pay a reduced annual subscription, receive such College publications and enjoy such privileges as the Trustees may from time to time decide. Senior members may continue to use designations after their names.
33. Senior members in good standing are entitled to receive notice of and to speak and vote at General Meetings but not to stand in College elections.

ELECTION OF PRESIDENT

34. The election of the President will be by ballot of Fellows, Members, Diplomates and Affiliates. The Secretary or person determined by the Trustees will be the Responsible Officer for the process of nomination and election and will act as the returning officer.
35. A vacancy in the office of President will be advertised through College media at least 30 days before the closing date for nominations. The call for nominations will include particulars of the post, the criteria for eligibility, the closing date for nominations and the supporting documentation required to assist electors to make a choice.
36. The details of the supporting documentation required, and the maximum length, will be determined by the Responsible Officer and specified in the call for nominations.
37. Only completed applications will be considered.
- (a) Nominations must be signed by two Fellows, Members or Affiliates in good standing who propose the candidate, and by the candidate to indicate consent to serve if elected.
- (b) The Responsible Officer has the discretion to reject any statement or supporting documentation if, in their view, it is not helpful to electors or is vexatious, defamatory or offensive. Candidates and proposers are permitted to engage in canvassing so long

as it is done in a professional manner consistent with GMC Good Medical Practice guidance.

(c) The Responsible Officer will arrange a ballot to send to electors containing a list of candidates nominated and supporting information. Votes received by the College after the closing date will not be counted.

(d) The accidental omission to send a call for nominations or a ballot to a Fellow, Member, Diplomate, Trainee or Affiliate, or the non-receipt of such documents, will not invalidate the election.

40. The Responsible Officer may appoint an independent person or organisation to open and count the ballots or to process the whole or any part of the election for the President.

(a) The College will employ the single transferable vote system. Under this system the voter has one vote but it can be transferred to as many candidates as they wish.

(b) The individual with the highest number of votes will be duly elected as the President. If more than one candidate achieves the same highest number of votes, there will be a second ballot. Candidates who receive fewer votes will not participate in the second ballot.

(c) Candidates will be informed as promptly as possible of the results of the election. The results (but not the voting figures) will be posted on the College website after all candidates have been notified, or once a reasonable attempt has been made to notify them and will be presented to the members at the next Annual General Meeting. Subject to these bye-laws, the elected President will take office at the conclusion of that Annual General Meeting.

(d) Voting figures will be retained by the Responsible Officer.

(e) If a candidate is in breach of the Bye-Laws or has behaved in a manner prejudicial to a fair electoral process, the Responsible Officer may, after consultation with the current President, the Chief Executive and the College's Solicitors, either warn the candidate as to their conduct or disqualify the candidate from standing in the election. If candidates are disqualified, they may appeal. An appeal will be heard at the earliest possible date. Where voting has already taken place prior to disqualification, votes for a disqualified candidate will be disregarded.

41. Appeals against any decisions under this Bye-law concerning its interpretation or implementation will be heard by the Trustees, whose decision will be final and not subject to further appeal. If an appeal against disqualification is successful, the Trustees may decide, in their discretion, that the results of an election should be set aside and direct the Responsible Officer to call for a new election.

42. To facilitate an appeal, the Secretary may order that the dispatch of ballots, the closing date for the return of ballots or the announcement of the election results should be delayed for as long as is necessary.

APPOINTMENT OF 'THE OFFICERS' AND OTHER TRUSTEES

43. Applications for the offices of Vice President, Honorary Treasurer and Honorary Secretary ('the Officers') may be made by Fellows, Members and Affiliates in good standing. Applications must be submitted in writing to the designated College staff signed by a proposer and the nominee to indicate consent to serve if appointed.

44. Applications for the position of Chairs of the Standing Committees and SAS Subcommittee may be made by Fellows, Members and Affiliates in good standing who are resident in the United Kingdom. Applications must be submitted in writing to

the designated College staff and be signed by the applicant and two referees. There will be a role description and a person specification for each position.

45. The Chair of The Ophthalmologists in Training Group will be appointed by the members of that Group.
46. The following Chairs are members of the Trustee Board for the duration of their term as Chairs: The Training Committee, Education Committee, Quality, Audit & Standards Committee, Scientific & Research Committee, Examinations Committee, SAS Subcommittee and the Ophthalmologists in Training Group.
47. Lay Trustees should be selected by reason of their profession, knowledge and/or skills and capacity to contribute to the good administration of the College including, without limitation, governance, human resources, fund-raising, finance and law. They may serve as Trustees for one term of three years and may not be reappointed for a further term whether consecutive or otherwise except in exceptional circumstances. The positions may be advertised in a national newspaper or on an appropriate website and the Trustees may also engage the services of a recruitment agency for this purpose.
48. An appointment panel will be convened to interview applicants for each post with the exception of the Ophthalmologists in Training Group Chair. The appointment panel will consist of:
- a) The President or The Vice President who is serving as a Trustee
 - b) A member of Council
 - c) One person who is either not a member of the College or is a lay person.
 - d) One member of the Senior Leadership Team
49. The appointment panel will shortlist the applicants to be interviewed. Applicants may be requested to attend more than one interview or comply with other procedures at the request of the Secretary.

50. Applicants may appeal against the process employed by the appointment panel but not against the decision reached to appoint a particular candidate.

THE EDITOR

51. The Trustees will appoint an Editor in the same manner described in these bye-laws but who may not be an Honorary Officer. The Editor may also attend meetings of the Council. The Editor will hold office for a term of five years which may be renewed for a further term. The Editor may not serve for more than ten consecutive years.

ELECTION OF MEMBERS OF COUNCIL

52. The elected members of the Council will consist of medical practitioners from geographical regions to be determined by the Trustees.
53. a) At least two months before each Annual General Meeting the College will send (in electronic form) to members in good standing practising in the appropriate constituency who are entitled to vote, a request for nominations accompanied by a list of the vacancies arising and specifying the time within which nominations must be received electronically by the College.
- b) Each nomination must be signed by a proposer and a seconder who are members (excluding Associate Members) in good standing. Each nominee must signify willingness to be nominated and to serve if elected. Nominations must be accompanied by a written statement of not more than 400 words by the nominee. Nominations must be submitted in electronic form as more particularly described by the Secretary.

c) If more candidates are nominated by a particular region for election than the number of vacancies which exist, the candidates will be elected by ballot of the Fellows, Members, Trainee, Affiliates and Diplomates in good standing members in the region in such manner as the Trustees think fit. The time table for a ballot will be determined by the Secretary.

54. If a ballot is required, the College will, at least one month before the Annual General Meeting, serve upon each member entitled to vote in electronic form a ballot containing a list of the candidates nominated for election, their present posts, and stating when voting will close not later than two days before the meeting of the Trustees next before the Annual General Meeting. Completed ballot papers must be submitted in electronic form as more particularly described by the Secretary.

55. The names of candidates nominated for election who received the greatest number of votes in a ballot will be reported to Council for information by the Secretary at their last meeting before the Annual General Meeting.

56. In the case of an equality of votes the President will, in addition to their own vote, have a casting vote.

57. Except on the specific instruction of the Trustees the number of votes cast for individual candidates will not be divulged to anyone other than the candidates.

58. Honorary Officers and other members of the Council elected as provided in the Ordinances will hold their appointment from the end of the Annual General Meeting.

MEETINGS OF THE COUNCIL

59. The Council will meet at least four times in each year and will regulate their proceedings as outlined in their terms of reference.

THE ROLE OF THE PRESIDENT

60. In addition to presiding as the Chair at General Meetings and meetings of the Trustees at which they are present, the President will be an ex-officio member of all committees and Chair of the Council.
61. The duties of the President are outlined in the President role description.
62. In the event of the death or resignation of the President the Vice President will act in their stead until a new President is elected.
63. In the event of the death or resignation of the President and the Vice President, the longest serving Chair of a Standing Committee will act in their stead until a new President is elected.

PROCEEDINGS OF THE TRUSTEES

64. The Trustees will meet for the dispatch of business at least four times every year. One meeting in every year will be convened to consider annual reports from the Treasurer, the Secretary and the Standing Committees as well as the business to be transacted at the next Annual General Meeting
65. A Trustee may be removed from the Board for any of the following reasons:
- a) Violation of the College's governing documents, policies, or ethical standards
 - b) Conduct detrimental to the College
 - c) Failure to attend a specified number of meetings, as outlined in the terms of reference
66. Removal proceedings may be initiated by any Trustee submitting a written statement to the President (or, if the President is the subject, to the Vice-President or Secretary),

specifying the grounds for removal. The statement must be supported by at least one other Trustee.

67. The Trustee subject to removal shall be given at least 14 days' written notice of the proposed removal, including the grounds and an opportunity to respond in writing and to address the Board, either in person or virtually, at a special meeting or the next regular Board meeting.

68. Following the hearing, the Board shall deliberate in closed session. A majority vote of the remaining Trustees (excluding the Trustee in question) shall be required to remove a Trustee from the Board. The vote shall be recorded in the meeting minutes.

69. Removal is effective immediately upon the Board's vote. The removed Trustee shall be notified in writing within 5 business days. Any vacancy created shall be filled in accordance with these Bye-Laws.

COMMITTEES

70. There are Standing Committees as follows:

- (a) Education Committee
- (b) Quality, Audit & Standards Committee
- (c) Scientific and Research Committee
- (d) Training Committee.
- (e) Examinations Committee
- (f) Finance & Risk Committee

71. If a Chair is absent from a meeting the members of the committee will elect a Chair for the meeting from amongst those present.

72. All committees and subcommittees must have written terms of reference which should be reviewed and amended, if necessary, on a regular basis.

73. There must be a transparent policy on the selection procedures for new members of committees which should be applied consistently but not in a manner which reduces flexibility or stifles innovation.
74. The minutes of meetings of Standing Committees will be made and kept by the Secretary or some other person appointed by the Trustees.
75. Standing Committees will submit an annual report on their activities to the Trustees.
76. A Standing Committee will have the power, subject to the prior approval of the Trustees, to establish sub-committees from among its members, or other members of the College.
77. No expenditure may be incurred by any committee, without the prior approval of the Trustees.
78. A Trustee whose resignation has been accepted, who has been removed, or vacated office for any other reason shall *ipso facto* cease to be a member of every committee to which they shall have been appointed.

NOTICES

79. A notice required to be given by the College members, which is not expressly provided for in the Ordinances or Bye-laws, will be deemed to be served if it is sent electronically or by post to members. Notices will be signed by, or have printed at the foot thereof, the name of the Secretary or any other person appointed by the Trustees except in the case of a meeting convened by requisition of members in accordance with the Ordinances, and in that case will be signed by, or have printed at the foot thereof, the names of the members convening the meeting.

PROCEDURE FOR GENERAL MEETINGS

80. A Special Resolution which is to be considered by a General Meeting will be lodged with the Secretary not less than ten clear weeks before the date of the General Meeting.
81. If the Trustees decide that one or more votes of the members are to be taken by a ballot they may also determine whether, prior to the ballot, the resolutions should be debated by the members at a General Meeting and whether any amendment thereto which has been duly moved at such General Meeting should be included on the ballot paper.
82. Amendments to resolutions to be considered at General Meetings will be in writing, signed by a proposer and seconder and handed to the Chair of the meeting.
83. On a point of order raised at a General Meeting (including whether a member is conforming to the requirements of the Charter, Ordinances and Bye-Laws) the ruling of the Chair will be final and will not be open to discussion: provided that if the Chair rules that a point of law has arisen which requires determination, they may invite the members to reach a decision on the resolution under discussion conditionally upon and pending the determination of such point of law.
84. The business to be transacted at Annual General Meetings will consist of receiving the annual report of the College, receiving a report from the President, receiving a presentation on the annual financial statements by the Treasurer, the appointment of the auditors, approval of the annual subscriptions, approval of draft amendments to the Ordinances (if any), receiving the results of elections of Honorary Officers and members of the Council in place of those retiring and such other business as may be decided by the Trustees or submitted in writing to the Secretary not less than 4 weeks before the meeting signed by fifteen Fellows or Members.

AMMENDMENT TO BYE-LAWS

85. Previous Review Dates:

- (a) February 2017
- (b) November 2017
- (c) April 2019
- (d) August 2020
- (e) April 2022
- (f) February 2023