

Caribbean Association of Pharmacists' By-Laws
Approved May 1, 2010, Special General Meeting, Nassau Bahamas
Amended August 10, 2018 at the Annual General Meeting in Georgetown, Cayman Islands

By-Law I
DUES

Sec. 1. Each Individual Member shall pay a Caribbean Association of Pharmacists (CAP) Membership annual fee as outlined in the approved Fee Schedule based on their country/region of practice. This fee shall be transferred to Treasurer within seven (7) days of approval to membership or no later than twenty-four (24) hours before election of officers at an Annual General Meeting. The tenure of CAP membership shall be 12 months, from April 1 to March 31.

Sec. 2. Each National Member shall pay a Caribbean Association of Pharmacists (CAP) Membership annual fee of one hundred dollars (USD \$100.00). All National Members must be in good financial standing with CAP no later than twenty-four (24) hours before election of officers at an Annual General Meeting. Failure to do so will result in a loss of voting and representative privileges at the Annual General Meeting.

Sec. 3. Student Members are not assessed any membership fee while enrolled in a formal undergraduate, associate or diploma pharmacy programme recognized by the CAP Executive Committee and are not already registered pharmacists in the Caribbean.

Sec. 4. Corporate Members shall pay a Caribbean Association of Pharmacists (CAP) Membership annual fee of two hundred dollars (USD \$200.00). This fee shall be transferred to CAP Treasurer within seven (7) days of approval of membership.

Sec. 5. Each Associate Member shall pay a Caribbean Association of Pharmacists (CAP) Membership annual fee as outlined in the approved Fee Schedule based on their country/region of practice.. This fee shall be transferred to CAP Treasurer within seven (7) days of approval of membership.

Sec. 6. Any Member who has not paid annual dues for two or more consecutive years shall be deemed as "inactive" and must submit out a new application form to the Secretary, before having their status changed to being in "good financial standing" and having all rights and privileges of their appropriate membership designation. The Association recognizes that authorized correspondence is by email, fax, or written (i.e. post or hand delivered). All forms are considered appropriate with the primary use by the Association being via email. It is up to the member to provide updated and current contact info.

By-Law II
DISCIPLINE

Sec. 1. A Member may be suspended or expelled from the Association for conduct unbecoming a Member. Included under this heading are such acts: (1) as relate upon or injure the prestige and reputation of the profession and practice of pharmacy (2) as relate upon the character of professional integrity of the Association and its Members; (3) refusal to pay dues (4) or be convicted in a court of law,(not including misdemeanors).

Sec. 2. To suspend or expel a Member from the Association, an Individual Member, National Member or Individual Members, must lay written charges before the Executive Committee of CAP. If the Executive Committee finds that the facts sustain the charge or charges, it shall endorse the charges as being true.

Sec. 3. The President of CAP shall set a hearing date, order the accused to appear either in person or via electronic or telephonic means, and instruct the Secretary to furnish the Member cited with a copy of the charges. Should the member not obey the mandate, the President may either continue or postpone the proceedings. No trial shall be valid unless at least two-thirds (2/3) of the Executive Committee, in good standing, are present, either in person or via electronic means. Should the accused fail to comply with the order to appear for more than thirty (30) days, the Executive Committee can enter a summary judgment and proceed with the punishment process.

Sec. 4. At the hearing, the President, one of the Vice-Presidents and a Member of the Association for a minimum of 5 years, and not from the country of birth nor country/region of practice of the accused member, shall act as the Judge and rule on all points of law. The Secretary shall record all proceedings.

If the President is involved as a party defendant, the 1st Vice-President shall act as Judge.

Sec. 5. The President shall appoint up to two (2) Individual Members, or Executive Officers of CAP to present the charges; the accused may choose two (2) Individual Members of CAP to act as counsel.

Sec. 6. Testimony shall be taken on all charges and each witness shall sign a written copy of the testimony.

Sec. 7. After all evidence and arguments have been heard, all CAP Council Officers and Members present shall vote "guilty" or "not guilty". A simple majority shall be needed to convict. If the accused member is convicted, the Executive Council shall determine the punishment. Two-thirds (2/3) shall be required for expulsion from the Association, and a majority for any other punishment.

Sec. 8. A convicted member may demand a stay of any ruling for thirty (30) days to appeal to the Executive Committee for rehearing. The convicted Member shall be liable for all reasonable expenses of the Executive Committee should the Executive Committee uphold the action.

Sec. 9. The Executive Committee, after due consideration, shall render its opinion in the appeal. A majority vote is necessary to either sustain or reverse the initial decision. If the decision is reversed, the accused stands acquitted and the case dismissed.

Sec. 10. The accused, as a last resort, may appeal to the general membership while in session at an Annual General Meeting. Notice of such appeal must be sent to the Executive Committee in writing no less than sixty (60) days before the Annual General Meeting. There shall be no exceptions to this stipulation, either by a general vote or Executive permission. The parties may be represented in person or by brief. The opinion of any vote taken in this matter by the members at the Annual General Meeting shall be final.

By-Law III
ELECTION AND DUTIES OF EXECUTIVE OFFICERS

Sec. 1. The Executive Committee shall notify each Member at least ninety (90) days prior to the Annual General Meeting at which there is scheduled an election, that the Executive Committee is prepared to receive nominations. Any Member may nominate for any or all of the Executive Officers, and shall forward the same in writing, to the Secretary of the Executive Committee no later than sixty (60) days prior to the Opening Session of the Annual General Meeting.

Sec. 2. The President shall appoint an Elections Committee consisting of the Executive Director, and at least two Past Presidents of the Association. The Elections Committee shall review the nominations received by the Secretary, and confirm:

- a. that persons who have nominated members are in good standing with CAP;
- b. that persons who have been nominated are members in good standing with CAP;
- c. that persons who are nominated meet all qualifications for that office as listed in the Bylaw III, sections 19, 20, 21, 22 and 23;

The Elections Committee shall report to the Executive Council no later than seventy (70) days prior to the Opening Session of the Annual General Meeting.

Sec. 3. The Executive Committee shall notify each Member of the office for which they have been nominated and whether they have been approved by the Elections Committee for candidacy. A Member becomes a candidate for office only upon acceptance of nomination for that office. Acceptance of nomination must be made at least thirty (30) days prior to the Opening Session of the Annual General Meeting.

Sec. 4. All nominations shall be made in the above manner except when at the time of balloting, all nominees or all but one (1) nominee for any office withdraws. In such instances, and no other, nominations may be made from the floor of the Annual General Meeting.

Sec. 5. To be eligible for nomination as an Executive Officer a person must have been a Member of the Caribbean Association of Pharmacists for time period that is required for that office and have paid all membership dues up to and including the year of the Annual General Meeting, and meet all other requirements as stated in the Constitution and Bylaws.

Sec. 6. Voting shall be by secret ballot and shall continue until one candidate receives a majority of the votes cast. A majority shall be at least fifty percent (50%) plus one (1) of the votes cast. If no candidate receives a majority, the candidate receiving the least number of votes shall be withdrawn from further balloting.

Sec. 7. Balloting for Executive Officers shall be in the following order: President; 1st Vice-President, 2nd Vice-President, 3rd Vice-President, Secretary, Treasurer, and Council Members of which there shall be four (4) elected.

Sec. 8. The President is the Chief Executive Officer of the Association and shall preside at all meetings of the Executive Committee; shall announce the time of the meetings of the Annual General Meeting; shall represent the membership at any/all National Associations, whether in person or through another Executive Officer or representative; shall appoint any non-elected official representatives of the Association; shall be an ex-officio member of all standing committees of the Association; and shall have authority to speak and act for the Association on all matters, being hereby accountable to the Association.

Sec. 9. It shall be the duty of the 1st Vice-President to discharge all such duties as the Constitution or the President may delegate.

Sec. 10. It shall be the duty of the 2nd Vice-President to discharge all such duties as the Constitution or the President may delegate.

Sec. 11. It shall be the duty of the 3rd Vice-President to discharge all such duties as the Constitution or the President may delegate.

Sec. 12. The Secretary shall serve to keep all records, maintain any/all correspondence of the Association and shall be the custodian of the Secretariat.

Sec. 13. The Treasurer shall maintain all financial records for the Association, and serves as chairperson of the Finance Committee, and coordinates any/all audits.

Sec. 14. The Council Members shall provide input and oversight for the projects and activities of the Association, as directed by the President.

Sec. 15. Should the office of President become vacant for any reason, the 1st Vice-President shall fill the un-expired term of office. The 1st Vice-President shall assume the duties of the President during any temporary disqualification of the President. Should the 1st Vice-President be unable or refuse to serve under these circumstances, the Executive Committee shall fill the vacancy from among the Executive Officers and a simple majority vote shall be needed to act.

Sec. 16. In case of the inability, or refusal of any Executive Officer, except the President, to perform the duties of office, the Executive Committee may declare the office vacant by a two-thirds (2/3) majority vote and may elect, by simple majority, a successor from the Members of the Association as a whole.

Sec. 17. Expenses incurred by Officers, Committees, and Members of the Executive Committee in the discharge of the office and business of the Association shall be borne by the General Fund of the Association. Such expenses should be approved by the Executive Committee prior to disbursement from the General Fund.

Sec. 18. A discretionary fund shall be established for use by the Executive Committee, under the direct oversight of the President and Treasurer. The amount of this fund shall not exceed one thousand dollars (\$1000 USD) per administrative year, and no single transaction can exceed five hundred dollars (\$500 USD). The use of the fund shall be confined to the professional development of the Executive Committee, and by the discretionary authority of the President. The President shall produce to the Annual General Meeting a separate report detailing all expenditures from this fund, with necessary documentation

Sec. 19. Qualifications for the offices of President are as follows:

1. Be a Caribbean citizen (or permanent resident in an official Territory);
2. Be a member of the Caribbean Association of Pharmacists in good standing for no less than seven (7) years;
3. Be a registered pharmacist living in a Caribbean state or in an official Territory;
4. Have been a member of the Executive of the Caribbean Association of Pharmacists for at least four (4) years, with a minimum of 1 term as a Vice-President;

Sec. 20. Qualifications for the offices of 1st Vice-President, 2nd Vice-President, 3rd Vice-President, and Secretary are as follows:

1. Be a Caribbean citizen (or permanent resident in an official Territory);
2. Be a member of the Caribbean Association of Pharmacists in good standing for no less than five (5) years;
3. Be a registered pharmacist living in a Caribbean state or in an official Territory;

4. Have been a member of the Executive of the Caribbean Association of Pharmacists for at least two (2) years;

Sec. 21. Qualifications for Treasurer and Council Members are as follows:

1. Be a Caribbean citizen (or permanent resident in an official Territory);
2. Be a member of the Caribbean Association of Pharmacists in good standing for no less than three (3) years;
3. Be a registered pharmacist living in a Caribbean state or in an official Territory;

Sec. 22. No officer, excluding the President shall hold the same elected office for more than two (2) consecutive terms.

Sec. 23. No person shall serve as President for more than two terms.

Sec. 24. All records and materials shall be transferred from the out-going officers, committee chairs and appointed representatives, to the newly elected officers, committee chairs and appointed representatives, no later than 30 days after the election date.

By-Law IV Committees of the Executive Committee

Sec 1. The Chairman of the Executive Committee shall be the President. The Chairman of the Finance Committee shall be the Treasurer. All other committee chairpersons and members shall be appointed by the President, and given a mandate by the Executive Committee.

Sec. 2. Copies of the minutes of all meetings of all committees shall be forwarded to the Executive Committee, within fifteen (15) days of the meeting by the Committee Chairperson. The President, with the approval of the Executive Committee, may also invite any Member to attend whose presence is necessary to the work of the Committee.

Sec. 3. The Standing Committees shall be Continuing Education, Membership, Administration and Finance, Quality and Ethics, and Legislation. The mandate for each committee shall be developed by the Executive Committee, and reviewed at least once every twelve (12) months, from April 1 – March 31.

Sec. 4. The Executive Committee shall be responsible to the membership of the Association in all of its actions and rulings, and hence any action taken by the Executive Committee, or any committee appointed by the Executive Committee may be reversed at a subsequent Annual General Meeting of the Association. A two-thirds (2/3) majority is required to reverse the ruling or action of any committee at an Annual General Meeting except for any disciplinary action.

By-Law V RULES OF PROCEDURE

Sec. 1. The rules of procedure governing the conduct of business at all meetings of CAP and at the Annual General Meeting shall be "**Robert's Rules of Order – Newly Revised**". A copy of a current edition shall be made available at each business session of the Annual General Meeting.

Sec. 2. The President shall appoint a non-Executive Member to serve as the Official Parliamentarian for all sessions of the Annual General Meeting.

**By-Law VI
AMENDMENTS**

Sec. 1. Proposals to amend any part, or all, of these By-Laws may be made by the Executive Council, or any Member of the Association, either in session or in adjournment of the Annual General Meeting.

Sec. 2. In session of the Annual General Meeting, motions to amend shall require a two-thirds (2/3) majority vote of the voting membership for passage, a quorum being present. No motion to amend, made in session, may be acted upon unless a written copy of such motion is submitted to the Legislative Committee at least twenty-four (24) hours before it is to be acted upon and also a written copy is distributed or posted to each member of the Association prior to the time of voting.

Sec. 3. A motion to amend made in adjournment shall be submitted to the Legislative Committee, which will forward it along with its recommendation, to the Executive Council. Upon approval of the Executive Council, a mail ballot (either regular and/or electronic) shall be conducted of all Members in good standing. A favorable ballot must be received from a two-thirds (2/3) majority of all Members responding within sixty (60) days after mailing to make the amendment official and approved.

Sec. 4. All amendments shall be deemed approved and binding after thirty (30) days of the final results being announced by the Executive Committee.

**By-Law VII
REMOVAL OF OFFICERS AND COMMITTEE MEMBERS**

Sec. 1. Any Executive Officer or Committee Member who has three (3) consecutive unexcused absences from meetings (either executive and/or general meetings), shall be subject to removal from office after written notification of said intent has been given to said officer/committee member by the President, or by the 1st Vice-President in the event that the officer in question is the President.

Sec. 2. An officer and/or committee member can be removed from office if the member is found guilty of any "conduct unbecoming a member" as articulated in By-Law II of the Constitution.

Sec. 3. An officer and/or committee member can be removed from office if a "vote of no confidence" resolution passes with at least a two-thirds (2/3) majority of the total number of eligible voting members of The Association.

Sec. 4. All resolutions for a "vote of no-confidence" must be tabled for at least thirty (30) days, after being moved and seconded in writing by Individual Members in good financial standing. All such motions must include the grounds for which such a motion has been made. Grounds for such motions are, violation of the absence policy as outlined in Article 8, section 4, professional misconduct, financial misconduct, and inability to perform said duties. After being tabled, written notification must be sent to all voting members of the time, date and manner at which the voting is to be conducted. Any vote conducted under other circumstances shall be considered null and void.