



**MALAWI ASSOCIATION OF MEDICAL
LABORATORY SCIENTISTS (MAMLS)**

CONSTITUTION

DECEMBER 9, 2020

P. O. Box 1071 Lilongwe.

TABLE OF CONTENTS

TABLE OF CONTENTS.....	2
PART 1: CREATION, TITLE AND DEFINITIONS.....	3
ARTICLE 1: CREATION AND GOVERNING LAW.....	3
ARTICLE 2: NAME, HEADQUARTERS and AIM.....	3
ARTICLE 3: OBJECTIVES:.....	4
PART 2: MEMBERSHIP.....	4
ARTICLE 4: MEMBERSHIP.....	4
PART 3 MANAGEMENT OF THE ASSOCIATION.....	9
ARTICLE 5: THE NEC, THE COUNCIL, THE ZONES, COMMITTEES AND THEIR DUTIES	9
ARTICLE 6.0 CONFLICT RESOLUTION.....	15
ARTICLE 7: PATRON.....	15
ARTICLE 8: BOARD OF TRUSTEES.....	15
ARTICLE 9: AUDITORS.....	16
ARTICLE 10: COUNCIL AND NEC MEETINGS.....	16
ARTICLE 11: ELECTIONS.....	18
PART 4: FUNDS AND ASSETS.....	19
ARTICLE 12 FUNDS AND RESOURCES UTILIZATION.....	19
PART 5: AMENDMENTS AND DISOLUTION.....	20
ARTICLE 13 AMENDMENTS TO THE CONSTITUTION.....	20
ARTICLE 14 PROCLAMATION OF THE NEW CONSTITUTION.....	21
A. APPENDIX I.....	21
CODE OF ETHICS FOR MEDICAL LABORATORY PROFESSIONALS.....	21
Code of Ethics.....	21

PART 1: CREATION, TITLE AND DEFINITIONS

ARTICLE 1: CREATION AND GOVERNING LAW

1.1 An Association is hereby created in Malawi among qualified laboratory professionals registered with Medical Council of Malawi (MCM) both in the private and public health sectors, teaching and research institutions which shall abide by this Constitution and all other Malawi Government Laws.

The Association, which shall be non-profit making, shall not be influenced by political, religious, ethnic or sub regional considerations.

1.1 DURATION

The **Malawi Association of Medical Laboratory Scientists** is created for an unlimited duration.

ARTICLE 2: NAME, HEADQUARTERS and AIM

2.1 NAME The association shall be called “**MALAWI ASSOCIATION OF MEDICAL LABORATORY SCIENTISTS**” (MAMLS), herein referred to as ‘Association’

For the purposes of this constitution, the term “**Medical Laboratory Scientist**” shall be understood to mean medical laboratory Professionals as accepted to practice in Malawi through evidence of registration and renewal with Medical Council of Malawi (MCM).

2.2 HEAD OFFICE

The Head Office is located in Lilongwe, P.O. Box 1071, Lilongwe. The Head Office can be located in any other district by a decision of the General Assembly. Sub zone offices may be created wherever and whenever it may be deemed necessary by the Governing Council.

2.3 AIM

To promote and uphold the provision of the highest quality of medical laboratory services at all levels through the philosophy of “Professionalism”.

2.4 VISION

To provide a platform for medical laboratory professionals to actively interact to share ideas, learn from each other, and communicate as much as possible as members of the Association for the growth and promotion of the Medical Laboratory Profession in the country, and being a voice for the Medical Laboratory Professionals

2.1 MISSION

To promote the growth of the Medical Laboratory profession by supporting professionalism through advocacy at all levels and trainings as one way of promoting Quality Health Services for the people. Through research and advocacy, the MAMLS will:

- Improve patient care through the advancement of good laboratory practices;

- Enhance the role of medical laboratories by building capacity and delivering value to the system;
- Influence the effective and efficient delivery of laboratory services and its impact on the transformation of healthcare in Malawi.
- Collaborate with other members of the health professions both nationally and internationally, for the purpose of improvement and advancements of laboratory medicine.

ARTICLE 3: OBJECTIVES:

3.1 The objectives of the Association shall be to:

- 3.1.1** Encourage the highest level of professionalism, accountability, and technical excellence in the provision of laboratory services for the benefit of people in Malawi.
- 3.1.2** Liaise with government, professional associations and colleges and with other health sectors in matters of legislation, programs and policy.
- 3.1.3** Work with health service providers and government to effect positive change in the delivery of health care services in Malawi.
- 3.1.4** Foster communication among medical laboratory professionals.
- 3.1.5** Advise teaching institutions on the minimum standards of training and practice in co-operation with International Associations;
- 3.1.6** Collaborate with Registrars in various Health Laboratory profession matters regarding registration, supervision and control of practices without political influences.
- 3.1.7** Encourage Medical Laboratory Scientists within Malawi to engage in research and publish articles in professional scientific journals or bulletins
- 3.1.8** Propose, formulate, promote and support improvements in any laws, by-laws, policy or regulations affecting the interests of MAMLS or its members thereof.
- 3.1.9** Exercise professional supervision and instil discipline over the members of the Association and to maintain their status recognition.

3.2 MAMLS shall achieve its purposes and objectives by means of:

- 3.2.1 Holding quarterly Executive Committee meetings to review progress;
- 3.2.2 Organisation of necessary public events such as conferences, seminars, workshops, colloquia, dinners etc;
- 3.2.3 Publication of information bulletins or journals;
- 3.2.4 Liaising with governments, national and international non-governmental organisations.
- 3.2.5 Holding continuous professional development sessions aiming at capacity building for laboratory professionals
- 3.2.6 and any other means at its disposal for the realisation of its purposes and objectives.

PART 2: MEMBERSHIP

ARTICLE 4: MEMBERSHIP

4.1 Membership Categories

Membership shall be open to Medical Laboratory Scientists registered with MCM, but that there shall be six categories of members;

4.1.1 Ordinary/Individual Membership

4.1.1.1 Membership in this category shall be open to qualified Medical Laboratory Professionals from Institutions recognized by Medical Council of Malawi. To be eligible, a member must be registered with the Medical Council of Malawi (or any regulatory body of laboratory practice in Malawi) and must have a valid practicing certificate.

4.1.1.2 Basic qualification of members shall consist of a minimum training period of two years and have degrees, diplomas and certificates in Medical Laboratory/Biomedical Sciences from recognized institution and should have covered the following minimum core subjects which should be in theory and practical:

- (i) Haematology
- (ii) Blood Transfusion Sciences
- (iii) Bacteriology/ Mycology
- (iv) Parasitology / Entomology
- (v) Clinical Chemistry
- (vi) Histopathology / Cytopathology
- (vii) Immunology
- (viii) Virology

4.1.1.1 A member shall be required to pay an application fee and an annual or monthly subscription fee to be prescribed by the Association from time to time.

4.1.2 Temporary Membership

4.2.1.1 Temporary membership shall be open to students pursuing a course leading to a qualification in Medical Laboratory/Biomedical Sciences provided they have a proof of studentship.

4.2.1.2 Such students shall be from Institutions recognized by the Medical Council of Malawi and MAMLS.

4.1.2.3 The entry and annual subscription fee for such members shall be determined by the Association from time to time as deemed necessary.

4.1.2.4 Temporary membership forms for such members shall bear the official stamp of the training Institution and duly endorsed by an authorized Officer.

4.1.2.5 The Association shall keep a separate register of temporary applications and shall have the right to admit or reject any applicant into the Association.

4.1.2.6 Visiting officers may be entitled to temporary membership but for a period to be determined by the Council (maximum of 6 months).

4.1.2.7 Temporary Members shall **have no** vote.

4.1.3 Affiliate Membership

4.1.3.1 This category shall be open to any professional qualified individuals in fields not necessarily related to Medical Laboratory/Biomedical Sciences, and shall have no vote at Association meetings.

4.1.4 Corporate Member

4.1.4.1 This membership shall be offered to organizations, associations, or companies with interest in Laboratory Medicine and shall include students Associations, and Cooperating partners.

4.1.4.2 Corporate members are entitled to be represented in all Association matters by up to three (3) delegates, nominated by the organization.

4.1.4.3 Corporate members shall **have no** vote.

4.1.5 Honorary Member

4.1.5.1 Honorary membership may be bestowed on an individual only.

4.1.5.2 This may be offered by the Association to persons who have shown particular interest in the Malawi Association of Medical Laboratory Scientists after rendering distinguished service towards improvement and/or made outstanding contribution to MAMLS.

4.1.5.3. Honorary members must be nominated in writing by at least three (3) members of the Association and approved at a General Meeting.

4.1.5.4. The person **MUST** be a non-Medical Laboratory Professional and shall have no vote.

4.1.5.5 Honorary membership shall be bestowed for the life of the individual.

4.1.6 Life/Retired Membership

4.1.6.1 This category shall be open to full members who, after retiring, continue to participate in the activities of the Association and have made outstanding contributions to the development and promotion of the Medical Laboratory/Biomedical Sciences during their career.

4.1.6.2 Such eligible members shall be recommended by the Regional Committee through the general meeting in writing to the Association's Council for election as life members. The approval by the Council shall be announced during the Annual General Meeting.

4.1.6.3 Life members will not be required to pay annual subscription fee

4.2 Application for Membership

4.2.1 Application for membership shall be made on the appropriate electronic/hard copy form provided for the purpose by the Association.

4.2.2 Each applicant shall be required to complete such application form in full and return it to the Association with the proof of payment of prescribed registration fee.

4.2.3 The applicant shall be notified of his/her admission or otherwise within 14 calendar days in writing, by the Secretary.

4.2.4 All admitted applicants shall be given, a receipt for his/her admission fee, and a copy of the Constitution.

4.2.5 Annual Subscriptions shall be due and payable on the first day of January in each year with grace period of up to last day of March.

4.2.6 Unsuccessful applicants shall be refunded the registration fee by the Treasurer.

4.3 Membership Subscription Fees

Membership subscription fees shall be as follows;

Category	Registration Fee (MK)	Annual Subscription fee (MK)
PhD, Specialist, Masters, Hons, Bachelors.	15000	10000
Diploma	10000	8000
Certificate	7000	5000
Student/Temporary	5000	3000
Corporate	15000	50000
Affiliate	10000	5000
Honorary	4000	2000
Life	00	00

4.4 Rights, Duties and Obligations of Members

4.4.1 Each member by virtue of membership, shall be deemed to have agreed to abide by the provisions of this Constitution and rules and in particular:

- a) To pay the Association during membership, the amount of the annual subscription/fees.
- b) The subscription made by each member shall be determined by the Association from time to time.
- c) be
- d) It shall be the duty of each member to register with the Secretary the address to which one desires communications to be sent to him/her and to notify to the Secretary any change in such registered address.
- c) Members who have not paid their annual subscription fees will not be eligible to take part in any Association activities until subscription fees have been paid, however they will continue to be notified of Association matters for three (3) months after due date, thereafter their names will be removed from the list of members.
- d) Persons whose names have been removed from the membership shall not participate or represent the Association in any activity.
- e) Upon request to disclose on the prescribed form provided, such information as the Association may require for the purpose of fixing the annual subscription/fees or any other information needed by the Association.
- f) In the event of any dispute arising of the provisions of this constitution, in the interpretation of the subscription fees payable by any member, to accept the ruling of the Association, who shall have the right of investigation and whose decision shall be final.

4.4.2 Members who are not in good standing, for whatever reason, and whose membership has been cancelled shall not be entitled to be refunded the whole or any part of any subscription fees paid.

4.4.3 Every member shall have the right, or through his/her nominee, to attend, speak and vote at any General Meeting of the Association and, subject to the provisions of section 11.2.2, to stand for election to the council.

4.4.4 A member who has been requested by Council to forfeit membership in terms of Section 4.5.1.4 shall cease to be entitled to any of the rights or benefits of membership from the date specified by the Council.

4.4.5 Every member shall have the right to submit proposals for consideration by the Council or a General meeting.

4.4.6 Every member shall be entitled upon request to receive a copy of the constitution.

4.1 Termination/Suspension, Resignations, and Re-Admissions of Membership

4.5.1 Suspensions/Termination of membership

4.5.1.1 Any member who has failed to pay his/her subscription by 31st March in any year shall *ipso facto* cease to be a paid up member.

4.5.1.2 Any member who attempts to use the Association as a means of personal monetary gain, or who attempts to misappropriate the funds or assets of the association, shall have his/her membership terminated.

4.5.1.3 Any member who is convicted of a criminal offence may, at the discretion of Council, have his/her membership terminated.

4.5.1.4 Any member shall for gross misconduct, have his/her membership terminated. The power of expulsion shall be vested in the Council Committee through the disciplinary committee of the Association.

4.5.1.5 Any member who sues the Association for any reason whatsoever shall automatically lose membership.

4.5.1.6 Any person whose membership of the association has been revoked shall have the right of appeal. Such an appeal must be made in writing within thirty (30) days of the notification of the loss of membership and must contain reasons justifying the appeal. In such event the Regional Committee shall be consulted before a final decision is made by Council Committee. The decision of Council Committee shall be final.

4.5.1.7 On termination of membership, the right to display the Association's emblems in any form shall, together with all privileges of the association, be forfeited.

On termination of membership no *pro rata* refund of subscriptions shall be paid to any ex-member.

Expelled members shall be allowed to re-apply to the Association and will have to pay all the dues as a new member.

4.5.2 Resignations

4.5.2.1 Any member may relinquish their membership by giving one month's notice in writing to the Association.

4.5.2.2 Members shall serve one month's written notice of termination of membership.

4.5.3 Re-admissions

4.5.3.1 Any individual, company or organisation which has resigned - from the Association may apply if they so wish for re-admission.

4.5.3.2 An application for readmission into MAMLS shall be submitted in writing to the Council and the Council may approve/disapprove such re-admission on conditions it deems fit.

PART 3 MANAGEMENT OF THE ASSOCIATION

ARTICLE 5: THE NEC, THE COUNCIL, THE ZONES, COMMITTEES AND THEIR DUTIES

5.1 The National Executive Committee

The NEC shall comprise:

5.1.1 The President

5.1.2 The Vice President

5.1.3 The Secretary General

5.1.4 The Vice Secretary General

5.1.5 The National Treasurer

5.1.6 The National Vice Treasurer

5.3 The Council

5.2 The council shall be composed of:

5.2.1 The Council Chairperson

5.2.2 The Council Vice Chairperson

5.2.3 The NEC President as the Council Secretary

5.2.3 The Chairperson- Editorial, Publicity and Membership Committee

5.2.4 The Chairperson- Education, Training and Research Committee

5.2.5 The Chairperson- Finance and Planning Committee

5.2.6 The Chairperson- Disciplinary Committee

5.2.7 The Chairpersons of all Zones

5.2.8 The Chairpersons of Committees shall be elected at association's AGM

5.2.9 The NEC through the association electoral commission shall facilitate the election of the Council Chairperson and the vice Chairperson.

5.2.10 The council shall advise the NEC on issues pertaining to developmental activities and policy making

5.2.11 The term of office NEC, council and Zone office bearers shall be three (3) years

5.4 Zones

5.3.1 Zone Leadership

5.3.1.1 The Association shall register all the five zones in Malawi.

Zones shall be derived from the already existing Ministry of Health demarcations and shall be registered if it has thirty (30) or more paid up members.

5.3.1.2 Each zone shall have elected executive members as follows:

(i) Chairman and Vice Chairman

(ii) Secretary and Vice Secretary

(iii) Treasurer and Vice Treasurer

(iv) Committee members (minimum three, Maximum four).

5.3.2 Administration of Zones

5.3.2.1 All Association 's Zones shall function in accordance with the MAMLS constitution.

5.3.2.2 All zone office bearers shall be elected at least one month AFTER the Association 's national elections for the Executive Committee in the first year (2020) and one month before the Association's national elections for the executive in the subsequent years.

5.3.2.3 Registered Zones shall not be dissolved at the discretion of the NEC.

5.3.2.4 All Zones shall be endorsed by the MAMLS secretariat upon presentation of an official form indicating:

(i) Office bearers

(ii) Names of all paid up members in the zone

5.3.2.5 The quorum for Zone Committee meeting shall be half (50%) of its members.

5.4 Office Bearers and their duties

5.4.1 The affairs of the Association shall be managed by an Executive Committee whose structure shall comprise of the following:

5.4.1.1 The President

5.4.1.2 The Vice President

5.4.1.3 The Secretary General

5.4.1.4 The Vice Secretary General

5.4.1.5 The National Treasurer

5.4.1.6 The National Vice Treasurer

5.4.2 Duties of Office Bearers

5.4.2.1 The President

5.4.2.1.1 Shall uphold the constitution of the association be responsible for the smooth running of the association and Co-ordination of the affairs of the association.

5.4.2.1.2 Shall preside over all meetings of the Executive Committee, Delegates and Special Delegates / General Meetings.

5.4.2.2 The Vice President

5.4.2.2.1 Shall perform the duties of the President in his/her absence.

5.4.2.2.2 Shall undertake any responsibilities assigned to him/her by the Executive Committee.

5.4.2.3 The Secretary General

5.4.2.3.1 Shall handle all correspondence of the MAMLS under the general supervision of the Executive Committee. In case of urgent matters where the Executive Committee cannot be consulted in time, he shall consult with the President or the Vice President in the absence of the former. The decision reached shall be subject to ratification or at the preceding Executive Committee Meeting.

5.4.2.3.2 Shall issue notices for convening all meetings of MAMLS as directed by the President and/or the Executive Committee.

5.4.2.3.3 Shall be responsible for proper keeping of the Association's records and minutes of all such meetings of MAMLS and distribute such minutes to all members as required in good time.

5.4.2.3.4 Shall act as a registrar of the association by keeping a list of all registered members of the Association.

5.4.2.4 The Vice Secretary General

5.4.1 Shall perform the duties of the Secretary General in his/her absence.

5.4.2 Shall undertake any responsibilities assigned to him / her by the Executive Committee.

5.4.2.5 The National Treasurer

5.4.2.5.1 Shall receive and disburse under the directions of the Executive Committee all funds belonging to the association and ensure proper maintenance of books of accounts.

5.4.2.5.2 Shall ensure that the funds received and spent are recorded and records made available for inspection at any time.

5.4.2.5.3 Shall maintain an up-to-date register of all paid-up members.

5.4.2.5.4 Shall ensure that no Office Bearer(s) may use the influence of his/her office for individual gains.

5.4.2.5.5 Shall prepare a comprehensive annual financial report to be audited and presented to the Annual Delegates Meeting.

5.4.2.6 Duties of the National Executive Committee

5.4.2.6.1 The Executive Committee shall be responsible for the management of the association and for that purpose may give directions to the Office Bearers in a manner within the law; in which to carry out their duties.

5.4.2.6.2 Shall from time to time form sub-committees for duties such as investigations into the affairs of the Association, discipline, education and publications. Shall establish training / disciplinary/ inspectorate and any other sub-committee(s).

5.4.2.6.3 Shall authorize all funds disbursed on behalf of the Association except as specified in article 13.2 of this constitution.

5.4.2.6.4 Shall be competent to create a permanent secretariat and to appoint the required staff for administration purposes and shall be given his / her enumerations determined by the Executive Members.

5.4.2.6.5 Shall have the power to co-opt any member(s) of the association, person(s) deemed to have special knowledge of any subject desirable for the Association. Such co-opted member(s) shall not possess a vote at Annual General meeting.

5.4.2.6.6 Shall establish an education and validation committee.

5.4.2.6.7 Shall develop a strategic plan to be presented at an AGM to assist in monitoring and evaluation of association's performance.

5.4.2.6.8 Shall implement all the policies of the association in accordance with this constitution 14

5.5 COMMITTEES, COMPOSITIONS AND DUTIES**5.5.1 Editorial, Publicity and Membership Committee****5.5.1.1 Composition**

5.4.1.1.0 The Editorial Committee shall be composed of the Editor, a Vice Editor and three (3) members, who shall be elected at an AGM, and/or may co-opt any other member(s).

5.5.1.1.1 The Editor

5.5.1.1.1.1 The editor shall be a registered member of the association who has served in the profession for a minimum of 2 years.

5.5.1.1.1.2 The editor shall be the chairman of the editorial committee and in his/her absence the vice editor shall act as the chair.

5.5.1.1.1.3 The Editor and the vice-editor shall attend Executive Committee meetings or sit in Executive committee meetings when need arises.

5.5.1.1.1 Duties of the Editorial Committee

5.5.1.1.1.1 To publish and market association's newsletters, gazettes and journals.

5.5.1.1.1.2 May serve as members of Scientific Conferences organizing committee of the association.

5.5.1.1.1.3 Maintain an Editorial file;

- i. Receive documents concerning editorial committee.
- ii. Maintain a record of correspondence.
- i. Use content management systems to maintain and update websites and internal databases
- ii. iii. Upon termination of office, transfer all documentation to the successor and/or the Executive Committee.

5.5.1.1.1.4 Communicate regularly with:

- i. The President and other Executive Committee members.
- ii. Zone members and other members of health profession(s).

5.5.1.1.1.5 Secure articles, papers, and photographs of all aspects of the scientific conference proceedings.

5.5.1.1.1.6 Monitor and review printing, packaging and distribution of informative material.

5.5.1.1.1.7 Ensure that material produced for the association's Journal/Newsletter is up to date and of acceptable standard.

5.5.1.1.1.8 Ensure that any decisions concerning finance or representation are taken in collaboration with the Executive Committee.

5.5.1.1.1.9 Prepare a newsletter every three (3) months and ensure circulation of the same.

- i. Prepare Scientific Conference proceedings and an annual report which shall be included in the MAMLS Annual Report to the AGM.
- ii. To be concerned with public relations relating to the Association.

5.5.1.1.1.10 Improve the perception of members and others of the Association.

- i. Improving public awareness of the services provided.
- ii. Improve relationship between member and Council, National Executive, regions, zones and discussion groups to help active the objectives set above.
- iii. To review regularly and advise on improving the services offered by the Association to members.
- iv. To lease with all other Association committees and other professional organizations on appropriate issues.

5.5.2 Education, Training and Research Committee

5.5.2.1 Composition

5.5.2.1.0 The Education, Training and Research Committee shall be composed of the Training Officer and four (4) members co-opted by the elected Training Officer and approved by the National Executive Committee.

5.5.2.1.1 The Training Officer

5.5.2.1.1.1 The Training Officer shall be a registered member of the association who has served in the profession for a minimum of 2 years.

5.5.2.1.1.2 The Training Officer shall be the elected Chairperson of the Education, Training and Research Committee and in his/her absence the vice Training Officer shall act.

5.5.2.1.1.3 The Training Officer and/or the Vice Training Officer shall attend Executive Committee meetings or sit in Executive committee meetings when need arises.

5.5.2.1.2 Duties of the Education, Training and Research Committee

5.5.2.1.2.1 To advise National Executive, Council, its committees and officers on matters of policy relating to:

i) Position and significance of sciences basic to Medical Laboratory Science and teaching of those sciences in secondary schools.

ii) Introduction and implementation of further education.

5.5.2.1.2.2 Liaise with the scientific advisory committees on appropriate issues.

5.5.2.1.2.3 Liaise with Medical Council of Malawi or any other relevant examining body of Medical Laboratory Science courses.

5.5.2.1.2.4 Liaise with the ministries of Education and Health on appropriate issues.

5.5.2.1.2.5 To advise National Executive, Council, its committees on all Science policy issues.

5.5.2.1.2.6 To co-ordinate the scientific programme of the Association's congress.

5.5.2.1.2.7 To co-ordinate the advice given by the scientific advisory committees.

5.5.2.1.2.8 To advise and co-ordinate the activities of those representing the Association's interest on quality assurance and other scientific committees and co-ordinate policy on scientific publications.

5.5.2.1.2.9 To review and advise on testing kits and scientific equipment evaluation and other scientific development when appropriate.

5.5.2.1.2.10 To advise and co-ordinate the activities of those representing the Association's interest on Examinations Council of Malawi, Ministry of Health and Health Profession's Council of Malawi.

5.5.2.1.2.11 To setup scientific advisory committees in each specialist area of Medical Laboratory Science such as Clinical Chemistry, Medical Microbiology, Haematology, Blood Transfusion Science, Parasitology, Histopathology, Virology, etc

5.5.3 Finance and Planning Committee

5.5.3.1 Composition

5.5.3.1.0 The Finance and Planning Committee shall be composed of the Finance and Planning Officer, four (4) members who shall be co-opted by the Chairperson Finance and Planning Committee and approved by the National Executive Members.

5.5.3.1.1 The Finance and Planning Officer

5.5.3.1.1.1 The Finance and Planning Officer shall be a registered member of the association who has served in the profession for a minimum of 2 years.

5.5.3.1.1.2 The Finance and Planning Officer shall be the elected Chairperson of Finance and Planning Committee and in his/her absence the Vice Finance and Planning Officer shall act.

5.5.3.1.1.3 The Finance and Planning Officer and the Vice Finance and Planning Officer shall attend Executive Committee meetings or sit in Executive committee meetings when need arises.

5.5.3.1.2 Duties of the Financial and Planning Committee

- i. To examine and keep under review the Association's expenditure
- ii. To authorize expenditure beyond the Treasurer's limit of authorization.
- iii. To keep the Association's portfolio under review and modify it subject to appropriate professional advice.
- iv. To keep under review the Association's insurance policies.
- v. To set various fees for Association's services.
- vi. To recommend to Council levels of fees for subscriptions, registrations and examinations.
- vii. To manage the funds and various, prizes of the Association.
- viii. To allocate Association budgets as agreed

5.5.4 Disciplinary and Legal Affairs Committee

5.5.4.1 Composition

5.5.4.1.0 The Disciplinary Committee shall be composed of the Legal Affairs Officer, a Vice Legal Affairs Officer and four (4) members who shall be co-opted by the Chairperson Disciplinary and Legal Affairs Committee and approved by the National Executive Members.

5.5.4.1.1 The executive committee shall constitute disciplinary committees of the Association as need arises. The committee shall consist of:

- iii. Two representatives of the executive committee of which one shall act as the secretary
- iv. One representative of the zone of the member under disciplinary proceedings.
- v. Two ordinary members who under the estimation of the executive are conversant with this constitution one of whom shall be the chair.
- vi. The quorum of the committee shall be all five members.

5.5.4.1.2 The Legal Affairs Officer

5.5.4.1.2.1 The Legal Affairs Officer shall be a registered member of the association who has served in the profession for a minimum of 2 years.

5.5.4.1.2.2 The Legal Officer shall be the elected Chairperson of Disciplinary and Legal Affairs Committee and in his/her absence the Vice Legal Officer shall act.

5.5.4.1.2.3 The Legal Affairs Officer and the Vice Legal Affairs Officer shall attend Executive Committee meetings or sit in Executive committee meetings when need arises.

5.5.4.1.3 Duties of the Disciplinary and Legal Affairs Committee

5.5.4.1.3.1 The functions of the committee shall be to enquire into any matter referred to it by the Association

5.5.4.1.3.2 The committee shall subject to any regulations of the association have powers to regulate its own procedure in any disciplinary proceedings.

5.5.4.1.3.3 Where on the recommendations of the committee, the association is satisfied that a member is in breach of any of the terms or conditions prescribed by the association, the executive committee may admonish, suspend, impose a fine or terminate the membership as it may deem necessary.

ARTICLE 6.0 CONFLICT RESOLUTION

6.1 Any member(s) who is/are aggrieved by the executive committee, an official, or members of the association or any of its zones shall seek arbitration.

6.2 In an event that there is an aggrieved person (s) an arbitration panel shall be constituted as follows:

- i. Three representatives appointed by the aggrieved party where:
- ii. Two of whom must be members of the association
- iii. One may be a lawyer
- iv. Three representatives and appointees of the other party where one may be a lawyer.
- v. One ordinary member who under the estimation of the executive is conversant with this constitution shall be the chair of the arbitration panel.
- vi. In an event a member of the executive committee is involved in any dispute or conflict, then the Association's representatives shall be picked in an annual delegates meeting or in a special general meeting.

6.3 The resolutions of the arbitration panels shall be binding if agreed upon by the concerned parties.

6.4 In an event no agreement is reached by the arbitration panel, then the final arbitration shall be at an annual delegates meeting or at a special general meeting. The decision of such a meeting of the association shall be final.

6.5 Each party in an arbitration process shall meet its own cost.

ARTICLE 7: PATRON

7.1 The Patron may be a person of public standing and may not necessarily be a health professional. He shall be an honorary member of the Association. The individual may act as the Association's advisor on matters of public concern and may be nominated at an Annual General Meeting. The patron may attend executive and AGM meetings by invitation.

7.2 Duties of the Patron

7.2.1 The patron may advise the Association on matters concerning government policy or matters of public concern.

7.2.2 May receive dignitaries on behalf of the association.

7.2.3 May present awards to members who have exhibited exemplary service.

7.2.4 The patron may solicit for assistance for the association during important functions or activities

7.2.5 The patron may be called upon to officiate in any function of the Association.

ARTICLE 8: BOARD OF TRUSTEES

8.1 Composition and Responsibilities

8.1.1 There shall be a Board of Trustees empowered by the Association to look after the property of the Association. It shall serve as an advisory organ of the Association. It shall comprise of five members only who shall be elected during a council meeting.

8.1.2 All land, buildings, immovable properties, investments and securities which shall be acquired by the Association shall be supervised by this Board

8.1.3 The council Meeting shall have the power to remove any member of the Board of Trustee and all vacancies occurring by removal, resignation or death shall be filled at a council Meeting.

8.1.4 The Board of Trustee shall remit all income received from property of the Association to the National Treasurer. Any expenditure in respect of such property which in the opinion of the Board is necessary or desirable shall be reported by the Board to the Executive Committee which shall authorize expenditure of such funds as it deems necessary.

8.2 Eligibility to the Board of Trustees

8.2.1 To qualify as a member of the Board of Trustee, one shall have been an active and registered member of the Association

8.2.2 Shall have a reputable personal record devoid of crime.

ARTICLE 9: AUDITORS

9.1 External Auditor(s)

9.1.1 The Association shall engage the services of reputable firm of external professional Auditor(s) who shall be non-employee and non-member of the Association.

9.1.2 The firm of External Auditor(s) shall be appointed for the following year at the Council Meeting.

9.1.3 All the association's accounts, records, and relevant documents, shall be opened to the inspection of the auditor(s) at any time. The National Treasurer shall produce books of accounts which shall not be less than six (6) weeks and not more than three (3) months before the date of the Annual Council Meeting.

9.1.4 The Auditor(s) shall examine such annual books of accounts and present the report to the Council for consideration.

9.1.5 A copy of the Auditors' report on the books accounts shall be furnished to all members at the same time as the notice convening the Council Meeting is sent out. The Auditor(s) shall be paid such fee for the services rendered as may be resolved by the Council. External auditors will be appointed at the Council meeting. The executive will present at least three reputable auditing firms with their credentials of which one shall be appointed.

ARTICLE 10: COUNCIL AND NEC MEETINGS

10.1 The Council meeting

10.1.1 Scheduled council meetings shall take place once in a year, but a special meeting may be called as and when deemed necessary by the Council Chairperson.

10.1.2 An Extraordinary Council Meeting maybe called by a two thirds majority of Council members. Members requesting for the extraordinary Council meeting shall do so in writing and provide evidence of supporting signatures of the two thirds Council members to the National Secretary. They shall specify the agenda for the meeting.

10.1.3 Two thirds of Council members shall form a quorum for the meeting.

10.1.4 Council resolutions shall be carried by two thirds majority of members present at a meeting.

10.2 The NEC Meeting

10.2.1 An NEC Meeting shall be held after every three (3) months. A notice in writing of such Meeting, accompanied by the annual audited statement of accounts, auditor's report and the agenda for the meeting shall be sent to all NEC members not less than fourteen (14) days before the date of the meeting, and/or by press advertisement not less than seven (7) days before the date of the meeting.

10.2.2 The quorum for any NEC meeting shall not be less than half (3/4) the number of registered NEC members to attend the said meeting.

i. Each NEC Member shall be obliged to attend the NEC meetings unless he/she sends an apology three (3) days before the meeting date. The meetings attendance may be reviewed from time to time by the NEC Secretary to make the report.

10.2.3 The agenda for both the Council and NEC Meeting shall consist of the following:

10.2.4 Confirmation of the minutes of the previous meeting.

10.2.5 Consideration of the statement of accounts and the Auditor(s) report (council meeting).

10.2.6 Discussion of matters given in writing by a member(s) to the National Secretary at least two (2) weeks before the date of the meeting.

10.2.7 Any other business approved by the Executive Committee.

10.2.8 Election of Office Bearers, the Executive Committee, the Editorial Committee, the Board of Trustees and members of Malawi Association of Medical Laboratory Scientists.

10.2.9 Appointment of the auditors shall be done by National Executive Committee

10.2.10 The NEC and Council Members who abscond three (3) consecutive meetings shall face the disciplinary committee

10.3 Special General Meeting

10.3.1 The Special Meeting shall be convened as and when need arises.

10.3.2 A Special Meeting may be called for any specific purpose by the Executive committee. Notice in writing of such meeting shall be sent to all members not less than seven (7) days before the date thereof and where practicable by Press advertisement not less than seven (7) days before the date of such meeting.

10.3.3 All minutes of an Annual General meeting and NEC meetings shall be recorded by an officer of the association's secretariat engaged by the National Executive committee.

10.4 Procedure at Meetings

10.4.1 At all NEC meetings of the Association, The President or in his absence, the Vice President or in the absence of both, a Committee member nominated by members at the meeting shall chair.

10.4.2 The President may at his/her discretion limit the number of persons allowed to speak at a meeting.

10.4.3 Where there shall be no consensus on matters at hand, the resolution shall be passed through voting by either a show of hands or secret ballot. In case of a tie at the meeting the President shall cast the deciding vote.

10.4.4 All matters shall be resolved by a majority vote by members present at the meeting except in the case of constitution amendment which shall require a two-thirds (2/3) majority.

ARTICLE 11: ELECTIONS

11.1 Electoral Committee

11.1.1 There shall be an Electoral Committee of the Association. The committee shall comprise of five members of the Association elected during an AGM.

11.1.2 Electoral committee members shall be registered persons of not less than two (2) years' experience in Medical Laboratory Science practice. All members shall not be eligible to vie for any electoral positions of the Association.

11.1.3 After confirmation by the NEC the committee shall nominate a chair and a secretary. The committee shall be answerable to the NEC.

11.1.4 The electoral committee will circulate a list of names of incumbent Office bearers indicating whether or not they are eligible for re-election, to all the Association's registered zones.

11.2 Nominations

11.2.1 Any member wishing to be nominated for any position of the Association, or Office bearer, shall obtain Nomination papers by the Secretariat.

11.2.2 To qualify for nomination, one must be a registered member of the association who has served in the profession for a minimum of 2 years. Those who shall not qualify shall be deemed null and void without further reference.

11.2.3 Nominations consent to serve including the candidates' passport size photograph, personal bio data (summary of a CV) shall be received at the Association Secretariat two (2) months prior to the Annual General Meeting held in connection with an election year.

11.2.4 Names and details of candidates shall be printed and sent to the zones three (3) months before the Annual General Meeting, through the association's newsletter.

11.2.5 No person shall vie for more than one position.

11.2.6 Anytime that the Association's constitution shall be amended to affect (increase or reduce) the duration of office for the national executive committee as stipulated in section 5.2.11, there shall be national elections during the immediate AGM following the said amendments (s) after which the new (amended) duration shall commence.

11.2.7 Notes

- i. Both the Chairman and Secretary of the nominating zone shall sign the Nomination forms.
- ii. The Secretary of the nominating zone shall send the completed Nomination papers to MAMLS Secretariat. The Electoral committee will scrutinize all the nomination papers and ensure only qualified candidates participate in the elections.
- iii. A non-refundable fee which shall be determined by the Association from time to time shall be paid by every aspiring candidate.

11.3 Voting Procedures

11.3.1 Electoral committee shall appoint a Returning Officer who shall appoint his/her assistants and both shall be non-MAMLS members.

11.3.2 The physical counting and security of the ballots shall be the responsibility of the Returning Officer and the electoral committee.

11.3.3 Voters shall be all bona fide delegates in each zone and all the candidates participating in the elections.

11.3.4 Voting shall be conducted during an Annual General Meeting through secret ballot.

11.3.5 The Returning Officer of the Electoral Committee shall announce the election results of the Association at the Annual General Meeting.

11.3.6 In the event of any tie, a second ballot shall be taken at the same Annual General Meeting, restricted to those nominees who tied. If any tie re-occurs on the second ballot, the decision shall be decided by lot. All tie votes shall be decided before the Annual General Meeting adjourns.

11.3.7 In the event of any person raising an objection to the results announced by the Returning Officer, he/she shall have the right to request for a re-count. The re-count shall be carried out in the presence of the Returning Officer, his/her Assistants each candidate's Agents and the electoral committee at the same Annual General Meeting (AGM).

11.3.8 No petitions shall be accepted after the adjournment of the Annual General Meeting.

11.3.9 There shall be a by-election for any elective positions of the Association whenever they fall vacant. Elective position shall fall vacant in an event of incapacitation, demise, failure of one to carry out duties for any other reason, failure to attend three consecutive meetings without the approval of the Association and termination for membership by the Association.

11.3.10 All by-elections shall be organized by the electoral committee of the Association in accordance this constitution.

11.3.11 The electoral committee may be required to oversee the Association's zone elections and shall ensure all the zones hold their elections.

PART 4: FUNDS AND ASSETS

ARTICLE 12 FUNDS AND RESOURCES UTILIZATION

12.1 Application of Funds and Assets

The funds and assets of the Association shall be applied solely towards the promotion of the objects of the Association as set forth in this constitution, and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, gift, bonus or otherwise by way of profit to the members of the Association provided that nothing herein shall prevent the payment, in good faith, or reasonable and proper remuneration to any officer or servant of the Association or any member of the Association in return for any services rendered to the Association, or prevent the payment of interest at a rate not exceeding the current bank rate or money lent.

12.2 Accounts

12.2.1 It shall be the duty of the Executive Committee to cause the accounts to be utilized and in particular as regards:

12.2.2 The sum of money received and spent by the Association on the matters in respect of which such receipt and expenditure take place.

12.2.3 No payments shall be made out of the bank account without the Executive Committees' authority.

12.2.4 The signatories of the MAMLS shall be the National Treasurer, the President and any other two members of the National Executive Committee.

12.2.5 Three signatories shall suffice a transaction provided the National Treasurer is one of them.

12.2.6 The book of accounts shall be kept at the office or at such other place or places the Association deems appropriate and shall be open for inspection by the members of the Association during business hours.

12.2.7 Proper balance sheet at the date on which the income-expenditure account is made up shall be prepared every fiscal year, and presented before the members at the Council Meeting, while every such balance sheet shall be accompanied by proper reports of the auditors.

12.2.8 The Executive Committee shall prepare and present an annual budget to the Council meeting.

12.2.9 The National Executive Committee shall have power to suspend any office bearer believed of not properly accounting for any of the funds or the property of the Association and shall have power to appoint another person in his/her place. Such suspension shall be reported to the Council Meeting to be convened on a date not less than two (2) months from the date of the suspension and the Council shall have full 30 power to decide what further action including legal proceedings should be taken in the matter.

12.2.10 In the event of the National Treasurer not handing over the books of accounts and other relevant documents on the expiry of his/her term of office, the Executive Committee with the recommendations of the Disciplinary Committee shall have power to discipline the individual(s) and if need be, take legal action against such person(s).

12.3 Zone Financial Allocation

12.3.1 Zones will be allocated thirty percent (30%) of their monthly contributions. Extra funding may be provided from the National kitty depending on their needs and availability of funds.

12.3.2 Zones shall be encouraged to solicit for funds from private outlets such as hospitals and firms to supplement their budgetary provisions. This money shall remain within the Zone and shall be accounted for as above.

12.3.3 The fiscal year of Malawi Association of Medical Laboratory Scientists shall be from 1st January to 31st December, and membership annual subscriptions shall be due on the first of the ensuing month.

12.3.4 The Executive Committee shall have power to establish an Indemnity Fund to protect practicing members of the Association.

PART 5: AMENDMENTS AND DISOLUTION

ARTICLE 13 AMENDMENTS TO THE CONSTITUTION

13.1 Amendments to the constitution of the Association must be approved by at least 2/3 majority of the delegates at the NEC meeting.

13.2 These amendments cannot be implemented without the Registrar's written consent obtained upon written application to him signed by three National Executive Office bearers.

13.2 Dissolution of the NEC

13.2.1 The Association shall not be dissolved except by a resolution passed at a Council meeting by a vote of 2/3 of the delegates present. The quorum at the meeting shall be not less than 2/3 of the registered delegates. If no quorum is obtained the proposal to dissolve the association shall be submitted to the next Council Meeting. A notice of this meeting shall be

given to all members of the Association at least 14 days before the date of the meeting. The quorum of this second meeting shall be the number of delegates present.

13.2.2 No dissolution shall be effected without a written permission of the Council Chairperson, obtained upon a written application signed by three National Executive office bearers.

13.2.3 When the dissolution of the NEC has been approved by the Registrar no further action shall be taken by the Executive committee or any office bearer of the association in connection with the objectives of the Association.

13.2.4 In the event of dissolution of association, the board of trustees shall take over the responsibility of the association's assets and funds to settle any outstanding debts.

ARTICLE 14 PROCLAMATION OF THE NEW CONSTITUTION

14.1 Upon the proclamation of the revised constitution by the association, the old one ceases to exist.

14.2 There shall be no future, present, or past reference to the old constitution herein and after

A. APPENDIX I

CODE OF ETHICS FOR MEDICAL LABORATORY PROFESSIONALS

Code of Ethics

- i. All Medical Laboratory Scientific Officers shall:
- ii. Be dedicated to the use of medical laboratory science to benefit mankind.
- iii. Actively seek to establish co-operative and specific working relationships with other health professionals.
- iv. Provide expertise, advice and counsel other health professionals.
- v. Maintain strict confidentiality of patient information and test results.
- vi. Safeguard the dignity and privacy of patients.
- vii. Be responsible for the logical process from the acquisition of the specimen to the production of data and the final report of test results.
- viii. Be accountable for the quality and integrity of medical laboratory services.
- ix. Exercise professional judgment, skill and care while meeting established standards.
- x. Uphold and maintain the dignity and respect of the profession and strive to maintain a reputation of honesty, integrity and reliability.
- xi. Strive to improve professional skills and knowledge, and adopt scientific advances that benefit the patient and improve the delivery of test results.
- xii. Not misuse the professional skills or knowledge for personal gain.

Signed on this date: _____ 9th / December /2020.



Confidence Banda
President



Titus Chiwindo
Secretary General