KINGDOM OF ESWATINI PHARMACY ASSOCIATION

CONSTITUTION

KINGDOM OF ESWATINI

PHARMACY ASSOCIATION

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KINGDOM OF ESWATINI PHARMACY ASSOCIATION JULY 2019

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ABBREVIATIONS

KEPA……. Kingdom of Eswatini Pharmacy Association

AGM……Annual General Meeting

NEC……...National Executive Council

Acknowledging: the supremacy of the might God the Lord of all creation.

Honouring: these who historically founded the association, those members are as follows: Sebenta Menon, Thula Mtsetfwa, Sive Dlamini, Wandile Mkhatshwa, Mthokozisi Mdluli, Mxolisi Nhleko, Samukelisiwe Dlamini, Wandile Zwane, Buhle Dlamini, Lindani Dlamini, Sandzisile Mvubu.

Appreciating: Those who drafted and finalized the constitution, those members are as follows, Thula Mtsetfwa, Sive Dlamini, Wandile Mkhatshwa, Mthokozisi Mdluli

Proud: of our profession, cultural and religious diversity and determined to live in peace and unity as one indivisible association.

Respectful: of the natural environment that is our heritage and determined to live in peace and unity as one indivisible association.

Committed: to nurturing and protecting the wellbeing of the individual the family and community.

Recognising: the aspiration of all members for an association based on the essential values of freedom, democracy, social justice and the rule of law and code of ethics.

Exercising: our sovereign and inalienable right to determine the form of practice of our association and having participated fully in the making of this constitution.

Adopt: enact and give this constitution to ourselves and to our future generations.

This constitution will be read together with association's code of ethics and all other health related acts.

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Constitution of the Kingdom of Eswatini Pharmacy Association

Article 1

1. NAME

    a) The name of the organisation shall be kingdom of Eswatini pharmacy association which be abbreviated as KEPA.
    b) It shall be a non-profit organization, which shall be non-partisan and shall consist of an unlimited number of male and female members.
    c) The Physical address of the association shall be The Hartzin Emporium Centre, Manzini, Eswatini, office on G5.

2. VISION

To be a strong and vibrant organization which is continuously engaged in promoting the professional and social interest of pharmacist and pharmacy personnel.

3. MISSION

To promote and provide good pharmaceutical practice to the required and expected standard within premises and institution accepted by society and the professional fraternity while enhancing scientific research and development.

4. OBJECTIVES

    a) To defend and enforce the rights and privileges of pharmacists and pharmacy personnel.
    b) To work closely with the ministry of health and other enforcing agencies to ensure the importation of quality pharmaceutical products.
    c) To ensure a high standard of pharmaceutical education and practice through continuing education.
    d) To collect and disseminate information relating to pharmacy among members, health care professionals and consumers.
    e) To buy or otherwise obtain furniture, books, papers, apparatus and other things for, of which may be of use at or in connection with the association or its property.

Article II

1. MEMBERSHIP

There shall be three categories of membership.

a) Active: anyone who certifies the association that he or she holds at least a diploma in pharmacy from an institution recognised by the Swaziland Higher Education Council and the Medical and Dental Council of Eswatini.
b) Associate: individuals who supports the mission of the association which may include pharmacy assistants and pharmacy students.
c) Honorary: an individual who in the opinion of the association as expressed by a majority of 60% of the members of present and voting at a general meeting of the association has rendered outstanding service in the course of pharmacy in the kingdom may be elected as an honorary member of the association. Such a nomination must be submitted by two or more active members.

2. MEMBERSHIP APPLICATION PROCEDURE

Any person who desires to register as a member of the association and who fulfils the criteria outlined in article II Section 1(an and b) above shall be required to apply for membership as detailed here below:

a) Fill in the application form and enclose all relevant documentations of qualification and proof of qualification as outline in the above section.
b) The completed application form should be forwarded to the secretary general of the association who shall table all applications at the next national executive committee meeting who shall have the power to approve and reject any application.
c) Upon admission as a member of the association, the prospective member shall be required to pay all dues, fees or charges in force at the time.
d) Subscriptions, fees, donations or any other money paid to the association is strictly non-refundable.
e) This article shall be read and understood together with the code of ethics of the association in force at the time of application.

3. MEMBERSHIP NUMBER

   Any approval, the applicant shall be issued with a membership card with the membership number.

4. SUBSCRIPTION

   a) All active members shall pay a yearly subscription fee of E250 and associates E100. Honorary members are an exception to subscriptions. Subscriptions are due before the annual general meeting, and can be paid in two equal instalments.
   b) Any member whose subscription has not been paid fully within three months of the due date shall cease to enjoy the privileges of the association. Notice of such non-payment shall be sent to such a member by the secretary. After a three months of non-payment the defaulter shall cease to be a member.
   c) Any member wishing to be reinstated shall have to pay an additional 50% of annual fee.

5. CONSTITUTIONAL OBLIGATION

   All association members are bound by the dictates of this constitution and any other by laws, decision or regulations as from time to time laid down in the various organs of the association and branch of the provisions of this constitution shall be sufficient basis for the expulsion of a member accused as such.

Article III

1. PRIVILEGES AND RIGHTS OF MEMBERS

   a) Every financial member of the association shall be entitled to all the benefits and privileges afforded by the association.
   b) Any member wishing to retire shall signify such desire in writing to the secretary and there upon such notice shall be put before the executive committee at its next meeting and if accepted, the secretary shall notify the member of the fact and upon payment by him or her of all dues in arrears up to the date of acceptance he or she cease to be a member.

c) Voting: members specified in article II a) and b) may vote in a general election for members of the executive committee. Members wishing to exercise this right must be financial cleared at the time of elections.
d) Members specified in the article II b) are not entitled to hold office.

NOTE: ARTICLE IV SECTION 2C

2. EXPULSIONS/ TERMINATIONS

a) The associations by resolution passed at a general meeting of three quarters of majority of the members present and voting can expel any member on the ground that the has failed to observe or comply with the rules of the association or that the conduct of the member is calculated to bring the association into disrepute. Such expulsion shall operate as a cancellation of the membership of that person in all capacities.
b) No resolution shall be entertained unless the secretary previously gives such member fourteen days' notice in writing of such intention ant the reasons thereof and also an opportunity to defend the charges made against him/her and explain his or her conduct.
c) Membership shall terminate upon the death of a member.
d) Any member who has been expelled from the association shall have the right to respond through writing within 14 working days and be offered an opportunity to appeal to the general meeting of the association.

Article IV

THE ANNUAL GENERAL MEETING

1. MANDATE
   a) The AGM shall be the supreme authority of the association and shall be held once every year in July at such a place and time as may be directed by the central council.
   b) The general meeting shall elect the national executive committee (NEC) once every three (3) years and thereafter review the working of the national executive committee on an annual basis and determine the policy of the association in the ensuing years.
   c) The annual general meeting shall also be the venue of the general meeting of the association and in this regard shall at least include a discussion of professional importance at all sessions except that at which the elections of the NEC is conducted.
   d) The AGM shall receive and approve the audited account and the proposed budget of the association.

e) The AGM shall ratify or review the remuneration of the NEC members and any honoraria to be paid by the association.

f) The office of the secretary general shall within 21 days prior to the AGM issue a notice to all members of the association about the annual general meeting.
g) Any member of the association at the general meeting may duly in a manner prescribed by the procedure of the meeting proposed a resolution or question an officer of the association.

2. COMPOSITIONS

a) The AGM shall consist of all paid up members from the branches of the association.
b) All branches shall notify to the national executive committee the names of members to the annual scientific conference at least one (1) month before the event.

Article V

OFFICER ELECTIONS AND TERM OF OFFICE

1. OFFICERS

The officers of the association shall be the President, Vice President, Secretary general, treasurer general, assistant secretary/treasurer, public relation officer, and two (2) trustees nominated by the executive committee. A retiring officer shall be eligible for re- election.

2. ELECTIONS

a) Nomination and elections of new officers shall take place at the AGM
b) Only financial members are eligible for nomination to office.
c) Members who form the executive committee shall at least hold a bachelor's degree in pharmacy.
d) An election officer shall be appointed from within or outside the association to conduct the election process.
e) An official list of financial members shall be provided to election officer.
f) Any person who is nominated unopposed for an office will be deemed elected to the post for which he/ she was nominated.
g) The elections shall be conducted through a secret ballot.

3. TERM OF OFFICE

   Elected officers shall serve a three-year term and shall be eligible for re-election. A member is not allowed to serve three consecutive terms.
   NOTE: Founding executive members shall serve two consecutive terms.

Article VI

EXECUTIVE COMMITTEE

The executive committee shall consist of the offices of president, secretary general, treasurer general and the national organizing secretary.

1. OFFICER

   The executive committee shall consist of the elected members mentioned above, along the Kingdom of Eswatini Pharmacy Association. The officers shall be installed immediately after election at an annual general meeting.

2. VESTED POWERS

   The general management of the objectives, affairs and business of the association shall be vested on the executive committee, who shall be elected at an annual general meeting of the association from among its financial members. It shall be the primary strategic planning unit; developing strategies and allocating resources to implement same.

3. FAILURE TO ATTEND MEETINGS

   If any member of the executive committee while in the kingdom failed to attend three consecutive meeting of the committee without a reasonable excuse or is out of the kingdom for more than three months without prior notification of leave or if the member should die, his or her seat becomes vacant.

4. VACANCY

   Any vacancy in the national executive committee may be filled by member of the central council hereunder mentioned, nominated by the NEC and a member so nominated shall serve until elections are due and he or she shall be eligible for re-election.

5. BYE LAWS

The executive committee shall pass bye laws in furtherance of the objectives and administration of the association which shall take effect upon ratification by two thirds majority vote of members present at a general meeting.

Article VII

DUTIES OF OFFICERS

1. PRESIDENT

The president of the association shall preside all meetings of the association. If the president is absent then the vice president can act as chairperson. The president shall be ex- officio, a member of all committees. The president shall enforce all the rules, decisions, and recommendations, can call special meetings when necessary, cast a vote (when there is an equality of vote) on any motion, suspend any member on charge and maintain order.

2. VICE PRESIDENT

The vice president shall assist the president in all his duties and his absence, performs the same with equal power.

3. SECRETARY GENERAL

The secretary shall keep all documents of the association, record minutes of meetings of the association, issue notices of meetings and arrange meeting places when ordered by the president attend to correspondences and perform such other duties as the office may require for the proper management of the association's business. The secretary general shall be responsible for all organization assets.

4. VICE SECRETARY

The vice secretary shall assist the secretary general in all his duties and his absence, performs the same with equal power

5. TREASURER GENERAL

a) The treasurer general shall receive monies collected for and on behalf of the association for which he or she shall issue a receipt, and deposit such amount in a savings account approved by the executive committee in the name of the association (except such amount as the treasurer is authorised by the executive committee to keep in hand to meet current expenses)
b) The treasurer general shall be responsible for all forms of monies, which may from time to time be paid into his or her hands.
c) The treasurer shall give the power subject to direction of the executive committee to withdraw money from the bank for use by the association. All cheques and withdrawal slips must be signed by the treasurer and either the president, vice president or secretary general.
d) The treasurer shall produce bank information (savings) records and reports on the association's accounts at meetings.
e) The treasurer general shall provide full and accurate account, which shall have been audited by a competent auditor appointed by the executive committee. The auditor shall not be a member of the association.

6. VICE TREASURER GENERAL

The vice treasurer general shall assist the treasurer general and perform all duties of the office in his or her absence.

7. THE NATIONAL ORGANIZING SECRETARY

a) The national organizing secretary shall be the principal liaison officer of the association and shall establish links with organizations with similar aims and objectives as the association.
b) He or she is responsible for the development of the annual work plan and establishing the annual calendar of the activities for association.
c) He or she shall also be responsible for the arrangement and co- ordination of conferences, meeting and organise social activities of the association and shall be the master id ceremony where there is need.
d) He or she shall be responsible for the establishment and co- ordination of branches for the association and the conduct of elections for the branches.

Article VIII

BUSINESS OF THE ASSOCIATION

1. MEETINGS

A. The monthly meeting of the association shall be held on the third Friday of every month at 7.00pm and at any time when members deem it necessary. Notice of all such meetings shall be circulated. No business shall be transacted at any meeting unless a quorum of members is present. If within one hour the time appointed for the meeting, a quorum is not present, the meeting shall be postponed.

B. Quorum:
   i. A quorum for a general meeting shall be one-third of financial members. At all meetings a vote of the simple majority of all those present shall prevail.
   ii. A quorum for the executive committee for the transaction of business at any executive meetings, shall be a simple majority of its members as that two third of the members shall form the quorum.

C. There shall be an annual general meeting open to all members once a year which shall sit for the following purposes:
   i. To receive from the executive committee an audited statement of accounts.
   ii. To receive reports from the executive committee.
   iii. To elect officers for the ensuing year.
   iv. Shall be the highest decision making body of the association and shall be the forum for deciding the policies of the organization.

D. Extra ordinary meeting of the association shall be convened by the secretary whenever instructed by the president or on the requisition in writing by at least five members of the association. The requisition and notice shall state the object of such meeting and no other business shall be discussed and may be called giving at least 7 days' notice to all members.

E. The executive committee shall determine the number of meetings required to conduct the necessary business of the association.

2. STANDING COMMITTEES

There shall be two standing committees

- Social and fundraising
- Continuing education

AD HOC COMMITEES: these committees shall be determined and established by the executive committee whenever necessary. For all committees, a chairperson shall be identified either by the committee itself, or by the president of the association or anyone on his or her behalf.

3. FINANCES

a) All money raised by or on behalf of the association including revenue from branches shall be spent to further the purposes of the association and in accordance to the provisions of this constitution and not otherwise, provided that nothing herein contained shall prevent the payment in good faith or reasonable and proper remuneration to any employee of the association, not being a member of the national executive committee, or the payment of the reasonable out of pocket expenses.
b) Treasurer genera shall cause a bank account to be opened and be maintained in the same name of the association in such a bank as may be determined by the national executive committee and shall ensure that all monies belonging to the association received by him or her is paid into the said bank account within reasonable time, provided that he or she may retain in cash such sums as may from time to time be decided by the national executive committee to cater for petty expenses.
c) Treasurer General and one of the other executive committee (the president and secretary general) shall sign all withdrawals of money or cheques from the association's bank account.
d) The financial year of the association shall on the 31st day of December and commence on the 1st of January each year. Copies of the annual audited accounts shall be available to all members through the branches at the end of every financial year.
e) The national treasurer shall produce a report and financial records at the annual general meeting, a brief statement of accounts shall be submitted to the annual general meeting.

Article IX

ALTERATIONS TO THE CONSTITUTION

1. Amendments to this constitution of the association must be approved by at least a two third majority at a general meeting of the association. They cannot however, be implemented without the prior consent in writing of the registrar of society, obtained upon application to him, made in writing and signed by three of the office bearers.
2. The Hon. Secretary General shall cause the issue of alteration to be debated before the central council, which shall forward the intended alteration to a special general meeting or scientific conference for the purpose.
3. The association shall have the right to affiliate to national and international organisations with a similar mandate. All members of the association shall be informed of any negotiations and agreement entered to by the organization,

Article X

DISSOLUTION

The society shall not be dissolved except by a dissolution passed at a general meeting of members by a vote of two thirds of the members present. The quorum at meeting shall at least 60% of the members if no quorum is obtained the proposal to dissolve the association shall be submitted to further general meeting which shall be held one month later. Notice of this meeting shall be given to all members of the association at least fourteen days before the dare of the meeting. The quorum for this second meeting shall be the member present.