



**RACP**  
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EDUCATE ADVOCATE INNOVATE

# By-law

## Ethics Committee

**BY-LAW PURSUANT TO THE CONSTITUTION OF THE ROYAL AUSTRALASIAN  
COLLEGE OF PHYSICIANS FOR THE ESTABLISHMENT AND MAINTENANCE OF A  
COMMITTEE OF THE COLLEGE TO BE KNOWN AS THE ETHICS COMMITTEE**

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## **1 INTRODUCTION AND PURPOSE**

- 1.1** The Board of the College has established the Ethics Committee (***the Committee***) to provide the Board with advice in areas that raise ethical considerations in the context of policy and advocacy, education, clinical practice and the health of our communities, research and financial investment.
- 1.2** In all its work, the Ethics Committee acknowledges that Aboriginal and Torres Strait Islander and Māori cultures, belief systems and world views are foundational to understanding ethics in these lands.
- 1.3** The Committee may make reports to the College Board to address emerging or risk management issues as required.
- 1.4** On an annual basis, the Committee will provide to the Board for the Board's approval a work plan setting out the proposed activities of the Committee.
- 1.5** The scope of the proposed work plan will address tasks that raise ethical considerations in the context of policy and advocacy, education, clinical practice and the health of our communities, financial investments and research.
- 1.6** The Committee must not:-
  - 1.6.1** enter into contractual relationships;
  - 1.6.2** represent or imply in any way that the Committee is a body independent of the College.

## **2 COMPOSITION OF THE COMMITTEE**

- 2.1** The Committee shall comprise:-
  - 2.1.1** a Member of the Board;
  - 2.1.2** up to six (6) Fellow or Trainee members (including a New Zealand member);
  - 2.1.3** a Trainee member;
  - 2.1.4** a Maori representative and an Aboriginal and/or Torres Strait Islander representative, who may be Fellows, trainees or non-members of the RACP;
  - 2.1.5** two (2) representatives of healthcare consumers who are not Members of the RACP;
  - 2.1.6** a non-clinical ethicist who is not a Member of the RACP; and
  - 2.1.7** a legal professional with an understanding of bioethical issues who is not a Member of the RACP.
- 2.2** The Chair and Deputy Chair will be appointed by the Board from the membership of the Committee. The Committee may make a recommendation to the Board on its preferred Chair and Deputy Chair.

**2.3** Members appointed in accordance with paragraphs 2.1.2 and 2.1.7 shall be appointed on the basis of their experience and skills in:

- ethics; and
- continuing professional development
- education
- the Australian and New Zealand health systems, or
- any other experience and skills considered relevant by the Board for the effective and efficient operation of the Committee.

In respect of members appointed in accordance with paragraph 2.1.2, appointments should reflect the diversity of physician practice.

### **3 TERM**

- 3.1** Ethics Committee members with the exception of the Trainee representative shall be appointed for a term of three (3) years. These members of the Ethics Committee cannot serve more than two (2) consecutive terms.
- 3.2** The Trainee representative member of the Ethics Committee shall be appointed for a term of two (2) years and can only serve a consecutive two (2) year term if they do not become a Fellow of the RACP at the expiry date of their first two (2) year term.
- 3.3** The Aboriginal and/or Torres Strait Islander and Maori representatives on the Committee may serve an additional three (3) year term in exceptional circumstances.
- 3.4** The appointments of Ethics Committee members shall, as far as practicable, be staggered to ensure continuity in the work of the Ethics Committee.

### **4 CREATION OF WORKING GROUPS**

- 4.1** The Ethics Committee may, subject to College Board approval, create time-limited or specific purpose working groups.

### **5 MEETINGS**

- 5.1** The Committee will hold no more than one face to face meeting and three videoconference meetings per calendar year, unless otherwise approved by the College Board.
- 5.2** The Ethics Committee may, subject to resource limitations, convene an annual education event to be held in conjunction with a face-to-face meeting of the Committee. These events shall be open to all members of the RACP.

### **6 REPORTING**

- 6.1** The Ethics Committee is a Committee of the Board and must report to the College Board as required by the College Board from time to time

## 7 DEFINITIONS

“College”	means the Royal Australasian College of Physicians (ACN 000 039 047), an incorporated body limited by guarantee.
“College Board”	means the Board of Directors of the College
“Constitution”	means the Constitution of the College as amended from time to time.
“Fellow”	means a Fellow of the College as set out in the Constitution.
“Trainee”	means a Trainee of the College as set out in the Constitution.

Approved by the Board of the College on 25 July 2014

Date of last amendment: 11 December 2020

<b>By-law History as from 25 July 2014</b>		
<b>Commencement of By-law – 25 July 2014</b>		
This By-law was approved by the Board of the College on 25 July 2014 and commenced on that date.		
<b>Subsequent amendments to the By-law</b>		
Item	Amendment	Commenced
1.	Amendment to clause 2.1.2 to reflect that the number of positions approved has increased from five to “up to six”.	19.03.2015
2.	Removal of clause 1.4.3 from the By-Law	24.07.2015
3.	Change of composition to include Maori, Aboriginal or Torres Strait Islander, consumer and legal representatives as well as a non-clinical ethicist.	12.02.2016
4.	Change to term, selection of Chair, and scope/purpose.	22.07.2016
5.	Change to Meetings, Reporting and addition of definition of College Board.	2.09.2016
6.	Previous Clause 6.2 moved up under Clause 1.1, and word ‘exception’ removed.	12.07.2019
7.	Clause 2.1.3- Clause added to specify the Committee shall comprise a Trainee member	12.07.2019
8.	Clause 2.1.4 (previously 2.1.3) - Amendment to wording: a Maori representative and an Aboriginal and/or Torres Strait Islander representative, who may be Fellows, trainees or non-members of the RACP	12.07.2019
9.	Clause 2.3 – Amendment to wording: <ul style="list-style-type: none"> <li>• ethics; and”</li> </ul>	12.07.2019

<b>By-law History as from 25 July 2014</b>		
<b>Commencement of By-law – 25 July 2014</b>		
10.	Clause 3.1 - Amendment to wording: Ethics Committee members with the exception of the Trainee representative shall be appointed for a term of three (3) years. These members of the Ethics Committee cannot serve more than two (2) consecutive terms.	12.07.2019
11.	Clause 3.2 added: The Trainee representative member of the Ethics Committee shall be appointed for a term of two (2) years and can only serve a consecutive two (2) year term if they do not become a Fellow of the RACP at the expiry date of their first two (2) year term.	12.07.2019
12.	Clause 3.3 added: The Aboriginal and/or Torres Strait Islander and Maori representatives on the Committee may serve an additional three (3) year term in exceptional circumstances.	12.07.2019
13.	Clause 3.4 added: The appointments of Ethics Committee members shall, as far as practicable, be staggered to ensure continuity in the work of the Ethics Committee.	12.07.2019
14.	Clause 5.2 added: The Ethics Committee may, subject to resource limitations, convene an annual education event to be held in conjunction with a face-to-face meeting of the Committee. These events shall be open to all members of the RACP.	12.07.2019
15.	Clause added under Clause 1.1 to acknowledge that acknowledges that Aboriginal and Torres Strait Islander and Māori cultures, belief systems and world views are foundational to understanding ethics in Australia and New Zealand.	03.09.2019
16.	Clause 5.1 –Amendment to wording: The Committee will hold no more than <del>two</del> one face to face meetings and <del>two</del> three <del>teleconference</del> videoconference meetings per calendar year, unless otherwise approved by the College Board.	11.12.2020

**By-law History as from 25 July 2014**

**Commencement of By-law – 25 July 2014**

	Clause amended to reflect Clause 13.4 of the RACP Governance of College Bodies By Law approved by the Board on 11 December 2020 which states that “up to one face-to-face meeting (unless otherwise approved by the Parent Body) per year may be funded for approved College Bodies.”	
17.	Clause 2.2 amended to wording: The Chair and Deputy Chair will be appointed by the Board from the membership of the Committee. The Committee may make a recommendation to the Board on its preferred Chair and Deputy Chair. Approved by the Board 17/12/2021	17.12.2021