

At the Court at Buckingham Palace

THE 12TH DAY OF DECEMBER 2007

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL

WHEREAS there was this day read at the Board of the Committee of the Lords of Her Majesty's Most Honourable Privy Council dated the 10th day of December 2007 in the words following, viz:-

“YOUR MAJESTY having been pleased, by Your Order of 25th day of July 2007, to refer to this Committee the humble Petition of the British Association for Emergency Medicine and The College of Emergency Medicine, praying for the grant of a Charter of incorporation for a merged body to be known as The College of Emergency Medicine:

“THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's Order of Reference, having taken the Petition into consideration, do this day agree humbly to report, as their opinion to Your Majesty, that the Charter may be granted by Your Majesty in the terms of the annexed Draft.”

HER MAJESTY, having taken the Report and the Draft Charter accompanying it into consideration, was pleased, by and with the advice of Her Privy Council, to approve them. It is accordingly ordered that the Right Honourable the lord High Chancellor of Great Britain should cause a Warrant to be prepared for Her Majesty's Royal Signature for passing under the Great Seal a Charter in conformity with the annexed Draft.

Judith Simpson

ELIZABETH THE SECOND

by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING!

Whereas a humble petition has been presented unto Us by the British Association for Emergency Medicine (hereafter referred to as ‘the Association’) and the College of Emergency Medicine, previously known as the Faculty of Accident and Emergency Medicine (hereafter referred to as ‘the Faculty’) praying that We should grant a Charter of Incorporation to the College of Emergency Medicine for the better advancement of the science and practice of Emergency Medicine and the training of practitioners therein:

AND WHEREAS We have taken the said Petition into Our Royal Consideration and are minded to accede thereto:

NOW THEREFORE KNOW YE that We by virtue of Our Prerogative Royal and of Our especial grace certain knowledge and mere motion have granted and declared and by these Presents do for Us, Our Heirs and Successors grant and declare as follows:-

1.

(a) All present members of the Association and of the Faculty who so elect and all persons who shall pursuant to this Our Charter and the Ordinances become members of the Body Corporate hereby constituted are hereby created and henceforth for ever shall be one Body Politic and Corporate by the name of “The College of Emergency Medicine” and by that name shall have perpetual succession and a Common Seal with power to alter, vary, break and make anew the said Seal at their discretion, and by the same name may sue and be sued in all Courts in all manner of actions and proceedings, and shall have the power to do all other matters and things incidental or pertaining to a Body Corporate.

(b) The Arms Crest Device or Badge and Supporters granted and assigned unto the Faculty of Accident and Emergency Medicine by Letters Patent under the hands and Seals of Garter, Clarenceux and Norroy and Ulster Kings of Arms bearing date the Second day of November 1995 shall be transferred unto the said College of Emergency Medicine on the date on which this Our Charter shall take effect, and We do hereby give and grant unto the College Our Royal Licence and Authority that it may thenceforth bear and use the said Armorial Ensigns according to the Laws of Arms, the said transfer being first recorded in Our College of Arms, otherwise this Our Licence and Permission to be void and of none effect.

2. In this Our Charter:

“Emergency Medicine” means the branch of medical science which is based on the knowledge and skills required for the prevention, diagnosis and management of acute and urgent aspects of illness and injury affecting patients of all age groups with a full spectrum of undifferentiated physical and behavioural disorders. It further encompasses an understanding of the development of pre-hospital and in-hospital emergency medical systems and the skills necessary for this development. Within such definition, the day to day practice of Emergency Medicine in the United Kingdom encompasses the reception, resuscitation, initial assessment and management of undifferentiated urgent and emergency cases and the timely onward referral of those patients who are considered to require admission under the in-patient specialist teams or further specialist assessment and/or follow up;

“The College” means the College of Emergency Medicine;

“The Council” means the Council of the College;

“The Ordinances” mean the Ordinances of the College set out in the First Schedule to this our Charter as amended from time to time as provided below;

“The Byelaws” mean the Byelaws of the College;

“Special Resolution” means a resolution of a General Meeting of which not less than 21 days’ written notice has been given prior to such meeting carried by a majority of not less than two thirds of those voting in person or by post.

3. The objects for which the College is incorporated shall be to:

(a) advance education and research in Emergency Medicine and to publish the useful results of such research; and
(b) preserve and protect good health and to relieve sickness by improving standards of health care and providing expert guidance and advice on policy to appropriate bodies on matters relating to Emergency Medicine.

4. For the purpose of attaining the aforesaid objects, the College shall have power to do any lawful thing and, without prejudice to the generality of the foregoing shall have power:

(a) to educate medical practitioners to maintain the highest possible standards of professional competence and practice in Emergency Medicine for the protection and benefit of all the public and to conduct examinations and award certificates and diplomas;

(b) to further instruction and training in Emergency Medicine both in the United Kingdom and overseas;

(c) to act as the authoritative body in all matters of education, training, research and clinical practice in Emergency Medicine in the United Kingdom;

(d) to maintain a Register of members;

(e) to establish lectures in Emergency Medicine and award prizes and scholarships;

(f) to disseminate information on all matters affecting Emergency Medicine and related subjects and establish, print, publish, issue and circulate such papers, journals, magazines, books, periodicals and publications and hold meetings, conferences and instructional courses as shall be necessary to obtain the objectives or that would be beneficial to the work of the College;

(g) to work collaboratively with other Colleges, Faculties and similar bodies and to co-operate and enter into arrangements with any authorities, national, local or otherwise;

(h) to acquire, own, construct, provide, maintain, manage, repair and dispose of any real or other property;

(i) to receive into its possession the assets of the Association and the Faculty;

(j) to solicit, receive, accept and administer donations, grants, endowments, gifts, legacies and loans of any property whatsoever and whether subject to any trusts or conditions or not;

(k) to invest the monies of the College not immediately required for its purposes or for which the College may act as trustee in accordance with the Ordinances;

(l) to borrow and raise money in any manner in accordance with the Ordinances; and

(m) to pay, apply or use any monies or assets of the College for any charitable purposes which in the opinion of the Council may tend to promote all or any of the objects of the College and either to do so directly or to pay or transfer any such money or assets to some other trust or person (whether an individual or corporation) to be applied in the above manner.

5. The income and property of the College whencesoever derived shall be applied solely towards the promotion of its objects and no portion thereof shall be paid or transferred directly or indirectly by way of dividend

bonus or otherwise howsoever by way of profit to members provided that nothing herein shall prevent (a) the payment in good faith of reasonable and proper remuneration to any officer, servant or member of the College including any member of the Council for services rendered to the College in such manner as may be lawfully permitted;

(b) the repayment to any member of the Council for out-of-pocket expenses;

(c) the payment of interest at a rate not exceeding the Clearing Banks Base Rate for the time being on money lent or reasonable and proper rents for premises demised or let by any member of the College; and

(d) no member of the Council shall be appointed to any salaried office of the College and no remuneration or other benefit in money or monies shall be given by the College to such member of the Council other than any payment specified in paragraphs (a) to (d) or a payment to any company of which a member of the Council may be a member, and of which such member holds no more than a one-hundredth part of the capital.

6. There shall be the following classes of members of the College, namely:

(i)
Fellows;

(ii)
Members;

(iii)
Affiliates; and

such other classes of membership as the Ordinances for the time being in force may prescribe.

7. The qualifications for admission to each class of membership and the rights, privileges and obligations (including the payment of fees and subscriptions) of the members thereof and all matters relating to disqualification for, and resignation or expulsion from, such membership shall be regulated by and in accordance with the Ordinances.

8. There shall be a President and such other officers of the College who shall be appointed in the manner prescribed by or under the Ordinances.

9. There shall be a Council of the College which, subject to the provisions of this Our Charter, shall exercise all the powers of the College, save to the extent that this Our Charter and the Ordinances otherwise provide.

10. Subject to the provisions of this Our Charter, the constitution of the Council, its powers and duties (including the power to delegate), the manner of appointment or election and period of office of its members, the manner of filling vacancies in its membership, the conduct of its meetings and affairs and all other matters relating to the Council shall be as prescribed by or under the Ordinances.

11. The College may institute and establish such faculties in the College (forming administrative parts of the College) as the Council may think fit and determine and may combine and co-operate with any other body in the establishment of a joint faculty of the College and such other body.

12. The Council shall have custody and control of the Common Seal of the College and arrangements for its safekeeping and manner of authentication shall be as regulated by the Ordinances.

13. The Ordinances shall regulate and prescribe all matters and affairs of the College by this Our Charter directed and authorised to be regulated by the Ordinances and all other matters which consistently with this Our Charter the Council may deem useful or necessary to regulate by Ordinances. Any of the Ordinances may for the time being be revoked, added to or amended by the College in General Meeting by a Special Resolution: Provided that no new Ordinances and no such revocation, addition or amendment as aforesaid shall have any force or effect if it be repugnant to any of the provisions of this Our Charter or shall take effect until the same shall have been approved by the Lords of Our Most Honourable Privy Council, of which approval a Certificate under the hand of the Clerk of Our Privy Council shall be conclusive evidence.

14. The persons named in the Second Schedule hereto shall as from the date of this Our Charter be the members of and form the first Council of the College and shall continue to act as such until a new Council shall be elected in pursuance of the Ordinances. The persons named in the Third Schedule hereto shall be the first officers of the College and shall continue to act as such until new officers shall be elected in pursuance of the Ordinances.

15. The College may revoke, add or amend any of the provisions of this Our Charter by a Special Resolution passed at any duly convened General Meeting of the College and any such revocation, addition or amendment shall, when allowed by Us, Our Heirs or Successors in Council become effectual so that this Our Charter shall thenceforth continue and operate as though it had been originally granted and made accordingly. This provision shall apply to this Our Charter as revoked, added to or amended in the above manner. Provided that no such revocation, addition or amendment shall be made which shall cause the College to cease to be a charity in law.

16. It shall be lawful for the College by a Special Resolution passed at a General Meeting specially summoned for the purpose to surrender this Our Charter and any Supplemental Charter, subject to the sanction of Us, Our Heirs or Successors in Council and upon such terms as We or They may consider fit and to wind up or otherwise deal with the affairs of the College in such manner as shall be directed by such General Meeting or in default of such directions as the Council shall think expedient having due regard to the liabilities of the College for the time being. If upon winding up or dissolution of the College there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the College or any of them but shall, subject to any special trusts affecting the same, be given and transferred to some other charitable institution or institutions having objects similar to the objects of the College, such institution or institutions to be determined by the College in General Meeting at or before the time of dissolution.

17. Lastly, We do hereby for Us, Our Heirs or Successors grant that these Our Letters shall be in all things good, firm, valid, sufficient and effectual in law notwithstanding any omission, imperfection, defect, matter, cause or thing whatsoever to the contrary thereof in these Our Letters contained and shall be taken, construed and adjudged in the most favourable and beneficial sense and to the most favourable and beneficial sense and to the best advantage of and for the College as well in Our Courts of Record as elsewhere any recital, mis-recital, uncertainty or imperfection whatsoever notwithstanding.

IN WITNESS whereof We have caused these Our Letters to be made Patent.

WITNESS Ourselves at Westminster the day of in the year of our Reign

BY WARRANT UNDER THE QUEEN'S SIGN MANUAL