



جمعية الأطباء الكويتيين في كندا
ASSOCIATION OF KUWAITI DOCTORS IN CANADA

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Association of Kuwaiti Doctors in Canada's

Bylaws

First Edition

Author: Ali N. Alsayegh, MD – AKDC Secretary 2022-2023
Editor: Ayedh A. Alhajri, MD – AKDC President 2022-2023

The inaugural edition of the Internal Policies of the Association of Kuwaiti Doctors in Canada has been duly sanctioned by the board of directors of the 2022-2023 term. This comprehensive set of policies underwent meticulous scrutiny, revisions and ultimately received formal endorsement at the Extraordinary General Meeting.

The policy has formally come into effect on:

Al-Hijri date: 7th of Dhul Qi'dah 1444 AH
Gregorian Calendar date: 27th May 2023



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Introduction

Dear Kuwaiti doctors in Canada,

This document serves as the comprehensive guide to the rules and regulations governing the Association of Kuwaiti Doctors in Canada (AKDC). Our primary objective is to safeguard the rights and interests of all Kuwaiti doctors pursuing residency and fellowship training in Canada. As the association expands and evolves, our connections with Kuwaiti authorities continue to strengthen, ensuring that we are able to effectively address any challenges that may arise.

Originally created at the onset of our term, this bylaw book has been instrumental in navigating the myriad of unspoken challenges we have encountered. The rules contained within not only define the identity and purpose of our organization, but also delineate the roles and responsibilities of its members. Furthermore, the guidelines specify how to conduct the association's affairs and how to respond effectively in times of difficulty.

Our rules are carefully designed to empower our members and guarantee that the AKDC's cabinet members consistently uphold the highest standards of professionalism. We strongly encourage all current and future cabinet members, as well as AKDC members, to familiarize themselves with the contents of this document in order to effectively carry out their duties.

Warmest regards,

Ali Naser Alsayegh, MD

Secretary of Association of Kuwaiti Doctors in Canada
2022-2023



Doctor's Oath

In the name of Allah, the Most Gracious, the Most Merciful,

I pledge before Allah and before all mankind:

- To hold sacred the life, health, and wellbeing of those in my care, recognizing the inherent dignity in every individual, regardless of their race, religion, ethnicity, or social status.
- To act with mercy, empathy, and respect towards my patients, remembering the Prophet's Hadith, "Every act of goodness is charity".
- To keep the secrets of my patients inviolate, understanding the trust they place in me, and following the teachings of the Qur'an, "And fulfill the covenant of Allah when you have taken it".
- To honor my teachers and mentors, who have passed on to me the science of medicine, remembering the importance of knowledge in Islam.
- To strive for continual learning and improvement, recognizing that knowledge is a lifelong pursuit, in line with the Hadith, "Seek knowledge from the cradle to the grave".
- To work in cooperation with my fellow healthcare professionals, embracing unity and collaboration for the betterment of my patients, drawing inspiration from the Qur'an, "And hold firmly to the rope of Allah all together and do not become divided".
- To approach every case with humility, understanding that healing comes from Allah, acknowledging the Qur'an, "When I am ill, it is He who cures me".

May Allah guide me in all my endeavors as a physician, grant me wisdom, and keep me steadfast in my resolve. May my practice of medicine always be a means to serve humanity and honor the trust placed in me.

In Allah's name, I take this oath.



Chapter 1: Foundational Principles of the Association

Article (1): Founding of the Association

The Association of Kuwaiti Doctors in Canada was founded in Canada on May 29th, 2018. Its headquarters is established in the State of Kuwait.

Article (2): Identity of the Association

The association of Kuwaiti Doctors in Canada serves as an autonomous medical union to represent and act as a liaison between these physicians and pertinent authorities.

Article (3): Language Policy of the Association

Arabic is designated as the official language of the association and is to be used whenever possible. However, English is to be utilized when required by the situation or context.

Article (4): Objectives of the Association

1. Act as the official representative for Kuwaiti physicians in Canada with scholarship authorities and pertinent entities, an effort aimed at improving the caliber of scholarships thus benefitting physicians and, consequently, advancing the Kuwaiti healthcare system
2. Act as a liaison between Kuwaiti doctors in Canada, fostering the sharing of experiences which aim to enhance their scientific knowledge and practical skills throughout their scholarship period.
3. Strive to secure and uphold the rights of Kuwaiti doctors in Canada in dealings with diverse scholarship agencies.
4. Initiate and maintain direct channels of communication with cultural offices and scholarship agencies to discuss matters of concern to Kuwaiti physicians.
5. Facilitate the organization of regular networking and social events catered towards the Kuwaiti physician community.
6. Provide mentorship to Kuwaiti medical students and physicians aspiring to complete their medical training in Canada.



7. Establishing and maintaining open lines of communication with Kuwaiti medical students' association, both domestically and internationally.
8. Publication of medical and social magazines.
9. Contribute to the formulation of medical education policies in the State of Kuwait in collaboration with the relevant authorities.
10. Collaborate with professional bodies of common interest to achieve the following objectives:
 - a. Enhance the health awareness of individuals and advocate for the delivery of the highest standard of health services
 - b. Foster and facilitate avenues of cooperation and knowledge exchange between Kuwaiti and Canadian physicians.
 - c. Forge cooperation agreements with Arab and international organizations on mutually beneficial areas.

Article (5): Impartiality in the Governance of Association's Activities

The association is mandated to maintain complete impartiality, abstaining from all political engagements, and strictly refraining from inciting any racial, ethnic, religious or sectarian discord, thus ensuring its actions foster unity and mutual respect in all its activities.



Chapter 2: Membership Structure and Requirements in the Association

Article (6)

The association consists of the following members:

1. Board of directors' members (by election or acclamation)
2. Working members
3. Associate members

Article (7): Members of the Board of Directors

- These members hold leadership positions and are responsible for overseeing the overall operations and decision-making of the association
- They are elected or acclaimed during the Ordinary General Assembly.
- The board of directors must include the following positions:
 1. President of the Board of Directors
 2. Vice President
 3. Secretary
 4. Treasurer
 5. Board member(s)
- The board of directors must comprise a minimum of five members and shall not exceed a maximum of nine members.

Please consult chapter five for detailed guidelines on the election procedures for the board of directors

For a comprehensive understanding of the responsibilities and duties of Board of Directors members, please refer to chapter six.



Article (8): Working Members

Conditions to be a working member:

- a. Must hold Kuwaiti citizenship
- b. Must possess a recognized academic qualification in medicine
- c. Must be enrolled as a medical trainee in a training program in Canada
- d. Must commit to adhering to the health law and regulations of both Kuwait and Canada, as well as the association's by-laws and professional ethics
- e. Must fulfill any financial obligations towards the Association of Kuwaiti Doctors in Canada, if applicable

Article (9): Associate Members

Requirements to become an associate member:

- a. There is no nationality requirement, open to both Kuwaitis and Non Kuwaitis
- b. Must possess a recognized academic qualification in Medicine
- c. Must be a medical trainee in a training program in Canada.
- d. Must commit to respecting the health laws and regulations of both Kuwait and Canada, as well as the association's by-laws and professional ethics.
- e. Must fulfill any financial obligations towards the Association of Kuwaiti Doctors in Canada, if applicable.
- f. Must complete the associate members submission form, which will be reviewed and approved by the secretary of the association.
- g. Associate members are entitled to enjoy the privileges granted to other members of the association.



Chapter Three: Obligations and Conduct of Association Members

Article (10): Equality of Rights and Duties

All members shall enjoy equal rights and fulfill their corresponding duties as outlined within the provisions of this by-laws and the regulations established by the association. However, it should be noted that the privilege to attend general assemblies or nominate candidates for the board of directors is exclusive to working members.

Article (11): Compliance and Commitment to Association

Each member is required to conduct their role within the association with utmost sincerity, demonstrating profound respect for the association's statute, internal regulations, and compliance with its decisions. Moreover, members are expected to fulfill their financial and moral obligations towards the association.

Article (12): Ethical Practice and Professional Conduct

Each member is obligated to uphold the highest ethical standards and exhibit professional conduct in the practice of their respective professions. This entails adhering to established codes of ethics, demonstrating integrity in professional interactions, and maintaining a commitment to excellence in their professional pursuits.



Chapter Four: Membership Termination and Disciplinary Actions

Article (13): Membership Termination

Membership shall be terminated by members in the following circumstances:

- a. Death or voluntary resignation
- b. Failure to meet any of the prescribed membership condition.
- c. Adjudication in cases specified in Article 15 of this by-laws document
- d. Non-compliance with financial obligations, if any, after receiving at least two notification with a minimum two-week interval settle overdue payments to the association
- e. Violation of the rules, regulations, ethics, and professional conduct standards governing the medical professions.

Article (14) Reinstatement of Membership after Non-Payment

Membership may be reinstated for individuals whose membership has been terminated due to non-payment of obligations within a year, upon settlement of overdue amounts. Reinstatement is subject to the evaluation of a valid reason for the non-payment, determined by the Board of Directors.



Article (15): Membership Rights and Disciplinary Dismissal

Any active member of the association possesses the right to request the dismissal of another member who engages in behaviors warranting disciplinary action. Dismissal requests are to be submitted to the association's Board of Directors and reviewed during board meetings, where a vote will be conducted. In the event of a tie, the president's vote shall serve as a deciding factor. If dismissal request concerns a member of the Board of Directors, said member is not eligible to vote.

Members may be subject to disciplinary dismissal in the following cases:

- i. Committing acts that would cause significant material or moral harm to the association.
- ii. Utilizing membership for personal or political gain
- iii. Violating the association's by-laws and regulations

Decisions regarding dismissal are issued by the Board of Directors and recorded in the association's records, with due notification provided to the affected member. In the case of a sitting board member's dismissal, the decision shall be announced without divulging in specific details

Dismissed members retain the right to appeal the dismissal decision. The Board of Directors presents the dismissal file at the subsequent General Assembly, where the General Assembly determines whether to support or reject the dismissal decision. The dismissed member has the right to attend the General Assembly to present their statements. The decision reached by the General Assembly shall be considered final.



Chapter Five: General Assembly Proceedings and Meeting Regulations

Article (16): General Assembly Attendees

The General Assembly of the Association of working members who have fulfilled their financial obligations, if any, as stipulated in the by-laws.

Article (17): Annual Ordinary Meeting

The General Assembly convenes at least once a year in an ordinary meeting set by the Board of Directors. The president of the association sends an invitation to all members via registered letter, at least two weeks prior to the specified date, providing the time and location of the meeting.

Attachments accompanying the invitation includes:

- i. Session Agenda
- ii. Board of Directors' report on the association's administrative, financial and operational status
- iii. Approved final balance statement for the previous fiscal year, prepared by the treasurer
- iv. Review of submitted suggestions by the associations' members
- v. Grievances submitted by dismissed members, in accordance with Article 15 provisions.



Article (18): Emergency General Assembly

The board of Directors may call an emergency meeting (extraordinary general assembly) at any time, if all members unanimously agree. Additionally, if requested by one-third of working members present in the previous general assembly and still meeting the membership requirements, an extraordinary general assembly may be called. The purpose of the meeting must be stated in the invitation. The emergency general assembly may be called. The purpose of the meeting must be stated in the invitation. The emergency general assembly must be held within 30 days of receiving the application. Its agenda is limited to the specified purpose.

Article (19): Quorum Requirement

The general assembly meeting is considered valid only if attended by the absolute majority of eligible working members.

Article (20): Decision-Making

Decision made at the Ordinary General Assembly are valid when approved by the absolute majority of the votes cast by the attending members.

Article (21): Validity of Partial Attendance.

If the General Assembly meeting commences properly, the withdrawal of any number of members present does not affect the validity of the decisions made.

Article (22): Responsibilities of the Ordinary General Assembly

The Ordinary General Assembly is responsible for:

- i. Electing members of the Board of Directors
- ii. Discussing and addressing agenda items, including reports
- iii. Approving the final account for the previous fiscal year
- iv. Considering proposals submitted by members to be included in the agenda



Article (23): Responsibilities of the Extraordinary General Assembly

The Extraordinary General Assembly is responsible for:

- i. Addressing important and urgent matters proposed by the Board of Directors or members.
- ii. Considering and approving proposals for amending the Association's By-Laws
- iii. Discussing the dissolution, merger or union of the association.
- iv. Voting on a motion of no confidence against the Board of Directors.

Article (24): Agenda Limitations

Neither the ordinary nor the extraordinary general assembly may consider matters not included in the agenda. An extraordinary general assembly cannot be convened to reconsider a matter on which a decision has already been made, except for a minimum of a one-year period from the date of original discussion.

Article (25): Decision-Making in the Extraordinary General Assembly

Decisions made at the Extraordinary General Assembly requires two-third majority vote of the attending members for validity.

Article (26): Force Majeure and Meeting Postponement

If the General Assembly meeting cannot take place as scheduled due to force majeure, the Board of Directors must notify members, indicating the new meeting date and reasons for postponement. No amendments to the agenda or changes to the list of Board of Directors' candidates and eligible attendees are allowed.



Article (27): Adjourned Session

If the General Assembly has commenced and force majeure prevents the completion of the agenda, the meeting remains valid. The Board of Directors determines a new date to address the remaining agenda items and notifies the members accordingly. Decision made during the initial meeting retain their validity.

Article (28): General Assembly Chairmanship and Role Assignment

The general assembly is presided over the president of the Association, if absent then the vice president. In the absence of both, the eldest member of the board of directors assumes the role of chairperson, with priority of the secretary to fulfill their roles. If the secretary is also absent, the board of director appoints a member to act as a substitute in carrying the secretary's responsibilities.





Chapter Six: Structure, Composition, and Roles of the Board of Directors

Article (29): Composition, and Election of the Board of Directors.

The Association's operations are overseen and directed by a Board of Directors, comprised of a minimum of five and a maximum of nine members. These members must be a part of the association and are elected to serve on the Board by the ordinary general assembly. The term of service for each board member is one year, starting from the date of their election.

Article (30): Election of Board Officers and Position Stability

Upon formation, the Board of Directors is mandated to elect, from among its members individuals to fill the roles of President, Vice-President, Secretary, and Treasurer. The continuity of these roles within the Board is deemed essential for the Association's governance. Consequently, alterations to the position within is not permitted except in instances of membership lapse as outlined in article 13.

Article (31): Vacancies and Succession on the Board of Directors

Should a position within the Board of Directors become vacant due to any reason, it shall be filled by the Association member who received the most votes in the previous election, followed by the next highest vote-getter. In the event that multiple positions become vacant simultaneously, an extraordinary general assembly will be convened within thirty days to elect the necessary number of board members to ensure a functioning board.

Specifically, if the position of the President becomes vacant, the Vice-President shall ascend to the presidency, with the new President thereafter appointing a new Vice-President from among the existing Board members.



In circumstances where the Board of Directors was selected by acclamation without elections, the Board remains valid provided that a quorum of at least five members, as specified in Article 7, is maintained. If a vacancy arises that disrupts this quorum, an extraordinary general assembly must be convened within thirty days to elect or recommend the requisite number of members to reestablish the Board's full complement.

Article (32) Responsibilities and Functions of the Board of Directors

The Board of Directors holds the following key responsibilities:

- i. Overseeing the Association's operations and providing all necessary resources for members to fulfill their roles effectively, in adherence to the Association's by-laws and internal regulations.
- ii. Establishing foundational strategies and programs that facilitate the achievement of the Association's objectives.
- iii. Reviewing membership applications and making appropriate decisions based on established criteria.
- iv. Formulating and implementing regulations that effectively organize the Association's administrative, technical, financial, and professional affairs. This includes the issuance of necessary directives and decisions.
- v. Forming both permanent and ad hoc committees as required to effectively manage the Association's affairs.
- vi. Negotiating and finalizing contracts and agreements on behalf of the Association, representing it in various forums, and articulating its position as necessary.
- vii. Convening both ordinary and extraordinary general assemblies as needed, and ensuring the implementation of their decisions.
- viii. Compiling an annual report detailing the Association's activities throughout the year, for presentation to the general assembly.
- ix. Preparing and presenting the final accounts for each fiscal year to the general assembly for approval.



- x. Facilitating the discussion of suggestions put forward by members, and considering these for implementation.
- xi. Addressing complaints lodged by members, ensuring fair treatment and resolution.

Article (33): Frequency, Notification, Quorum, and Decision-Making in Board Meetings

The Board of Directors is obligated to convene at least once every three months, or more frequently if necessary. Meeting invitations, specifying the date, agenda, and any pertinent notes, shall be issued by the Secretary not less than one day prior to the scheduled meeting.

For a meeting to be considered valid, attendance by at least two of the following officers is required: the President, Vice-President, Secretary, or Treasurer, along with the presence of any other members of the Board of Directors. Decisions during the meetings shall be made by an absolute majority of the attending members.

In instances where the votes cast on a decision are evenly split, the President's vote shall be the tie-breaker, ensuring the decision's passage."

Article (34) Attendance Requirement for Board Members

Any Board member who is absent from three consecutive regular sessions without a valid excuse, as determined by the Board, will be deemed to have tendered their resignation from the Board.



Article (35): Duties and Responsibilities of the President

The President of the Association shall undertake the following key responsibilities:

- i. Chairing the sessions of both the General Assembly and the Board of Directors.
- ii. Acting as the official representative of the Association before all parties, and speaking on behalf of the Association as necessary.
- iii. Signing contracts and agreements finalized on behalf of the Association.
- iv. Authentically signing the Association's correspondences, endorsing them as official communication from the Association.

Article (36): Duties and Responsibilities of Vice President

The Vice President of the Association is charged with the following responsibilities:

- i. In the event of the President's absence for any reason, the Vice President assumes all powers and responsibilities of the President.
- ii. In case of the President's resignation, the Vice President shall ascend to the position of President for the remainder of the current Board's term.

Article (37): Duties and Responsibilities of the Secretary

The Secretary of the Association is charged with the following responsibilities:

- i. Organizing the meetings of the General Assembly and the Board of Directors, including overseeing the documentation and recording of their minutes.
- ii. Preparing the meeting agendas for the Board of Directors and the General Assembly, adding topics as suggested by the President or the Board, as appropriate.
- iii. Implementing all regulations and decisions made by the Board of Directors.



- iv. Supervising the work of all committees, if any.
- v. Submitting an annual report on the Association's activities to the Board of Directors.
- vi. Presenting membership applications to the Board of Directors for their consideration.
- vii. Maintaining custody of the Association's records, seals, and contracts.
- viii. Signing all the Association's correspondence, unless deemed by the President to require his or her signature.
- ix. Assuming the position of President in the absence of both the President and the Vice President during board meetings.
- x. Delegating the responsibilities of the Secretary to another member of the Board of Directors during the Secretary's absence.

Article (38): Duties and Responsibilities of the Treasurer

The Treasurer of the Association is entrusted with the following responsibilities:

- i. Overseeing the collection of all the Association's revenues and funds, ensuring their deposit in the Association's bank account, if one exists. In the absence of a bank account, the Treasurer shall manage the Association's funds in accordance with the approvals of the Board of Directors.
- ii. Implementing the financial decisions made by the Board of Directors.
- iii. Signing exchange vouchers and checks on behalf of the Association.
- iv. Supervising the Association's accounts, maintaining records of revenues and expenditures, and being accountable for all financial statements recorded in the Association's financial records.
- v. Preparing the final account statement for the concluded fiscal year.
- vi. Maintaining all financial records and documents pertinent to the Association's finances.



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Article (39): Access and Maintenance of Confidential Records

All confidential records, files, and documents pertaining to the Association are retained by the members of the Board of Directors. All members have the right to access these documents, provided they receive prior approval from the Board of Directors.





Chapter Seven: The Association's Financial Structure and Guidelines

Article (40): Fiscal Year of the Association

The fiscal year of the Association commences on the first day of the Board of Directors' term and concludes at the end of their tenure.

Article (41): Financial Resources of the Association

The Association's financial resources consist of the following:

- i. Membership subscription fees, where applicable.
- ii. Donations and sponsorships that have been approved for acceptance by the Board of Directors.
- iii. Subsidies received from the State of Kuwait.
- d. Other revenue sources that are approved by the Board of Directors and in compliance with the regulations in force in the State of Kuwait and Canada.

Article (42): Management of Cash Funds

The Association is obliged to deposit its liquid assets in a recognized bank and must notify the Kuwaiti Ministry of Social Affairs and Labor of this action.

Article (43): Use of Association's Funds

The Association must ensure that its funds are expended solely for the purposes for which it was established. The Association is prohibited from borrowing funds.

Article (44): Ownership of Association's Assets

The Association's assets, including subscriptions, immovable and movable property, donations, grants, and subsidies, are solely the property of the Association. Neither current nor former members, including those who have been withdrawn or dismissed, hold any claim over the Association's assets.



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Article (45): Prohibition of Material Compensation for Board Members

Members of the Board of Directors are not entitled to any salary, material benefit, or in-kind remuneration for the duties they perform in their official capacity.





Chapter Eight: Membership Fees and Annual Subscriptions

Article (46): Determination of Membership Fees and Annual Subscriptions.

In order to support the financial stability and operational needs of the association, the Board of Directors shall exercise its authority to establish both the initial membership registration fees and recurring annual subscriptions. The determination of these amounts shall be carried out as necessary, guided by the requirements of the association.

Chapter Nine: Amendments to the Association's By-Laws and Dissolution Procedures

Article (47): Amending the Association's By-Laws

- i. Any modification to the present by-laws shall not be permitted except through a resolution from an Extraordinary General Assembly. This change can be initiated either upon the proposal of the Board of Directors or at the suggestion of one-third of the active members. For any amendment to be implemented, it requires approval by two-thirds of the active members present at the session, and subsequent ratification by the relevant authorities in Kuwait.
- ii. It should be noted that no amendment to the by-laws shall be permitted within two years following the most recent amendment.



Article (48): Dissolution of the Association

The dissolution of the association can only be enacted through a decision of an extraordinary general assembly. This assembly must be attended by over two-thirds of the active members, registered at the last general assembly, who are in good standing with their membership obligations.

Approval of the dissolution must be granted by an absolute majority of those present. The Kuwaiti Ministry of Social Affairs and Labor must be notified of the date and location of the extraordinary general assembly at least fifteen days in advance.

Following the decision to dissolve the association, those in charge may not dispose of any of its assets or documents unless authorized by a decision from the Ministry of Social Affairs and Labor. Ministry of Social Affairs and Labor body will specify the procedure for liquidation, how the assets and documents will be handled, and the party to which it will receive any remaining assets post-dissolution.



Chapter Ten: Overarching Guidelines and Legal Provisions

Article (49): Powers of the Board of Directors

The Board of Directors possesses extensive powers for directing and managing all affairs and activities of the Association, and for achieving its objectives, except for matters expressly excluded by specific rules.

Article (50): Application of Public Benefit Clubs and Associations Law

In instances not specifically addressed in this regulation, the provisions of Law No. 24 of 1962, pertaining to clubs and associations of public benefit, shall apply.

Article (51): Application of the Constitution and Laws of the State of Kuwait

For matters not explicitly provided for in this law, the provisions of the Constitution and the existing laws of the State of Kuwait shall apply.