

**Royal College of Psychiatrists
Supplemental Charter: 28 April 2014 (as amended)**

College Supplemental Charter

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 TO WHOM THESE PRESENTS SHALL COME, GREETING!

WHEREAS His Majesty King George the Fifth in the year of our Lord One thousand nine hundred and twenty-six by Royal Charter dated the thirteenth day of March in the sixteenth year of His Reign (hereinafter referred to as 'the original Charter') constituted a Body Corporate and Politic by the name of 'The Royal Medico–Psychological Association' (hereinafter referred to as 'the Association') with perpetual succession and a Common Seal:

AND WHEREAS the Association has presented a humble Petition unto Us praying that We would be graciously pleased to grant it a Supplemental Charter:

NOW THEREFORE Know Ye that We having taken the said Petition into Our Royal Consideration 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. The provisions of the original Charter save in so far as they incorporate the Association and authorise it to have a Common Seal and to sue and be sued are hereby revoked; Provided that anything which may have been done prior to such revocation under and by virtue of the original Charter shall continue to have full force and effect as if the said provisions had not been revoked.
2. The Association shall henceforth be known by the name of 'The Royal College of Psychiatrists' (hereinafter referred to as 'the College').
3. The Objects and purposes for which the College is constituted are to:
 - (a) advance the science and practice of psychiatry and related subjects;
 - (b) further public education therein;
 - (c) promote study and research work in psychiatry and all sciences and disciplines connected with the understanding and treatment of mental disorder in all its forms and aspects and related subjects and publish the results of all such study and research.
4. For the purpose of attaining the objects of the College but not further or otherwise the College may exercise the following powers:
 - (a) to encourage and promote amongst its members and others the exchange of knowledge, information, experience and ideas relating thereto and to related subjects, sciences and disciplines;
 - (b) to encourage and promote amongst its members and others working in allied and related sciences and disciplines the achievement and maintenance of the highest possible standards of professional competence and practice;

- (c) to act as a consultative body in relation to matters of public and professional interest concerning psychiatry and the treatment of mental disorder in all its forms and aspects and to give consideration to improved methods of hospital and other medical administration, medical education and training ;
- (d) to promote and to encourage the promotion of new measures leading to improved methods of prevention and treatment;
- (e) to hold examinations and to institute and maintain lectures, classes and other means of instruction, education and training;
- (f) to institute, maintain and grant scholarships, prizes, certificates and other awards and distinctions;
- (g) to elect to Fellowship Members of high qualification and standing with particular regard to their contributions to the greater knowledge and understanding of psychiatry and of the various matters comprised in the objects of the College;
- (h) to hold periodical and other meetings of Members of the College and others and conferences with other bodies whether in Our United Kingdom or elsewhere;
- (i) to print, publish, translate, sell, lend and distribute information, whether in the form of a periodical journal or journals or of books, monographs, treatises, pamphlets or otherwise and to cause translations into any language to be made of journals, books, monographs, treatises, pamphlets or other publications and to print, publish, sell, lend and distribute the same in Our United Kingdom and elsewhere;
- (j) to defray the cost of sending to and maintaining in any part of Our United Kingdom or elsewhere any person or persons chosen by the College for the purpose of study, investigation or research, of convening meetings, and of inviting thereto any person or persons, whether or not Members of the College, and of enabling representatives of the College to attend meetings convened by other bodies in any part of Our United Kingdom or elsewhere and to make studies, researches and observations on subjects connected with or allied to the objects of the College;
- (k) to consider, pronounce and make representations upon all questions affecting the interests of the College and of the medical profession generally in its relation to the College, and the objects of the College, including the promotion of improvements in the principles and administration of the law relating to mental disorder and to the treatment of persons suffering from mental and connected illnesses;
- (l) to establish and promote Divisions, Faculties and Special Interest Groups of the College;
- (m) to set aside income of the College as a reserve against future expenditure (in accordance with a written policy for such reserves as determined by the Board of Trustees from time to time and subject to any terms and conditions that may be prescribed by the Bye-Laws) and to grant sums of money out of funds of the College for the purposes or for the promotion of any of the objects of the College;

(n) to borrow and raise money for the purposes or for the promotion of any of the objects of the College and to secure the repayment thereof by bonds, debentures, mortgages or other securities or otherwise howsoever, and for such purpose to mortgage or charge all or any of the assets of the College provided that in the case of a mortgage or charge over land there is compliance with sections 124-126 of the Charities Act 2011;

(o) to insure the College and its property against such risks as the Board of Trustees considers appropriate;

(p) to provide indemnity insurance for Officers, members of the Board of Trustees, members of the Council and the staff of the College in accordance with section 189 of the Charities Act 2011 to the extent that it applies to such indemnity insurance; and

(q) to do all such other lawful things as are incidental to or shall further the pursuit or attainment of the objects of the College or any of them.

Nothing in this our Supplemental Charter shall authorise an application of the property of the College for purposes which are not charitable as provided for in section 7 of the Charities and Trustee Investment (Scotland) Act 2005.

5. Save so far as may be necessary for giving effect to the objects of the College as set forth in this Our Supplemental Charter, the College shall not carry on any trade or business or engage in any transaction with a view to the pecuniary gain or profit of the **Membersvoting members** of the College. The income and assets of the College, from whatever source derived, shall be applied solely towards the promotion of its said objects and no portion thereof shall (save as in this Our Supplemental Charter provided) be paid or transferred, directly or indirectly, by way of dividend, bonus or otherwise to any of the **Membersvoting members** of the College or be paid or given by or on behalf of the College as remuneration or other benefit in money or money's worth to any Officer, member of the Board of Trustees or of the Council except for:

(a) the reimbursement of reasonable out-of-pocket expenses incurred at the request or on behalf of the College;

(b) the payment in good faith of reasonable remuneration to any servants of the College, or to any **voting member of the College** thereof, in return for services actually rendered to the College; provided further that save as herein elsewhere set out no Officer or member of the Board of Trustees or of the Council shall be appointed by or on behalf of the College to any salaried office or to any office remunerated by fees (excluding the office of examiner) if such salary is or fees are paid by or on behalf of the College;

(c) the payment of remuneration or other benefit in money or money's worth by or on behalf of the College to any member of the Board of Trustees (including but not limited to the Lay Trustees) in respect of their work as members of the Board of Trustees subject to the prior written consent of the Charity Commission for England and Wales (or any successor body); or

(d) the payment of premiums in respect of any indemnity insurance effected pursuant to Article 4 (p) of this our Supplemental Charter.

6. Notwithstanding anything contained in this Our Supplemental Charter the College may pay such remuneration to any Officer or member of the Board of Trustees or any member of the Council who is:

- (a) appointed to any lectureship which may be specially approved for the purpose by the Council ;
- (b) elected by open competition to any scholarship or prize of the College which may be specially approved for the purpose by the Council ;
- (c) commissioned to write an article or to conduct study or research of a character which may be specially approved for the purpose by the Council; or
- (d) commissioned by the Council or the Board of Trustees to provide any services to the College (other than those referred to in paragraph (c) above),

provided that such remuneration does not exceed the remuneration as would be paid by the College to any other Member voting member of the College ~~or Specialist Associate~~ in respect of any such appointment or other matters as referred to above and in accordance with the relevant conditions set out in sections 185 and 186 of the Charities Act 2011 in the case of payment of any such remuneration to the members of the Board of Trustees.

7. There shall be a Board of Trustees of the College consisting of:

- (a) the Honorary Officers of the College;
- (b) such number of Members of the College, Fellows of the College and Specialist Associates with such qualifications and to be elected or constituted members of the Board of Trustees in such manner and to hold office for such period, and on such terms as to re-election and otherwise, as the Bye-Laws shall prescribe; and
- (c) such number of Lay Trustees of the College with such qualifications and to be appointed to the Board of Trustees in such manner and to hold office for such period as the Bye-Laws shall prescribe.

provided that the Bye-Laws may make provision, subject to such conditions and restrictions as may be prescribed therein, for the co-option to the Board of Trustees (whether with or without the power to vote) of persons not otherwise hereby qualified to serve thereon.

8. There shall be a Council of the College consisting of:

- (a) the Honorary Officers of the College; and
- (b) such number of Members voting members of the College and Specialist Associates with such qualifications and to be elected or constituted members of the Council in such manner and to hold office for such period and on such terms as to re-election and otherwise, as the Bye-Laws shall prescribe,

provided that the Bye-Laws may make provision, subject to such conditions and restrictions as may be prescribed therein, for the co-option to the Council (whether with or without the power

to vote) of persons not otherwise hereby qualified to serve thereon.

9. The College shall have such Officers who shall exercise such powers and functions and who shall be nominated and elected or appointed (as the case may be) in such manner, and shall hold office for such period or periods and on such terms as to re-election and otherwise, as the Bye-Laws may prescribe.

10. The Council may from time to time appoint such Patron or Patrons of the College as may accept the invitation of the Council to take such appointment.

11. Subject to the provisions of this Our Supplemental Charter and of the Bye-Laws:

(a) The general management and control of the administration of the College, its property and affairs (other than the affairs referred to in Article 11(b) of this Our Supplemental Charter) shall be vested in the Board of Trustees, which shall at all times act in accordance with the Charities Act 2011. The business of the Board of Trustees shall be conducted in such manner as the Board of Trustees may prescribe. The Board of Trustees may delegate to its committees, Officers, and/or those of the College's employees to whom the Board of Trustees are permitted to delegate under the Bye-Laws (in each case with or without the power to sub-delegate) such functions and for such time and subject to such conditions as the Bye-Laws shall prescribe or permit provided that the Board of Trustees shall make appropriate arrangements to ensure that it is kept fully and promptly informed about the exercise of such delegated functions. Such committees shall consist of one or more members of the Board of Trustees and, if the Bye-Laws so prescribe or permit, one or more other persons who are not members of the Board of Trustees.

The members of the Board of Trustees for the time being shall be the trustees of the College for the purposes of the Charities Act 2011. A member of the Council shall not in his or her capacity as a member of the Council, be a trustee of the College.

(b) the Council shall:

- (i) be responsible for such of the affairs of the College as the Bye-Laws shall prescribe;
- (ii) elect persons to Membership and to Fellowship and shall exercise such other powers of the College and in such manner as the Bye-Laws shall prescribe or permit; and
- (iii) (save as provided in the Bye-Laws) conduct its business in such manner as the Council may prescribe subject always to compliance with the Charter, the Bye-Laws, the Charities Act 2011 and with any directions given by the Board of Trustees in accordance with the Bye-Laws; and

may delegate to its committees, Officers, and/or those of the College's employees to whom the Council are permitted to delegate under the Bye-Laws (in each case with or without the power to sub-delegate) such functions and for such time and subject to such conditions as the Bye-Laws shall prescribe or permit provided that the Council shall make appropriate arrangements to ensure that it is kept fully and promptly informed about the exercise of such delegated functions. Such committees shall consist of one or more members of the Council and, if the Bye-Laws so prescribe or permit, one or more other persons who are not members of the Council.

12. There shall be such classes of Members of, **Fellows of** and persons otherwise associated with, the College as the Bye-Laws may prescribe. The qualifications, method and terms of admission, privileges and obligations, nature of and grounds for disciplinary action and for removal from the appropriate register or from any office of the College of the name of any Member, **Fellows** or other person associated with the College as aforesaid shall be such as the Bye-Laws may prescribe.

13. A General or Special Meeting of the **Members voting members** of the College ~~and Specialist Associates~~ entitled under the Bye-Laws to be present and vote thereat and summoned, constituted and held as prescribed by the Bye-Laws shall have power by a Resolution approved by a majority of not less than two-thirds of the **Members and Specialist Associates (taken together) voting members of the College** who, being present and entitled to do so, vote on the Resolution from time to time:

(a) to make Bye-Laws for the regulation and government of the College, its Members, **its Fellows** and its Associates and its assets, and generally for the furtherance of the objects of the College; and

(b) to revoke or amend any Bye-Law theretofore made, so however that any such Bye-Law, revocation or amendment be not repugnant to this Our Supplemental Charter;

provided that no such Bye-Law, revocation, or amendment 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 said Privy Council shall be conclusive evidence. As from the date of this Our Supplemental Charter, and until such time as they may be revoked or amended as herein provided, the Bye-Laws shall be those set out in the Schedule hereto.

14. The College may by Resolution amend, revoke or add to any of the provisions of the original Charter or this Our Supplemental Charter provided that:

(a) such amendment, revocation or addition shall not enable the funds of the College to be applied for non-charitable purposes;

(b) notice of the intention to propose such Resolution at a meeting of the Board of Trustees shall have been given in writing to each member of the Board of Trustees not less than twenty-one clear days prior to the holding of such meeting and such proposed Resolution shall have been approved by a simple majority of the members of the Board of Trustees present and voting at such meeting; and

(c) such Resolution be thereupon considered at a General Meeting or Special Meeting of the **Members voting members** of the College ~~and Specialist Associates~~, in respect of which not less than twenty-one clear days' notice in writing shall have been given, and there approved by a majority of not less than two-thirds of the **Members voting members** of the College ~~and Specialist Associates (taken together)~~ who, being present and entitled to do so, vote on the Resolution,

and such amendment, addition or revocation shall, when allowed by Us, Our Heirs or Successors, become effectual so that the original Charter and this Our Supplemental Charter shall thenceforward continue and operate as though it had been originally granted and made accordingly, so however that anything theretofore done under and by virtue of the original Charter or of this Our

Supplemental Charter shall continue to have full force and effect as if the original Charter or this Our Supplemental Charter had not been amended or added to or revoked in the manner aforesaid. And the provisions of this Article shall apply to the original Charter and to this Our Supplemental Charter as amended or added to or revoked in manner aforesaid.

15. The property and moneys of the Association shall, as soon as may be after the date of this Our Supplemental Charter, be formally transferred to the College or to such person or persons on its behalf as the Bye-Laws may prescribe.

16. For the purposes of this Our Supplemental Charter the expressions following shall have the meanings hereinafter assigned to them:

'The Bye-Laws' mean and include the Bye-Laws of the College for the time being and from time to time in force made, revoked or amended under and by virtue of Article 13 of this Our Supplemental Charter.

'Affiliates of the College' shall have such meaning as is in the Bye-laws assigned thereto.

'Associates of the College' shall have such meaning as is in the Bye-Laws assigned thereto.

'clear days' shall have such meaning as in the Bye-Laws is assigned thereto.

'Fellows of the College' shall have such meaning as is in the Bye-Laws assigned thereto.

'The Officers', 'The Board of Trustees' and 'The Council' respectively mean 'The Officers of the College', 'The Board of the Trustees of the College' and 'The Council of the College' for the time being and from time to time in office and 'Officer', 'member of the Board of Trustees' and 'member of the Council' shall be construed accordingly. 'The Honorary Officers' shall have such meaning as is in the Bye-Laws assigned thereto.

'The objects of the College' mean the objects and purposes of the College as set out in Article 3 of this Our Supplemental Charter.

'Psychiatry' and 'the science of psychiatry' include the study of anything that compromises mental health, including mental illness, personality disorder, lifestyle including addictions, and intellectual disability and further includes the prevention and treatment thereof.

'Members of the College' ~~include both Members and Fellows but shall not include persons associated with the College other than Members or Fellows~~ shall have such meaning as is in the Bye-Laws assigned thereto.

'General Meeting' and 'Special Meeting' of the ~~Members~~ voting members of the College ~~and Specialist Associates~~ shall have such meanings as in the Bye-Laws are assigned thereto.

'Specialist Associates' shall have such meaning as is in the Bye-Laws assigned thereto.

'voting members of the College' means those persons entitled to attend and vote at General Meetings and Special Meetings of the College who shall be Members, Fellows, Specialist Associates and Affiliates and such other persons prescribed by the Bye-Laws.

A reference to a statute or statutory provision is a reference to it as it is in force for the time being, taking account of any amendment, extension or re-enactment and includes any subordinate legislation for the time being in force made under it.

17. And We do hereby for Us, Our Heirs and Successors, grant and declare that these Our Letters or the enrolment of exemplification thereof shall be in all things good, firm, valid and effectual according to the true intent and meaning of the same and shall be taken, construed and adjudged in all Our Courts or elsewhere in the most favourable and beneficial sense and for the best advantage of the College, any mis-recital, non-recital, omission, defect, imperfection, matter or thing whatsoever notwithstanding.

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

WITNESS Ourselves at Westminster the Sixteenth day of June in the Twentieth year of Our Reign.

BY WARRANT UNDER the Queen's sign manual.