

Bylaw Amendments Table 1 (Related to GD 8.59 Eligibility Criteria and Selection Process for Council, Complaints, Inquiry and Board of Assessors)

ARTICLE V: ELECTION OF THE COUNCIL

Current Articles	Proposed Amendment
<p>I. ELECTED MEMBERS</p> <p>1.1 Election of the Council from the membership shall be held concurrently with the Annual General Meeting of the College.</p> <p>1.2 At each Annual General Meeting the membership shall elect two Council members for a three-year term.</p> <p>1.3 The Council may establish rules regarding nomination of candidates for election to the Council, the manner of voting for Council members, and the conduct and regulation of Council members.</p> <p>1.4 Only those members on the Active Practicing or Inactive Register who are in good standing with the College at the date of election are eligible for election or appointment to any position within the College.</p>	<p>I. ELECTED MEMBERS</p> <p>1.1 Election of the Council from the membership shall be held concurrently with the Annual General Meeting of the College.</p> <p>1.2 At each Annual General Meeting the membership shall elect two Council members for a three-year term.</p> <p>1.3 The Council may establish rules regarding nomination of candidates for election to the Council, the manner of voting for Council members, and the conduct and regulation of Council members.</p> <p>1.4 <u>A member is eligible for election to Council if:</u></p> <ul style="list-style-type: none"> a. <u>at all times between the 90th day before the election and the date of the election, the member continues to be registered on the Active or In-Active register.;</u> b. <u>the member has a minimum two years of independent practice in physiotherapy in Canada;</u> c. <u>the member is not in default of any obligation to the College under the Regulations or the By-laws including the payment of any fees required;</u> d. <u>the member is not the subject of discipline proceedings;</u> e. <u>the member is not the subject of any inquiry by the Inquiry Committee;</u>

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	<ul style="list-style-type: none"> f. <u>the member has not been found guilty of professional misconduct, to be incompetent, or to be incapacitated in the six years before the election;</u> g. <u>the member's certificate of registration has not been revoked or suspended for professional misconduct, incompetence or incapacity at any time in the six years immediately before the election;</u> h. <u>the member's certificate of registration has not been subject to a term, condition or limitation other than a term, condition or limitation prescribed by the Regulations in the six years before the election;</u> i. <u>the member is not and has not been in the 12 months before the election, a director, officer, committee member, employee, or holder of any position of decision-making influence of any other organization of physiotherapists;</u> j. <u>the member is not a participant (other than on behalf of the College) in a legal action or application against the College;</u> k. <u>the member is not and has not been in the 12 months before the election an employee of the College;</u> l. <u>the member discloses all potential conflicts of interest in writing to the registrar within five business days of being nominated and either does not</u>
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<p>1.5 Only members on the Active Practicing or Inactive Register who are in good standing with the College at the date of the election shall be entitled to vote for the election of Council members and may vote for as many candidates as there are vacancies on the Council.</p> <p>1.6 Any member eligible to vote who follows the appropriate procedures outlined by the Council may submit a mail-in ballot for the election of Council members.</p> <p>1.7 The elected Council members shall be announced by the chair of the Council at the Annual General Meeting.</p>	<p><u>have a conflict of interest to serve as a Councillor or has agreed to remove any such conflict of interest before taking office;</u></p> <p>m. <u>any disputes about a person's eligibility for election shall be determined by the Nominations Committee. If the Nominations Committee determines that a member is ineligible for election, the member may appeal that decision to Council and Council's determination shall be final, without appeal.</u></p> <p>1.5 Only members on the Active Practicing or Inactive Register who are in good standing with the College at the date of the election shall be entitled to vote for the election of Council and may vote for as many candidates as there are vacancies on the Council.</p> <p>1.6 Any member eligible to vote who follows the appropriate procedures outlined by the Council may submit a mail-in ballot for the election of Council members.</p> <p>1.7 The elected Council members shall be announced by the chair of the Council at the Annual General Meeting.</p>
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ARTICLE VII: COMPLAINTS COMMITTEE AND INQUIRY COMMITTEE

Current Articles	Proposed Amendment
<p>1.1 The Council shall appoint a complaints committee and inquiry committee as set out in Section 17(1)(2) and 31(1)(2) of <i>The Physiotherapists Act</i>.</p> <p>1.2 Chairs of these committees shall hold office for one year and shall be eligible for reappointment with the proviso that no person is at any time chair of more than one committee.</p> <p>1.3 The Council shall appoint acting members and ex-officio members in a non-voting capacity as required from time to time.</p> <p>1.4 Vacancies on these committees shall be filled by Council appointment for the remainder of the term. The committee shall consist of no less than three (3) members.</p> <p>1.5 At least 1/3 of the members of the Complaints Committee and Inquiry Committee must be public members.</p> <p>1.6 Public representatives shall be appointed by the Minister of Health for a two-year term.</p>	<p>1.1 The Council shall appoint a complaints committee and inquiry committee as set out in Section 17(1)(2) and 31(1)(2) of <i>The Physiotherapists Act</i>.</p> <p>1.2 <u>The members eligible for appointment to the Complaints Committee and the Inquiry Committee are those who meet the eligibility criteria enumerated in Article V. subsection I, paragraph 1.4.</u></p> <p>1.3 Chairs of these committees shall hold office for one year and shall be eligible for reappointment with the proviso that no person is at any time chair of more than one committee.</p> <p>1.4 The Council shall appoint acting members and ex-officio members in a non-voting capacity as required from time to time.</p> <p>1.5 Vacancies on these committees shall be filled by Council appointment for the remainder of the term. The committee shall consist of no less than three (3) members.</p> <p>1.6 At least 1/3 of the members of the Complaints Committee and Inquiry Committee must be public members.</p> <p>1.7 Public representatives shall be appointed by the Minister of Health for a two-year term.</p>

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<p>1.7 When a position of the government appointed public representative becomes vacant, the Council may appoint another public representative if the Minister of Health has not filled the vacancy or served notice of his intention to do so, within 90 days of the vacancy.</p>	<p>1.8 When a position of the government appointed public representative becomes vacant, the Council may appoint another public representative if the Minister of Health has not filled the vacancy or served notice of his intention to do so, within 90 days of the vacancy.</p>
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ARTICLE VIII: COMMITTEES AND BOARD

Current Articles	Proposed Amendment
<p>1.1 The Council may establish such committees, as it deems necessary to fulfill the objectives of the College.</p> <p>1.2 The Council shall establish the following standing committees and boards:</p> <ul style="list-style-type: none"> a. Board of Assessors; b. Public Representatives Recruitment Committee; c. Nominating Committee; d. Continuing Competency Committee. 	<p>1.1 The Council may establish such committees, as it deems necessary to fulfill the objectives of the College.</p> <p>1.2 The Council shall establish the following committees and boards:</p> <ul style="list-style-type: none"> a. Board of Assessors; b. Public Representatives Recruitment Committee; c. Nominating Committee; d. Continuing Competency Committee. <p>1.3 <u>The Council shall appoint to the Board of Assessors only those members who meet the eligibility criteria enumerated in Article V. subsection I, paragraph 1.4 (a), (c-m).</u></p> <p>1.4 <u>The Council shall appoint to the Public Representatives Recruitment Committee; the Nominating Committee; and the Continuing Competency Committee members on the Active Practicing or Inactive</u></p>

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<p>1.3 The Council shall establish terms of reference for all committees.</p> <p>1.4 The activities of all committees shall be under the direction of the Council and all recommendations of the committees are subject to Council approval.</p> <p>1.5 The Council shall appoint the chair of all committees.</p> <p>1.6 Chairs of standing committees shall hold office for 1 year and shall be eligible for reappointment, provided that no person may at any time be chair of more than one committee.</p> <p>1.7 Each committee shall consist of a chair and not less than two members of the College representing as broad a spectrum of membership types and geographical areas as possible.</p> <p>1.8 Members of all committees shall be appointed by the chair of that committee, subject to Council approval. The Council may, by a majority vote, remove a member from a committee if:</p> <ul style="list-style-type: none"> a. he/she consistently fails or refuses to perform the duties assigned to him/her by the chair of the committee/board; b. he/she consistently fails or refuses to adhere to <i>The Physiotherapists Act</i>, regulations, by-laws or code of ethics; 	<p style="text-align: center;"><u>Register who are in good standing with the College.</u></p> <p>1.5 The Council shall establish terms of reference for all committees.</p> <p>1.6 The activities of all committees shall be under the direction of the Council and all recommendations of the committees are subject to Council approval.</p> <p>1.7 The Council shall appoint the chair of all committees.</p> <p>1.8 The Chairs of standing committees shall hold office for 1 year and shall be eligible for re-appointment, provided that no person may at any time be chair of more than one committee.</p> <p>1.9 Each committee shall consist of a chair and not less than two members of the College representing as broad a spectrum of membership types and geographical areas as possible.</p> <p>1.10 Members of all committees shall be appointed by the chair of that committee, subject to Council approval. The Council may, by a majority vote, remove a member from a committee if:</p> <ul style="list-style-type: none"> a. he/she consistently fails or refuses to perform the duties assigned to him/her by the chair of the committee/board; b. he/she consistently fails or refuses to adhere to <i>The Physiotherapists Act</i>, regulations, by-laws or code of ethics;
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<p>c. he/she is absent from more than 3 meetings of the committee/board between Annual General Meetings;</p> <p>d. his/her membership is allowed to lapse, is suspended or revoked.</p> <p>1.9 The chair of each committee shall give reasonable notice of each meeting of his/her committee and a majority of the committee members shall constitute a quorum.</p> <p>1.10 Minutes of committee and board meetings shall be taken at every meeting and submitted to the College office.</p> <p>1.11 The chair shall report to the Council on activities of the committee on a regular basis.</p> <p>1.12 Vacancies on any board or committee shall be filled by appointment by the Council for the remainder of the term.</p> <p>1.13 Ex-officio members may be appointed to committees or boards by the Council as required in a non-voting capacity.</p> <p>1.14 One member of the Board of Assessors shall be a public representative appointed by the Minister of Health for a two year term.</p> <p>1.15 When a position of the government appointed public representative becomes vacant, the Council may appoint another public representative if the Minister of Health has not filled the vacancy or</p>	<p>c. he/she is absent from more than 3 meetings of the committee/board between Annual General Meetings;</p> <p>d. his/her membership is allowed to lapse, is suspended or revoked.</p> <p>1.11 The chair of each committee shall give reasonable notice of each meeting of his/her committee and a majority of the committee members shall constitute a quorum.</p> <p>1.12 Minutes of committee and board meetings shall be taken at every meeting and submitted to the College office.</p> <p>1.13 The chair shall report to the Council on activities of the committee on a regular basis.</p> <p>1.14 Vacancies on any board or committee shall be filled by appointment by the Council for the remainder of the term.</p> <p>1.15 Ex-officio members may be appointed to committees or boards by the Council as required in a non-voting capacity.</p> <p>1.16 One member of the Board of Assessors shall be a public representative appointed by the Minister of Health for a two-year term.</p> <p>1.17 When a position of the government appointed public representative becomes vacant, the Council may appoint another public representative if the</p>
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served notice of his intention to do so, within 90 days of the vacancy.	Minister of Health has not filled the vacancy or served notice of his intention to do so, within 90 days of the vacancy.
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