BY-LAW 6: ELECTION OF COUNCIL MEMBERS

Approved by Council: February 24, 2001
Amended: February 12, 2002, September 24, 2009, September 17, 2015, February 23, 2016, February 28, 2017, April 24, 2018, January 6, 2019, June 19, 2019 (came into effect September 13, 2019), September 14, 2019 (came into effect November 28, 2019), September 4, 2020 (came into effect November 26, 2020), April 14, 2021 (came into effect June 16, 2021), September 10, 2021 (came into effect November 25, 2021), January 20, 2023 (came into effect January 20, 2023), November 23, 2023 (came into effect February 23, 2024), February 23, 2024 (came into effect April 16, 2024), September 12, 2025 (came into effect November 20, 2025), September 18, 2026 (came into effect November 19, 2026)

6.1 **Electoral District 1: Northern** comprised of the districts of Kenora, Rainy River, Thunder Bay, Algoma, Cochrane, Manitoulin, Parry Sound, Nipissing, Timiskaming; the district municipality of Muskoka; and the city of Greater Sudbury.

Electoral District 2: Eastern comprised of the counties of Frontenac, Hastings, Lanark, Prince Edward, Renfrew, Lennox and Addington; the united counties of Leeds and Grenville, Prescott and Russell, Stormont, Dundas and Glengarry; and the city of Ottawa.

Electoral District 3: Central East comprised of the counties of Haliburton, Northumberland, Peterborough, and Simcoe, the city of Kawartha Lakes, the regional municipality of Durham and the township of Scugog.

Electoral District 4: Central comprised of the city of Toronto and the regional municipality of York.

Electoral District 5: Central West comprised of the counties of Brant, Dufferin, Wellington, Haldimand and Norfolk, the regional municipalities of Halton, Niagara, Peel and Waterloo, and the city of Hamilton.

Electoral District 6: Western comprised of the counties of Essex, Bruce, Grey, Lambton, Elgin, Middlesex, Huron, Perth and Oxford, and the municipality of Chatham-Kent.

Electoral District 7: Academic comprised of the entire province of Ontario.

6.2 A member is eligible to vote in District 7 and in the electoral district in which, as of January 1st of the election year, has the member's primary practice, or if the member is not engaged in the practice of chiropractic, in which the member's primary residence is located.

6.3 For each electoral district referred to in column 1 of the following table, there shall be elected to Council the number of members set out opposite in column 2.

Column 1	Column 2
Electoral District	Number of Members
1	1
2	1
3	1
4	2
5	2
6	1
7	1

6.4 The term of office of a member elected to Council is approximately three years, commencing with the first regular meeting of Council immediately following the election. The member shall continue to serve in office until a successor takes office in accordance with this by-law.

6.5 A member who has served on Council for nine consecutive years is ineligible for election to Council until a full three year term has passed since that member last served on Council.

6.6 An election of members to Council shall be held in or about of March of each year in accordance with the following schedule:

(a) in 2021 and every third year after that for electoral district 1 and one Council member for each of electoral districts 4 and 5;

(b) in 2022 and every third year after that for electoral districts 2 and 3 and one Council member for electoral district 4;

(c) in 2023 and every third year after that for electoral districts 6 and 7 and one Council member for electoral district 5.

6.7 The registrar shall set the date for the election of members to Council.

6.8 A member is ineligible to vote in a council election if in default of payment of any fees prescribed by by-law or any fine or order for costs to CCO imposed by a CCO committee or court of law or is in default in providing and returning any information required by CCO.

6.9 A member is eligible for election to Council in an electoral district, if on the closing date of nominations and anytime up to and including the date of the election:

(a) the member's primary practice of chiropractic is located in the electoral district in the member is nominated or, if the member is not engaged in the practice of chiropractic, the member's primary residence is located in the electoral district in which the member is nominated;

(b) the member is not in default of payments of any fees prescribed by by-law or any fine or order to pay costs to CCO imposed by a CCO committee or court of law;

(c) the member is not in default in completing and returning any form required by CCO;

(d) the member is not the subject of any disciplinary or incapacity proceeding

(e) a finding of professional misconduct, incompetence or incapacity has not been made against the member in the preceding six years;

(f) if a member has been found to be incapacitated, CCO receives confirmation from their treating practitioner that the member is physically and mentally capable to serve on Council or a committee.

(g) the member has not resigned from a position on Council, before completing the term, within the last three years.

(h) the member does not have an outstanding code of conduct matter with the College.

(i) the member is not, and has not been in preceding three years, an employee, officer or director of any professional chiropractic association such that a real or apparent conflict of interest may arise, including but not limited to being an employee, officer, director, or member of a committee, sub-committee or working group of the OCA, CCA, CCPA, AFC, CCEB, CSCE, the CCEC of the FCC, CCRF or CNAC;

(j) the member is not, and has not been in the preceding three years, an officer, director, or administrator of any chiropractic educational institution, including but not limited to, CMCC and UQTR, such that a real or apparent conflict of interest may arise;

(k) the member has not been disqualified from the Council or a committee of the Council in the previous six years;

(l) the member is not a member of the Council or of a committee of the College of any other health profession;

(m) the member has not been a member of the staff of CCO at any time within the preceding three years;

(n) for District 7 only, the member is a member of the faculty of an accredited educational institution;

(o) for any district other than District 7, the member is not eligible for election in District 7, and has not been eligible for election in District 7 in the preceding three years;

(p) the member is not, and has not been within the preceding six years, an adverse party in litigation against CCO, the Council of CCO, a committee of CCO, or any of CCO's directors, officers, employees or agents, on a matter related to CCO business;

(q) the member is not an accused currently charged with a criminal offence under the Criminal Code of Canada; and

(r) the member has not been convicted of a criminal offence for which the member has not received a pardon pursuant to the Criminal Code of Canada.

6.10 The registrar shall supervise the nomination of candidates.

6.11 No later than 50 days before the date of an election, the registrar shall notify every member eligible to vote of the date, time and place of the election and of the nomination procedure.

6.12 The nomination of a candidate for election as a member of Council, together with the written undertaking to the CCO Registrar shall be given to the registrar at least 35 days before the date of the election (i.e., the nomination date).

6.13 The nomination shall be signed by the candidate and by at least 10 members who support the nomination and who are eligible to vote in the electoral district in which the election is to be held.

6.14 The candidate shall provide to the registrar by the nomination date or such later date as the registrar permits, biographical information in a manner acceptable to the registrar including content that is suitable for CCO's public interest mandate, for the purpose of distribution to eligible members in accordance with the by-laws.

6.15 A candidate may withdraw from the election to Council no later than 25 days before the date of the election.

6.16 If the number of eligible candidates who have been nominated for an electoral district is less than or equal to the number of members to be elected, the registrar shall declare the candidates to be elected by acclamation.

6.17 The registrar shall supervise and administer the election of candidates and, for the purpose of carrying out that duty, the registrar may, subject to the by-laws,

(a) appoint returning officers and scrutineers;

(b) establish a deadline for the receiving of electronic ballots;

(c) provide for the notification of all candidates and members of the results of the election;

(d) if there has been a non-compliance with a nomination or election requirement, determine whether the non-compliance should be waived in circumstances where the fairness of the election will not be affected; and

(e) provide for the destruction of electronic ballots following an election.

6.18 No later than 10 days before the date of an election, the registrar shall send electronically, or by any other medium as determined by Council, to every member eligible to vote in an electoral district in which an election is to take place, a list of the candidates, the candidates' biographical information if provided, an explanation of the voting procedure, and electronic access to a ballot for voting.

6.19 Voting for elections of member to Council shall be by electronic method or any other medium as determined by Council.

6.20 The instruction for voting shall contain the following:

a) a member may cast as many votes on a ballot in an election of members to the Council as there are members to be elected to Council from the electoral district in which the member is eligible to vote;

b) a member shall not cast more than one vote for any one candidate;

c) a member shall clearly indicate the voter's choice in one of the appropriate places on the electronic ballot to indicate the voter's choice;

d) the electronic vote shall be received by 4 pm on the date indicated in the notice of election and voting guide; and

e) the electronic vote will not be counted in the election unless it has been received in accordance with the instructions for voting.

6.21 On the date of the election, the registrar or an agent shall tally the votes for each candidate in each electoral district with a contested election.

6.22 The counting of the electronic votes shall be conducted so that no person knows for whom any member voted.

6.23 Candidates or their representatives may be present when the electronic votes are counted.

6.24 If there is a tie in an election of members to the Council, the registrar shall break the tie by lot.

6.25 A candidate may require a recount by giving a written request and depositing the sum or $150 with the registrar no more than 15 days after the date of an election.

6.26 The registrar shall hold the recount no more than 10 days after receiving the request.

6.27 If the recount changes the election result, the full amount of the deposit shall be refunded to the candidate. If the recount does not change the election result, CCO will keep the deposit to partially offset recount costs, including staff time.

6.28 When there is an interruption of communications during a nomination or election, the registrar shall extend the holding of nominations and election for such minimum period of time as the registrar considers necessary to compensate for the interruption.

6.29 The Council shall disqualify an elected member from sitting on Council if the elected member:

(a) is subject of any disciplinary or incapacity proceeding;

(b) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee;

(c) is found to be an incapacitated member by a panel of the Fitness to Practice Committee;

(d) fails to attend two consecutive meetings of the Council or of a committee or of a subcommittee on which the member sits, without reasonable cause in the opinion of Council;

(e) fails to attend a hearing or review of a panel for which the member has been selected, without reasonable cause in the opinion of Council;

(f) becomes an employee, officer or director of any professional chiropractic association such that a real or apparent conflict of interest may arise, including but not limited to being an employee, officer, director or member of a committee, sub-committee or working group of the OCA, CCA, CCPA, AFC, CCEB, CCEC of the FCC, CCRF and CNAC;

(g) in the case of a Council member from District 7, ceases to be a member of the faculty of an accredited educational institution;

(h) becomes an officer, director or administrator of any chiropractic educational institution, including but not limited to CMCC and UQTR;

(i) becomes a member of the Council or a committee of the College of any other health profession;

(j) breaches the conflict of interest provision(s) for members of Council and committees, in the opinion of the Council after giving notice to the member of the concern and giving the member a reasonable opportunity to respond to the concern;

(k) fails to discharge properly or honestly any office to which the member has been elected or appointed or engages in conduct unbecoming of a Council member, in the opinion of the Council, after being given notice of the concern and a reasonable opportunity to respond;

(l) becomes in default of payment of any fees prescribed by by-law or any fine or order for costs imposed by a CCO committee or court of law;

(m) becomes in default of completing and returning any form required by CCO; or

(n) with the exception of District 7 (Academic), becomes a member of the faculty of an accredited educational institution.

(o) becomes an adverse party in litigation against CCO, the Council of CCO, a committee of CCO, or any of CCO's directors, officers, employees or agents, on a matter related to CCO business; or

(p) is charged with a criminal offence contrary to the Criminal Code of Canada.

6.30 A council member shall resign from Council prior to applying for any CCO staff position.

6.31 The seat of an elected Council member shall be deemed to be vacant upon the death, incapacity, resignation or disqualification of the Council member.

6.32 If the seat of an elected council member becomes vacant in an electoral district less than 12 months before the expiry of the member's term of office, the Council may,

(a) leave a seat vacant;

(b) appoint as an elected member the candidate, if any, who had the most votes of all the unsuccessful candidates in the last election of council members for that electoral district; or

(c) direct the registrar to hold an election in accordance with this by-law for that electoral district.

6.33 If the seat of an elected council member becomes vacant in an electoral district more than 12 months before the expiry of the member's term of office, the registrar shall hold an election in accordance with this by-law for that electoral district.

6.34 The term of a member appointed under By-law 6.32(b) or elected in an election under By-law 6.32(c) shall continue until the time the former council member's term would have expired.

6.35 Despite By-law 6.32, 6.33, and 6.34, where vacancy would result in the Council not being properly constituted, the Council (in anticipation of the event before it is not properly constituted) or the Executive Committee (after the Council is not properly constituted) may appoint as an elected member for that district an eligible member in that electoral district, where feasible. The appointed member shall serve until the vacancy can otherwise be filled for that district. When temporarily filling the vacancy in this way, the Council or the Executive Committee shall:

(a) solicit interest from eligible members where feasible[1], and

(b) take into account the criteria set out in By-law 12.5,

6.36 If, within 90 days after the date of the election, the Council is of the opinion that there is a reasonable ground for doubt or dispute as to the validity of the election of any member of Council, the Council shall hold an inquiry and decide whether the election of the member is valid and, if an election is found to be invalid, the Council shall direct another election to be held.

6.37 Where insufficient candidates are nominated for a district by the close of nominations, the Council may nominate a member who does not practice in the district, and for District 7, is not a member of the faculty of an accredited educational institution.

[1] There may not be sufficient time to solicit interest in every case and Council should be reconstituted as soon as possible.