

**DRAFT PROPOSED BY-LAW AMENDMENTS APPROVED BY COUNCIL FOR DISTRIBUTION AND FEEDBACK:  
 SEPTEMBER 8, 2023 (PROPOSED AMENDMENTS UNDERLINED)  
 CIRCULATED TO STAKEHOLDERS, INCLUDING MEMBERS: SEPTEMBER 19, 2023**

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**BY-LAW 1: DEFINITIONS AND INTERPRETATION**

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
1.1	<p>In these by-laws, unless the context otherwise dictates,</p> <p>“Administrator” in the context of a chiropractic educational institution means one who occupies an executive, management and/or policy-making position;</p> <p>“AFC” means the Alliance for Chiropractic</p> <p>“Appointed Member” means a member of the Council appointed by the Lieutenant Governor in Council;</p> <p>“By-laws” means by-laws made by the Council;</p> <p>“CAC” means the Chiropractic Awareness Council;</p>		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p>“CCA” means the Canadian Chiropractic Association;</p> <p>“CCEB” means the Canadian Chiropractic Examining Board;</p> <p>“CCEC” means the Council on Chiropractic Education (Canada);</p> <p>“CCPA” means the Canadian Chiropractic Protective Association;</p> <p>“CCRF” means the Canadian Chiropractic Research Foundation;</p> <p>“<i>Chiropractic Act</i>” means the <i>Chiropractic Act, 1991</i>;</p> <p>“CMCC” means the Canadian Memorial Chiropractic College;</p> <p>“CNAC” means the Canadian National Alliance for Chiropractic;</p> <p>“<i>Code</i>” means the Health Professions Procedural Code, Schedule 2 to the <i>Regulated Health Professions Act, 1991</i>;</p> <p>“Council Member” means a member of the Council of CCO</p>		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p>“CSCE” means the Canadian Society of Chiropractic Evaluators;</p> <p>“CCO” means the College of Chiropractors of Ontario;</p> <p>“Council” means the Council of the CCO;</p> <p>“Elected Member” means a member of the Council elected by the members of the CCO;</p> <p>“FCC” mean the Federation of Canadian Chiropractic;</p> <p>“Member” means a member of the CCO;</p> <p>“OCA” means the Ontario Chiropractic Association;</p> <p>“Non-Chiropractic Committee Member” means an individual appointed under the by-laws to serve as a member of a committee who is neither a member of the Council nor a Member;</p> <p>“Non-Council Member” means a committee member who is a member of the College but is not a member of Council;</p>		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p>“Prescribed” means prescribed in the regulations or by-laws;</p> <p>“Primary practice” is the business address of the member as reported to CCO in accordance with the RHPA and By-law 17;</p> <p>“Primary residence” is the member’s residential address as reported to CCO in accordance with By-law 17;</p> <p>“RHPA” means the <i>Regulated Health Professions Act, 1991</i>;</p> <p>“UQTR” means Université du Québec à Trois-Rivières.</p>		
1.2	The definitions contained in the <i>RHPA</i> and <i>Chiropractic Act</i> are incorporated and adopted in the by-laws unless the context otherwise dictates.		
1.3	Any act referred to by name shall mean that act in force at the relevant time as amended, or replaced.		
1.4	The by-laws shall be governed and construed in accordance with the laws of Ontario.		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
1.5	In the event of an inconsistency between the by-laws and the <i>RHPA</i> , <i>Chiropractic Act</i> , or the regulations under those acts, the <i>RHPA</i> , the <i>Chiropractic Act</i> and the regulations under those acts shall govern.		
1.6	The CCO and its representatives are excused from complying with an obligation set out in these by-laws, including acting within a specified time period, where compliance is not feasible because of an emergency such as a pandemic or war.		
1.7	The registrar is authorized to make non-substantive corrections to the official version of these by-laws including where there are typographical errors, spelling and grammar mistakes, formatting anomalies, incorrect numbering of provisions, and inaccurate cross-references to other provisions.		

## BY-LAW 2: SEAL

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
2.1	The seal shown on this page is the seal of CCO.		
2.2	The registrar, president, vice-president and treasurer and such other person or persons as may be authorized by Council shall each have authority to affix the seal of CCO to any document.		

Seal on Website

### BY-LAW 3: EXECUTION OF DOCUMENTS

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
3.1	Unless otherwise provided by law or the by-laws, a document of CCO shall be signed by: the registrar or the deputy registrar and one of the president, vice-president or treasurer if the document has financial implications for CCO; and the registrar or the deputy registrar, or someone authorized by him/her, if the document does not have financial implications for CCO.	Unless otherwise provided by law or the by-laws, a document <u>that has financial implications for CCO</u> <del>of CCO</del> shall be signed by: the registrar or the deputy registrar and one of the president, vice-president or treasurer <del>if the document has financial implications for CCO; and a document that does not have financial implications for CCO may be signed by</del> the registrar or the deputy registrar, or someone authorized by <u>either of them</u> . <del>him/her, if the document does not have financial implications for CCO.</del>	For clarity: the type of document is identified before those authorized to sign it.  DEI: gender neutral language
3.2	Notwithstanding any provision to the contrary contained in the by-laws of CCO, Council may, at any time, by resolution, direct the manner in which, and the person or persons by whom, any instrument in writing or class of instruments in writing made on behalf of CCO may or shall be executed.		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
3.3	A person who may sign a document may impress the seal of CCO upon the document if the seal is required and if the document has been signed as required by the by-laws.		
3.4	Minutes of Council meetings shall be signed by any two of the president, vice-president, treasurer or registrar.		
3.5	Proposed regulations shall be signed by the registrar and one of the president, vice-president or treasurer.		
3.6	Decisions made by the panel of the Discipline Committee and/or the Fitness to Practise Committee of CCO shall be signed by all members participating in the decision.		
3.7	Documents of a committee, such as a notice of a summons, shall be signed by a representative of the committee.		



## BY-LAW 4: BANKING AND FINANCE

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
4.1	The Executive Committee shall appoint a chartered bank where deposits are insured by the Canadian Deposit Insurance Corporation for the use of CCO.		
4.2	All money belonging to CCO shall be deposited in the name of CCO with the bank without deduction for any purpose whatsoever.		
4.3	The registrar or deputy registrar may endorse any negotiable instrument for collection on account of CCO through the bank for deposit to the credit of CCO with the bank.		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
4.4	<p>The registrar or deputy registrar and one of the president, vice-president or treasurer may invest or reinvest funds of CCO, not immediately required, in:</p> <p>(a) bonds, debentures, or other evidences of indebtedness of or guaranteed by the Government of Canada or the Government of Ontario; or</p> <p>(b) deposit receipts, deposit notes, certificates of deposit, and other similar instruments issued or endorsed by a chartered bank.</p>		
4.5	<p>The Executive Committee may by resolution decide to invest or reinvest funds of CCO, not immediately required, in securities outlined in By-law 4.4 above.</p>		
4.6	<p>The registrar or deputy registrar and one of the president, vice-president or treasurer shall sign documents to implement a decision made by the Executive Committee pursuant to By-law 4.5 above.</p>		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
4.7	<p>The Council may from time to time by resolution:</p> <p>(a) borrow money on the credit of CCO;</p> <p>(b) limit or increase the amount or amounts to be borrowed; and</p> <p>(c) secure any present or future borrowing, or any debt, obligation, or liability of the College, by charging, mortgaging, hypothecating or pledging all or any of the real or personal property of CCO, whether present or future.</p>		
4.8	<p>The Executive Committee shall not exercise the powers or duties of the Council under By-law 4.7 above or take any similar action.</p>		
4.9	<p>The registrar or deputy registrar and one of the president, vice-president or treasurer shall sign documents to implement a decision made by the Council pursuant to By-law 4.7 above.</p>		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
4.10	<p>Goods or services may be purchased or leased for the benefit of CCO if the purchase or lease is approved by:</p> <p>(a) the registrar or the deputy registrar, if the resulting obligation does not exceed \$25,000;</p> <p>(b) the registrar or the deputy registrar and one of the president, vice-president, or treasurer if the resulting obligation is between \$25,000 and \$50,000; and</p> <p>(c) the registrar or the deputy registrar and two of the president, vice-president, or treasurer if the resulting obligation exceeds \$50,000.</p>		

## BY-LAW 5: FINANCIAL YEAR AND AUDITING

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
5.1	The financial year of CCO shall be from the 1st of January of one year to the 31st of December of the same year.		
5.2	Council shall appoint annually one or more Auditors who are licensed under the Public Accounting Act, 2004 to audit CCO's financial statements.		
5.3	Financial statements for CCO shall be prepared at the close of each Fiscal Year and audited financial statements, together with the Auditor's report, shall be presented annually to Council.		
5.4	The Auditor shall serve for a term of one year, but if an appointment is not made the Auditor shall continue to serve until a successor is appointed.		
5.5	The Auditor may be re-appointed at the discretion of Council.		
5.6	If the Auditor is unable to continue his or her duties or in the event Council is dissatisfied with the Auditor, Council may appoint a new Auditor.	If the Auditor is unable to continue <del>his or her duties to act</del> , or in the event Council is dissatisfied with the Auditor, Council may appoint a new Auditor.	DEI: gender neutral language

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
5.7	Council shall cause the performance of the Auditor to be evaluated on an annual basis and shall take such evaluation into account when considering the re-appointment of the Auditor.		
5.8	Council shall set the remuneration of the Auditor and confirm the appointment and remuneration in writing.		
5.9	The Auditor has a right of access at all reasonable times to all records, documents, books, accounts and vouchers of CCO and is entitled to require from the Council members, officers and employees and relevant payees of CCO such information as in his or her opinion is necessary to enable him or her to report as required by law or under this section.	The Auditor has a right of access at all reasonable times to all records, documents, books, accounts and vouchers of CCO and is entitled to require from the Council members, officers and employees and relevant payees of CCO such information as in <del>his or her</del> <u>the Auditor's</u> opinion is necessary to enable <del>him or her</del> <u>the Auditor</u> to report as required by law or under this section.	DEI: gender neutral language
5.10	The Auditor is entitled to attend any meeting of Council and to be heard at any such meeting that he or she attends on any part of the business of the meeting that concerns them as Auditor.	The Auditor is entitled to attend any meeting of Council and to be heard at any such meeting <del>that he or she attends</del> on any part of the business of the meeting that concerns <u>the audit</u> <del>them as Auditor</del> .	DEI: gender neutral language

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
5.11	The auditor shall report to the Executive Committee upon reasonable request by the Executive Committee and in any event at the last meeting of the Executive Committee before the annual meeting of Council.	The <del>Auditor</del> <u>auditor</u> shall report to the Executive Committee upon reasonable request by the Executive Committee and in any event at the last meeting of the Executive Committee before the annual meeting of Council.	Consistency with prior by-law provisions
5.12	The auditor shall report in writing to the Council at the annual meeting of Council on the financial statement which shall be submitted to each annual meeting and shall state in the report whether, in his/her opinion, the financial statement presents fairly the financial position of CCO and the results or its operations for the period under review in accordance with generally accepted accounting principles applied on a basis consistent with that of the preceding period.	The <del>auditor</del> <u>Auditor</u> shall report in writing to the Council at the annual meeting of Council on the financial statement which shall be submitted to each annual meeting and shall state in the report whether, in <del>his/her</del> <u>the Auditor's</u> opinion, the financial statement presents fairly the financial position of CCO and the results or its operations for the period under review in accordance with generally accepted accounting principles applied on a basis consistent with that of the preceding period.	Consistency with prior by-law provisions  DEI: gender neutral language
5.13	The Executive Committee shall not exercise the powers or duties of the Council under this by-law.		

## BY-LAW 6: ELECTION OF COUNCIL MEMBERS

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
6.1	<p><b>Electoral District 1: Northern</b> 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.</p> <p><b>Electoral District 2: Eastern</b> 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.</p> <p><b>Electoral District 3: Central East</b> 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.</p> <p><b>Electoral District 4: Central</b> comprised of the city of Toronto and the regional municipality of York.</p>		



By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p><b>Electoral District 5: Central West</b> 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.</p> <p><b>Electoral District 6: Western</b> comprised of the counties of Essex, Bruce, Grey, Lambton, Elgin, Middlesex, Huron, Perth and Oxford, and the municipality of Chatham-Kent.</p> <p><b>Electoral District 7: Academic</b> comprised of the entire province of Ontario.</p>		
6.2	<p>A member is eligible to vote in District 7 and in the electoral district in which the member, as of January 1<sup>st</sup> of the election year, has his/her primary practice, or if the member is not engaged in the practice of chiropractic, in which the member has his/her primary residence.</p>	<p>A member is eligible to vote in District 7 and in the electoral district in which <del>the member</del>, as of January 1<sup>st</sup> of the election year, <del>has his/her</del> <u>the member's</u> primary practice <u>is located</u>, or if the member is not engaged in the practice of chiropractic, in which the member's <del>has his/her</del> primary residence <u>is located</u>.</p>	DEI: gender neutral language

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale																		
6.3	<p>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.</p> <table border="1" data-bbox="323 505 688 873"> <thead> <tr> <th>Column 1</th> <th>Column 2</th> </tr> <tr> <th>Electoral District</th> <th>Number of Members</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>1</td> </tr> <tr> <td>2</td> <td>1</td> </tr> <tr> <td>3</td> <td>1</td> </tr> <tr> <td>4</td> <td>2</td> </tr> <tr> <td>5</td> <td>2</td> </tr> <tr> <td>6</td> <td>1</td> </tr> <tr> <td>7</td> <td>1</td> </tr> </tbody> </table>	Column 1	Column 2	Electoral District	Number of Members	1	1	2	1	3	1	4	2	5	2	6	1	7	1		
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	<p>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 his/her successor takes office in accordance with this by-law.</p>	<p>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 <del>his/her</del> a successor takes office in accordance with this by-law.</p>	DEI: gender neutral language																		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
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	<p>An election of members to Council shall be held in or about of March of each year in accordance with the following schedule:</p> <p>(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;</p> <p>(b) in 2022 and every third year after that for electoral districts 2 and 3 and one Council member for electoral district 4;</p> <p>(c) in 2023 and every third year after that for electoral districts 6 and 7 and one Council member for electoral district 5.</p>		
6.7	The registrar shall set the date for the election of members to Council.		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
6.8	A member is ineligible to vote in a council election if he/she is 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.	A member is ineligible to vote in a council election if <del>he/she</del> is 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 <del>is</del> <u>if</u> in default in providing and returning any information required by CCO.	DEI: gender neutral language
6.9	<p>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:</p> <p>(a) the member has his/her primary practice of chiropractic located in the electoral district in which he/she is nominated or, if the member is not engaged in the practice of chiropractic, has his/her primary residence located in the electoral district in which he/she is nominated;</p> <p>(b) the member is not in default of payments 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;</p>	<p>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:</p> <p>(a) the member's <del>has his/her</del> primary practice of chiropractic <u>is</u> located in the electoral district in which <del>he/she</del> <u>the member</u> is nominated or, if the member is not engaged in the practice of chiropractic, <del>has his/her</del> <u>the member's</u> primary residence <u>is</u> located in the electoral district in which <del>he/she</del> <u>the member</u> is nominated;</p> <p>(b) the member is not in default of payments of any fees prescribed by by-law or any fine or order <del>for to pay</del> costs to CCO imposed by a CCO committee or court of law;</p>	<p>DEI: gender neutral language</p> <p>Clarity in language</p>

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p>(c) the member is not in default in completing and returning any form required by CCO;</p> <p>(d) the member is not the subject of any disciplinary or incapacity proceeding;</p> <p>(e) a finding of professional misconduct, incompetence or incapacity has not been made against the member in the preceding six years;</p> <p>(f) the member has not resigned from a position on Council, before completing their term, within the last three years and four months;</p> <p>(g) the member does not have an outstanding code of conduct matter with the College.</p>	<p>(c) the member is not in default in completing and returning any form required by CCO;</p> <p>(d) the member is not the subject of any disciplinary or incapacity proceeding;</p> <p>(e) a finding of professional misconduct, incompetence or incapacity has not been made against the member in the preceding six years;</p> <p><u>(f) (new) 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.</u></p> <p><u>(g)</u> the member has not resigned from a position on Council, before completing <u>the</u> <del>their</del> term, within the last <del>three</del> <u>six</u> years and four months;</p> <p><u>(h)</u> the member does not have an outstanding code of conduct matter with the College.</p>	<p>Best practices: Incapacity is a form or illness. It requires different treatment from professional misconduct or incompetence.</p> <p>Consistency: cooling off period</p>

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p>(h) 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 or director of the OCA, CCA, CCPA, AFC, CCEB, CSCE, the CCEC of the FCC, CCRF or CNAC;</p> <p>(i) the member is not, and has not been in the proceeding 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;</p> <p>(j) the member has not been disqualified from the Council or a committee of the Council in the previous six years;</p> <p>(k) the member is not a member of the Council or of a committee of the College of any other health profession;</p>	<p>(i) the member is not, and has not been in preceding <del>three</del> <u>six</u> 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 or director of the OCA, CCA, CCPA, AFC, CCEB, CSCE, the CCEC of the FCC, CCRF or CNAC;</p> <p>(j) the member is not, and has not been in the <del>proceeding</del> <u>preceding</u> <del>three</del> <u>six</u> 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;</p> <p>(k) the member has not been disqualified from the Council or a committee of the Council in the previous six years;</p> <p>(l) the member is not a member of the Council or of a committee of the College of any other health profession;</p>	<p>Consistency: cooling off period</p> <p>Consistency: cooling off period</p>

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p>(l) the member has not been a member of the staff of CCO at any time within the preceding three years;</p> <p>(m) for District 7 only, the member is a member of the faculty of an accredited educational institution; and</p> <p>(n) 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>	<p><u>(m)</u> the member has not been a member of the staff of CCO at any time within the preceding <del>three</del> <u>six</u> years;</p> <p><u>(o)</u> for District 7 only, the member is a member of the faculty of an accredited educational institution; <del>and</del></p> <p><u>(p)</u> 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 <del>three</del> <u>six</u> years;</p> <p><u>(q) (new) 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;</u></p> <p><u>(r) (new) the member is not an accused currently charged with a criminal offence under the Criminal Code of Canada; and</u></p> <p><u>(s) (new) 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.</u></p>	<p>Consistency: cooling off period</p> <p>Consistency: cooling off period</p> <p>Best practices: A member who engages or has engaged in litigation against CCO is in a real or perceived conflict of interest</p> <p>Best practices: A member facing a criminal prosecution or convicted of a criminal offence is in a conflict of interest with the duty to serve and protect the public interest. Criminal offences that are unrelated to the practice of the profession and might not warrant discipline proceedings do not reflect on the member's integrity to be eligible for election as a Council member</p>

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
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, and undertaking to the CCO Registrar shall be in writing and shall be given to the registrar at least 35 days before the date of the election (i.e., the nomination date).	The nomination of a candidate for election as a member of Council, <del>and together with</del> <u>the written</u> undertaking to the CCO Registrar <del>shall be in writing and</del> shall be given to the registrar at least 35 days before the date of the election (i.e., the nomination date).	For clarity
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.		



By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
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	The candidate may withdraw his or her nomination for election to Council no later than 25 days before the date of the election.	The <u>A</u> candidate may withdraw his or her nomination for <u>from the</u> election to Council no later than 25 days before the date of the election.	DEI: gender neutral language
6.16	If the number of candidates 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.	If the number of <u>eligible</u> candidates <u>who have been</u> 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.	Clarity: only eligible candidates

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
6.17	<p>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,</p> <p>(a) appoint returning officers and scrutineers;</p> <p>(b) establish a deadline for the receiving of electronic ballots;</p> <p>(c) provide for the notification of all candidates and members of the results of the election;</p> <p>(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</p> <p>(e) provide for the destruction of electronic ballots following an election.</p>		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
6.18	No later than 10 days before the date of an election, the registrar shall send electronically, or 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.	No later than 10 days before the date of an election, the registrar shall send electronically, or <u>by</u> 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.		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
6.20	<p>The instruction for voting shall contain the following:</p> <ul style="list-style-type: none"> <li>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;</li> <li>b) a member shall not cast more than one vote for any one candidate;</li> <li>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;</li> <li>d) the electronic vote shall be received by 4 pm on the date indicated in the notice of election and voting guide; and</li> <li>e) the electronic vote will not be counted in the election unless it has been received in accordance with the instructions for voting.</li> </ul>		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
6.21	On the date of the election, the registrar or his/her agent shall tally the votes for each candidate in each electoral district with a contested election.	On the date of the election, the registrar or <del>his/her</del> <u>an</u> agent designated by the registrar, shall tally the votes for each candidate in each electoral district with a contested election.	DEI: gender neutral language
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 deposition the sum or \$150 with the registrar no more than 15 days after the date of an election.	A candidate may require a recount by giving a written request and <del>deposition</del> <u>depositing</u> the sum or \$150 with the registrar no more than 15 days after the date of an election.	To correct typographical error
6.26	The registrar shall hold the recount no more than 10 days after receiving the request.		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
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	<p>The Council shall disqualify an elected member from sitting on Council if the elected member:</p> <p>(a) is subject of any disciplinary or incapacity proceeding;</p> <p>(b) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee;</p>	<p>The Council shall disqualify an elected member from sitting on Council if the elected member:</p> <p>(a) is subject of any disciplinary or incapacity proceeding;</p> <p>(b) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee;</p>	

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p>(c) is found to be an incapacitated member by a panel of the Fitness to Practice Committee;</p> <p>(d) fails to attend two consecutive meetings of the Council or of a committee or of a subcommittee in which he/she is a member, without reasonable cause in the opinion of Council;</p> <p>(e) fails to attend a hearing or review of a panel for which he/she has been selected, without reasonable cause in the opinion of Council;</p> <p>(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 or director of the OCA, CCA, CCPA, AFC, CCEB, CSCE or the Accreditation Standards and Policies Committee or the CCEC of the FCC;</p> <p>(g) in the case of a Council member from District 7, ceases to be a member of the faculty of CMCC;</p>	<p>(c) is found to be an incapacitated member by a panel of the Fitness to Practice Committee;</p> <p>(d) fails to attend two consecutive meetings of the Council or of a committee or of a subcommittee <del>in on</del> which <del>he/she</del> <u>is a the member sits</u>, without reasonable cause in the opinion of Council;</p> <p>(e) fails to attend a hearing or review of a panel for which <del>he/she</del> <u>the member</u> has been selected, without reasonable cause in the opinion of Council;</p> <p>(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 or director of the OCA, CCA, CCPA, AFC, CCEB, CSCE or the Accreditation Standards and Policies Committee or the CCEC of the FCC;</p> <p>(g) in the case of a Council member from District 7, ceases to be a member of the faculty of CMCC;</p>	<p>DEI: gender neutral language</p> <p>DEI: gender neutral language</p>

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p>(h) becomes an officer, director or administrator of any chiropractic educational institution, including but not limited to CMCC and UQTR;</p> <p>(i) becomes a member of the Council or a committee of the College of any other health profession;</p> <p>(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 an opportunity to respond to the concern;</p> <p>(k) fails to discharge properly or honestly any office to which he/she 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 an opportunity to respond;</p>	<p>(h) becomes an officer, director or administrator of any chiropractic educational institution, including but not limited to CMCC and UQTR;</p> <p>(i) becomes a member of the Council or a committee of the College of any other health profession;</p> <p>(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 <u>a reasonable</u> opportunity to respond to the concern;</p> <p>(k) fails to discharge properly or honestly any office to which <u>he/she the member</u> 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 <u>a reasonable</u> opportunity to respond;</p>	<p>Best practices: procedural fairness requires only a reasonable opportunity to respond</p> <p>DEI: gender neutral language</p> <p>Best practices: procedural fairness requires only a reasonable opportunity to respond</p>



By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p>(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;</p> <p>(m) becomes in default of completing and returning any form required by CCO; or</p> <p>(n) with the exception of District 7 (Academic), becomes a member of the faculty of an accredited educational institution.</p>	<p>(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;</p> <p>(m) becomes in default of completing and returning any form required by CCO; or</p> <p>(n) with the exception of District 7 (Academic), becomes a member of the faculty of an accredited educational institution;</p> <p><u>(o) (new) 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;</u></p> <p><u>(p) (new) is charged with a criminal offence contrary to the Criminal Code of Canada; and</u></p>	<p>Best practices: a member who litigates against CCO is in a real or perceived conflict of interest</p> <p>Best practices: A member charged with a criminal offence is in a conflict of interest with the public interest mandate of CCO</p>
6.30	A council member shall resign from Council prior to applying for any CCO staff position.		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
6.31	The seat of an elected Council member shall be deemed to be vacant upon the death, resignation or disqualification of the Council member.		
6.32	<p>If the seat of an elected council member becomes vacant in an electoral district no more than 12 months before the expiry of the member’s term of office, the Council may,</p> <p>(a) leave a seat vacant;</p> <p>(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</p> <p>(c) direct the registrar to hold an election in accordance with this by-law for that electoral district.</p>	<p>If the seat of an elected council member becomes vacant in an electoral district <del>no more</del> <u>less</u> than 12 months before the expiry of the member’s term of office, the Council may,</p> <p>(a) leave a <u>the</u> seat vacant;</p> <p>(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</p> <p>(c) direct the registrar to hold an election in accordance with this by-law for that electoral district.</p>	Clarity
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.		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
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	<p>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:</p> <p>(a) solicit interest from eligible members where feasible<sup>1</sup>,</p> <p>(b) take into account the criteria set out in By-law 12.5,</p>		

<sup>1</sup> There may not be sufficient time to solicit interest in every case and Council should be reconstituted as soon as possible.

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	(c) require the prospective appointed member to sign an undertaking to not seek or accept a nomination in the next election for the electoral district before the appointment becomes final <sup>2</sup> .		
6.36	If, within 90 days from 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.	If, within 90 days <del>from</del> <u>after</u> 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.	To clarify an ambiguity
6.37	The election in District 1 in 2020 shall be for approximately a one-year term commencing with the first regular meeting of Council immediately following the election.	<del>The election in District 1 in 2020 shall be for approximately a one-year term commencing with the first regular meeting of Council immediately following the election.</del>	Not necessary anymore

<sup>2</sup> This is intended to preserve the neutrality of the process. Where a person intends to run in the next election, they would receive a distinct advantage in being appointed to fill the vacancy until the election is held.

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
6.38	Where insufficient candidates are nominated for a district by the close of nominations, the Council may nominate a member even though the member does not have his/her primary practice and is not engaged in the practice of chiropractic in the district, and for District 7, is not a member of the faculty of the CMCC.	6.37 Where insufficient candidates are nominated for a district by the close of nominations, the Council may nominate a member <del>even though the member who</del> does not <u>practice</u> have his/her primary practice and is not engaged in the practice of chiropractic in the district, and for District 7, is not a member of the faculty of the CMCC.	For clarity

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## BY-LAW 7: ELECTIONS (WITHIN COUNCIL)

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
7.1	<p>An elected member of the Council is eligible:</p> <p>(a) to vote for elections within Council;</p> <p>(b) for election to the position of president, vice-president or treasurer; and</p> <p>(c) for election to the position of chair or member of a statutory or non-statutory committee; if the member is eligible for election to Council as of that date.</p>	<p>An elected member of the Council, <u>who is not disqualified under By-law 6.29</u> is eligible:</p> <p>(a) to vote for elections within Council;</p> <p>(d) for election to the position of president, vice-president or treasurer; and</p> <p>(c) for election to the position of chair or member of a statutory or non-statutory committee; <del>if the member is eligible for election to Council as of that date.</del></p>	For clarity
7.2	<p>An appointed member of the Council is eligible:</p> <p>(a) to vote for elections within Council;</p> <p>(b) for election to the position of president, vice-president or treasurer; and</p> <p>(c) for election to the position of chair or member of a statutory or non-statutory committee.</p>		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
7.3	The Council shall at the first meeting of Council following the general election, or as soon thereafter as practicable, elect a president, vice-president and treasurer to hold office until the first meeting of Council following the general election in the subsequent year, and if an election is not so held, the president, vice-president and treasurer for the preceding year shall continue in office until their successors are elected.	The Council shall at <del>the</del> <u>its</u> first meeting of <del>Council</del> following the general election, or as soon thereafter as practicable, elect a president, vice-president and treasurer to hold office until the first meeting of Council following the general election in the subsequent year, and if an election is not so held, the president, vice-president and treasurer for the preceding year shall continue in office until their successors are elected.	For clarity
7.4	The election of the president, vice-president and treasurer shall be by secret ballot using generally accepted democratic procedures, and where more than two council members are nominated, the nominee who receives the lowest number of votes on each ballot shall be deleted from the nomination unless one nominee receives a majority of the votes cast on the ballot, and this procedure shall be followed until one nominee receives a majority of the votes cast.		
7.5	Each member of Council has one vote with respect to each of the offices of president, vice-president and treasurer.		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
7.6	The president is the chief officer of CCO and the vice-president shall assist the president in the discharge of his/her duties.	The president is the chief officer of CCO and the vice-president shall assist the president in the discharge of <del>his/her</del> <u>the president's</u> duties.	DEI: gender neutral language
7.7	The president, vice-president or treasurer, may be removed from office by a two-thirds vote of the Council at a special meeting called for that purpose, and the Council may elect a new president, vice-president or treasurer from its members to hold office for the remainder of the year.		
7.8	The office of president, vice-president or treasurer becomes vacant if the holder of the office dies, resigns or stops being a council member.		
7.9	If the office of the president becomes vacant, the vice-president shall become the president for the unexpired term of the office and the office of vice-president thereby becomes vacant.		



By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
7.10	The Council shall fill any vacancy in the office of vice-president or treasurer using the procedures in By-law 7.4 at a special meeting which the president shall call for that purpose as soon as practicable after the vacancy occurs.		
7.11	The president of the Council shall be the chair of the Executive Committee.	The president of the Council shall be the chair of the Executive Committee <u>and shall participate in the Nominating Committee.</u>	The President generally has the greatest experience with all Council members. The details of the Nominating Committee are reflected in policy.
7.12	The Council shall at the first meeting of Council following the general election, or as soon thereafter as is practicable, elect the chairs and members of all statutory and non-statutory committees of CCO. If such elections are not so held, the chairs and members of the committees for the preceding year shall continue until their successors are elected.	The Council shall at <del>the</del> its first meeting of <del>Council</del> following the general election, or as soon thereafter as is practicable, elect the chairs and members of all statutory and non-statutory committees of CCO. If such elections are not so held, the chairs and members of the committees for the preceding year shall continue until their successors are elected.	For clarity

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
7.13	The election of chairs and members of statutory and non-statutory committees shall be by secret ballot using generally accepted democratic procedures, and where more individuals are nominated than available positions, the nominee who receives the lowest number of votes on each ballot shall be deleted from nomination and this procedures shall be repeated until each nominee receives a majority of the votes cast.	The election of chairs and members of statutory and non-statutory committees shall be by secret ballot using generally accepted democratic procedures, and where more individuals are nominated than available positions, the nominee who receives the lowest number of votes on each ballot shall be deleted from nomination and <del>this</del> <u>these</u> procedures shall be repeated until each nominee receives a majority of the votes cast.	To correct a typographical error
7.14	Following the election of a particular committee, a member of that committee shall be elected as chair. Each member of Council has one vote with respect to the position of chairs of all statutory and non-statutory committees.		
7.15	The chair of any statutory or non-statutory committee may be filled by an elected or appointed member of Council but not by a non-council member of CCO.		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
7.16	A chair or committee member of a statutory or non-statutory committee may be removed from office by a two-thirds vote of the Council, with or without cause, at a special meeting called for that purpose, and the Council may elect a new chair to hold the position for the remainder of the year.		
7.17	The position of chair of a statutory or non-statutory committee becomes vacant if the holder of the position dies, resigns or stops being a Council member.		
7.18	If the position of chair or committee member of a statutory or non-statutory committee becomes vacant, the Executive Committee shall appoint a chair or committee member for the unexpired term of the position.		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
7.19	<p>The duties and powers of the Council include:</p> <p>(a) administering the <i>RHPA</i>, <i>Chiropractic Act</i> and the regulations and by-laws under those acts;</p> <p>(b) reviewing the activities of statutory and non-statutory committees of the Council and requiring committees to provide reports and information to the Council;</p> <p>(c) requiring statutory and non-statutory committees of the Council to do anything that, in the opinion of the Council, is necessary or advisable to carry out the intent of the <i>RHPA</i>, <i>Chiropractic Act</i>, and the regulations under those acts;</p> <p>(d) finalizing and proposing amendments to regulations and by-laws under the <i>RHPA</i> or the <i>Chiropractic Act</i>.</p>		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
7.20	<p>The duties and powers of the president of the Council include:</p> <ul style="list-style-type: none"> <li>(a) facilitating the activities of CCO;</li> <li>(b) chairing meetings of Council;</li> <li>(c) chairing meetings of the Executive Committee;</li> <li>(d) participating in the preparation of agendas of the meetings of Council and meetings of the Executive Committee;</li> <li>(e) supervising the arrangements for the annual meeting;</li> <li>(f) taking all reasonable steps to ensure that directions of the Council and the Executive Committee are implemented;</li> <li>(g) ensuring CCO is represented at all appropriate meetings;</li> <li>(h) presenting an Executive report at each Council meeting;</li> <li>(i) acting as a liaison between CCO and other professional organizations as appropriate; and</li> </ul>	<p>The duties and powers of the president of the Council include:</p> <ul style="list-style-type: none"> <li>(a) facilitating the activities of CCO;</li> <li>(b) chairing meetings of Council;</li> <li>(c) chairing meetings of the Executive Committee;</li> <li>(d) participating in the preparation of agendas of the meetings of Council and meetings of the Executive Committee;</li> <li>(e) supervising the arrangements for the annual meeting;</li> <li>(f) taking all reasonable steps to ensure that directions of the Council and the Executive Committee are implemented;</li> <li>(g) ensuring CCO is represented at all appropriate meetings;</li> <li>(h) presenting an Executive report at each Council meeting;</li> <li>(i) acting as a liaison between CCO and other professional organizations as appropriate; and</li> </ul>	

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	(j) performing all acts and deeds pertaining to his/her office and such other acts and deeds as may be decided by Council.	(j) performing all acts and deeds pertaining to <del>his/her</del> <u>the office of president</u> and such other acts and deeds as may be decided by Council.	DEI: gender neutral language
7.21	The president, while chairing a Council meeting or Executive Committee meeting, votes only to break a tie.	The president, while chairing a Council meeting or Executive Committee Meeting, votes <del>only to break a tie</del> <u>after all others have voted.</u>	Allowing the president to vote is consistent with a number of other colleges.  Having the President vote last reduces potential undue influence and facilitates all Council members having a voice
7.22	The president of Council shall be eligible for election to a maximum of two consecutive one-year terms in the presidency.		
7.23	The duties and powers of the vice-president include:  (a) assuming the role of president in the absence of the president or when appointed to do so by the president; and  (b) performing all acts and deeds pertaining to his/her office and such other acts and deeds as may be decided by Council.	The duties and powers of the vice-president include:  (a) assuming the role of president in the absence of the president or when appointed to do so by the president; and  (b) performing all acts and deeds pertaining to <del>his/her</del> <u>the office of vice-president</u> and such other acts and deeds as may be decided by Council.	DEI: gender neutral language

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
7.24	The vice-president shall be eligible for election to a maximum of two consecutive one-year terms in the vice-presidency.		
7.25	The duties and powers of the treasurer of the Council include:  (a) overseeing all matters relating to the financial affairs of CCO; and  (b) performing all acts and deeds pertaining to his/her office and such other acts and deeds as may be decided by Council.	The duties and powers of the treasurer of the Council include:  (a) overseeing all matters relating to the financial affairs of CCO; and  (b) performing all acts and deeds pertaining to <u>his/her</u> the office of <u>treasurer</u> and such other acts and deeds as may be decided by Council.	DEI: gender neutral language
7.26	The treasurer shall be eligible for election to a maximum of two consecutive one-year terms in the office.		
7.27	The duties and powers of the secretary of the Council include:  (a) keeping a record of matters that the Council has referred to the committees;  (b) having custody and care of the records and documents of the Council;	The duties and powers of the secretary of the Council include:  (a) keeping a record of matters that the Council has referred to the committees;  (b) having custody and care of the records and documents of the Council;	

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p>(c) giving or causing to be given notice of all council meetings and statutory and non-statutory committees; and</p> <p>(d) performing all acts and deeds pertaining to his/her office and such other acts and deeds as may be decided by Council.</p>	<p>(c) giving or causing to be given notice of all council meetings and statutory and non-statutory committees; and</p> <p>(d) performing all acts and deeds pertaining to <u>his/her</u> office of <u>secretary</u> and such other acts and deeds as may be decided by Council.</p>	<p>DEI: gender neutral language</p>
7.28	<p>The agendas for the meetings of Council shall be prepared by the Executive Committee in collaboration with the registrar and shall include a period during which council members may raise for discussion topics relevant to the affairs of CCO for possible inclusion in future agendas.</p>		
7.29	<p>The registrar shall be the secretary of the Council.</p>		
7.30	<p>The duties and powers of the chairs of each committee shall include:</p> <p>(a) facilitating the activities of the committee and reporting to Council;</p> <p>(b) chairing meetings of the committee;</p>	<p>The duties and powers of the chairs of each committee shall include:</p> <p>(a) facilitating the activities of the committee and reporting to Council;</p> <p>(b) chairing meetings of the committee;</p>	



By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p>(c) participating in the preparation of agendas of the meetings of the committee;</p> <p>(d) taking all reasonable steps to ensure that directions of the committee are implemented;</p> <p>(e) acting as a liaison between the Council or Executive Committee and the committee;</p> <p>(f) reporting to the Executive Committee upon reasonable request by the Executive;</p> <p>(g) reporting in writing to the Council at the meetings of Council on the activities of the committee for the preceding year;</p> <p>(h) preparing a work plan for the subsequent year, which includes all budgetary requirements for the committee, by November 1 of each and every year, or by such other time as directed by Council;</p>	<p>(c) participating in the preparation of agendas of the meetings of the committee;</p> <p>(d) taking all reasonable steps to ensure that directions of the committee are implemented;</p> <p>(e) acting as a liaison between the Council or Executive Committee and the committee;</p> <p>(f) reporting to the Executive Committee upon reasonable request by the Executive;</p> <p>(g) reporting in writing to the Council at the meetings of Council on the activities of the committee for the preceding year;</p> <p>(h) preparing a work plan for the subsequent year, which includes all budgetary requirements for the committee, by November 1 of each and every year, or by such other time as directed by Council;</p>	

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	(i) ensuring the activities of the committee are conducted in a fiscally responsible manner within approved budgetary restraints; and  (j) performing all acts and deeds pertaining to his/her office and such other acts and deeds as may be decided by Council.	(i) ensuring the activities of the committee are conducted in a fiscally responsible manner within approved budgetary restraints; and  (j) performing all acts and deeds pertaining to <del>his/her</del> <u>the office of chair</u> and such other acts and deeds as may be decided by Council.	DEI: gender neutral language
7.31	The chair of every statutory and non-statutory committee shall be eligible for election to a maximum of two consecutive one-year terms.		

## **BY-LAW 8: COUNCIL AND COMMITTEE MEETINGS**

<b>By-law</b>	<b>Current CCO By-law</b>	<b>Recommended Amendments</b>	<b>Public Interest Rationale</b>
8.1	<p>The Council shall hold,</p> <p>(a) an annual meeting which shall be called by the president between April 1 and June 30 of each year;</p> <p>(b) regular meetings which shall be called by the president from time to time; and</p> <p>(c) any special meetings which may be called the by the president, or a majority of council members, who deposit with the registrar a written request for the meeting containing specifics of the matter or matters for decision at the meeting.</p>		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
8.2	The registrar shall cause each council member to be notified in writing of the place, date and time of a council meeting by sending such notification by ordinary prepaid mail, facsimile, e-mail or similarly effective method at least, <ul style="list-style-type: none"> <li>(a) 30 days before an annual meeting;</li> <li>(b) 14 days before a regular meeting; and</li> <li>(c) five days before a special meeting.</li> </ul>		
8.3	The registrar shall cause to be included in or with the notification of all meetings to council members, the agenda for the meeting.		
8.4.1 (New)		<u>The registrar shall cause to be included in or with the notification to council members of the first meeting, and any other meeting if appointment of a chair or member of a committee is on the agenda, a copy of the Competencies for Council and Committee Members and Peer Assessors</u>	Best practices: This should encourage Council members to remind themselves of the competencies before electing the chair and members of each committee

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
8.4.2	The registrar shall cause to be included in or with the notification of a special meeting to council members sufficient information about the matter or matters for decision contained in the requisition of the meeting deposited with him/her to permit the member to form a reasonable judgment.	The registrar shall cause to be included in or with the notification of a special meeting to council members sufficient information about the matter or matters for decision contained in the requisition of the meeting deposited with <del>him/her</del> <u>the registrar</u> to permit the member to form a reasonable judgment.	DEI: gender neutral language
8.5	The registrar shall cause the public to be notified of council meetings in accordance with any provisions under the <i>RHPA</i> and, if there are not applicable regulations or not otherwise specified, in a generally accepted manner.	The registrar shall cause the public to be notified of council meetings in accordance with <del>any provisions</del> <u>requirements prescribed</u> under the <i>RHPA</i> , <u>if any</u> , and, if <del>there are not applicable regulations or not otherwise specified</del> , <u>none</u> , in a generally <del>accepted</del> <u>similar</u> manner.	For clarity
8.6	No annual, regular or special meeting shall be made void because of an inadvertent or accidental error or omission in giving notice. In addition, any council member may waive the notice requirements and ratify, approve and confirm any proceedings taken at the meeting.		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
8.7	Meeting of the Council shall take place in Ontario at a place, date and time designated by the president or the majority of council members calling the meeting but, if a place, date or time is not designated or is incompatible with the by-laws, the registrar shall select a place, date and time compatible with the by-laws which is as close as he/she can reasonably select to the place, date and time designated by the person or people calling the meeting.	<u>Subject to By-law 8.18, every meeting of the Council shall take place in Ontario at a place, date and time designated by the president or the majority of council members calling the meeting but, if a place, date or time is not designated or is incompatible with the by-laws, the registrar shall select a place, date and time compatible with the by-laws which is as close as he/she can reasonably select</u> <del>close</del> <u>to the place, date and time designated requested</u> by the person or people calling the meeting.	For clarity and consistency with By-law 8.18
8.8	Unless otherwise required by law or by-law, every question which properly comes before the Council may be decided by a simple majority of the votes cast at the meeting by council members, and, if there is an equal number of votes on a question, the chair may cast a deciding vote.	Unless otherwise required by law or by-law, every question which properly comes before the Council may be decided by a simple majority of the votes cast at the meeting by council members, <del>and, if there is an equal number of votes on a question, the chair may cast a deciding vote.</del> <u>including the President who votes last on every question.</u>	Allowing the president to vote is consistent with a number of other colleges.  Having the President vote last reduces potential undue influence and facilitates all Council members having a voice
8.9	Voting at a council meeting shall be by a show of hands, or if appropriate, by secret ballot.		
8.10	Voting by proxy at council meetings shall not be permitted in any circumstances.		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
8.11	<p>The Council shall consider or transact at the annual meeting:</p> <ul style="list-style-type: none"> <li>(a) the annual report for the preceding year;</li> <li>(b) the reports of the committees established under the <i>RHPA</i>;</li> <li>(c) the financial statement of CCO;</li> <li>(d) the report of the auditor; and</li> <li>(e) the appointment of the auditors for the ensuing year.</li> </ul>		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
8.12	<p>The Council may consider or transact at a regular meeting:</p> <p>(a) matters brought by the Executive Committee;</p> <p>(b) reports by statutory committees;</p> <p>(c) reports by non-statutory committees which have received prior review by the Executive Committee;</p> <p>(d) any motion notice of which has been delivered in writing to the Registrar at least 30 days before the Council meeting and which the majority of Council members present and voting at the meeting view as warranting Council discussion; and</p> <p>(e) any other business that the majority of Council members present and voting at the meeting view as urgent and requiring Council’s immediate attention.</p>		
8.13	<p>The Council may only consider or transact at a special meeting, the matter or matters for decision at the meeting contained in the requisition deposited with the registrar.</p>		



By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
8.14	The president shall cause a record of the proceedings of the council meeting including all motions and recommendations to be recorded, and the written record of the Council meeting, when signed by any two of the president, vice-president, treasurer or registrar, is prima facie proof of the accuracy of the contents of every such record.		
8.15	The written record of the proceedings of a council meeting when accepted at a subsequent council meeting, subject to any corrections made at such subsequent meeting, is conclusive proof of the accuracy of the contents of every such record.		
8.16	Whether or not a quorum is present, the president may adjourn any council meeting and reconvene it at any time and from time to time and, if a quorum is present at any reconvened meeting, any matter may be considered and transacted which could have been transacted at the original meeting which was adjourned.		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
8.17	The rules of order for council meetings adopted from time to time by Council shall guide the conduct of its meetings.		
8.18	Any meeting of the Council or of a committee or of a panel that is held for any purpose other than for the conducting of a hearing, except as permitted under the <i>Statutory Powers Procedure Act</i> , may be held in any manner that allows all persons participating to communicate with each other simultaneously and instantaneously.		
8.19	Persons participating in the meeting, as outlined in By-law 8.18, are deemed to be present at the meeting.		
8.20	Notice of a meeting held under By-law 8.18 shall not specify a place for the meeting but rather the means by which the meeting will be conducted.		

<b>By-law</b>	<b>Current CCO By-law</b>	<b>Recommended Amendments</b>	<b>Public Interest Rationale</b>
8.21	<p>The chair of any committee conducting meetings by conference call shall:</p> <p>(a) consult with CCO to staff in the calling of a meeting and the preparation of an agenda for the meeting;</p> <p>(b) ensure minutes are kept; and</p> <p>(c) record the time spent on the meetings.</p>		

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## BY-LAW 9: REMUNERATION

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
9.1	<p>The per diems and reasonable expenses paid by CCO to committee members are intended to partially off-set the cost of a contribution to the profession of chiropractic rather than to pay for services rendered or to compensate for lost income or the opportunity to earn income. "Committee members" means elected council members and non-council members of statutory and non-statutory committees.</p>		
9.2	<p>Subject to other direction by Council, the president of the Council will receive an annual honorarium of thirty-five thousand dollars (\$35,000) payable no later than one year after the date the president takes office. In the event the president's tenure is less than one year, the president will receive a pro-rated amount</p>		
9.3	<p>Committee members are entitled to the remuneration outlined in the chart below:</p>		

By-law	Current CCO By-law		Recommended Amendments	Public Interest Rationale
	<b>Description</b>	<b>Allowable Claim</b> effective September 24, 2009		
	1 Committee members; full-day meeting or hearing; meeting in excess of three hours	Attendance per diem: \$400 Preparation per diem: Chairs: \$350 Others: \$200		
	2 Committee members; meeting or hearing lasting less than three hours	One-half attendance per diem: \$200 One-half preparation per diem: Chairs: \$175 Others: \$100		
	3 Conference call meetings: applicable full or one-half day attendance and preparation per diem and reasonable expenses			

By-law	Current CCO By-law		Recommended Amendments	Public Interest Rationale
	(e.g., long distance charges, as outlined in CCO Internal Policy I-012)			
	4Travel time of more than three hours (round trip) for all committee members	Travel per diem: \$300		
	5Travel time of more than one hour and less than three hours (round trip) for all committee members	One-half travel per diem: \$150		
9.4	By-law 9.3, as it relates to payment of per diems and reasonable expenses, applies to Discipline Committee and Fitness to Practise Committee members who perform duties, such as conducting pre-hearing conferences or hearing pre-hearing motions.			

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
9.5	A member who is the principal author of a Discipline, Inquiries, Complaints and Reports or Fitness to Practise Committee decision may charge one attendance per diem for at least three accumulated hours of work to a maximum of three per diems, but no preparation per diem, travel per diem or meal expenses.	A member who is the principal author of a <u>decision of the Discipline Committee, Inquiries, Complaints and Reports Committee or the Fitness to Practise Committee</u> <del>decision</del> may charge one attendance per diem for at least three accumulated hours of work to a maximum of three per diems, but no preparation per diem, travel per diem or meal expenses.	For clarity
9.6	<p>The following conditions apply to the remuneration entitlement of committee members:</p> <p><b>Per Diems and Reasonable Expenses</b></p> <p>Committee members may claim for a full day attendance per diem when a meeting or hearing is in excess of three hours.</p> <p>Committee members may claim for a half day attendance per diem when a meeting or hearing is in excess of one hour but is not in excess of three hours.</p> <p>In extenuating circumstances, and subject to the approval of the Executive Committee, two attendance per diems may be claimed for one calendar day.</p>	<p>The following conditions apply to the remuneration entitlement of committee members:</p> <p><b>Per Diems and Reasonable Expenses</b></p> <p>Committee members may claim for a full day attendance per diem when a meeting or hearing is in excess of three hours.</p> <p>Committee members may claim for a half day attendance per diem when a meeting or hearing is in excess of one hour but is not in excess of three hours.</p> <p>In extenuating circumstances, and subject to the approval of the Executive Committee, two attendance per diems may be claimed for one calendar day.</p>	

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p>Extenuating circumstances include committee members being called to an emergency meeting with less than 48 hours notice which requires them to forfeit office time.</p> <p><b>Attendance for Full Duration of Scheduled Meeting</b></p> <p>In order to be eligible for the appropriate attendance per diem, a council or committee shall attend the full duration of the scheduled meeting. If extenuating circumstances apply which necessitate leaving a meeting earlier than the scheduled end time, the council or committee member shall communicate this in writing to the Chair of the meeting.</p> <p>Reasonable expenses, as outlined in CCO Internal Policy I-012, and attendance per diems may be claimed to attend conferences, educational sessions, speaking engagements or other functions directly related to CCO business provided prior approval is obtained from the Executive Committee.</p>	<p>Extenuating circumstances include committee members being called to an emergency meeting with less than 48 hours notice which requires them to forfeit office time.</p> <p><b>Attendance for Full Duration of Scheduled Meeting</b></p> <p>In order to be eligible for the appropriate attendance per diem, a council or committee <u>member</u> shall attend the full duration of the scheduled meeting. If extenuating circumstances apply which necessitate leaving a meeting earlier than the scheduled end time, the council or committee member shall communicate this in writing to the Chair of the meeting.</p> <p>Reasonable expenses, as outlined in CCO Internal Policy I-012, and attendance per diems may be claimed to attend conferences, educational sessions, speaking engagements or other functions directly related to CCO business provided prior approval is obtained from the Executive Committee.</p>	<p>To correct error</p>



By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p><b>Cancellation of Meetings/Hearings</b></p> <p>A one-half attendance per diem may be claimed in the event of the cancellation or adjournment of an official meeting without one week’s advance notice being given, subject to the discretion of the Executive Committee:</p> <p>(a) A full attendance per diem but no travel per diem or meal expenses may be claimed in the event of the cancellation or adjournment of a Discipline or Fitness to Practise hearing, without four weeks advance notice being given, provided that the committee member was required, as a result of the scheduled hearing, to make alternate office arrangements in order to be available for the hearing. Unless the committee member ordinarily has office time on Saturdays or Sundays, no per diem will be permitted for the cancellation or adjournment of hearings scheduled on Saturdays or Sundays.</p>	<p><b>Cancellation of Meetings/Hearings</b></p> <p>A one-half attendance per diem may be claimed in the event of the cancellation or adjournment of an official meeting without one week’s advance notice being given, subject to the discretion of the Executive Committee:</p> <p>(a) A full attendance per diem but no travel per diem or meal expenses may be claimed in the event of the cancellation or adjournment of a Discipline or Fitness to Practise hearing, without four weeks advance notice being given, provided that the committee member was required, as a result of the scheduled hearing, to make alternate office arrangements in order to be available for the hearing. Unless the committee member ordinarily has office time on Saturdays or Sundays, no per diem will be permitted for the cancellation or adjournment of hearings scheduled on Saturdays or Sundays.</p>	

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p>(b) A full attendance per diem including a travel per diem and meal expenses may be claimed in the event a Discipline or Fitness to Practise Committee member attends what he/she anticipates to be a full day hearing even if the hearing is disposed of prior to the expiration of three hours, provided the committee member was required as a result of the scheduled hearing to make alternate office arrangements in order to be available for a full day hearing.</p> <p><b>Conference Calls</b></p> <p>Committees are encouraged to conduct meetings wherever possible and practicable by conference call; committee members will receive the appropriate attendance and preparation per diems and reasonable expenses for such meetings and payment of long-distance charges but will not receive a travel per diem.</p> <p><b>Preparation Time</b></p> <p>Preparation time may only be claimed if preparation is in fact required for the meeting/event/hearing being attended.</p>	<p>(b) A full attendance per diem including a travel per diem and meal expenses may be claimed in the event a Discipline or Fitness to Practise Committee member attends what <del>he/she anticipates is</del> <u>anticipated</u> to be a full day hearing even if the hearing is disposed of prior to the expiration of three hours, provided the committee member was required as a result of the scheduled hearing to make alternate office arrangements in order to be available for a full day hearing.</p> <p><b>Conference Calls</b></p> <p>Committees are encouraged to conduct meetings wherever possible and practicable by conference call; committee members will receive the appropriate attendance and preparation per diems and reasonable expenses for such meetings and payment of long-distance charges but will not receive a travel per diem.</p> <p><b>Preparation Time</b></p> <p>Preparation time may only be claimed if preparation is in fact required for the meeting/event/hearing being attended.</p>	<p>DEI: gender neutral language</p>

<b>By-law</b>	<b>Current CCO By-law</b>	<b>Recommended Amendments</b>	<b>Public Interest Rationale</b>
9.7	At the discretion of Council, this by-law 9 applies to Non-Chiropractic Committee Members with necessary modifications.		

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## BY-LAW 10: INDEMNIFICATION

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
10.1	<p>Every member of the Council, Committee member, officer, employee, agent and appointee of CCO, including assessors, investigators and inspectors, and each of his or her heirs, executors and administrators and estate, respectively, shall from time to time and at all times be indemnified and saved harmless out of the funds of CCO from and against:</p> <p>(a) all costs, charges, expenses, awards and damages whatsoever that he or she sustains or incurs in any action, suit or proceeding that is brought, commenced or prosecuted against him or her, for or in respect of any act, deed, omission, matter or thing whatsoever, made done or permitted by him or her, in the execution of the duties of his or her office; and</p> <p>(b) all other other reasonable costs, charges, expenses, awards and damages that he or she sustains or incurs in or in relation to the affairs of CCO, except such costs, charges, expenses, awards or damages as are occasioned by their own willful neglect or default.</p>	<p><del>Every member of the Council</del> <u>members</u>, <del>Committee members,</del> <u>officers,</u> <del>employees,</del> <u>agents</u> and <del>appointees</del> <u>of CCO,</u> including assessors, investigators and inspectors, and each of <del>his or her</del> <u>their</u> heirs, executors and administrators and estates, respectively, shall from time to time and at all times be indemnified and saved harmless out of the funds of CCO from and against:</p> <p>(a) all costs, charges, expenses, awards and damages whatsoever that <del>he or she</del> <u>they</u> sustains or incurs in any action, suit or proceeding that is brought, commenced or prosecuted against <del>him or her</del> <u>them</u>, for or in respect of any act, deed, omission, matter or thing whatsoever, made done or permitted by <del>him or her</del> <u>them</u>, in the execution of the duties of <del>his or her</del> <u>their</u> office; and</p> <p>(b) all other <del>other</del> reasonable costs, charges, expenses, awards and damages that <del>he or she</del> <u>they</u> sustains or incurs in or in relation to the affairs of CCO, except such costs, charges, expenses, awards or damages as are occasioned by their own willful neglect or default.</p>	DEI: gender neutral language

<b>By-law</b>	<b>Current CCO By-law</b>	<b>Recommended Amendments</b>	<b>Public Interest Rationale</b>
10.2	CCO will purchase and maintain insurance to protect itself and its members of Council, Committee members, officers, employees, agents or appointees and to provide coverage for the indemnity referred to in By-law 10.1		

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## BY-LAW 11: COMMITTEE COMPOSITION

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
11.1	<p>The Executive Committee, inclusive of the president, vice-president and treasurer, shall be composed of the following:</p> <p>(a) Four members of Council who are members of CCO;</p> <p>(b) Three members of Council who are appointed by the Lieutenant Governor in Council;</p>		
11.2	<p>The president of the Council shall be the chair of the Executive Committee.</p>		
11.3	<p>The Registration Committee shall be composed of:</p> <p>(a) two members of Council who are members of CCO; and</p> <p>(b) two members of Councils appointed to the Council by the Lieutenant Governor in Council.</p>		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
11.4	<p>The Inquiries, Complaints and Reports Committee shall be composed of:</p> <p>(a) two members of Council who are members of CCO;</p> <p>(b) two members of Council appointed to Council by the Lieutenant Governor in Council; and</p> <p>(c) one member of CCO who is not a member of Council.</p>		
11.5	<p>The Discipline Committee shall be composed of:</p> <p>(a) every member of Council; and</p> <p>(b) up to three members of CCO who are not members of Council.</p>		
11.6	<p>The Fitness to Practise Committee shall be composed of every member of Council.</p>		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
11.7	<p>The Quality Assurance Committee shall be composed of:</p> <p>(a) two members of Council who are members of CCO;</p> <p>(b) two members of Council appointed to Council by the Lieutenant Governor in Council; and</p> <p>(c) one member of CCO who is not a member of Council.</p>		
11.8	<p>The Patient Relations Committee shall be composed of:</p> <p>(a) one member of Council who is a member of CCO;</p> <p>(b) two members of Council appointed to Council by the Lieutenant Governor in Council; and</p> <p>(c) two members of CCO who are not members of Council.</p>		



By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
11.9	Council may, by resolution, establish non-statutory committees. For each non-statutory committee, Council shall specify in the resolution the duties and responsibilities of the committee, its composition and its termination date or event.	Council may, by resolution, establish non-statutory committees, <u>to include but not be limited to a Nominating Committee.</u> For each non-statutory committee, Council shall specify in the resolution the duties and responsibilities of the committee, its composition and its termination date or event.	Inclusion of reference to Nominating Committee in by-laws
11.10	A committee is still properly constituted if it has vacancies so long as a quorum remains. Unless otherwise specified by the Code, three members of a committee constitute quorum.		
11.11	By-laws 8.18 to 8.21 (electronic meetings) applies to committee meetings.		
11.12	In By-law 11, despite the use of a definite number of committee members in any category, Council may appoint additional committee members in any category, except for the Executive Committee or the Discipline Committee.	<del>In By-law 11,</del> <u>Despite the use in this By-law 11</u> of a definite number of committee members in any category, Council may appoint additional committee members in any category, except for the Executive Committee or the Discipline Committee.	For clarity

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
11.13	In By-law 11, despite the use of a definite number of committee members in any category, Council may appoint alterative committee members in any category. An alternative committee member may attend meetings and participate in discussions but shall not vote unless a full committee member in the same category as the alternative is unable to participate in the matter, including if he/she has a conflict of interest.	<del>In By-law 11,</del> Despite the use in this By-law <u>11</u> of a definite number of committee members in any category, Council may appoint alterative committee members in any category. An alternative committee member may attend meetings and participate in discussions but shall not vote unless a full committee member in the same category as the alternative is unable to participate in the matter, including if <del>he/she</del> <u>the full committee member</u> has a conflict of interest.	For clarity  DEI: gender neutral language
11.14	Despite any other provision of this By-Law 11, the Council may also appoint one or more Non-Chiropractic Committee Members to any committee other than the Executive Committee.		

## BY-LAW 12: APPOINTMENT OF NON-COUNCIL MEMBERS

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
12.1	This by-law applies with respect to the appointment of members who are not members of the Council to a committee of CCO.		
12.2	The Council shall appoint members to committees in the numbers prescribed by By-law 11.		
12.3	The Council shall make the appointments at the first regular council meeting after each regular council election or as soon thereafter as is practicable.		
12.4	The Council may make appointments from time to time to fill any vacancy created by the disqualification, death or resignation of a member appointed under this by-law.		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
12.5	In making the appointments, the Council shall take into account location and type of practice, experience, professional qualifications and skills, and other qualifications and characteristics of members to complement the attributes of members of the committees who are members of Council.		
12.6	The term of office of a committee member who is not a member of the Council is approximately one year starting on the date the appointment is made, except where an appointment is made to fill a vacancy in which the person appointed shall complete the term of the previous appointee.		
12.7	A non-council member may only serve on CCO committees for nine consecutive years, whether the time is served as a council member or as a non council member.	A non-council member may <del>only</del> serve on CCO committees for <u>only</u> nine consecutive years, whether the time is served as a council member or as a non council member.	For clarity

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
12.8	A non-council member who has served on CCO committee (s) for nine consecutive years is not eligible to be re-appointed to any CCO committee until at least three years have passed since the member last served on a CCO Committee.		
12.9	<p>A member is eligible for appointment to a committee if, on the date of the appointment:</p> <p>(a) The member has his/her primary practice of chiropractic located in Ontario, or if the member is not engaged in the practice of chiropractic, has his/her primary residence located in Ontario;</p> <p>(b) the member is not 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;</p> <p>(c) the member is not in default in completing and returning any form required by CCO;</p>	<p>A member is eligible for appointment to a committee if, on the date of the appointment <u>the member meets the requirements prescribed in By-law 6.9 for election to Council.</u></p> <p><del>(a) The member has his/her primary practice of chiropractic located in Ontario, or if the member is not engaged in the practice of chiropractic, has his/her primary residence located in Ontario;</del></p> <p><del>(b) the member is not 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;</del></p> <p><del>(c) the member is not in default in completing and returning any form required by CCO;</del></p>	Best practices: the risk of inconsistency can be reduced by cross-referencing rather than repeating the requirements

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p>(d) the member is not subject of any disciplinary or incapacity proceeding;</p> <p>(e) a finding of professional misconduct, incompetence or incapacity has not been made against the member in the preceding six years;</p> <p>(e.1 )the member has not resigned from a position on Council, before completing their term, within the last three years and four months.</p> <p>(f) the member is not 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 or director of the OCA, CCA, CCPA, AFC, CCEB, CSCE or the Accreditation Standards and Policies Committee or the CCEC of the FCC.</p> <p>(g) the member is not an officer, director or administrator of any chiropractic educational institution, including but not limited to CMCC or UQTR;</p>	<p><del>(d) the member is not subject of any disciplinary or incapacity proceeding;</del></p> <p><del>(e) a finding of professional misconduct, incompetence or incapacity has not been made against the member in the preceding six years;</del></p> <p><del>(e.1 )the member has not resigned from a position on Council, before completing their term, within the last three years and four months.</del></p> <p><del>(f) the member is not 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 or director of the OCA, CCA, CCPA, AFC, CCEB, CSCE or the Accreditation Standards and Policies Committee or the CCEC of the FCC.</del></p> <p><del>(g) the member is not an officer, director or administrator of any chiropractic educational institution, including but not limited to CMCC or UQTR;</del></p>	

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p>(h) the member has not been disqualified from the Council or a committee of the Council in the previous six years;</p> <p>(i) the member is not a member of Council or of a committee of the College of any other health profession; and</p> <p>(j) the member has not been a member of CCO’s staff at any time within the preceding three years.</p>	<p><del>(h) the member has not been disqualified from the Council or a committee of the Council in the previous six years;</del></p> <p><del>(i) the member is not a member of Council or of a committee of the College of any other health profession; and</del></p> <p><del>(j) the member has not been a member of CCO’s staff at any time within the preceding three years.</del></p>	
12.10	<p>The Council shall disqualify a member appointed to a committee from sitting on the committee if the member:</p> <p>(a) is the subject of any disciplinary or incapacity proceeding;</p> <p>(b) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee;</p> <p>(c) is found to be an incapacitated member by a panel of the Fitness to Practice Committee;</p>	<p>The Council shall disqualify a member appointed to a committee from sitting on the committee <u>if the member: for any reason prescribed in By-law 6.29.</u></p> <p><del>(a) is the subject of any disciplinary or incapacity proceeding;</del></p> <p><del>(b) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee;</del></p> <p><del>(c) is found to be an incapacitated member by a panel of the Fitness to Practice Committee;</del></p>	<p>Best practices: the risk of inconsistency can be reduced by cross-referencing rather than repeating the requirements</p>

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p>(d) fails to attend two consecutive meetings of the committee or of a subcommittee in which he/she is a member, without reasonable cause in the opinion of Council;</p> <p>(e) fails to attend a hearing or review of a panel for which he/she has been selected; without reasonable cause in the opinion of the Council;</p> <p>(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 or director of the OCA, CCA, CCPA, AFC, CCEB, CSCE or the Accreditation Standards and Policies Committee or the CCEC of the FCC;</p> <p>(g) becomes an officer, director or administrator of any chiropractic educational institution, including but not limited to CMCC or UQTR;</p> <p>(h) becomes a member of the Council of CCO or a committee of any other health profession;</p>	<p><del>(d) fails to attend two consecutive meetings of the committee or of a subcommittee in which he/she is a member, without reasonable cause in the opinion of Council;</del></p> <p><del>(e) fails to attend a hearing or review of a panel for which he/she has been selected; without reasonable cause in the opinion of the Council;</del></p> <p><del>(g) 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 or director of the OCA, CCA, CCPA, AFC, CCEB, CSCE or the Accreditation Standards and Policies Committee or the CCEC of the FCC;</del></p> <p><del>(g) becomes an officer, director or administrator of any chiropractic educational institution, including but not limited to CMCC or UQTR;</del></p> <p><del>(h) becomes a member of the Council of CCO or a committee of any other health profession;</del></p>	



By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p>(i) 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 an opportunity to respond to the concern;</p> <p>(j) fails to discharge properly or honestly any office to which he/she has been appointed or engages in conduct unbecoming of a committee member, in the opinion of the Council after giving notice to the member of the concern and giving the member an opportunity to respond to the concern;</p> <p>(k) becomes in default of payment of any fees prescribed by by-law or any fine or order for costs imposed by the Discipline Committee; or</p> <p>(l) becomes in default of completing and returning any form required by CCO.</p>	<p><del>(i) 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 an opportunity to respond to the concern;</del></p> <p><del>(j) fails to discharge properly or honestly any office to which he/she has been appointed or engages in conduct unbecoming of a committee member, in the opinion of the Council after giving notice to the member of the concern and giving the member an opportunity to respond to the concern;</del></p> <p><del>(k) becomes in default of payment of any fees prescribed by by-law or any fine or order for costs imposed by the Discipline Committee; or</del></p> <p><del>(l) becomes in default of completing and returning any form required by CCO.</del></p>	
12.11	A non-council committee member shall resign from a committee prior to applying for any CCO staff position.		

<b>By-law</b>	<b>Current CCO By-law</b>	<b>Recommended Amendments</b>	<b>Public Interest Rationale</b>
12.12	A member who is disqualified under this by-law from sitting on a committee ceases to be a member of the committee.		

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## BY-LAW 13: FEES

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
13.1	<p>The fee for applying for each class of certificate of registration is as follows:</p> <ul style="list-style-type: none"> <li>(a) General certificate: \$52</li> <li>(b) Temporary certificate: \$52</li> <li>(c) Retired certificate: NIL</li> <li>(d) Inactive certificate: \$52, unless the applicant already has a general certificate, in which case the application is NIL</li> </ul> <p>The application fee is non-refundable.</p>	<p>The fee <del>for applying payable to apply</del> for each class of certificate of registration is as follows:</p> <ul style="list-style-type: none"> <li>(a) General certificate: \$52</li> <li>(b) Temporary certificate: \$52</li> <li>(c) Retired certificate: NIL</li> <li>(d) Inactive certificate: \$52, unless the applicant already has a general certificate, in which case the application is NIL</li> <li><u>(e) Emergency certificate: \$52</u></li> </ul> <p>The application fee is non-refundable.</p>	<p>For clarity</p> <p>Addition of certificate fee for Emergency certificate</p>

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
13.2	<p>In addition to the application fee and the annual fee, an applicant for registration must pay the following initial certificate fee.</p> <p>(a) For a general certificate of registration: \$340</p> <p>(b) For a temporary certificate to actively practise chiropractic in Ontario of registration: \$155</p> <p>(c) For a temporary certificate of registration to participate in a specific event in Ontario: NIL</p> <p>(d) For an inactive certificate of registration: \$340</p> <p>(e) For a retired certificate of registration: NIL</p>	<p>In addition to the application fee and the annual fee, an applicant for registration must pay the following initial certificate fee:</p> <p>(a) For a general certificate of registration: \$340</p> <p>(b) For a temporary certificate <u>of registration</u> to actively practise chiropractic in Ontario <del>of registration</del>: \$155</p> <p>(c) For a temporary certificate of registration to participate in a specific event in Ontario: NIL</p> <p>(d) For an inactive certificate of registration: \$340</p> <p>(e) For a retired certificate of registration: NIL</p> <p><u>(f) For an emergency certificate of registration: \$340</u></p>	<p>To correct typographical errors</p> <p>Addition of application fee for Emergency certificate</p>

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
13.3 (new)		A member registered in the emergency class of registration who is issued a general certificate of registration is exempt from paying the certificate fee and application fee for a general certificate of registration.	Exemption from general certificate and application fees if emergency certificate and application fees have already been paid
13.3 <u>13.4</u>	An applicant for a general certificate of registration who has completed the requirements for graduation from a chiropractic education program that is accredited or the subject of reciprocal recognition by the CCEC within the six months prior to his/her application is exempted from paying the prescribed annual fee for the year in which the certificate is issued.	An applicant for a general certificate of registration who, <u>within six months prior to making the application</u> , has completed the requirements for graduation from a chiropractic education program that is accredited or <u>received the subject of reciprocal recognition by the CCEC</u> <del>within the six months prior to his/her application</del> is exempted from paying the prescribed annual fee for the year in which the certificate is issued.	For clarity  DEI: gender neutral language
13.4 <u>13.5</u>	A member who holds a general certificate of registration is exempted from paying the prescribed certificate and annual fees for an inactive certificate of registration for the year in which the inactive certificate is issued.		
13.5 <u>13.6</u>	Every member except a member who holds a temporary certificate shall pay an annual fee.	Every member except a member who holds a temporary certificate <u>of registration</u> shall pay an annual fee.	Consistent language

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
<p>13.6  <u>13.7</u></p>	<p>The annual fee is \$1100 for a member who holds a general certificate of registration, \$550 for a member who holds a general certificate of registration who is renewing his/her license for the first time, \$495 for a member who holds an inactive certificate of registration and \$105 for a member who holds a retired certificate of registration.</p>	<p>The annual fee is \$1100 for a member who holds a general certificate of registration, \$550 for <del>the first renewal of a</del> member who holds a general certificate of registration <del>who is renewing his/her</del> license for the first time, \$495 for a member who holds an inactive certificate of registration and \$105 for a member who holds a retired certificate of registration.</p>	<p>For clarity                       DEI: gender neutral language</p>
<p>13.7  <u>13.8</u></p>	<p>Council may, without, amending these by-laws, adjust the amount of any fees or penalties in By-law 13 to reflect annual changes to the Cost of Living Adjustment (Ontario).</p>		
<p>13.8  <u>13.9</u></p>	<p>The annual fee for a member who holds a general certificate of registration may be paid in two instalments on January 1<sup>st</sup> and June 1<sup>st</sup> of each year in amounts to be set by the registrar.</p>		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
<p>13.9  <u>13.10</u></p>	<p>No later than 60 days before the annual fee or the first instalment of the annual fee is due, the registrar shall notify the member of:</p> <p>(a) the amount of the annual fee or, if the member is paying by instalment, the amounts of the first and second instalments;</p> <p>(b) the date on which the annual fee or each of the instalments is due; and</p> <p>(c) the penalty for late payment.</p>		
<p>13.10  <u>13.11</u></p>	<p>If a member fails to pay the annual fee or an instalment on or before the day on which it is due, the member shall pay a penalty in addition to the annual fee.</p>		
<p>13.11  <u>13.12</u></p>	<p>The penalty referred to in By-law 13.10 is \$105 for a member who holds a general certificate of registration, \$20 for a member who holds an inactive certificate of registration, and \$20 for a member who holds a retired certificate of registration.</p>		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
<p>13.12  <u>13.13</u></p>	<p>Where a person requests the registrar to do anything the registrar is required or authorized to do by statute or by regulation, the person shall pay the prescribed fee or the fee set by the registrar for doing so.</p>		
<p><u>13.14</u>                      (new)</p>		<p><u>Where a member is required to complete a Specified Continuing Education or Remediation Program (SCERP), the member shall pay the prescribed fee or the fee set by the registrar.</u></p>	<p>There may be fees associated with SCERPs                       The cost burden should be born by the member</p>
<p>13.13  <u>13.15</u></p>	<p>If the registrar suspends a member’s certificate of registration for failure to pay a prescribed fee, the registrar may lift the suspension on payment of:</p> <p>(a) the fee the member failed to pay;</p> <p>(b) the annual fee for the year in which the suspension is to be lifted if it is not the same fee as clause (a); and</p> <p>(c) any applicable penalty.</p>		



By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
<p>13.14  <u>13.16</u></p>	<p>A member whose certificate of registration was revoked for failure to pay a fee and who applies to be reinstated is required to pay:</p> <p>(a) an application fee of \$52;</p> <p>(b) the annual fees and any applicable penalties the member failed to pay up to the date of revocation; and</p> <p>(c) the annual fee for the year in which the member wishes to be reinstated.</p>		
<p>13.15  <u>13.17</u></p>	<p>The registrar may grant a partial exemption from the fees payable by a member pursuant to this by-law if the committee is satisfied that extraordinary circumstances exist which justify the exemption.</p>		
<p>13.16  <u>13.18</u></p>	<p>The amount payable by a member who applies for reinstatement of a retired certificate of registration is \$52.</p>		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
<p>13.17  <u>13.19</u></p>	<p>The fee for follow-up letters, emails or other notifications to a member who has not complied with a request from CCO, such as a request:</p> <p>(a) to make available the members' professional portfolio to the Quality Assurance Committee,</p> <p>(b) to participate in the peer and practice assessment component of the Quality Assurance Program,</p> <p>(c) to explain an advertisement that does not appear to comply with CCO regulations or guidelines despite previous advice or caution to the member,</p> <p>is \$52 per letter.</p>	<p><del>The</del> A fee of \$52 is payable for <u>each</u> follow-up letters, emails or other notifications to a member who has not complied with a request from CCO, such as a request:</p> <p>(a) to make available the members' professional portfolio to the Quality Assurance Committee,</p> <p>(b) to participate in the peer and practice assessment component of the Quality Assurance Program,</p> <p>(c) to explain an advertisement that does not appear to comply with CCO regulations or guidelines despite previous advice or caution to the member.                      is \$52 per letter.</p>	<p>For clarity</p>
<p>13.18  <u>13.20</u></p>	<p>Where CCO presents a continuing education or professional development program or course, CCO shall determine whether any fee shall be charged for that course and if so, what the fee shall be.</p>	<p><del>Where</del> <u>If</u> CCO presents a continuing education or professional development program or course, CCO shall determine whether any fee shall be charged for that course and if so, what the fee shall be.</p>	<p>For clarity</p>

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
13.19 <u>13.21</u>	The fee for the application for a certificate of authorization, including on any reinstatement of a certificate of authorization, for a professional corporation is \$52.	<del>The</del> <u>A fee of \$52 is payable for the each</u> application for a certificate of authorization <u>of a professional corporation, including on any and for each application for reinstatement of a</u> certificate of authorization., <del>for a professional corporation is \$52.</del>	For clarity
13.20 <u>13.22</u>	The fee for the issuance of a certificate of authorization is \$625.	<del>The</del> <u>A fee of \$625 is payable for the each</u> issuance of a certificate of authorization <u>of a professional corporation. is \$625.</u>	For clarity
13.21 <u>13.23</u>	The fee for the annual renewal of a certificate of authorization is \$210.	<del>The</del> <u>A fee of \$210 is payable for the each</u> annual renewal of a certificate of authorization <u>of a professional corporation. is \$210.</u>	For clarity
13.22 <u>13.24</u>	A professional corporation or a member listed in CCO's records as a shareholder of a professional corporation shall pay an administrative fee of \$52 for each notice sent by the registrar to the corporation or member for failure of the corporation to renew its certificate of authorization on time. The fee is due within 30 days of the notice being sent.		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
<p>13.23  <u>13.25</u></p>	<p>The fee for the issuing of a document or certificate respecting a professional corporation, other than the first certificate of authorization or one annual renewal of a certificate of authorization, is \$52.</p>	<p><del>The</del> <u>A fee of \$52 is payable for the issuing issuance</u> of a document or certificate respecting a professional corporation, other than the first certificate of authorization or one annual renewal <del>of a certificate of authorization, is \$52.</del></p>	<p>For clarity</p>
<p><u>New By-law</u>  <u>13.26</u></p>		<p><u>A fee of \$750 is payable by a person whose certificate of registration has been revoked or suspended as a result of a disciplinary or incapacity proceeding and who applies in writing to the registrar to have a new certificate issued or the suspension removed.</u></p>	<p>The process for reviewing applications for reinstatement is time consuming and expensive</p> <p>The cost burden should be born by the applicant</p>

## BY-LAW 14: PROFESSIONAL CORPORATIONS

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
14.1	<p>Every member of CCO shall, for every professional corporation of which the member is a shareholder, provide in writing the following information on the application and annual renewal forms for a certificate of authorization, upon the written request of the registrar within 30 days and upon any change in the information within 30 days of the change:</p> <p>(a) the name of the professional corporation as registered with the Ministry of Government Services;</p> <p>(b) any business names used by the professional corporation;</p> <p>(c) the name, as set out in the register, and registration number of each shareholder of the professional corporation;</p>	<p>Every member of CCO shall, for every professional corporation of which the member is a shareholder, provide in writing the following information on the application and annual renewal forms for a certificate of authorization, upon the written request of the registrar within 30 days and upon any change in the information within 30 days of the change:</p> <p>(a) the name of the professional corporation as registered with the <del>Ministry of Government Services</del> <u>Ontario Business Registry</u>;</p> <p>(b) any business names used by the professional corporation;</p> <p>(c) the name <u>of each beneficial owner as required to be recorded by the professional corporation pursuant to the Ontario Business Registry</u>; <del>as set out in the register, and registration number of each shareholder of the professional corporation</del>;</p>	<p>Update regarding registration of Ontario business corporations</p> <p>Every individual or family group with a beneficial interest of 25% or more: <a href="https://www.ontario.ca/page/beneficial-ownership-information-requirements">https://www.ontario.ca/page/beneficial-ownership-information-requirements</a></p>

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p>(d) the name, as set out in the register, of each officer and director of the professional corporation, and the title or office held by each officer and director;</p> <p>(e) the principal practice address, telephone number, facsimile number and e-mail address of the professional corporation;</p> <p>(f) the address and telephone number of all other locations, other than residences of clients, at which the professional services offered by the professional corporation are provided; and</p> <p>(g) a brief description of the professional activities carried out by the professional corporation.</p>	<p><u>(d)</u> (new) the professional corporation's business registration number issued by the Canada Revenue Agency;</p> <p><u>(e)</u> the name, as set out in the register, of each officer and director of the professional corporation, and the title or office held by each officer and director;</p> <p><u>(f)</u> the principal practice address, telephone number, facsimile number and e-mail address of the professional corporation;</p> <p><u>(g)</u> the address and telephone number of all other locations, other than residences of clients, at which the professional services offered by the professional corporation are provided; and</p> <p><u>(h)</u> a brief description of the professional activities carried out by the professional corporation.</p>	<p>A corporation's business number is issued by the CRA. The Ontario Business Registry uses the same number.  <a href="#">O. Reg. 400/21</a> under the Corporations Information Act</p>

## BY-LAW 15: THERAPY AND COUNSELING

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
15.1	CCO shall require a therapist or counselor who is providing therapy or counseling that is funded through the program required under By-law 85.7 of the <i>Code</i> to provide a written statement signed by him/her containing details of his/her training and experience and confirming that the therapy or counseling is being provided and that the funds received are being devoted only to that purpose.	CCO shall require a therapist <del>or and</del> <del>counselor</del> <u>counsellors</u> who is <del>providing</del> <u>provide</u> therapy or <del>counseling</del> <u>counselling</u> that is funded <del>through</del> <u>pursuant to the</u> program required under <del>By-law</del> <u>section</u> 85.7 of the <i>Code</i> to provide a written statement signed by <del>him/her</del> <u>them</u> containing details of <del>his/her</del> <u>their</u> training and experience and confirming that the therapy or <del>counseling</del> <u>counselling</u> is being provided and that the funds received are being devoted only to that purpose.	For clarity and spelling  DEI: gender neutral language
15.2	CCO shall require a person who is receiving therapy or counseling that is funded through the program required under By-law 85.7 of the <i>Code</i> to provide a written statement signed by him/her acknowledging that he/she is aware of the details of the training and experience of the therapist or counselor and confirming that the therapy or counseling is being provided and that the funds received are being devoted only to that purpose.	CCO shall require a <del>every</del> person who is receiving therapy or <del>counseling</del> <u>counselling</u> that is funded <del>through</del> <u>pursuant to</u> the program required under <del>By-law</del> <u>section</u> 85.7 of the <i>Code</i> to provide a written statement signed by <del>him/her</del> <u>them</u> acknowledging that <del>he/she is</del> <u>they are</u> aware of the details of the training and experience of the therapist or <del>counselor</del> <u>counsellor</u> and confirming that the therapy or <del>counseling</del> <u>counselling</u> is being provided and that the funds received are being devoted only to that purpose.	For clarity  DEI: Gender neutral language

## BY-LAW 16: PROFESSIONAL LIABILITY PROTECTION OR INSURANCE

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
16.1	<p>Each member holding a general or temporary certificate of registration must carry and provide evidence satisfactory to the registrar of carrying professional liability protection or insurance in the applicable minimum amount per occurrence and minimum aggregate amount per year, including coverage for claims after the member ceases to hold a certificate relating to occurrences while holding a certificate, or membership in a protective association that provides equivalent protection. A member who is or will be when registered, an employee of a member, a health facility or other body that has equivalent professional liability insurance coverage or membership in a protective association that provides equivalent protection is deemed to comply with this section.</p>		



By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
16.2	<p>The professional liability protection or insurance referred to in By-law 16.1 must have:</p> <p>(a) a minimum amount of \$5,000,000 per occurrence, and</p> <p>(b) a minimum aggregate amount of \$5,000,000 per year.</p>		
16.3	<p>When applying for a general or temporary certificate of registration or a renewal of a general or temporary certificate of registration, an applicant must sign a declaration that they comply with By-laws 16.1 and 16.2.</p>		
16.4	<p>A member holding a general or temporary certificate of registration must have available in their office, in written or electronic form, evidence that they comply with By-laws 16.1 and 16.2, or may have the provider of the protection under By-law 16.1 provide regular updates to CCO confirming compliance with By-laws 16.1 and 16.2.</p>		

## BY-LAW 17: PUBLIC REGISTER

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
17.1	Subject to By-law 17.2, a member's name in the register shall be the full name indicated on the document used to support the member's initial registration with the College		
17.2	<p>The Registrar may enter a name other than the name referred to in By-law 17.1 in the register if the Registrar:</p> <p>(a) has received a written request from the member;</p> <p>(b) is satisfied that the member has legally changed his or her name; and</p> <p>(c) is satisfied that the name change is not for any improper purpose.</p>	<p>The Registrar may enter a name other than the name referred to in By-law 17.1 in the register if the Registrar:</p> <p>(a) has received a written request from the member;</p> <p>(b) is satisfied that the member's <u>name</u> has <u>been</u> legally changed <del>his or her name</del>; and</p> <p>(c) is satisfied that the name change is not for any improper purpose.</p>	DEI: gender neutral language

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
17.3	<p>Subject to By-law 17.6(q)(i), a member’s business address in the register shall be the address of the location in Ontario where the member is employed or self-employed as a chiropractor. In the event that the member is employed or self-employed as a chiropractor in more than one location in Ontario, the member’s business address shall be then member’s primary practice. In the event that the member is not employed or self-employed in Ontario as a chiropractor, the registrar shall enter as the member’s business address the location designated by the member.</p>	<p><del>Subject to By-law 17.6(q)(i), a</del> A member’s business address in the register shall be the address of the location in Ontario where the member is employed or self-employed as a chiropractor. In the event that the member is employed or self-employed as a chiropractor in more than one location in Ontario, the member’s business address shall be then <u>location of the member’s primary practice</u>. In the event that the member is not employed or self-employed in Ontario as a chiropractor, the registrar shall enter as the member’s business address the location designated by the member <u>for communication with CCO</u>.</p>	<p>Deleting of non-existent provision</p> <p>For clarity</p>

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
17.4	<p>A member’s business telephone number shall be the telephone number of the location in Ontario where the member is employed or self-employed as a chiropractor. In the event that the member is employed or self-employed as a chiropractor in more than one location in Ontario, the member’s business telephone number shall be the telephone number of the member’s primary practice. In the event that the member is not employed or self-employed in Ontario as a chiropractor, the register shall not contain a business telephone number for the member.</p>	<p>A member’s business telephone number shall be the telephone number of the location in Ontario where the member is employed or self-employed as a chiropractor. In the event that the member is employed or self-employed as a chiropractor in more than one location in Ontario, the member’s business telephone number shall be the telephone number of the member’s primary practice. In the event that the member is not employed or self-employed in Ontario as a chiropractor, the register shall not contain a business telephone number <del>for the member.</del> designated by the member for communication with CCO.</p>	
17.5	<p>The Registrar shall maintain a register in accordance with section 23 of the <i>Code</i>.</p>		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
17.6	<p>In addition to the information set out in subsection 23(2)<sup>iii</sup> of the Code, the register shall contain the following publically available information with respect to each member:</p> <p>(a) Where a decision of a panel of the Discipline Committee has been published by the College with the member’s or former member’s name included,                      (i) a notation of that fact; and                      (ii) identification of, a link to, or a copy of the specific publication containing that decision.</p> <p>(b) For every caution required by a panel of the Inquiries, Complaints and Reports Committee under paragraph 3 of subsection 26 (1), and for any specified continuing education or remediation programs required by a panel of the Inquiries, Complaints and Reports Committee using its powers under paragraph 4 of subsection 26 (1),                      i. the date of the panel’s decision,                      ii. a synopsis of its content, and                      iii. if applicable, a notation that the panel’s decision is subject to review and is not yet final, which notation shall be</p>	<p>In addition to the information set out in subsection 23(2)<sup>iii</sup> of the Code, the register shall contain the following <del>publically</del> <u>publicly</u> available information with respect to each member:</p> <p>(a) Where a decision of a panel of the Discipline Committee has been published by the College with the member’s or former member’s name included,                      (i) a notation of that fact; and                      (ii) identification of, a link to, or a copy of the specific publication containing that decision.</p> <p>(b) For every caution required by a panel of the Inquiries, Complaints and Reports Committee under paragraph 3 of subsection 26 (1) <u>of the Code</u>, and for any specified continuing education or remediation programs required by a panel of the Inquiries, Complaints and Reports Committee using its powers under paragraph 4 of subsection 26 (1) <u>of the Code</u>,                      i. the date of the panel’s decision,                      ii. a synopsis of its content, and                      iii. if applicable, a notation that the panel’s decision is subject to review and is</p>	<p>Typographical error</p> <p>For clarification</p>

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p>removed once the review and any reconsideration by the Inquiries, Complaints and Reports Committee is finally disposed of.</p> <p>(c) For every acknowledgement and undertaking in relation to matters involving allegations of professional misconduct or incompetence before the Inquiries, Complaints and Reports Committee or the Discipline Committee that a member has entered into with the College and that are in effect, in addition to the synopsis,</p> <ul style="list-style-type: none"> <li>i. the date of the panel’s decision, and</li> <li>ii. if applicable, a notation that the panel’s decision is subject to review or appeal and is not yet final, which notation shall be removed once the review or appeal and any reconsideration by the panel is finally disposed of.</li> </ul>	<p>not yet final, which notation shall be removed once the review and any reconsideration by the Inquiries, Complaints and Reports Committee is finally disposed of.</p> <p>(c) For every acknowledgement and undertaking <u>that a member has given to CCO</u> in relation to matters involving allegations of professional misconduct or incompetence before the Inquiries, Complaints and Reports Committee or the Discipline Committee <del>that a member has entered into with the College</del> and that are <u>remain</u> in effect, in addition to the synopsis,</p> <ul style="list-style-type: none"> <li>i. <u>the date that the panel accepted the member’s acknowledgment and undertaking;</u></li> <li>ii. <u>a synopsis of the acknowledged facts;</u></li> <li>and</li> <li>iii. <u>the terms of the member’s undertaking</u></li> </ul> <p><del>I the date of the panel’s decision, and</del></p> <ul style="list-style-type: none"> <li><del>ii. if applicable, a notation that the panel’s decision is subject to review or appeal and is not yet final, which notation shall be removed once the review or appeal and any reconsideration by the panel is finally disposed of.</del></li> </ul>	<p>The member’s acknowledgement should waive all rights of appeal and judicial review.</p>

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p>(d) A notation of any finding of guilt for a criminal offence or an offence under the <i>Health Insurance Act, 1990</i>, of which the College is aware, made by a court after July 1, 2016, against a member.</p> <p>(e) A notation of any finding of guilt for a criminal offence or an offence under the <i>Health Insurance Act, 1990</i>, of which the College is aware, made by a court after July 1, 2016, against a member.</p> <p>(f) A notation that a member is registered or licensed to practise a profession inside or outside of Ontario of which the College is aware.</p> <p>(g) For every term, condition and limitation that is in effect on each certificate of registration, information about the date it was imposed, the committee that imposed it and circumstances surrounding its imposition.</p>	<p>(d) A notation of any finding of guilt for a criminal offence or an offence under the <i>Health Insurance Act, 1990</i>, of which the College is aware, made by a court after July 1, 2016, against a member.</p> <p><del>(e) A notation of any finding of guilt for a criminal offence or an offence under the <i>Health Insurance Act, 1990</i>, of which the College is aware, made by a court after July 1, 2016, against a member.</del></p> <p><u>(e)</u> A notation that a member is registered or licensed to practise a profession inside or outside of Ontario of which the College is aware.</p> <p><u>(f)</u> For every term, condition and limitation that is in effect on each certificate of registration, information about the date it was imposed, the committee that imposed it and circumstances surrounding its imposition.</p>	<p>(e) is a duplication of (d)</p>

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p>(h) A notation of every bail condition or other restriction imposed on, or agreed to, by the member in connection with a charge for a criminal offence or an offence under the Health Insurance Act of which the College is aware.</p> <p>(i) The following practice information related to a member:</p> <p>(i) The business address, business telephone number and business email of up to three practice locations;</p> <p>(ii) The member’s gender;</p> <p>(iii) the name of the chiropractic education program graduated by the member and year of graduation from that program;</p> <p>(iv) the year of initial registration with CCO; and</p> <p>(v) up to three languages in which the member offers professional services, as identified by the member.</p>	<p>(g) A notation of every bail condition or other restriction imposed on, or agreed to, by the member in connection with a charge for a criminal offence or an offence under the Health Insurance Act of which the College is aware.</p> <p>(h) The following practice information related to a member:</p> <p>(i) The business address, business telephone number and business email of up to three practice locations;</p> <p>(ii) The member’s gender;</p> <p>(iii) the name of the chiropractic education program graduated by the member and year of graduation from that program;</p> <p>(iv) the year of initial registration with CCO; and</p> <p>(v) up to three languages in which the member offers professional services, as identified by the member.</p>	



By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
17.7	<p>If requested, the member shall immediately provide the College with the following information, in the form requested by the College:</p> <p>(a) information required to be maintained in the register in accordance with subsection 23(2) of the <i>Code</i> and By-law 17.6;</p> <p>(b) the address and telephone number of the member’s primary residence in Ontario and, if the member does not reside in Ontario, the address and telephone number of the member’s primary residence;</p> <p>(c) The member’s email addresses;</p> <p>(d) Proof of professional liability insurance;</p> <p>(e) The member’s areas of practice and categories of clients seen;</p> <p>(f) Information regarding the member’s employment including:</p> <p>(i) the member’s title and position,</p> <p>(ii) a description of the member’s role, duties, and responsibilities, and</p>		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p>(iii) the member's employment category and status.</p> <p>(g) any nicknames or abbreviations that the member uses in any place of practice;</p> <p>(h) information about the member's registration with any other body that governs a profession, whether inside or outside of Ontario, including the name of the governing body, the member's registration or license number and the date the member first became registered;</p> <p>(i) information about any finding of professional misconduct or incompetence or similar finding that has been made against the member by a body that governs a profession, inside or outside of Ontario, where the finding has not been reversed on appeal, including;</p> <p>(i) the finding,</p> <p>(ii) the name of the governing body that made the finding,</p> <p>(iii) a brief summary of the facts on which the finding was based,</p>		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
	<p>(iv) the penalty and any other orders made relative to the finding,                      (v) the date the finding was made, and                      (vi) information regarding any appeals of the finding.</p> <p>(j) information about any finding of incapacity or similar finding that has been made against the member by a body that governs a profession, inside or outside of Ontario, where that finding has not been reversed on appeal, including:                      (i) the finding                      (ii) the name of the governing body that made the finding,                      (iii) the date the finding was made,                      (iv) a summary of any order made, and                      (v) information regarding any appeals of the finding.</p> <p>(k) information about the member's participation in the Quality Assurance Program,</p> <p>(l) information for the purpose of compiling statistical data,</p>		

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
17.8	<p>The member shall notify the College, in writing, of any changes to the following information within 30 days of the effective date of the change:</p> <p>(a) the member’s name,</p> <p>(b) the address and telephone number of the member’s primary residence in Ontario and, if the member does not reside in Ontario, the address and telephone number of the member’s primary residence,</p> <p>(c) the member’s business address or business telephone number.</p>		
17.9	<p>All of the information in the register is designated, under subsection 23(6) of the <i>Code</i>, as information that may be withheld from the public if the Registrar has reasonable grounds to believe that disclosure may jeopardize the safety of an individual.</p>		

## BY-LAW 18: APPOINTMENT OF NON-CHIROPRACTIC COMMITTEE MEMBERS

By-law	Current CCO By-law	Recommended Amendments	Public Interest Rationale
18.1	<p>An individual is eligible for appointment to a committee as a Non-Chiropractic Committee Member if, on the date of the appointment:</p> <p>(a) The individual resides in Ontario;</p> <p>(b) The individual has not been disqualified from serving on Council or a committee within the six years immediately preceding the appointment;</p> <p>(c) The individual has never been a Member;</p> <p>(d) The individual does not have a conflict of interest in respect of the committee to which they are to be appointed; and</p> <p>(e) The individual would not be disqualified from serving as a Non-Council Member if the individual were a Member.</p>		

<b>By-law</b>	<b>Current CCO By-law</b>	<b>Recommended Amendments</b>	<b>Public Interest Rationale</b>
18.2	The Council may remove or disqualify a Non-Chiropractic Committee Member from a committee with or without cause.		

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<sup>i</sup> Section 23(2) The register shall contain the following:

1. Each member's name, business address and business telephone number, and, if applicable, the name of every health profession corporation of which the member is a shareholder.
2. Where a member is deceased, the name of the deceased member and the date upon which the member died, if known to the Registrar.
3. The name, business address and business telephone number of every health profession corporation.
4. The names of the shareholders of each health profession corporation who are members of the College.
5. Each member's class of registration and specialist status.
6. The terms, conditions and limitations that are in effect on each certificate of registration.
7. A notation of every caution that a member has received from a panel of the Inquiries, Complaints and Reports Committee under paragraph 3 of subsection 26 (1), and any specified continuing education or remedial programs required by a panel of the Inquiries, Complaints and Reports Committee using its powers under paragraph 4 of subsection 26 (1).
8. A notation of every matter that has been referred by the Inquiries, Complaints and Reports Committee to the Discipline Committee under section 26 and that has not been finally resolved, including the date of the referral and the status of the hearing before a panel of the Discipline Committee, until the matter has been resolved.
9. A copy of the specified allegations against a member for every matter that has been referred by the Inquiries, Complaints and Reports Committee to the Discipline Committee under section 26 and that has not been finally resolved.
10. Every result of a disciplinary or incapacity proceeding.
11. A notation and synopsis of any acknowledgements and undertakings in relation to matters involving allegations of professional misconduct or incompetence before the Inquiries, Complaints and Reports Committee or the Discipline Committee that a member has entered into with the College and that are in effect.
12. A notation of every finding of professional negligence or malpractice, which may or may not relate to the member's suitability to practise, made against the member, unless the finding is reversed on appeal.
13. A notation of every revocation or suspension of a certificate of registration.
14. A notation of every revocation or suspension of a certificate of authorization.
15. Information that a panel of the Registration Committee, Discipline Committee or Fitness to Practise Committee specifies shall be included.
16. Where findings of the Discipline Committee are appealed, a notation that they are under appeal, until the appeal is finally disposed of.
17. Where, during or as a result of a proceeding under section 25, a member has resigned and agreed never to practise again in Ontario, a notation of the resignation and agreement.
18. Where the College has an inspection program established under clause 95 (1) (h) or (h.1), the outcomes of inspections conducted by the college.
19. Information that is required to be kept in the register in accordance with regulations made pursuant to clause 43 (1) (t) of the *Regulated Health Professions Act, 1991*.
20. Information that is required to be kept in the register in accordance with the by-laws.

<sup>ii</sup> Section 23(14) For the purpose of this section and section 56, "result",

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- (a) when used in reference to a disciplinary proceeding, means the panel's finding that the member committed an act of professional misconduct or was incompetent, particulars of the grounds for the finding, a synopsis of the decision and the order made, including any reprimand, and where the panel has made no such finding, includes a notation that no such finding was made and the reason why no such finding was made, and
- (b) when used in reference to an incapacity proceeding, means the panel's finding that the member is incapacitated and the order made by the panel.

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iii Section 23(2) The register shall contain the following:

1. Each member's name, business address and business telephone number, and, if applicable, the name of every health profession corporation of which the member is a shareholder.
2. Where a member is deceased, the name of the deceased member and the date upon which the member died, if known to the Registrar.
3. The name, business address and business telephone number of every health profession corporation.
4. The names of the shareholders of each health profession corporation who are members of the College.
5. Each member's class of registration and specialist status.
6. The terms, conditions and limitations that are in effect on each certificate of registration.
7. A notation of every caution that a member has received from a panel of the Inquiries, Complaints and Reports Committee under paragraph 3 of subsection 26 (1), and any specified continuing education or remedial programs required by a panel of the Inquiries, Complaints and Reports Committee using its powers under paragraph 4 of subsection 26 (1).
8. A notation of every matter that has been referred by the Inquiries, Complaints and Reports Committee to the Discipline Committee under section 26 and that has not been finally resolved, including the date of the referral and the status of the hearing before a panel of the Discipline Committee, until the matter has been resolved.
9. A copy of the specified allegations against a member for every matter that has been referred by the Inquiries, Complaints and Reports Committee to the Discipline Committee under section 26 and that has not been finally resolved.
10. Every result of a disciplinary or incapacity proceeding.
11. A notation and synopsis of any acknowledgements and undertakings in relation to matters involving allegations of professional misconduct or incompetence before the Inquiries, Complaints and Reports Committee or the Discipline Committee that a member has entered into with the College and that are in effect.
12. A notation of every finding of professional negligence or malpractice, which may or may not relate to the member's suitability to practise, made against the member, unless the finding is reversed on appeal.
13. A notation of every revocation or suspension of a certificate of registration.
14. A notation of every revocation or suspension of a certificate of authorization.
15. Information that a panel of the Registration Committee, Discipline Committee or Fitness to Practise Committee specifies shall be included.
16. Where findings of the Discipline Committee are appealed, a notation that they are under appeal, until the appeal is finally disposed of.
17. Where, during or as a result of a proceeding under section 25, a member has resigned and agreed never to practise again in Ontario, a notation of the resignation and agreement.
18. Where the College has an inspection program established under clause 95 (1) (h) or (h.1), the outcomes of inspections conducted by the college.
19. Information that is required to be kept in the register in accordance with regulations made pursuant to clause 43 (1) (t) of the *Regulated Health Professions Act, 1991*.
20. Information that is required to be kept in the register in accordance with the by-laws.