

**DRAFT PROPOSED BY-LAW AMENDMENTS FOR DISTRIBUTION AND FEEDBACK  
DECEMBER 2, 2022**

**By-law 6: Elections of Council Members**

By-law	Current By-law	Proposed By-law (draft amendments in underline and cross-out)	Rationale for Proposed Change
By-law 6.9(e)	<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 finding of professional misconduct, incompetence or incapacity has not been made against the member in the preceding three years;</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 finding of professional misconduct, incompetence or incapacity has not been made against the member in the preceding <u>six</u> <del>three</del> years;</p>	<p>In reviewing the best practices of other regulators, CCO is proposing to increase to six years from three years the amount of time must have elapsed since a disciplinary finding or disqualification from serving against a prospective Council candidate or committee appointee.</p>
By-law 6.9(j)	<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>the member has not been disqualified from the Council or a committee of the Council in the previous three years;</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>the member has not been disqualified from the Council or a committee of the Council in the previous <u>six</u> <del>three</del> years;</p>	<p>The public interest rationale for these recommended amendments, include:</p> <ul style="list-style-type: none"> <li>Increasing, by a longer cooling off period, the chances that an individual candidate is running for election to regulate the profession in the public interest rather than to address any recent discipline interactions with CCO (continued on next page);</li> </ul>

## By-law 12: Appointment of Non-Council Members

By-law	Current By-law	Proposed By-law (draft amendments in underline and cross-out)	Rationale for Proposed Change
By-law 12.9(e)	<p>A member is eligible for appointment to a committee if, on the date of the appointment:</p> <p>a finding of professional misconduct, incompetence or incapacity has not been made against the member in the preceding three years;</p>	<p>A member is eligible for appointment to a committee if, on the date of the appointment:</p> <p>a finding of professional misconduct, incompetence or incapacity has not been made against the member in the preceding <u>six</u> <del>three</del> years;</p>	<ul style="list-style-type: none"> <li>Enhancing public confidence in CCO that might be concerned about Council members serving who have recent discipline interactions with CCO;</li> </ul>
By-law 12.9(h)	<p>A member is eligible for appointment to a committee if, on the date of the appointment:</p> <p>the member has not been disqualified from the Council or a committee of the Council in the previous three years;</p>	<p>A member is eligible for appointment to a committee if, on the date of the appointment:</p> <p>the member has not been disqualified from the Council or a committee of the Council in the previous <u>six</u> <del>three</del> years;</p>	<ul style="list-style-type: none"> <li>Reducing the chances of the candidate, if elected, having a conflict of interest when dealing with issues related to their recent interactions with CCO (e.g., record keeping or advertising standards). One factor when assessing whether there is a conflict of interest is the length of time since the events that might create a competing consideration occurred.</li> </ul>