

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

*Approved by Council: September 24, 2009*

---

- 12.1 This by-law applies with respect to the appointment of members who are not members of the Council to a committee of the College.
- 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.
- 12.5 In making the appointments, the Council shall take into account location and type of practice, experience, gender, race, ethnic origin, languages spoken, 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.
- 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 A member is eligible for appointment to a committee if, on the date of the appointment:
  - (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;

- (b) the member is not in default of payment of any fees prescribed by by-law or any fine or order for costs to the College imposed by a college committee or court of law;
  - (c) the member is not in default in completing and returning any form required by the College;
  - (d) the member is not subject of any disciplinary or incapacity proceeding;
  - (e) a finding of professional misconduct, incompetence or incapacity has not been made against the member in the preceding three years;
  - (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, CAC, CCEB, CSCE or the Accreditation Standards and Policies Committee or the Commission on Accreditation of the Federation.
  - (g) the member is not an officer, director or administrator of any chiropractic educational institution, including but not limited to CMCC or UQTR;
  - (h) the member has not been disqualified from the Council or a committee of the Council in the previous three years;
  - (i) the member is not a member of Council or of a committee of the College of any other health profession; and
  - (j) the member has not been a member of the College's staff at any time within the preceding three years.
- 12.10 The Council shall disqualify a member appointed to a committee from sitting on the committee if the member:
- (a) is the subject of any disciplinary or incapacity proceeding;
  - (b) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee;
  - (c) is found to be an incapacitated member by a panel of the Fitness to Practice Committee;

- (d) fails to attend two consecutive meetings of the committee or of a subcommittee in which he/she is a member, without reasonable cause in the opinion of Council;
  - (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;
  - (f) ceases to either have a primary practice of chiropractic or primary residence in the province of Ontario;
  - (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, CAC, CCEB, CSCE or the Accreditation Standards and Policies Committee or the Commission on Accreditation of the Federation;
  - (h) becomes an officer, director or administrator of any chiropractic educational institution, including but not limited to CMCC or UQTR;
  - (i) becomes a member of the Council or a committee of the College of any other health profession;
  - (j) breaches the conflict of interest provision(s) for members of Council and committees, in the opinion of the Council after giving notice to the member of the concern and giving the member an opportunity to respond to the concern;
  - (k) fails to discharge properly or honestly any office to which he/she has been appointed, 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,;
  - (l) becomes in default of payment of any fees prescribed by by-law or any fine or order for costs imposed by the Discipline Committee;
  - (m) becomes in default of completing and returning any form required by the College; or
- 12.11 A non-council committee member shall resign from a committee prior to applying for any CCO staff position.
- 12.12 A member who is disqualified under this by-law from sitting on a committee ceases to be a member of the committee.