



By-Law 1: College Council and Committees

The processes for election of members to Council and the holding and procedure of Council and Committee meetings pursuant to s. 14 and s. 15(1)(a), (b), (c), (d), and (j), of the Medical Act, 2011.

1. Definitions

For the purposes of this By-Law:

- (1) "Candidate" means a candidate for election to Council.
- (2) "Chairperson" means the Council Member appointed pursuant to s. 11(1)(a) of the *Medical Act, 2011* (the "Act").
- (3) "College Member" means a medical practitioner who holds a current Licence to Practice Medicine issued pursuant to the *Act*.
- (4) "Council" means the Council of the College described in s. 9(1) of the *Act*.
- (5) "Council Member" means a person elected or appointed to the Council pursuant to s. 9(1) of the *Act*.
- (6) "Disciplinary Panel" means the panel appointed pursuant to s. 40(4) of the *Act*.
- (7) "Registrar" means the individual appointed as registrar pursuant to s. 11 of the *Act*.
- (8) "Vice-Chairperson" means the Council Member appointed pursuant to s. 11(1)(b) of the *Act*.

2. Council Elections

Notice of Election

- (1) Notice of the election of members to Council shall be provided to College Members at least 30 calendar days prior to the date fixed for the election. Notice shall be provided to College Members by electronic mail.

- (2) The notice of the election of members to Council shall include:
 - (a) notice of the date fixed for the election of members to Council;
 - (b) notice of the date fixed for the receipt of nominations, which shall be a date at least 14 calendar days after the date of the notice; and
 - (c) a copy of this By-Law.

Eligibility for Nomination

- (3) To qualify for nomination, a Candidate must:
 - (a) be a College Member who lives in or carries on practice in one of the medical electoral divisions of the College;
 - (b) not have had their Licence to Practice Medicine revoked or suspended in the six years preceding the date of the election;
 - (c) not be subject to any pending disciplinary proceedings before the College or another medical regulatory authority;
 - (d) not hold or have held, within one year before the date of the election, another position which would cause the medical practitioner, if elected as a Council Member, to have a conflict of interest by virtue of having competing fiduciary obligations to both the College and another organization; and
 - (e) not be serving continuous terms as a Council Member which exceed nine years.

Nomination Process

- (4) A Candidate may only be nominated to represent one medical electoral division.
- (5) To be accepted as duly nominating a qualified Candidate, a nomination must be:
 - (a) completed on the prescribed nomination form;
 - (b) accompanied by a completed Candidate Biography form highlighting the skills that the Candidate intends to bring to Council, if elected;
 - (c) received by the Registrar by the date fixed for receipt of nominations;
 - (d) signed by the two nominating College Members who live in or carry on practice in the medical electoral division for which the Candidate is being nominated; and

- (e) accepted and completed in writing by the Candidate.
- (6) Only such members of the College who are duly nominated shall be eligible for election as members of the Council.
- (7) If the total number of Candidates nominated for election in a medical electoral division is no more than the number of Council Members to be elected for that division in that election, those candidates shall be deemed elected by acclamation, without the necessity of balloting.
- (8) If the number of Candidates nominated for a medical electoral division is less than the number of Council Members who must be elected for that division, the Governance Committee of the College shall nominate, from amongst the College Members who are qualified to represent that division, a sufficient number of consenting candidates to be elected by acclamation in accordance with section (7) of this By-Law.

Ballots

- (9) The Registrar shall send by electronic mail, at least 14 calendar days prior to the date fixed for the election, to each College Member entitled to vote:
 - (a) a list of the Candidates nominated for each medical electoral division;
 - (b) a copy of the Candidate Biography for each Candidate.
 - (c) the number of elected members to be elected for each division;
 - (d) instructions on how to access the electronic voting system; and
 - (e) a notice of the date fixed for the election.

Voting

- (10) One ballot shall be accepted from each College Member through the electronic voting system until the close of business hours of the College's offices on the date fixed for the election.

Election Results

- (11) Within five business days following the date fixed for the election, the Registrar, or in the absence of the Registrar, the Deputy Registrar, and at least one member of the Council who is not a Candidate in the election shall review the report of the electronic voting system to certify the Election Record. The Election Record shall include:

- (a) the number of ballots received in total;
 - (b) the number of votes for each candidate; and
 - (c) the number of spoiled or void ballots.
- (12) The Registrar shall, within three business days of the certifying of the Election Record, inform College Members of the election results by posting the names of the elected Candidate(s) on the College's website and advising all College Members by electronic mail.
- (13) Other than the election results to be posted and circulated in accordance with this subsection, the Election Record shall be kept confidential unless the Council rules that it, or part of it, may be disclosed, or as may be otherwise required by law.

3. College Officers

- (1) The Council shall each year at its first meeting elect from amongst its members a Chairperson and a Vice-Chairperson.
- (2) The Chairperson and Vice-Chairperson shall hold office until they have submitted their resignation, or until their successors are elected, whichever shall first occur.
- (3) In the event that the role of the Chairperson or Vice-Chairperson is vacant, the Council shall elect a member to fill the vacancy at their next meeting.

4. Council Meetings

- (1) A meeting of the Council may be convened by the Chairperson or any two Council Members.
- (2) A meeting of the Council may be held in any manner that allows all the people participating to communicate with each other simultaneously and instantaneously, with adequate security and confidentiality.
- (3) The Registrar shall cause each Council Member to be notified in writing of the place, date, and time of a Council meeting.
- (4) The Council Member(s) who convenes a meeting of the Council is responsible for the organization of an agenda for the meeting, which shall be distributed to Council Members within seven days of the meeting or as soon as it is practical in the circumstances.

- (5) Council meetings require a quorum of the Council, defined in the Act as six members of Council, one of whom is a member appointed by the minister to represent the public interest.
- (6) All motions shall be decided by a majority of the voting Council Members in attendance at the meeting. The Chairperson shall refrain from voting unless there is an equality of eligible votes and the vote of the Chairperson is required to pass the motion.
- (7) The Chairperson will ensure that there are appropriate in camera meetings, with only voting Council Members present, at the close of each meeting.

5. Committee Meetings

- (1) A meeting of a Council Committee may be convened by the Committee Chairperson or any two Committee members.
- (2) A meeting of a Committee may be held in any manner that allows all the people participating to communicate with each other simultaneously and instantaneously, with adequate security and confidentiality.
- (3) The Committee Chairperson shall cause each Committee member to be notified in writing of the place, date, and time of a Committee meeting.
- (4) The Committee member(s) who convenes a meeting is responsible for the organization of an agenda for the meeting, which shall be distributed to Committee members within seven days of the meeting or as soon as it is practical in the circumstances.
- (5) Committee meetings require a quorum, defined as three members of Committee, one of whom must be appointed by the minister to represent the public interest and one of whom must be an elected physician member.
- (6) All motions shall be decided by a majority of the voting Committee members in attendance at the meeting. The Chairperson shall refrain from voting unless there is an equality of eligible votes, and the vote of the Chairperson is required to pass the motion.
- (7) The Committee Chairperson will ensure that there are appropriate in camera meetings, with only voting Committee members present, at the close of each meeting.

6. Removal of a Member of Council

- (1) All Council Members accept their election or appointment to the Council with the understanding that they must serve with honesty and integrity, working within all College governance policies, and making collective decisions in the best interests of the College.

- (2) A Council Member can be removed from Council by a majority vote of a quorum of Council if they are or have been at any prior time, engaged in any conduct or activity that is, in the opinion of a majority of the Council, contrary to the College’s governance policies or expectations of a Council Member. Where such a motion is under consideration, the member in question must be excused from the meeting and abstain from voting.

7. Disciplinary Panel

- (1) The Council shall appoint no less than 10 College Members who are not members of the Council, one of whom shall be appointed to serve as Chairperson, to serve on the Disciplinary Panel for a term of three years.
- (2) To qualify for appointment to the Disciplinary Panel, a College Member must:
 - (a) not have had their Licence to Practice Medicine revoked or suspended in the six years preceding the date of the election;
 - (b) not be subject to any pending disciplinary proceedings before the College or another medical regulatory authority;
 - (c) not hold or have held, within one year before the date of the appointment, another position which would cause the medical practitioner, if appointed as a Disciplinary Panel Member, to have a conflict of interest; and
 - (d) not be serving continuous terms as a Disciplinary Panel which exceed nine years.
- (3) All Disciplinary Panel members accept their appointment to the Disciplinary Panel with the understanding that they must serve with honesty and integrity, working within all College governance policies, and making collective decisions in the best interests of the College.
- (4) An individual can be removed from the Disciplinary Panel by a majority vote of a quorum of Council if they are or have been at any prior time, engaged in any conduct or activity that is, in the opinion of a majority of the Council, contrary to the College’s governance policies or expectations of a Disciplinary Panel member.

Document History

Effective Date:	December 7, 2024
Last Revised:	December 7, 2024
Expected Review Date:	December 7, 2029