

---



---

**COLLEGE OF DENTURISTS OF ONTARIO BY-LAWS**
**TABLE OF CONTENTS**

1:00	DEFINITIONS.....	2
2:00	ENACTMENT, AMENDMENT AND REVOCATION OF BY-LAWS.....	2
3:00	SEAL.....	3
4:00	ANNUAL MEETING.....	3
5:00	ELECTIONS.....	3
6:00	TERM OF OFFICE.....	4
7:00	ELIGIBILITY TO VOTE.....	5
8:00	NOMINATIONS.....	5
9:00	ACCLAMATION.....	6
10:00	ADMINISTRATION.....	6
11:00	VOTING.....	7
12:00	COUNTING VOTES.....	8
13:00	DOCUMENTATION.....	8
14:00	RECOUNTS.....	9
15:00	INQUIRY.....	10
16:00	VACANCIES.....	10
17:00	FILLING VACANCIES.....	11
18:00	REGULAR COUNCIL MEETINGS.....	11
19:00	AGENDA FOR COUNCIL MEETINGS.....	13
20:00	COUNCIL DELEGATIONS.....	13
21:00	SPECIAL COUNCIL MEETINGS.....	13
22:00	ACCESS TO COUNCIL MEETINGS.....	14
23:00	COMMITTEE OF THE WHOLE.....	14
24:00	COLLEGE POLICY.....	14
25:00	ELECTION OF PRESIDENT & VICE-PRESIDENT OF THE COLLEGE.....	14
26:00	DUTIES OF THE PRESIDENT/VICE-PRESIDENT.....	15
27:00	VACANCY IN THE OFFICE OF THE PRESIDENT OR VICE-PRESIDENT.....	16
28:00	REMOVAL OF THE PRESIDENT OR VICE-PRESIDENT OR OTHER OFFICERS.....	16
29:00	OFFICERS OF THE COLLEGE.....	16
30:00	STATUTORY COMMITTEES.....	17
31:00	COLLEGE COMMITTEES.....	18
32:00	NON-COUNCIL COMMITTEE MEMBERS.....	19
33:00	MALPRACTICE INSURANCE.....	20
34:00	FINANCES.....	20
35:00	HONOURARIA AND EXPENSES.....	22
36:00	PROVISIONS RESPECTING REIMBURSEMENT FOR OFFICIAL VISITS TO ELECTORAL DISTRICTS.....	24
37:00	FEES.....	24
38:00	APPOINTMENT OF INSPECTORS.....	26
39:00	USE OF CANNON'S CONCISE GUIDE TO RULES OF ORDER.....	27
40:00	PREVIOUS BY-LAWS.....	27
41:00	INTERPRETATION.....	27
42:00	PROFESSIONAL CORPORATIONS.....	28
43:00	MEMBER CHANGE OF INFORMATION.....	29
	APPENDICIES.....	30
A1:00	CODE OF ETHICS.....	30
A2:00	CODE OF ETHICS and CONDUCT FOR THE COLLEGE AND COLLEGE REPRESENTATIVES.....	32
A3:00	HONOURARIA.....	44
A4:00	COMMON VALID EXPENSES.....	45

---

---

THE COLLEGE OF DENTURISTS OF ONTARIO  
By-Laws

**1:00 DEFINITIONS**

**1:01**

In this By-Law, unless otherwise defined or required by the context:

- (a) **"College"** means the College of Denturists of Ontario
- (b) **"Committee"** includes Statutory Committees and Non-Statutory Committees
- (c) **"Council"** means the Council of the College
- (d) **"Councillor"** means a member of the Council
- (e) **"Denturism Act"** means the Denturism Act, 1991, and any Act that may be substituted therefore as from time to time amended
- (f) **"Executive Committee"** means the Committee of that name established by the RHPA
- (g) **"Health Professions Procedural Code"** means Schedule 2 to the Regulated Health Professions Act, 1991
- (h) **"Member"** means a member of the College
- (i) **"Non-Statutory Committee"** means any Committee established under the By-Laws of the College of Denturists of Ontario
- (j) **"Registrar"** means the Registrar of the College
- (k) **"RHPA"** means the Regulated Health Professions Act, 1991, and any Act that may be substituted therefore, as from time to time amended

- (l) **"Regulations"** means the regulations established under the RHPA and the Denturism Act.
- (m) **"Statutory Committee"** means a Committee established under the RHPA
- (n) **"Registered Address"** means the primary business address of a member who is registered in the active category and who is practicing denturism. If a member is not practicing denturism, the registered address means the member's primary place of residence.
- (o) **"Primary Business Address"** means the address which satisfies most or all of the following criteria: i) where the member would be expected to be assessed in a random Quality Assurance assessment, ii) the address where the member keeps the majority of patient records, iii) the address where the member spends the majority of clinical practice hours.

**2:00 ENACTMENT, AMENDMENT AND  
REVOCAION OF BY-LAWS**

**2:01**

By-Laws of the College shall be reviewed annually by the Executive Committee.

**2:02**

By-Laws of the College may be enacted, amended, or revoked by a two-thirds vote at a meeting of the Council duly called for the purpose of considering such enactment, amendment or revocation, in accordance with the RHPA.

**2:03**

A By-Law or resolution signed by all Councillors is as valid and effective as if passed at a meeting of the Council called, constituted and held for that purpose.

**3:00 SEAL**

The seal, which has been impressed above, shall be the seal of the College.

**4:00 ANNUAL MEETING**

**4:01**

The Annual Meeting of the newly elected Council shall be held within two (2) months of the elections.

**4:02**

At the time prescribed for the Annual Meeting the Registrar or his/her representative shall Chair pro tem and shall read the declarations of the elections and certify the election of the Councillors.

**4:03**

No business shall be transacted at the Annual Meeting until after the declaration of office has been made by all Councillors who present themselves for that purpose.

**5:00 ELECTIONS**

**5:01**

(a) In this By-Law, "**election**" means an election of a member to the Council for an electoral district and includes a regular election and a by-election, and "**elected**" has a corresponding meaning.

(b) For the purposes of this By-Law, a member becomes "**the subject of proceedings**" when a committee makes a referral for a hearing in respect of the member.

**5:02**

**ELECTORAL DISTRICTS**

The following electoral districts are established for the purpose of the election of members to the Council:

1. **Electoral district 1**, composed of the counties of Elgin, Essex, Huron, Kent, Lambton, Middlesex and Oxford.
2. **Electoral district 2**, composed of the County of Brant and the regional municipalities of Haldimand-Norfolk, Hamilton-Wentworth and Niagara.
3. **Electoral district 3**, composed of the counties of Bruce, Dufferin, Grey and Wellington and the regional municipalities of Halton, Peel and Waterloo.
4. **Electoral district 4**, composed of the portions of The City Toronto and The Regional Municipality of York served by the postal codes, L4C, L4K, L4L, L6A, M3J, M3L, M3M, M3N, M6H, M6J, M6K, M6L, M6M, M6N, M6P, M6R, M6S, M8V, M8W, M8X, M8Y, M8Z, M9A, M9B, M9C, M9L, M9M, M9N, M9P, M9R, M9V and M9W.
5. **Electoral district 5**, composed of the portions of The City of Toronto and The Regional Municipality of York served by the postal codes, L3T, L4J, M2M, M2N, M2P, M2R, M3H, M3K, M4N, M4R, M4T, M4V, M4W, M4X, M4Y, M5A, M5B, M5C, M5E, M5G, M5H, M5J, M5K, M5L, M5M, M5N, M5P, M5R, M5S, M5T, M5V, M5W, M5X, M6A, M6B, M6C, M6E and M6G.
6. **Electoral district 6**, composed of the portions of The City of Toronto and The Regional Municipality of York served by the postal codes, L3P, L3R, L3S, L4B, L6C, L6E, M1B, M1C, M1E, M1G, M1H, M1J, M1K, M1L, M1M, M1N, M1P, M1R, M1S, M1T, M1V, M1W, M1X, M2H, M2J, M2K, M2L, M3A, M3B, M3C, M4A, M4B, M4C, M4E, M4G, M4H, M4J, M4K, M4L, M4M, M4P and M4S.

7. **Electoral district 7**, composed of the counties of Frontenac, Hastings, Lanark, Leeds-Grenville, Lennox- Addington, Northumberland, Prescott-Russell, Prince Edward, Renfrew and Stormont-Dundas-Glengarry and the regional municipalities of Durham and Ottawa-Carleton.

8. **Electoral district 8**, composed of the counties of Haliburton, Simcoe and Victoria, the territorial districts of Algoma, Cochrane, Kenora, Manitoulin, Muskoka, Nipissing, Parry Sound, Rainy River, Sudbury, Timiskaming and Thunder Bay and The Regional Municipality of York except for the portion of The Regional Municipality of York contained in electoral districts 4, 5 and 6.

**5:03**

One member shall be elected to the Council for each electoral district.

**5:04**

**ELECTION DATES**

There shall be a regular election,

- (a) for electoral districts 1 and 2, in 1998 and every third year after 1998;
- (b) for electoral districts 3, 4 and 5, in 1999 and every third year after 1999; and
- (c) for electoral districts 6, 7 and 8, in 1997 and every third year after 1997.

**5:05**

Except as otherwise provided in this By-Law, a regular election shall be held on the first Wednesday in June but, if the first Wednesday in June is a holiday, the election shall be held on the first day afterwards that is not a holiday.

**5:06**

If there is an interruption in mail service during a nomination or election, the Registrar shall extend the holding of nominations and the election for

such period of time as the Registrar considers necessary to compensate for the interruption.

**5:07**

Where a regular election is not held as required by this section, the elected members of the Council then in office shall continue in office until their successors are elected.

**6:00 TERM OF OFFICE**

**6:01**

The term of office of a member elected at a regular election is three years, commencing with the first regular meeting of the Council after the election and expiring, subject to bylaw 6:02, at the first regular meeting of the Council after the regular election three years later.

**6:02**

The term of office of a member elected at a regular election held after the date required by bylaw 5:00 expires as if he or she had been elected on the required date.

**6:03**

The term of office of a member whose office becomes vacant by reason of the member's disqualification expires upon the declaration of the vacancy and the term of office of a member elected in a by-election or appointed to replace a member whose office is vacant expires when his or her predecessor's office would have expired under bylaw 6:01.

**6:04**

Where an elected member of the Council has been disqualified from sitting on the Council under By-Law 16:03, the member shall not be eligible to run for election:

- a) in a by-election to replace his or her office which became vacant by reason of the member's disqualification; or
- b) where the subsequent term of his or her office would be consecutive with the term

of office for which he or she became disqualified.

**7:00 ELIGIBILITY TO VOTE**

**7:01**

A member is entitled to vote in an election if,

- (a) on election day, the member is the holder of a certificate of registration, whether it be in the Active, Inactive or Retired Life Member category as defined by these By-Laws; and
- (b) on the one hundred and twentieth day immediately preceding the election,
  - (i) the member practices or resides in Ontario, and
  - (ii) the member's registered address is in the electoral district for which the election is being held.

**8:00 NOMINATIONS**

**8:01**

A member is eligible for election to the Council for an electoral district if,

- (a) the member is entitled to vote in the election,
- (b) at all times between the one hundred and twentieth day immediately preceding the election and the election,
  - (i) the member continues to practise denturism or to reside in Ontario,
  - (ii) the member's registered address continues to be in the electoral district, for which the election is being held,
  - (iii) the member is not in default of any obligation to the College under a regulation or the By-Laws,

(iv) the member is not the subject of proceedings for Incompetence, professional misconduct or incapacity,

(v) the member's certificate of registration is not subject to a term, condition or limitation other than one prescribed by regulation; and

(vi) is not bankrupt;

(vii) is not a director, officer, employee of a national or provincial organization of Denturists: and

(viii) where the member has previously been disqualified from sitting on the council under By-Law 16:03, the term of vacancy is not consecutive to the term of office or vacancy from which the member was disqualified.

(c) the member's certificate of registration has not been revoked or suspended at any time in the two years immediately preceding the election.

**8:02**

A member who is eligible for election to the Council for an electoral district as of the Wednesday of the sixth week immediately preceding the date of the election becomes a candidate in that election if the member,

(a) is nominated by three members who are entitled to vote in the election on a nomination form provided by the Registrar and received by the Registrar not later than 2 p.m. on the Wednesday of the sixth week immediately preceding the date of the election; and

(b) consents to the nomination on a nomination form provided by the Registrar which is received by the Registrar not later than 2 p.m. on the Wednesday of the sixth week immediately preceding the date of the election.

**8:03**

A candidate in an election may withdraw his or her candidacy by notifying the Registrar of the withdrawal in writing received on or before the last date for receiving nominations.

**8:04**

No later than ninety days before the date of an election, the Registrar shall send by mail to every member entitled to vote in an election,

- (a) notification that a regular election or a by-election will be held to elect a member of the Council;
- (b) a statement,
  - (i) of the date of the election,
  - (ii) of the date for receiving nominations for the election,
  - (iii) that, to be a candidate, a member must be nominated by three members who are entitled to vote in the election,
  - (iv) that, to be a candidate, a member must consent to the nomination on a nomination form,
  - (v) that, to be valid, nominations must be received by the Registrar not later than 2 p.m. on the last date for receiving nominations and stating the date;
- (c) such other information as the Registrar considers helpful; and
- (d) a nomination form.

**8:05**

Each candidate shall conduct themselves during the election with honour and dignity. No candidate shall engage in conduct during the electoral process that would tend to bring the profession into disrepute or would tend to taint the electoral process. No candidate shall make

verbal or written election statements that are inappropriate or unprofessional.

**8:06**

If it appears to the Registrar, after appropriate investigation, that a candidate is not conducting himself or herself appropriately during the election, the Registrar may take action that he or she deems appropriate to ensure that the election is as fair as possible, including warning the candidate about his or her conduct and notifying members entitled to vote about apparently incorrect or inappropriate statements that may have been made. However, the Registrar is not required to take corrective measures.

**9:00 ACCLAMATION**

**9:01**

If there is only one candidate for an electoral district who is eligible for election, the Registrar shall declare the candidate elected to the Council by acclamation for that electoral district.

**9:02**

If there are no candidates for an electoral district who are eligible for election, the President of the Council shall nominate one or more members who are eligible for election in that election.

**9:03**

A person who consents to a nomination by the President under bylaw 9:02 shall be deemed to be a validly nominated candidate when the nomination and the consent referred to in bylaw 8:00 are received by the Registrar.

**10:00 ADMINISTRATION**

**10:01**

The Registrar shall be the chief returning officer and the Council shall appoint as deputy returning officers two members of the College who are not candidates in any election and are not members of the Council at the time of their appointment.

**10:02**

If a deputy returning officer refuses to act or to continue to act or is impaired in the opinion of both the President of the Council and the Registrar, the President shall appoint another member as a deputy returning officer who is not a candidate for any electoral district.

**10:03**

The returning officers shall honestly and accurately count the votes in each election, record the results of each count and thereby determine the result of each election.

**10:04**

All questions arising in the counting of ballots, the recording of results or the determination of the result shall be decided by a majority of the returning officers.

**11:00 VOTING**

**11:01**

Except for an election in which the Registrar has declared a candidate elected to the Council by acclamation, the Registrar shall, at least thirty days before the date of an election, send by first class mail to every member entitled to vote in the election,

- (a) a ballot;
- (b) instructions for voting;
- (c) a ballot envelope, capable of being sealed and inserted into the signature envelope mentioned in clause (d), and bearing the word "Ballot";
- (d) a signature envelope capable of being sealed, with a label displaying the member's full name and registration number and a place clearly marked for the member's signature;
- (e) a return mail envelope addressed to the Registrar to be used by the member for

mailing the contents stated in (a), (c), and (d) to the Registrar; and

- (f) biographical information about each candidate and policy information from each candidate who supplied the Registrar with no more than one page of policy information in a form suitable for reproduction.

**11:02**

The ballot shall contain, in alphabetical order of surname, the name and registered address of each candidate, and any other information entered in the register that the Council directs to be included to identify the candidates.

**11:03**

The instructions for voting shall contain instructions in legible type to the effect that,

- (a) the voter must place an "X" in one of the appropriate places on the ballot to indicate the candidate of the voter's choice;
- (b) when marked as instructed, the ballot must be placed in the ballot envelope, and the ballot envelope must be sealed and placed inside the signature envelope displaying the member's full name and registration number and bearing the member's signature;
- (c) the ballot envelope shall not bear any marks which could identify the voting member;
- (d) only one ballot may be placed in the ballot envelope, and only one ballot envelope may be placed inside the signature envelope;
- (e) the voter must sign the signature envelope, in the places marked;
- (f) the envelope mentioned in (e) containing the ballot envelope must be sealed and placed in the return-mail envelope addressed to the Registrar for mailing;
- (g) the return mail envelope must be received by 2 p.m. on the election day; and

- (h) the ballot will not be counted in the election unless it has been marked and is otherwise in accordance with the instructions for voting.

- (h) subject to bylaw 12:02, determine the candidate who received the largest number of votes in each election.

**12:00 COUNTING VOTES**

**12:02**

**12:01**

The returning officers shall receive ballots until 2 p.m. on the election day and, promptly after that time, shall,

If two or more candidates receive the same number of votes in an election, the chief returning officer shall select one of the candidates by lot who shall be deemed to have received the largest number of votes in the election.

- (a) open the return-mail envelopes used for mailing and remove the signature envelopes contained within
- (b) examine the signature envelopes to see whether they display the signature of a member entitled to vote in one of the elections being held and whether any member appears to have cast more than one ballot;
- (c) sort those which appear to be proper under clause (b) according to the electoral district indicated by the member's name, open them and remove the ballot envelopes for each electoral district, place them in a container designated for each electoral district and set any others signature envelopes to one side unopened;
- (d) open the ballot envelopes for one electoral district at a time and examine the ballots in them;
- (e) examine the ballots and count a ballot as a vote for a candidate if a ballot has been marked "X" in one of the appropriate places on the ballot to indicate the candidate of the voter's choice and the candidate of the voter's choice is eligible for election;
- (f) examine the ballots and if a ballot is not marked as described in clause (d), set it to one side uncounted;
- (g) record the number of ballots counted as votes for each candidate in each election; and

**12:03**

Voting shall be secret and conducted so that no person knows for whom any member voted.

**12:04**

A candidate is entitled, in person or by an agent appointed for the purpose by the candidate in writing,

- (a) to be present and see the returning officers discharge their duties;
- (b) to examine the signature envelopes to see whether they display the signature, name and registration number of members entitled to vote in the election; and
- (c) to examine all the ballots in the election to see whether they are to be counted as votes for a candidate.

**13:00 DOCUMENTATION**

**13:01**

Promptly after determining the candidate who received the largest number of votes in each election, the returning officers shall make and sign, in duplicate, a return of the results of each election, indicating the candidate who was elected and including the total number of votes cast, the number of votes cast for each candidate and the number of ballots not counted as votes with the reasons.

**13:02**

For each election, the returning officers shall retain in one or more containers, which they seal,

- (a) all larger envelopes which do not display the signature, name and registration number of a member entitled to vote in the election, or which indicate that a member appears to have cast more than one ballot, which shall be kept unopened; and
- (b) all ballots, which shall be kept segregated by those counted as votes and those not.

**13:03**

One of the returns shall be placed outside the sealed container containing the ballots counted as votes, and the Registrar shall submit the other return to the Council at its first meeting after the election.

**13:04**

Promptly after the return of an election has been made and signed, the Registrar shall,

- (a) declare the name of the member elected in that election; and
- (b) Inform, first by telephone or telecopier transmission, and subsequently by mail,
  - (i) each candidate of the results of the election and the number of votes cast for each candidate,
  - (ii) the President of the Council of the results of each election, the number of votes cast for each candidate and of any other election matter about which the President requests information,
  - (iii) each elected candidate of the time and place of the first regular meeting of the Council following the election, and
  - (iv) each defeated candidate that he or she may require a recount.

**13:05**

The Registrar shall retain all larger envelopes received after 2 p.m. on the election day, which the Registrar shall mark "Late".

**13:06**

The Registrar shall make all declarations in respect of an election in writing, keep them in the records of the College and send a copy of each declaration to the President of the Council promptly after making it.

**13:07**

Unless a candidate has requested a recount or otherwise challenged an election or its results, the Registrar shall, thirty-one days after the return of an election has been made and signed, destroy all ballots, envelopes and other material from the election, other than declarations and the return submitted, or to be submitted, to the Council.

**14:00 RECOUNTS**

**14:01**

Upon written direction to the Registrar received within thirty days after the date of the return and payment of \$150 to the College, a candidate may require a recount.

**14:02**

If a candidate requires a recount, the President of the Council shall preside over the recount, and shall,

- (a) appoint within fifteen days after the receipt of the direction, a time and place for the recount;
- (b) notify all candidates in the election of the fact and date of the recount and that they or their agents are entitled to be present to see the recount and examine the envelopes, votes and other documents;
- (c) appoint two other people to participate with the President in the recount;

- (d) if the two other people cannot agree whether to count a ballot as a vote, make the decision;
- (e) if two candidates receive an equal number of votes, cast a deciding vote for one of the candidates; and
- (f) declare the candidate who received the most votes to be elected to the Council for the electoral district.

**14:03**

If the result of the recount is that the candidate who required the recount is declared elected to the Council for the electoral district, and the Council has acted in accordance with bylaw 14:04 (a), the candidate is entitled to repayment without interest of the \$150 required by bylaw 14:01.

**14:04**

The President shall report to the Council at its first meeting following any recount the procedures and results of the recount, and the Council may,

- (a) declare itself to be satisfied with the results and instruct the Registrar to destroy all ballots, envelopes and other material from the election other than the declarations and the return;
- (b) decide to hold an inquiry under bylaw 15:00; or
- (c) take such action as it considers appropriate in the circumstances pending a final decision in accordance with clause (a) or (b) at its next regular meeting thereafter.

**14:05**

If the President is a candidate in the election in which there is a recount, the President shall designate the vice-president or, if the vice-president is unable or unwilling, a member of the Council who is appointed to the Council by the Lieutenant Governor in Council to perform the President's duties under this section.

**15:00 INQUIRY**

**15:01**

If 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 the 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.

**16:00 VACANCIES**

**16:01**

In this By-Law,

"**an elected member of the Council**" includes a person appointed under bylaw 17:01(b) as the successor of an elected member of the Council.

**16:02**

If an elected member of the Council dies, resigns or is disqualified from sitting on the Council, the President of the Council shall declare the office of the member on the Council to be vacant.

**16:03**

An elected member of the Council is disqualified from sitting on the Council who,

- (a) ceases to be a member of the College;
- (b) changes his registered address to outside of the electoral district in which the member was elected.
- (c) is in default of any obligation to the College under a regulation or the By-Laws;
- (d) Is found guilty of professional misconduct or incompetence or to be an incapacitated member;
- (e) remains or becomes a director, officer or employee of a national or provincial voluntary organization of denturists;

- (f) becomes bankrupt;
- (g) is found to be mentally incompetent;
- (h) fails to attend two consecutive regular meetings of the Council without good reason in the opinion of the Council;
- (i) fails, in the opinion of the Council, to discharge properly or honestly any office to which he or she has been elected or appointed; or
- (j) fails, in the opinion of the Council to comply in a material respect with the *Code of Ethics and Conduct* for the College.

**16:04**

If a member of Council no longer has a registered address in the electoral district for which they were elected at the time 16:03 (b) comes into effect, 16:03 (b) shall not apply to this member until the member has completed the full term of office for which he or she was elected.

**17:00 FILLING VACANCIES**

**17:01**

If the office of an elected member of the Council is declared to be vacant not more than one year before the expiry of the member's term of office, the Council may,

- (a) leave the office vacant; or
- (b) appoint as an elected member a successor from among the members of the College who would be eligible for election if an election were held.

**17:02**

If the office of an elected member of the Council becomes vacant more than one year before the expiry of the member's term of office, the Registrar shall hold a by-election for the electoral district in accordance with the By-Laws.

**17:03**

A by-election to fill a vacancy on the Council shall be held on the first Wednesday following ninety calendar days from the declaration of the vacancy or if, in the opinions of both the President of the Council and the Registrar, an election on that date is not feasible, on the first Wednesday after that date that is feasible in the opinion of the Registrar.

**18:00 REGULAR COUNCIL MEETINGS**

**18:01**

The President shall set the time and place for regular meetings.

**18:02**

There shall be a minimum of three (3) regular meetings of the Council per 12-month period following the Annual meeting.

**18:03**

The meeting shall be called to order by the President or Vice-President, or failing either of these, by the Registrar or his/her delegate until pro tem Chair is selected.

**18:04**

No business shall be transacted unless a quorum, being a majority of the Councillors, is present.

**18:05**

If the Chair observes that a quorum no longer exists, or determines upon a point of order by a Councillor that there is no quorum, then no further business shall be conducted other than to recess while efforts are made to obtain a quorum or to adjourn.

**18:06**

After a motion is moved and seconded, a motion to amend may be made and a motion to amend the amendment may be made but no further

motion to amend shall be made until these have been decided.

**18:07**

A proposed amendment, which negates the intent of the original motion, shall not be accepted by the Chair.

**18:08**

A motion to table or to refer for study by a stated group/Committee must state duration and shall be debatable only with reference to duration.

**18:09**

The following motion shall be considered non-debatable and shall be put immediately:

- a) to put the question (close debate)
- b) to table (debatable as to duration 18:08)
- c) to adjourn
- d) to refer (debatable as to duration 18:08)

**18:10**

Limitations of the time, or number of times, a Councillor may speak to a motion and the duration of debate on a By-Law or a particular issue shall be the prerogative of the Chair.

**18:11**

Yeas and nays shall be recorded on request of any Councillor made previous to the vote being taken.

**18:12**

Regular or Special meetings of the Council, and Non-Statutory and Statutory Committee meetings, other than hearings, may be conducted by electronic means.

**18:13**

**DUTIES OF COUNCIL MEMBERS**

Each member of Council, whether an elected member, or a public member, has a right to vote (subject to any legal limitation, such as where there is a conflict of interest). All members of Council are equal and participate equally in voting, discussion, and decision making.

**18:14**

Each member of Council, whether an elected member, or a public member, has a fiduciary duty to the College. Through discussion, decision making and voting at Council meetings, each member is accountable for adherence by the College to statutes and laws governing the College for the regulation of the profession. The individual council member's duty to follow the College's legal mandate to regulate the profession in the public interest shall supersede any personal interest, and where the member of Council is an elected member, shall supersede the interests of any member who has or may, in future, vote for him or her in an election.

**18:15**

Once elected to Council, a Council member does not represent those who elected him or her. The sole constituency of a Council member is the public interest as it pertains to the regulation of the profession.

**18:16**

Although Council members are encourage to communicate Council decisions to members, the members who elected Council members do not have any special right of access to information from a Council member. All Council members are bound by the RHPA to confidentiality and cannot disclose to the members in their electoral district or anyone else any information that is not otherwise publicly available from the College.

---

---

**19:00 AGENDA FOR COUNCIL MEETINGS**

**19:01**

The President and the Registrar or his/her delegate shall prepare an Agenda for all Council meetings and shall include all Agenda requests of Councillors received by the Agenda Deadline Date.

**19:02**

The Agenda for regular Council Meetings shall include:

- 1) Call to Order
- 2) Adoption of Agenda
- 3) Routine Items of Business
- 4) Committee Reports
- 5) Staff Members Reports
- 6) Information and Proposals
- 7) Future Business
- 8) Adjournment

**19:03**

The Agenda Deadline Date shall be 5:00 p.m. on the day two weeks prior to a regular Council meeting.

**19:04**

Agenda for a regular Council meeting shall be forwarded expeditiously to all Councillors prior to a Council meeting.

**19:05**

The prepared Agenda for a regular Council meeting shall be followed unless there is a majority decision to set it aside.

**20:00 COUNCIL DELEGATIONS**

**20:01**

Persons or groups wishing to appear before the Council as delegations must indicate to the Registrar or his/her delegate their intention and the nature of their brief by 5:00 p.m. on the Agenda Deadline Date.

**20:02**

Notwithstanding Section 20:01, the President shall have the power to cause a delegation to be heard if he/she deems the business to be emergent.

**20:03**

The President will permit only 3 delegations to present briefs at a Council meeting.

**20:04**

It shall be indicated by the President to the spokesperson that he/she may make a presentation and be subject to clarification questions by Councillors but the spokesperson shall not be privileged to ask questions of Councillors.

**20:05**

As soon as the President is satisfied that all points have been clarified, he/she will close the presentation by thanking the spokesperson and informing him or her that the matter will receive consideration by the Council.

**20:06**

Any action taken by the Council relative to a brief shall be communicated in writing to the spokesperson of the delegation.

**21:00 SPECIAL COUNCIL MEETINGS**

**21:01**

The President shall cause a Special Council Meeting to be held at his/her discretion or as the result of a written request from four Councillors. The request must include all issues the Councillors wish to have considered at the special meeting, subject to a ruling by the President.

**21:02**

Twenty four-hours notice for a Special Council Meeting shall be given to all Councillors.

**21:03**

Only the stated business of the Special Council Meeting/Agenda shall be considered unless all Councillors present agree unanimously to consider other items of business.

**21:04**

The quorum rule shall apply in the case of a Special Council Meeting.

**22:00 ACCESS TO COUNCIL MEETINGS**

**22:01**

Access to Meetings of the Council, Committee Meetings of the Council and declaration of Private Sessions of either shall be in accordance with the *RHPA*, the *Denturism Act* and the applicable Regulations.

**22:02**

Regular rules of procedure shall prevail in Private Session.

**23:00 COMMITTEE OF THE WHOLE**

**23:01**

The Council may resolve itself into Committee of the Whole for discussion of a stated matter(s).

**23:02**

The Committee shall determine the member who shall take the Chair

**23:03**

Normal rules of procedure shall be considered to be relaxed in Committee of the Whole but the Chair shall preserve order and decide all questions of order.

**23:04**

A motion to rise from Committee of the Whole shall be non-debatable.

**23:05**

The Chairperson of the Committee of the Whole shall report to the regular session as directed by the Committee.

**24:00 COLLEGE POLICY**

**24:01**

Policy Statements of the College shall be officially considered at the Council Meeting following a Committee Meeting in which Policy was conceived.

**24:02**

Policy Statements of the College shall be reviewed annually by the Executive Committee.

**24:03**

Policy Statements shall be changed only by a 2/3-majority vote of Councillors present at a regular meeting of the Council provided new wording of Policy should have been included in the Agenda material.

**25:00 ELECTION OF PRESIDENT & VICE-PRESIDENT OF THE COLLEGE**

**25:01**

The President and Vice-President shall be elected by-annually at the Regular Meeting of the Council at which a majority of the Councillors is present.

**25:02**

The Registrar or his/her delegate shall preside at the election of the President.

**25:03**

The President of the College shall be elected for a two- year term.

**25:04**

The Vice-President of the College shall be elected to a two-year term.

**25:05**

No Councillor shall be elected to the office of President/Vice-President for more than three consecutive two-year terms.

**25:06**

(a) The election of the President/Vice-President shall be by secret ballot. There shall be a nomination and the member receiving a clear majority of the votes cast by all Councillors present shall be declared elected. Void ballots shall not be counted as cast and the count shall not be declared.

(b) Each Councillor accepting a nomination may address the Council for a period of not more than five minutes prior to the vote.

**25:07**

A clear majority shall be more than 1/2 of the votes cast. The Registrar or his/her delegate shall announce the result and the name of the Councillor receiving the smallest number of votes will be dropped. Balloting shall continue until a clear majority of the ballots cast, void ballots not being counted as cast, shall be in favour of one Councillor.

**26:00 DUTIES OF THE PRESIDENT/VICE-PRESIDENT**

**26:01**

The President shall be the Chief Executive Officer of the College and shall be charged with the supervision of the affairs and operations of the Council, in accordance with the RHPA, the Denturism Act and the Regulations.

**26:02**

The President shall preside at all meetings of the Council and shall preserve order and decide all questions of order. Challenge of a ruling of the President shall be subject to an immediate, non-debatable vote of the Council, in which event a clear majority shall decide.

**26:03**

The President may vote on any question before the Council, but, if by his/her so doing there is an equality of votes, the question shall be decided in the negative.

**26:04**

The President shall be an "Ex Officio" Councillor of all Committees appointed by the Council, but may not participate in any hearing held by a Committee.

**26:05**

The President, with power to delegate, shall be the official representative of the College at all public functions.

**26:06**

Should the President elect to vacate the Chair to take part in any debate or discussion or for any reason, he/she shall call upon the Vice-President, or in his/her absence, one of the Councillors to fill his/her place until he/she resumes it.

**26:07**

The President shall oversee the performance of the duties of the officers and employees of the College.

**26:08**

The President shall sign such contracts, documents or instruments in writing as required.

**26:09**

The President shall have such other powers and duties as may, from time to time, be assigned to him or her by the Council or as are incidental to the office of the President.

**26:10**

In the absence of the President, the Vice-President shall perform the duties and be accorded all privileges of the President.

**26:11**

In the event of a prolonged absence or incapacitation of the President, the Vice-President shall automatically be empowered to act with the full authority of the position of President of the College.

**26:12**

The Vice-President may act as an alternate "Ex Officio" Committee Councillor at the request of the President.

**26.13**

An individual having most recently held the position of President of the Council who leaves the position for any reason other than removal by a two-thirds majority vote of the Council shall be eligible for appointment as a non-council and non-voting member of the Executive Committee for a period not to exceed two-years. This appointment applies to on-going Executive policy development matters and said Past-President is precluded from involvement with any adjudicative activities of the Executive Committee.

**27:00 VACANCY IN THE OFFICE OF THE PRESIDENT OR VICE-PRESIDENT**

**27:01**

Should a vacancy occur in either office during a year, a new President or Vice-President shall be elected at the regular meeting subsequent to the vacancy in accordance with the method herein prescribed for the by-annual election of same to hold office for the remainder of the term.

**28:00 REMOVAL OF THE PRESIDENT OR VICE-PRESIDENT OR OTHER OFFICERS**

**28:01**

The President or the Vice-President may be removed from office by a 2/3 majority vote of the Councillors present, whereupon the Council shall elect a new President or a new Vice-President from among the Councillors to hold office for the remainder of the term.

**28:02**

Any other officer may be removed from office by resolution of the Council.

**29:00 OFFICERS OF THE COLLEGE**

**29:01**

The remaining three Councillors of the Executive Committee shall be named by the President to take the office of 2nd Vice-President, Secretary, and Treasurer.

**29:02**

**2ND VICE-PRESIDENT**

In the absence of the President and Vice-President, the 2nd Vice-President shall perform the duties and be accorded the privileges of the President.

**29:03**

**TREASURER**

The Treasurer shall oversee the handling of the College's finances and receive regular reports from the Registrar on them.

**29:03.1**

The Treasurer shall report on the state of the finances of the College when requested by the Council.

**29:03.2**

The Treasurer shall have such other powers and duties as may, from time to time, be assigned by the Council or as are incidental to the office of the Treasurer.

**29:04**  
**REGISTRAR**

The Registrar shall act as the Chief Administrative Officer of the College and shall have such duties as are conferred by the RHPA and Regulations. The Registrar shall serve as Secretary of the Council. The Registrar shall give, or cause to be given notice for all meetings of the Council when directed to do so.

**29:04.1**

The Registrar shall be custodian of the seal of the College and of all books, papers, records, correspondence, contracts and other documents belonging to the College which he/she shall deliver up to persons, other than Councillors only when required by law or when authorized by a resolution of the Council, and only to such person or persons as may be named in the resolution.

**29:04.2**

The Registrar shall act as Secretary to all Statutory and other Committees of Council, and shall conduct, under the direction of Council, all correspondence relating to the affairs of the College.

**29:04.3**

The Registrar may delegate functioning responsibilities to other appointed officers and employees of the College.

**29:04.4**

The Registrar shall keep a true record of the proceeding of each meeting of Council, keep a correct list of all applicants for registration, keep

a correct list of members of the College and issue annual Certificates of Registration.

**29:04.5**

The Registrar shall transact all business requiring attention between meetings of Council, remit to the Treasurer accounting of all funds of the College coming into the Registrar's possession by reason of his/her office and arrange for the payment of all accounts.

**29:04.6**

The Registrar shall sign such contracts, documents or instruments in writing as required.

**29:04.7**

The Registrar shall have such other powers and duties as may, from time to time, are assigned by the Council or as are incidental to the office of the Registrar.

**30:00 STATUTORY COMMITTEES**

**30:01**  
**EXECUTIVE COMMITTEE**

The Executive Committee shall be composed of five members of the Council as follows:

1. Two members of the Council appointed to the Council by the Lieutenant Governor in Council.
2. Three members of the College who have been elected to the Council.

**30:01.1**

The President and Vice-President of the Council shall be members of the Executive Committee.

**30:01.2**

The President of the Council shall be the chair of the Executive Committee.

**30:02**  
**REGISTRATION COMMITTEE**

The Registration Committee shall be composed of,

- (a) two members of the Council who are members of the College;
- (b) one member of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) one additional member of the College.

**30:03**  
**COMPLAINTS COMMITTEE**

The Complaints Committee shall be composed of,

- (a) two members of the Council who are members of the College;
- (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) one additional member of the College.

**30:04**  
**DISCIPLINE COMMITTEE**

The Discipline Committee shall be composed of,

- (a) two members of the Council who are members of the College;
- (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) two additional members of the College.

**30:05**  
**FITNESS TO PRACTISE COMMITTEE**

The Fitness to Practise Committee shall be composed of,

- (a) two members of the Council who are members of the College;
- (b) one member of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) one additional member of the College.

**30:06**  
**QUALITY ASSURANCE COMMITTEE**

The Quality Assurance Committee shall be composed of,

- (a) two members of the Council who are members of the College;
- (b) one member of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) two additional members of the College.

**30:07**  
**PATIENT RELATIONS COMMITTEE**

The Patient Relations Committee shall be composed of,

- (a) two members of the Council who are members of the College;
- (b) two members of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) one additional member of the College.

**31:00 COLLEGE COMMITTEES**

**31:01**

The Council shall appoint Councillors for each Statutory Committee in accordance with the RHPA and Regulations.

**31:02**

Councillors of each Statutory Committee shall elect a Chair at the initial meeting of the Committee.

**31:03**

The Non-Statutory Committees may be appointed by resolution of the Council specifying the function of the Committee and the number of Councillors, with the understanding that the Committee will recommend its own dissolution when its task is complete.

**31:04**

The President shall name the Chair for all Non-Statutory Committees and determine areas of responsibility when required.

**31:05**

All College Committees are understood to be dissolved on the day previous to an initial or annual meeting of the Council.

**31:06**

Statutory Committees of the College will meet on a regular or as required timetable; Non-Statutory Committees of the College will meet as required or directed by the President.

**31:07**

Secretarial resource assistance will be appointed for each Committee by the Registrar or his/her delegate.

**31:08**

Quorum for all Non-Statutory Committee meetings shall be more than half the Councillors.

**31:09**

The President and/or the Vice-President in that order may fulfill quorum in lieu of absentees at Non-Statutory Committee meetings and may

participate as voting Councillors in aforementioned order in lieu of absentees up to complement.

**31:10**

Any Councillor may attend any College Meeting other than a hearing and participate in discussion without voting rights or remuneration except as provided in 31:09.

**32:00 NON-COUNCIL COMMITTEE MEMBERS**

**32:01**

A member of the College who is not a member of the Council is qualified for appointment to a committee if, on the date of the appointment,

- (a) the member practises denturism or ordinarily resides in Ontario;
- (b) the member is not in default of any obligation to the College imposed by regulation or By-Law;
- (c) the member is not the subject of proceedings for incompetence, professional misconduct or incapacity;
- (d) the member's certificate of registration has not been revoked or suspended at any time in the two years immediately preceding the appointment;
- (e) the member's certificate of registration is not subject to a term, condition or limitation other than one prescribed by regulation; and
- (f) the member is not a director, officer or employee of a national or provincial voluntary organization of denturists.

**32:02**

**TERM OF APPOINTMENT**

Every appointment to a committee expires each year at the first regular Council meeting following the elections to the Council.

**32:03**

When a person's appointment to a committee expires, the person is eligible for reappointment to the same committee, but no person may be a member of the same committee for more than nine consecutive years.

**32:04**

**DISQUALIFICATION**

A member appointed to a committee under this Regulation shall be disqualified from being a member of a committee if the member,

- (a) neither practises denturism nor ordinarily resides in Ontario;
- (b) has been found to have committed an act of professional misconduct, to be incompetent or to be incapacitated;
- (c) fails, without cause, to attend two consecutive meetings of the committee or of one of its subcommittees of which he or she is a member, or both;
- (d) fails, without cause, to attend a hearing or review by a panel to which he or she has been appointed; or
- (e) becomes a director, officer or employee of a national or provincial voluntary organization of denturists.

**32:05**

When a person becomes disqualified under bylaw 32:04, that person ceases to be a member of any committee or subcommittee, and the Council shall appoint a successor as soon after the disqualification as feasible.

**32:06**

The term of office of a person who is appointed as a successor under bylaw 32:05 expires when the term of office of the person being replaced would have expired under bylaw 32:02.

**33:00 MALPRACTICE INSURANCE**

Every member shall include in the annual information return:

- (a) proof that the member carries professional liability insurance in the minimum amount of \$1,000,000 for each occurrence, or
- (c) a signed statement that the member is not currently providing denturist services and undertakes not to do so without first obtaining professional liability insurance.

**34:00 FINANCES**

**34:01  
INDEMNITY**

Every Councillor, every member of a committee and every employee and their successors shall be indemnified and saved harmless out of the funds of the College from:

- 1) all costs, charges and expenses that he or she sustains or incurs in or about any action, suit or proceeding that is brought, commenced or prosecuted against him or her relating to any act, deed, matter or thing made, done or permitted by him or her in or about the execution of the duties of his or her office, and
- 2) all other costs, charges and expenses that he or she sustains or incurs in or about or in relation to the affairs of his or her office, except such costs, charges or expenses as are occasioned by his or her own willful neglect or default.

**34:02  
BANKING**

The Executive Committee shall appoint one or more chartered banks or corporations chartered under The Loan and Trust Corporations Act for the use of the College as its "Bank."

**34:03**

All monies belonging to the College shall be deposited in the name of the College with the Bank.

**34:04**

The Registrar may endorse any negotiable instrument for collection on account of the College through the Bank or for deposit to the credit of the College with the Bank. The College's rubber stamp may be used for such endorsement.

**34:05**

All cheques, drafts or orders for the payment of money and all notes and acceptances and bills of exchange shall be signed by such officers of the College, and in such manner as the Executive Committee may, from time to time, authorize by resolution.

**34:06**  
**BORROWING**

Council may, from time to time:

- (a) borrow money upon the credit of the College
- (b) limit or increase the amount or amounts to be borrowed
- (c) issue, sell or pledge for such sums and such prices as may be deemed expedient, securities of the College.

**34:07**

Without limiting the generality of the foregoing, (a) the President or Vice-President together with the Registrar or Treasurer and (b) such other officer or officers or person or persons as may from time to time be authorized by resolution of Council, may invest or reinvest funds of the College, not immediately required, in:

- (a) bonds, debentures or other evidences of indebtedness of, or guaranteed by, the Government of Canada, the Government of

Ontario or the Government of another province of Canada which province at the time of such investment was rated by the Dominion Bond Rating Service as one of the three best rated provinces of Canada, or

- (b) deposit receipts, deposit notes, certificates of deposit, acceptances and other similar instruments issued or endorsed by the Bank.

**34:08**  
**MAKING GRANTS**

The Council may, by resolution, make a grant from the funds of the College to an individual or corporation for the purpose of:

- (a) advancing the scientific knowledge or the education of persons wishing to practise the profession
- (b) maintaining or improving the standards of practise of the profession providing public information about and encouraging interest in the past and present role of the profession in society.

**34:09**

All shares and securities owned by the College shall be lodged, in the name of the College, in a safety deposit box or held in accounts with such brokerage houses as may be authorized by the Executive Committee from time to time or, if so authorized by resolution of the Council, with such other depositories or in such manner as may be determined from time to time by the Council.

**34:10**

All share certificates, bonds, debentures, notes or obligations belonging to the College shall be issued in the name of the College.

**34:11**

The fiscal year of the College shall be the first day of April to the last day of the following March.

**34:12**  
**AUDITORS**

The Council shall annually appoint an auditor to audit the accounts of the College and to hold office for the ensuing year, and each such auditor shall be a Chartered Accountant or a firm of Chartered Accountants.

**34:13**

No person shall be appointed or act as an auditor who, or whose partner, employer or employee in a firm of Chartered Accountants, is:

- (a) a Councillor
- (b) a partner, employer or employee of a Councillor
- (c) a "related person" (as defined in The Business Corporations Act then in force) of a Councillor.

**34:14**

The Registrar shall give notice in writing to an auditor forthwith after the appointment is made.

**34:15**

The auditor has a right of access at all times to all records, documents, accounts and vouchers of the Council and is entitled to require from the Councillors and employees of the College any information and explanation which, in his or her opinion, is necessary to enable him or her to report as if the Council were a corporation under The Business Corporation Act.

**34:16**

The Registrar shall send a copy of each auditor's report to every Councillor and to the Minister.

**35:00 HONOURARIA AND EXPENSES**

**35:01**  
**GENERAL**

In this section:

"Full Day" in respect of a meeting means more than six hours.

"Half Day" in respect of a meeting means between two and six hours.

"Quarter Day" in respect of a meeting means less than two hours.

**35:02**

This section applies to members of the College who are Councillors or Committee members. It does not apply to Councillors or committee members appointed by the Lieutenant Governor in Council.

**35:03**  
**HONORARIA**

The honouraria set out in this By-Law are intended to be a partial re-imbusement only of the professional income that could be earned.

**35:04**

The honourarium for attending a Council or Committee meeting is set out in the table appended to these By-Laws as A3:00.

**35:05**

The following principles apply to the payment of honoraria:

- a) Except as set out below, only actual attendance time may be claimed for an honorarium for attendance at a meeting.
- b) Other than for the travel time, a maximum of one Full Day honorarium may be claimed for a calendar day despite the number or length of meetings held that day.
- c) Travel time honoraria are claimable only if no accommodation expense is claimed

on the day before or the day after the meeting or if it is not reasonable in the circumstances to travel outside of customary business hours (i.e., 9:00 a.m. to 6:00 p.m. on business days).

- d) Honoraria may be claimed for an in-person meeting where the meeting is cancelled with less than two business days notice and the member would have earned professional income but for scheduling the meeting and the member is reasonably unable to mitigate the loss of professional income after the notice of cancellation. If the member is able to mitigate part of the loss of professional income, the member may claim the difference between the honorarium and the income earned.
- e) Where a meeting was scheduled for a Full Day or a Half Day and the meeting does not take the scheduled time, the member may claim the honoraria for the scheduled length of the meeting so long as the member arrived on time and did not leave early.
- f) All claims must be recorded on the forms established by the College and must be submitted within 60 days of the meeting date or the claim will be forfeited.
- g) Any disputes about a claim for an honorarium and any request for special consideration shall be determined by the Executive Committee.

**35:06**  
**EXPENSES**

The College shall reimburse its representatives for their valid expenses in carrying out College-approved official business in accordance with this By-Law

**35:07**

The approved rate of some of the more common valid expenses is set out in the table appended to these By-Laws as A4:00

**35:08**

The following principles apply to the payment of expenses:

- a) All expenses, other than meal allowances, must have been actually incurred and must be accompanied by receipts or vouchers.
- b) Automobile travel expenses cannot be claimed if the member could reasonably have traveled by common carrier for a lesser amount. This principle does not apply to municipal or regional transit; that is, automobile travel expenses may be claimed for trips within the municipality even though municipal or regional transit was available.
- c) Only one claim can be made per vehicle for automobile expenses regardless of how many passengers were carried in the vehicle.
- d) Accommodation expenses are only available if,
  - i. the member is staying overnight more than 30 km from member's residence and
  - ii. either the member has meetings on two consecutive days (for the night between the meetings) or the time necessary to travel to or from the meeting makes it impractical for the member to travel on the day of the meeting unless first approved by the College.
- e) Accommodation expenses do not include incidental personal charges such as personal telephone calls, movies, laundry, purchases, etc.
- f) The maximum amounts specified in the chart Appendix A4:00 include GST or PST (i.e., if the GST and PST bring the amount of the expense over the maximum allowed, the portion of the GST or PST over the maximum will not be reimbursed).
- g) All claims must be recorded on the forms established by the College and must be submitted within 60 days of being incurred or the claim will be forfeited.
- h) Any disputes about a claim for an expense and any request for special consideration shall be determined by the Executive Committee.

**36:00 PROVISIONS RESPECTING  
REIMBURSEMENT FOR OFFICIAL VISITS TO  
ELECTORAL DISTRICTS**

**36:01**

Councillors representing electoral districts are encouraged to make official visits within their respective electoral districts.

At such meetings, Councillors should be provided with the opportunity of addressing the members on such issues relating to the mission of the College as are deemed by the Councillor to be appropriate, subject to the confidentiality provisions. One visit per year should be considered a minimum, but honourarium and expense coverage will be provided for up to two meetings, which may include either or both district general meetings and district Executive Committee Meetings, as appropriate.

**36:02**

Normal travel expenses will be provided consistent with the College's expense By-Laws.

**36:03**

If it is necessary, in order to travel to a local district meeting, that an entire workday be lost in the process, then the currently applicable full-day honourarium will apply.

**36:04**

If it is necessary, in order to travel to a district meeting, that a half day is lost in the process or if no office time is lost but the meeting consumes the evening, then the half-day honourarium currently applicable will apply.

**36:05**

Any dispute relative to 36:03 or 36:04 above shall be decided by the Executive Committee.

**37:00 FEES**

**37:01**

A person who submits an application for a certificate of registration, other than a certificate referred to in By-Law 37:02, shall pay, for consideration of the application by the Registrar under section 15 of the Health Professions Procedural Code, an application fee of \$175.

**37:02**

A person who submits an application for a certificate of registration to teach a brief continuing education program to Ontario denturists under section 4 of Ontario Regulation 833/93 shall pay, for consideration of the application by the Registrar under section 15 of the Health Professions Procedural Code, an application fee of \$50.

**37:03**

Every member shall pay an annual fee in accordance with the following provisions.

**37:04**

In this By-Law "year" means a 12-month period that begins on April 15 and ends on the following April 14.

**37:05**

The annual fee may be paid in two installments payable on or before April 15 and October 15 of each year. All payment authorization must be received on or before April 15 each year. If any installment payment is disallowed by the member's bank for any reason, the balance of all remaining installments for the year will be immediately payable with the applicable penalty for a refused payment and a late payment penalty of 10 per cent of any installments past due.

**37:06**

The annual fee for a member who practices denturism in Ontario at any time during the 2008/09 registration year is,

- (a) if the fee is paid by a lump sum payment, \$1,398.45 plus GST
- (b) if the fee is paid in installments \$1,398.45 plus a \$100.00 service fee plus GST. A first payment of \$699.23 plus ½ the service charge plus GST and one additional payment of \$699.22 plus ½ the service charge plus GST due as noted in 37:05.

**37:07**

The annual fee for a member who does not practice denturism in Ontario during the 2008/09 registration year is,

- a) if the fee is paid by a lump sum payment, \$699.23 plus GST
- (b) if the fee is paid in installments \$699.23 plus ½ the service fee plus GST. A first payment of \$349.62 plus ½ the service fee plus GST and one additional payment of \$349.61 plus ½ the service fee plus GST as due as noted in 37:05.

**37:08**

All classifications of registration renewal fees shall be subject to an automatic annual cost of living increase in the amount of 2 per cent of the previous year's annual fee commencing in 2002.

**37:09**

If, in the course of a year, a member who does not practice begins to practice denturism, the member shall pay the difference between the annual fee he or she paid under By-Law 37:07 and the annual fee payable under By-Law 37:06

**37:10**

The annual fee for the year in which a person becomes a member shall be prorated according to the part of the year during which the person is a member. In addition the fees of a member that have already been paid shall be prorated if one of the following circumstances apply:

- (a) the estate or next of kin of the member provides to the Registrar satisfactory proof of the death of the member during the year (in which case the prorated amount shall be refunded by the College to the estate of the member or, if there will be no estate administrator appointed, to the next of kin of the member);
- (b) the member provides to the Registrar a written statement resigning from the College on a specific date during the year and the resignation is because of the permanent retirement of the member from the practice of denturism and is not related to any investigation, disciplinary or other proceedings by the College;
- (c) the member provides to the Registrar written proof satisfactory to the Registrar that the member is substantially incapacitated and the member states in writing that the member will not return to practice for at least six months until first paying the pro-rated annual fee to the College.

A prorating of a fee will be prorated to the month.

**37:11**

A member who fails to pay an annual fee on or before the day on which it is due but who pays the annual fee on or before the day on which the certificate may be suspended under section 24 of the Health Professions Procedural Code shall pay a penalty of 10 per cent of the annual fee in addition to the annual fee.

**37:12**

A member who fails to pay an annual fee on or before the day on which it is due but who pays the annual fee after the day the certificate may be suspended under section 24 of the Health Professions Procedural Code shall pay a penalty of 20 per cent of the annual fee.

**37:13**

By-Law 37:11 and By-Law 37:12 apply with necessary modification to a member who fails to pay an installment on an annual fee.

**37:14**

A person who requests the Registrar to do anything that the Registrar is required or authorized to do by statute or by regulation shall pay,

- (a) if a fee for doing the thing is provided for in the By-Laws, that fee; or
- (b) if not and a fee has been set by the Registrar, the fee set by the Registrar.

**37:15**

**CATEGORIES OF MEMBERS**

For the purpose of this fee By-Law, the following are the categories of members:

1. Active
2. Inactive
3. Retired
4. Retired Lif

- (a) An "Active" member means a member who practices Denturism in Ontario. An Active member shall pay the fees due under 37:06.
- (b) An "Inactive" member means a member who is not engaged in the practice of Denturism in Ontario. An Inactive member shall pay the annual fee due under 37:07. An Inactive member may apply in writing to the Executive Committee for a reduction in the fees otherwise due under 37:07. The Executive Committee may reduce the Inactive members fee, according to terms

and conditions it deems reasonable, if any one of the following circumstances apply to the member; unemployment, parental leave, illness, disability, financial hardship, sabbatical, educational leave/upgrade or a similar circumstance.

- (c) A "Retired" member means a former member who has voluntarily elected to withdraw himself or herself from the practice of Denturism in Ontario permanently, for the purposes of retiring from the profession, by resigning his or her Certificate of Registration. A member's status shall change to that of Retired upon the member's written notification of the effective date of his or her retirement. The College shall cancel the Retired member's certificate on the effective date provided to the College in writing, and his or her membership with the college shall terminate on the day. There shall be no annual fees owed by a Retired member.
- (d) A "Retired Life" member means a Retired member under section (c) who has elected to maintain his or her Certificate of Registration with the College, and therefore his or her membership, notwithstanding his or her permanent withdrawal from the practice of Denturism in Ontario. Retired Life members shall pay an annual fee of \$150.00 due each year on April 15<sup>th</sup> and are eligible to vote under By-Law 2:00 and seek election under By-Law 7:00. A Retired Life member may not engage in or return to the practice of Denturism in Ontario.

**38:00 APPOINTMENT OF INSPECTORS**

**38:01**

The Registrar shall appoint sufficient persons to be inspectors as are necessary to carry out the inspection program established in the regulations.

**38:02**

The Registrar shall provide each inspector with a written appointment signed by the Registrar under the seal of the College for production by the inspector to members when conducting an inspection.

Be it resolved that the College Of Denturists By-Law 38.03 and 38.04 be amended as follows:

**38:03**

Revoked March 11, 2005.

**38:04**

Revoked March 11, 2005.

**38:05**

The revenues collected for the purpose of funding the Practice Assessment and Enhancement component of the Quality Assurance program shall be designated in the College accounts for the exclusive funding of the Quality Assurance Program and shall not under any circumstances be deemed to be part of the general College operational resources.

**38:06**

By-Law 38:05 shall be deemed to be withdrawn when all designated funds are fully utilized.

Be it resolved that the College Of Denturists By-Law 38:07 and 38:08 be amended as follows:

**38:07**

Revoked March 11, 2005.

**38:08**

Revoked March 11, 2005.

**38:09**

The revenues collected for the purpose of funding Patient Education Programs under the

direction of the Patient Relations Committee as mandated by the code shall be designated in the College accounts for the exclusive funding of the Patient Relations Education Programs and shall not, under any circumstances, be deemed to be part of the general College of Denturists of Ontario operational resources.

**38:10**

By-Law 38:09 shall be deemed to be withdrawn when all designated funds are fully utilized.

**38.11**

Members requiring follow-up assessments under the Quality Assurance Committee or through an order of a Discipline panel will be subject to an assessment fee of \$500.00 for each required visit.

**39:00 USE OF CANNON'S CONCISE GUIDE TO RULES OF ORDER**

**39:01**

The affairs of the College shall be carried out in accordance with the RHPA, Denturism Act, and the By-Laws of the College.

However, where questions arise as to the appropriate procedure to be followed, the College may, where applicable, have regard to the current edition of Cannon's Concise Guide to Rules of Order, as published from time to time.

**40:00 PREVIOUS BY-LAWS**

**40:01**

All previous By-Laws of the College are hereby repealed and replaced by these By-Laws.

**41:00 INTERPRETATION**

**41:01**

In all By-Laws of the College, the singular shall include the plural and the plural shall include the

singular. The word "person" shall include firms and corporations. Wherever reference is made in the By-Laws to any statute or section thereof, such reference shall be deemed to extend and apply to any amendment or reenactment of such statute or section, as the case may be.

**41:02**

All provisions of this or any other By-Law of the College shall be interpreted in a manner consistent with the RHPA, Denturism Act and where any such inconsistency is found to exist and, where practicable, the inconsistent provision is to be severed therefrom.

**41:03**

The Code of Ethics accompanying this By-Law is Appendix A2:00 of this By-Law.

**42:00 PROFESSIONAL CORPORATIONS**

**42:01**

The fee for the application for a certificate of authorization, including on any reinstatement of a certificate of authorization, for a professional corporation is \$750.00 plus GST.

**42:02**

The fee for the annual renewal of a certificate of authorization is **\$250.00 plus GST.**

**42:03**

In this By-Law "ANNUAL" means a 12-month period that begins on April 15 and ends on the following April 14.

**42:04**

A fee payable under this By-Law is non-refundable.

**42:05**

A professional corporation or member listed in the College's records as a shareholder of a professional corporation shall pay an

administrative fee of \$50.00 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.

**42:06**

The fee for 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 \$45.00.

**42:07**

Every member of the College 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:

- (a) the name of the professional corporation as registered with the Ministry of Consumer and Business and Services,
- (b) any business names used by the professional corporation,
- (c) the name, as set out in the register, and registration number of each shareholder of the professional corporation,
- (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,
- (e) the principal practice address, telephone number, facsimile number and email address of the professional corporation,
- (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

- (g) a brief description of the professional activities carried out by the professional corporation

**42:08**

The information specified in subsection (5) is designated as public for the purposes of paragraph 4 of subsection 23(3) of the *Health Professions Procedural Code*.

**43:00 MEMBER CHANGE OF INFORMATION**

**43:01**

**MEMBER RESPONSIBILITY**

It is the member's responsibility and obligation to notify the Registrar of any change of information previously filed by the member, through either the Application Form for Certificate of Registration or through the yearly completion of the annual information return, also known as the Certificate of Registration Renewal, as required by Section 3.4 of O. Regulation 833193.

**43:02**

**NOTIFICATION IN WRITING**

The member shall notify the Registrar in writing, within 30 days, of any change to any of the following:

- i. contact information for the member including: Name, clinic name, address, telephone number, email address, and personal and residential information;
- ii. any change in member's Professional Status, including: Active, Inactive, or Retired
- iii. any change, including additions or deletions in Alternate Practice Locations or Associates; and
- iv. any change to Insurance Coverage

**43:03**

**MEMBER TO PROVIDE EFFECTIVE DATE OF CHANGE**

Under 43:02 the member shall also provide the Registrar with the effective date of such a change.

ENACTED the \_\_\_\_\_ day of \_\_\_\_\_, 2005.

WITNESS the Corporate Seal of the College.

\_\_\_\_\_  
President

\_\_\_\_\_  
Registrar

**APPENDICIES**

**A1:02  
SERVICES TO THE PUBLIC**

**A1:00 CODE OF ETHICS**

**Preamble**

The ethical foundation of the practice of Denturism consists of general principles of conduct, which the profession has come to accept as prerequisites to maintain the dignity and integrity of the profession. This Code is intended to outline, in broad fashion, the duties and responsibilities to which members of the College are expected to adhere in their relationships with the public, with their patients and with their fellow practitioners.

**A1:01  
GENERAL**

Ethical Denturists will:

1. have as their first consideration the well being of their patients
2. strive to improve the standards of denturism in the community
3. uphold the honour and dignity of the profession by standards of integrity and behaviour
4. recognize their limitations
5. be responsible in setting a value on their services
6. abide by the laws of the jurisdiction in which they practice
7. inform the College when a physical or mental disease/condition has affected, or may affect over time, their ability to practice safely or competently.

Ethical Denturists will:

1. practice their profession with all the knowledge and ability of which they are capable
2. not practice under conditions, which may adversely affect the quality of their treatment
3. continue their education to improve their standard of care. Every member should participate in a minimum of 10 hours of continuing education programs during each registration year and shall report particulars of the continuing education programs in the professional portfolio section of the Quality Assurance Manual of the College of Denturists of Ontario.
4. kindly but firmly, insist upon doing only those things, which their professional knowledge dictates to be in the best interest of their patients' welfare
5. ensure that their conduct in the practice of their profession is above reproach and that they will not take physical, emotional or financial advantage of their patients
6. when consulted in an emergency, attend to the conditions leading to the emergency of patients of other denturists and then will refer the patients to their regular denturists, who should be informed of the conditions found and treated
7. not deliberately render themselves unavailable or refuse to render or provide for the emergency care of their patients
8. secure patents and copyrights only on the condition that they and the remuneration derived therefrom is not used to restrict research, practice, or the benefits of the patented or copyright material

9. not hold out to the public as exclusive any agent, method or technique employed by them
10. not participate in a program of health education of the public, involving such media as the press, radio, television and lectures, where such programs are not in keeping with the dignity of the profession and the custom of the dentist profession of the community.

**A1:03**  
**PATIENTS' RIGHTS**

Ethical Denturists will:

1. protect the health and well being of their patients and will not abdicate their professional responsibilities
2. recognize their limitations and, when indicated, recommend to patients that additional opinions and services be obtained
3. recognize that patients have the right to accept or reject any dentist and any care options recommended by them. Patients, having chosen their dentist, have the right to request opinions from other denturists regarding a treatment plan
4. keep in confidence information derived from their patients or from colleagues regarding patients and divulge it only with the permission of the patients except when the law requires them to do otherwise, and in circumstances of inter-professional consultation
5. assist patients, on request, by supplying them the information required to enable the patients to receive any benefits to which they may be entitled
6. recognize that, although they have the right respecting choice of patients, they will act in a manner consistent with the legislatively approved Human Rights Act and/or Human Rights Code

7. render all assistance in their power to any patient, where an urgent need for dentist care exists, such as in an emergency

**A1:04**  
**FELLOW PRACTITIONERS**

Ethical Denturists will:

1. support the advancement of the profession through local, provincial and national associations for the benefit of all
2. not employ methods designed to attract patients or to aggrandize their professional reputation
3. not pass judgment on the qualifications of or procedures rendered by fellow practitioners except as may be required in the interest of patients' oral health
4. in the case of patient referrals, render only such treatment as has been requested by the referring dentist, subject to cases involving emergency.

**A2:00 CODE OF ETHICS and CONDUCT FOR THE COLLEGE AND COLLEGE REPRESENTATIVES**

**MISSION**

The mission of the College of Denturists of Ontario (the “College”) is to regulate, govern, and develop the profession while serving the public interest.

**MANDATE AND OBJECTIVES OF THE COLLEGE**

Under the Regulated Health Professions Act, 1991, the duty of the College is to serve and protect the public interest through diligent pursuit of the following objects:

1. To regulate the practice of the profession of Denturism and to govern the members of the College in accordance with the Regulated Health Professions Act (the “Act”), 1991, the Health Professions Procedural Code – which is Schedule 2 to the Act (the “Code”), and the regulations and By-Laws.
2. To develop, establish, and maintain programs and standards of qualifications for persons to be issued certificates of Registration.
3. To develop, establish, and maintain programs and standards of practice to assure the quality of the practice of the profession.
4. To develop, establish, and maintain standards of knowledge and skill and programs to promote continuing competence among members.
5. To develop, establish, and maintain standards of professional ethics for the members.
6. To develop, establish, and maintain programs to assist individuals to exercise their right under the Code and the Act.
7. To administer the Denturism Act, 1991 and the Act as they relate to the profession and to perform other duties and exercise the other powers that are imposed or conferred on the College.
8. To consider any other objectives relating to human health care that Council considers desirable.

**1) SCOPE**

This document outlines the principles that form the Code of Ethics and Conduct (the “CEC”). The CEC governs corporate conduct, fiscal integrity and responsibility, conflict of interest and human rights dealings that the College encounters in the course of its operations as a regulatory body.

The CEC applies to the College, the Council and College representatives. “College representatives” means all Council members, Council and non-Council committee members, and staff members of the College. The College expects all to conduct themselves in accordance with the principles outlined herein. All will be held accountable for their conduct.

Non-compliance with the Code may result in censure, disciplinary measures and / or dismissal / removal and, where appropriate, legal action. Employees should consult the Registrar whenever in doubt as to the appropriate course of conduct, and Council members and Committee members should consult with the President.

**2) PURPOSE**

All policies, practices and decisions of the College shall promote and reflect ethical principles outlined in the CEC. It shall commit itself to the highest ethical conduct in all of its activities. It shall fulfill its legislative mandate in an environment that fosters the following values and ensures the continuing trust of the public and its members:

- Accountability
- Integrity
- Openness, transparency and accessibility
- Fairness and equitable treatment
- Respect for individual and group differences
- Flexibility and openness to change
- Mutual respect and collaboration
- Quality service

The CEC will be applied to its activities as an integral part of its role in governing the profession of denturism, while serving the public interest. All College representatives shall adhere to statutory requirements, the CEC, and the College's By-Laws.

The College and College representatives shall uphold the principles of the *Canadian Charter of Rights and Freedoms* ("the Charter") as expressed in its preamble. College representatives shall perform their duties in a manner that is free from discrimination and harassment, and promotes equality and fairness, and fosters neutrality and procedural fairness in their investigation and decision making capacity. The College shall pursue its legislative mandate with commitment and dedication, in a manner that demonstrates and promotes human rights in Ontario.

The College and College representatives shall be conscientious and respectful of its own members and all members of the public in the College's activities and in the regulation of the profession. The College shall foster an environment where staff, Council members, statutory and non-statutory Committee members promote a collegial atmosphere of collaboration, tolerance and respect.

### **3) CODE OF ETHICS**

#### **3.1 Commitment to Human Rights**

##### **3.1.1 College**

The College shall regulate the profession of denturism while providing for equal rights and opportunities without discrimination that is contrary to law.

The College will consider matters dealing with human rights issues, complaints and discrimination-related inquiries should they arise in the course of governing the profession of the utmost importance and will deal with the investigation and resolution of these matters in a fair, expedient, and respectful manner. The College shall exercise its right to initiate its own complaint regarding human rights issues, if this is in the public interest.

##### **3.1.2 College Representatives**

College representatives by their actions shall demonstrate their appreciation, of and support for, the principles of the Charter. If during the course of duty, unlawful discriminatory practices are discovered they will be reported to management and/or the Executive Committee. Efforts will be taken by the College to correct them; using due process and preventative or remedial action to counteract their harmful effects will be undertaken. Procedural fairness and neutrality will be applied in the investigation of these matters while principles of the Charter will be applied in the disposition. During this process the College will provide reliable sources of information regarding the Charter and the RHPA.

### **3.1.3 Integrity of Services**

College representatives shall listen carefully to public questions and complaints, and help individuals to resolve claims of discrimination and/or harassment. This includes treating complaints against members of the College and respondents (the members) with dignity, and helping citizens to best deal with their complaints. Members of the College have the right to be informed that a complaint has been filed and they must be given the opportunity to respond to the allegations.

The College and College representatives shall seek resolutions that remedy complaints of discrimination and/or harassment and prevent their recurrence. The College and College representatives shall not support proposals for settlement that undermine the interests of the public or which might tend to place the College in disrepute. During the investigation process, committees search for evidence related to the complaint by interviewing all persons having information with regard to the complaint, examining appropriate policies and documents and law and preparing a report for the appropriate statutory or non-statutory committee of Council outlining the facts with a recommendation for their decision.

### **3.2 Internal Relationships**

Relations and interactions on the part of the College representatives shall reflect the principles and intent of the CEC, in a spirit of equality, fairness, and mutual respect.

In dealing with one another, College representatives will conduct themselves in a manner that is ethical, considerate, respectful of others, and in harmony with the purposes and intent of the College.

Where there is perceived breach of ethics, College representatives will be able to seek assistance from either the Registrar or the President and are encouraged to report the situation to either or both.

#### **3.2.1 Reflect Principles of the CEC**

The Registrar and employees will make every reasonable effort to enhance the quality of staff relations. The principles of respect, openness and trust that the College practices with the public should be reflected internally in its dealings with employees, and vice versa. Likewise there should be coherency between the CEC, and internal work practices.

#### **3.2.2 Respect for Employee Rights**

Employees have the right to expect to be treated honestly, fairly, and with respect. The College should strive to establish procedures to ensure thoughtful and objective review of employee concerns, tools for communicating mutual respect and reinforcement of an ethical decision making process.

#### **3.2.3 The Registrar's and President's Duties**

The President in regards to Council members, and the Registrar, in regards to employees, shall have responsibility to advise individuals on ethical dilemmas that arise in the course of the College's activities. Council members and employees will be encouraged to consult either the President or the Registrar, for trusted and knowledgeable advice, preferably before seeking resolution of an ethical dilemma from other more formal sources. Once a year, the President and Registrar will report to the Council about the nature of concerns, not the particulars, and make suggestions regarding enhancing ethics in the course of the College's activities.

#### **3.2.4 Hiring and Promotion**

Fairness and due process will be adhered to in the hiring and promotion of employees. This includes: clarification of essential duties; appropriate selection criteria; review of appropriate skills and experience; selection of area of search; and appropriate distribution of advertising. The College will use this process to encourage diversity at all levels.

### **3.2.5 Ethics in Job Specifications**

In order to reinforce ethics in interpersonal relations, job specifications shall be adjusted to include ethical considerations. The College will strive to acknowledge and reinforce ethically superior practices, using tools such as recognition, developmental opportunities, and training.

### **3.2.6 Code of Ethics Review**

Violations of the CEC will be reviewed as part of the individual staff member's annual performance review.

## **3.3 Integrity**

College representatives shall demonstrate integrity in all aspects of their duties. College representatives will neither invite nor accept gifts from complainants, respondents, their representatives, or other parties, or from any member of the public in the carrying out of their duties.

College representatives will not engage in any form of discrimination or harassment that are contrary to law, either within or external to the College. College representatives shall ensure that their personal views do not compromise the College's ability to govern the profession while serving the public interest.

College representatives shall uphold the public trust and the trust of College members. They shall demonstrate integrity in all their dealings with the public and College members. This will be accomplished by ensuring there is no misuse of power or knowledge acquired through their position at the College, including no gain, profit, self-dealing, and improper use of inside information, advancement or benefit accruing to them or members of their immediate family.

### **3.3.1 Conflict of Interest**

Conflict of interest exists in any situation where a College representative's ability to fulfill his or her responsibility may be adversely affected by his/her private interests or personal considerations. They shall conduct their duties in a manner that reflects the best interests of the College and enhances public confidence and trust in the College.

### **3.3.2 Integrity of Council and Committee Members**

Council members and committee members shall demonstrate the highest standards of public service, including disclosure of any financial or other interest in a matter, person, organization or agency having business with the College. They shall act in the public interest with fairness toward all and not just a few or a limited group. They will demonstrate personal integrity in their decisions, including the highest standard of professionalism at work, avoid conflict of interest, and neither invite nor accept gifts. Further, they will ensure that personal views do not compromise the College's role.

### **3.3.3 Acting as a Fiduciary**

Council members and Committee members have a fiduciary relationship with the College, and as such have a legal duty to act in what they reasonably believe is the best interests of the College and follow the College's mandate as a regulatory body.

As fiduciaries, Council members and Committee members occupy a position of trust and confidence. This accountability supersedes any personal interest or conflicting loyalty such as advocacy or interest groups and memberships on other boards or staffs. The personal interest of each member of Council and its Committees and the interest of any group that a member may be affiliated with must be subordinated to the best interests of the College, and to the interest of self regulation.

Any conflict of interest with respect to their fiduciary relationships must be avoided. There is to be no exchange of private business or personal issues between any Council member or Committee member and Council.

### **3.3.4 Integrity of Management**

Management shall demonstrate the highest standards of public service, including disclosure of any financial or other interest in any matter, person, organization, or agency having business with the College. Council members and managers shall neither invite nor accept gifts nor put themselves in a position where one is, or appears to be, under obligation to a person, party or organization where one might benefit.

### **3.3.5 Integrity of Employees**

Employees shall offer professional service to all members of the public and all members of the College and treat all persons making information requests with dignity, respect and the intent to provide helpful information consistent with values of the CEC. Employees shall neither invite nor accept gifts and should not place themselves in a position where they are, or appear to be, under obligation to a person or organization and where one might benefit from the resolution of a complaint.

### **3.3.6 Gifts, Hospitality or Other Benefits**

College representatives shall not solicit or accept payments, gifts or other transfers of economic benefits including cash payments of any kind that might in any way be attributable to, associated with or motivated by his or her position as a College representative, other than incidental gifts, customary hospitality, or other benefits of nominal value.

College representative's members shall not hesitate to advise third parties that the College has strict policies and procedures regarding the acceptance of gifts, hospitality and other benefits.

### **3.3.7 Fees or Honorariums**

Whenever College representatives attend industry, trade association, business meetings or conferences they must pay their own expenses and claim reimbursements from the College. Where the College pays the traveling expenses of a representative who undertakes, in his/her official capacity, to address a meeting (or participate in similar functions) of a group or organization, and the representative receives a fee or honorarium for such services from the group or organization involved, the representative shall report it to the Registrar, who will determine the appropriateness of the fee or honorarium.

### **3.3.8 Outside Employment or Activities**

Upon appointment, and thereafter, employees are expected to arrange their private affairs in a manner that will prevent conflicts of interest from arising between their official duties and their private interests. Any such conflict that does arise will be resolved in favor of the College interests.

No employee is to conduct activities outside their work at the College that will materially encroach on the time or attention which should be devoted to the employee's duties; adversely affect the quality of work performed at the College; or compete with the College's activities.

The use of the College's working hours, tools, equipment, or facilities for personal gain would clearly be in conflict with the College's best interest.

### **3.3.9 Political Activity**

Employees can generally participate in political activities as private citizens during non-working hours. Employees shall ensure that any participation in political activity does not jeopardize their impartiality as employees of a regulatory body nor interfere with their capacity to perform their duties as employees of the College. Participation in political activities shall be kept separate from the employee's association with the College.

Employees are allowed to participate in federal, territorial, provincial or municipal political meetings, contribute personal money for the funds of a candidate for election or for the funds of a political party.

Prior to running as a candidate in a federal, territorial, or provincial election, employees must inform the Registrar and apply for a leave of absence without pay.

Employees who are elected as members of federal, territorial, or provincial legislative bodies, with the exception of a municipal council, must resign from the College.

Employees shall not use their positions at the College to influence political contributions or votes. The College's facilities and other business assets must not be used to support political activities.

There may be some limits in an employee's ability to participate in political activities. For example, some employees have regular contact with the Ministry of Health and Long Term Care. Participating in political activities that would reasonably compromise the employee's ability to deal effectively with that Ministry may not be appropriate. In addition, the most senior employees at the College, (e.g., the Registrar) should be particularly cautious not to let his or her political activities affect his or her ability to act as a neutral spokesperson for the College with political persons or entities.

### **3.3.10 Integrity as a Standard Beyond Legal Compliance**

College representatives shall perform their official duties so as to conserve and enhance the integrity and objectivity of, as well as public confidence in, the College. College representatives have an obligation to act in a manner that will bear public scrutiny, an obligation that is not fully discharged simply by acting within the law.

### **3.3.11 Post-Employment**

College representatives shall not act, after they leave the College, in such a manner as to take improper advantage of their previous position. The intent of this provision is not however to prevent the use of non-restricted information or experience gained in College employment by a former employer in post-College employment.

### **3.4 Maintain Neutrality**

College representatives shall be, and shall be perceived to be, neutral without personal or corporate bias in their duties.

College representatives in reviewing complaints shall be neutral and unbiased in their analysis and assessment of information and data, and in their subsequent decisions and judgments.

College representatives shall be neutral, truthful, and be unbiased in their response to inquiries, in their procedures for intake, and in recommendations to statutory and non-statutory committees and to Council.

### **3.4.1 The Principle of Neutrality**

In carrying out their duties, College representatives working for the College shall be, and appear to be, neutral in their professional dealings. However, College representatives are not neutral with respect to the purpose or values of the CEC and the public interest.

The duty of each College representative to uphold the public interest shall supersede any personal interest in or conflicting interest, such as advocacy or interest groups, and memberships on other boards. The elected Council members are not accountable to the members in their district, but instead are accountable to the public in adhering to statutes and laws governing the College.

Investigations conducted under the RHPA shall be impartial. They should be fair and unbiased but, since the College has an obligation to protect the public interest, investigations must adhere to the CEC, to RHPA legislation and its enforcement rather than favor either of the complainant or the respondent. The goal of the investigation is to collect information related to a complaint, analyze and evaluate it, and subsequently make recommendations to the appropriate Committee of Council. Legal counsel and staff assisting them in an investigation will act accordingly about appropriate disposition.

### **3.4.2 Reporting Offers of Gifts, Benefits, Gratuities, and Hospitality**

College representatives shall be prohibited from demanding accepting, or offering to accept for themselves or any other person any advantage or benefit, whether direct or indirect, for any act or omission which is connected with or related to the operations of the College.

Notwithstanding this rule, incidental gifts, hospitality or benefits are not prohibited if they:

- (a) are within the normal bounds of propriety, a normal expression of courtesy or within normal standards of hospitality;
- (b) would not bring suspicion upon the College representative's objectivity and impartiality; and
- (c) would not compromise the integrity of the College.

The Registrar may require for employees and the President may require for Council members and Committee members that a gift be retained by the College or disposed of for charitable purposes. Where it is not possible to decline an unauthorized gift, hospitality or benefit, Council members and Committee members must report the matter immediately to the President and employees must immediately report the matter to the Registrar for direction who will determine the appropriate course of action.

### **3.4.3 Personal Bias**

College representatives shall excuse themselves from any duty or transaction where they have, or may appear to have, a conflict of interest that compromises their objectivity and/or where a reasonable person could conclude that personal beliefs would affect the outcome. If a conflict arises between the personal interests of a College representative, and the official duties and responsibilities of that person, the conflict shall be resolved in favor of the public interest.

## **3.5 Standards of Quality and Public Service**

College representatives shall provide the highest quality service that is accessible, flexible and sensitive to a diverse population. Services must be equitable and respectful of the dignity of all persons and their right to be fully informed and free from discrimination. As such, the process must be, and must be perceived to be reasonable, transparent and committed to fairness and the principles of natural justice, as well as in compliance with the law.

The services provided by the College must be timely, accessible, efficient, confidential and respectful of the individuals involved in all areas of the College's work, from the complaint process to policy development.

### **3.5.1 Standards of Public Service**

College representatives shall serve the public in a manner that meets established standards of service and which displays sensitivity to the expectations and values of the College, the members, and the public they serve. This includes intake and inquiry practices that are helpful and expeditious; mediations and investigations that are prompt, fair, and respectful of the integrity of all parties and without personal or socio-economic bias. All decisions of Council, and statutory and non-statutory committees should uphold the principles of the CEC while demonstrating administrative fairness and natural justice.

### **3.5.2 Public Information**

College representatives have an obligation to ensure that information is accessible, user friendly, complete, understandable and truthful. The accessibility of information is subject to the duty of confidentiality in the *Regulated Health Professions Act* and the College's Privacy Policy.

### **3.5.3 Public Education**

College representatives are responsible for promoting the profession and the mandate of the College by giving appropriate information and by providing the general public with an appropriate opportunity to interact with the College.

### **3.5.4 Knowledge of Governing Laws and Regulations**

College representatives shall be familiar with the *Regulated Health Professions Act*, the *Denturism Act* and the regulations, College By-Laws and College policies.

### **3.5.5 Caseload Management**

In pursuit of administrative efficiency, College representatives are expected to exercise good judgment in using efficient and effective case management procedures:

- (a) provide administrative fairness to all parties;
- (b) prevent periods of inactivity;
- (c) respond effectively to situations that require immediate attention; and
- (d) satisfy the purpose of the RHPA.

### **3.5.6 Information to Parties**

Complainants and members named as respondents should have confidence that information regarding the status of their cases will be available and will be provided in accordance with the RHPA. Written decisions shall be disclosed to them as per the requirements of the RHPA.

## **3.6 Maintain Public Confidence and Trust**

College representatives shall ensure that their conduct and decisions are performed in a manner that is fair and reasonable. The College's services and communications with the public and its members will be clear and honest; all procedures will be respectful of the people involved, transparent, and be perceived to be fair, reasonable, and consistent.

### **3.6.1 Referral to Other Remedies as an Alternative**

The College should enjoy a broad measure of public confidence and trust if its processes are open, honest, well organized, and accessible and if its decisions are perceived to be compassionate, fair, and consistent with the Charter. Where complaints are denied because another remedy, such as civil litigation, is more suitable to address these concerns, the reasons for referral shall be clearly

communicated, preferably as early in the complaint process as possible, to ensure that complainants are left with effective options.

### **3.6.2 College Decisions on Merit**

The College's reputation is enhanced when it exercises its mandate under RHPA, within the grounds for complaint as set out therein. The fact that an alternative process exists elsewhere does not necessarily mean that the College will make a decision not to deal with a file. Every case will be decided on its own facts and merits. Nothing in this Code of Ethics is meant to fetter the decision making authority of the College (including a Committee or the Council) under the RHPA.

### **3.6.3 Public Relations**

The College shall respect the right of the public through the media to know what is going on within the organization, when this is in the public interest. Public access to information is subject to the confidentiality provisions of the *Regulated Health Professions Act* and the College's Privacy Policy. To enhance credibility and effective communications, the College may designate spokespersons to speak on its behalf to the media. Individual College representatives cannot speak to the public, press, or other entities without authorization by Council.

### **3.6.4 Transparency**

The general public has the right to information about the programs and services of the College in a format that is understandable and accessible. Anyone making use of the College's services should be informed of what they can expect in terms of the complaint process and its duration. Public access to information is subject to the confidentiality provisions of the *Regulated Health Professions Act* and the College's Privacy Policy.

### **3.6.5 Accountability**

The College shall annually set out the priorities for the organization and establish clear measures of performance in terms of quality and timeliness of service. In addition, the public should be informed regularly of the results achieved by the organization. This provides for a strong accountability between the organization and the public it serves. The College is also accountable through the Minister of Health and Long Term Care to the Legislature for program results.

### **3.6.6 Investigative Ethics**

Investigative practices and the collection of evidence should occur without resorting to deceit. Misleading interviewees reduces personal trust, undermines the credibility of the College, erodes confidence in the process, and jeopardizes the admissibility of testimony. "Testing" may be undertaken in specific investigative circumstances, provided that no entrapment is involved and that non-College staff are used. External independent expertise should be sought when required. Officers should seek only that amount of evidence that is needed to make an informed recommendation to the College. The public has a right to expect that all investigations will be conducted thoroughly and professionally, without bias, and within constraints established by the RHPA. The College has a duty to direct an investigation so that all complaints are investigated fairly, honestly and appropriately.

### **3.6.7 Personal Use of Information**

The public's confidence and trust are weakened when College representatives or related parties personally benefit from unfair access to proprietary information. It is for this reason that all College representatives sign a Confidentiality Agreement. College representatives shall not knowingly take advantage of, or benefit from, information that is obtained in the course of their official duties and responsibilities, and which is not generally available to the public. Council members and Committee members are enjoined not to use information obtained as a result of their appointment for personal benefit.

### **3.6.8 Security of Information**

The public's confidence is enhanced when Council members, College representatives ensure the security of printed and electronic information in their possession. See the College's Privacy Policy for more details.

### **3.7 Support Corporate Goals**

College staff shall support corporate goals and strategies developed to fulfill the intent and purpose of the College's mandate.

Staff of the College will perform their duties and relate to each other in the workplace with honesty, diligence and fairness. Staff should have knowledge of the corporate mandate and support it through the fulfillment of their duties.

#### **3.7.1 Individual Accountability**

Corporate goals require that employees recognize the proper authority of appointed or elected superiors; not engage in, or accept illegal or unprofessional conduct from others; and be prepared to constructively discuss issues of this kind with co-workers and management. Employees shall provide truthful and accurate information and advice to College members; be expected to support the responsibilities and efforts of co-workers; and avoid behavior that is inconsistent with the goals of the College.

#### **3.7.2 Dealing with Ex-Employees**

In order for business practices to appear to be unbiased, the College requires as part of contracting for services, to identify former employees of the College or former Council members or Committee members who work for the organization or firm.

#### **3.7.3 Appropriate/Reasonable Use of College Property**

The College expects that employees shall not directly or indirectly use or allow the use by others of College property for anything other than official use. This includes facilities and equipment. In special circumstances, and with prior approval of their direct supervisor, College equipment such as computers may be used to support work-related educational and community activities of employees.

#### **3.7.4 Reporting**

College representatives are encouraged to report suspected cases of illegal, unethical, or unprofessional conduct. Council members and Committee members are to report to the President and staff is to report to the Registrar. The more serious cases involve lack of neutrality, conflict of interest, harassment, personal bias, and self-dealing. The individual, not the Registrar or the President, has responsibility to act on this suspicion or knowledge. The College does not assume wrongdoing on the part of either party, and commits to address or investigate the matter fairly and expeditiously.

#### **3.7.5 Fair and Ethical Business Practices**

In order to maintain a reputation for fair and ethical business practices, the College shall set out administrative policies and procedures that ensure competitive processes for procurement, and prompt payment practices. In addition, the College shall satisfy itself that in all contracts:

- where the contractor is employing a former Council member or staff member that no conflict of interest would arise; and
- existing College employees or Council members are not being offered nor are receiving inappropriate benefits or inducements

#### 4) CONDUCT

##### 4.1 Corporate Conduct

###### 4.1.1 Compliance

The College shall comply with all standards, codes, laws, regulations, requirements, and government guidelines and protocols that are applicable to a regulator of a health profession under the Ministry of Health and Long Term Care.

Council and College representatives shall, not simply obey the law, but shall act in a manner that will bear the closest public scrutiny and foster the confidence of both the public and the members of the profession.

###### 4.1.2 Health and Safety

The College is concerned with the health and well-being of its employees and is committed to providing a safe and secure workplace. Employees shall comply with the College's Health and Safety practices.

Employees shall perform their work in a safe manner and free from the influence of alcohol or illegal use of drugs.

###### 4.1.3 Employee Relations

Employees shall act in a courteous, civilized and professional manner when dealing with members of the public, colleagues, customers, suppliers, and partners.

Employees shall act with truthfulness and integrity in all their business dealings.

Employees shall carry out fair and honest dealings, fair hiring and promotional practices and equitable treatment of others.

Employees shall contribute to providing a workplace that is free from harassment (including sexual, physical, or verbal harassment) and/or discrimination.

Employees shall respect and preserve other individuals' privacy.

###### 4.1.4 Members and Regulators

College representatives shall act in an honest and transparent manner in dealings with our members, regulators, and members of the public to enhance confidence in our system of governance.

###### 4.1.5 Treatment of Third Parties

The College is committed to integrity, honesty, and respect in all dealings with members, suppliers, partners, governments, and the public. Employees shall treat such entities and persons courteously and in a professional manner. Purchasing delegations shall be made honestly and with integrity.

###### 4.1.6 Confidentiality of Information

College representatives shall not breach confidentiality as set out in the Regulated Health Professions Act, c.18, section 36(1) and in the *Health Professions Procedural Code*.

The College has a privacy policy in place that governs the treatment of personal information. Personal information shall be treated with integrity and discretion and College representatives shall treat the information as confidential unless the contrary is clear, in accordance with the Privacy Policy.

---

## 5. REGULATIONS AND BY-LAWS

Employees shall not step out of their official roles to assist private entities or persons in their dealings with the College when this would result in preferential treatment to any person.

#### **4.2 Fiscal Integrity and Responsibility**

The College is committed to being fiscally responsible in all its activities. Council, Council members, Committee members and employees shall exercise prudent management of fiscal operations of the College.

##### **4.2.1 Protection and Use of College Assets**

Employees shall use College funds only for lawful and proper purposes in accordance with approved authorities. Employees shall not directly or indirectly use, allow the use of, College funds, property, information of any kind for anything other than officially approved activities.

Employees shall protect the College's intellectual property and use it only for company business. Works created in the course of fulfilling one's duties belong to the College. Employees shall respect copyrighted works. Copyrighted work (including computer software) is work which the owner thereof has the sole right to produce or reproduce in whole or substantial part, in any material form whatsoever, or to authorize such act.

##### **4.2.2 Record Keeping, Reporting, Misappropriation**

Records are of critical importance in meeting the College's financial, legal, and management commitments. They are to be carefully safeguarded and kept current, relevant and accurate. Employees shall ensure that corporate business records are prepared reliably and accurately. Employees are required to comply with generally acceptable accounting principles (GAAP).

#### **5) REPORTING NON-COMPLIANCE**

College representatives who have information about any actual, perceived or potential violation of this code must attempt to disclose the matter to the Registrar or the President. In any case where such a report has been made, the report will be treated confidentially, to the extent possible. No person will be subject to retaliation for reporting in good faith a violation of this CEC.

Those who do not comply with the CEC will be subject to disciplinary actions up to and including termination of employment or removal from one's position and/or legal action. It is important to understand that a violation of certain provisions of this CEC may also be a violation of the law and may subject the individual involved and/or the College to criminal prosecution or civil proceedings.

#### **6) RESPONSIBILITIES**

The Council is responsible for the authorization of this policy. The implementation and review of this policy is the responsibility of the Registrar and the President of the College.

College representatives are responsible for signing the declaration form acknowledging that they have read, understood, and will comply with the College's CEC annually.

The Registrar and the President are responsible for:

- Ensuring that the CEC is implemented within the College.
- Ensuring that appropriate management action is taken to investigate and manage known or suspected violations.

- Issuing an annual reminder to College representatives of their responsibilities to comply with the CEC, through annual orientation.
- Providing interpretation and related advice.
- Responding appropriately to information concerning a violation of the CEC.
- Initiating investigations and ensuring prompt action is taken in all cases.
- Ensuring that the privacy rights of both parties, the individual making the disclosure and the individual implicated or alleged to be responsible for the violation of the CEC, are respected.
- Ensuring that all College representatives understand their responsibilities under the CEC and are in compliance.
- Taking appropriate management action to investigate and address known or suspected violations to the CEC.
- Protecting from reprisal the individuals who disclose an apparent violation in good faith.
- Signing the declaration form acknowledging that they have read, understood, and will comply with the College's CEC on an annual basis and requesting that other College representatives do as well.

College representatives are responsible for:

- Understanding their responsibilities under the CEC and for being in compliance with it
- Carrying out their duties ethically and with integrity.
- Seeking advice from the Registrar or the President when uncertain about the right ethical decision.
- Reporting any CEC violations to the Registrar and the President.
- Signing the declaration form acknowledging that they have read, understood, and will comply with the College's CEC on an annual basis

**7) EFFECTIVE DATE**

This By-Law is authorized by Council and becomes effective on June 22, 2007.

**A3:00 HONOURARIA**

<b>Activity</b>	<b>Amount</b>	<b>Amount</b>	<b>Amount</b>
Meeting Attendance: President	\$150 per Quarter Day	\$200 per Half Day	\$300 per Full Day
Meeting Attendance: Committee Chair	\$135 per Quarter Day	\$165 per Half Day	\$250 per Full Day
Meeting Attendance: Councillor or Committee Member	\$110 per Quarter Day	\$125 per Half Day	\$200 per Full Day
Travel time	\$0 where one way of the trip is less than 150 km	\$63 where one way of the trip is between 151-249 km	\$210 where one way of the trip is more than 250 km <sup>1</sup>
Teleconference meetings	50 cents per minute		

**A4:00 COMMON VALID EXPENSES**

<b>Activity</b>	<b>Amount / Criteria</b>
Air travel (requires prior College approval)	Best economy class fare for the most direct route
Train or bus travel	First class (club car) by the most direct route
Automobile travel	40 cents per km by the most direct route
Accommodation	\$195 per night maximum plus \$20 parking charge per day maximum
Breakfast allowance	\$10 maximum
Lunch allowance	\$15 maximum
Dinner allowance	\$25 maximum
Telephone calls	Actual cost of call related to College business (e.g., not proportional cost of monthly flat fee)
Other expenses	Actual cost