



# CMTPEI

COLLEGE OF MASSAGE THERAPISTS  
OF PRINCE EDWARD ISLAND

## BYLAWS

ADOPTED 2019-03-02

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# 1 INTRODUCTION

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## 1.1 DEFINITIONS

- 1.1.1 In these bylaws, words defined in the Act shall have the meaning as defined therein. In these Bylaws unless the context otherwise requires:
- a) "Act" means the *Regulated Health Professions Act* of Prince Edward Island and regulations, as amended from time to time;
  - b) "College" means the College of Massage Therapists of Prince Edward Island;
  - c) "Council" means the Council of the College;
  - d) "Councillor" means member of the Council appointed by the Minister or Lieutenant Governor in Council;
  - e) "Good standing" means the registrant's registration as a member of the College is not suspended or cancelled or otherwise restricted or limited under the Act or Regulations;
  - f) "Member" means an individual who is registered in the register of the College of Massage Therapists of Prince Edward Island (PEI);
  - g) "Nominee" means a Member elected to serve as a Councillor pursuant to these bylaws who has not yet received an appointment to Council by the Minister.

## 1.2 INTERPRETATION

- 1.2.1 In the interpretation of these bylaws, unless the context otherwise requires, terms and expressions defined in the Act shall have that meaning as defined therein. Words in the singular include the plural and vice-versa, words in one gender include all genders, and "person" includes an individual, body corporate, partnership, trust and unincorporated organization.

## 1.3 SEVERABILITY AND PRECEDENCE

- 1.3.1 The invalidity or unenforceability of any provision of these bylaws shall not affect the validity or enforceability of the remaining provisions of these bylaws. If any of the provisions contained in the bylaws are inconsistent with those contained in the Act, the provisions contained in the Act shall prevail.

## 1.4 HEAD OFFICE

- 1.4.1 The head office of the College shall be located in Prince Edward Island at an address designated by Council from time to time.

## 1.5 SEAL

- 1.5.1 The seal of the College shall be in the custody of the Registrar, who shall affix it to all documents for which it is required.

## 1.6 FISCAL YEAR

1.6.1 The fiscal year of the College that shall commence on the first day of October and shall end on the thirtieth day of September of the following year.

## 1.7 EXECUTION OF CONTRACTS

1.7.1 Deeds, transfers, assignments, contracts, obligations and other instruments in writing requiring execution by the College shall be signed by the Registrar and one other signing officer.

1.7.2 Subject to section 1.7.1, Council may, from time to time, direct the manner in which and the person by whom a particular document or type of document shall be executed.

1.7.3 Persons authorized to sign documents on behalf of the College, may affix the College seal to the document. The Council Chair may certify a copy of any instrument, resolution, bylaw or other document of the College to be a true copy thereof.

# 2 COUNCIL

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## 2.1 INTRODUCTION

2.1.1 Each Councillor, officer, staff member, and committee member must act honestly, in good faith and in the best interest of the College and in a manner that serves and protects the public interest.

## 2.2 DUTIES OF COUNCIL

2.2.1 Council shall carry out the objectives of the College.

2.2.2 Each Councillor is required to participate as an Executive member or on a committee.

## 2.3 COMPOSITION

2.3.1 Council shall consist of:

- a) Four registrants elected from and by Members as provided by these bylaws, and appointed by the Minister; and,
- b) Two public representatives appointed by the Lieutenant Governor in Council; and,
- c) the Registrar (nonvoting)

## 2.4 TERM OF OFFICE

2.4.1 The term in office for all members of Council shall be in accordance with the Act and shall commence from the date of appointment by the Minister and/or Lieutenant Governor in Council.

- 2.4.2 Nominees shall not be eligible to propose, amend or vote on motions nor will they be permitted to propose agenda items. They may participate in discussions that do not contravene these bylaws or Council policies.

## 2.5 REVOCATION OF COUNCILLOR

- 2.5.1 Council may submit a request to the Minister for the revocation of the appointment of a Councillor, where the Councillor:
- a) fails to attend three consecutive meetings of the Council without, in the opinion of the majority of Council, a reasonable excuse;
  - b) is convicted of an offence that, in the opinion of the majority of Council, renders the member unsuitable to continue to hold office as a member;
  - c) commits an act, other than one referred to in clause (b), that, in the unanimous opinion of the Councillors, undermines the ability of the Councillor to act credibly as a councillor;
  - d) is, in the opinion of Council, unlikely to be able to fulfil the Councillors' duties on the Council due to mental incapacity;
  - e) is no longer a Member in good standing or registered with the College; or,
  - f) where a Councillor submits a letter of resignation

## 2.6 CODE OF ETHICS AND STANDARDS OF PRACTICE

- 2.6.1 In all its deliberations, Council shall be guided by the principal that the protection of the public health shall be of prime consideration; and that the College of Massage Therapists of Prince Edward Island Code of Ethics and Standards of Practice, as adopted by Council and in accordance with the Act, shall be at all times abided by Members and enforced by Council.

## 2.7 CODE OF CONDUCT

- 2.7.1 Each Councillor, officer, staff member, or committee member is required to read, sign and abide by the Code of Conduct Policy adopted by Council.
- 2.7.2 A Councillor shall take the Councillor's oath of office, as follows:

I, \_\_\_[name]\_, of \_\_\_[location of residence]\_\_\_, Province of Prince Edward Island, do solemnly swear that I will faithfully, truly and to the best of my judgement, skill, knowledge and ability execute and perform the duties required as a Councillor of the College of Massage Therapists of Prince Edward Island that properly relates to my duties as a Councillor. I further solemnly swear that I will not communicate or allow to be communicated to any person not entitled thereto any and all information related to the Council, nor will I, without due authority, allow such person to inspect or have access to any books or documents belonging to or in the possession of the Council and in relation to the operations of the Council, who is not otherwise authorized by law.

The oath of office shall be signed, confirmed and retained by the Registrar with the other books and records of the Council.

## 2.8 CONFLICT OF INTEREST

- 2.8.1 Each Councillor, officer, staff member, or committee member is required to read and abide by the Conflict of Interest Policy and sign a declaration of understanding adopted by Council.
- 2.8.2 A conflict of interest occurs when a reasonable perception exists that the ability of a Councillor to exercise the official duties of the Council has been affected by the private interest of a Councillor, officer, staff member, or committee member.
- 2.8.3 Conflict of interest can also be a breach of an obligation to the Council that has the effect or intention of advancing one's own interest or the interest of others in a way that is detrimental to the interests, potentially harmful to the integrity or fundamental mission, of the College.
- 2.8.4 Each Councillor, officer, staff member, or committee member shall avoid conflicts of interest, including appearances of conflict of interest.

## 2.9 DECLARATION OF CONFLICT OF INTEREST

- 2.9.1 A Councillor, officer, staff member, or committee member who has, directly or indirectly, any interest in a proposed contract or transaction to which the Council is to be a party, shall declare his or her interest in the proposed contract or transaction at the meeting at which the proposed contract or transaction is first considered, and shall not take part in any discussions in relation to the subject matter prior to a review and determination by Council of the existence or perception of any conflict of interest.
- 2.9.2 A Councillor, officer, staff member or committee member may recuse themselves from any discussion and decision making undertaken by Council if the Councillor so decides that a conflict of interest or reasonable perception of a conflict of interest exists.
- 2.9.3 Any individual, who has reason to believe that a Councillor, officer, staff, or committee member has a conflict of interest or a reasonable perception of a conflict of interest, shall be given an opportunity to state their concerns prior to, or during a meeting.

## 2.10 OTHER CONFLICT OF INTEREST CONDITIONS

- 2.10.1 A Councillor, officer, staff member, or committee member shall not solicit or accept a monetary honorarium for giving a presentation or participating in a conference as a representative of the College unless approved by Council. Mementos of nominal value may be accepted.
- 2.10.2 Where the Council has adopted an official position on a matter, a Councillor, officer, staff member, or committee member shall not engage in oral or written advocacy against the position in any public forum, including, but not limited to, legislative committees and news media aimed at the public and social media, without the prior approval of Council.
- 2.10.3 Councillors, officers, staff members, and committee members are required to preserve confidentiality with respect to all information coming to their knowledge in the course of their duties unless Council determines otherwise.



## 2.11 CONFLICT OF INTEREST OUTCOMES

- 2.11.1 The validity of the declaration of a conflict of interest shall be determined by Council, with the following options available to the group:
- a) The member shall abstain from all discussion and voting on the declared issue.
  - b) The member shall be excused from that portion of the meeting.
  - c) The item should be removed from the meeting agenda if it is determined to be inappropriate.
  - d) The member shall not participate in the discussion or vote on the declared issue but may be asked for information by the Council if that member has info that may be relevant to the discussion thereby enabling the Council in making an informed decision.
  - e) Council determines the conflict of interest is not valid and proceeds with the meeting with the member in attendance.
- 2.11.2 Where the Council determines that a member, or person acting on behalf of the Council in any capacity, has failed to declare a conflict of interest that is materially detrimental to the interests or potentially harmful to the integrity or fundamental mission of the College, the Council may:
- a) Request an apology.
  - b) Submit a request to the Minister for the immediate revocation of the Councillor in question from Council.
  - c) take any other available measures at law.

## 3 NOMINATIONS OF MEMBERS FOR APPOINTMENT TO COUNCIL

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### 3.1 ELIGIBILITY FOR APPOINTMENT TO COUNCIL

- 3.1.1 Only Members in good standing shall be eligible to nominate, vote, or be elected for appointment by the Minister to Council.
- 3.1.2 Members are not eligible for appointment to Council as Public Representatives.

### 3.2 ELECTION OF NOMINEES FOR APPOINTMENT

- 3.2.1 The Registrar shall, at least 60 days before the completion of a Councillor's term, give notice to all Members of the upcoming vacancy on Council and provide details of the meeting (the "Nomination Meeting") at which Members shall vote to elect a Nominee for the vacant or vacating council position. The Nomination Meeting may occur at the same time as either the Annual General Meeting or a special meeting of the Members.
- 3.2.2 At least 30 days prior to the Nomination Meeting, Members intending to seek election as a Nominee shall submit a nomination form in the form prescribed by the Registrar to the Registrar. The form shall be endorsed by one other Member in good standing. Members shall be permitted to be nominated and stand for election as a Nominee from the floor at a Nomination Meeting.
- 3.2.3 The Registrar shall determine if each candidate is eligible for nomination.

- 3.2.4 If the call for nominations does not produce enough eligible nominees for election to fill the vacancies on Council, Members shall be advised at least 15 days before the Nomination Meeting and invited to resubmit nominations.
- 3.2.5 A nominee for election to Council may, at any time, give notice to the Registrar of their wish to withdraw their name. The withdrawal is effective from the time the Registrar receives such notice.
- 3.2.6 All Members in good standing are eligible to vote at a Nomination Meeting. Each eligible Member shall have and cast one vote for each Council vacancy. In the event that there are more Members seeking nomination to Council than there are council vacancies, the Nomination Meeting Chairperson shall administer a vote by secret ballot. The candidate(s) receiving the most votes shall be elected to Council.
- 3.2.7 The method for counting votes shall be that approved by Council and on file in the College office. Each Member seeking nomination to Council may be represented by a representative in the room that the ballots are counted.
- 3.2.8 The Registrar shall retain all ballots for a period of 30 days after the Nomination Meeting.
- 3.2.9 In the event the number of valid nominations for positions on Council is equal to the number of vacant positions on Council, the persons nominated shall be declared elected and their names forwarded to the Minister for appointment.
- 3.2.10 In the event of a tie vote the ballots shall be re-counted. In the event the tie continues, a new vote shall be taken until such time as a Nominee is elected.

### **3.3 VACANCIES DURING TERM**

- 3.3.1 If a pre-term vacancy in Council occurs through death, incapacity, resignation, or otherwise, a new Councillor shall be elected pursuant to the process set out a section 3.2 herein at the next available Annual General Meeting or Special Meeting called for that purpose, either being a valid Nomination Meeting.
- 3.3.2 Notwithstanding section 3.3.1, in the event that a Council vacancy results in a loss of quorum for Council, Council may appoint an eligible Member to the vacant position and request that the Minister appoint that Member immediately for a period of time only lasting until the next available Nomination Meeting.

## **4 COUNCIL OFFICERS**

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### **4.1 CHAIRPERSON**

- 4.1.1 The Chairperson shall be elected by the Council by majority vote at the first Council meeting following the Annual General Meeting. The first Council meeting following the Annual General Meeting shall take place immediately after the conclusion of the Annual General Meeting. In the event that the Chairperson vacates the position prior to the Annual General Meeting, a special Council meeting shall be held within 14 days at which time Council by majority vote shall elect a

new Chairperson to complete the existing term.

- 4.1.2 The Chairperson shall act upon any matter delegated to the Chairperson by the Council and that requires attention between meetings of the Council.
- 4.1.3 The term of office of the Chairperson shall be one year. The Chairperson shall not serve more than three consecutive one-year terms.
- 4.1.4 The Chairperson shall preside at and chair all meetings of the Council. The Chairperson shall be responsible for the performance of such duties and exercising of such powers as are set out in these bylaws and as may from time to time be assigned by the Council.
- 4.1.5 The Chair may be removed for misconduct or dereliction of duties by a 2/3 majority vote of Council.

## 4.2 SIGNING AUTHORITY

- 4.2.1 The signing officers of the College with respect to financial matters including cheques, contracts, leases, bills of exchange, investments, memoranda of understanding and other agreements binding the College shall be the Chairperson, one other Councillor as appointed by the Council, and the Registrar.
- 4.2.2 Signing authority for financial matters shall be any two of the three signing officers.

# 5 STAFF APPOINTMENTS

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## 5.1 REGISTRAR

- 5.1.1 In addition to the duties required by the Act, the Registrar shall conduct, or cause to be conducted, the correspondence of the College and Council; shall attend all general meetings, annual general meetings, and special meetings.
- 5.1.2 In addition to the duties required by the Act, the Registrar is responsible for planning and implementing the programs of the College in accordance with policies and objectives approved by Council, overseeing the financial affairs and internal staffing, managing the office of the College and any additional duties as determined by Council.
- 5.1.3 The Registrar shall be appointed by and accountable to Council. The Registrar's responsibilities, remuneration and appointment of the Registrar shall be reviewed by the Council annually.
- 5.1.4 If Council determines the Registrar needs immediate replacement, Council may appoint an interim Registrar from the Councillors or staff until the Registrar returns or a replacement has been appointed.

## 5.2 INVESTIGATOR

- 5.2.1 Upon the request of an Investigation Committee, Council shall consider and appoint by majority vote an Investigator. Council may appoint, by majority vote, one or more persons as Investigators for the purposes of the Act.
- 5.2.2 Where permitted under the Act, an Investigation Committee may refer a complaint to an Investigator. The duty of an Investigator is to exercise the powers and perform the duties of an Investigator pursuant to the Act/Regulations as requested by an Investigation Committee.
- 5.2.3 Council may create additional policies and procedures pertaining to Investigators.

## 5.3 PRACTICE AUDITOR

- 5.3.1 The duty of a Practice Auditor is to exercise the powers and perform the duties of a Practice Auditor pursuant to the Act.
- 5.3.2 At the request of an Investigator, Investigation Committee or Council under its own initiative, a Practice Auditor may be appointed by Council by majority vote.
- 5.3.3 In addition to the duties required in the Act, Council may create policies and procedures pertaining to Practice Auditors and audit processes.

## 5.4 FINANCIAL REVIEW/AUDIT

- 5.4.1 A Financial Reviewer/Auditor shall be appointed by the Council.
- 5.4.2 The Financial Auditor, after receiving the financial records of the College, shall prepare a Report and Statement of Financial Position of the College in accordance with generally accepted accounting principles and auditing standards and deliver it to the Council within the period set out in procedures established by the Council.

## 5.5 SOLICITOR

- 5.5.1 The Council may appoint a solicitor to advise the College and/or College Committees.

## 6 REMOVAL OF A COUNCILLOR/STAFF DISMISSAL

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- 6.1.1 Councillors or staff may be removed for misconduct or dereliction of duties. Misconduct is a willful act against this College. Dereliction of duties is the negligence of official responsibilities for an excessive period or violation of the responsibilities of office.
- 6.1.2 During a Special Meeting, the removal of Councillors or staff may be initiated by a two-thirds majority vote of the Council.

## 7 COMMITTEES

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### 7.1 COMMITTEES OF THE COUNCIL

- 7.1.1 Subject to the limitations on delegation set out in the Act, Council may establish any committee it determines necessary for the execution of the College's responsibilities.
- 7.1.2 In accordance with the Act, Council shall approve the terms of reference and composition of all standing committees. In addition to the Executive Committee, the standing committees of the Council are:
  - a) the Investigation Committee, and
  - b) the Hearing Committee
- 7.1.3 The Council may appoint committee members and shall prescribe, in accordance with the Act and in policy, the terms of reference for any such committee including the composition, powers and duties of the committee.
- 7.1.4 The Council may dissolve any committee by resolution at any time, except for those Committees required pursuant to the Act.
- 7.1.5 Committee members shall be either a member in good standing with the College, a member of Council or a member of the public as appointed by Council.
- 7.1.6 In accordance with the Act, and unless otherwise stated in these bylaws, the Council shall appoint the chair of each committee from Councillors or College staff.
- 7.1.7 Quorum for a committee shall be a majority of the committee members and where required by the Act shall include at least one public representative.
- 7.1.8 Committee meetings shall follow the same form and format of Council meetings set out herein.
- 7.1.9 Unless otherwise stated in these bylaws, decisions of any committee shall be by majority vote of those members of the committee present at a duly constituted meeting.

### 7.2 REVOCATION OF COMMITTEE MEMBERS

- 7.2.1 Council may revoke the appointment of a committee member where the person:
  - a) fails to attend three consecutive meetings without, in the opinion of Council, reasonable excuse;
  - b) is convicted of an offence that, in the opinion of Council, renders the member unsuitable to continue to hold office as a member;
  - c) commits an act, other than one referred to in clause (b), that in the unanimous opinion of Council, undermines the ability of the member to act credibly as a member;
  - d) contravenes these bylaws or established policies; or
  - e) is, in the opinion of Council, unlikely to be able to fulfill the member's duties due to physical or mental incapacity.

## 8 ANNUAL GENERAL MEETING (AGM)

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### 8.1 TIME AND PLACE OF AGM

8.1.1 Council shall hold an AGM in each year at such time and place and format as determined by the Council so long as the AGM occurs no longer than 14 months and no less than 10 months from the previous AGM. In the event Council fails to call an AGM within the prescribed time period, the AGM shall be held 14 months after the previous AGM. Should such a date fall on a holiday or weekend the AGM shall be held on the next available business day.

### 8.2 NOTICE OF AGM

8.2.1 Notice shall be given to all Members of the exact time and place of the AGM and shall be given in writing, by facsimile or other electronic means and in accordance with bylaws, at least thirty (30) days in advance of the meeting.

8.2.2 The minutes of the previous AGM shall accompany the notice to Members.

### 8.3 ORDER OF BUSINESS FOR AGM

8.3.1 The order of business of the annual general meeting, unless the Chairperson otherwise directs, shall be:

- a) review of the previous year's annual general minutes;
- b) annual report of the Chairperson;
- c) annual report of the Registrar;
- d) annual report of committees;
- e) presentation of audited financial statements or financial review;
- f) retention of insurance;
- g) new business;
- h) election of nominees to the Minister;
- i) appointment of financial reviewer/auditor;
- j) membership consultation items.

### 8.4 QUORUM FOR AGM

8.4.1 A quorum of any Member meeting shall be a minimum of five (5) Members entitled to vote, and at least one public representative from the Council.

8.4.2 If a quorum is present at the opening of a meeting of Members, the members present may proceed with the business of the meeting even if a quorum is not present throughout the meeting.

### 8.5 VOTING AT THE AGM

8.5.1 Motions presented at the AGM shall be decided by a majority vote of those present who are eligible to vote.

8.5.2 Each Member and each Councillor (including the Chairperson) shall be entitled to one vote. For  
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greater clarity, if a Councillor is also a Member, that individual shall be entitled to one vote only.

8.5.3 If there is a tie vote at an annual general meeting, the Chairperson may break the tie by casting a second vote.

8.5.4 In the event of a tie vote where the Chairperson chooses not to break the tie, the motion is lost.

## **8.6 MINUTES OF THE AGM**

8.6.1 The Registrar shall ensure that the minutes of the AGM are recorded and distributed to Councillors no later than fourteen (14) days following the AGM.

8.6.2 The meeting may be recorded electronically for reference. Electronic recording of any such meetings may be retained for a minimum of one (1) year.

8.6.3 The previous year's annual general meeting minutes shall be approved by the Members at a the annual general meeting. The minutes, as approved, shall be signed by the Chairperson (or designate) and the Registrar.

## **8.7 OBSERVERS AT THE AGM**

8.7.1 Observers are permitted at the AGM at the discretion of the Chair. Observers must advise the Registrar at least two (2) business days before the scheduled Annual General Meeting if they wish to attend as observers.

8.7.2 Observers are not permitted to propose, amend or vote on motions. Observers are in attendance at the pleasure of the Chair and may be required to leave at any time.

# **9 REGULAR COUNCIL MEETINGS**

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## **9.1 TIME AND PLACE OF REGULAR COUNCIL MEETINGS**

9.1.1 The Council shall hold at least three regular meetings during the year, or more often as required, at such times and places as shall be determined by the Chairperson or, in the absence of a Chairperson, by majority vote of Council.

## **9.2 NOTICE OF REGULAR COUNCIL MEETINGS**

9.2.1 Notice of the exact time, place and format shall be given to each Councillor at least fourteen (14) days in advance of the regular Council meeting.

## **9.3 ORDER OF BUSINESS**

9.3.1 A meeting of the Council may be held by conference call, video conferencing or other methods that permit members of the Council to participate in the meeting.

## **9.4 QUORUM AND ATTENDANCE**

9.4.1 Over fifty per cent of members of the Council, including at least one public representative shall

constitute a quorum.

- 9.4.2 The Registrar shall ensure an attendance record of all Councillors is kept and that the record is reviewed by Council once each year at the annual general meeting or if a Councillor has been absent for 3 consecutive meetings.

## **9.5 VOTING AT COUNCIL MEETINGS**

- 9.5.1 Motions shall be decided by a majority of Councillors in attendance. Each Councillor shall be entitled to one vote.
- 9.5.2 If there is a tie vote, the Chairperson may cast an additional, deciding vote.
- 9.5.3 In the event of a tie vote where the Chairperson chooses not to break the tie, the motion is lost.

## **9.6 MINUTES OF COUNCIL MEETINGS**

- 9.6.1 The meeting recorder shall record the minutes of the Council meeting and ensure distribution of the minutes to members of Council no later than fourteen (14) days following the meeting.
- 9.6.2 Previous meeting minutes shall be approved by the Council. The minutes, as approved, shall be retained, and shall be signed by the Chairperson and the Registrar.
- 9.6.3 Upon application in writing and with the approval of a majority of Councillors, a Member may view the minutes of a regular council meeting at the office of the College.

## **9.7 OBSERVERS AT REGULAR COUNCIL MEETINGS**

- 9.7.1 Members and invited guests may attend Council meetings as Observers. Observers are asked to advise the Registrar at least two (2) business days before a regularly scheduled Council meeting if they wish to attend as observers, or if they would like to make a presentation to Council.
- 9.7.2 Observer privileges will be granted upon majority vote of Council and shall also be withdrawn in the same manner.
- 9.7.3 Observers of Council meetings, or minutes of same, may be required to sign a statement of non-disclosure, declaration of conflict of interest, or declaration of code of conduct.
- 9.7.4 Observers are not permitted to propose, amend or vote on motions. However, they may participate in discussion, if approved by Council, and where participation does not contravene these bylaws or any Council policies.

# **10 SPECIAL MEETINGS**

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## **10.1 TIME AND PLACE OF SPECIAL MEETINGS**

- 10.1.1 Special meetings of Council shall be held at the call of the Chairperson or by a requisition signed by two members of Council.



10.1.2 Special meetings of the Members shall be held at the call of the Council or by a requisition signed by five (5) Members in good standing.

## 10.2 NOTICE OF SPECIAL MEETINGS

10.2.1 No fewer than five (5) days' notice shall be given for a special meeting of Council unless all members of the Council attend the meeting and waive the five days' notice. The notice shall specify the time and location of the special meeting and the business to be brought forward.

10.2.2 No fewer than thirty (30) days' notice shall be given for a special meeting of the Members. The notice shall specify the time and location of the special meeting and the business to be brought forward.

## 10.3 ORDER OF BUSINESS FOR SPECIAL MEETINGS

10.3.1 No business shall be dealt with except that for which the meeting was called.

10.3.2 Unless otherwise directed by the Chairperson, procedure for special meetings will follow the bylaws set forth under Regular Council Meetings.

## 10.4 RULES OF ORDER

10.4.1 Proceedings at meetings of the College and the Council shall be guided by the rules set down in "Robert's Rules of Order Newly Revised – 11th edition" in all cases not specifically provided for in the Act or in these bylaws.

## 10.5 GIVING NOTICE

10.5.1 Any notice (including any communication or document) to be given (which includes sent, delivered or served), pursuant to the Act, the bylaws or otherwise to a Member, officer or Councillor or to the public accountant shall be sufficiently given:

- a) if delivered personally to the person to whom it is to be given or if delivered to such person's address as shown in the records of the College, or in the case of notice to a Councillor, to the latest address as shown in the last notice that was sent by the College; or
- b) if mailed to such person at such person's recorded address by prepaid ordinary or air mail; or
- c) if sent to such person by email, or other communication facility at such person's recorded address for that purpose.

10.5.2 A notice so delivered shall be deemed to have been given when:

- a) mailed when deposited in a post office or public letter box; or
- b) a notice sent by any means of transmitted or recorded communication when dispatched or delivered to the appropriate communication company or agency or its representative for dispatch.

# 11 ALLOWANCES

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## 11.1 REMUNERATION

- 11.1.1 Councillors, officers, and committee members may be paid remuneration in accordance with the policy adopted by Council.
- 11.1.2 Unless otherwise stated in these Bylaws, no Councillor – including the Chair, or committee member shall directly or indirectly receive any profit from occupying said position; provided that:
  - a) the Councillor, officer, or committee member may be reimbursed for reasonable expenses they incur in the performance of their duties; and
  - b) the Councillor, officer, or committee member may be paid remuneration and reimbursed for expenses incurred in connection with services they provide to the College, provided that the amount of any such remuneration or reimbursement is:
    - i) considered reasonable by Council;
    - ii) approved by the Council for payment by resolution passed before such payment is made; and
    - iii) in compliance with the College’s conflict of interest policy.

# 12 FEES AND DEADLINES

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## 12.1 FEES

- 12.1.1 Council shall establish and collect fees that are payable by Health Profession Corporations to apply for a permit to operate as a health profession corporation.
- 12.1.2 Council shall establish and collect fees that are payable by Members to apply for, obtain, renew, transfer or reinstate a certificate of registration, including late penalties for late payment, and fees that are payable to take an examination.
- 12.1.3 Council shall establish and collect all other fees payable under the Act where permitted or required.
- 12.1.4 All fees and deadlines referenced herein or set out in the Act shall be posted in these Bylaws and amended by Council from time to time.
- 12.1.5 The fees set out in Article 12.9 are payable to apply for, obtain, renew, transfer, or reinstate a certificate of registration, including late penalties for late payment, and fees that are payable to take an examination, and shall be collected by the College.

## 12.2 SCHEDULE OF GENERAL REGISTRATION FEES AND DEADLINES

- 12.2.1 The registration year is June 1<sup>st</sup> to May 31<sup>st</sup>, and an annual registration fee is payable by each member.

12.2.2 The annual registration fee for the registration year for which a person first becomes a member must be paid immediately prior to the issuance of that certificate of registration.

12.2.3 The annual registration fee must be paid by May 15<sup>th</sup> prior to the beginning of the registration year, except where 12.1.4 is applicable.

### **12.3 SPECIAL REGISTRATION**

12.3.1 A special class registration entitles the registrant to work for 30 consecutive days.

12.3.2 No more than three (3) special class registrations may be issued in any registration year per registrant.

### **12.4 VERIFICATION FEE**

12.4.1 A fee for verification of current or past registration in Prince Edward Island is required to be paid at the time of the request.

### **12.5 LATE FEE**

12.5.1 A registration renewal received between May 15<sup>th</sup> and June 1<sup>st</sup> of the registration year, must be accompanied by a late fee payment.

### **12.6 APPLICATION FOR REINSTATEMENT**

12.6.1 In accordance with the Massage Therapists Regulations, an application for renewal may only be made until May 31<sup>st</sup> in any registration year. Thereafter an application for reinstatement is only available during the ensuing three (3) years following the date of the lapse in registration.

### **12.7 JURISPRUDENCE EXAMINATION FEE**

12.7.1 A person shall pay the fee set out in Article 12.9 for each attempt of the jurisprudence examination which is a requirement for a certificate of general registration.

### **12.8 COLLECTION OF FEES**

12.8.1 Subject to Article 12.8.2, all forms and fees related to the annual registration renewal must be received by the College Registrar no later than May 15<sup>th</sup> of each year.

12.8.2 All forms and fees related to the annual registration renewal not received by May 15<sup>th</sup> of each year shall be subject to the penalty noted in Article 12.5.

12.8.3 Any Member with unpaid fees or penalties not received in full by the College prior to June 1<sup>st</sup> of each year will not be eligible for registration.

12.8.4 All fees shall be paid by debit card, credit card, or electronic transfer, if available.

## 12.9 LIST OF FEES

Application Fee, General: \$100.00  
Application Fee, Special: \$40.00  
Application Fee, Reinstatement: \$150.00

Registration Fee, General: \$350.00  
Registration Fee, Partial Year: \$250.00  
Registration Fee, Special: \$100.00

Renewal Fee, General: \$350.00

Verification Fee: \$40.00

Late Fee: \$100.00

Jurisprudence Examination Fee: \$75.00

Unauthorized Practice Fee: \$50.00/day to a maximum of \$1,000.0

## 13 CARE OF FUNDS

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### 13.1 BUDGET

- 13.1.1 The Registrar shall prepare an estimate of the budget for the upcoming year with the assistance of the Chairperson.
- 13.1.2 The budget shall be presented by the Registrar and adopted by Council each year prior to the fiscal year end.

### 13.2 BANKING

- 13.2.1 Council, or its staff, shall ensure that all money received on behalf of the College is deposited in the name of the College in a bank or other deposit gathering institution that is a member of the Canadian Deposit Insurance Corporation or in a credit union established in such a way as to guarantee the deposits.

### 13.3 INVESTMENTS

- 13.3.1 Council shall ensure that when funds of the College are invested, they are held secure through means set out in policies and procedures approved by Council.

### 13.4 INSURANCE

- 13.4.1 Council shall ensure that the College maintains security arrangements and insurance coverage against loss of funds that the College may sustain resulting from employee dishonesty, destruction, disappearance, wrongful abstraction or forgery.
- 13.4.2 Council shall ensure that the College maintains insurance coverage for office contents, liability

insurance for directors and officers and errors and omissions insurance.

## **13.5 BYLAWS**

13.5.1 New bylaws or changes in the bylaws may be enacted from time to time by the Council in accordance with the Act.

13.5.2 Bylaws shall be available to the public in a public forum as determined by the Council.