

The COLLEGE OF MASSAGE THERAPISTS OF ONTARIO
BY-LAW No. 5

Committees of the College

Interpretation

1. In this By-law,
 - a) "Act" means the *Massage Therapy Act, 1991*, S.O. 1991, c. 27, and the regulations made thereunder, and includes the Code which is deemed by the RHPA s. 4 to be part of the Act;
 - b) "Aid-hoc committee" is a committee created by Council for a specific purpose, with powers and duties prescribed by Council, and which ceases to exist on a specific date or upon completion of a specific task;
 - c) "Appointed Council member" means a person appointed to Council by the Lieutenant Governor in Council;
 - d) "By-laws" means all By-laws of the College;
 - e) "Client Relations Committee" means the statutory committee referred to in the RHPA as the Patient Relations Committee;
 - f) "Code" means the Health Professions Procedural Code, which is Schedule 2 of the RHPA;
 - g) "College" means the College of Massage Therapists of Ontario;
 - h) "Council" means the governing body of the College that shall manage and administer its affairs, the members of which are either elected or appointed in accordance with the Act and the By-laws;
 - i) "Council member" means an elected or appointed member of the Council;
 - j) "Elected Council member" means a member of the College elected to Council in accordance with the Act and the By-laws;
 - k) "Member" means a member of the College, which means a person registered by the College;
 - l) "Registrar" means the Registrar of the College, or, in the case of the absence or inability of the Registrar, the Deputy Registrar;
 - m) "RHPA" means the *Regulated Health Professions Act, 1991*, S.O. 1991, c. 18, and the Regulations made thereunder, and includes the Code;
 - n) "Statutory committees" means the committees of the College whose existence is required by the Code, which are: Executive Committee; Registration Committee; Inquiries, Complaints & Reports Committee; Discipline Committee; Fitness to Practise Committee; Quality Assurance Committee; and, Client Relations Committee;
 - o) "Standing committee" means a committee created by Council, under this By-law, with powers and duties prescribed by Council in terms of reference, and which continues in existence unless dissolved by Council, by motion;
 - p) "Term on the committee" means the period of time for which a person is a member of the committee;
 - q) "Terms of reference" is a document that describes the powers and duties of a committee or working group;
 - r) "Non-council Member" means a member who has agreed to serve on a committee and has been appointed by Council to be a member of a committee of the College;
 - s) "Working group" is a committee created by Council for a specific purpose, with powers and duties prescribed by Council, the members of which may include persons other than Council members and Non-council members, and which ceases to exist on a specific date or upon completion of a specific task.

Creation of Committees and Working Groups

2.
 - (1) Council may, by motion, create and dissolve standing committees.
 - (2) Council shall prescribe the mandate, powers and duties of such committees in terms of reference.
 - (3) Standing committees shall have an annual operating budget that the committee shall prepare and submit to Council for approval.
3.
 - (1) Council may, by motion, create an ad-hoc committee, to deal with an issue or subject matter that does not fall within the mandate of any single statutory or standing committee of the College.
 - (2) Council shall prescribe the mandate, composition, duties and period of existence of such a committee that may be subject to review and modification by Council.
 - (3) Each ad-hoc committee shall, within a time period set by Council, provide an initial written report to Council, for the approval of Council that shall include a statement of the committee's mandate, duties, anticipated time period for the existence of the committee and proposed budget, if any.
4.
 - (1) Council may, by motion, create a working group to deal with subject matter that does not fall within the mandate of any single statutory or standing committees of the College, and Council may invite persons who are not Council members, Non-council members or members of the College to sit on the working group. Council may also invite organizations to appoint representatives to sit on the working group.
 - (2) Council shall prescribe the mandate, composition, and duties of the working group, and the period for the existence of the working group, that may be subject to review and modification by Council.
5. The composition of statutory committees is set out in Schedule A, which shall be deemed to be part of this By-law.

Appointment of Chairs and Members of Committees and Working Groups

6.
 - (1) The Council shall appoint the members and chairs of the statutory and standing committees for terms of approximately one year, upon the recommendation of Executive Committee, at the first regular Council meeting in a calendar year that takes place after the scheduled date for the election of Council members.
 - (2) The composition of the statutory and standing committees shall be as prescribed by Council in Schedule A.

- (3) Executive Committee's recommendation to Council regarding the composition of the statutory and standing committees shall be made after the Executive Committee consults with Council members regarding their preferences, skills and schedules as they relate to serving on a committee, and determines the needs of the College.
 - (4) For each committee, Executive Committee shall recommend and Council shall select one of the appointed committee members, who is also a Council member, to be chair of the committee.
7. Upon receipt of the Executive Committee's recommendation as to the members and the chairs of all statutory and standing committees, the Council shall, by motion:
 - a) ratify the recommendation and appoint the members and chairs of the committees; or,
 - b) amend the recommendation and appoint the members and chairs of the committees.
8. Council may appoint a Council member to a statutory or standing committee at any Council meeting, in addition to the regular procedure for the appointment of committee members set out in this By-law.
9.
 - (1) Council shall appoint the members of an ad-hoc committee, who shall include Council members and Non-council members.
 - (2) Council shall select one of the ad-hoc committee members, who is also a Council member, to be chair.
10.
 - (1) Council shall appoint the members of a working group, who shall include Council members, Non-council members, and any other person(s) or representative(s) of any organization(s) that Council wishes to invite to participate in the working group.
 - (2) Council shall select one of the working group members, who is also a Council member, to be chair of the working group.
11.
 - (1) Council may appoint a member of the College to a committee to serve as a Non-council member at any Council meeting, including the first regular Council meeting in a calendar year that takes place after the scheduled date for the election of Council members.
 - (2) Council's decision to appoint a member of the College to serve as a Non-council member shall be based on a consideration of all relevant factors including: the needs of the College; the needs of the particular committee; the experience of the member; and the number of years that the member has been a member of the College.

Terms of Council Members Appointed to Committees

12. A Council member appointed to a committee shall serve a term on the committee of approximately one year that begins at the moment of appointment and continues until,
 - a) the first regular Council meeting in a calendar year that takes place after the scheduled date for the election of Council members, and the appointment of the successor member of the committee; or,
 - b) the Council member resigns from the committee, or is removed from the committee by Council, or ceases to be a member of Council.

13. If a Council member vacates his or her seat on a committee and the vacancy results in the committee failing to have the prescribed composition, the Council shall appoint a replacement to serve out the term of the committee member who vacated his or her seat, otherwise the Council may,
 - a) leave the seat vacant; or,
 - b) appoint a replacement to serve out the term of the committee member who vacated his or her seat.

Terms of Non-council Members

14. The term of a member appointed to a committee as a Non-council member shall be one year, that begins at the moment of appointment to the committee and continues until,
 - a) the first regular Council meeting in a calendar year that takes place after the scheduled date for the election of Council members and the announcement of a new set of members of the committee; or,
 - b) the non-council member resigns from the committee or is removed from the committee by Council; or,
 - c) if the member was appointed as a replacement non-council member, until the completion of the term of the original non-council member who vacated his/her seat.

15. If the seat of a Non-council member becomes vacant before the end of the member's term on the committee, and the vacancy results in the committee failing to have the prescribed composition, the Council shall appoint a replacement to serve out the term of the committee member who vacated his or her seat, otherwise, the Council may:
 - a) leave the seat vacant; or,
 - b) appoint a replacement non-council member to serve out the term of the committee member who vacated his or her seat.

Reappointment to a Committee

16. A Council member or a member may be re-appointed to a committee for another term on the committee and upon re-appointment his or her membership on the committee shall be deemed to be continuous.

Duties and Operations of Committees

17. All committees of the College shall fulfill any duties required by the Act, the *RHPA*, the By-laws, and any applicable terms of reference or other direction from Council.

18. The chair of a committee shall preside at all meetings of the committee, and if a chair is absent from a committee meeting, the members of the committee shall elect one of the members present to be acting chair at the meeting, unless otherwise prescribed in the committee protocol.
19.
 - (1) All committees of the Council shall operate in accordance with the committee protocol, that shall be in the standard form for committee protocol prescribed by the Council, or a variation of the standard form.
 - (2) The committee protocol shall contain provisions relating to the operation of the committee, and shall provide for matters such as:
 - i) the powers and duties of the chair between meetings of the committee;
 - ii) procedures for the conduct of meetings of the committee;
 - iii) procedures and rules governing the commitment of committee funds, designating committee members who shall have authority to commit committee funds.
20. In the absence of a quorum specified in the committee protocol, the quorum for the committee shall be two persons.
21. No committee protocol shall provide for practices that are in conflict with the standard practices of the College, with respect to the power of a committee to incur expenditures and commit funds within its Council-approved budget.

Committee Reports

22. The chair of a committee shall be responsible for providing regular written reports to the Council on the activities of the committee, as required by Council.
23. Each committee shall annually submit a report summarising the committee's activities to the Council, for inclusion in the Annual Report of the College.

Administration

24. This By-law shall be administered by the Council.
25. This By-law comes into force on the date enacted.

Enacted this 19th day of November 1999

Amended: 4th day of February 2008

Amended this 22nd day of May 2009

**SCHEDULE A TO
BY-LAW No. 5 - COMMITTEES**

Composition of Statutory Committees

Executive Committee

1. The Executive Committee of the College shall be composed of the three elected officers of the College which shall include:
 - a) at least one elected Council member; and,
 - b) at least one appointed Council member.

Registration Committee

2. The Registration Committee of the College shall be composed of,
 - a) two elected Council members; and,
 - b) two appointed Council members; and,
 - c) one Non-Council member.

Inquiries, Complaints and Reports Committee

3. The Inquiries, Complaints and Reports Committee of the College shall be composed of,
 - a) three elected Council members; and,
 - b) three appointed Council members; and,
 - c) at least three Non-Council members.

Discipline Committee

4. The Discipline Committee of the College shall be composed of,
 - a) three elected Council members; and,
 - b) three appointed Council members; and,
 - c) at least three Non Council members..

Fitness to Practise Committee

5. The Fitness to Practise Committee of the College shall be composed of,
 - a) one elected Council member; and,
 - b) one appointed Council member; and,
 - c) one Non-Council member.

Quality Assurance Committee

6. The Quality Assurance Committee of the College shall be composed of,
 - a) two elected Council members; and,
 - b) two appointed Council members; and,
 - c) one Non-Council member.

Client Relations Committee

7. The Client Relations Committee of the College shall be composed of,
 - a) one elected Council member;
 - b) two appointed Council members; and
 - c) one Non-Council member.

Appeals Committee

8. The Appeals Committee of the College shall be composed of,
 - a) two elected Council members;
 - b) two appointed Council members; and
 - c) one Non-Council member.

**Enacted this 19th day of November 1999
Amended this 22nd day of May 2009**