



**College of Massage Therapists of Ontario
By-Law No. 7**

Fees for Registration, Examinations and Other Activities of the College

Interpretation

1. Singular and Plural / Masculine and Feminine

In these and all by-laws of the College, the singular shall include the plural, the plural shall include the singular, the masculine shall include the feminine and the feminine shall include the masculine.

2. Consistency with the *Regulated Health Professions Act, 1991 (RHPA, 1991)* and the *Massage Therapy Act, 1991*

All provisions of these and all by-laws of the College shall be interpreted in a manner consistent with the *RHPA, 1991 and the Massage Therapy Act, 1991* and where any inconsistency is found to exist, the inconsistent provision shall, where practical, be severed from the by-law.

3. Calculating Time

A reference to the number of days between two events means calendar days and excludes the day on which the first event happens and includes the day on which the second event happens.

4. Statutory Holidays

A time limit that would otherwise expire on a statutory holiday or a weekend is extended to include the next day that is not a statutory holiday or a weekend.

Definitions

5. In this by-law, unless otherwise defined or required by the context,

- (A) "**Act**" means the *Massage Therapy Act, 1991*, and includes the regulations made under it;
- (B) "**By-laws**" means all by-laws of the College;
- (C) "**Code**" means the *Health Professions Procedural Code*, which is Schedule 2 of the *RHPA*;
- (D) "**College**" means the College of Massage Therapists of Ontario (CMTO);
- (E) "**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 *Massage Therapy Act, 1991* and the by-laws;
- (F) "**General**" certificate means a certificate of registration of the general class issued by the Registrar;
- (G) "**Inactive**" certificate means a certificate of registration of the inactive class issued by the Registrar;
- (H) "**Registrant**" means a person or health profession corporation registered with the College;
- (I) "**Registrar**" means the Registrar and Chief Executive Officer of the College, or in the case of the absence or inability of the Registrar, the Deputy Registrar of the College and/or includes a person appointed as Interim Registrar by the Council;
- (J) "**RHPA**" means the *Regulated Health Professions Act, 1991*, including its associated regulations and the *Code*.

Any term not defined in this by-law shall have the meaning provided to it in the *RHPA, 1991* or the *Massage Therapy Act, 1991*.

Council Prescribes Fees

6. Council may prescribe, waive or revoke any fee to be paid to the College by a registrant or any other person.

Registration Fees

7. The fee for an application for the issuance of a certificate of registration of any class is \$100.
8. The initial fee to issue a general certificate of registration and the annual fee for a general certificate of registration shall be:
 - (A) \$785 for 2019 and in subsequent years, Council shall annually review the fees and where Council deems it appropriate, in any one or more years, this amount may be subject to an increase of not more than the annual inflation rate rounded to the nearest dollar; or
 - (B) For new registrants in their first year of eligibility for registration, a percentage of the fee payable for the class of certificate for which the applicant is applying that corresponds to the number of months remaining in the calendar year, calculated from the date the applicant submitted their completed application form; or
 - (C) When the applicant is moving from the inactive class to the general class, the fee shall be the difference between the two fees.
9. The initial fee to issue an inactive certificate to a registrant and the annual fee for an inactive certificate of registration shall be \$200 for 2019 and in subsequent years, Council shall annually review the fees and where Council deems it appropriate, in any one or more years, this amount may be subject to an increase of not more than the annual inflation rate rounded to the nearest dollar.
10. In addition to the amounts set out in section 8 and 9, any outstanding balance owing to the College in respect of any decision made by a committee and any fees payable under this by-law, will be added to and included in the annual fees.
11. Every registrant shall pay an annual fee to the College by December 31, 2018 for the fees owing for 2019, and by November 1 in each subsequent year for the fees owing for the following year.

Certificate of Authorization – Professional Corporations

12. (A) The initial fee to issue a Certificate of Authorization - Professional Corporations is \$200.

(B) The annual renewal fee for a Certificate of Authorization – Professional Corporations is \$200.

Late Fees

13. Every registrant who fails to pay the annual fee or submit a fully completed renewal form on or before November 1 shall pay a penalty of \$100 for late renewal of registration.

Reinstatement Fees

14. The fee for reinstatement of a certificate of any class that had been suspended for failure to pay a fee either prescribed by the Regulations or required by the by-laws is the amount of the fees and penalties outstanding plus the reinstatement fee of \$300.

15. An applicant requesting a hearing pursuant to the *Code of the RHPA, 1991*, to consider reinstatement of his or her certificate of registration shall pay a fee of \$600.

Elections

16. Where a candidate in an election to the Council wishes for a recount of the election ballots:

(A) The candidate shall pay a fee of \$100; and,

(B) The fee paid shall be refunded to the candidate if the outcome of the election is changed in his or her favour as a result of the recount.

Administrative Fees

17. After the first notice, a registrant shall pay an administrative fee, set out in the Miscellaneous Fee Schedule, for each subsequent notice sent by the Registrar to a registrant for failure of the registrant to provide information or a form to the College or a committee of the College within 30 days of being requested or required to do so. The fee is due within 30 days of the subsequent notice being sent.

Miscellaneous Fees

18. (A) The Registrar may set a fee, and require a person to pay the fee, for anything that the Registrar or a committee is required or authorized to do by law or the by-laws, for which no fee has been set by Council.

- (B) The Registrar shall maintain a schedule of the fees charged for services provided by the Registrar and by committees, and shall advise Council of the fee schedule and of any changes made to it.

Power to Waive a Fee

- 19. The Registrar may waive all or a portion of any fee or penalty where they consider it appropriate to do so.
- 20. A registrant's obligation to pay a fee or penalty continues regardless of whether:
 - (A) The College fails to send a notice with respect to the fee or penalty; or
 - (B) The registrant fails to receive notice of a fee or penalty.
- 21. Any fee or penalty charged or imposed by the College not paid by a registrant shall be included as part of a registrant's next renewal fee. If a registrant fails to pay a penalty or a fee, or a part thereof, set out in the by-laws:
 - (A) The Registrar shall give the registrant notice if the College intends to suspend the registrant; and
 - (B) The Registrar may suspend the registrant's certificate of registration or certificate of authorization for failure to pay the fee or penalty within 30 days after notice is given.
- 22. The Miscellaneous Fee Schedule forms part of this by-law.

Administration

- 23. This by-law shall be administered by the Registrar.

Effective Date

- 24. This by-Law comes into force on the day enacted.

Enacted July 7, 2000

Amended September 2004, February 2005, September 2006, May 2007, November 2008, May 2010, May 2015, May 2018, September 2018, May 2019, December 31, 2020