



**College of Massage Therapists of Ontario
By-Law No. 4**

The Council of the College

Interpretation

1. Singular and Plural / Gender

In these and all by-laws of the College, the singular shall include the plural, the plural shall include the singular, and any pronouns shall include all genders.

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. Holidays

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

Definitions

1. 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) "**Appointed Council Member**" means a person appointed to Council by the Lieutenant Governor in Council;
- (C) "**By-laws**" means all by-laws of the College;
- (D) "**Code**" means the *Health Professions Procedural Code*, which is Schedule 2 of the *RHPA, 1991*;
- (E) "**College**" means the College of Massage Therapists of Ontario (CMTO);
- (F) "**Committee**" means a committee established under section 10 of the *Code* or a committee established under these by-laws;
- (G) "**Committee Meeting**" means a meeting of any committee but does not include a hearing or a meeting of a panel of a committee;
- (H) "**Committee Member**" means a member of a committee;
- (I) "**Council**" means the Council established under section 5 of the *Massage Therapy Act, 1991*;
- (J) "**Council Member**" means an elected or appointed member of the Council;
- (K) "**Elected Council Member**" means a registrant of the College elected to Council in accordance with these by-laws, and includes an academic Council member;
- (L) "**Elected Officers**" means the President, Vice President and Executive Officers, who are elected by the Council, and who constitute the Executive Committee;
- (M) "**President**" means the President of the College, who is a member of the Executive Committee, elected by the Council, and who is an officer of the College;
- (N) "**Registrant**" means a person or health profession corporation registered with the College;
- (O) "**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;
- (P) "**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*.

Role

2. Council shall govern the College in carrying out its statutory mandate to regulate the Massage Therapy profession and protect the public interest.

Statutory Duties

3. Council is responsible for managing and administering the affairs of the College, under authority conferred by the *RHPA, 1991*, which entails the following statutory duties:
 - (A) To enact, amend and repeal by-laws, and to make regulations subject to the approval of the Lieutenant Governor in Council;
 - (B) To develop professional standards, policies and guidelines for the profession;
 - (C) To create and dissolve committees other than statutory committees, and to prescribe the mandate, powers and duties of such committees; and
 - (D) To appoint the members of committees and to receive annual reports from committees to be included in the Annual Report of the College.

Powers of Executive Committee Between Council Meetings

4. Between meetings of the Council, the Executive Committee shall have all the powers of the Council with respect to any matter that, in the opinion of the Executive Committee, requires immediate attention, except the power to make, amend, or revoke a regulation or by-law, and the Executive Committee shall report on any exercise of a power of the Council at the next Council meeting.

Appointment of Registrar

5. The Council shall appoint a Registrar.

Council Meetings

6. (A)
 - i. Council meetings are open to the public and the Registrar shall provide notice of every Council meeting to the registrants and to the public, in accordance with the Public Notice Regulation;
 - ii. Council meetings shall be held at least four times a year and shall be convened by the President of the Council; and
 - iii. Council meetings shall be held at the College offices or at any other place designated

by Council.

- (B) Between regularly scheduled Council meetings, the Executive Committee may convene a Special Meeting of Council , as necessary.

Chair of a Meeting

7. Meetings of the Council shall be conducted in accordance with the rules and procedures of Council.

Notice to Council Members

8. (A) All Council members shall be provided with notice of the location, time and date of any Council meeting , no less than 14 days before the meeting.
- (B) For Special Council Meetings, all Council members shall be provided with notice as above no less than 5 days before the meeting, unless all Council members waive the notice requirement.

Quorum

9. A quorum for a meeting of the Council shall be 50% of the Council members plus one.

First Annual Council Meeting

10. The first Council meeting in each calendar year that takes place after the scheduled date for an election of Council members shall be conducted as follows:
- (A) The Chair shall be assumed by the most senior outgoing elected officer from the previous year whose term on Council is continuing, and in the absence of any outgoing elected officer, the Registrar will assume the Chair and conduct an election of a Chair for the first part of the meeting, and the first part of the meeting shall deal with business from the previous year;
- (B) Once business from the previous year has been addressed, the Registrar shall assume the Chair and conduct the election of the new officers of the College;
- (C) The newly elected President will then assume the Chair; and
- (D) After the newly elected President has assumed the Chair, the Council shall appoint the members of the committees at a point in time determined by the Chair.

Decisions of Council

11. (A) Decisions of Council shall be made by motion, in accordance with the rules and procedures of Council.
- (B) Motions require a mover and a seconder, and shall be voted upon by all Council members present, and if a majority of Council members present votes in favour of the motion, the motion shall be carried, otherwise the motion shall be defeated.
- (C) The Chair of the meeting shall not vote on any matter unless there is a tie vote, and then the Chair of the meeting shall cast the deciding vote.
- (D) A member may have her or his dissenting vote on a motion recorded in the minutes of the meeting by so requesting immediately after the result of the vote is announced at the meeting.

Electronic Meetings

12. Meetings of Council may be held in any manner that allows all the persons participating to communicate with each other simultaneously and instantaneously.

Grants

13. Council may authorize the making of grants to individuals or other entities in order to advance scientific knowledge, to maintain or improve standards of practice of the profession.

Administration

14. This By-Law shall be administered by the Council.

Effective Date

15. This By-Law comes into force on the day enacted.

Enacted November 19, 1999

Amended February 2014, September 2021