College of Massage Therapists of Ontario
By-Law No. 5

Committees 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.

   All provisions of these and all by-laws of the College shall be interpreted in a manner consistent with the RHPA 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) "Ad Hoc Committee" is a committee created by the Board for a specific purpose, with powers and duties prescribed by the Board, and which ceases to exist on a specific date or upon completion of a specific task;
   (C) "Appointed Board Member" means a person appointed to the Board by the Lieutenant Governor in Council;
   (D) "Board" means the Council established under section 5 of the Massage Therapy Act, 1991;
   (E) "Board Meeting" means a meeting of the Board;
   (F) "Board Member" means an elected or appointed member of the Board;
   (G) "By-laws" means all by-laws of the College;
   (H) "Code" means the Health Professions Procedural Code, which is Schedule 2 of the Regulated Health Professions Act, 1991;
   (I) "College" means the College of Massage Therapists of Ontario (CMTO);
   (J) "Committee" means a committee established under section 10 of the Code or a committee established under these by-laws;
   (K) "Committee Meeting" means a meeting of any committee but does not include a hearing or a meeting of a panel of a committee;
   (L) "Committee Member" means a member of a committee;
   (M) "Elected Board Member" means a registrant of the College elected to the Board in accordance with these by-laws, and includes an Academic Board Member;
   (N) "Non-Board Committee Member" means a registrant or member of the public who is not a Board Member and has agreed to serve and has been appointed by the Board to a committee of 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 Acting Registrar by the Board;
   (P) "RHPA" means the Regulated Health Professions Act, 1991, including its associated regulations and the Code;
   (Q) "Standing Committee" means a committee created by the Board, under this by-law, with powers and duties prescribed by the Board in Terms of Reference, and which continues in existence unless dissolved by the Board, by motion;
   (R) "Terms of Reference" is a document that describes the powers and duties of a committee.

Any term not defined in this By-Law shall have the meaning provided to it in the RHPA or the Massage Therapy Act, 1991.
Standing and Ad Hoc Committees

2. (A) i. The Standing Committees of the College are the Governance Committee and the Equity, Diversity and Inclusion Committee. In addition to the Standing Committees listed in this by-law, the Board may, by motion, create and dissolve standing committees; and

   ii. The Board shall prescribe the composition, mandate, powers and duties of the Standing Committees in Terms of Reference.

(B) i. The Board 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;

   ii. The Board shall prescribe the mandate, composition, duties and period of existence of such a committee that may be subject to review and modification by the Board; and

   iii. Each ad hoc committee shall, within a time period set by the Board, provide a written report to the Board.

(C) The composition of statutory committees is set out in Schedule A, which shall be deemed to be part of this By-Law.

Appointment of Members of Committees and Committee Chairs

3. (A) At the first regular meeting of the Board following the annual election for the Board members, the Governance Committee shall present to the Board a recommended slate for all committee member and committee chair appointments, in accordance with the Board’s governance policies and the Governance Committee’s Terms of Reference. In preparing the recommended slate, the Governance Committee shall take into consideration:

   i. The Board Members’ and Non-Board committee members’ preferences; and

   ii. Other relevant factors, including the Board and Non-Board Committee Members’ competencies (as set out in the College’s governance policies), past experience, conflicts of interest, and workload.

(B) At the first Board meeting following the annual election for Board members, the Governance Committee shall present the recommended slate to the Board for approval.
(C) For clarity, this section does not apply to the process for the election of the Chair and Vice-Chair of the College, which is set out in By-law 3.

(D) If the Governance Committee is unable to meet the composition requirements set out in these by-laws of any committee, the Board may temporarily adjust the composition until those requirements can be met.

(E) The Board may appoint a Board member to a statutory or standing committee at any Board meeting, in addition to the regular procedure for the appointment of committee members set out in this By-Law.

4. (A) Deleted.

(B) Deleted.

(C) Deleted.

(D) Deleted.

Non-Board Committee Members

5. (A) The Board may appoint a registrant of the College or a member of the public to a committee to serve as a Non-Board Committee Member at any Board meeting.

(B) The Board’s decision to appoint a registrant of the College or a member of the public to serve as a Non-Board Committee Member shall be based on a consideration of relevant factors such as the needs of the College/Committee and the skills and competencies of the person.

Terms of Board Members Appointed to Committees

6. A Board Member appointed to a committee shall serve a term on the committee of approximately one year that begins on January 1 in the fiscal year after the member was appointed to the committee, or on such other date specified by the Board in the appointment, and continues until:

(A) January 1 in the following year, or until their successor is appointed, whichever is later; or

(B) The Board member resigns from the committee, or is removed from the committee by the Board, or ceases to be a member of the Board.
Committee Vacancies

7. If a vacancy on a committee occurs, the Executive Committee may appoint a replacement committee member on the basis of a recommendation by the Governance Committee. At the next Board meeting, the Executive Committee shall present the replacement(s) to the Board for information.

Reappointment to a Committee

8. A Board Member or Non-Board Committee Member may be re-appointed to a committee up to five times, for a maximum term of six consecutive years for any given committee, with the exception of the Discipline Committee and the Fitness to Practise Committee to which a member may be reappointed any number of times.


Committee Reports

10. (A) The Chair of a committee shall be responsible for providing regular written reports to the Board on the activities of the committee, as required by the Board.

   (B) Each committee shall annually submit a report summarizing the committee’s activities to the Board, for inclusion in the Annual Report of the College.

Administration

11. This By-Law shall be administered by the Board.

Effective Date

12. This By-Law comes into force on the date enacted.

Enacted November 19, 1999