



The College of Naturopaths of Ontario

**By-laws**  
**of the**  
**College of Naturopaths of Ontario**

**January 15, 2024**

## TABLE OF CONTENTS

1. INTERPRETATION.....	1
2. GENERAL.....	2
3. EXECUTION OF CONTRACTS AND OTHER DOCUMENTS.....	3
4. BANKING AND FINANCE.....	3
5. OFFICERS – GENERAL.....	5
6. ELECTION OF OFFICERS.....	5
7. DUTIES OF OFFICERS.....	6
8. THE CHIEF EXECUTIVE OFFICER (CEO).....	6
9. COUNCIL - GENERAL.....	7
10. ELECTION OF REGISTRANTS TO COUNCIL.....	7
11. COUNCIL MEETINGS.....	15
12. COMMITTEES – GENERAL.....	16
13. SPECIFIC COMPOSITION AND SELECTION OF COMMITTEES.....	17
14. COMMITTEE MEETINGS.....	20
15. DUTIES OF COUNCIL AND COMMITTEE MEMBERS.....	21
16. CONFLICTS OF INTEREST.....	22
17. CONFIDENTIALITY.....	24
18. FEES.....	25
19. PROFESSIONAL LIABILITY INSURANCE.....	26
20. THE REGISTER.....	27
21. PROFESSIONAL CORPORATIONS.....	34
22. FUNDING FOR THERAPY AND COUNSELLING FOR SEXUAL ABUSE.....	35
23. LIFE REGISTRANTS.....	35
24. CODE OF ETHICS.....	36
25. BY-LAWS AND AMENDMENTS.....	36
SCHEDULE 1 TO THE BY-LAWS Process for Election of Officers.....	37
SCHEDULE 2 TO THE BY-LAWS Rules of Order of the Council.....	38
SCHEDULE 3 TO THE BY-LAWS Fees.....	40

# By-laws of the College of Naturopaths of Ontario

## 1. INTERPRETATION

### 1.01 Definitions

In these by-laws, unless otherwise defined or required by the context:

“Act”	means the <i>Naturopathy Act, 2007</i> and includes the regulations made under it;
“Auditor”	means the chartered accountant or firm of chartered accountants appointed by Council;
“Chief Executive Officer (CEO)”	means the senior staff person appointed by the Council to oversee operations and perform the duties of the Registrar as set out in and defined in subsection 1(1) of the Code;
“Code”	means the <i>Health Professions Procedural Code</i> , being Schedule 2 to the <i>RHPA</i> ;
“College”	means the College of Naturopaths of Ontario;
“Committee”	means a committee of the College and includes statutory, standing and ad hoc committees, including panels of a committee and any committee established by Council under these by-laws;
“Council”	means the Council established under subsection 6(1) of the Act;
“Council Chair”	means the President of the Council as set out in section 7 of the Act and who shall, for the purposes of these by-laws, be referred to as the Council Chair;
“Council Vice-Chair”	means the Vice-President of the Council as set out in section 7 of the Act, and who shall, for the purposes of these by-laws, be referred to as the Council Vice-Chair;
“Deputy CEO”	means the Deputy Chief Executive Officer as appointed by the Chief Executive Officer;
“Election Package”	means the Nomination and Consent form, Conflict of Interest Questionnaire, Confirmation of Eligibility form, Education and Undertaking, Fiduciary Agreement, and Agreement Regarding Duties of Council members;
“Patient interaction”	means a patient encounter that includes an assessment and/or diagnosis, treatment and/or monitoring of a patient or patient’s condition in accordance with the standards of practice of the profession;

“Payment Schedule”	means a schedule as determined by the CEO and agreed to by a Registrant for the periodic payment of annual registration fees;
“Professional Association”	means an organized group of Registrants who promote and advocate for the interests of the profession, but does not include a school whose primary purpose is to educate;
“Public Member”	means a person described in subsection 6(1)(b) of the Act;
“Public Representative”	means a person who is not a Public Member but who is appointed by the Council to a Committee to bring the public perspective to the deliberations;
“Registrant”	means a member of the College as defined in subsection 1(1) of the Code and who shall, for the purposes of these by-laws, be referred to as a Registrant;
“RHPA”	means the <i>Regulated Health Professions Act, 1991</i> and includes the regulations made under it; and
SCERP	means a specified continuing education or remediation program as referred to in subsection 26(3) of the Code.

## **1.02 Singular and Plural / Masculine and Feminine**

Repealed.

## **1.03 Legislative References**

Any reference in these and all by-laws of the College to a statute, a regulation or a section of a statute or regulation shall be deemed to apply to any re-enactment or amendment of that statute, regulation or section, as the case may be.

## **1.04 Consistency with the RHPA and the Act**

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

## **1.05 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.

## **1.06 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.

## **2. GENERAL**

### **2.01 Head Office**

The head office of the College shall be in the Province of Ontario, at such place as Council may determine, from time to time.

### **2.02 Forms**

Certificates of registration and other documentation issued by the College shall be in such form as the CEO shall provide, from time to time.

### 3. EXECUTION OF CONTRACTS AND OTHER DOCUMENTS

#### 3.01 General Signing Authority

Documents requiring execution by the College, such as a contract, may be signed by one of the CEO or Deputy CEO when the value associated with the document is less than \$5,000 or one of the CEO or Deputy CEO together with one of the Council Chair, Council Vice-Chair or other such person as Council may designate, when the value of the document is \$5,000 or more. All documents so signed are binding upon the College without further authorization or formality.

#### 3.02 Other Signing Authority

Instead of, or in addition to, the persons specified in article 3.01, Council may appoint any one or more officers or other persons to sign contracts, documents and instruments in writing on behalf of the College, whether generally or in relation to specific contracts, documents or instruments in writing.

#### 3.03 Seal

The seal, an impression of which is depicted below, shall be the seal of the College.



#### 3.04 Use of Seal

The seal of the College shall be affixed to any document that requires the College seal by a person authorized to sign the document on behalf of the College.

### 4. BANKING AND FINANCE

#### 4.01 Fiscal Year

The fiscal year of the College shall commence on the first day of April and conclude on the last day of March of the following year.

#### 4.02 Appointed Bank

Council shall appoint, from time to time, one or more Canadian banks chartered under the *Bank Act* (Canada) for the use of the College.

#### 4.03 Authorized Signatories for Amounts Less Than \$5,000

Subject to article 3.02, all cheques, drafts, notes, or orders for payment of money and all notes and acceptances and bills of exchange in an amount less than \$5,000 may be signed by the CEO or Deputy CEO alone.

#### 4.04 Authorized Signatories for Amounts of \$5,000 or More

Subject to article 3.02, all cheques, drafts, notes, or orders for payment of money and all notes and acceptances and bills of exchange in an amount of \$5,000 or more shall be signed by one of the CEO or Deputy CEO and one of the Council Chair, Council Vice-Chair or such other person as Council may designate.

#### **4.05 Borrowing**

Subject to any limitation set out in these or any other by-laws of the College, Council may, by resolution:

- (i) borrow money on the credit of the College;
- (ii) limit or increase the amount or amounts that may be borrowed;
- (iii) issue, sell or pledge debt obligations of the College, including, but not limited to, bonds, debentures, notes or other liabilities, whether secured or unsecured; and
- (iv) charge, mortgage, hypothecate or pledge all or any of the real or personal property of the College, including book debts, rights, powers, franchises and undertakings, to secure any such securities or any money borrowed, or other debt, or any other obligation or liability of the College.

#### **4.06 Delegation of Borrowing Authority**

Council may, from time to time, authorize one or more officers, Council members or employees of the College to exercise any or all of the powers set out in article 4.05 in such manner as Council shall determine.

#### **4.07 Budget**

Council shall accept annually:

- (i) an operating expense and revenue budget for the College for each fiscal year; and
- (ii) a capital budget for the College for each fiscal year.

#### **4.08 Expenses**

Approval of purchases or leasing of goods and acquisition of services shall occur in accordance with the following:

- (i) the CEO or Deputy CEO may authorize expenses not exceeding \$25,000 if the expenditure has previously been approved as an item in the College budget;
- (ii) one of the CEO or Deputy CEO and one of the Council Chair or Council Vice-Chair may authorize expenses in excess of \$25,000 if the expenditure has previously been approved as an item in the College budget;
- (iii) the CEO or Deputy CEO may authorize expenses not exceeding \$5,000 if the expenditure has not previously been approved as an item in the College budget if the CEO believes that the expenditure is necessary for the operations of the College; and
- (iv) the Council shall review any proposed expense exceeding \$5,000 if the item is not an expenditure in the College budget; however, if immediate action is required, the Executive Committee may authorize the expenditure and immediately report it to the Council.

#### **4.09 Grants**

The CEO may negotiate the obtaining of a grant on behalf of the College but such agreements shall be approved by Council before they are finalized.

#### **4.10 Investments**

Funds not immediately required by the College may be invested by the College in accordance with the policies established by Council.

#### **4.11 Safekeeping**

Securities and other financial documents shall be held for safekeeping in the name of the College at its bank.

#### **4.12 Indemnification**

Every Council member, Committee member and officer or employee or appointee of the College, including assessors, investigators and inspectors, and each of their heirs, executors and administrators and estate, respectively, shall from time to time and at all times be indemnified and saved harmless out of the funds of the College from and against:

- (i) all costs, charges, expenses, awards and damages whatsoever that they sustain or incur in any action, suit or proceeding that is brought, commenced or prosecuted against them in respect of any act, deed, matter or thing whatsoever made, done or permitted by them in or about the execution of the duties of their office; and
- (ii) all other reasonable costs, charges, expenses, awards and damages that they sustain or incur in or about or in relation to the affairs of the College;

except such costs, charges, expenses, awards or damages as are occasioned by their own wilful neglect or default. Where the person is a commercial service provider (e.g., a designer or website programmer), the College has discretion as to whether or not to provide indemnity.

#### **4.13 Appointment of Auditor**

Council shall appoint a chartered accountant or a firm of chartered accountants to audit the accounts of the College and to prepare financial statements for each fiscal year.

#### **4.14 Term of Office**

The Auditor shall remain in office until removed by Council.

#### **4.15 Audited Financial Statements and Report**

The audited financial statements of the College, together with a signed and certified copy of the Auditor's report, shall be presented annually to Council.

#### **4.16 Deadline for Report**

The report of the Auditor shall be prepared within one hundred and twenty days of the close of the fiscal year for presentation to Council.

### **5. OFFICERS – GENERAL**

#### **5.01 Officers of the College**

The officers of the College shall be the Council Chair, Council Vice-Chair, Officers-at-Large who are elected to the Executive Committee, and such other officers as Council may determine.

#### **5.02 Term of Office**

The term of office for each officer of the College shall commence immediately following their election as an officer and shall continue for approximately one year until the next election for officers.

#### **5.03 Maximum Term of Office**

The maximum number of terms of office is three consecutive, full-year terms.

### **6. ELECTION OF OFFICERS**

#### **6.01 Eligibility for Nomination**

Only a Council member is eligible for nomination or election as an officer of the College.

#### **6.02 Election Procedure**

At the first regular Council meeting after the election of Registrants to Council, Council shall elect from among those Council members eligible for election the Council Chair, Council Vice-Chair, Officers-at-Large, and any other officer positions, in accordance with Council policy.

### **6.03 Filling Vacancies (Council Chair)**

In the event that the Council Chair is removed from office, resigns or dies or the position becomes vacant for any reason, the Council Vice-Chair shall become the Council Chair for the remaining term of the office and the office of the Council Vice-Chair shall become vacant.

### **6.04 Filling Vacancies (Council Vice-Chair and Officers-at-Large)**

In the event that the Council Vice-Chair or an Officer-at-Large is removed from office, resigns or dies or any of the positions become vacant for any reason, Council may elect a Council member to hold the office for the remaining term of office, in accordance with Council policy.

## **7. DUTIES OF OFFICERS**

### **7.01 Duties of the Council Chair**

The Council Chair shall:

- (i) if present, preside as Chair at all meetings of the Council unless they designate an alternate Chair, including persons not on Council who would act as a non-voting Chair, for all or any portion of the meeting;
- (ii) serve as Chair of the Executive Committee;
- (iii) perform those duties assigned to the Council Chair in these by-laws; and
- (iv) perform all duties and responsibilities pertaining to their office and such other duties and responsibilities as may be decided by Council.

### **7.02 Duties of the Council Vice-Chair**

The Council Vice-Chair shall:

- (i) perform the duties of the Council Chair in the event that the Council Chair is unable to perform those duties;
- (ii) perform those duties assigned to the Council Vice-Chair in these by-laws;
- (iii) serve on the Executive Committee; and
- (iv) perform all duties and responsibilities pertaining to their office and such other duties and responsibilities as may be decided by Council.

### **7.03 Duties of Officers-at-Large**

An Officer-at-Large of the College shall:

- (i) serve on the Executive Committee; and
- (ii) perform all duties and responsibilities as may be decided by Council.

## **8. THE CHIEF EXECUTIVE OFFICER (CEO)**

### **8.01 Appointment of the CEO**

The CEO shall be appointed by Council and, despite subsection 12(1) of the Code, the Executive Committee shall not exercise the authority of Council under this article.

#### **8.01.1 Removal of the CEO**

The CEO may be removed from their position by a two-thirds vote of the Council members present and eligible to vote at a meeting duly called for this purpose.

### **8.02 Duties of the CEO**

The Chief Executive Officer shall have such duties and responsibilities pursuant to subsection 9(2) of the Code, as are conferred to the "Registrar" by the Act, as set out in these by-laws



and the policies of the College, as well as such duties and responsibilities assigned to the position by Council.

### **8.03 Acting CEO**

In the absence of the CEO, a senior staff member appointed by the CEO, shall be the Acting CEO until the CEO returns. During an extended absence of more than three consecutive months, the Council may appoint an Interim CEO to serve until such time as the CEO returns or the position becomes vacant.

## **9. COUNCIL - GENERAL**

### **9.01 Authority of Council**

Council shall perform the functions assigned to it under the Act in order to meet the Objects of the Council as set out in the Code. At all times, the Council shall act in a manner that serves the public interest.

#### **9.01.1 Role of Council**

Without limiting the authority set out in the Code, the role of Council shall be to:

- (i) ensure compliance of the College with the mandate set out in the RHPA, the Code and the Act and the regulations made under them;
- (ii) set the strategic directions of the College and monitor the College's performance against these directions; and
- (iii) appoint the Chief Executive Office and monitor their performance against the agreed upon priorities.

#### **9.01.2 Delegation of Standards Setting**

The role of approving the Standards of Practice and any related guidelines for the profession, except any standard that is set out in Regulation, which would typically be performed by the Council, is delegated in full to the Standards Committee.

### **9.02 Per Diem**

Registrants who are Council members shall be paid a per diem and shall be reimbursed by the College for travelling and other expenses reasonably incurred in relation to the performance of their duties in accordance with the Per Diem and Expenses policy approved by Council.

### **9.03 Composition of Council**

Council shall be composed of seven Registrants and as many Public Members as are appointed by Lieutenant Governor in Council in accordance with subsection 6(1) of the Act.

### **9.04 Term of Office**

The term of office of a Registrant elected to Council shall commence at the first Council meeting immediately after the election and shall continue for approximately three years until their successor takes office in accordance with these by-laws, or until the Council member resigns or is removed from Council, or until such other time designated by Council, whichever occurs first.

## **10. ELECTION OF REGISTRANTS TO COUNCIL**

### **10.01 Electoral Districts**

The following electoral districts are established for the purposes of electing Registrants to Council (with necessary modifications by the CEO to ensure any missing or new postal codes

are added to the district they believe is most appropriate such that the entire province is covered and that there is no overlap of districts):

- Electoral district 1, the West composed of communities served by the postal codes beginning with “N”, excluding the following postal codes: N0A, N0C, N0E, N0G, N0H, N1A, N2Z, N3L, N3P, N3R, N3S, N3T, N3V, N3W, N3Y, N4B, N4K, N4L, N4N, N4W;
- Electoral district 2, the South composed of communities served by the postal codes: L0J, L0P, L0R, L0S, L2A, L2E, L2G, L2H, L2J, L2M, L2N, L2P, L2R, L2S, L2T, L2V, L2W, L3B, L3C, L3K, L3M, L4T, L4V, L4W, L4X, L4Y, L4Z, L5A, L5B, L5C, L5E, L5G, L5H, L5J, L5K, L5L, L5M, L5N, L5P, L5R, L5S, L5T, L5V, L5W, L6H, L6J, L6K, L6L, L6M, L6P, L6R, L6S, L6T, L6V, L6W, L6X, L6Y, L6Z, L7A, L7C, L7G, L7J, L7K, L7L, L7M, L7N, L7P, L7R, L7S, L7T, L8E, L8G, L8H, L8J, L8K, L8L, L8M, L8N, L8P, L8R, L8S, L8T, L8V, L8W, L9A, L9B, L9C, L9G, L9H, L9K, L9T, M7R, N0A, N0E, N1A, N3L, N3P, N3R, N3S, N3T, N3V, N3W, N3Y, N4B;
- Electoral district 3, the Toronto West composed of communities served by the postal codes: M2R, M3H, M3J, M3K, M3L, M3M, M3N, M3R, M4R, M4V, M5G, M5H, M5J, M5K, M5L, M5M, M5N, M5P, M5R, M5S, M5T, M5V, M5X, M6A, M6B, M6C, M6E, M6G, M6H, M6J, M6K, M6L, M6M, M6N, M6P, M6R, M6S, M7A, M8V, M8W, M8X, M8Y, M8Z, M9A, M9B, M9C, M9L, M9M, M9N, M9P, M9R, M9V, M9W;
- Electoral district 4, the Toronto East composed of communities served by the postal codes: M1B, M1C, M1E, M1G, M1H, M1J, M1K, M1L, M1M, M1N, M1P, M1R, M1S, M1T, M1V, M1W, M1X, M2H, M2J, M2K, M2L, M2M, M2N, M2P, M3A, M3B, M3C, M4A, M4B, M4C, M4E, M4G, M4H, M4J, M4K, M4L, M4M, M4N, M4P, M4S, M4T, M4W, M4X, M4Y, M5A, M5B, M5C, M5E, M5W, M7Y;
- Electoral district 5, Repealed;
- Electoral district 6, the North Central composed of communities served by the postal codes: L0A, L0B, L0C, L0E, L0G, L0H, L0K, L0L, L0M, L0N, L1A, L1B, L1C, L1E, L1G, L1H, L1J, L1K, L1L, L1M, L1N, L1P, L1R, L1S, L1T, L1V, L1W, L1X, L1Y, L1Z, L3P, L3S, L3R, L3T, L3V, L3X, L3Y, L3Z, L4A, L4B, L4C, L4E, L4G, L4H, L4J, L4K, L4L, L4S, L4M, L4N, L4P, L4R, L6A, L6B, L6C, L6E, L6G, L7B, L7E, L9J, L9L, L9M, L9N, L9P, L9R, L9S, L9V, L9W, L9Y, L9Z, N0C, N0G, N0H, N2Z, N4K, N4L, N4N, N4W;
- Electoral district 7, the East composed of communities served by the postal codes beginning with “K”; and
- Electoral district 8, the North composed of communities served by the postal codes beginning with “P”.

## **10.02 Number of Registrants Elected per Electoral District**

There will be one Registrant elected to the Council from each electoral district.

### **10.03 Election Date**

Election of Registrants to Council shall be held on a date determined by the CEO between February and April, inclusive, of each year, according to the following schedule:

- (i) there shall be an election for electoral districts 2 (South), 4 (Toronto East), and 6 (North Central) in 2015 and every third year thereafter;
- (ii) there shall be an election for electoral districts 1 (West) and 3 (Toronto West), in 2015, again in 2016 and every third year thereafter; and
- (iii) there shall be an election for electoral districts 7 (East) and 8 (North) in 2015, again in 2017 and every third year thereafter.

### **10.04 Number of Registrants Elected**

The number of Registrants elected to Council each year shall correspond to the sum of:

- (i) the number of Registrants whose terms of office have expired or will expire on the day of the first Council meeting after the elections; and
- (ii) the number of Registrants whose seats have become vacant and have not been filled.

#### **10.04.1 Reduction of Districts**

In the event that the Council should reduce or eliminate one or more districts set out in article 10.01, the incumbent Registrant shall retain their seat on Council until the earlier of:

- (i) the term that the Registrant was serving at the time the district was eliminated expires; or
- (ii) the Registrant is nominated to run for election in the new district to which they are assigned, at which point they shall be deemed to have resigned from the district to which they were first elected.

### **10.05 Eligibility for Election**

A Registrant is eligible for election to Council if the Registrant has been nominated in accordance with these by-laws, the Registrant has completed and returned the Election Package and if, on the deadline for the receipt of nominations and up to and including the date of the election, the Registrant:

- (i) holds a certificate of registration in the General Class or Inactive Class;
- (ii) is principally engaged in the practise of the profession in the electoral district for which they are nominated or, if they hold a certificate of registration in the Inactive Class of Registration, they principally reside in the electoral district for which they are nominated;
- (iii) is not in default of payment of any fees to the College;
- (iv) is not the subject of any disciplinary or incapacity proceeding;
- (v) has not been the subject of any professional misconduct, incompetence or incapacity finding in the preceding three years;
- (vi) has not had their certificate of registration revoked or suspended in the preceding six years for any reason other than non-payment of fees or failure to return information to the College;
- (vii) holds a certificate of registration that is not subject to a term, condition, or limitation imposed by either the Discipline Committee or the Fitness to Practise Committee;
- (viii) has not held any position such as director, owner, board member, officer or employee that the Registrant held with a professional association relating to naturopathy for a minimum of two years prior to seeking election;
- (ix) has not held any position such as director, owner, board member, or officer that the Registrant holds with an educational institution relating to naturopathy for a minimum of two years prior to seeking election;
- (x) has not been disqualified from Council within the preceding three years;

- (xi) is not a member of a council of any other college regulated under the RHPA;
- (xii) is not an employee of the College;
- (xiii) does not have any real or perceived conflict of interest as defined in these by-laws and as determined by the CEO or has agreed to remove any such conflict of interest before taking office;
- (xiv) has substantially complied with the Election Guidelines of the College;
- (xv) is not in any default of returning any required form or information to the College; and
- (xvi) has no concerning social media posts relating to any regulated profession;
- (xvii) has not initiated, joined, materially contributed or continued a legal proceeding against the College or any Committee or representative of the College; and
- (xviii) meets the competencies required and has successfully completed any qualifying process established by the Council.

#### **10.06 Eligibility to Vote**

A Registrant is eligible to vote in a Council election if, on the day of the election, the Registrant:

- (i) holds a certificate of registration;
- (ii) has their principal place of practice or, if they hold a certificate of registration in the Inactive Class of Registration, their principal place of residence, in the electoral district for which an election is being held;
- (iii) is not in default of any fees or other amounts owed to the College; and
- (iv) is not in default of returning any required form or information to the College.

#### **10.07 Disputes**

Any disputes regarding a Registrant's eligibility to vote in an election shall be decided by the Governance Committee.

#### **10.08 Notice of Election and Nominations**

At least seventy-five days before the date of an election, the CEO shall notify every Registrant of the date of the election and of the nomination procedure, including the deadline for submitting nominations to the College.

#### **10.09 Nomination Deadline**

The nomination of a Registrant for election to Council shall be on a form prescribed by the CEO and shall be received by the CEO at least forty-five days before the date of the election. The form prescribed by the CEO may be an electronic form at the discretion of the CEO.

#### **10.10 Signed Nominations**

The nomination form shall be signed by at least two Registrants eligible to vote in the electoral district in which the Registrant intends to run and shall also be signed by the Registrant being nominated as a signal of their consent to the nomination. If the CEO uses an electronic form, the signatures required may be in the form of a digital signature or attestations at the discretion of the CEO provided the form clearly signals the intent of Registrants to support the nomination and the intent of the Registrant being nominated to consent to the nomination.

#### **10.11 Confirmation of Eligibility**

The CEO shall request every Registrant who is being nominated to confirm their eligibility for election to Council in writing and any Registrant who fails to provide such confirmation in the manner and by the deadline set by the CEO shall be deemed to be not nominated for election.

## **10.12 Election Package**

The CEO shall request every Registrant who is being nominated to complete and return the Election Package and any Registrant who fails to complete and return the election package in the form and by the deadline set by the CEO shall be deemed to be not nominated for election.

### **10.12.1 Confirmation as a Candidate for Election to Council**

After the nomination deadline has passed, the CEO shall review the nomination of and the Election Package submitted by a Registrant who is being nominated to determine their eligibility to stand for election. The CEO shall inform Registrants who have been nominated, in writing, whether they are a candidate for election.

## **10.13 Personal Statement**

The CEO shall invite every candidate to provide a biography and a personal statement for use by the College as part of the election. The biography and personal statement shall be in a form and be of content that is acceptable to the Governance Committee, which has the sole discretion to exclude or modify a biography and personal statement as it deems necessary. Any biography and personal statement, or portions thereof, that are not acceptable to the Governance Committee, or that are not received by the deadline set by the CEO, shall not be included with the materials sent to Registrants under article 10.17.

## **10.14 Withdrawal of Candidacy**

A candidate may withdraw from an election by giving notice, in writing, to the CEO and paying the fee specified in Schedule 3. Upon receiving written notice of a candidate's withdrawal from the election, the CEO shall make reasonable efforts to remove the name of the candidate from the ballot and, if the CEO is unable to remove the name of the candidate from the ballot in a sufficient and timely manner, the CEO shall make reasonable efforts to notify the Registrants eligible to vote that the candidate has withdrawn from the election.

## **10.15 Acclamation**

If, following the confirmation of eligibility, the CEO determines that only one candidate is nominated for an electoral district, the CEO shall declare that candidate to be elected by acclamation and shall notify the candidate and the Registrants of this result in a manner the CEO deems most expedient and practical.

## **10.16 CEO's Electoral Duties**

The CEO or, if the CEO so requests, the CEO with the assistance of the Governance Committee, shall supervise and administer the election of candidates and, without limiting the generality of the above, the CEO may, subject to these by-laws:

- (i) appoint returning officers and scrutineers;
- (ii) establish procedures and any necessary deadlines including procedures and deadlines relating to the receipt of nominations, biographies and personal statements and ballots (or equivalent if voting is done electronically);
- (iii) establish procedures for the opening and counting of ballots (or equivalent if voting is done electronically);
- (iv) provide for the notification of the results of the election to all candidates and Registrants;
- (v) provide for the destruction of ballots (or equivalent if voting is done electronically) following an election; and
- (vi) do anything else that the CEO deems necessary and appropriate to ensure that the election is fair and effective.

### **10.16.1 Supplemental Election Procedures**

If no nominations are received in an electoral district by the deadline referred to in article 10.03, there shall be a supplementary election and:

- (i) the provisions of these by-laws that apply to the conduct of elections shall apply to the conduct of supplementary elections, with all necessary modifications;
- (ii) the term of office of a Registrant elected to the Council in a supplementary election shall commence upon acclamation or election and shall continue until the end of the term of office prescribed in article 9.04 for a Registrant elected in the electoral district in which that Registrant was elected; and
- (iii) the necessity for a Supplemental Election shall not prevent the election of the Officers of the College at the time set out in article 6.02 of these by-laws.

### **10.16.2 Further Supplemental Election Procedures**

If no nominations are received in an electoral district by the deadline set in a supplemental election held in accordance with article 10.16.1, Council may:

- (i) appoint a Registrant who is eligible for election set out in article 10.05; or
- (ii) direct the CEO to hold another supplemental election in accordance with article 10.16.1.

### **10.17 Ineligibility Process**

No later than thirty days before the date of an election, the CEO shall inform Registrants who are ineligible to vote in the election that they are ineligible and the reason for their ineligibility. Ineligible Registrants will be afforded 14 days to cure the reason for their ineligibility or to file an appeal of their ineligibility with the Governance Committee.

#### **10.17.1 Balloting Process**

No later than fifteen days before the date of an election, the CEO shall inform Registrants eligible to vote in the election the names of eligible candidates, the biography and personal statement accepted by the Governance Committee of every eligible candidate who has submitted one by the deadline established by the CEO, and a ballot (or equivalent if voting is done electronically) and an explanation of the voting process.

### **10.18 Ballot Verification**

Ballots (or equivalent if voting is done electronically) returned to the College must be received by the College at or before the date and time specified for the election in order to be counted in the vote.

### **10.19 Number of Votes Cast**

A Registrant may cast one ballot (or equivalent if voting is done electronically) in an election.

### **10.20 Results**

As soon as practicable after the ballots (or equivalent if voting is done electronically) have been counted, the CEO shall advise each candidate of the results of the election, the number of votes they received and of their right to request a recount in accordance with article 10.22. After the period to request a recount has passed and no request is received, or after any recounts have been concluded as the case may be, the CEO shall advise the Registrants of the results of the election, including the number of votes each candidate received, in a manner deemed appropriate by the CEO.

### **10.21 Tie Votes**

In the event that a winner cannot be declared because two or more candidates have received the same number of votes, the CEO shall break the tie by lot.

### **10.22 Request for Recount**

A candidate may require a recount by delivering a written request to the CEO no more than seven days after the date they are notified of the result of the election and by paying the fee specified in Schedule 3.

### **10.23 Manner of Recount**

The CEO shall hold a recount no more than four days after and the deadline for receipt of a written request for a recount. The recount shall be conducted in as transparent a manner as the voting system and protection of the privacy rights of Registrants in relation to for whom they may have voted, reasonably permits.

### **10.24 Change in Results**

In the event that the recount changes the election outcome, the candidate requiring the recount is entitled to reimbursement of the fee required under article 10.22.

### **10.25 Proxy Voting**

A Registrant cannot vote in an election by means of a proxy.

### **10.26 Referral of Disputes to Governance Committee**

If the Council is of the opinion that there are reasonable grounds to doubt or dispute the validity of the results of the election of any Registrant, the Council shall refer the matter to the Governance Committee.

### **10.27 Report and Recommendation of Governance Committee**

Where a matter has been referred to the Governance Committee under article 10.26, the Governance Committee shall hold an inquiry into the validity of the election and, following the inquiry, shall make a report and recommendation(s) to Council.

### **10.28 Options Available to Council**

Council may, after reviewing the report and recommendation(s) of the Governance Committee and subject to article 10.29, do one of the following:

- (i) declare the election result in question to be valid; or
- (ii) declare the election result in question to be invalid; and either:
  - (a) declare another candidate to have been elected; or
  - (b) direct that another election be held.

### **10.29 Minor Irregularities Not Fatal**

Council shall not declare an election result to be invalid solely on the basis of a minor irregularity regarding the requirements of these by-laws or a procedure established by the CEO and/or the Governance Committee.

### **10.30 Disqualification of Elected Registrants**

Council shall disqualify a Registrant elected to Council, if they:

- (i) resign from Council;
- (ii) cease to hold a certificate of registration;
- (iii) are in default of payment of any fee or information return prescribed by these by-laws for a period of more than sixty days;
- (iv) are found to have committed professional misconduct or to be incompetent by a panel of the Discipline Committee;
- (v) are found to be incapacitated by a panel of the Fitness to Practise Committee;
- (vi) obtain a responsible position such as director, owner, board member or officer or retain employment or becomes an employee of any professional association relating to naturopathy;

- (vii) become a member of a council of any other college regulated under the RHPA;
- (viii) fail, without reasonable cause, to attend two consecutive meetings of Council;
- (ix) are convicted of a criminal offence which is of a nature that warrants disqualification;
- (x) fail to discharge properly or honestly any office to which they have been elected or appointed;
- (xi) fail, without cause, to attend three consecutive meetings of a Committee to which they are appointed;
- (xii) fail, without cause, to attend a hearing or review panel for which they have been selected;
- (xiii) cease to either practise or reside in Ontario;
- (xiv) obtain a responsible position such as a director, owner, board member or officer of any educational institution relating to naturopathy;
- (xv) in the opinion of Council, breaches the conflict of interest provision(s) for Council and Committee members;
- (xvi) breaches section 36 of the RHPA which, in the opinion of Council, is of a nature that warrants disqualification; or
- (xvii) initiates, joins, materially contributes or continues a legal proceeding against the College or any Committee or representative of the College.

### **10.31 CEO's Receipt of Information**

If the CEO receives information that suggests that a Registrant elected to Council meets one or more of the criteria for disqualification set out in article 10.30, the CEO shall follow the procedure set out in article 15.02. Where the CEO has reasonable and probable grounds to believe that a Registrant elected to Council meets the criteria for disqualification and no one else has made a complaint, the CEO shall make a complaint in writing.

### **10.32 Effect of Disqualification**

A Registrant elected to Council who is disqualified by Council ceases to be a Council member and ceases to be a member of any Committee to which they have been appointed.

### **10.33 Filing of Vacancies**

If the seat of a Registrant elected to Council becomes vacant, Council may,

- (i) leave the seat vacant;
- (ii) appoint a Registrant who meets the criteria for eligibility for election set out in article 10.05; or
- (iii) direct the CEO to hold a by-election in accordance with these by-laws.

### **10.34 By-Election Required**

Repealed (November 29, 2023)

### **10.35 Manner of Holding By-Elections**

A by-election shall be held in the same manner and shall be subject to the same criteria and processes as a regular election, subject to any necessary modifications.

### **10.36 Term of Office for Registrants Filling Vacancies**

The term of office of a Registrant appointed or elected to fill a vacancy shall commence on the day of the appointment or election, as the case may be, and shall continue until the date that the former Council member's term would have expired.



## **11. COUNCIL MEETINGS**

### **11.01 Location and Frequency of Meetings**

A Council meeting shall, wherever possible, be held at a place and on a date set in advance and shall occur at regular intervals and at such frequency as necessary for Council to conduct its business but shall, in any event, occur at least three times per year.

### **11.02 Notice of Meetings**

Subject to article 11.17, the CEO shall notify Council members of the meeting, setting out the date, time and place of the meeting and the general nature of the business to be transacted at least ten days before the date of the meeting.

### **11.03 Waiver of Notice**

A Council member may, at any time, waive the requirement that they be provided notice of a meeting.

### **11.04 Business at Meetings**

Council may only consider or transact at a regular meeting:

- (i) matters on the agenda;
- (ii) matters brought by a Committee of the Council or the CEO;
- (iii) repealed;
- (iv) matters for which notice was given by a Council member at the preceding meeting or where written notice was given at least thirty days in advance of the meeting; and
- (v) such other matters, not included on the agenda, as the majority of Council members in attendance determine to be of an urgent nature.

### **11.05 Secretary**

Repealed.

### **11.06 Chair**

The Council Chair acts as chair of Council unless the Council Chair has designated an alternate chair, including a person not on Council who would act as a non-voting chair, for any portion of the meeting. In the event that the Council Chair is absent, the Council Vice-Chair shall serve as chair of the meeting. In the event that both the Council Chair and the Council Vice-Chair are absent from the meeting, Council shall elect, from among its members, a Council member to serve as chair at that meeting.

### **11.07 Manner of Meeting**

Any meeting of Council may be conducted by means of video conference, teleconference or any other means that permits all persons participating in the meeting to communicate with each other simultaneously and instantaneously (including audio or videoconferencing), and persons participating in the meeting by such means are deemed to be present at the meeting.

### **11.08 Quorum**

Unless specifically provided for otherwise under the Act, the RHPA or these by-laws, a simple majority of Council members shall constitute a quorum for the purpose of a meeting.

### **11.09 Simple Majority**

Unless specifically provided for otherwise under the Act, the RHPA or these by-laws, every motion which properly comes before Council shall be decided by a simple majority of the votes cast at the meeting by the Council members present.

### **11.10 Chair Votes**

If the Chair is a Council member, they may vote.

### **11.11 Tie Votes**

In the event of a tie vote, the motion is defeated.

### **11.12 Resolution**

A resolution signed by all Council members, including a resolution where all or some of them have signed by facsimile or e-mail, is valid and effective as if passed at a meeting of Council held for the purpose.

### **11.13 Rules**

Except where inconsistent with the RHPA, the Act, or these by-laws, the rules of order for meetings of Council are set out in Schedule 2.

### **11.14 Minutes**

The CEO shall ensure that accurate minutes of all Council meetings are recorded, approved and maintained at the College office.

### **11.15 Adjournments**

Whether or not a quorum is present, the presiding Chair may, from time to time, with the consent of the majority of Council members present and voting, adjourn any properly called meeting to a fixed time and place, and any matter brought before the original meeting may be considered and transacted at a reconvened meeting provided that a quorum is present.

### **11.16 Calling Special Meetings**

The Council Chair may call and convene a special meeting of Council:

- (i) at their discretion;
- (ii) upon receipt of the written request of any six Council members; or
- (iii) if a request is received from the Governance Committee under article 15.02.

### **11.17 Notice of Special Meetings**

The CEO shall notify Council members of the special meeting, setting out the date, time and place of the meeting and the general nature of the business to be transacted, at least five days prior to the date of the meeting, and Council may only consider or transact at a special meeting those items of business contained in the notice.

### **11.18 Waiver of Notice of a Special Meeting**

The Council may waive the notice requirements set out under article 11.17.

## **12. COMMITTEES – GENERAL**

### **12.01 Duties and Responsibilities**

The duties and responsibilities of each Committee shall be those set out in the RHPA, the Act, these by-laws and the Terms of Reference for that Committee, as approved by Council, where applicable.

### **12.02 Non-Statutory Committees**

In addition to the statutory committees required by the Code, the Council may establish and maintain any additional Committee, planning or working groups deemed necessary for the efficient functioning of the College.

### **12.03 Composition of Committees**

Repealed.

### **12.04 Ratios**

Repealed.

### **12.05 Vacancies**

Despite anything in these by-laws, a Committee is properly constituted despite any vacancy so long as there are sufficient Committee members to form a quorum of the Committee or a panel of the Committee.

### **12.06 Quorum**

The quorum of any Committee is three Committee members, unless otherwise provided in the Act, or if the Committee is composed of only three members, the quorum for such a Committee shall be two Committee members.

### **12.07 Panels**

A Committee may meet in panels selected by the Chair of the Committee.

### **12.08 Standing Panels**

Despite article 12.07, Council may appoint standing panels of a Committee, each with its own Chair, which standing panels may be subdivided into panels by the Chair of the standing panel.

### **12.09 Per Diem**

Registrants who are Committee members and Public Representatives appointed to Committees shall be paid a per diem and shall be reimbursed by the College for travelling and other expenses reasonably incurred in relation to the performance of their duties in accordance with the Per Diem and Expenses policy approved by Council.

## **13. SPECIFIC COMPOSITION AND SELECTION OF COMMITTEES**

### **13.01 Executive Committee**

The Executive Committee shall be composed of the Council Chair, the Council Vice-Chair and three Council members who shall be Officers-at-Large, of which three shall be Registrants and two shall be Public Members. One of, but not both, the Council Chair or Council Vice-Chair shall be a Public Member.

### **13.02 Registration Committee**

The Registration Committee shall be composed of no fewer than three but as many individuals as the Council deems appropriate, including:

- (i) at least one Council member who is a Public member and any number of additional Council members;
- (ii) at least one Registrant who is not a Council member; and
- (iii) any number of Public Representatives.

### **13.03 Inquiries, Complaints and Reports Committee**

The Inquiries, Complaints and Reports Committee shall be composed of no fewer than three, but as many individuals as the Council deems appropriate, including:

- (i) at least one Council member who is a Public member and any number of additional Council members;
- (ii) at least one Registrant who is not a Council member; and
- (iii) any number of Public Representatives.

#### **13.04 Discipline Committee**

The Discipline Committee shall be composed of no fewer than five, but as many individuals as the Council deems appropriate, including:

- (i) at least two Council members who are Public members and at least one Registrant who is a Council member;
- (ii) at least two Registrants who are not Council members; and
- (iii) any number of Public Representatives.

#### **13.05 Fitness to Practise Committee**

The Fitness to Practise Committee shall be comprised of no fewer than five, but as many individuals as the Council deems appropriate, including:

- (i) at least one Council member who is a Public member and any number of additional Council members;
- (ii) at least two Registrants who are not Council members; and
- (iii) any number of Public Representatives.

#### **13.06 Quality Assurance Committee**

The Quality Assurance Committee shall be composed of no fewer than three, but as many individuals as the Council deems appropriate, including:

- (i) at least one Council members who is a Public member and at least one Registrant who is a Council member;
- (ii) at least one Registrant who is not a Council member; and
- (iii) any number of Public Representatives.

#### **13.07 Patient Relations Committee**

The Patient Relations Committee shall be composed of no fewer than three, but as many individuals as the Council deems appropriate, including:

- (i) at least one Council member;
- (ii) at least one Registrant who is not a Council member; and
- (iii) any number of Public Representatives.

#### **13.08 Examination Appeals Committee**

The Examination Appeals Committee shall be composed of no fewer than three, but as many individuals as the Council deems appropriate, none of whom shall be members of the Registration Committee, including:

- (i) at least one Council member;
- (ii) at least one Registrant who is not a Council member; and
- (iii) any number of Public Representatives.

##### **13.08.1 Inspection Committee**

The Inspection Committee shall be composed of no fewer than three, but as many individuals as the Council deems appropriate, including:

- (i) at least one Council member;
- (ii) at least one Registrant who is not a Council member; and
- (iii) any number of Public Representatives.

#### **13.09 Appointment of Committee Members**

Unless otherwise stated in these by-laws, every Committee member shall be appointed by Council with the exception of the Executive Committee, whose members shall be elected to office in accordance with these by-laws.

### **13.10 Appointment of Non-Council Registrants**

Subject to any specific composition requirements in these by-laws, Council may, at its discretion, appoint Registrants who are not Council members to any Committee.

#### **13.10.1 Appointment of Public Representatives**

The Council may, at its discretion, appoint Public Representatives who are not Public Members and who meet the eligibility criteria set out in these by-laws, to any Committee except the Executive Committee.

### **13.11 Terms of Office of Committee Members**

The term of office of a Committee member shall commence immediately after the appointment and shall continue for approximately one year.

### **13.12 Chairs**

Unless stated otherwise in these by-laws, the Chair or Chairs of each Committee, with the exception of the Executive Committee, shall be appointed by Council.

### **13.13 Decisions Regarding Appointments**

In making an appointment under article 13.09, 13.10, or 13.10.1, Council shall take into consideration the location of practice, if applicable, as well as the experience, expertise, availability and other qualifications and characteristics of the Registrant, Public Member or Public Representative, in order to complement the attributes of the other Committee members or members of the working group.

### **13.14 Registrant Eligibility for Appointment**

A Registrant is eligible for appointment to a Committee, if on the date of the appointment the Registrant:

- (i) repealed;
- (ii) is not in default of payment of any fees prescribed by College by-law;
- (iii) is not the subject of any disciplinary or incapacity proceeding;
- (iv) has not been the subject of any professional misconduct, incompetence or incapacity finding in the preceding three years;
- (v) has not had their certificate of registration revoked or suspended in the preceding six years for any reason other than non-payment of fees or failure to provide information to the College;
- (vi) holds a certificate of registration that is not subject to a term, condition, or limitation imposed by either the Discipline Committee or the Fitness to Practise Committee;
- (vii) has agreed to and does resign, before taking office, any position such as director, owner, board member, officer or employee that the Registrant holds with a professional association relating to naturopathy;
- (viii) has agreed to and does resign, before taking office, any position such as director, owner, board member, or officer that the Registrant holds with an educational institution relating to naturopathy;
- (ix) has not been disqualified from Council within the preceding three years;
- (x) is not a Council member of any other college regulated under the RHPA;
- (xi) is not an employee of the College;
- (xii) is not in any default of returning any required form or information to the College; and
- (xiii) has no concerning social media posts relating to any regulated profession;
- (xiv) does not have any real or perceived conflict of interest as defined in these by-laws and as determined by the CEO;

- (xv) has not initiated, joined, materially contributed or continued a legal proceeding against the College or any Committee or representative of the College; and
- (xvi) meets the competencies required and has successfully completed any qualifying process established by the Council.

#### **13.14.1 Eligibility to be Appointed as a Public Representative**

A person is eligible for appointment to a Committee, if on the date of the appointment the person:

- (i) is not a Public Member of any Council of a College of a profession and is not a member of any health professions as set out in Schedule 1 of the RHPA;
- (ii) Repealed (November 29, 2023)
- (iii) does not have a prior conviction and is not currently charged under the Criminal Code (Canada), or Provincial Offences that are relevant to their suitability to serve;
- (iv) has agreed to and does resign, before taking office, any position such as director, owner, board member, officer or employee that the person holds with a professional association relating to naturopathy or with a naturopathic educational program;
- (v) is not an employee of the College nor of any other College of any health profession set out in Schedule 1 of the RHPA;
- (vi) has no concerning social media posts relating to any regulated profession;
- (vii) does not have any real or perceived conflict of interest as determined by the CEO;
- (viii) has not initiated, joined, materially contributed or continued a legal proceeding against the College or any Committee or representative of the College; and
- (vix) meets the competencies required and has successfully completed any qualifying process established by the Council.

#### **13.15 Removal of Committee Members**

Despite the other provisions of these by-laws that permit the removal of a Committee member in specific circumstances, Council may also remove a Committee member at its sole discretion.

#### **13.16 Ad hoc Committee**

Despite article 13.14 and the provisions of these by-laws relating to conflicts of interest and the removal of Committee members, Council may appoint ad hoc committees whose composition is not in compliance with articles 13.14(vii), (viii) and (x) where the mandate and purpose of the ad hoc committee includes stakeholder participation, in which case the mere holding of the position described in articles 13.14(vii), (viii) and (x) shall not, by itself, be grounds for removal from the ad hoc committee.

### **14. COMMITTEE MEETINGS**

#### **14.01 Location and Frequency of Meetings**

Committee meetings shall, wherever possible, be held at a place and on a date set in advance and shall occur at regular intervals and at such frequency as is necessary for the Committee to conduct its business.

#### **14.02 Manner of Meeting**

Any meeting of a Committee, at the discretion of the Chair, may be conducted by means of teleconference, videoconference or any other means that permits all persons participating in

the meeting to communicate with each other simultaneously and instantaneously, and persons participating in the meeting by such means are deemed to be present at the meeting.

#### **14.03 Chair**

In the event that the Chair of the Committee is unable or unwilling to preside at the meeting, the Committee members shall select from amongst their number, a Committee member to serve as Chair for the purposes of that meeting.

#### **14.04 Minutes**

The Chair of each Committee shall ensure that accurate minutes of all Committee meetings and proceedings are recorded, approved and maintained at the College office.

#### **14.05 Simple Majority**

Unless specifically provided for otherwise under the Code or these by-laws, every motion that properly comes before a Committee shall be decided by a simple majority of the votes cast at the meeting by the Committee members present.

#### **14.06 Chair Votes**

If the Chair is a Committee member, they may vote.

#### **14.07 Tie Votes**

In the event of a tie vote, the motion is defeated.

### **15. DUTIES OF COUNCIL AND COMMITTEE MEMBERS**

#### **15.01 Expectations and Duties**

Council and Committee members shall, in the performance of their duties:

- (i) familiarize themselves with the Act, the RHPA, these by-laws and any policies of the College;
- (ii) familiarize themselves with any other records, documents and guidelines that may be necessary for the performance of their duties;
- (iii) comply with the provisions of the Act, the RHPA, these by-laws, any policies of the College and rules that are adopted by Council;
- (iv) regularly attend meetings on time and participate constructively in discussions;
- (v) ensure that confidential matters coming to their attention are not disclosed, except as required for the performance of their duties or as permitted by the RHPA;
- (vi) conduct themselves in an appropriate manner with College staff, other Council or Committee members, Registrants and Public Representatives;
- (vii) comply with the College's Code of Conduct, as set out in the College's governance policies established by Council;
- (viii) avoid, or where that is not possible, declare all conflicts of interest in the manner set out in these by-laws;
- (ix) recuse themselves from their duties as Council or Committee member in the event that allegations regarding their conduct, competence or capacity are referred to the Discipline Committee or Fitness to Practise Committee, or an interim order is imposed by the Inquiries, Complaints and Reports Committee, until such time as the matter has been finally disposed of; and
- (x) perform the duties associated with their position conscientiously, in good faith, and with due care and diligence in a manner that serves and protects the public interest.

## **15.02 Removal of Council or Committee Member**

The following procedure shall be followed in the event that a Council or Committee member is alleged to have contravened their duties or meets the criteria for disqualification set out in article 10.30:

- (i) a written complaint, which can be made by a Registrant, a Public Representative, a Council or Committee member, or any person, shall be filed with or by the CEO, and if a Council or Committee member receives such a complaint, they shall immediately file it with the CEO;
- (ii) the CEO shall report the complaint to the Council Chair and/or the Council Vice-Chair, who shall bring the complaint to the Governance Committee if they believe that the complaint may warrant formal action;
- (iii) if the Governance Committee, after any investigation it deems appropriate, believes that the complaint warrants formal action, it shall request a meeting of the Council, which shall determine whether there has been a breach of duties or whether the criteria for disqualification have been met and, if so, impose the appropriate sanction, which can include one or more of the following:
  - (a) censure of the Council or Committee member verbally or in writing;
  - (b) removal of the Council or Committee member from any Committee and/or working group on which they serve;
  - (c) where the Council member is a Registrant, disqualification of that Council member from the Council; or
  - (d) where the Council member is a Public Member, correspondence to the Minister of Health requesting the removal of that Council member from the Council;
- (iv) a Council or Committee member whose conduct is the subject of concern shall be given a reasonable opportunity to respond to any allegations against them;
- (v) a Council or Committee member whose conduct is the subject of concern shall not take part in the deliberation or vote on the matter;
- (vi) a decision finding that there has been a breach of duties or a decision that a Council or Committee member meets the criteria for disqualification set out in article 10.30, or a decision to impose a particular sanction must be approved by a two-thirds affirmative vote of the Council members present and voting; and
- (vii) the CEO shall notify the Council or Committee member of the decision of the Council.

## **16. CONFLICTS OF INTEREST**

### **16.01 Definition**

For the purposes of this article, a conflict of interest exists where a reasonable person would conclude that a Council or Committee member's personal or financial interest may affect their judgment or the discharge of their duties to the College. A conflict of interest may be real or perceived, actual or potential, and direct or indirect.

### **16.02 Duty to Avoid Conflicts of Interest**

All Council and Committee members have a duty to carry out their responsibilities in a manner that serves and protects the interest of the public, and as such, they must not engage in activities or in decision making concerning any matters where they have a direct or indirect personal or financial interest, and all Council and Committee members have a duty to uphold and further the intent of the Act to regulate the practice and profession of naturopathy in Ontario, and not to represent the views of advocacy or special interest groups.



### **16.03 Recognition of Conflict**

Council and Committee members recognize that a conflict of interest or an appearance of a conflict of interest could:

- (i) bring discredit to the College;
- (ii) amount to a breach of their fiduciary obligation to the College; and
- (iii) create liability for either the College and/or the person involved.

### **16.04 Conflicts Relating to Involvement with External Organizations**

Without limiting the generality of article 16.01, Council or Committee members shall be perceived to have a conflict of interest in a matter and shall not serve on Council or its Committees at all if they hold:

- (i) a responsible position in any professional association relating to naturopathy, including but not necessarily limited to a position as director, owner, board member, or officer or is an employee; or
- (ii) a responsible position in any educational institution relating to naturopathy, including but not necessarily limited to a position as director, owner, board member, or officer.

### **16.05 Conflicts Relating to Position in Other Organizations**

Council or Committee members shall be perceived to have a conflict of interest in a matter and shall refrain from participating in any discussion or voting if they hold a responsible position such as director, owner, board member, or officer in or are employees of another organization where their duties may be seen by a reasonable person as influencing their judgment in the matter under consideration of the Council or its Committees.

### **16.06 Declaration Forms**

Upon appointment or election, and annually thereafter, every Council and Committee member shall fully complete and deliver to the CEO a form, available from the CEO, declaring their current and recent affiliations with professional associations and other organizations to facilitate compliance with the above provisions.

### **16.07 Interests of Related Persons**

For the purposes of these by-laws, the direct or indirect personal or financial interests of a parent, spouse, child or sibling of a Council or Committee member are interpreted to be the interests of the Council or Committee member. For the purposes of this article, the term "spouse" includes a common-law spouse of the person.

### **16.08 Where a Conflict May Exist**

Where Council or Committee members believe that they may have a conflict of interest in any matter that is the subject of deliberation or action by the Council or its Committees, they shall:

- (i) consult, as needed, with the Council Chair and the CEO and, if there is any doubt about whether they may have or be perceived to have a conflict, prior to any consideration of the matter, declare the potential conflict to the Council or the Committee and accept Council's or the Committee's direction as to whether there is an appearance of a conflict;
- (ii) where there appears to be a conflict of interest, not take part in the discussion of, or vote on, any question in respect of the matter;
- (iii) where there appears to be a conflict of interest, absent themselves from the portion of any meeting relating to the matter; and
- (iv) where there appears to be a conflict of interest, not attempt in any way to influence the voting or do anything that might be perceived as attempting to influence the decision of other Council or Committee members on the matter.

### **16.08.1 Undeclared Conflict**

Where a Council or Committee member believes that another Council or Committee member has a conflict of interest that has not been addressed:

- (i) they shall approach the Council or Committee member in question and discuss the matter;
- (ii) if this does not resolve the matter, they shall consult with the Council Chair and the CEO about the matter; and
- (iii) the Council Chair and/or CEO shall take such action as they deem appropriate, including but not necessarily limited to raising the matter before the full Council or Committee.

### **16.09 Conflicts Recorded in Minutes**

Every declaration of a conflict of interest shall be recorded in the minutes of the meeting together with a description of the nature of the conflict.

### **16.10 Use of College Information or Property**

Council or Committee members shall not use College property or information of any kind to advance their own interests, direct or indirect.

### **16.11 Employment Positions**

A Council, Committee member or In-field Volunteer may not hold employment with the College while serving as a Council, Committee member or In-field Volunteer. Where Council, Committee members or In-field Volunteers wish to be considered for any employment position with the College, they must first resign their position and agree to an undertaking not to seek election or appointment to Council or a Committee for a period of two years after they cease to be employed or from the date they are informed in the event that they are unsuccessful in their application for employment by the College.

#### **16.11.01 Appointment to In-field Positions**

Council or Committee members may hold In-field Volunteer positions with the College, including but not necessarily limited to positions as peer assessors, investigators, inspectors, or examiners, provided that they do not sit on Committees that oversee or are directly involved in the governance and administration of an In-field Volunteer position to which they are or have applied to be appointed.

## **17. CONFIDENTIALITY**

### **17.01 Duty of Confidentiality**

Council and Committee members, staff and persons retained or appointed by the College are required to maintain confidentiality of information that comes before them in the course of discharging their duties.

### **17.02 Subsection 36(1) of the RHPA**

Repealed.

### **17.03 Disclosure Under the RHPA**

Subsection 36(1) of the RHPA permits disclosure of confidential information in a number of specific circumstances. Council and Committees members, staff and persons retained or appointed by the College are expected to understand when those exceptions apply and seek advice if they are in doubt. Disclosures under subsection 36(1) shall only be made with the approval of Council, a Committee authorized in the Code to disclose the information, or by the CEO.

#### **17.04 Confidentiality Agreement**

Council and Committee members, staff and persons retained or appointed by the College are required to sign, annually, the confidentiality and/or fiduciary agreement approved by Council.

### **18. FEES**

#### **18.01 Registration Year**

The registration year for Registrants shall be from the first day of April to the last day of March of the following year.

##### **18.01.1 Annual Registration Fee**

Every holder of a certificate of registration or certificate of authorization for a professional corporation shall pay an annual fee as set out in Schedule 3 of these by-laws subject to the following:

- a) Unless a Registrant enrolls in a payment plan established by the CEO pursuant to article 18.08, the annual registration fee for a registration year is due on or before the last day of March of the preceding registration year; and
- b) In addition to the amount set out in Schedule 3, where a Registrant is in default of payments for any outstanding balance owing to the College in respect of any decision made by a committee, and any fees payable under these by-laws, will be added to and included in the annual fees.

#### **18.02 Renewal Process**

At least forty-five days before the annual registration fee is due, the CEO shall send to each Registrant, a notice stating that the annual registration fee is due, setting out the amount of the annual fee for each category of registration, and a request for information required under the regulations and these by-laws. The obligation to pay the annual registration fee continues even if the CEO fails to provide the notice or the Registrant fails to receive such notice.

#### **18.03 Fees Set out in Schedule 3**

Schedule 3, as the same may be amended from time to time, sets out the applicable fees and penalties that a Registrant or person or premises shall pay to the College. Where no fee has been set out in the Schedule, a Registrant or person or premises shall pay to the College the fee set by the CEO for anything that the CEO is required or authorized to do.

#### **18.04 Automatic Inflationary Increase**

The Fees for Registration set out in Schedule 3 are adjusted annually by an amount equivalent to the change in the Consumer Price Index, by Province, for All-Items Ontario as published by Statistics Canada, or any successor organization, for November and rounded up to the nearest dollar. Annual increases will be published by the CEO no later than the 15<sup>th</sup> day of January each year.

#### **18.05 Inspection Fees**

The fees for the inspection of a premises, including all activities related to the inspection, shall be as set out in Schedule 3 of these by-laws in accordance with the following:

- (i) shall be payable within thirty days of the date of the invoice, unless the CEO sets a longer payment term;
- (ii) shall be paid by the premises subject to the inspection, failing which the fees are payable jointly and severally by those Registrants who engage in, or supervise procedures at the premises; and
- (iii) shall be invoiced directly to the designated Registrant who shall be responsible for ensuring payment is made.

### **18.06 Charging of Fees**

The College may charge a Registrant, a health profession corporation, other persons, or a premises, a fee in connection with decisions or activities that the College or a Committee are required or authorized to make or do with respect to a Registrant, health profession corporation, other person or a premises. Such fees may include an administrative component relating to the decision or activity.

### **18.07 Proration of Fees at Initial Registration**

For applicants seeking a General Class certificate of registration who have never been registered with the College, the initial registration fee set out in Schedule 3 will be prorated as follows:

- (i) if the certificate of registration is issued between April 1 and June 30, 100% of the posted registration fee;
- (ii) if the certificate of registration is issued between July 1 and September 30, 75% of the posted registration fee;
- (iii) if the certificate of registration is issued between October 1 and December 31, 50% of the posted fee;
- (iv) if the certificate of registration is issued between January 1 and March 1, 25% of the posted registration fee; or
- (v) if the certificate of registration is issued between March 2 and March 31: 100% of the posted registration fee for the following registration year.

### **18.08 Payment Schedules**

The CEO may establish and Registrants may participate in a payment schedule for the annual registration fee of Registrants, subject to the following:

- (i) repealed;
- (ii) payment(s) by the Registrant shall be in the designated quantum and shall be delivered to the CEO by the designated date(s) as set out in the payment schedule;
- (iii) failure to pay the designated quantum and/or make any payment(s) by the designated date(s) may result in:
  - (a) the Registrant being in default and no longer in good standing with the College;
  - (b) commencement of proceedings under section 24 of the Code to suspend the Registrant for non-payment of fees;
  - (c) the application of the NSF Fee as set out in Schedule 3 of these by-laws and a demand for all outstanding registration fees for the registration year by the CEO in order to avoid suspension under section 24 of the Code.
- (d) repealed
- (iv) repealed

## **19. PROFESSIONAL LIABILITY INSURANCE**

### **19.01 Mandatory Insurance Coverage**

Subject to article 19.03, all Registrants shall carry professional liability insurance that has the following characteristics:

- (i) on a claims-made form that provides coverage to the full scope of practice of the profession, including the authorized acts as outlined in sections 3 and 4 of the Act;
- (ii) a minimum coverage amount of \$2 million per claim;
- (iii) a minimum coverage amount of \$2 million aggregate level;
- (iv) a deductible of no more than \$1,000 per occurrence; and

- (v) either from a provider who is licensed as an insurer with the Financial Services Commissioner of Ontario or a body outside of Ontario that the CEO considers substantially equivalent to the Financial Services Commissioner of Ontario.

### **19.02 Additional Coverage for IV Infusion Therapy**

In addition to the mandatory insurance coverage outlined in article 19.01, Registrants who meet the standard of practice for Intravenous Infusion Therapy, unless they enter into an undertaking with the College to no longer provide this therapy to their patients, shall carry an additional amount of insurance as follows:

- (i) additional coverage in the amount of \$3 million per claim; and
- (ii) additional coverage in the amount of \$3 million aggregate level.

### **19.03 Enduring (Tail) Insurance**

Registrants who have practised in Ontario within the past five years and immediately prior to ceasing to practise the profession shall have enduring (tail) insurance to provide coverage for at least five years after ceasing to practise the profession.

## **20. THE REGISTER**

### **20.01 Name in Register**

Subject to article 20.02 a Registrant's name in the register shall be the full name indicated on the document used to support the Registrant's initial registration with the College.

### **20.02 Change of Name**

The CEO may enter a name other than the name referred to in article 20.01 in the register if the CEO:

- (i) has received a written request from the Registrant;
- (ii) is satisfied that the Registrant has legally changed their name; and
- (iii) is satisfied that the name change is not for any improper purpose.

### **20.03 Clinic or Business Information**

A Registrant's clinic or business information in the register shall be:

- (i) a Registrant's clinic or business information for every location in Ontario where the Registrant provides naturopathic services to the public, shall be included in the register, including:
  - (a) the clinic name, if there is one or otherwise the name under which the Registrant practises;
  - (b) the street address and telephone number;
  - (c) the e-mail address;
  - (d) the date the Registrant began offering services at that location; and
  - (e) whether the location is a premises;
- (ii) in the event that the Registrant provides naturopathic services in more than one location in Ontario, the location where the Registrant generally works, or anticipates to work, the most hours, shall be designated as their primary location; and
- (iii) in the event that the Registrant is not providing naturopathic services in Ontario, the location designated by the Registrant or any other address approved by the CEO.

### **20.04 Duty of CEO**

The CEO shall maintain a register in accordance with section 23 of the Code.

## 20.05 Additional Registrant Information

Pursuant to paragraph 20 of subsection 23(2) of the Code, the register shall contain the following additional information, which is designated as public information, with respect to each Registrant:

- (i) names other than the proper legal name of the Registrant including any nicknames or abbreviations that the Registrant uses in any place of practice;
- (ii) if there have been any changes to the Registrant's name since the date of the Registrant's initial application for registration, the former names of the Registrant;
- (iii) a colour passport-type photograph that is less than five years old;
- (iv) the Registrant's registration number, class of certificate of registration, status of the registration, an indication to the public as to whether the Registrant is authorized to provide naturopathic services and whether the public should be aware of information about that Registrant;
- (v) where the Registrant holds an Inactive Class Certificate of Registration:
  - (a) the last known primary practice location of the Registrant; or
  - (b) if it is different, the name and address of the custodian of the Registrant's patient records;
- (vi) where the Registrant's certificate of registration is subject to a suspension, the reason for the suspension and the date of the suspension in addition to the fact of that suspension;
- (vii) the date of the Registrant's initial registration with the College;
- (viii) the dates on which each class of registration and specialist status that the Registrant holds was obtained and, if applicable, the dates on which each terminated;
- (ix) whether the Registrant:
  - (a) meets the Standard of Practice for Prescribing and/or the Standard of Practice for Intravenous Infusion Therapy;
  - (b) the date on which the Registrant met the Standard(s); and
  - (c) the date on which the Registrant ceased to meet the Standard(s);
- (x) any information jointly agreed to be placed on the register by the College and the Registrant;
- (xi) if the Registrant ceased to be a Registrant, a notation specifying the reason for the termination of registration and the date upon which the Registrant ceased to be a Registrant;
- (xii) where the Registrant has resigned, retired, is deceased or has had their registration revoked, expired or otherwise terminated, the register shall be maintained for a period of ten years, except for any information related to discipline proceedings in Ontario, in which case it shall be entered on the register for a period of fifty years after the termination of registration, and the register shall also include:
  - (a) the date on which registration ended; and
  - (b) the name and address of the custodian of the former Registrant's patient records; and
- (xiii) if the Registrant holds registration or is licensed by any regulatory authority in any jurisdiction, the name of the regulatory authority, the jurisdiction and any designation available to the Registrant by virtue of that license or registration.
- (xiv) where the Registrant holds an Emergency Class Certificate of Registration:
  - (a) The locations where the Registrant practises and the name(s) of the Registrant(s) in the General Class who are supervising the Registrant at each location; and
  - (b) The terms, conditions and limitations placed on the Registrant's Certificate of Registration in accordance with the Registration Regulation.

## **20.06 Information about Registrant Offences and Findings by other Regulators**

Pursuant to Ontario Regulation 261/18 made under the RHPA and paragraph 20 of subsection 23(2) of the Code, the register shall contain the following information with respect to offences of a Registrant and findings by other regulators, which is designated as public information:

- (i) a summary of any findings of guilt and sentence of which the College is aware if made by a court after April 1, 2015, against a Registrant in respect of a federal or provincial or other offence that the CEO believes is relevant to the Registrant's suitability to practise until such time as any of the following are met:
  - (a) the Parole Board of Canada has ordered a record suspension in respect of the conviction;
  - (b) a pardon in respect of the conviction has been obtained; or
  - (c) the conviction has been overturned on appeal;
- (ii) a summary of any current charges, including the fact and content, and date and place of the charge, against a Registrant, of which the College is aware, in respect of a federal, provincial or other offence, that the CEO believes is relevant to the Registrant's suitability to practise until such time as any of the following are met:
  - (a) the Parole Board of Canada has ordered a record suspension in respect of the conviction;
  - (b) a pardon in respect of the conviction has been obtained; or
  - (c) the conviction has been overturned on appeal; and
- (iii) a summary of any currently existing conditions, terms, orders, directions or agreements relating to the custody or release of the Registrant in federal, provincial or other offence processes of which the College is aware and that the CEO believes is relevant to the Registrant's suitability to practise.

## **20.07 Registrant Information about Terms, Conditions, Limitations, Orders or Undertakings**

Pursuant to Ontario Regulation 261/18 made under the RHPA and paragraph 20 of subsection 23(2) of the Code, the register shall contain the following information with respect to terms, conditions, limitations, orders or undertakings placed upon Registrants, which is designated as public information:

- (i) where applicable, a summary of any restriction(s) on a Registrant's right to practise resulting from an undertaking given by the Registrant to the College or an agreement entered into between the Registrant and the College;
- (ii) where terms, conditions or limitations on a Registrant's certificate of registration have been varied or removed, and the effective date of the variance or removal of those terms, conditions and limitations; and
- (iii) where the Registrant's certificate of registration is subject to an interim order:
  - (a) a notation of that fact;
  - (b) the nature of the order; and
  - (c) the date that the order took effect and ceased (if applicable).

## **20.08 Registrant Information about Complaints and Reports**

Pursuant to Ontario Regulation 261/18 made under the RHPA and paragraph 20 of subsection 23(2) of the Code, the register shall contain the following information with respect to complaints and reports, which is designated as public information:

- (i) for every matter that has been referred by the Inquiries, Complaints and Reports Committee to the Discipline Committee under section 26 of the Code and has not been finally resolved, until the matter has been resolved:

- (a) a notation of that fact, including the date of the referral;
- (b) a summary of each specified allegation;
- (c) the notice of hearing;
- (d) the anticipated date of the hearing, if the hearing date has been set, or the next scheduled date for the continuation of the hearing if the hearing has commenced;
- (e) if the hearing is awaiting scheduling, a statement of that fact; and
- (f) if the hearing of evidence and arguments is completed and the parties are awaiting a decision of the Discipline Committee, a statement of that fact;
- (ii) a notation, including the date of the referral, for every matter that has been referred by the Inquiries, Complaints and Reports Committee to the Fitness to Practise Committee under section 61 of the Code and has not been finally resolved, until the matter has been resolved;
- (iii) where a panel of the Inquiries, Complaints and Reports Committee requires a Registrant to appear before a panel of the Inquiries, Complaints and Reports Committee to be cautioned:
  - (a) a notation of the fact, including a summary of the caution;
  - (b) the date of the panel's decision; and
  - (c) where the decision of the panel is appealed, a notation of that fact, until the appeal is finally disposed of;
- (iv) where a panel of the Inquiries, Complaints and Reports Committee requires a Registrant to complete a specified continuing education or remediation program (SCERP):
  - (a) a notation of the fact, including a summary of the SCERP;
  - (b) the date of the panel's decision; and
  - (c) where the decision of the panel is appealed, a notation of that fact, until the appeal is finally disposed of;
- (v) where the College is aware that a Registrant has been required to appear before a panel of an Inquiries, Complaints and Reports Committee created pursuant to the RHPA or a similar committee of a body that governs a profession inside or outside of Ontario to be cautioned:
  - (a) a notation of the fact, including a summary of the caution;
  - (b) the date of the panel's decision; and
  - (c) where the decision is appealed, a notation of that fact, until the appeal is finally disposed of;
- (vi) where the College is aware that a Registrant has been required by an Inquiries, Complaints and Reports Committee created pursuant to the RHPA or a similar committee of a body that governs a profession inside or outside of Ontario to complete a SCERP:
  - (a) a notation of the fact, including a summary of the SCERP;
  - (b) the date of the panel's decision;
  - (c) the date the SCERP was completed; and
  - (d) where the decision is appealed, a notation of that fact, until the appeal is finally disposed of; and
- (vii) where, for a pending complaint or other type of investigation, the CEO confirms that the College is investigating a Registrant because there is a compelling public interest in disclosing this information pursuant to subsection 36(1)(g) of the RHPA, the fact that the Registrant is under investigation.

#### **20.09 Registrant Information about Discipline and Conduct**

Pursuant to paragraph 20 of subsection 23(2) of the Code, the register shall contain the following information with respect to discipline and conduct of Registrants, which is designated as public information:



- (i) where the College is aware that a finding of professional misconduct or incompetence or similar finding has been made against the Registrant by a body that governs a profession, inside or outside of Ontario, and that finding has not been reversed on appeal:
  - (a) a notation of the finding;
  - (b) the name and jurisdiction of the governing body that made the finding;
  - (c) the date the finding was made;
  - (d) a summary of any order made; and
  - (e) information regarding any appeals of the finding;
- (ii) for every application to the Discipline Committee for reinstatement that has not been finally resolved, until that matter has been resolved:
  - (a) a notation of that fact, including the date of the application;
  - (b) the anticipated date of the hearing, if the hearing date has been set or the next scheduled date for the continuation of the hearing if the hearing has commenced;
  - (c) if the hearing has been adjourned and no future date has been set, the fact of that adjournment; and
  - (d) if the decision is under reserve, that fact;
- (iii) if an application to the Discipline Committee for reinstatement has been decided, the decision of the Discipline Committee; and
- (iv) where a decision of the Discipline Committee has been published by the College with the Registrant's name or former name included:
  - (a) a notation of that fact; and
  - (b) identification of the specific publication of the College that contains the information.

#### **20.10 Registrant Information about Professional Corporations**

Pursuant to paragraph 20 of subsection 23(2) of the Code, the register shall contain the following information with respect to professional corporations of Registrants, which is designated as public information:

- (i) the name, business address, business telephone number, business e-mails address of every health professional corporation of which the Registrant is a shareholder;
- (ii) the date on which the Registrant became (and ceased to be, if applicable) a shareholder of the corporation and the title or office the Registrant holds in the corporation; and
- (iii) if applicable, any operating names of the health profession corporation(s).

#### **20.11 Registrant Information about Premises and Inspections**

Pursuant to paragraph 20 of subsection 23(2) of the Code, the register shall contain the following information with respect to Registrants' premises and inspections of those premises, which is designated as public information:

- (i) the clinic name, address, telephone number and e-mail address of the premises in which the Registrant provides services;
- (ii) the date on which the Registrant began providing services at that location;
- (iii) for every inspection conducted pursuant to Part IV of Ontario Regulation 168/15 made under the Act, either directly or through the Inspection Report, including:
  - (a) the name and address of the premises inspected;
  - (b) the date and purpose of the inspection;
  - (c) the status of the inspection, including but not necessarily limited to whether it is pending, has been conducted and a report is pending, the

- report has been received by the College and is under review by the Inspection Committee;
- (d) the names of the Registrants performing procedures within the premises and their qualifications;
- (e) the results of the inspection;
- (f) a summary of the reasons for the results of an inspection where a premises either failed or passed with conditions;
- (g) a summary of any deficiencies identified by the inspection;
- (h) any conditions that apply to the premises; and
- (i) whether a subsequent inspection is necessary and, if so, the estimated date that inspection will be conducted; and
- (iv) for every inspection report any changes in conditions or remedy of any deficiencies.

### **20.11.1 History**

Any information posted to the register pursuant to articles 20.05 through 20.11 shall remain on the register, with necessary modifications relating to termination, expiration, variance or removal of the provision, for a period of ten years after the Registrant ceases to be a Registrant of the College, except:

- (i) information as set out in article 20.09 shall remain on the register for fifty years after the Registrant ceases to be a Registrant of the College.

### **20.12 Information Requests from College**

The College may forward to its Registrants requests for information in printed or electronic form approved by the CEO. Each Registrant shall accurately and fully complete and return such form, electronically or otherwise as specified by the College, by the due date set by the College. A request for Registrant information may include, but is not limited to, the following:

- (i) information required to be maintained in the register in accordance with subsection 23(2) of the Code and these by-laws;
- (ii) information for the purpose of compiling statistical data;
- (iii) information establishing the Registrant's electoral district, for the purposes of elections to the Council;
- (iv) the Registrant's areas of practice, including but not necessarily limited to the authorized acts the Registrant incorporates into their practice and categories of clients seen;
- (v) the Registrant's previous employers and previous practice locations;
- (viii) whether the Registrant acts in the capacity of a preceptor or practice supervisor as part of their practice;
- (ix) the Registrant's gender, date of birth and languages in which they provide services;
- (x) the Registrant's currency hours and activities, including but not limited to Patient Interactions;
- (xi) information pertaining to the Registrant's compliance with the College's Quality Assurance program;
- (xii) proof of professional liability insurance including:
  - (a) the name of the insurer (underwriter), broker and the policy number;
  - (b) the name of the insured that matches the name of the Registrant;
  - (c) the address of the insured;
  - (d) the policy period; and
  - (e) any other documents specified by the CEO with respect to professional liability insurance coverage;
- (xiii) the Registrant's primary e-mail address that is checked personally by the Registrant on a regular basis; and

- (xiv) a colour passport-type photograph taken within three months of the College's request.
- (xv) Proof of cardiopulmonary resuscitation (CPR) certification, including the:
  - (a) name of the course provider;
  - (b) level of certification; and
  - (c) the date the certification was issued.
- (xvi) Where a Registrant holds an Emergency Class certificate of registration, or a General Class certificate of registration with a term, condition or limitation on their certificate of registration requiring them to be supervised while practising the profession, the:
  - (a) name or names of individuals who have supervised their practice;
  - (b) location or locations of practice;
  - (c) controlled acts that the Registrant has performed and under whose delegation or supervision;
  - (d) number of completed Patient Interactions undertaken at each location in a defined period; and
  - (e) number of hours of practice at each location in which the Registrant is practising.
- (xvii) Where a Registrant holds a General Class certificate of registration and supervises another Registrant in their practice, the
  - (a) name or names of Registrants they have or are supervising;
  - (b) location or locations in which the supervision has occurred or is occurring;
  - (c) controlled acts that the Registrant has delegated or supervised the performance of by the supervisee;
  - (d) number of completed Patient Interactions undertaken by the supervisee in a defined period; and
  - (e) number of hours of practice the supervisee has undertaken at the location(s).

### **20.13 Automatic Notification of the College**

The Registrant shall notify the College, in writing, of any changes to the following information:

- (i) within fourteen days of the effective date, any change to the information published on the register as set out in articles 20.01 through 20.11 of these by-laws inclusive;
- (ii) within fourteen days of the effective date, information about any finding of incapacity or similar finding that has been made against the Registrant by a body that governs a profession, inside or outside of Ontario, where that finding has not been reversed on appeal, including:
  - (a) the finding;
  - (b) the name of the governing body that made the finding;
  - (c) the date the finding was made;
  - (d) a summary of any order made; and
  - (e) information regarding any appeals of the finding; and
- (iii) within two days, any change to the information set out in paragraph (xii) of article 20.12 of these by-laws regarding the Registrant's professional liability insurance.
- (iv) within two days, for any Registrant who practices under supervision, any change in the status of any of their supervisor(s).

### **20.14 Safety Concerns**

All of the information in the register is information designated to be withheld from the public

pursuant to subsection 23(6) of the Code such that the CEO may refuse to disclose to an individual or post on the College's website any or all of that information if the CEO has reasonable grounds to believe that disclosure of that information may jeopardize the safety of an individual.

## **21. PROFESSIONAL CORPORATIONS**

### **21.01 Application Fee**

The CEO shall charge a fee for the processing of an application for a Certificate of Authorization or for an application for reinstatement of a Certification of Authorization of a professional corporation as set out in Schedule 3 of these by-laws.

### **21.02 Issuance Fee**

The CEO shall charge a fee for the issuance of a Certificate of Authorization as set out in Schedule 3 of these by-laws.

### **21.03 Renewal Fee**

The CEO shall charge a fee for the annual renewal of the Certificate of Authorization of a professional corporation as set out in Schedule 3 of these by-laws.

### **21.04 Administrative Fee**

A professional corporation or a Registrant listed in the College's records as a shareholder of a professional corporation shall pay an administrative fee as set out in Schedule 3 of these by-laws for each notice sent by the CEO to the professional corporation or Registrant for failure of the professional corporation to renew its Certificate of Authorization on time. The fee is due within thirty days of the notice being sent.

### **21.05 Documentation Fee**

The CEO shall charge a fee, as set out in Schedule 3 of these by-laws, for the issuing of a document or certificate respecting a professional corporation other than the first Certificate of Authorization or one annual renewal of a Certificate of Authorization.

#### **21.05.01 Automatic Inflationary Increase**

The Fees Relating to Professional Corporations and Certificates of Authorization set out in Schedule 3 are adjusted annually by an amount equivalent to the change in the Consumer Price Index, by Province, for All-Items Ontario as published by Statistics Canada, or any successor organization, for November and rounded up to the nearest dollar. Annual increases will be published by the CEO no later than the 15<sup>th</sup> day of January each year.

### **21.06 Duty to Provide Information**

Every Registrant shall, for every professional corporation of which the Registrant is a shareholder, provide in writing the following information on the application and annual renewal forms for a Certificate of Authorization, upon the written request of the CEO, within thirty days and upon any change in the information within thirty days of the change:

- (i) the name of the professional corporation as registered with the Ministry of Government Services;
- (ii) any business names used by the professional corporation;
- (iii) the name, as set out in the register, and registration number of each shareholder of the professional corporation;
- (iv) the name, as set out in the register, of each officer and director of the professional corporation, and the title or office held by each officer and director;
- (v) the principal practice address, telephone number, facsimile number and e-mail

- address of the professional corporation;
- (vi) the address and telephone number of all other locations, other than residences of clients, at which the professional services offered by the professional corporation are provided; and
- (vii) a brief description of the professional activities carried out by the professional corporation.

## **22. FUNDING FOR THERAPY AND COUNSELLING FOR SEXUAL ABUSE**

### **22.01 Therapist/Counsellor Confirmation**

The College shall require a therapist or counsellor who is providing therapy or counselling that is funded through the Patient Relations Program under section 85.7 of the Code to provide a signed written statement signed containing details of their training and experience and confirming that the therapy or counselling is being provided and that the funds received are being devoted only to that purpose.

### **22.02 Patient Acknowledgment**

The College shall request a person who is receiving therapy or counselling that is funded through the Patient Relations Program under section 85.7 of the Code to provide a signed written statement acknowledging that they are aware of the details of the training and experience of the therapist or counsellor and confirming that the therapy or counselling is being provided and that the funds received are being devoted only to that purpose.

## **23. LIFE REGISTRANTS**

### **23.01 Designation of Life Registrants**

Upon receiving a request, the CEO may designate a Registrant as a Life Registrant if the Registrant:

- (i) has been registered for 25 years under the Act, or its predecessor, the *Drugless Practitioners Act*;
- (ii) at the time of making the request, the Registrant is in good standing; and
- (iii) the Registrant has retired from the practice of naturopathy and agrees not to engage in the practice.

#### **23.01.01 Referral to the Registration Committee**

The CEO shall refer a request received under 23.01 to the Registration Committee if the CEO:

- (i) Has doubts, on reasonable grounds, about whether the Registrant meets the requirements for Life Registration; or
- (ii) Proposes to refuse the request.

### **23.02 Entitlements of Life Registrants**

A Life Registrant is entitled to:

- (i) remain on the register of the College as a Life Registrant;
- (ii) maintain Life Registrant status with the College without being required to pay any registration fees;
- (iii) participate in the activities of the College, except for voting in the election of the Council or holding elected office; and
- (iv) use the title Naturopathic Doctor (Retired) or ND (Ret).

### **23.03 Termination of Life Registrant Status**

Life Registrant status shall be terminated if the CEO has reasonable grounds to believe that the Registrant who holds the designation:

- (i) has been found to be in default of any obligation to the College under the regulations or these by-laws;
- (ii) practises the profession or uses the protected title without first obtaining a certificate of registration from the College;
- (iii) is the subject of a finding of incompetence, professional misconduct or incapacity; or
- (iv) otherwise acts in a manner that is inconsistent with an ongoing association with the College.

## **24. CODE OF ETHICS**

### **24.01 Code of Ethics**

There shall be a code of ethics for Registrants, which shall be the code of ethics adopted by the Council.

## **25. BY-LAWS AND AMENDMENTS**

### **25.01 Effective Date**

These by-laws shall become effective as soon as they have been approved by Council.

### **25.02 Amendments**

These by-laws of the College or any article thereof may be enacted, amended, or revoked by a simple majority of the Council members present and voting at a meeting of Council called for that purpose.

**SCHEDULE 1 TO THE BY-LAWS  
Process for Election of Officers**

Repealed. (*Amended January 29, 2015*)

## **SCHEDULE 2 TO THE BY-LAWS**

### **Rules of Order of the Council**

1. Repealed.
2. Each agenda topic will be introduced briefly by the person or Committee representative raising it. Council members may ask questions of clarification, then the person introducing the matter shall make a motion and another Council member must second the motion before it can be debated.
3. When any Council member wishes to speak, they shall so indicate by raising their hand and shall address the chair of the meeting and confine themselves to the matter under discussion.
4. Staff persons and consultants with expertise in a matter may be permitted by the chair to answer specific questions about the matter.
5. Observers at a Council meeting are not allowed to speak to a matter that is under debate.
6. A Council member may not speak again on the debate of a matter until every other Council member who wishes to speak to it has been given an opportunity to do so. The only exception is that the person introducing the matter or a staff person may answer questions about the matter. Council members will not speak to a matter more than twice without the permission of the chair.
7. No Council member may speak longer than five minutes upon any motion except with the permission of chair.
8. When a motion is under debate, no other motion can be made except to amend it, to postpone it, to put the motion to a vote, to adjourn the debate or the Council meeting or to refer the motion to a Committee.
9. A motion to amend the motion then under debate shall be disposed of first. Only one motion to amend the motion under debate can be made at a time.
10. When it appears to the chair that the debate on a matter has concluded, when Council has passed a motion to vote on the motion or when the time allocated to the debate on the matter has concluded, the chair shall put the motion to a vote.
11. When a matter is being voted on, no Council member shall enter or leave the Council room, and no further debate is permitted.
12. No Council member is entitled to vote upon any motion in which they have a conflict of interest, and the vote of any Council member so interested will be disallowed.
13. Any motion decided by the Council shall not be re-introduced during the same meeting except by a two-thirds vote of the Council members then present.
14. Whenever the chair is of the opinion that a motion offered to the Council is contrary to these rules or these by-laws, they shall rule the motion out of order and give their reasons for doing so.



15. The chair shall preserve order and decorum, and shall decide questions of order, subject to an appeal to the Council without debate.
16. The above rules may be relaxed by the Chair if it appears that greater informality is beneficial in the particular circumstances, unless the Council requires strict adherence.
17. Council members are not permitted to discuss a matter with observers while it is being debated.
18. Council members shall turn off electronic devices during Council meetings and, except during a break in the meeting, shall not use any electronic device, including a laptop except to review materials related to the matter under debate (e.g., electronic copies of background documents) and to make personal notes of the debate.
19. Council members are to be silent while others are speaking.
20. In all cases not provided for in these rules or by other rules of Council, the current edition of "Robert's Rules of Order" shall be followed so far as they may be applicable.
21. These Rules shall apply, with necessary modifications, to meetings conducted by teleconference or any other electronic means permitted by these by-laws, including audio or video conferencing.

## SCHEDULE 3 TO THE BY-LAWS Fees<sup>1</sup>

### Fees Relating to Examinations

Written Clinical Sciences Examination	\$850
Written Biomedical Sciences Examination	\$450
Retake of the written Clinical Sciences Examination	\$850
Retake of the written Biomedical Sciences Examination	\$450
Initial Clinical Examinations	\$370
Retake of any Clinical Examination (per exam)	\$170
Jurisprudence Examination	\$75
Prescribing Examination	\$500
Retake of the Prescribing Examination	\$500
IV Infusion Therapy Examination	\$650
Retake of IV Infusion Therapy Examination	\$650
Examination Appeal fee, each appeal	\$90
Examination Deferral	\$ 60

### Fees Relating to Applications for Registration<sup>2</sup>

Initial Registration Application	\$275
Application to Change Class (General Class to Inactive, Inactive to General Class (within 2 years of initial entry to Inactive Class))	\$100
Application to Change Class (Inactive to General Class 2 years or more since entry to Inactive Class)	\$275
Application to Change Class (Emergency Class (over two years) to General Class)	\$275
Application to Change Class (Emergency Class (under two years) to General Class)	\$100
Prior Learning Assessment and Recognition (PLAR) – Paper Based Review	\$300
Administrative Reconsideration of PLAR Paper Based Review	\$300
PLAR Written Examination #1 (Biomedical Examination)	\$450
PLAR Written Examination #2 (Clinical Sciences Examination)	\$850
Request for Administrative Reconsideration – Paper Based Review	\$300
Appeal of PLAR – Paper Based Review	\$75
PLAR Demonstration-based Assessment Interview (and retakes)	\$450
PLAR Demonstration-based Standardized Patient Assessment (and retakes)	\$1,300
Appeal of PLAR – Demonstration Component	\$75

### Fees Relating to Registration<sup>3 4</sup>

Annual Registration Fee – Clinical/General Class	\$1852
Annual Registration Fee – Inactive Class	\$929
Annual Registration Fee – Emergency Class	\$100
Late Renewal Fee – All Classes	\$327
Reinstatement Fee – All Classes	\$285

### Fees Relating to Professional Corporations and Certificates of Authorization

Application fee	\$501
Issuance fee	\$315

<sup>1</sup> All fees are subject to applicable taxes.

<sup>2</sup> Fee covers the review and processing of applications.

<sup>3</sup> Fees are paid for the annual registration.

<sup>4</sup> Effective January 15, 2024 for the 2024 registration year.

Renewal fee	\$258
Administrative fee	\$50
Documentation fee	\$50
<b>Fees Relating to the Quality Assurance Program</b>	
QAC Ordered Assessment <sup>5</sup>	\$500
<b>Other Fees</b>	
Withdrawal of Nomination for Election	\$50
Election Recount Fees	\$200
Fee for Name Change and New Documents	\$50
Administrative fees for Notices <sup>6</sup>	\$50
Returned Cheques/Declined Credit Cards	\$35
Letters of Good Standing	\$25
Duplicate Receipts (when issued manually by the College)	\$10
<b>Fees Related to the Inspection Program</b>	
Premises Registration fee	\$100
Regularly Scheduled 5-year Inspection	\$2,000
Inspection ordered by the Inspection Committee	\$2,000
Inspection of a new premises	\$2,500

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<sup>5</sup> For an assessment or re-assessment ordered by the QA Committee or a panel thereof except for an assessment that occurs as a result of a random-type selection.

<sup>6</sup> Fee for each notice sent by the CEO to the Registrant for failure to provide information or a form to the College within the specified timeframe.