The College of Naturopaths of Ontario

MEMORANDUM

DATE: December 8, 2025

TO: Council members

FROM: Andrew Parr, CAE
Chief Executive Officer

COPY Rebecca Durcan
Legal Counsel

RE: Item 6.06 – By-law Changes relating to Elections

As noted in my cover email at the time the materials for Item 6.06 were released, the legal review was still in process; however, in the interest of ensuring you had sufficient time to review the materials and feedback, we elected to release and provide an update to any outcomes from the legal review.

Rebecca Durcan has completed her review. At the outset, it is clear that our full set of by-laws would benefit from a thorough review for consistency and relevancy at a later date. This is because over the past several years, various amendments have been made to individual articles and cascading changes might not have been caught. This is not urgent, and proposed changes will be brought forward at a later date. We both agree that it is prudent to separate general housekeeping changes from substantive matters, such as the election process.

Based on the legal review, we are recommending eight additional changes to the by-laws relating to the election process. For each, we have set out the current provision (including any proposed changes), the further change and the rationale.

Existing Provision (with changes)	Proposed Revision	Explanation
10.03 Election Date		
		The order of the subsections has been altered to follow the proper time sequence for upcoming elections.
10.05 Eligibility for Election		
(xi) is not a member of a council of any other college regulated under the RHPA;	(xi) is not a member of a council of any other college ~~regulated~~ established pursuant to Schedule 1 of ~~under~~ the RHPA;	Corrects improper language as Colleges are not regulated under the RHPA

Existing Provision (with changes)	Proposed Revision	Explanation
(xiv) has substantially complied with the Election Guidelines of the College;	(xiv) has substantially complied with the Election ~~Guidelines~~ Package of the College;	The term defined in section 1.01 of the by-laws is Election Package.
10.08 Notice of Election and ~~Nominations~~ Election Applications		
(iv) The CEO shall forward all applications received by the deadline to the Governance Committee for consideration.	(iv) The CEO shall forward all complete applications received by the deadline to the Governance Committee for consideration.	This ensures that the CEO only forwards applications that are complete, i.e., in accordance with the Election Package requirements.
10.16 CEO's Election Duties		
The CEO, or if the CEO 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~~:	The CEO~~, or if the CEO 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~~:	In light of the GC overseeing any Council concerns of unfair elections, and its extensive role within the new election process, it would be prudent to limit their role in the administration of the election process to remove any potential for perceived interference or bias.
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:	If no or insufficient ~~nominations~~ applications are received ~~in an electoral district~~ by the deadline set in a supplemental election held in accordance with article 10.16.1, Council may:	This ensures all possible scenarios are accounted for. For example, if a supplemental election is run for two positions but only one application is submitted, this provision would still apply.
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.	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~~.	As noted in 10.16 above, this ensures a separation between the CEO establishing the election procedures and the Governance Committee addressing potential candidates and irregularities.

Existing Provision (with changes)	Proposed Revision	Explanation
10.30 Disqualification of Elected Registrants		
(vii) become a member of a council of any other college regulated under the RHPA;	(vii) become a member of a council of any other college ~~regulated~~ established pursuant to Schedule 1 of ~~under~~ the RHPA;	Corrects improper language as Colleges are not regulated under the RHPA

In order to avoid potential confusion, the complete track changes version of Appendix 2 is attached. As has been the case originally, additions have been provided in blue and portions to be removed are struck out and in red.

Respectfully submitted,

The College of Naturopaths of Ontario

Proposed By-law Changes

Removal of Regional Representation

Updated Dec 8, 2025

1. INTERPRETATION

1.01 Definitions

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

"Act"	means the *Naturopathy Act, 2007* and includes the regulations made under it;
"Annual Council Cycle"	means the period governing a full year of Council activities, beginning at the convening of the May meeting of the Council and ending just prior to the convening of the following May meeting of the Council.
"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 *Health Professions Procedural Code*, being Schedule 2 to the *RHPA*;
"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 member"	means a person who has been elected to the Council by registrants of the College or who has been appointed to the Council by Order-in-Council for the term of office for which they are elected or appointed;
"Council member elect"	means a person who has been declared by the CEO, pursuant to sections 10.15 or 10.16 of these by-laws, to have been elected to the Council but whose term of office has not yet begun. This definition shall not be interpreted to permit Council members elect to have any authority to vote or any other privileges of a Council member until their term commences at the first meeting of the Annual Council Cycle;
"Council profile"	means the profile or matrix of skills, expertise and diversity attributes desired for Council and committee members, as approved by the Council from time to time;

“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 *Regulated Health Professions Act, 1991* 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.

10. ELECTION OF REGISTRANTS TO COUNCIL

10.01 Electoral Districts

There shall be one electoral district for the purposes of electing Registrants to the Council and that district shall be the Province of Ontario.

~~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~~ seven Registrants elected to the Council from ~~each~~ the 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 of two positions on Council in ~~for electoral districts 7 (East) and 8 (North) in 2015, again in 2017~~ 2026 and every third year thereafter.[1]

(ii) there shall be an election of three positions on Council ~~electoral districts 2 (South), 4 (Toronto East), and 6 (North Central)~~ in ~~2015~~ 2027 and every third year thereafter;

(iii) there shall be an election of two positions on Council in ~~for electoral districts 1 (West) and 3 (Toronto West), in 2015, again in 2016~~ 2028 and every third year thereafter; and

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~~ Council

In the event that the Council should reduce the number of positions available on the Council set out in section 10.02, the change shall not take effect until the expiration of the term of a Registrant whose position is next open for election. ~~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~~ selected 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~~ applications 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 Ontario ~~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 Province of Ontario ~~electoral district for which they are nominated~~;

(iii) is not in default of payment of any fees or other amounts owed 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;

[1] The order of these subsections has been changed to reflect the time sequence for upcoming elections.

(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 established pursuant to Schedule 1 of ~~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 Package ~~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 Province of Ontario ~~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~~ Election Applications

~~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.~~

The election process shall be overseen by the CEO in conjunction with the Governance Committee as follows:

(i) No later than 120 days before the date of each election, the Governance Committee shall review the skills, expertise and diversity of incumbent Council members against the Council Profile and identify the skills, expertise and diversity based on the Council Profile that are needed or desired for the Council when filling upcoming positions for elected Council members.

(ii) No later than 90 days prior to the date of an election, the CEO shall notify every Registrant of the date, time and place of the election and the application procedure to be a candidate for election as an elected Council member, including the deadline by which applications must be received by the CEO. ~~The deadline by which applications must be received by the CEO shall be no later than 70 days prior to the date of an election.~~

(iii) Registrants seeking to be a candidate for election as an elected Council member shall submit an application in the form required by the CEO no later than the deadline specified by the CEO.

(iv) The CEO shall forward all complete applications received by the deadline to the Governance Committee for consideration.

(v) The Governance Committee shall establish a panel of the Committee to review all applications received by the deadline. When reviewing the applications, the panel shall determine if:

a) The Registrant satisfies the eligibility criteria prescribed in Article 10.05,
b) The Registrant has the required competencies ~~criteria skills, expertise and diversity~~ that are set out within the Council's Qualifying Program ~~and Council Profile~~,
c) The Registrant meets the skills, expertise and diversity criteria ~~any needed or desired competencies~~ identified by the Governance Committee as described in section 10.08(i),
d) If the application is from ~~of~~ an incumbent Council member seeking re-election, the panel shall also take into consideration the incumbent Council member's performance in determining~~e~~ if the incumbent is qualified to be a candidate in the election.

(vi) To support the panel of the Governance Committee in its deliberations, the panel may interview short-listed Registrants who are seeking to be candidates in the election.

(vii) Following the review process and no later than 45 days prior to the date of the election, the panel of the Governance Committee shall approve, and provide to the CEO a slate of nominees for election as elected Council members along with a reason for the decision on the candidacy of each Registrant who made an application.

(viii) No later than 40 days prior to the date of the election, the CEO shall inform all Registrants who submitted an application whether they are on the approved slate of ~~nominees~~ candidates for the upcoming election or have not been ~~nominated~~ approved for the upcoming election. Subject to paragraph (ix), a Registrant who is not on the approved slate of nominees for the upcoming election shall not stand for election to the Council in the upcoming election.

(ix) No later than 35 days prior to the date of the election, a candidate who was not approved by the panel of the Governance Committee to be on the slate of ~~nominees~~ candidates for election may dispute the decision of the panel by submitting to the CEO a written notice of dispute that sets out the basis and particulars of the dispute. In the event of a dispute, the Governance Committee, excluding those individuals who were on the panel, shall review the candidate's application in accordance with paragraphs (v) and (vi). If the Governance Committee determines that the original panel's decision was unreasonable, the Governance Committee shall approve, and provide to the CEO, an amended slate of ~~nominees~~ candidates for election as elected Council members. The CEO shall promptly inform the Registrant of the determination of the Governance Committee. For greater certainty, if the Governance Committee does not add the Registrant to the slate of ~~nominees~~

candidates for the election, such Registrant shall not stand for election to the Council in the upcoming election.

~~**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 **be** 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 **be** 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**, or are not,** 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.**1.**

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 approval of the slate of candidates by the panel, or by the Governance committee in the event of an appeal of the panel's decision ~~confirmation of eligibility~~, if the CEO determines that the number of candidates is equal to or less than the number of positions to be filled ~~only one candidate is nominated for an electoral district~~, the CEO shall declare ~~that~~ the candidates to be elected by acclamation and shall notify the candidates 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~~ applications, 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 or insufficient ~~nominations~~ approved applications are received ~~in an electoral district~~ by the deadline referred to in article ~~10.03~~ ~~10.09~~, 10.08(iii), there shall be a supplementary election for any positions not filled by acclamation 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 or insufficient applications ~~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 or modified 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) for each available position ~~(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
If a request for a recount is made, t~~T~~he CEO shall hold a recount no more than four days after the deadline set out in article 10.22 ~~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~~ that requested 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, other amounts owed to the College, 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~~ established pursuant to Schedule 1 of ~~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 reasonable cause, to attend three consecutive meetings of a Committee to which they are appointed;
(xii) fail, without reasonable 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.