College of Homeopaths of Ontario

Bylaws Amended April 21, 2023
Enacted November 18, 2013

College of Homeopaths of Ontario
Direct: 647-749-4956 Email: info@collegeofhomeopaths.com

TABLE OF CONTENTS

Section **Page #**

1. INTERPRETATION **1**
1.01 – Definitions 1
1.02 – Singular and Plural / Masculine and Feminine 1
1.03 – Legislative References 1
1.04 – Consistency with RHPA and Act 2
1.05 – Calculating Time 2
1.06 – Holidays 2
2. GENERAL **2**
2.01 – Head Office 2
2.02 – Forms 2
3. EXECUTION OF CONTRACTS AND OTHER DOCUMENTS **2**
3.01 – General Signing Authority 2
3.02 – Other Signing Authority 2
3.03 – Seal 2
3.04 – Use of Seal 2
4. BANKING AND FINANCE **2**
4.01 – Fiscal Year 2
4.02 – Appointed Bank 2
4.03 – Authorized Signatories for Amounts Less Than $5,000 3
4.04 – Authorized Signatories for Amounts of $5,000 or More 3
4.05 – Borrowing 3
4.06 – Delegation of Borrowing Authority 3
4.07 – Budget 3
4.08 – Expenses 3
4.09 – Grants 3
4.10 – Investments 4
4.11 – Indemnification 4
4.12 – Appointment of Auditor 4
4.13 – Term of Office 4
4.14 – Audited Financial Statements and Report 4
4.15 – Deadline for Report 4
5. OFFICERS – GENERAL **4**
5.01 – Officers of the College 4
5.02 – Term of Office 5
5.03 – Maximum Term 5
6. ELECTION OF OFFICERS **5**
6.01 – Eligibility for Nomination and Election 5
6.01.1 – Eligibility for Nomination for President and Vice-President 5
6.02 – Election Procedure 5
6.03 – Filling Vacancies (President) 5
6.04 – Filling Vacancies (Vice-President) 5
6.05 – Filling Vacancies (Treasurer) 5
7. DUTIES OF OFFICERS **6**
7.01 – Duties of the President 6
7.02 – Duties of the Vice-President 6
7.03 – Duties of the Other Officers 6
7.04 – Duties of the Treasurer 6
8. THE REGISTRAR **6**
8.01 – Appointment of Registrar 6
8.02 – Duties of the Registrar 6
8.03 – Acting Registrar 6
9. COUNCIL – GENERAL **7**
9.01 – Authority of Council 7
9.02 – Honoraria and Expenses 7
9.03 – Composition of Council 7

9.04 – Term of Office 7
10. ELECTION OF COUNCIL MEMBERS 7
10.01 – Electoral Districts 7
10.02 – Election Date 7
10.03 – Number of Registrants Elected 8
10.04 – Eligibility for Election 8
10.05 – Eligibility to Vote 9
10.06 – Disputes Decided by the Governance Committee 9
10.07 – Notice of Election and Nominations 9
10.08 – Nomination Deadline 9
10.09 – Signed Nominations 9
10.10 – Confirmation of Eligibility 9
10.11 – Conflict of Interest Questionnaire 9
10.12 – Personal Statement 9
10.13 – Withdraw of Nominations 9
10.14 – Acclamation 10
10.15 – Registrar's Electoral Duties 10
10.16 – Voting Process 10
10.17 – Ballot Verification 10
10.18 – Number of Votes Cast 10
10.19 – Results 10
10.20 – Tie Votes 10
10.21 – Request for Recount 11
10.22 – Manner of Recount 11
10.23 – Change in Results 11
10.24 – Proxy Voting 11
10.25 – Referral of Disputes to Governance Committee 11
10.26 – Report and Recommendation of Governance Committee 11
10.27 – Options Available to Council 11
10.28 – Minor Irregularities Not Fatal 11
10.29 – Disqualification of Elected Registrants 11
10.30 – Registrar's Receipt of Information 12
10.31 – Effect of Disqualification 12
10.32 – Filling of Vacancies 12
10.33 – By-Election 12
10.34 – Manner of Holding By-Elections 12
10.35 – Term of Office for Members Filling Vacancies 12
11. COUNCIL MEETINGS 13
11.01 – Location and Frequency of Meetings 13
11.02 – Notice of Meetings 13
11.03 – Waiver of Notice 13
11.04 – Business at Meetings 13
11.05 – Secretary 13
11.06 – Chair 13
11.07 – Manner of Meeting 13
11.08 – Quorum 13
11.09 – Simple Majority 13
11.10 – Chair Vote 13
11.11 – Tie Votes 14
11.12 – Resolution 14
11.13 – Rules 14
11.14 – Minutes 14
11.15 – Adjournments 14
11.16 – Calling Special Meetings 14
11.17 – Notice of Special Meetings 14
11.18 – Special Meetings Without Notice 14
12. COMMITTEES – GENERAL 15
12.01 – Duties and Responsibilities 15
12.02 – Non Statutory Committees 15
12.03 – Creation of Additional Non-Statutory Committees 15

12.04 – Composition of Committees 15
12.05 – Ratios 15
12.06 – Vacancies 15
12.07 – Quorum 15
12.08 – Panels 15
12.09 – Honoraria and Expenses 15
13. SPECIFIC COMPOSITION AND SELECTION OF COMMITTEES 16
13.01 – Executive Committee 16
13.02 – Registration Committee 16
13.03 – Inquiries, Complaints and Reports Committee 16
13.04 – Discipline Committee 16
13.05 – Fitness to Practise Committee 16
13.06 – Quality Assurance Committee 17
13.07 – Patient Relations Committee 17
13.08 – Appointment of Committee Members 17
13.09 – Appointment of Non-Council Individuals 17
13.10 – Term of Office of Committee Members 17
13.11 – Chairs 17
13.12 – Decisions Regarding Appointments 17
13.13 – Eligibility for Appointment 18
13.14 – Removal of Committee Members 18
14. COMMITTEE MEETINGS 18
14.01 – Location and Frequency of Meetings 18
14.02 – Manner of Meeting 18
14.03 – Chair 18
14.04 – Minutes 18
14.05 – Simple Majority 19
14.06 – Chair Vote 19
14.07 – Tie Votes 19
15. DUTIES OF COUNCIL AND COMMITTEE MEMBERS 19
15.01 – Expectations and Duties 19
15.02 – Removal of Council or Committee Member 20
16. CONFLICTS OF INTEREST 20
16.01 – Duty to Avoid Conflicts of Interest 20
16.02 – Recognition of Conflict 20
16.03 – Conflicts Relating to Involvement with a Professional Association 21
16.04 – Conflicts Relating to Position in Other Organizations 21
16.05 – Declaration Forms 21
16.06 – Interests of Related Persons 21
16.07 – Where a Conflict May Exist 21
16.08 – Conflicts Recorded in Minutes 21
16.09 – Use of College Information or Property 21
16.10 – Staff (Employee) Positions 22
17. CONFIDENTIALITY 22
17.01 – Duty of Confidentiality 22
17.02 – Subsection 36(1) of the RHPA 23
17.03 – Disclosure Under the RHPA 23
17.04 – Confidentiality Agreement 23
18. COMMUNICATIONS 23
18.01 – Media Contacts 23
18.02 – College Communications 23
18.03 – Consistent Messaging 23
18.04 – Invitations for Speaking Engagements 23
18.05 – Acceptance of Invitations for Speaking Engagements 24
18.06 – Presentation Content 24
18.07 – No Compensation 24
19. FEES 24
19.01 – Registration Years 24
19.02 – Renewal Process 24
19.03 – Fee Amounts 25

19.04 – Payment of Fee Set by Registrar 25
19.05 – Fee Increases 25
20. PROFESSIONAL LIABILITY INSURANCE 26
20.01 – Requirement to Carry Insurance 26
20.02 – Proof of Insurance 26
20.03 – Declaration of Eligibility for Insurance 26
20.04 – Relying on Employer's Insurance Coverage 26
21. THE REGISTER 27
21.01 – Name in the Register 26
21.02 – Exception for Name Change 26
21.03 – Exception for Alternate Name 26
21.04 – Business Address 26
21.05 – Business Telephone Number 26
21.06 – Register Information Required by the Code 26
21.07 – Additional Register Information 26
21.08 – Information to be Withheld from Public 31
21.09 – Providing Requested Information to the College 31
21.10 – Notification of Changes 31
21.11 – Immediate Notification to College 32
22. PROFESSIONAL CORPORATIONS 32
22.01 – Duty to Provide Information 326
23. FUNDING FOR THERAPY AND COUNSELLING FOR SEXUAL ABUSE 32
23.01 – Funding 326
24. CODE OF ETHICS 322
25. BYLAWS AND AMENDMENTS 32
25.01 – Effective Date 32
25.02 – Amendments 33
SCHEDULE 1 TO THE BYLAWS 34
Process for Election of Officers 34
SCHEDULE 2 TO THE BYLAWS 35
Rules of Order of the Council 35
SCHEDULE 3 TO THE BYLAWS 37
Code of Conduct 37
SCHEDULE 4 TO THE BYLAWS 38
Code of Ethics for the Homeopathy Profession 38

Bylaws of the College of Homeopaths of Ontario

1. INTERPRETATION

1.01 – Definitions

In these bylaws, unless otherwise defined or required by the context,

"Act" means the *Homeopathy Act, 2007* and includes the regulations made under it;

"Auditor" means the accountant or firm of accountants duly licensed under the *Public Accounting Act* who have been appointed by Council under article 4.12;

"Code" means the *Health Professions Procedural Code*, which is Schedule 2 of the *Regulated Health Professions Act, 1991*;

"College" means the College of Homeopaths of Ontario;

"Committee" means a committee of the College and includes statutory committees established under section 10 of the Code, standing committees, planning groups, a Panel of a Committee and any other committee established by Council under these bylaws;

"Council" means the Council established under subsection 5(1) of the *Homeopathy Act, 2007*;

"Council Member" (sometimes referred to as a "member of Council") means a Registrant elected to the Council or a Public Member appointed to the Council;

*"*Employee*"* means a person in the service of an entity including under a contact of employment, as a contractor or as a consultant, whether full-time or part-time. When referring to the College, an Employee includes a peer assessor, investigator, inspector, examiner and a subcontractor or sub-consultant acting for the College;

"Panel" means a panel appointed under article 12.08 or a panel authorized under the Act;

"Past-President" means the immediate past President of the College, who shall be an advisory ex-officio non-voting member of the Executive Committee.

"Professional Association" means an organized group of individuals who promote and advocate for the interests of the profession but does not include a school whose sole purpose is to educate;

"Public Member" means a person described in clause 5(1)(b) of the Act;

"Registrant" means a person registered with the College;

"Registrar" means the person appointed by Council as Registrar for the College. The "Registrar" includes any person appointed or designated as Deputy, Assistant or Acting Registrar; and

"RHPA" means the *Regulated Health Professions Act, 1991* and includes the regulations made under it.

1.02 – Singular and Plural / Masculine and Feminine

In these and all bylaws of the College, the singular shall include the plural, the plural shall include the singular, the masculine shall include the feminine and the feminine shall include the masculine.

1.03 – Legislative References

Any reference in these and all bylaws 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 RHPA and Act

All provisions of these and all bylaws 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 in these and all bylaws of the College 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 in these and all bylaws of the College 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 Registrar 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 the Registrar together with one of the President, Vice-President or other such person as Council may designate, and 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 from time to time, 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 depicted below is 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 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 Registrar 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 the Registrar and one of the President, Vice-President or such other person as Council may designate.

4.05 – Borrowing

Subject to any limitation set out in these or any other bylaws 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 approve annually,

(i) an operating budget for the College for each fiscal year; and

(ii) a capital budget for the College for each fiscal year.

4.08 – Expenses

The President, Vice-President and the Registrar may approve purchases or leasing of goods and acquisition of services in accordance with the following:

(i) the Registrar may authorize expenses not exceeding $25,000 if the expenditure has previously been approved as an item in the College budget;

(ii) the Registrar and one of the President, or Vice-President may authorize expenses in excess of $25,000 if the expenditure has previously been approved as an item in the College budget;

(iii) the Registrar may authorize expenses not exceeding $5,000 if the expenditure has not previously been approved as an item in the College budget if the Registrar believes that the expenditure is necessary for the operations of the College; and

(iv) the Executive Committee shall review any proposed expense exceeding $5,000 if the item is not an expenditure in the College budget and make recommendations to Council for approval. If immediate action is required, the Executive Committee may approve the expenditure.

4.09 – Grants

The Executive Committee may negotiate the obtaining of a grant on behalf of the College but such agreements shall be approved by Council before they are finalized unless immediate action is required in which case Council shall be notified of the grant by its next meeting.

4.10 – Investments

Funds not immediately required by the College may be invested. The Executive Committee shall recommend, for the approval of Council, the investment strategies of the College as well as an investment dealer to implement investment of the College's funds in one or more of the following securities:

(i) securities and debt instruments issued or guaranteed by any one or more of the following:
   (a) the Government of Canada, or

   (b) the Government of any province of Canada;

(ii) securities and bank instruments guaranteed by a bank listed in Schedule I under the *Bank Act* (Canada) or such other financial institution approved by Council generally on the recommendation of the Executive Committee; and

(iii) other investments approved by Council generally on the recommendation of the Executive Committee.

4.11 – 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 he or she sustains or incurs in any action, suit or proceeding that is brought, commenced or prosecuted against him or her in respect of any act, deed, matter or thing whatsoever made, done or permitted by him or her in or about the execution of the duties of his or her office; and

(ii) all other reasonable costs, charges, expenses, awards and damages that he or she sustains or incurs in or about or in relation to the affairs of the College;

except such costs, charges, expenses, awards and damages as are occasioned by his or her own wilful neglect or default. Where the person is a commercial service provider (e.g., a private investigator hired to conduct an investigation), the College has discretion as to whether or not to provide indemnity.

4.12 – Appointment of Auditor

Council shall appoint an accountant or a firm of accountants licensed under the *Public Accounting Act* to audit the accounts of the College and to prepare financial statements for each fiscal year.

4.13 – Term of Office

The Auditor shall remain in office until removed by Council.

4.14 – 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.

4.15 – Deadline for Report

The report of the Auditor shall be prepared within six (6) months of the close of the fiscal year for presentation to Executive Committee or Council.

5. OFFICERS – GENERAL

5.01 – Officers of the College

The officers of the College shall be the President, Vice-President, Treasurer and such other officers as Council may determine from time-to-time.

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 until the next election for officers, approximately one year later.

5.03 – Maximum Term

The maximum consecutive term in one office is three (3) consecutive, full-year terms.

6. ELECTION OF OFFICERS

6.01 – Eligibility for Nomination and Election

(i) Only a member of Council is eligible for nomination or election as an officer of the College.
(ii) A member of Council is eligible for nomination to the Executive Committee, if on the date of the nomination deadline, the member of Council provides evidence of successful completion of the Council approved training program relating to the Executive Committee duties, obligations and expectations.
(iii) A member of Council is eligible for election to the Executive Committee if, on the date of the election, the member of Council has served at least twelve (12) months on Council. If no members of Council have met the requirement set out at article 6.01(iii) Council may exempt this requirement.

6.01.1 - Eligibility for Nomination for President and Vice-President

(i) A member of Council is eligible for nomination for President or Vice-President, if on the date of the nomination deadline, the member of Council provides evidence of successful completion of the Council approved training programs relating to the Executive Committee duties, obligations and expectations and the President and Vice President duties, obligations and expectations.
(ii) A member of Council is eligible for election as President or Vice-President if, on the date of the election, the member of Council has served at least twelve (12) months on the current or past Executive Committee. If no members of Council have met the requirement set out at article 6.01.1(ii) Council may exempt this requirement.

6.02 - Election Procedure

At the first regular Council meeting after the elections for Council Members, Council shall elect by secret ballot from among those members of Council eligible for election, the President, Vice-President and Treasurer, and any other officer positions, in accordance with this by-law and the “Process for Election of Officers” set out in Schedule 1.

6.03 – Filling Vacancies (President)

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

6.04 – Filling Vacancies (Vice-President)

In the event that the Vice-President is removed from office, resigns or dies or the position of Vice-President becomes vacant for any reason, Council shall elect a new Vice-President to hold office for the remainder of the term. Note that the requirements set out in article 6.01.1 may be waived by Council.

6.05 – Filling Vacancies (Treasurer)

In the event that the Treasurer is removed from office, resigns or dies or the position of the Treasurer becomes vacant for any reason, Council shall elect a new Treasurer to hold office for the remainder of the term.

7. DUTIES OF OFFICERS

7.01 – Duties of the President

The President shall:

(i) if present, preside as Chair at all meetings of the Council unless the President designates another Council Member as alternate Chair for all or any portion of the meeting, but Council approval is required to designate a person not on Council to act as a non-voting Chair;

(ii) serve as Chair of the Executive Committee;

(iii) perform those duties assigned to the President in the bylaws; and

(iv) perform all duties and responsibilities pertaining to his or her office and such other duties and responsibilities as may be decided by Council.

7.02 – Duties of the Vice-President

The Vice-President shall:

(i) perform the duties of the President in the event that the President is unable to perform those duties;

(ii) perform those duties assigned to the Vice-President in the bylaws;

(iii) serve on the Executive Committee; and

(iv) perform all duties and responsibilities pertaining to his or her office and such other duties and responsibilities as may be decided by Council.

7.03 – Duties of Other Officers

Any other officer of the College shall, unless Council designates otherwise:

(i) serve on the Executive Committee; and

(ii) perform all duties and responsibilities as may be decided by Council.

7.04 – Duties of the Treasurer

The Treasurer shall:

(i) serve on the Executive Committee; and

(ii) perform all duties and responsibilities as may be decided by Council.

8. THE REGISTRAR

8.01 – Appointment of Registrar

Except for the Registrar of the transitional Council, the Registrar 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.

8.02 – Duties of the Registrar

The Registrar shall be the Chief Executive Officer of the College and shall have such duties and responsibilities as are conferred by the Act, the RHPA, the bylaws and the policies of the College as well as such duties and responsibilities assigned to the position by Council.

8.03 – Acting Registrar

If the Registrar is absent, the most appropriate Deputy or other Registrar on the staff of the College shall serve as Acting Registrar during his or her absence. Where the Registrar is absent and there is no Deputy or other Registrar available or where the office of the Registrar becomes vacant the Executive Committee or Council shall appoint an Acting Registrar until a Registrar is appointed.

9. COUNCIL – GENERAL

9.01 – Authority of Council

Council shall perform the functions assigned to it under the Act and the Code.

9.02 – Honoraria and Expenses

The amount payable to members of Council who are Registrants for attendance at, travel to and preparation for the transaction of College business, shall be the amounts set by the resolution of Council. The College shall publish the amounts on the College's website.

9.03 – Composition of Council

Council shall be composed of seven (7) Registrants and as many Public Members as are appointed by the Lieutenant Governor in Council in accordance with subsection 5(1) of the Act. This provision does not apply to the transitional Council. Despite this provision, Council remains properly constituted despite any vacancies.

9.04 – Term of Office

The term of office of an elected member of Council shall commence at the first Council meeting scheduled after the election and shall continue for approximately three (3) years until his or her successor takes office in accordance with these bylaws, or until he or she resigns his or her office or is removed from Council, or until such other time designated by Council, whichever occurs first.

10. ELECTION OF COUNCIL MEMBERS

10.01 – Electoral Districts

The following electoral districts are established for the purposes of the election of Council members (with necessary modifications by the Registrar to ensure that the entire province is covered and that there is no overlap of Districts):

The East district composed of areas served by postal codes beginning with K, L0A, L0B, L0C, L0E, L0H, L1A, L1B, L1C, L1E, L1G, L1H, L1J, L1K, L1L, L1M, L1N, L1P, L1R, L1S, L1T, L1V, L1W, L1X, L1Y, L1Z, L4A, L7C, L7K, L9L, and L9P.

The Peel district composed of areas served by postal codes beginning with L0J, L4T, L4V, L4W, L4X, L4Y, L4Z, L5A, L5B, L5C, L5E, L5G, L5H, L5J, L5K, L5L, L5M, L5N, L5P, L5R, L5S, L5T, L5V, L5W, L6P, L6R, L6S, L6T, L6V, L6W, L6X, L6Y, L6Z, L7A, and L7C.

The Toronto district composed of areas served by postal codes beginning with M.

The North district composed of areas served by postal codes beginning with P, L0G, L0K, L0L, L0M, L3P, L3R, L3S, L3T, L3V, L3X, L3Y, L3Z, L4A, L4B, L4C, L4E, L4G, L4H, L4J, L4K, L4L, L4M, L4N, L4P, L4R, L4S, L6A, L6B, L6C, L6E, L6G, L7B, L7E, L7K, L9J, L9M, L9N, L9R, L9S, L9Y, and L9Z.

The Southwest district composed of areas served by postal codes beginning with N, L0N, L0P, L0R, L0S, L2A, L2E, L2G, L2H, L2J, L2M, L2N, L2P, L2R, L2S, L2T, L2V, L2W, L3B, L3C, L3K, L3M, L6H, L6J, L6K, L6L, L6M, L7G, L7J, 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, L9V, and L9W.

The Ontario district composed of the entire province of Ontario.

10.02 – Election Date

An election of members to Council shall be held on a date determined by the Registrar between March and May, inclusive, of each year according to the following schedule:

(i) there shall be an election for the East and North electoral districts in 2017, and every third year after 2017;
(ii) there shall be an election for the Peel and Toronto electoral districts in 2018 and every third year after 2018; and
(iii) there shall be an election for the Southwest and Ontario electoral districts in 2017, 2019 and every third year after 2019.

10.03 – Number of Registrants Elected

For each electoral district referred to in column 1 of the following table, there shall be elected to Council the number of members set out opposite in column 2.

Column 1	Column 2
Electoral District	Number of Members
East	1
Peel	1
Toronto	2
North	1
Southwest	1
Ontario	1

The number of Council Members elected each year shall correspond to the sum of,

(i) the number of Council Members whose terms of office have expired or will expire in conjunction with the elections, and

(ii) the number of Council Members whose seats have become vacant and have not been filled.

10.04 – Eligibility for Election

A Registrant is eligible for election to Council if the Registrant has been nominated in accordance with the bylaws, has completed and returned the conflict of interest questionnaire and if, on the deadline for the receipt of nominations and up to and including the date of the election,

(i) the Registrant holds a certificate of registration;

(ii) the Registrant is principally engaged in the practice of the profession in the electoral district for which he or she is nominated or, if the Registrant is not engaged in the practice of the profession, the Registrant principally resides in the electoral district for which he or she is nominated;

(iii) the Registrant is not in default of payment of any fees to the College;

(iv) the Registrant is not the subject of any disciplinary or incapacity proceeding;

(v) the Registrant has not been the subject of any professional misconduct, incompetence or incapacity finding in the preceding three (3) years;

(vi) the Registrant's certificate of registration has not been revoked or suspended in the preceding six (6) years for any reason;

(vii) the Registrant's certificate of registration is not subject to a term, condition, or limitation imposed by the Discipline Committee or the Fitness to Practice Committee;

(viii) the Registrant has agreed to resign and does, before taking office, any position such as director, owner, board member, officer or Employee that the Registrant holds with a Professional Association relating to homeopathy;

(ix) the Registrant has not been disqualified from Council or a Committee within the preceding three (3) years;

(x) the Registrant is not a member of a council of any other college regulated under the RHPA;

(xi) the Registrant is not currently and has not been for the previous two years an Employee of the College;

(xii) the Registrant does not have a conflict of interest to serve as a member of Council or has agreed to remove any such conflict of interest before taking office;

(xiii) the Registrant has substantially complied with the Election Guidelines of the College;

(xiv) the Registrant is not in any default of returning any required form or information to the College; and

(xv) the Registrant provides acceptable evidence of successful completion of the Council approved training program relating to the duties, obligations and expectations of Council and Committee members.

10.05 – Eligibility to Vote

A Registrant is eligible to vote in an election for members of Council if, on the day of the election, the Registrant

(i) holds a certificate of registration;

(ii) has his or her principal place of practice or, if the Registrant does not practice the profession, his or her 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.

10.06 – Disputes Decided by the Governance Committee

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

10.07 – Notice of Election and Nominations

At least ninety (90) days before the date of an election, the Registrar shall notify every Registrant of the date of the election and of the nomination procedure, including the deadline for submitting nominations to the College.

10.08 – Nomination Deadline

The nomination of a candidate for election as a member of Council shall be in writing and shall be received by the Registrar at least sixty (60) days before the date of the election.

10.09 – Signed Nominations

The nomination shall be signed by at least two (2) Registrants who support the nomination and shall also be signed by the nominee as a signal of his or her consent to the nomination.

10.10 – Confirmation of Eligibility

The Registrar shall request every nominee to confirm his or her eligibility for election to Council in writing and any nominee who fails to provide such confirmation in the manner and by the deadline set by the Registrar shall not be eligible for election.

10.11 – Conflict of Interest Questionnaire

The Registrar shall request every nominee to complete and return a conflict of interest questionnaire and any nominee who fails to complete and return the questionnaire by the deadline set by the Registrar and in a form acceptable to the Governance Committee shall not be eligible for election.

10.12 – Personal Statement

The Registrar shall invite every nominee to provide a biography and personal statement by the deadline established by the Registrar, and any biography and personal statement that is not submitted by the deadline set by the Registrar and in the form acceptable to the Governance Committee, shall not be included with the materials sent to Registrants under article 10.16.

10.13 – Withdraw of Nominations

A candidate may withdraw from an election by giving notice, in writing, to the Registrar. Upon receiving written notice of a candidate's withdrawal from the election, the Registrar shall make reasonable efforts to remove the name of the candidate from the ballot (or equivalent if voting is done electronically) and, if the Registrar is unable to remove the name of the candidate from

the ballot (or equivalent if voting is done electronically) in a sufficiently timely manner, the Registrar shall make reasonable efforts to notify the Registrants eligible to vote that the candidate has withdrawn from the election.

10.14 – Acclamation

If, following the deadline for the return of the conflict of interest questionnaire and the written confirmation of eligibility, the Registrar determines that the number of eligible candidates nominated for an electoral district is less than or equal to the number of members of Council to be elected in that district, the Registrar shall declare those candidates who are eligible for election to be elected by acclamation and shall notify the candidates and the membership of this result in the manner the Registrar deems most expedient and practical.

10.15 – Registrar's Electoral Duties

The Registrar or, if the Registrar so requests, the Registrar with the assistance of the Governance Committee, shall supervise and administer the election of candidates and, without limiting the generality of the above, the Registrar may, subject to the bylaws,

(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 Registrar deems necessary and appropriate to ensure that the election is fair and effective.

10.16 – Voting Process

No later than thirty (30) days before the date of an election, the Registrar shall send every Registrant eligible to vote in the election a list of the eligible candidates, the biography and personal statement of every eligible candidate who has submitted one by the deadline established by the Registrar and in the form acceptable to the Governance Committee, a ballot (or equivalent if voting is done electronically) and an explanation of the voting process.

10.17 – Ballot Verification

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

10.18 – Number of Votes Cast

A Registrant may cast as many votes on a ballot (or equivalent if voting is done electronically) in an election of Registrants to Council as there are Registrants to be elected from that electoral district, but shall not cast more than one (1) vote for any candidate.

10.19 – Results

As soon as practicable after the ballots (or equivalent if voting is done electronically) have been counted, the Registrar shall advise the membership of the results of the election and shall advise each eligible candidate of the results of the election, the number of votes he or she received and the candidate's right to request a recount in accordance with article 10.21.

10.20 – Tie Votes

In the event that a winner cannot be declared because two (2) or more candidates have received the same number of votes, the Registrar shall break the tie, by lot.

10.21 – Request for Recount

A candidate may require a recount by delivering a written request to the Registrar no more than seven (7) days after the election date and paying the fee specified in these bylaws.

10.22 – Manner of Recount

The Registrar shall hold a recount no more than fifteen (15) days after receiving a written request and the recount shall be conducted in as transparent a manner as the voting system reasonably permits.

10.23 – 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 described in article 10.21.

10.24 – Proxy Voting

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

10.25 – Referral of Disputes to Governance Committee

If the Governance Committee is of the opinion that there are reasonable grounds to doubt or dispute the validity of the election of any member of Council it shall initiate an inquiry.

10.26 – Report and Recommendation of Governance Committee

Where the Governance Committee initiates an inquiry under article 10.25, it shall hold an inquiry into the validity of the election of the member of Council in question and, following the inquiry, shall make a report and recommendation to Council.

10.27 – Options Available to Council

Council may, after reviewing the report and recommendation of the Governance Committee and subject to article 10.22, 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.

10.28 – 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 the bylaws or a procedure established by the Registrar or the Governance Committee.

10.29 – Disqualification of Elected Registrants

Council shall disqualify an elected member of Council, if the member,

(i) resigns from Council;

(ii) ceases to hold a certificate of registration;

(iii) is in default of payment of any fee prescribed by College by-law for a period of more than sixty (60) days;

(iv) is found to have committed professional misconduct or to be incompetent by a Panel of the Discipline Committee;

(v) is found to be incapacitated by a Panel of the Fitness to Practice Committee;

(vi) retains or obtains a responsible position such as director, owner, board member or officer, or retains employment or becomes an Employee of any Professional Association relating to homeopathy;

(vii) becomes a member of a council of any other college regulated under the RHPA;

(viii) fails, without reasonable cause, to attend two (2) or more consecutive meetings of Council;

(ix) is convicted of a criminal offence which, in the opinion of Council, is of such a nature that it warrants disqualification; or

(x) fails, in the opinion of Council, to discharge properly or honestly any office to which he or she has been elected or appointed.

10.30 – Registrar's Receipt of Information

If the Registrar receives information which suggests that an elected member of Council meets one or more of the criteria for disqualification set out in article 10.29, other than paragraph (i) in which case Council shall immediately disqualify the elected member, the Registrar shall follow the procedure set out in article 15.02. Where the Registrar has reasonable and probable grounds to believe that a member of Council meets the criteria for disqualification and no one has made a complaint in writing, the Registrar shall make a complaint in writing.

10.31 – Effect of Disqualification

An elected Council Member who is disqualified by Council ceases to be a member of Council and ceases to be a member of any Committee of which he or she is a member.

10.32 – Filling of Vacancies

If the seat of an elected Council Member becomes vacant less than twelve (12) months before the expiry of the member's term of office, Council may,

(i) leave the seat vacant;

(ii) appoint as an elected Council Member a Registrant who meets the criteria for eligibility for election set out in article 10.04 or

(iii) direct the Registrar to hold a by-election in accordance with this by-law.

Despite the above, if the seat of an elected Council Member becomes vacant because no Registrant was nominated for election, the Council may appoint a Registrant who meets the criteria for eligibility for election set out in article 10.04 to serve up to one year of the remaining term. In that case the Council shall direct the Registrar to hold a by-election for the remainder of the term, if there is any, in accordance with this by-law at the same time as the other elections are held in the year following the vacancy.

10.33 – By-Election

If the seat of an elected Council Member becomes vacant more than twelve (12) months before the expiry of the member's term of office, Council shall direct the Registrar to hold a by-election in accordance with this by-law.

10.34 – Manner of Holding By-Elections

A by-election ordered by Council 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.

10.35 – Term of Office for Members Filling Vacancies

The term of office of a person 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 (3) times per year.

11.02 – Notice of Meetings

The Registrar 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 (10) days before the date of the meeting.

11.03 – Waiver of Notice

A Council Member may, at any time, waive the requirement for the giving of 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 the Executive Committee or the Registrar;

(iii) recommendations and reports by Committees;

(iv) matters for which notice was given by a member of Council at the preceding meeting or where written notice has been given at least thirty (30) days in advance of the meeting; and

(v) such other matters, not included on the agenda, as the majority of members in attendance determine to be of an urgent nature.

11.05 – Secretary

The Registrar shall serve as Secretary of Council.

11.06 – Chair

The President acts as Chair of Council unless the President has designated another Council Member as an alternate Chair for all or any portion of the meeting; but Council approval is required to designate a person not on Council to act as a non-voting Chair,. In the event that the President is absent and has not designated an alternate Chair, Council shall elect, from amongst their number, a Council Member to serve as Chair at that meeting.

11.07 – Manner of Meeting

Any meeting of Council, other than a hearing that must be held in person, may be conducted by means of teleconference or any other means that permits all persons participating in the meeting to communicate with each other simultaneously and instantaneously (including audio or video conferencing) 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 the bylaws, 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 the bylaws, 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 Vote

If the Chair is a member of Council, he or she 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 members of Council, including a resolution where all or some of the members of Council have signed by facsimile or email, 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 the bylaws, the rules of order for meetings of Council are set out in Schedule 2.

11.14 – Minutes

The Registrar 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 President or the majority of the Executive Committee shall call and convene a special meeting of Council:

(i) at his or her or its discretion;

(ii) upon receipt of the written request of any six (6) members of Council; or

(iii) if a request is received from the Executive Committee under article 15.02.

11.17 – Notice of Special Meetings

Subject to article 11.18, the Registrar 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 (5) days prior to the date of the meeting. Council may only consider or transact at a special meeting those items of business contained in the notice.

11.18 – Special Meetings Without Notice

A special meeting may also be held without notice at any date, time and place provided that all members of Council are present in person or in a manner that allows them to participate in discussion simultaneously and instantaneously (including audio or video conferencing) or if all the absent Council Members have consented, in writing or electronically, to the holding of such a special meeting.

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, the bylaws and the Terms of Reference for that Committee, as approved by Council, where applicable.

12.02 – Non Statutory Committees

The College may establish non-statutory Committees.

12.03 – Creation of Additional Non-Statutory Committees

In addition to the statutory Committees required by the Code, Council may establish and maintain any additional standing or special Committees, including sub-Committees, ad-hoc Committees, planning groups and Panels, deemed necessary for the effective and efficient function of the College.

12.04 – Composition of Committees

Unless stated otherwise in the Code or the bylaws, every Committee of the College shall be composed of at least three (3) persons and shall include at least one (1) member of Council who is also a Registrant and at least one (1) Public Member.

12.05 – Ratios

Unless stated otherwise in the Code or the bylaws, the number of Committee members who are also Registrants shall, wherever possible, exceed the number of Committee members appointed by the Lieutenant Governor in Council.

12.06 – Vacancies

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

12.07 – Quorum

The quorum of any Committee is three (3) members unless otherwise provided in the Code or the bylaws or unless the Committee is composed of only three (3) members, in which case, the quorum for such a Committee shall be two (2) members.

12.08 – Panels

A committee may meet in Panels selected by the Chair of the Committee. In addition, the Council may establish and appoint standing Panels of a committee.

12.09 – Honoraria and Expenses

The amount payable to members of committees who are Registrants for attendance at, travel to and preparation for the transaction of College business, shall be the amounts set by the resolution of Council. The College shall publish the amounts on the College's website.

13. SPECIFIC COMPOSITION AND SELECTION OF COMMITTEES

13.01 – Executive Committee

(1) The Executive Committee shall be composed in accordance with the following principles:
   (i) the Executive Committee shall consist of the President, Vice-President, Past President, Treasurer and two (2) members of Council;

   (ii) three (3) members of the Executive Committee shall be Registrants and

   (iii) two (2) members of the Executive Committee shall be Public Members; and

   (iv) the immediate Past President of the College, who shall be an advisory ex-officio non-voting member of the Executive Committee.

13.02 – Registration Committee

(1) The Registration Committee shall be composed of:
   (i) at least three (3) Registrants who are members of Council;

   (ii) at least two (2) Public Members who are members of Council; and

   (iii) one (1) or more Registrants who are not members of Council if Council so wishes.

(2) The transitional Council shall establish, for as long as is needed, the following standing Panels of the Registration Committee:
   (i) Individual Assessment Panel; and

   (ii) Steering Panel.

13.03 – Inquiries, Complaints and Reports Committee

The Inquiries, Complaints and Reports Committee shall be composed of:
   (i) at least two (2) Registrants who are members of Council;

   (ii) at least one (1) Public Member who is a member of Council; and

   (iii) one (1) or more Registrants who are not members of Council if Council so wishes.

13.04 – Discipline Committee

The Discipline Committee shall be composed of every member of Council and one (1) or more Registrants who are not members of Council if Council so wishes.

13.05 – Fitness to Practise Committee

The Fitness to Practise Committee shall be composed of every member of Council and one (1) or more Registrants who are not members of Council if Council so wishes.

13.06 – Quality Assurance Committee

(1) The Quality Assurance Committee shall be composed of:
   (i) at least two (2) Registrants who are members of Council;

   (ii) at least two (2) Public Members who are members of Council; and

   (iii) one (1) or more Registrants who are not members of Council if Council so wishes.

(2) The transitional Council shall establish, for as long as is needed, the following standing Panels of the Quality Assurance Committee:
   (i) Quality Assurance Program Panel; and

   (ii) Governance Panel.

13.07 – Patient Relations Committee

The Patient Relations Committee shall be composed of:
   (i) at least one (1) Registrant who is a member of Council;

   (ii) at least two (2) Public Members who are members of Council; and

   (iii) two (2) or more Registrants who are not members of Council if Council so wishes.

13.08 – Appointment of Committee Members

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

13.09 – Appointment of Non-Council Individuals

Subject to any specific composition requirements in these bylaws, Council may, at its discretion, appoint individuals who are not members of Council to any Committee.

13.10 – Term 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 (1) year.

13.11 – Chairs

Unless stated otherwise in these bylaws, the Chair or Chairs of each Committee shall be selected by the members of the Committee, failing which they may be appointed by Council.

13.12 – Decisions Regarding Appointments

In making an appointment under article 13.08 or 13.09, 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 or other person, in order to complement the attributes of the other Committee members.

13.13 – Eligibility for Appointment

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

(i) the Registrant holds a certificate of registration;

(ii) the Registrant is not in default of payment of any fees prescribed to the College;

(iii) the Registrant is not the subject of any disciplinary or incapacity proceeding;

(iv) the Registrant has not been the subject of any professional misconduct, incompetence or incapacity finding in the preceding three (3) years;

(v) the Registrant's certificate of registration has not been revoked or suspended in the preceding six (6) years for any reason;

(vi) the Registrant's certificate of registration is not subject to a term, condition, or limitation imposed by the Discipline Committee or the Fitness to Practice Committee;

(vii) the Registrant 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 homeopathy;

(viii) the Registrant has not been disqualified from Council or a Committee within the preceding three (3) years;

(ix) the Registrant is not a member of a council of any other college regulated under the RHPA;

(x) the Registrant is not currently and has not been for the previous two years an Employee of the College;

(xi) the Registrant is not in any default of returning any required form or information to the College; and

(xii) the Registrant does not have a conflict of interest to serve as a committee member or has agreed to remove any such conflict of interest before sitting on the committee or panel.

13.14 – Removal of Committee Members

Despite the other provisions of this by-law that permit the removal of a Committee member in specific circumstances, Council may also remove a member of a Committee at its pleasure.

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 necessary for the Committee to conduct its business.

14.02 – Manner of Meeting

Any meeting of a Committee may be conducted by means of teleconference or any other means that permit all persons participating in the meeting to communicate with each other simultaneously and instantaneously (including audio or video conferencing) 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 the bylaws, every motion which 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 Vote

If the Chair is a member of the Committee, he or she 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

Every member of Council and every Committee member shall, in the performance of his or her duties:

(i) familiarize himself or herself with the Act, the RHPA, the bylaws and any policies of the College;

(ii) familiarize himself or herself with any other records, documents and guidelines that may be necessary for the performance of his or her duties;

(iii) comply with the provisions of the Act, the RHPA, the bylaws, any policies of the College and rules that are adopted by Council, from time to time;

(iv) regularly attend meetings on time and participate constructively in discussions;

(v) ensure that confidential matters coming to his or her attention as a member of Council or as a member of a Committee are not disclosed by him or her, except as required for the performance of his or her duties or as permitted by the RHPA;

(vi) conduct himself or herself in an appropriate manner with College staff, other members of Council or members of the Committees, Registrants and members of the public;

(vii) comply with the College's Code of Conduct, which is attached as Schedule 3 to the bylaws and forms part of these bylaws;

(viii) avoid, or where that is not possible, declare all conflicts of interest in the manner set out in the by-law;

(ix) step down from his or her positions on Council and on Committees in the event that allegations regarding his or her conduct, competence or capacity are referred to the Discipline Committee or Fitness to Practice Committee until such time as the matter has been finally disposed of;

(x) publicly supports and does not speak against any decision of the Council or , if the matter is not going to be considered by Council, any decision of College Committees; and

(xi) perform the duties associated with his or her position conscientiously 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 the duties of a Council or Committee member or meets the criteria for disqualification set out in article 10.29 other than paragraph (i).

(i) A written complaint shall be filed with the Registrar. A complaint can be made by a member of the public, a Council or Committee member or the Registrar. If a member of Council or a Committee receives such a complaint, he or she shall immediately file it with the Registrar.

(ii) The Registrar shall report the complaint to the President or the Vice-President who shall bring the complaint to the Executive Committee if he or she believes that the complaint may warrant formal action. If the Executive Committee is unable to address the complaint it may appoint another Committee to fulfill its duties under this article.

(iii) If the Executive Committee or any Committee appointed by the Executive Committee, after any investigation it deems appropriate, believes that the complaint warrants formal action, it shall call a meeting of the Council. Council 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. The appropriate sanction can include one or more of the following:
   (a) censure of the member verbally or in writing,

   (b) removal of the member from any Committee on which he or she serves,

   (c) disqualification of an elected Registrant of Council from the Council, or a report requesting removal of the member concerned from the Council to the Public Appointments Secretariat.

(iv) A decision finding that there has been a breach of duties or that a Council or Committee member meets the criteria for disqualification set out in article 10.29, and a decision to impose a particular sanction must be approved by a two-thirds affirmative vote of the Council Members present and voting.

(v) The Council or Committee member whose conduct is the subject of concern shall not take part in the deliberation or vote, however, he or she shall be given a reasonable opportunity to respond to the allegation.

16. CONFLICTS OF INTEREST

16.01 – 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. As such, they must not engage in any activities or in decision-making concerning any matters where they have a direct or indirect personal or financial interest. All Council and Committee members have a duty to uphold and further the intent of the Act to regulate the practice and profession of homeopathy in Ontario, and not to represent the views of advocacy or special interest groups.

16.02 – Recognition of Conflict

Council and Committee members recognize that a conflict of interest or an appearance of a conflict of interest by a member of Council or its Committees:

(i) could bring discredit to the College,

(ii) could amount to a breach of the fiduciary obligation of the person to the College, and

(iii) could create liability for either the College or the person involved or both.

16.03 – Conflicts Relating to Involvement with a Professional Association

A member of Council or a Committee member shall be perceived to have conflict of interest in a matter and should not serve on Council or its Committees at all if he or she holds a responsible position such as director, owner, board member or officer in or is an Employee of any Professional Association relating to homeopathy.

16.04 – Conflicts Relating to Position in Other Organizations

A member of Council or a Committee member would be perceived to have conflict of interest in a matter and should refrain from participating in any discussion or voting if he or she holds a responsible position such as director, owner, board member or officer in or is an Employee of another organization where his or her duties may be seen by a reasonable person as influencing his or her judgment in the matter under consideration by the Council or its Committees. For example, an educator in a school should not participate in any decisions relating to the status of that school, its program(s) or the acceptability for registration of graduates from that school.

16.05 – Declaration Forms

Upon appointment or election, and annually thereafter if requested, every Council and Committee member shall fully complete and deliver to the Registrar a form, available from the Registrar, declaring his or her current and recent affiliations with Professional Associations and other organizations to facilitate compliance with the above provisions.

16.06 – Interests of Related Persons

For the purposes of this by-law, the direct or indirect financial interest 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. In addition, each Council or Committee member shall declare any direct or indirect personal interest of a parent, child or sibling so that an informed and considered discussion can be held as to whether the personal interest constitutes a conflict of interest. Here, the term “spouse” includes a common-law spouse and a same-sex partner of the person.

16.07 – Where a Conflict May Exist

Where a Council or Committee member believes that he or she may have a conflict of interest in any matter which is the subject of deliberation or action by the Council or its Committees, he or she shall

(i) consult, as needed, with the President, the Registrar and legal counsel and, if there is any doubt about whether he or she 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 himself or herself 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 members on the matter.

16.08 – 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.

16.09 – Use of College Information or Property

A member of Council or a Committee member shall not use College property or information of any kind to advance his or her own interests, direct or indirect.

16.10 – Staff (Employee) Positions

A member of Council or a Committee member may not hold any other position, employment, contract or appointment with the College while serving as a member of Council or its Committees. There is a two-year waiting period before the individual may apply for a staff or consultant position with the College. This includes, but is not limited to, positions as peer assessor, investigator, inspector, examiner or other management or administrative staff.

17. CONFIDENTIALITY

17.01 – Duty of Confidentiality

Members of the Council and Committees, 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 unless disclosure is authorized by the Council or is otherwise permitted under section 36(1) of the RHPA. [1]

[1] In 2013, section 36 of the *Regulated Health Professions Act, 1991* read as follows:

Confidentiality

36. (1) Every person employed, retained or appointed for the purposes of the administration of this Act, a health profession Act or the *Drug and Pharmacies Regulation Act* and every member of a Council or committee of a College shall keep confidential all information that comes to his or her knowledge in the course of his or her duties and shall not communicate any information to any other person except,

(a) to the extent that the information is available to the public under this Act, a health profession Act or the *Drug and Pharmacies Regulation Act*;
(b) in connection with the administration of this Act, a health profession Act or the *Drug and Pharmacies Regulation Act*, including, without limiting the generality of this, in connection with anything relating to the registration of members, complaints about members, allegations of members' incapacity, incompetence or acts of professional misconduct or the governing of the profession;
(c) to a body that governs a profession inside or outside of Ontario;
(d) as may be required for the administration of the *Drug Interchangeability and Dispensing Fee Act, the Healing Arts Radiation Protection Act,* the *Health Insurance Act, the Independent Health Facilities Act*, the *Laboratory and Specimen Collection Centre Licensing Act, the Ontario Drug Benefit Act*, the *Coroners Act*, the *Controlled Drugs and Substances Act* (Canada) and the *Food and Drugs Act* (Canada);
(e) to a police officer to aid an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result;
(f) to the counsel of the person who is required to keep the information confidential under this section;
(g) to confirm whether the College is investigating a member, if there is a compelling public interest in the disclosure of that information;
(h) where disclosure of the information is required by an Act of the Legislature or an Act of Parliament;
(i) if there are reasonable grounds to believe that the disclosure is necessary for the purpose of eliminating or reducing a significant risk of serious bodily harm to a person or group of persons; or
(j) with the written consent of the person to whom the information relates. 2007, c. 10, Sched. M, s. 7 (1).

Reports required under Code

(1.1) Clauses (1) (c) and (d) do not apply with respect to reports required under section 85.1 or 85.2 of the Code. 1993, c. 37, s. 1. 1998, c. 18, Sched. G, s. 7 (2).

Definition

(1.2) In clause (1) (e),

"law enforcement proceeding" means a proceeding in a court or tribunal that could result in a penalty or sanction being imposed. 1998, c. 18, Sched. G, s. 7 (2); 2007, c. 10, Sched. M, s. 7 (2).

Limitation

(1.3) No person or member described in subsection (1) shall disclose, under clause (1) (e), any information with respect to a person other than a member. 1998, c. 18, Sched. G, s. 7 (2); 2007, c. 10, Sched. M, s. 7 (3).

No requirement

(1.4) Nothing in clause (1) (e) shall require a person described in subsection (1) to disclose information to a police officer unless the information is required to be produced under a warrant. 1998, c. 18, Sched. G, s. 7 (2); 2007, c. 10, Sched. M, s. 7 (4).

Confirmation of investigation

(1.5) Information disclosed under clause (1) (g) shall be limited to the fact that an investigation is or is not underway and shall not include any other information. 2007, c. 10, Sched. M, s. 7 (5).

Not compellable

(2) No person or member described in subsection (1) shall be compelled to give testimony in a civil proceeding with regard to matters that come to his or her knowledge in the course of his or her duties. 1991, c. 18, s. 36 (2).

Evidence in civil proceedings

(3) No record of a proceeding under this Act, a health profession Act or the *Drug and Pharmacies Regulation Act*, no report, document or thing prepared for or statement given at such a proceeding and no order or decision made in such a proceeding is admissible in a civil proceeding other than a proceeding under this Act, a health profession Act or the *Drug and Pharmacies Regulation Act* or a proceeding relating to an order under section 11.1 or 11.2 of the *Ontario Drug Benefit Act*. 1991, c. 18, s. 36 (3); 1996, c. 1, Sched. G, s. 27 (2).

17.02 – Subsection 36(1) of the RHPA

Subsection 36 (1) of the RHPA states, in part, as follows:

> 36. (1) Every person employed, retained or appointed for the purposes of the administration of this Act, a health profession Act or the *Drug and Pharmacies Regulation Act* and every Member of a Council or committee of a College shall keep confidential all information that comes to his or her knowledge in the course of his or her duties and shall not communicate any information to any other person ….

17.03 – Disclosure Under the RHPA

Subsection 36(1) of the RHPA permits disclosure in a number of specific circumstances. Members of the Council and Committees, 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.

17.04 – Confidentiality Agreement

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

18. COMMUNICATIONS

18.01 – Media Contacts

All media contact shall be channelled and coordinated through the Registrar's office. Any Council or Committee member being asked by media representatives to provide interviews, respond to inquiries or to comment on issues concerning the regulation of the profession or the operation of the College shall not provide any such communication and shall instead refer them to the Registrar's office.

18.02 – College Communications

The Registrar, the President or, in the absence of the President, the Vice-President,

(i) are the authorized spokespersons of the College but either of them may request a member of Council, a College Employee or a consultant to perform this function, as appropriate, under the circumstances; and

(ii) may communicate with the media to provide interviews, respond to inquiries or comment on issues concerning regulation of the profession or the operation of the College. A member of Council or a Committee member shall not perform such Communications unless authorized by the Registrar, the President or, in the absence of the President, the Vice-President.

18.03 – Consistent Messaging

All messages to the media and to the public must be consistent with the approved policies and positions of the College. Any member of Council or Committee member shall resign all positions with the Council and its Committees prior to expressing public disagreement with a decision, policy or position of the College or its Committees and even then, shall only do so in a manner consistent with his or her ongoing fiduciary duties towards the College and under his or her Confidentiality Agreement.

18.04 – Invitations for Speaking Engagements

All requests inviting the President, the Registrar or a member of Council or a Committee to speak in his or her capacity as a representative of the College must be submitted, in writing, to the Registrar's office with details of the date, time and place of the speaking engagement as well as the topic and anticipated length of the presentation.

18.05 – Acceptance of Invitations for Speaking Engagements

The Registrar, in consultation with the President, where possible, shall review all requests inviting Council or Committee members to speak and shall determine whether to accept the invitation and the appropriate representative to address the topic. Other than as described above, no member of Council or Committee shall accept any request to make representations or speak on behalf of the College or in his or her capacity as a representative of the College.

18.06 – Presentation Content

The content of every presentation must be consistent with the approved policies and positions of the College and shall be submitted, where feasible, at least five (5) days before the date of the presentation to the Registrar or a person designated by the Registrar for approval.

18.07 – No Compensation

No person speaking in his or her capacity as a representative of the College shall receive any payment or benefit related to the presentation or, if the payment or gift cannot in the circumstances be gracefully declined, it shall immediately be turned over to the Registrar. However, mementoes of nominal value ($50.00 or less) may be accepted and retained.

19. FEES

19.01 – Registration Year

The registration year for Registrants shall be from the day of the date of proclamation of the Act to one full calendar year from that day and each subsequent year thereafter.

19.02 – Renewal Process

The annual registration fee is due and payable on or before the day before each registration year. At least 45 days before the annual registration fees are due, the Registrar shall send to each Registrant a notice stating that the annual registration fees are due, setting out the amount of the annual registration fee for each category of registration and a request for information required under the regulations and the bylaws of the College. The obligation to pay the annual registration fee continues even if the Registrar fails to provide the notice or the Registrant fails to receive such notice.

19.03 – Fee Amounts

Applicable taxes apply to all fees and will be added to the fees below. **Updated February 8, 2024.**

	Fee Item	Fee Schedule April 1, 2024 or for the April 1, 2024 to March 31, 2025 membership year.
A. Fees Relating to Assessments		
0.	Individual Assessment Fee	
1.	Fee for Approving or Administering Individual Prior Learning Assessment of eligibility in Full Class of Registration *	$650
~~2.~~	~~Fee for Approving or Administering Individual Prior Learning Assessment of eligibility in Full Class of Registration for individuals currently holding a Grandparented Certificate of Registration *~~	~~$350~~
3.	Fee for Approving or Administering Each Individual Prior Learning Assessment for Reassessment *	$350
4.	Fee for Approving or Administering Each Individual Prior Learning Assessment Review of a Reassessment *	$350
5.	Fee for Approving or Administering Each Individual Prior Learning Assessment Attempt Request for IA Review for reasons of an IA Review or Appeal – for eligibility in Full Class of Registration *	$650
B. Fees Relating to Applications for Initial Registration		
1.	Initial Registration Application Fee	$305
2.	Registration Fee Full Class	$940
2.1	One month after the first anniversary of proclamation, a Registrant issued a certificate of registration shall pay, in respect of the registration year in which the certificate was issued: one twelfth of the registration fee for that category of the registration multiplied by the number of calendar months remaining before the next registration year, including the month in which the certificate of registration was issued.	
2.2	Registration Fee Emergency Class	$940
3.	Registration Fee (Inactive)	$804
4.	Transfer to a Different Class Fee	$110
5.	Jurisprudence Program Fee	$83
6.	Substantially Equivalent Assessment Fee	$498
7.	Substantially Equivalent Assessment Retake Fee	$249
C. Fees Relating to Renewal of Registration		
1.	Annual Registration Fee (Full)	$1,385
1.1	Annual Registration Fee (Emergency)	$1,385
2.	Annual Registration Fee (Inactive)	$804
3.	Late Renewal Fee (All classes)	$222
4.	Reinstatement Fee (after three (3) years)	$830
5.	Reinstatement Fee (within three (3) years)	$275
D. Fees Relating to Professional Corporations and Certificates of Authorization		
1.	Application Fee	$55
2.	Issuance Fee	$0
3.	Renewal Fee	$222
4.	Administrative Fee	$55
5.	Documentation Fee	$55
E. Fees Relating to the Quality Assurance Program		
1.	QAC Ordered Assessment Fee €	$830

Fee Item		Fee Schedule April 1, 2024 or for the April 1, 2024 to March 31, 2025 membership year.
F. Other Fees		
1.	Additional/Replacement Certificate of Registration Fee	$39
2.	Fees for each letter after first reminding Registrant obligation is not performed	$67
3.	Fee for a letter of good standing	$67
4.	NSF Charge Fee	$67
5.	Duplicate Receipt Fee	$28
6.	Letter of Good Standing Fee	$67
7.	Reference letter for Immigration Purposes Fee	$67
8.	Election Recount Fee	$830
9.	Service Fee for Payment by Credit Card	
	a. Full Class Renewal	$35
	b. Inactive Class Renewal	$20
	c. New Registrant Registration	$2 per month of pro-rated fee
	d. Substantially Equivalent Competency Assessment	$13
	e. Application Fee	$8

*Individual assessment services are provided by an external third-party provider.

€ The QA assessment fee requirement based on non-compliance; Includes cost of Refresher program Assessment.

Fees listed under **OTHER FEES** are all "one time" fees and will only be required to be paid if one requires the item. The purpose of fee is to recoup the cost of the administrative duty required to perform the task. All other fees are for all registrants. (Class specific when noted).

19.04 – Payment of Fees set by Registrar

A person shall pay the fees set by the Registrar for anything the Registrar is required or authorized to do.

19.05 – Fee Increases

Each year each fee described in these bylaws shall be increased by the percentage increase, if any, in the Consumer Price Index for goods and services in Canada as published by Statistics Canada or any successor organization.

20. PROFESSIONAL LIABILITY INSURANCE

20.01 – Requirement to Carry Insurance

(1) A Registrant, other than an Inactive Registrant who has purchased any run-off coverage (sometimes called enduring or tail coverage) contemplated by these bylaws, must carry professional liability insurance with the following characteristics:

(i) a minimum of no less than $1,000,000 per occurrence;

(ii) annual aggregate coverage of no less than $2,000,000;

(iii) a deductible of no more than $1,000 per occurrence;

(iv) run-off coverage (sometimes called enduring or tail coverage) for a minimum of three (3) years; and

(v) provided by an insurer licensed with the Financial Services Commission of Ontario, the office of the Superintendent of Financial Institutions Canada or a body outside of Ontario that the Registrar considers substantially equivalent to the Financial Services Commission of Ontario.

(2) An Inactive Registrant who has practised in Ontario within the previous two years must carry professional liability run off coverage (sometimes called enduring or tail coverage) for a minimum of five (5) years since the Registrant last practised in Ontario provide by an insurer licensed with the Financial Services Commission of Ontario, the office of the Superintendent of Financial Institutions Canada or a body outside of Ontario that the Registrar considers substantially equivalent to the Financial Services Commission of Ontario.

20.02 – Proof of Insurance

A practising Registrant must, upon request, provide to the College proof of professional liability insurance in a form acceptable to the Registrar which must include the following information:

(i) policy number;

(ii) name of the insured that matches the name of the Registrant;

(iii) address of the insured;

(iv) policy period; and

(v) coverage details.

20.03 – Declaration of Eligibility for Insurance
An applicant for registration must provide a declaration that he or she is eligible for professional liability insurance coverage and that he or she shall submit proof of insurance to the Registrar with no less than 30 days after his or her registration is approved. The Registrar shall not issue the certificate of registration until actual proof of coverage is received.

20.04 – Relying on Employer's Insurance Coverage
A Registrant may rely on the insurance coverage provided by his or her employer so long as the insurance coverage complies with the requirements of these bylaws including the ability to provide proof of coverage of the Registrant by the Registrant's name.

21. THE REGISTER

21.01 – Name in Register
Subject to article 21.02, a Registrant's name in the register shall be the full name indicated on the documents used to support the Registrant's initial registration with the College.

21.02 – Exception for Name Change
The Registrar may enter a name, other than the name referred to in section 21.01, in the register if the Registrar:

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

21.03 – Exception for Alternate Name
In addition to the name entered under article 21.01 and 21.02, the Registrar may enter in the register as an alternative name used by the Registrant any nicknames or abbreviations that the Registrant uses in any place of practice.

21.04 – Business Address
A Registrant's business address in the register shall be the address for receiving business communications designated by the Registrant, which address may be different than the Registrant's address for communications with the College. If the Registrant does not designate a business address, the Registrar may assign any address for the Registrant known to the College as the business address. A Registrant's business address shall include the name of the business or entity that employs the Registrant or, if the Registrant is self-employed or is not practising, the Registrant's business address shall include a notation to that effect.

21.05 – Business Telephone Number
A Registrant's business telephone number shall be the telephone number for receiving business communications designated by the Registrant, which telephone number may be different than the Registrant's telephone number for communications with the College. If the Registrant does not designate a business telephone number, the Registrar may assign any telephone number known to the College as the business telephone number.

21.06 – Register Information Required by the Code
The Registrar shall maintain a register in accordance with section 23 of the Code.

21.07 – Additional Register Information

In addition to the information set out in subsection 23(2) of the Code, and subject to article 21.08, the register shall contain the following information, which is designated by the College as public pursuant to subsection 23(5) of the Code and must be publicly accessible:

(i) 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;

(ii) the name, address and telephone number of every business entity that employs the Registrant as a practitioner of homeopathy and, if the Registrant is self-employed as a practitioner of homeopathy, the address and telephone number of the locations where the Registrant practises other than addresses of individual patients;

(iii) the Registrant's business email address;

(iv) the Registrant's registration number;

(v) the date of the Registrant's initial registration with the College;

(vi) the date on which each class of registration that the Registrant holds or held was obtained and, if applicable, the date on which each terminated;

(vii) if the Registrant ceased to be a Registrant, a notation of the fact, specifying the reason for the termination of registration and the date upon which the Registrant ceased to be a Registrant;

(viii) where the College is satisfied based upon reliable information that a person ceased to be a Registrant as result of his or her death, a notation to that effect and the date upon which the person ceased to be a Registrant if that date is known to the College;

(ix) unless otherwise required by the Code, information required to be kept in the register with regard to a former Registrant who is deceased may be removed from the register two years after the date of the former Registrant's death;

(x) any language in which a Registrant is able to communicate and provide services to patients;

(xi) the name of any regulatory body involving the delivery of health care of which the Registrant is a member;

(xii) 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 Practice Committee under section 61 of the Code and has not been finally resolved, until the matter has been resolved;

(xiii) any information jointly agreed to be placed on the register by the College and the Registrant;

(xiv) where the Registrant's certificate of registration is subject to any terms, conditions and limitations, the reason for them, the date they took effect, and where applicable, the Committee responsible for the imposition of those terms, conditions and limitations;

(xv) where applicable, a summary of any restriction on a Registrant's right to practise:

f. resulting from an undertaking given by the Registrant to the College or an agreement entered into between the Registrant and the College; or

g. of which the College is aware and which has been imposed by a court or other lawful authority, in which event the summary of the restriction shall also include the source and nature of the restriction;

(xvi) where the Registrant's certificate of registration is subject to an interim order, a notation of that fact, the nature of the order and the date that the order took effect;

(xvii) where a suspension on a Registrant's certificate of registration is lifted or otherwise removed, the effective date of the lifting or removal of that suspension and, where applicable, the Committee responsible for the lifting or removal of the suspension;

(xviii) where the Registrant's certificate of registration is subject to a suspension for failure to pay a fee, the reason for the suspension and the date of the suspension in addition to the fact of the suspension;

(xix) where the Registrar confirms whether the College is investigating a Registrant because there is a compelling public interest in disclosing this information pursuant to 36(1)(g) of the RHPA, the fact that the Registrant is under investigation;

(xx) where a panel of the Investigations, Complaints and Reports Committee requires a Registrant to appear before a panel of the Committee to be cautioned,
   a. a notation of that fact,
   b. a summary of the caution,
   c. the date of the panel's decision, and
   d. if applicable, a notation that the panel's decision is subject to review and therefore is not yet final, which notation shall be removed once the review is finally disposed of;

(xxi) where, a panel of the Investigations, Complaints and Reports Committee takes other action requiring a Registrant to complete a specified continuing education or remediation program,
   a. a notation of that fact,
   b. a summary of the continuing education or remediation program,
   c. the date of the panel's decision, and
   d. if applicable, a notation that the panel's decision is subject to review and therefore is not yet final, which notation shall be removed once the review is finally disposed of;

(xxii) 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, provide:
   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. any hearing dates, if the date has been set,
   e. the status of the hearing, including the date of commencement, continuation or adjournment,
   f. if the hearing has been adjourned and no future date has been set, the fact of the adjournment, and
   g. 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;

(xxiii) if a finding of professional misconduct or incompetence has been made,
   a. the date of the finding, and
   b. a summary of the facts on which the finding was based;

(xxiv) 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 of the governing body that made the finding,
   c. a summary of the facts on which the finding was based,
   d. the penalty and any other orders made relative to the finding,
   e. the date the finding was made, and
   f. information regarding any appeals of the finding;

(xxv) where the College is aware that a finding of incapacity 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 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, unless the body that governs a profession making the finding has not made the finding public;

(xxvi) where a decision of the Discipline Committee has been published by the College with the Registrant's name or former name including,
   a. a notation of that fact, and
   b. identification of the specific publication of the College which contains the information;

(xxvii) if an application to the Discipline Committee for reinstatement has been scheduled,
   a. the dates on which the application is scheduled to be heard,
   b. if the hearing has been adjourned and no future date has been set, the fact of that adjournment,
   c. if the decision is under reserve, that fact, and
   d. if an application to the discipline committee for reinstatement has been decided, the decision of the discipline committee;

(xxviii) where a Registrant agreed to resign to avoid a proceeding before the Discipline or Fitness to Practise Committee or resigned while a discipline or fitness to practise proceeding was outstanding, a notation of that fact;

(xxix) any of the information in respect of a former Registrant that was on the register just before the registration terminated, for a period of at least two years after the termination of registration, 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 membership;

(xxx) in addition to the name of every health profession corporation of which the Registrant is a shareholder, the business address, business telephone number, business email address, if there is one, any operating names of the health profession corporation, the date of which the certificate of authorization was issued, and any revisions to the certificate of authorization;

(xxxi) where a certificate of authorization is revoked, suspended, cancelled or otherwise terminated, a notation of the effective date of every revocation, suspension, cancellation or other termination;

(xxxii) a summary of any findings against a Registrant of which the College is aware in respect of a federal or provincial offence that the Registrar believes is relevant to the Registrant's suitability to practise;

(xxxiii) a summary of any currently existing charges against a Registrant of which the College is aware in respect of a federal or provincial offence that the Registrar believes is relevant to the Registrant's suitability to practise;

(xxxiv) a summary of any currently existing conditions, terms, orders, directions or agreements relating to the custody or release of the Registrant in provincial or federal offence processes or subsequent to a finding of guilt and pending appeal, of which the College is aware and that the Registrar believes is relevant to the Registrant's suitability to practise;

(xxxv)a summary of any existing restriction on the Registrant's right to practise that has been imposed by a court or other lawful authority, if the College is aware of the restriction, including the name of the court or other lawful authority that imposed the restriction and the date the restriction was imposed; and

(xxxvi) information that is required to be kept in the register in accordance with the bylaws.

21.08 – Information to be Withheld from Public

All of the information referred to section 23 of the Code or as information recorded in the register in these bylaws is information designated to be withheld from the public pursuant to subsection 23(6) of the Code such that the Registrar may refuse to disclose to an individual or post on the College's website any or all of that information if the Registrar has reasonable grounds to believe that disclosure of that information may jeopardize the safety of an individual.

21.09 – Providing Requested Information to the College

If requested, the Registrant shall immediately provide the College with the following information, in the form requested by the College

(i) information required to be maintained in the register in accordance with subsection 23(2) of the Code and these bylaws;

(ii) the address and telephone number of the Registrant's primary residence in Ontario and, if the Registrant does not reside in Ontario, the address and telephone number of the Registrant's primary residence;

(iii) the Registrant's business email address and the Registrant's preferred email address for communications with the College;

(iv) the Registrant's professional activities including the Registrant's areas of practice and categories of patients seen;

(v) information regarding the Registrant's employment including:
   a. the Registrant's title and position, and
   b. a description of the Registrant's role, duties, and responsibilities;

(vi) information about the Registrant's registration with any other body that governs a profession, whether inside or outside of Ontario, including the name of the governing body, the Registrant's registration or licence number and the date the Registrant first became registered;

(vii) information about the Registrant's participation in the quality assurance program;

(viii) information about the educational institution where the Registrant obtained any certificates, diplomas or degrees in homeopathy, the type of certificates, diplomas or degrees obtained and the date each was issued; and

(ix) information for the purpose of compiling statistical data.

21.10 – Notification of Changes

The Registrant shall notify the College, in writing, of any changes to the following information within 30 days of the effective date of the change:

(i) the Registrant's name,

(ii) the address and telephone number of the Registrant's primary residence in Ontario and, if the Registrant does not reside in Ontario, the address and telephone number of the Registrant's primary residence,

(iii) the Registrant's business address or business telephone number,

(iv) the name, address or telephone number of any business or entity that employs the Registrant as a practitioner of homeopathy, and, if the Registrant is self-employed as a practitioner of homeopathy, any changes to the address or telephone number of the location where the Registrant practises other than addresses of individual patients, and

(v) the Registrant's business email address and the Registrant's preferred e-mail address for communications with the College.

21.11 – Immediate Notification to College

A Registrant shall immediately notify the College in writing or electronically of any currently existing conditions of release (not including any information subject to a publication ban) following a charge for a federal or provincial offence or subsequent to a finding of guilt and pending appeal and any variations to those conditions.

22. PROFESSIONAL CORPORATIONS

22.01 - 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 Registrar within 30 days and upon any change in the information within 30 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 email 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.

23. FUNDING FOR THERAPY AND COUNSELLING FOR SEXUAL ABUSE

23.01 - Funding

The Patient Relations Committee may require therapists and counsellors who provide therapy or counselling funded through the program and persons who are receiving such therapy or counselling to provide a written statement, signed in each case by the therapist or counsellor and by the person which statement shall contain:

(i) details of the therapist or counsellor's training and experience;

(ii) confirmation that the therapy or counselling is being provided to the client;

(iii) confirmation that the funds received shall be devoted only to therapy or counselling that is related in whole or in part to the sexual abuse by the Registrant; and

(iv) any other information that the Patient Relations Committee determines demonstrates that the person satisfies the eligibility requirements.

24. CODE OF ETHICS

Schedule 4 of the bylaws sets out the Code of Ethics for the profession.

25. BYLAWS AND AMENDMENTS

25.01 – Effective Date

These bylaws shall become effective as soon as they have been approved by the Council.

25.02 – Amendments

The bylaws of the College or any section 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 BYLAWS

Process for Election of Officers

The elections shall be supervised by the Registrar. The Registrar may be assisted by scrutineers.

At least forty-five (45) days before the date of the election, the Registrar shall notify every member of Council of the date of the election and of the procedure, criteria and deadline for members of Council to submit, in writing, their candidacy for a position as a member of the Executive Committee and any brief personal statement that the member of Council wishes to be circulated to the Council in support of their candidacy. Such personal statements may not contradict the College code of conduct, RHPA (1991) or Homeopathy Act, 2007.

A member of Council's written intent must be returned to the Registrar no later than 5:00 p.m. on the day one week before the meeting of Council when the election of officers shall take place (the "nomination deadline"). Prior to announcing the slate of candidates, the Registrar shall verify that each candidate has met the eligibility qualifications and shall notify any individual who does not meet such qualifications. The Registrar may, at any time, inform a member of Council about any other qualifying Council member's written intent that has been submitted before the deadline. If the Registrar is unable to announce a slate of candidates (due to ineligibility concerns or other analogous reasons) the Registrar shall alert Council and nominations can be made at the Council meeting as described below.

At least five (5) days prior to the meeting of Council when the election of officers shall take place, the Registrar shall circulate to all Council members a list of the eligible candidates for election, and any brief personal statements made available to by the candidates.

A Council member may withdraw as a candidate at any time before the election.

At the meeting of Council when the election of officers shall take place, the Registrar shall present the names of eligible candidates who have indicated their interest for the position of President.

Where there is only one nominee for a position, that person shall be elected by acclamation. In the event that there is more than one candidate for the office, the voting shall be conducted by ballot, with the result being tabulated and then recorded and reported by the Registrar. Where there are insufficient qualified nominations for a position, qualified nominations can be made from the floor.

Before the vote, candidates shall be given the opportunity to speak briefly (order to be determined by lot). The election of a candidate shall be confirmed by a majority vote of those present and voting. Where no candidate receives a majority vote, the candidate receiving the fewest votes shall be disqualified and the Council shall, by ballot, vote on the remaining candidates until one candidate receives a majority vote.

In the event of a tie, a second ballot shall take place. Candidates shall have an opportunity to speak briefly before the vote. If the second ballot also results in a tie, the winning candidate shall be determined by lot.

The results of each election shall be tabulated and reported by the Registrar, with the number of votes accorded to each candidate to remain confidential.

Once the President is elected, the Vice-President shall be elected in a similar manner. Once the Vice-President has been elected, the Treasurer shall be elected in a similar manner, and followed by the remaining Executive Committee positions which shall also be filled in a similar manner ensuring that there are an appropriate number of Registrants and Public Members.

Once the election is completed, the Registrar shall call for a motion to destroy the ballots.

The elected members of the Executive Committee may then speak briefly.

SCHEDULE 2 TO THE BYLAWS

Rules of Order of the Council

1. Each agenda topic shall 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.

2. When any Council Member wishes to speak, he or she shall so indicate by raising his or her hand and shall address the presiding officer and confine himself or herself to the matter under discussion.

3. Staff persons and consultants with expertise in a matter may be permitted by the presiding officer to answer specific questions about the matter.

4. Observers at a Council meeting are not allowed to speak to a matter that is under debate.

5. 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 shall not speak to a matter more than twice without the permission of the presiding officer.

6. No Council Member may speak longer than five (5) minutes upon any motion except with the permission of Council.

7. 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.

8. 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.

9. When it appears to the presiding officer 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 presiding officer shall put the motion to a vote.

10. When a matter is being voted on, no Council Member shall enter or leave the Council room, and no further debate is permitted.

11. No Council Member is entitled to vote upon any motion in which he or she has a conflict of interest, and the vote of any Council Member so interested shall be disallowed.

12. 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.

13. Whenever the presiding officer is of the opinion that a motion offered to the Council is contrary to these rules or the bylaws, he or she shall rule the motion out of order and give his or her reasons for doing so.

14. The presiding officer shall preserve order and decorum, and shall decide questions of order, subject to an appeal to the Council without debate.

15. The above rules may be relaxed by the presiding officer if it appears that greater informality is beneficial in the particular circumstances, unless the Council requires strict adherence.

16. Council Members are not permitted to discuss a matter with observers while it is being debated including during any recess of the debate.

17. Council Members shall turn off cell phones during Council meetings and, except during a break in the meeting, shall not use a cell phone, blackberry or other electronic device. Laptops shall only be used during Council meetings to review materials related to the matter under debate (e.g., electronic copies of background documents) and to make personal notes of the debate.

18. Council Members shall be silent while others are speaking.

19. 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.

20. These Rules shall apply, with necessary modifications, to meetings conducted by teleconference or any other electronic means permitted by the bylaws, including audio or video conferencing.

SCHEDULE 3 TO THE BYLAWS

Code of Conduct

(1) This Schedule applies to members of Council and members of all Committees of the College.

(2) Council and Committee members must, at all times, maintain high standards of integrity, honesty and loyalty when discharging their College duties. They must act in the best interest of the College. They shall:

(a) be familiar and comply with the provisions of the *Regulated Health Professions Act, 1991* and its regulations, the *Health Professions Procedural Code*, the *Homeopathy Act, 2007* and its regulations, and the bylaws and policies of the College;

(b) be prepared to participate in Council meetings and Committee work including reading background materials and briefing documents;

(c) diligently take part in Committee work and actively serve on Committees as appointed by the Council;

(d) regularly attend meetings on time (including not missing two (2) or more consecutive meetings without reasonable cause) and participate constructively in discussions;

(e) offer opinions and express views on matters before the College, Council and Committee, when appropriate;

(f) participate in all deliberations in a respectful and courteous manner, recognizing the diverse background, skills and experience of Council and Committee members;

(g) uphold the decisions made by a majority of Council and Committees, regardless of the level of prior individual disagreement;

(h) place the interests of the College, Council and Committee above other interests;

(i) avoid and, where that is not possible, declare any appearance of or actual conflicts of interest;

(j) refrain from including or referencing Council or Committee titles or positions held at the College in any personal or business promotional materials, advertisements and business cards (although referencing one's titles or positions held at the College in one's curriculum vitae is acceptable so long as the curriculum vitae is not overtly used in a promotional manner);

(k) preserve confidentiality of all information before Council or Committee unless disclosure has been authorized by Council or is otherwise exempted under s. 36(1) of the *RHPA*;

(l) refrain from attempting to influence a statutory decision unless one is a member of a Panel of the Committee or, where there is no Panel, of the Committee dealing with the matter;

(m) respect the boundaries of staff whose role is not to report to or work for individual Council or Committee members including not contacting staff members directly, except on matters where the staff member has been assigned to provide administrative support to that Committee or the Council or where otherwise appropriate;

(n) be respectful of others and not engage in behaviour that might reasonably be perceived as verbal, physical or sexual abuse or harassment.

SCHEDULE 4 TO THE BYLAWS

Code of Ethics for the Homeopathy Profession

Note to Readers: In the event of any inconsistency between this document and the legislation that affects homeopathic practice, the legislation governs.

College publications contain practice parameters and standards which should be considered by all Ontario homeopaths in the care of their patients and in the practice of the profession. College publications are developed in consultation with the profession and describe current professional expectations. It is important to note that these College publications may be used by the College or other bodies in determining whether appropriate standards of practice and professional responsibilities have been maintained.

INTENT

This schedule is intended to outline, in broad fashion, the obligations to which Registrants of the College of Homeopaths of Ontario (hereafter referred to as the College) are expected to adhere in their relationships with the public, patients, fellow practitioners and other health care professionals.

PREAMBLE

The College recognizes that:

- One of the underlying principles of the *Regulated Health Professions Act, 1991* (RHPA) is to permit the public to exercise freedom of choice of health care provider within a range of safe options.
- Registrants are required to practise within the Homeopathic scope of practice set out in the *Homeopathic Act, 2007*, in providing ethical and competent patient centred care.

Through individual practitioners and the collective work of the College, professional associations, and homeopathic schools, there is an increasing awareness by the public, employers and other healthcare professionals of the practice of homeopathy as a primary health-care option in Ontario's integrated healthcare system. The public is entitled to safe, effective and ethical care performed by knowledgeable, skilled, and accountable practitioners in accordance with the professional standards of the College. Each Registrant will provide individualized and competent care, recognizing the patient's particular needs, and respecting their cultural background.
Each homeopath acts, at all times, in a manner as to justify public trust and confidence, to uphold and enhance the good standing and reputation of the profession, to serve the interest of society, and above all to safeguard the best interests of individual patients.

In all professional undertakings, including but not limited to the therapeutic relationship, Registrants respect the practice of homeopathy and adhere to the characteristics of an ethical homeopath. Within the context of these values and principles, registrants fulfill their professional obligations.

The Principles of Professional Ethics is a set of values intended to provide all registrants with information about the College's expectations of ethical conduct. It is a framework that describes the boundaries of acceptable professional practice. The Principles of Professional Ethics is a critical and enforceable element of the College's programs and as such, it is crucial that all registrants are knowledgeable about the contents of this document. Additionally, this document is intended to assist patients and other members of the public to better understand the components of ethical care that they should expect from a homeopath.

DESCRIPTION OF STANDARD

A. VALUES

The body of work of Aristotle holds that the virtues (such as justice, charity, and generosity) are dispositions to act in ways that benefit both the person possessing them and that person's society. Accordingly, the following represent a set of qualities desirable for an ethical homeopath to have in order to protect the public.

Altruistic:	Unbiased, impartial and unselfish concern for the well-being of others.
Competent:	Having the necessary ability, knowledge, or skill to do something successfully.
Courteous:	Polite, considerate in manner and respectful, showing deference, respect and due regard for the feelings, wishes, rights, or traditions of others.
Responsible:	Having an obligation to do something, or caring for someone, as part of one's job or role.
Trustworthy:	Able to be relied on as honest or truthful.
Unprejudiced:	Not having or showing a dislike or distrust based on fixed or preconceived ideas.

B. ETHICAL OBLIGATION

While the practice of homeopathy includes a number of qualities to be considered ethical, those qualities need be demonstrated. This demonstration transpires in fulfilling one's duties and obligations to society in general, individual patients, professional colleagues, the public and regulatory bodies. The following outlines the specific expectations for an ethical homeopath.

Section 1: General

The ethical homeopath:

1. Provides patient-centred care within the scope of homeopathic practice as per the *Homeopathy Act, 2007*.
2. Maintains standards of professional competence and ethics including the principles of altruism, courteousness, responsibility, trustworthiness, and being non-judgmental.
3. Acts in accordance within the scope and standards of practice of the College including regulations, guidelines, policies and programs.
4. Clearly informs all interested parties of scope and limitations of practice;
5. Commits to the highest level of effective homeopathic treatment through the maintenance and application of relevant knowledge and skill;
6. Acts within the individual's level of competence and recognizes limitations;
7. Does not exploit any relationship, established as a homeopath, to further his/her own physical, psychological, emotional, financial, political, or business interests that could be considered as a conflict of interest and at the expense of the best interest of the patient and the public;
8. Openly acknowledges any conscientious objection or conflict of interest, which may affect professional practice;
9. Keeps confidential and private all information received except when reporting is required by law (i.e. RHPA, etc);
10. Implements safety measures to protect patients, self and colleagues from injury and hazards.
11. Acts without discrimination or prejudice in a manner consistent with the Canadian Human Rights Act and the Ontario Human Rights Code;
12. Conducts him/herself with dignity so as to bring honour to the profession.

Section 2: Obligations to the Patient

The ethical homeopath:

1. Has as the first consideration the well being of patients and acts in the best interest of their welfare;
2. Demonstrates respect for the physical, emotional, and spiritual well-being of patients;
3. Demonstrates sensitivity to and respects each patient's rights, autonomy, dignity and uniqueness;
4. In the case of emergency, provide care or refer the patient to the most appropriate health care

provider;
5. Clearly informs and educates patients as to the role, function, standards and philosophy of homeopathic practice;
6. Respects patients' right to informed choice, to request opinions from other homeopaths regarding a treatment plan; acknowledges patients' right to consult with other health professionals or integrate other therapeutic modalities in combination with homeopathic treatment;
7. Ensures that his/her conduct in the practice of the homeopathic profession is above reproach;
8. Does not practice under conditions which may adversely affect the quality of services including when impaired or ill with any illness that could put patients at risk;
9. Is responsible in setting a reasonable value for their services;
10. Posts a schedule of service fees in a prominent and visible location in the office.

Section 3: Obligations to Professional Colleagues

The ethical homeopath:

1. Speaks professionally of fellow practitioners or other health care professionals, their qualifications or the procedures they use;
2. Works collaboratively with other practitioners/team members/professionals and others, as appropriate, with a goal to enhancing patient care (e.g., information sharing, treatment, consultation and education) focused on the best interests of the patient;
3. Demonstrates respect for the physical, emotional, and spiritual well-being of colleagues, associates, or employees.

Section 4: Obligations to the Public

The ethical homeopath:

1. Claims only qualifications possessed;
2. Accurately represents the nature of homeopathic treatment;
3. Maintains a respectful relationship with members of the public in order to facilitate awareness and understanding of the profession of homeopathy;
4. Upholds the principle of informed consent, including the patient's right to choose from a range of options;
5. Reports to the respective College, where they have reason to believe sexual abuse of a patient by another registrant of any of the regulated health professions;
6. Reports to the College of Homeopaths of Ontario, where there is reason to believe incompetence, misconduct, incapacity, sub-standard and/or unethical behavior, or sexual abuse of a patient by another registrant.

Section 5: Obligations to the College

The ethical homeopath:

1. Maintains professional competency through ongoing self-assessment, intra-professional collaboration and professional development.
2. Maintains the Standards of Practice and conduct himself/herself in a professional, competent and ethical manner;
3. Complies with the Regulated Health Professions Act 1991 (RHPA), the Homeopathy Act 2007 and the Regulations, Bylaws, standards, guidelines, policies, procedures, and programs of the College;
4. Abides by the laws of the jurisdiction of the practice location and complies with all governing legislation relevant to the Registrant's practice;
5. Informs the College when serious incapacity affects or may affect, over time, the Registrant's continuing ability to practice safely and competently;
6. Recognizes that self-regulation is a privilege and that each registrant has a continuing responsibility to merit the retention of the privilege.