

Appointment Process for Councillor from CCCESD

By-law Amendment

General Operating By-law No. 1A is amended by repealing article II.3 dealing with Number and Composition and replacing it with the following:

2.03 Number and Composition

(a) Pursuant to the Act, the Council shall be composed of twenty (20) Councillors, as follows:
Three (3) Councillors by virtue of their office ("Ex Officio Councillors") who must be Members of the Corporation:

- (1) the president, ex officio;
- (2) the vice-president, ex officio;
- (3) the past president, ex officio;

Three (3) Councillors appointed by the Lieutenant Governor in Council ("LGC Councillors"):

- (1) two (2) Councillors appointed from among Members of the Corporation ("Member LGC Councillors");
- (2) one (1) Councillor who must not be a Member of the Corporation ("Non-Member LGC Councillor");

Five (5) Councillors appointed by the Council from among persons who are not Members of the Corporation **or are Geoscientists-In-Training** ("Appointee Councillors");

Five (5) Councillors elected by the Members, with one elected from among the Members in each of the regions ("Regional Councillors"); **and**

Four (4) Councillors elected by the Members from among the Members of the Corporation at large ("Councillors-at-large"); ~~and~~

~~One (1) Councillor who is the chair of the Council of Chairs of Canadian Earth Science Departments (CCCESD) or his/her designate who is a member of CCCESD ("CCCESD Councillor").~~

General Operating By-law No. 1A is amended by repealing article II.6 dealing with Term and replacing it with the following:

2.06 Term

(a) The term of office of the vice-president shall be one (1) year calculated from the close of the first annual meeting of the Members after the vice-president is elected until the close of the next annual meeting next following or until the successor is elected.

(b) The term of office of the president and past president shall be one (1) year calculated from the first annual meeting of the Members after the person completed their term serving as vice-president and president, respectively, in accordance with Section 2.05(b) and Section 2.05(c) and thereby becoming president or past president, respectively, until the close of the next annual meeting next following or until the successor is elected.

~~(c) The term of office of CCCESD Councillor shall be the same as the term of his/her position ex officio as chair of the CCCESD.~~

(c) The term of office of the remaining Councillors shall be three (3) years calculated from the close of the first annual meeting of the Members after they are elected or appointed

General Operating By-law No. 1A is amended by repealing article VIII.1 dealing with Committees and repealing By-Laws No. 6, 9 and 10, dealing with the Registration, Complaints and Discipline Committees and replacing them with the following new By-Law No. 7:

BY-LAW NO. 7 - COMMITTEES

1. The Council shall appoint the committees required by the Act and Regulations and may also from time to time appoint such other committees it considers desirable to assist the Council to manage the affairs of the Corporation.
2. Any committee appointed by the Council may sit in panels selected by the chair of the committee which panel shall have the authority to decide a matter placed before it.
3. Unless otherwise specified in the Act, the Regulations¹ the By-Laws or in another statute, such as the *Statutory Powers Procedure Act*, the quorum for a committee or a panel is three committee members.
4. The Council shall appoint the chair of every committee unless the Council designates that the members of the committee may appoint the chair.
5. At any time the Council may remove a member of a committee with or without cause.
6. The Executive Committee of the Council may act on behalf of the Council under this By-Law where it would facilitate the smooth operation of a committee.
7. The Executive Committee of the Council may also act on behalf of the Council where required in the event of an emergency or where time does not reasonably permit the meeting of the Council provided that such action is not contrary to the Act, Regulations, By-Laws, and past resolutions of the Council; **provided that such actions are reported to Council.**
8. The Council may adopt Regulations, By-Laws, policies and terms of references in relation to the mandate, operations, administration and governance of the committees, provided that such terms of reference are not inconsistent with the Act, the Regulations and the By-Laws.

¹ For example, O. Reg. 258/02 permits the Preliminary Review Panel to sit with one person.

**Proposed By-law Amendment
(For Governance and Registration Appeals)**

General Operating By-law No. 1A is amended by repealing article II.9(d) dealing with the removal of Councillors and replacing it with the following:

- (d) A Councillor, other than a LGC Councillor, ceases to hold office if the person is removed from office by the Council by a two-thirds (2/3rds) majority vote of those present and voting if the person no longer fulfils all of the qualifications to be a Councillor, if the person fails to comply with the Code of Conduct, or for other reasons as are determined by the Council.
- (e) The Council may request the Lieutenant Governor in Council to remove a LGC Councillors from office, by a two-thirds (2/3rds) majority vote of those present and voting, if the person no longer fulfils all of the qualifications to be a Councillor, if the person fails to comply with the Code of Conduct, or for other reasons as are determined by the Council.
- (f) If a Councillor no longer fulfils all of the qualifications to be a Councillor, if the person fails to comply with the Code of Conduct, or for other reasons as are determined by the Council, the Council may, in addition or instead of taking action under articles (d) and (e), by majority vote of those present and voting, censure the individual, remove some or all of their responsibilities, or take other action not inconsistent with the legislation and the By-Laws.

General Operating By-law No. 1A is amended by repealing article III.8 dealing with Votes to Govern and replacing it with the following:

Each Councillor may exercise one (1) vote. At all Council meetings, every question shall be decided by a **simple** majority of the votes cast on the question unless otherwise required by the By-Laws. **The chair of the meeting may not vote, except in case of an equality of votes, in which case the chair shall have a casting vote.**

Appeals Process for Decisions by the Registration Committee

By-law Amendment

General Operating By-law No. 1A is amended by repealing article III.5 dealing with Quorum and replacing it with the following:

III.5. Quorum

- (a) A quorum for the transaction of business at any Council meeting shall be a majority of the Councillors then in office. Only those Councillors present in person, by telephone or electronically shall be counted in determining whether or not a quorum is present.

- (b) Despite article (a), the quorum at a meeting of Council held under s. 14 of the Act to consider an appeal from a decision of the Registration Committee is five Councillors then in office. That quorum can be reduced to a minimum of three Councillors then in office if, for any reason, a Councillor is not able to continue to consider an appeal that has already commenced.