



Prince Edward Island  
College of Physiotherapy

**College of Physiotherapy  
Prince Edward Island**

**BYLAWS**

**October 29, 2020**

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## **Part 1. Introduction**

### **1.1 Definitions**

#### **1.1.1** In these bylaws:

- a) “Act” means the *Regulated Health Professions Act* of Prince Edward Island;
- b) “CAPR” means the Canadian Alliance of Physiotherapy Regulators;
- c) “college” means the Prince Edward Island College of Physiotherapy (PEICPT);
- d) “council” means the council for the PEI College of Physiotherapy established under subsection 7 of the Act;
- e) “fiscal year” means the business year of the college and shall commence on the first day of January and shall end on the thirty-first day of December of the same year;
- f) “members” means those individuals whose names appear on any register of the college;
- g) “Minister” means the Minister of Health;
- h) “registrar” means the registrar of the PEI College of Physiotherapy appointed under subsection 10(2) of the Act.
- i) “regulations” means the *Prince Edward Island Physiotherapists Regulations* designated under the *Regulated Health Professions Act* of Prince Edward Island

## **Part 2. College Administration**

### **2.1 Administration**

- 2.1.1 The council shall maintain a P.O. box.
- 2.1.2 The council shall maintain a public website that provides information about the college (including bylaws, policies, links to relevant legislation, etc) and assists persons in exercising their rights.
- 2.1.3 The council shall maintain a member’s only section (password protected) on the public website to share meeting minutes and annual reports.
- 2.1.4 The council shall maintain an email account to support college administration. The registrar, chair and treasurer shall have access to monitor and respond to inquiries and administrative tasks. The password shall be changed by the registrar at minimum once per year following the Annual General Meeting and from time to time as needed.

### **2.2 Bylaws**

- 2.2.1 The council may make bylaws not inconsistent with the Act or Regulations relating to the management and operation of the college (subsection 10 of the Act). A bylaw may be made, amended or revoked in the same manner as other resolutions or motions that appear before council as determined by two-thirds majority vote of the council.
- 2.2.2 Notice to all members of new bylaws or changes to bylaws will be provided by email.



## **2.3 Seal**

- 2.3.1 The PEI College of Physiotherapy shall have a seal which shall consist of the words “PEI College of Physiotherapy”. The seal of the college shall remain in the custody of the registrar. The chair and the registrar and such other persons as may be authorized by the council shall each have authority to affix the seal of PEI College of Physiotherapy to applicable documents.

## **2.4 Banking and Financial Affairs**

- 2.4.1 Council shall establish and maintain such accounts with one or more Canadian banks chartered under the Bank Act (Canada), trust company or credit union for the use of the college.
- 2.4.2 All money belonging to the college shall be deposited in the name “PEI College of Physiotherapy”.
- 2.4.3 The registrar, treasurer, and the chair shall have signing authority for all cheques executed on the council’s behalf. Any two of those three signatures shall be required.
- 2.4.4 Notwithstanding clause 2.4.3:
- The treasurer may use online banking to pay college bills (e.g. Board Insurance) and such other council related activities required from time to time.
  - The treasurer may use online banking to deposit electronic transfers received from college members.
  - The treasurer may use the college debit card to pay for expenses related to council meetings (e.g. meals) up to a maximum of \$200.00.
  - The treasurer may use the college credit card to book AGM venue (security deposit), and book flights approved for meetings up to a maximum of \$2,000.
  - Any transaction over \$2,000 requires a motion by council or a written cheque with two of three signing officers.
- 2.4.5 A signing officer cannot sign for cheques, investments or bills of exchange that are personally beneficial.
- 2.4.6 The council may invest or reinvest surplus revenue that may accrue and such investment shall be registered in the name of the college. Financial consultation will be considered, if applicable.
- 2.4.7 The council must annually appoint a chartered professional accountant to complete at minimum an annual notice to reader or such other review, audit or report as recommended by council.
- 2.4.8 A contingency fund of no less than \$50,000 shall be maintained.
- 2.4.9 The council is authorized to apply for credit from a financial institution for the purpose of having a credit card, and to allow direct debit of members for registration or other fees, with two of three signatures required.

## **2.5 Execution of Contracts**

- 2.5.1. Deeds, transfers, assignments, contracts, obligations, and other instruments in writing requiring execution by the college shall be signed by the chair and the treasurer, unless council decides otherwise.

## **2.6 Registrar**

- 2.6.1 The registrar is appointed by council and acts as the executive director of the college to oversee the administration of the college. The registrar reports to and takes direction from council.
- 2.6.2 In the event of the absence, disability or vacancy of the registrar, the deputy registrar will be appointed as interim registrar pursuant to s. 2.7 of these Bylaws.
- 2.6.3 The registrar shall perform those duties and responsibilities set out in the Act, the regulations, the bylaws of the college and other policies and standards approved by council.
- 2.6.4 The registrar is a non-voting member of council (subsection 10(3) of the Act).
- 2.6.5 Selection of the registrar shall be through an expression of interest process. An evaluation of each submission shall be completed by the executive committee using established criteria.
- 2.6.6 A registrar contract shall be established which shall include duties and responsibilities of the registrar.

## **2.7 Deputy Registrar**

- 2.7.1 The council chair shall act as deputy registrar. The council chair continues as a voting member of council when serving in the role as interim registrar in the absence, disability or vacancy of the registrar.
- 2.7.2 In the event the council chair is unable to act as deputy registrar, the deputy registrar shall be appointed by majority vote of council. If the appointed deputy registrar is also a member of council, that appointed person continues as a voting member of council.
- 2.7.3 If the registrar is absent or unable to act for any reason the deputy registrar is authorized to perform all duties of the registrar and exercise the powers of the registrar.
- 2.7.4 The deputy registrar shall receive remuneration as per the registrar contract when fulfilling the registrar duties and is responsible to submit hours worked as deputy registrar to the treasurer.

## **2.8 Canadian Alliance of Physiotherapy Regulators**

- 2.8.1 The college shall maintain membership in the Canadian Alliance of Physiotherapy Regulators (CAPR) to ensure opportunity for networking and issue development related to national physiotherapy regulatory matters.
- 2.8.2 At the call of the CAPR governance and nominations committee (usually March or April of each year), council shall nominate a director to represent the PEI College of Physiotherapy who meets the director competencies outlined in the CAPR Governance Manual, and



adheres to the Alliance Code of Conduct, Confidentiality and Conflict of Interest provisions, respectively.

**2.8.3 Duties of the CAPR director include:**

- Provide provincial reports when required to CAPR board meetings;
- If the CAPR Director is also a council member, their first priority is to the PEICPT council;
- Attendance/participation at CAPR meetings to provide guidance and strategic advice to assist CAPR fulfill its role;
- Attendance at other applicable meetings/conferences when requested and pre-approved by council;
- Provide council regular updates of non-confidential aspects of CAPR's activities;
- Provide an annual report to the PEICPT chair at least 2 weeks prior to PEICPT AGM.
- The CAPR director will be reimbursed for expenses related to CAPR activities pursuant to college expense policy.

## **Part 3. Council**

### **3.1 Duties of Council**

**3.1.1** The council as per subsection 7(2) of the Act shall:

- a) manage and conduct the business and affairs of the college; and
- b) exercise the college's rights, powers and privileges in the college's name and on the college's behalf.

**3.1.2** Council may retain legal counsel for assistance in carrying out any power or duty under the Act, regulations or these bylaws.

**3.1.3** Each council member, registrar, representative or committee member must act honestly, in good faith and in the best interest of the college and the public.

### **3.2 Composition of Council**

**3.2.1** The council of the college shall consist of the following composition:

- a) four (4) council members of the college elected by the members of the PEI College of Physiotherapy and appointed by the Minister; and
- b) two (2) public representatives appointed by the Lieutenant Governor in Council.

**3.2.2** The council's officers are the chair, vice-chair, treasurer, and secretary, who are all physiotherapists. The option to combine the secretary and treasurer into a secretary-treasurer position is permissible.

### **3.3 Election and Appointment of Council Members**

**3.3.1** A nominating committee shall be appointed from time to time by council to ensure there are sufficient candidates for selection.

- 3.3.2 Nominees for the council shall be chosen by the college members in good standing at the annual general meeting (AGM). The registrar shall send requests for nominees via e-mail no later than 30 days before the AGM.
- 3.3.3 The registrar shall supervise the nomination and election of council members including the counting of ballots and recording of results. If two or more candidates receive the same number of votes, the votes shall be recounted. If there is a tie, a second vote shall occur between those candidates who were tied. In the event the second vote results in a tie, the registrar shall randomly select one name from a box containing the names of the candidates who were tied.
- 3.3.4 If the number of candidates equals the number of vacancies, the council shall declare the candidate(s) elected by acclamation.
- 3.3.5 An elected member is disqualified from sitting on the council if the member,
- a) is not a current member of the college;
  - b) is not in good standing;
  - c) is not currently practicing physiotherapy in Prince Edward Island or is not a current resident of Prince Edward Island;
  - d) is in a position with any organization or group whose mandate or interest conflicts with the mandate of the college.
- 3.3.6 Council shall exercise the right to select from among council members a chair, vice-chair, treasurer and secretary at the first meeting following the AGM. If more than one person is interested in a position, the decision will be determined by council vote.
- 3.3.7 In order to be eligible for the position of chair, the council member must have served at least one year on council.

### **3.4 Declaration of Office**

- 3.4.1 A person elected or appointed as a council member must sign a Declaration of Office Form adopted by council including their current position, their personal address, phone number and email.
- 3.4.2 The chair of the council is responsible to submit the list of nominations selected at the meeting along with the information collected in clause 3.4.1 to the appropriate government representative for approval/ appointment.

### **3.5 Term of Office**

- 3.5.1 All elected council members are for a two-year term. Council will endeavor to limit no more than two officers (chair, vice-chair, treasurer, and secretary) vacating at the same time.
- 3.5.2 Notwithstanding clause 3.5.1 above, in accordance with subsection 7(10) of the Act, a member of council continues to hold office after the expiry of the member's term until
- a) the member is re-elected, reappointed or resigns, or a successor is elected or appointed; or
  - b) the expiry of three months,
- whichever occurs first.



- 3.5.3 A council member may be reappointed by the council, or re-elected by the college members to serve more than one term, however a council member shall not serve for more than six (6) consecutive years. As per subsection 7(11) of the Act, “consecutive” means that the member has held office without a break or interruption lasting more than four months.
- 3.5.4 The council recommends the past chair participate in council meetings and activities in an ex-officio (advisory) capacity up to one year following their term to assist council with the transition of new council members and to provide continuity by taking part in meetings and activities. The past chair does not have voting rights.

### **3.6 Vacant Positions on Council**

- 3.6.1 A council may act despite a vacancy in its membership as long as quorum is maintained. Quorum is a majority of the members of council, at least one of whom must be a public representative.
- 3.6.2 If an officer position becomes vacant, the position can be reassigned as per clauses 3.3.6 and 3.3.7.

### **3.7 Revocation**

- 3.7.1 The removal of a council member, registrar, representative or committee member may be initiated by a majority vote of the council and in accordance with subsections 9 (1) and 9 (2) of the Act.

### **3.8 Remuneration of Council Members**

- 3.8.1 Council members (excluding registrar) shall receive honoraria in accordance to section 9.01 of the Prince Edward Island Treasurer Board Policy and Procedures Manual, category B attending a council regular meeting, annual general meeting, and special meeting as member of the council.
- 3.8.2 Council members or other designated agents of the council (including registrar if in accordance to the registrar contract), having obtained prior authorization, shall be reimbursed for related expenses for the conduct of council business or to represent the council in instances as determined by council. Reimbursement of expenses shall be in accordance with the college’s expense policy.

### **3.9 Indemnification**

- 3.9.1 All council members and their heirs, executors and administrators, and estate and effects, shall from time to time and at all times be indemnified and saved harmless out of the funds of the college from and against:
- a) all costs, charges, expenses, awards and damages whatsoever that he/she sustains or incurs in or about any action, suit or proceedings that is brought, commenced or prosecuted against him/her, for or in respect of any act, deed, omission, matter or thing whatsoever, made done or permitted by him/her, in or about the execution of the duties of his/her office, and

- b) all other costs, charges, expenses, awards and damages that he/she sustains or incurs in or about or in relation to the affairs thereof, except such costs, charges, expenses, awards or damages as are occasioned by his/her own willful neglect or default.
- 3.9.2 The college shall purchase and maintain insurance to protect itself, council members and registrar to provide coverage for the indemnity referred to above.

### **3.10 Conflict of Interest**

- 3.10.1 A conflict of interest exists where a reasonable person would conclude that a council member or committee member's personal or financial interest may affect his or her judgment or the discharge of his or her duties to the college. A conflict of interest may be real or perceived, actual or potential, or direct or indirect.
- 3.10.2 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.
- 3.10.3 Without limiting the generality of clause 3.10.1 above, a council or committee member's personal or financial interests include the interests of the council member or committee member's spouse or relative. For the purpose of this section, the term "spouse" is defined by section 29 of the PEI Family Law Act as amended from time to time.
- 3.10.4 It is the duty of each council or committee member who has a conflict of interest in a matter before council or a committee to:
  - a) declare the conflict to the chair, registrar, or committee chair at the time the individual identifies the conflict;
  - b) not participate in the discussion, consideration or voting on the matter;
  - c) withdraw from the meeting or portion of the meeting when the matter is being considered; and
  - d) not attempt in any way to influence the voting or do anything that may be perceived as attempting to influence the decision of other council or committee members on the matter.
- 3.10.5 Every declaration of conflict of interest shall be recorded in the minutes of the meeting.

### **3.11 Code of Conduct, Confidentiality and Conflict of Interest Agreement**

- 3.11.1 Each council member, registrar, representative and committee member is required to read, sign and abide by the college's Code of Conduct, Confidentiality, and Conflict of Interest Agreement.

## **Part 4 –Duties of Elected Officers and Public Representatives**

### **4.1 Chair**

- 4.1.1 The chair shall exercise general supervision of all affairs of the council.



- 4.1.2 The chair, if present shall preside at and chair all meetings of the council and of the executive committee. They shall be responsible for the performance of such duties and exercising of such powers as are set out in these bylaws and as may from time to time be assigned to the council.
- 4.1.3 Duties of the chair include:
- Convene and moderate all meetings of the council (date/time/place) in conjunction with council members.
  - Convene and moderate the AGM (arrange date/time/location/food) and notify members at least 30 days in advance.
  - Following the AGM submit council member names to the PEI Provincial Government Legislative Specialist and at the first council meeting following the AGM ensure all council members have received a "Letter of Appointment" from the Executive Council Office of the sitting government.
  - Prepare an agenda for all meetings, and circulate agenda and minutes for approval to all council members at least one week prior to the meeting.
  - Lead council in selecting a registrar.
  - Keep an up-to-date list of council members' contact information and share with council members.
  - Respond to email not pertaining to licensing/registration.
  - Respond to written complaints/concerns in conjunction with the council.
  - Draft the chair's report (council activities since previous AGM)
  - Assemble annual report and send to membership at least seven (7) days prior to the AGM.
  - Monitor and renew council insurance.
  - Fulfill role of deputy registrar.

## **4.2 Vice-chair**

- 4.2.1 The vice-chair shall perform the duties of the chair in the absence and/or disability of the chair.
- 4.2.2 The vice-chair shall also perform such other duties directed by the council.

## **4.3 Treasurer**

- 4.3.1 The treasurer shall work collaboratively with the members of the Executive Committee, council and the registrar to support the college in fulfilling its fiduciary responsibilities.
- 4.3.2 The treasurer shall review and ensure accuracy of accounts of all assets, liabilities, receipts and disbursements of the college in the books belonging to the college in accordance with any policies or directives established by council.
- 4.3.3 The treasurer shall recommend a chartered professional accountant (appointed accountant) for council approval to complete an annual notice-to-reader or such other review, audit, or report as recommended by council.
- 4.3.4 Duties of the treasurer include:
- Attend council regular, annual general, special and emergency meetings.



- Provide regular status reports on financial matters including monitoring of investments with financial institutions.
- Invest surplus monies as per council's direction.
- Pay annual membership fee for CAPR
- Make bank deposits.
- Pay all invoices and council expenses, including accounting and legal fees, and board insurance.
- Reimburse council members for approved expenses as per college's Expense Policy.
- Maintain expense records.
- Prepare an annual budget.
- Prepare an annual financial statement, reviewed by the appointed accountant and provided to members as part of the annual college report prior to AGM. Send to the chair at least 2 weeks prior to the AGM.
- Check the mailbox at minimum monthly.
- Pay honoraria to council members (chair, vice-chair, treasurer, secretary and public representatives) at quarterly intervals.
- Pay registrar as per negotiated contract at quarterly intervals.

4.3.5 The treasurer shall also perform such other duties as directed by the council

#### **4.4 Secretary**

4.4.1 The secretary shall record minutes of all meetings of the council and the college, all regular, annual general, special and emergency meetings either in person or by substitute appointed for a specific meeting as determined by council; and shall keep and distribute a correct record of the proceedings in accordance with these bylaws or the Act.

4.4.2 Duties of the secretary include:

- Attend council regular, annual general, special and emergency meetings.
- Record and type all minutes, make copies, and email to council members within one month of the adjourned meeting.
- Forward all approved minutes to the website administrator to be stored on the college website (members section).
- Forward DRAFT AGM minutes and annual reports to the website administrator to be stored on the college website (members section). Send chair previous DRAFT AGM minutes one month prior to AGM.
- Read previous DRAFT AGM minutes at the AGM. Send approved AGM minutes to website administrator replacing DRAFT AGM minutes.
- Facilitate correspondence as required.
- Ensure all minutes and reports are in order prior to completing term.

4.4.3 The secretary shall also perform such other duties as directed by the council

#### **4.5 Public Representatives**

4.5.1 Duties of public representatives include:

- Attend council regular, annual general, special and emergency meetings.

- Provide a citizen's perspective to inform and strengthen policy.
- Participate in decision making.
- Appointment by council as an active member of the Investigative Committee as outlined in subsection 42 of the Act.

## **Part 5 –Meetings**

### **5.1 Annual General Meeting**

- 5.1.1 The annual general meeting of the college shall be held annually no later than May 31 of each year, at a time/location determined by council.
- 5.1.2 Notice of the annual general meeting, including time, place and nature of the business, shall be provided to members at least 30 days in advance.
- 5.1.3 The officers shall produce an outline of the general membership and report on council's activities since the previous annual general meeting.
- 5.1.4 The previous AGM minutes as well as annual reports (chair, financial statement, budget, and CAPR) require a motion to accept, a seconder and a vote.
- 5.1.5 Amendment to bylaws may be enacted from time to time by the council in accordance to subsection 10 of the Act. No motion at the AGM is required.
- 5.1.6 Quorum shall be 30% of active college membership.
- 5.1.7 The chair will adjourn the meeting. No seconder or vote is required.

### **5.2 Regular Meetings**

- 5.2.1 The council shall hold at least four regular meetings on a quarterly basis unless council decides otherwise;
- 5.2.2 As per subsection 8(2) of the Act, quorum means a majority of the members of council, at least one of whom must be a public representative;
- 5.2.3 A regular meeting of council shall be called by the chair;
- 5.2.4 Additional regular meetings may be held at the call of the council chair, or at the request of at least three (3) council members and containing the matter or matters for decision at the meeting.
- 5.2.5 At least seven (7) days in advance of the regular meeting, the chair will circulate a proposed agenda for the meeting; and reference material required (including draft minutes of most recent meeting).
- 5.2.6 At a regular meeting, council may only consider or transact:
  - a) matters brought by the Executive Committee;
  - b) recommendations and reports;
  - c) motions or matters where notice was given at the preceding council meeting or in writing to the chair at least 14 days before the meeting;



- d) matters which council agrees to consider by a majority of voting members where quorum has been met.
- e) routine and procedural matters in accordance with rules of order (section 5.7 of the bylaws).

5.2.7 Council shall be presented with financial statements of income and expenses at each regular council meeting by the treasurer.

### **5.3 Special Meetings**

- 5.3.1 The council may hold a special meeting to deal with a specific business matter.
- 5.3.2 A special meeting of the college shall be called by the chair as she/he deems necessary, or at the request of at least 20% of the general membership of the college and containing the matter or matters for decision at the meeting.
- 5.3.3 A special meeting of the council shall be called by the chair, or at the request of at least three (3) council members and containing the matter or matters for decision at the meeting.
- 5.3.4 No business shall be dealt with except that for which the meeting was called.
- 5.3.5 Notice of the time and place of a special meeting shall be given at least five (5) business days in advance of the meeting. The notice shall specify the business to be brought forward.

### **5.4 Emergency Meetings of Council**

- 5.4.1 Emergency meetings of council may be held at the call of the chair or by or at the request of at least three (3) council members in the case of a situation or decision that requires immediate attention to maintain the functions of the college or for which delay might cause irreparable damage.
- 5.4.2 Notice of the time and place of an emergency meeting shall be given at least two (2) business days in advance of the meeting, if time permits.
- 5.4.3 No business shall be dealt with except that for which the meeting was called.

### **5.5 Notice of Meetings**

- 5.5.1 In any council or college vote or meeting (whether annual, regular, special or emergency), the following rules apply:
  - i. Notice of the meeting or questions shall be given, specifying briefly and generally the nature of the business intended to be discussed.
  - ii. Every notice provided generally to registrants must also be provided to public representatives serving on the council or a committee.
  - iii. Agenda items (questions) shall normally be decided by the members.
  - iv. Each voting member (officers and public representatives) shall be entitled to one vote. A question shall be decided by simple majority of those casting a vote. A tie shall be taken as indicating that the motion has not carried.



- v. No council or committee meeting shall be made void because of an inadvertent or accidental error or omission in giving notice.

## **5.6 Meetings Held by Technological Means**

- 5.6.1 Any meeting of council or of a committee may be held in any manner that allows all the persons participating to communicate with each other simultaneously and instantaneously. Meetings may be held wholly or partly by technological means.
- 5.6.2 Persons participating in the meeting by such means are deemed to be present at the meeting.

## **5.7 Rules of Order**

- 5.7.1 Proceedings at meetings of the college and the council shall be guided by the following rules in all cases not specifically provided for in the Act, the regulations or in these bylaws.
  - a) Approval of agenda – no motion needed to amend or accept agenda. The chair will ask for additions to the agenda and advice on the order of items.
  - b) After approval of the agenda, the Chair will ask for any real or perceived conflicts of interests to be declared for any agenda item.
  - c) Approval of minutes of previous meetings. The chair will ask if there are any errors or omissions. Hearing none, the chair may call for a motion to approve the minutes as presented or amended. No seconder is needed and no formal vote is needed. Acceptance “as presented” or “as amended” with specifics on what if any amendments are needed should be recorded in the minutes.
  - d) An item on the agenda can only be discussed after the chair has introduced the item. Discussion will be limited to the agenda item at hand. Points of interest may be raised and any emerging topics will be placed into a parking lot, to be addressed in the future.
  - e) The chair reserves the right to limit discussion for consideration of time.
  - f) Motions are required for any decision that relates to a future direction of PEICPT including making, amending or revoking a bylaw, policy or standard involving physiotherapy practice and shall be decided by majority vote of present members of council where quorum has been met. A seconder is required. Motions consist of the following categories:
    - i. Motion to approve: Used for internal documents (e.g. financial reports, policies)
    - ii. Motion to accept: Used for external documents or expert opinion (e.g. Audit report).
    - iii. Motion to recommend: Used to recommend a course of action to an external body.
    - iv. Motion to proceed: Used when PEICPT is to adopt a course of action or stance proposed by a committee or an external body.
    - v. Motion to appoint: Used to appoint a committee or working group and its chair.
    - vi. Motion to refer: Used to refer a matter to a committee or working group for consideration and recommendations.
    - vii. Motion to adjourn: Used to end a meeting.
  - g) Informal discussion of a subject is permitted while no motion is pending, however as soon as the chair senses that the group is ready to formulate one, the chair will ask for a motion.

- h) A vote can be taken without a motion having been introduced; however it is to be stated in clear terms what is to be voted on. If everyone is in agreement, a vote can be taken by show of hands.
- i) The chair can speak in discussion and usually can make motions and usually votes on all questions. It is recommended the chair debates and votes last, after others have spoken. This allows the chair to summarize discussion and to remain more impartial. It is recommended the chair not propose motions with the preference for motions to come from members.
- j) If a debate is persisting for a duration beyond that which the chair deems reasonable, the chair can “call for a question”. This forces the council to decide whether to continue debating or whether to just vote. If two-thirds of the council votes that they are ready to vote on the motion at hand, then voting on the motion takes place immediately.
- k) Committees and working groups do not require motions as they cannot make a final decision for PEICPT.

5.7.2 Meetings and proceedings of the council shall be confidential, unless council determines otherwise. Each council member, registrar, representative or committee member is required to preserve confidentiality with respect to all information coming to their knowledge in the course of their duties unless the council determines otherwise. There shall be no recording of meetings via electronic means (e.g tape recording, video recording) without verbal consent from all parties present.

5.7.3 Where the council has adopted an official position on a matter, a council member, registrar, representative or committee member shall not engage in oral or written advocacy against the position in any public forum, including, but not limited to, legislative committees and news media aimed at the general public, without prior approval of council.

## **5.8 Council Action via Email Voting**

5.8.1 Council may take action via email in situations where a decision is required prior to the next regular meeting. Meetings must have simultaneous communication to consider it a meeting thus the exchange of email messages among council members does not constitute a meeting of the council.

5.8.2 Any motion, results of votes or decisions via consensus will be recorded into the minutes at the next council meeting.

## **Part 6. Committees**

The council may appoint such committee/agents as required and delegate such duties as the council considers advisable for carrying out its responsibilities.

### **6.1 Nomination Committee**

6.1.1 The nomination committee shall be chaired by the past chair or in the event the past chair is unable to fulfill this role, as appointed by council. The nominations committee will consist of one council member and at least one other council or college member.



- 6.1.2 Council shall provide the past chair the number of vacant council seats. The registrar will give notice via email to college members advising of the same, criteria to be met and contact information of the nominations committee.
- 6.1.3 The nomination committee shall establish a list of willing and qualified candidates to fill the vacant council seats. No one can be nominated without their consent.
- 6.1.4 The chair of the nominations committee shall present the list of nominees at the AGM and open the floor for additional nominations. When nominations stop, the chair of the nominations committee shall repeat three times "are there any more nominations from the floor". Hearing no further nominations, the chair of the nominations committee shall declare nominations closed.
- 6.1.5 Candidates from the floor may nominate themselves. Nominations do not require a seconder; however, it is not out of order for a member to second a nomination to signal their endorsement.
- 6.1.6 Following the nomination closing, the chair of the nomination committee repeats the name of the nominees to the assembly. Each nominee shall be provided two (2) minutes each to present themselves such as number of years as a practicing physiotherapist, practicing environment and their interest in sitting on council.
- 6.1.7 Nominees must be in good standing and meet the criteria described under clause 3.3.5 of the bylaws.
- 6.1.8 Nominees can decline the nomination during the nomination process.
- 6.1.9 Nominees do not have to leave the room during the nomination, when the vote is taken, or when the vote is counted by either public show of hands or by secret ballot.
- 6.1.10 The chair of the nominations committee shall present the results of the vote.

## **6.2 Executive Committee**

- 6.2.1 The executive committee shall be comprised of council members and consist of the chair and one other member of the council elected by council vote.
- 6.2.2 The executive committee shall support the registrar in the day to day operations of the college and to take action upon any matter delegated to it by the council or that requires attention between meetings of the council.
- 6.2.3 The registrar shall record and maintain meeting notes of executive committee meetings.
- 6.2.4 The executive committee shall assist the chair in determining if a matter requires full council consultation either via email, emergency meeting or special meeting prior to the next regular council meeting. The ultimate decision regarding course of action lies with the chair.
- 6.2.5 The executive committee shall oversee the preparation of the annual budget of the college and oversee the financial affairs of the college.
- 6.2.6 The executive committee shall make recommendations to council and ultimately council shall vote on the recommendations.
- 6.2.7 The executive committee meetings shall be held at the request of the chair.



### **6.3 Investigation Committee**

- 6.3.1 Council upon receiving a request under subsection 39(c) or 40(4)(a) or 41(1) of the Act shall appoint an investigation committee in accordance with subsection 42(1) of the Act. Refer to Part VI – Discipline of the Act.
- 6.3.2 The investigation committee may retain the services of experts and professionals to assist in interviewing and investigating any complaint as approved by council.
- 6.3.3 The investigation committee shall be reimbursed for expenses as per the college expense policy.
- 6.3.4 Where council determines a physiotherapist is in violation, unfit to practice or guilty of misconduct, the council is entitled to recover all or part of the costs incurred by a hearing as per subsection 58(2)(g) of the Act.
- 6.3.5 The maximum amount of a fine that may be ordered by a hearing committee is \$50,000 as per subsection 58(2)(h) of the Act.
- 6.3.6 If a member fails to comply with an order as per subsection 58(7) of the Act, council may suspend a members registration.

### **6.4 Other Committees**

- 6.4.1 Council may create standing or ad hoc committees as needed, such as the hearing committee (subsection 54 of the Act).

## **Part 7. Member Obligations**

### **7.1 The Register**

- 7.1.1 Within 30 days of a change, each member shall report to the college:
  - a) any change of name;
  - b) any change of address, telephone number, facsimile number or email address;
- 7.1.2 A member shall advise the registrar immediately if found guilty of an offense under the Criminal Code of Canada.

### **7.2 Professional Liability Insurance**

- 7.2.1 All members who provide patient care in the practice of physiotherapy, whether in a paid or volunteer capacity, must hold personal professional liability insurance in accordance to the Liability Insurance Policy.

### **7.3 Criminal Record Check**

- 7.3.1 All members will adhere to the Criminal Record Check Policy.

#### **7.4 Code of Ethics, Core Standards of Practice and Council Policies**

- 7.4.1 All members will adhere to the Code of Ethical Conduct for Canadian Physiotherapists, the Core Standards of Practice for Physiotherapists in Canada and all council policies/standards (refer to college website).


#### **7.5 Fees**

- 7.5.1 Upon application for registration, every applicant shall pay a non-refundable application fee and a non-refundable registration fee.
- 7.5.2 The membership year is January 1 to December 31, and an annual registration fee is payable by each member. Renewal of licence must be paid by November 30 prior to the beginning of the registration year, otherwise late fees will apply.
- 7.5.3 A member or applicant is only considered “active” when all fees are paid in full as confirmed by both the registrar and the treasurer, and has received confirmation from the registrar.
- 7.5.4 The council may establish fees, costs, levies, and assessments as it deems necessary.


#### **7.6 Physiotherapy Private Practice Business**

- 7.6.1 All college members who are in or about to establish a physiotherapy private business must adhere to the Physiotherapy Private Practice Standard.
- 7.6.2 Physiotherapy private practice assessments will be performed in accordance to the Physiotherapy Private Practice Standard. Payment for personnel completing assessments will be in accordance with the expense policy. Assessments will be completed by persons appointed by council.
- 7.6.3 Any corporation providing physiotherapy services on PEI must hold a valid Permit to operate as a Health Profession Corporation, which the registrar will add to the record. The eligibility criteria are outlined in section 15(2) of the Act. The application package is available upon request from the registrar.

In accordance with subsection 10 (1) of the Act, the bylaws were ratified on October 29, 2020

  
Carolyn MacPhail, chair PEICPT

Date October 29, 2020

  
Jennifer Kelly, registrar PEICPT

Date October 29, 2020

