College of Dental Technologists of Ontario
Ordre des Technologues Dentaires de l'Ontario

COLLEGE OF DENTAL TECHNOLOGISTS OF ONTARIO

BY-LAWS

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BY-LAWS OF THE COLLEGE OF DENTAL TECHNOLOGISTS OF ONTARIO

1. INTERPRETATION

1.01 – Definitions

In these By-Laws, unless otherwise defined or required by the context,

"Act" means the Dental Technology Act, 1991 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 4.14;

"By-Law" or "By-Laws" means the By-Laws of the College;

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

"College" means the College of Dental Technologists 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 By-Laws;

"Council" means the Council established under subsection 5(1) of the Dental Technology Act, 1991;

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

"Elected Member" means a Member who has been elected to serve on Council from an electoral district;

"Member" means a member of the College;

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

"President" and "Vice-President" mean, respectively, the President and the Vice-President of the College;

"Professional Association" means an organized group of individuals who promote and advocate for the interests of the profession related to dental technology, dentistry, denturism or other dental profession, but does not include a school whose sole purpose is to educate;

"Public Member" means a person appointed by the Lieutenant Governor in Council as described in section 5(1)(b) of the Act;

"Register" means the Register required to be kept pursuant to the Code;

"Registrar" means the Registrar of the College; 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 By-Laws 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 By-Laws 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 By-Laws 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 these By-Laws.

1.05 – Calculating Time

A reference in these and all By-Laws 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 By-Laws 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 – Forms

Certificates of registration and other documentation issued by the College shall be in such form as the Registrar shall provide.

3. EXECUTION OF CONTRACTS AND OTHER DOCUMENTS

3.01 – General Signing Authority

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

3.02 – Definition of Contracts, etc.

The term "contracts", “documents” or “instruments in writing" as used in these By-Laws is intended to include deeds, mortgages, hypothecs, charges, conveyances, transfers and assignments of property, real or personal, movable or immovable, powers of attorney, agreements, releases, receipts and discharges for the payment of money or other obligations, conveyances, transfers and assignments of shares, bonds, debentures or other securities and all paper writings.

3.03 – Summonses

Except where otherwise provided by law, the Registrar may sign summonses and notices on behalf of the College or any Committee.

3.04 – Seal

The seal depicted below is the seal of the College.

3.05 – 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 September and conclude on the last day of August the following year.

4.02 – Banking

Council shall appoint a Canadian chartered bank (which shall be a Schedule 1 or Schedule 2 bank under the Bank Act (Canada)) for the use of the College which shall be operated, managed and administered by the Registrar in such manner as Council may from time to time direct and by such other persons who may be authorized by Council. All money received shall be deposited in the account or accounts maintained by the College at such bank, without deduction for any purpose whatsoever. The College shall have a petty cash fund for expenditure items where payment by individual cheque is not practical, any such payment not to exceed $200 and such petty cash fund to be operated on an "as needed" basis. Except for payments out of the petty cash fund, all payments by the College shall be made by cheque or by electronic payment drawn on the College's bank account

4.03 – Authorized Signatories for Amounts Less Than $10,000

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 $10,000 may be signed by the Registrar alone.

4.04 – Authorized Signatories for Amounts of $10,000 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 $10,000 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 – Avoidance

The Registrar may not make any payment where amounts or orders have been split to avoid the limit on purchases or where due diligence has not been exercised with respect to potential or actual conflicts of interest.

4.06 – Borrowing and Giving of Security

The Registrar, or any one or more officers or employees of the College as Council determines, may, and with the approval by a two-thirds majority affirmative vote of Council members present and voting:

(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.

4.07 – 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

Any two of the Registrar, President and Vice-President may invest or re-invest the funds of the College which are not immediately required for the purposes of the College in such manner as Council may, by resolution direct, and, in order to implement such investment or reinvestment, Council may authorize by resolution an officer or officers of the College to carry out such direction.

Without limiting the generality of the foregoing, the funds of the College to be invested as referred to above in this section may be invested in securities issued or guaranteed by:

(i) the Government of Canada;

(ii) the Province of Ontario;

(iii) a corporate bond issued by a corporation with a rating of BBB or higher with the Dominion Bond Rating Service or a rating of four stars or higher with Morningstar Bond Ratings; or

(iv) a Schedule 1 Canadian chartered bank.

4.11 – Custody of Securities

All securities owned by the College shall be lodged, in the name of the College, with a Canadian chartered bank or a Canadian trust company, or in a safety deposit box, or held in accounts with such brokerage houses as may be authorized by Council. Any such securities and other documents shall be placed in, or removed from, the College's safety deposit box only by two of the President, the Vice-President, and the Registrar

4.12 – Ownership of Securities

All share certificates, bonds, debentures, notes or obligations belonging to the College shall be issued in the name of the College.

4.13 – Indemnification

Every Council Member, Committee member, officer, 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.

4.14 – 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.

4.15 – Term of Office

The Auditor shall remain in office until removed by Council.

4.16 – Notice to Auditors

The Registrar shall give notice of every appointment and re-appointment of an auditor to the auditor in writing promptly after the appointment or re-appointment is made, together with a copy of these By-Laws.

4.17 – Examinations by Auditors

The auditor shall make such examinations as will enable them to report to Council as required by law and under these By-Laws. Without limiting the generality of the foregoing, the auditor shall report to the Executive Committee at its last meeting before Council meeting at which the financial statements of the College are to be submitted. The auditor of the College shall report in writing to Council at the meeting at which the financial statements of the College are to be submitted and shall state in the report whether, in their opinion, the financial statements present fairly the financial position of the College and the results of its operations for the period under review in accordance with Canadian accounting standards for not-for-profit organizations.

4.18 – Access

The College's auditors shall be given a right of access at all reasonable times to all records, documents, books, accounts and vouchers of the College and shall be entitled to require from Council Members and other officers and employees of the College such information as in their opinion, giving due weight to the principle of privacy of personal information, is necessary to enable them to report as required by law and under this By-Law.

4.19 – Attendance at Meetings

The College's auditors shall be entitled to attend any meeting of Council and to be heard at any such meeting at which their representative is in attendance on any part of the business of the meeting that concerns the auditors or the financial statements of the College. The Registrar shall send a notice of every meeting of Council to the College's auditors in sufficient time so as to allow the College's auditors to arrange for representation at such meeting.

4.20 – 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 and provided to the Minister of Health and Long-Term Care.

4.21 – Deadline for Report

The report of the Auditor shall be prepared within 120 days of the close of the fiscal year for presentation to Council.

5. OFFICERS, THE REGISTRAR AND OTHER REPRESENTATIVES – GENERAL

5.01 – Officers of the College

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

5.02 – Term of Office

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

6. ELECTION OF OFFICERS

6.01 – Eligibility for Nomination

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

6.02 - Election Procedure

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

6.03 – Removal of President or Vice-President

The President and/or Vice-President may be removed from office by a resolution adopted by not less than two-thirds of Council Members present and voting subject to the following criteria:

(i) The President and/or Vice-President as the case maybe has been given advance notice of the resolution consistent with the notice period required for Council meetings;

(ii) The resolution is presented at a Council meeting;

(iii) The Registrar shall preside over the resolution;

(iv) The vote regarding this resolution shall be taken by secret ballot;

(v) Following the tally of the vote and the report to Council the Registrar shall ensure that the ballots are destroyed.

6.04 – 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.

6.05 – 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.

7. DUTIES OF OFFICERS

7.01 – Duties of the President

The President shall:

(i) if present, preside as Chair at all meetings of 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 these By-Laws; 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 these By-Laws;

(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.

8. THE REGISTRAR

8.01 – Appointment of Registrar

The Registrar shall be appointed by Council.

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

8.03 – Acting Registrar

Where the Registrar is absent and there is no Deputy 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 AND INDEMNITY

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 Members 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 Elected Members and at least five and no more than six Public Members.

10. ELECTION OF COUNCIL MEMBERS

10.01 – Electoral Districts

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

(a) Electoral District 1, the Central District, being composed of Toronto and Peel;

(b) Electoral District 2, the Western District, being composed of Bruce, Grey, Elgin, Essex, Huron, Chatham-Kent, Lambton, Middlesex, Oxford, Perth, Brant, Wellington, Dufferin, Haldimand, Norfolk, Hamilton, Halton, Niagara and Waterloo, and the Territorial Districts of Rainy River, Thunder Bay, Kenora, Algoma, Sudbury and Manitoulin; and

(c) Electoral District 3, the Eastern District, being composed of York, Durham, Ottawa, Simcoe, Northumberland, Peterborough, Prince Edward, Kawartha Lakes, Haliburton, Stormont, Dundas and Glengarry, Prescott and Russell, Renfrew, Hastings, Frontenac, Lennox and Addington, Lanark, and Leeds and Grenville and the Territorial Districts of Cochrane, Muskoka, Parry Sound, Nipissing and Timiskaming.

10.02 – Election Date and Term

Elections shall be held in November in the year before the year in which the term of office of the Elected Members of that electoral district expires.

10.03 – Term of Office

(i) The term of office of an Elected Member is three years. The serving Elected Members shall continue in office until their successors take office at the first regular meeting of Council in the calendar year following the election 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.

(ii) A Member may be elected for more than one term but no Member who is elected to serve on Council may be an Elected Member for more than nine consecutive years.

(iii) An Elected Member who has served for nine consecutive years is not eligible for election for a period of 12 consecutive months from the termination of his or her office.

10.04 – Number of Members 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
1 Central	3

2 Western	2
3 Eastern	2

10.05 – Eligibility for Election

A Member is eligible for election to Council if the Member has been nominated in accordance with these By-Laws, 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 Member resides in Ontario;

(ii) the Member holds a certificate of registration in the General Class;

(iii) the Member is engaged in the practice of dental technology in the electoral district in which he or she is nominated,

(iv) or if the Member is not engaged in the practice of dental technology, the district for which he or she is nominated is the location of the Member's principal residence;

(v) the Member is not nominated in more than one district;

(vi) the Member is not in default of payment of any fees to the College;

(vii) the Member is not the subject of any disciplinary, incompetency or incapacity proceeding;

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

(ix) the Member's certificate of registration is not subject to a term, condition or limitation imposed by the College;

(x) a period of six years has elapsed since the Member complied with all aspects of an order imposed by the Discipline or Fitness to Practice Committee;

(xi) the Member's certificate of registration has not been revoked or suspended, other than for non-payment of fees, in the six years preceding the date of nomination;

(xii) the Member has not been disqualified from Council or a Committee within the preceding three years;

(xiii) the Member has agreed to resign and does, before taking office, any position such as director, owner, board member, officer or employee that the Member holds with a Professional Association;

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

(xv) the Member is not currently and has not been for the previous year an employee of the College;

(xvi) the Member 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; and

(xvii) the Member is not in any default of returning any required form or information to the College.

10.06 – Eligibility to Vote

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

(i) holds a certificate of registration;

(ii) 21 days prior to the election practices the profession or, if the Member does not practice the profession, his or her principal place of residence, in the electoral district for which an election is being held;

(iv) is not in default of any fees or other amounts owed to the College; and

(v) is not in default of returning any required form or information to the College.

10.07 – Disputes Decided by the Registrar

Any disputes regarding a Member's eligibility to vote in an election shall be decided by the Registrar.

10.08 – Notice of Election and Nominations

At least 60 days before the date of an election, the Registrar shall notify every Member of the date of the election and of the nomination procedure, including the deadline for submitting nominations to the College.

10.09 – Nomination Deadline

The nomination of a candidate for election as a member of Council shall be in writing and shall be received by the Registrar at least 40 days before the date of the election.

10.10 – Signed Nominations

The nomination shall be signed by the nominator. When the nomination is made by a Member other than the nominee, the nominee shall also sign the nomination as a signal of his or her consent to the nomination. A Member may only sign one nomination form.

10.11 – 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.

10.12 – 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 Registrar shall not be eligible for election.

10.13 – 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 Registrar, shall not be included with the materials sent to Members under article 10.18.

10.14 – Withdrawal 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 Members eligible to vote that the candidate has withdrawn from the election.

10.15 – 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.

10.16 – Insufficient Number of Candidates

If the number of eligible candidates is less than the number of members of Council to be elected in that district, after declaring an acclamation pursuant to article 10.15, a vacancy (or vacancies) shall be deemed to exist and the Registrar shall hold a by-election in accordance with article 10.36 of these By-Laws.

10.17 – Registrar's Electoral Duties

The Registrar shall supervise and administer the election of candidates and, without limiting the generality of the above, the Registrar may, subject to these By-Laws,

(i) appoint returning officers and scrutineers;

(ii) establish procedures and any necessary deadlines including procedures and deadlines relating to the receipt of nominations, biographies and personal statements and ballots (or equivalent if voting is done electronically);

(iii) establish procedures for the opening and counting of ballots (or equivalent if voting is done electronically);

(iv) provide for the notification of the results of the election to all candidates and Members;

(v) provide for the destruction of ballots (or equivalent if voting is done electronically) following an election;

(vi) in exceptional circumstances, modify any time period respecting elections as the Registrar considers necessary to compensate for the exceptional circumstances; and

(vii) do anything else that the Registrar deems necessary and appropriate to ensure that the election is fair and effective.

10.18 – Voting Process

No later than 30 days before the date of an election, the Registrar shall send every Member 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 Registrar, a ballot (or equivalent if voting is done electronically) and an explanation of the voting process.

10.19 – 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.

10.20 – Number of Votes Cast

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

10.21 – 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 10.23.

10.22 – Tie Votes

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

10.23 – Request for Recount

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

10.24 – Manner of Recount

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

10.25 – 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 10.23.

10.26 – Proxy Voting

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

10.27 – Referral of Disputes to Executive Committee

If the Executive 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.

10.28 – Report and Recommendation of Executive Committee

Where the Executive Committee initiates an inquiry under article 10.27, 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.

10.29 – Options Available to Council

Council may, after reviewing the report and recommendation of the Executive Committee and subject to article 10.24, 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.

10.30 – Minor Irregularities Not Fatal

Council shall not declare an election result to be invalid solely on the basis of a minor irregularity regarding the requirements of these By-Laws or a procedure established by the Registrar.

10.31 – Disqualification of Elected Members

Council shall disqualify an Elected Member, if the Member,

(i) resigns from Council;

(ii) ceases to hold a certificate of registration in the General Class;

(iii) ceases to reside in Ontario;

(iv) is in default of payment of any fee prescribed by these By-Laws for a period of more than 60 days;

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

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

(vii) 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 (however, for greater certainty, a Council Member shall not be

disqualified by reason of serving on an association or organization to which he or she has been appointed by Council as a representative of the College);

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

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

(x) fails, without reasonable cause, to attend two or more consecutive meetings of a Committee;

(xi) fails, without reasonable cause, to attend a hearing or a review by a panel for which he or she has been selected;

(xii) is found guilty of a federal or provincial offence which, in the opinion of Council, is of such a nature that it warrants disqualification;

(xiii) breaches section 36 of the RHPA which, in the opinion of Council, is of such a nature that warrants disqualification;

(xiv) has breached the conflict of interest provisions of these By-Laws which, in the opinion of Council, is of such a nature that warrants disqualification: or

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

10.32 – Request for Removal of a Public Member

Council may request the removal of a Public Member by the Public Appointments Secretariat if the Public Member:

(i) resigns from Council;

(ii) ceases to reside in Ontario;

(iii) 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 (however, for greater certainty, a Council Member shall not be disqualified by reason of serving on an association or organization to which he or she has been appointed by Council as a representative of the College);

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

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

(vi) fails, without reasonable cause, to attend two or more consecutive meetings of a Committee;

(vii) fails, without reasonable cause, to attend a hearing or a review by a panel for which he or she has been selected;

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

(ix) breaches section 36 of the RHPA which, in the opinion of Council, is of such a nature that warrants disqualification;

(x) has breached the conflict of interest provisions of these By-Laws which, in the opinion of Council, is of such a nature that warrants disqualification: or

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

10.33 – Registrar's Receipt of Information

If the Registrar receives information which suggests that an Elected Member meets one or more of the criteria for disqualification set out in article 10.31, other than paragraphs (i) and (ii) 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.

10.34 – Effect of Disqualification

An Elected 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.

10.35 – Filling of Vacancies

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

(i) leave the seat vacant;

(ii) appoint a Member who meets the criteria for eligibility for election set out in article 10.05; or

(iii) direct the Registrar to hold a by-election in accordance with these By-Laws.

10.36 – By-Election

If the seat of an Elected Member becomes vacant more than 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 these By-Laws.

10.37 – Manner of Holding By-Elections

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

10.38 – 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 Elected Member's term would have expired.

11. COUNCIL MEETINGS

11.01 – Location and Frequency of Meetings

(i) Meetings of Council may be held at the College's offices or at any other place in Ontario as Council or Registrar may determine.

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

11.02 – Notice of Meetings

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 14 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 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 – 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 the Vice-President shall act as Chair and in the absence of both the President and the Vice-President, Council shall elect, from amongst their number, a Council Member to serve as Chair at that meeting.

11.06 – 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.

11.07 – Quorum

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

11.08 – Simple Majority

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

11.09 – Chair Vote

If the Chair is a member of Council, he or she may vote.

11.10 – Tie Votes

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

11.11 – 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.

11.12 – Rules

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

11.13 – Minutes

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

11.14 – Adjournments

Whether or not a quorum is present, the presiding Chair may, 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.

11.15 – 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 seven members of Council; or

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

11.16 – Notice of Special Meetings

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.

12. COMMITTEES – GENERAL

12.01 – Duties and Responsibilities

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

12.02 – 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.

12.03 – Composition of Committees

Unless stated otherwise in the Code or these By-Laws, every Committee of the College shall be composed of at least three persons and shall include at least one Elected Member and at least one Public Member. In appointing persons to a Non-Statutory Committee, Council may appoint persons who are neither Council Members nor members of the College unless the Code or these By-Laws provide otherwise.

12.04 – Ratios

Unless stated otherwise in the Code or these By-Laws, the number of Committee members who are also Members shall, wherever possible, exceed the number of Committee members who are Public Members.

12.05 – Filling Vacancies

Subject to articles 6.03 and 6.04, where a vacancy occurs in respect of the membership by a Council Member on a Statutory Committee, the Executive Committee shall, if necessary for a Committee to achieve its quorum or if necessary to give effect to the provisions of the Code, appoint Council members to fill any vacancies. Every Council Member of a Committee so appointed shall continue to be a member of such Committee until confirmed or replaced, provided that any such appointment shall not extend beyond the then remaining term of Council Member being replaced. Where a Council Member vacancy has occurred on any Committee, Council shall, at its next meeting, fill such vacancy from among the remaining Council Members or, if appropriate, confirm the replacement of Council member who was installed as a replacement by the Executive Committee as contemplated above.

12.06 – Vacancies

Despite anything in these By-Laws, 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 members unless otherwise provided in the Code or these By-Laws or unless the Committee is composed of only three members, in which case, the quorum for such a Committee shall be two members.

12.08 – Panels

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

12.09 – Honoraria and Expenses

The amount payable to members of committees who are Members 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 of:

(i) three members who shall be Elected Members and

(ii) two members who shall be Public Members.

(2) The President and Vice-President shall be members of the Executive Committee.

13.02 – Registration Committee

The Registration Committee shall be composed of:

(i) at least two Elected Members; and

(ii) at least one Public Member.

13.03 – Inquiries, Complaints and Reports Committee

The Inquiries, Complaints and Reports Committee shall be composed of:

(i) at least two Elected Members;

(ii) at least one Public Member; and

(iii) at least one Member who is not a member of Council.

13.04 – Discipline Committee

The Discipline Committee shall be composed of:

(i) at least two Elected Members;

(ii) at least two Public Members; and

(iii) at least two Members who are not members of Council.

13.05 – Fitness to Practise Committee

The Fitness to Practise Committee shall be composed of:

(i) at least two Elected Members; and

(ii) at least one Public Member.

13.06 – Quality Assurance Committee

The Quality Assurance Committee shall be composed of:

(i) at least one Elected Member;

(ii) at least one Public Member; and

(iii) at least one Member who is not a member of Council.

13.07 – Patient Relations Committee

The Patient Relations Committee shall be composed of:

(i) at least one Elected Member; and

(ii) at least two Public Members.

13.08 – Appointment of Committee Members

Unless otherwise stated in these By-Laws, every Committee member shall be appointed by Council, with the exception of the Executive Committee, whose members shall be elected

13.09 – Appointment of Non-Council Individuals

Subject to any specific composition requirements in these By-Laws, 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 in the case of Council members shall continue for approximately one year; and in the case of Committee members who are not members of Council shall continue for approximately two years.

13.11 – Chairs

Unless stated otherwise in these By-Laws, the Chair or Chairs of each Committee shall be a member of Council and shall be selected by the members of the Committee, failing which they may be appointed by Council. Council may, appoint or remove the Chair of a committee by resolution.

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 Member or other person, in order to complement the attributes of the other Committee members.

13.13 – Eligibility for Appointment

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

(i) the Members resides in Ontario;

(ii) the Member holds a certificate of registration in the General Class;

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

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

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

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

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

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

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

(xi) the Member is not currently and has not been for the previous year an employee of the College;

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

(xiii) the Member 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 these By-Laws that permit the removal of a Committee member in specific circumstances, Council may also remove a member of a Committee at its discretion, upon a resolution passed by a two-thirds majority affirmative vote of Council members present and voting.

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 these By-Laws, 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, these By-Laws 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, these By-Laws, any policies of the College and rules that are adopted by Council,;

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

(v) ensure that confidential matters coming to 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, Members and members of the public;

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

(viii) avoid, or where that is not possible, declare all conflicts of interest in the manner set out in these 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 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 member of Council or Committee member is alleged to have contravened the duties of a member of Council or Committee member or meets the criteria for disqualification set out in article 10.31 other than paragraphs (i) and (ii).

(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 may warrant formal action, it shall call a meeting of 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 Member from Council, or a report to the Public Appointments Secretariat requesting removal of the Public Member concerned from Council.

(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 10.31, and a decision to impose a particular sanction must be approved by a two-thirds majority affirmative vote of e 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 dental technology 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.

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 Council or its Committees.

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 these By-Laws, 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 Council or Committee member. In addition, each Council or Committee member shall declare any direct or indirect personal interest of a parent, spouse, 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 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 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 one-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 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 Council or is otherwise permitted under section 36(1) of the RHPA.

17.02 – Disclosure Under the RHPA

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

17.03 – Confidentiality Agreement

Council and Committee members, staff and persons retained or appointed by the College are required to sign, annually, the confidentiality 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 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 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 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 Members shall be from September 1st to August 31st.

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 Member 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 these By-Laws. The obligation to pay the annual registration fee continues even if the Registrar fails to provide the notice or the Member fails to receive such notice.

19.03 – Fee Amounts

Schedule 5 sets out the applicable fees that a Member or person shall pay to the College.

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 By-Laws 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) Every member who holds a certificate of registration in the General Class shall maintain professional liability insurance to indemnify the member for all errors and omissions that may occur while practicing dental technology provided through a policy of insurance with the following characteristics:

(i) the member is specifically named as an insured and for all settings in which the member practices;

(ii) the College is notified by the insurer if the policy is cancelled or the terms are amended before the expiration date;

(iii) the insurer is licensed with the Financial Services Commission of Ontario;

(iv) a minimum of $1,000,000 per claim, occurrence or loss and an annual aggregate limit of not less than $1,000,000;

(v) there is no amount as a deductible; and,

(vi) where the insurance policy is of a "claims made" form, the coverage must include an extended reporting period of at least two (2) years after the termination of the insurance policy.

(2) An Inactive Member 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 two years since the Member 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 Member holding a general certificate of registration 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 Member;

(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 that complies with the requirements of these By-Laws including that he or she shall submit proof of insurance to the Registrar 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 Member may rely on the insurance coverage provided by his or her employer so long as the insurance coverage complies with the requirements of these By-Laws including the ability to provide proof of coverage of the Member by the Member's name. If a Member is relying on insurance coverage provided by his or her employer, he or she must have insurance coverage that complies with the requirements of these By-Laws for all places of employment.

21. THE REGISTER

21.01 – Name in Register

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

21.02 – Exception for Name Change

The Member 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 Member;

(ii) is satisfied that the Member 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 articles 21.01 and 21.02, the Registrar may enter in the register as an alternative name used by the Member any nicknames or abbreviations that the Member uses in any place of practice.

21.04 – Business Address

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

21.05 – Business Telephone Number

A Member's business telephone number shall be the telephone number for receiving business communications designated by the Member, which telephone number may be different than the Member's telephone number for communications with the College. If the Member 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

Under subsection 23(2) of the Code and subject to certain exceptions contained in the Code, certain information must be contained in the College's register. As of June 4, 2009, the register is required to contain the following:

(i) Each member's name, business address and business telephone number, and, if applicable, the name of every health profession corporation of which the member is a shareholder.

(ii) The name, business address and business telephone number of every health profession corporation.

(iii) The names of the shareholders of each health profession corporation who are members of the College.

(iv) Each member's class of registration and specialist status.

(v) The terms, conditions and limitations that are in effect on each certificate of registration.

(vi) A notation of 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.

(vii) The result, including a synopsis of the decision, of every disciplinary and incapacity proceeding, unless a panel of the relevant committee makes no finding with regard to the proceeding.

(viii) A notation of every finding of professional negligence or malpractice, which may or may not relate to the member's suitability to practise, made against the member, unless the finding is reversed on appeal.

(ix) A notation of every revocation or suspension of a certificate of registration.

(x) A notation of every revocation or suspension of a certificate of authorization.

(xi) Information that a panel of the Registration, Discipline or Fitness to Practise Committee specifies shall be included.

(xii) Where findings of the Discipline Committee are appealed, a notation that they are under appeal, until the appeal is finally disposed of.

(xiii) Where, during or as a result of a proceeding under section 25 of the Code, a member has resigned and agreed never to practise again in Ontario, a notation of the resignation and agreement.

(xiv) Information that is required to be kept in the register in accordance with these By-Laws.

21.07 – Additional Register Information

In accordance with the authorization provided by paragraph 14 of subsection 23(2) of the Code, the following additional information with respect to each Member shall be kept in the register of the College and is designated public pursuant to subsection 23(5) of the Code:

(i) if there have been any changes to the Member's name since the date of the Member's initial application for registration, the former names of the Member;

(ii) the name, address and telephone number of every business entity that employs the Member as a practitioner of dental technology and, if the Member is self-employed as a practitioner of Dental Technology, the address and telephone number of the locations where the Member practises other than addresses of individual clients;

(iii) the Member's business email address;

(iv) the Member's registration number;

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

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

(vii) where the College is aware that a Member is currently registered or licensed to practise a profession inside or outside of Ontario, a notation of that fact;

(viii) where a Member is engaged in the practice of dental technology in Ontario, the address and telephone number of each location at which the member regularly engages in that practice;

(ix) where a Member is engaged in the practice of dental technology in Ontario, the name and address of the person or business for whom or through which the member primarily engages in the practice of dental technology in Ontario;

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

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

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

(xiii) a summary of any currently existing conditions, terms, orders, directions or agreements relating to the custody or release of the Member in respect of provincial or federal offence processes of which the College is aware and that the Registrar believes is relevant to the Member's suitability to practise;

(xiv) a summary of any findings of guilt, of which the College is aware, made by a court against a Member in respect of a provincial, federal or other offence that the Registrar believes is relevant to the Member's suitability to practise;

(xv) where, on or after December 31, 2015 , for a complaint or for a matter in which an investigator is appointed under 75(1)(a) or 75(1)(b) of the Code, a panel of the Inquiries, Complaints and Reports Committee requires a member to appear before a panel of the Inquiries, Complaints and Reports Committee to be cautioned:

(a) a notation of the fact, including a summary of the caution;

(b) the date of the panel's decision; and

(c) 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;

(xvi) where, on or after December 31, 2015, for a complaint or for a matter in which an investigator is appointed under 75(1)(a) or 75(1)(b) of the Code, a panel of the Inquiries, Complaints and Reports Committee requires a member to complete a specified continuing education or remediation program (SCERP):

(a) a notation of the fact, including a summary of the SCERP;

(b) the date of the panel's decision; and

(c) 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.

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

(a) resulting from an undertaking given by the member to the College or an agreement entered into between the member and the College; or

(b) 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 of the restriction;

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

(a) a notation of that fact, including the date of the referral;

(b) a summary of each specified allegation;

(c) the notice of hearing;

(d) the anticipated date of the hearing if the hearing date has been set or the next scheduled date for the continuation of the hearing if the hearing was adjourned to a specific date or if the hearing was adjourned without a specific date, a notation to that effect;

(e) if the hearing is awaiting scheduling, a statement of that fact; and

(f) if the hearing of evidence and arguments is completed and the parties are awaiting a decision of the Discipline Committee, a statement of that fact;

(xix) where the College is aware that a pending allegation of professional misconduct or incompetence or a similar allegation has been referred to a discipline type of hearing against a member registered or licensed to practise a profession inside or outside of Ontario,

(a) a notation of that fact;

(b) the date of the referral if available;

(c) a brief summary of each allegation if available; and

(d) the notice of hearing if available.

(xx) 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;

(xxi) for every application to the Discipline Committee or Fitness to Practice Committee for reinstatement that has not been finally resolved, until that matter has been resolved,

(a) a notation of that fact, including the date of the application;

(b) the anticipated date of the hearing, if the hearing date has been set or the next scheduled date for the continuation of the hearing if the hearing has commenced;

(c) if the hearing has been adjourned and no future date has been set, the fact of that adjournment, and

(d) if the decision is under reserve, that fact;

(xxii) if an application to the Discipline Committee or Fitness to Practice Committee for reinstatement has been decided, the decision of the committee;

(xxiii) where a finding of professional negligence or malpractice is contained in the College's register, the following information;

(a) the notice of and a description of the finding;

(b) the date the finding was made against the member;

(c) the name and location of the court that made the finding against the member; and

(d) the status of any appeal respecting the finding made against the member;

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

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

(xxvi) where the Member'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;

(xxvii) where the Member'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;

(xxviii) where the College is aware that a finding of professional misconduct or incompetence or similar finding has been made against the Member 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 brief 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;

(xxix) where the College is aware that a finding of incapacity or similar finding has been made against the Member 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;

(xxx) where a decision of the Discipline Committee has been published by the College with the Member'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;

(xxxi) where, during or as a result of a proceeding under section 25 of the Code a Member has resigned, a notation of that fact;

(xxxii) where, on or after December 31, 2015, the Registrar confirms whether the College is investigating a member because there is a compelling public interest in disclosing this information pursuant to 36(1)(g) of the RHPA, the fact that the member is under investigation;

(xxxiii) in addition to the name of every health profession corporation of which the Member is a shareholder, the business address, business telephone number, business e-mail address, if there is one, and any operating names of the health profession corporation; and

(xxxiv) any of the information in respect of a former Member 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 at least fifty years after the termination of membership.

21.08 – Removal of Information

(i) Notwithstanding paragraphs 15 and 66 of article 21.07 where, after a review, the Inquiries, Complaints and Reports Committee has been required to remove or vary the appearance for a caution or a SCERP, may be removed once the Committee makes its new decision. Where the original requirement to appear for a caution or to complete a SCERP has been varied, the Registrar may enter a summary of the process leading up to and the results of the variation;

(ii) The information required by paragraph 15 of article 21.07 shall be removed from the Register after twenty-four months once the Registrar is satisfied that the member has appeared before a panel of the Inquiries, Complaints and Reports Committee and received the caution.

(iii) The information required by paragraph 16 of article 21.07 shall be removed from the Register once the Registrar is satisfied that the member has successfully completed the SCERP that was the subject of the decision of the panel of the Inquiries, Complaints and Reports Committee.

(iv) If, upon application of the member, and in the opinion of the Registrar, the information required by paragraph 14 of article 21.07 is no longer relevant to the member's suitability to practise, the information may be removed from the Register.

21.09 – 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 By-Laws 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.

21.10 – Providing Information to the College

If requested, the Member shall immediately, and in any event no later than five days after receiving the request, 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 By-Laws;

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

(iii) the Member's preferred e-mail address for communications from the College;

(iv) the Member's professional activities including the Member's areas of practice;

(v) information regarding the Member's employment including:

  (a) the Member's title and position, and

  (b) a description of the Member's role, duties, and responsibilities;

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

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

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

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

21.11 – Notification of College

The Member 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 Member's name,

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

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

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

(v) the Member's preferred email address for communications with the College.

22. PROFESSIONAL CORPORATIONS

22.01 - Duty to Provide Information

Every Member shall, for every professional corporation of which the Member is a shareholder, provide in writing the following information: (i) on the application and annual renewal forms for a certificate of authorization: (ii) upon the written request of the Registrar; or (iii) 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 and Consumer 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 Member; 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 these By-Laws sets out the Code of Ethics for the profession.

25. BY-LAWS AND AMENDMENTS

25.01 – Effective Date

These By-Laws shall become effective as soon as they have been approved by Council whereupon all previous By-Laws made by Council are hereby repealed.

25.02 – Amendments

The By-Laws of the College or any section thereof may be enacted, amended, or revoked by a two thirds majority affirmative vote of Council Members present and voting at a meeting of Council called for that purpose.

25.03 – Repeal of Former By-laws

The repeal of any By-Law in whole or part shall not in any way affect the validity of any act done or right, privilege, obligation or liability acquired or incurred thereunder or the validity of any contract or agreement made pursuant to any such By-Law prior to such repeal. All members of Council and other persons acting under any By-Law so repealed in whole or in part shall continue to act as if elected or appointed under the provisions of these By-Laws.

SCHEDULE 1 TO THE BY-LAWS

Process for Election of Officers

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

Before the first regular meeting of the newly elected Council each year or any other Council meeting designated for the purpose by Council resolution, the Registrar shall send an invitation to all Council Members requesting any person wishing to stand for election to the offices of the President, Vice-President and Executive Committee member to indicate so, in writing, to the Registrar.

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. Nominations may also be made from the floor.

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 secret ballot, with the result being tabulated and then recorded and reported by the Registrar.

Before the vote, candidates shall be given the opportunity to speak for a period not exceeding five minutes (order to be determined by lot). The election of a candidate shall be confirmed by a majority vote of those present and voting, taken by secret ballot. Where no candidate receives a majority vote, the candidate receiving the fewest votes shall be disqualified and Council shall, by secret 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 for a period not exceeding five minutes 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 remaining Executive Committee positions shall be elected in a similar manner ensuring that there are an appropriate number of Members and Public Members.

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

SCHEDULE 2 TO THE BY-LAWS

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 Chair 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 Chair 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 Chair.

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 Chair that the debate on a matter has concluded, when Council has passed a motion to vote on the motion or when the time allocated to the debate on the matter has concluded, the Chair shall put the motion to a vote.

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 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 Chair is of the opinion that a motion offered to Council is contrary to these rules or these By-Laws, he or she shall rule the motion out of order and give his or her reasons for doing so.

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

15. The above rules may be relaxed by the Chair if it appears that greater informality is beneficial in the particular circumstances, unless 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 these By-Laws, including audio or video conferencing.

SCHEDULE 3 TO THE BY-LAWS

Code of Conduct for Council and Committee Members

(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:

(i) be familiar and comply with the provisions of the *RHPA* and its regulations, the Code , the Act, and these By-Laws and policies of the College;

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

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

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

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

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

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

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

(ix) 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);

(x) 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*;

(xi) 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;

(xii) 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 Council or where otherwise appropriate;

(xiii) 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 BY-LAWS

Code of Ethics for Dental Technologists

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

College publications contain practice parameters and standards which should be considered by all Ontario dental technologists 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.

Preamble

The ethical foundation of the practice of dental technology consists of general principles of conduct which the profession has come to accept as prerequisites to maintain the dignity and integrity of the profession. This Code is intended to outline, in broad fashion, the duties and responsibilities to which members of the College are expected to adhere in their relations with the public, their fellow practitioners and other health professionals.

General

Ethical dental technologists will:

1. have as their consideration the adequate design, construction, repair or alteration of dental prosthetic, restorative and orthodontic devices;

2. strive to improve the standards of dental technology services;

3. uphold the honour and dignity of the profession by standards of integrity and behaviour;

4. recognize their limitations;

5. be responsible in setting a value on their services;

6. abide by the laws of the jurisdiction in which they practise;

7. inform the College when a physical or mental disease/condition has affected or may affect over time, their ability to practise safely or competently;

8. inform the College, because of reasonable grounds obtained in the course of practising the profession, of conduct that may constitute sexual abuse or sexual harassment of another dental technologist or a member of another College.

Services to the Public

Ethical dental technologists will:

1. practise their profession with all the knowledge and ability of which they are capable;

2. not practise under conditions which may adversely affect the quality of their services;

3. continue their education to improve their standards of services;

4. kindly but firmly insist upon doing only those things which their professional knowledge dictates to be in the best interest and welfare of the patients for whom dental technology services are requested;

5. not abdicate their professional responsibilities to protect the health and well-being of their patients for whom dental technology services are requested;

6. recognize that patients have the right to accept or reject any treatment plan recommended by a dental technologist and have the right to request opinions from other dental technologists;

7. keep in confidence information derived from their patients or from colleagues regarding patients and divulge it only with the permission of the patients except when the law requires them to do otherwise, and in circumstances of interprofessional consultation;

8. ensure that their conduct in the practice of their profession is above reproach and that they will not take, physical, emotional or financial advantage of patients referred to them;

9. assist on patients' requests, by supplying them the information required to enable the patients to receive any benefits to which they may be entitled;

10. not hold out to the public as exclusive agents of any method or technique unless they are qualified;

11. cooperate with appropriate public officials;

12. act in a manner consistent with the Canadian Human Rights Act and the Human Rights Code (Ontario);

13. inform the College, because of reasonable grounds obtained in the course of practising the profession, of conduct constituting sexual abuse of a patient by a member of the College, or, where such conduct is by a member of another College, inform the College of which the person who is a member.

Fellow/Prescribing Practitioners

Ethical dental technologists will:

1. not pass judgement on the qualifications of or procedures rendered by fellow practitioners except as may be required in the interest of patients' oral health;

2. render only such dental technology service as has been requested by the prescribing practitioner;

3. not collaborate with prescribing and/or fellow practitioners in acts that may lead to fraudulent activities or contravention of the Act or the RHPA.

SCHEDULE 5 TO THE BY-LAWS
Fees

Fees for 2017-2018	
Description	
Registration Examinations	
Examination Application Processing Fee (non-refundable)	$ 260
Eligibility Examination	$ 260
Written Theory	$ 260
Jurisprudence and Ethics	$ 260
Practical Projects	$ 1,562
Individual Practical Project - Repeat	$ 469
Appeal of Examination Results	$ 421
Registration	
New Applicants	
New Application Evaluation & Processing Fee (non-refundable)	$ 260
General Certificate of Registration	$ 1,556
Laboratory Supervision Status (Stamp)	$ 91
Members	
Renewals	
General Certificate of Registration	$ 1,556
Laboratory Supervision Status (Stamp)	$ 91
Inactive Certificate of Registration	$ 781
Request to Transfer Class of Registration	
Transfer Application Processing Fee (non-refundable)	$ 260
General Certificate of Registration	$ 1,556
Inactive Certificate of Registration	$ 781
Health Profession Corporation	
New Application Evaluation & Processing Fee (non-refundable)	$ 114
Certificate of Authorization - First Year and Renewals	$ 1,249
Other Fees	
Late Payment Penalty for every month of delay in fee payment effective September 1	$ 229
Lifting of Suspension Fee	$ 260
Reinstatement fee	$ 260
Document Replacement Fee	$ 104
Quality Assurance	
Assessment Ordered by Quality Assurance Committee	$ 614
Administrative Services	
Recount of ballots	$ 526
File or information search	$ 52
Letter of good standing	$ 104
Reference letter	$ 52
NSF Cheque	$ 52
Duplicate Receipt	$ 20