College of Registered Psychotherapists of Ontario

By-laws

of the

College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario

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By-laws of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario

All previous by-laws of the College are hereby repealed and replaced with this by-law.

1. INTERPRETATION

1.01 – Definitions

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

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

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

"Body that Governs a Profession" means a college, society, institute, association, government department or agency or any other entity that regulates a profession under statutory authority.

"Case Developer" means an individual retained by the College to write, review, or validate hypothetical scenarios used by Peer Circle Facilitators or as part of the Quality Assurance Program;

"Client Relations Committee" means the Patient Relations Committee established under section 10 of the Code;

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

"College" means the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario;

"Committee" means a committee of the College and includes statutory committees established under section 10 of the Code, standing committees, ad hoc committees, planning groups and working groups and any other committee established by Council under these by-laws;

"Council" means the Council established under subsection 6(1) of the *Psychotherapy Act, 2007*, and may be used interchangeably with "Board";

“Member” means a person elected or appointed to the Board or a Committee;

“Peer Coach” means a peer assessor appointed under section 81 of the Code;

“Peer Circle Facilitator" means an individual vetted, approved and trained by the College to facilitate a case-based group learning activity where the purposes are to support participants in developing their knowledge, skill and judgment with respect to the practical application of standards, law, and ethical principles using ethical decision-making models, to provide an opportunity for participants to practice complex decision-making, and to support collaboration and development of professional relationships;

“Practice Advisor” means a contractor retained by the College to answer inquiries about standards that apply to Registrants;

“President” means the President referred to in section 7 of the Act, and may be used interchangeably with “Board Chair” and “Chair of the Board”;

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

“Public Member” means a person described in clause 6(1)(b) of the Act;

“Registrant” means a person registered with the College as a member as defined in the Code;

“Registrar” means the person appointed by Council as Registrar for the College. The “Registrar” includes any person appointed or designated as Acting Registrar; and

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

1.02 – Ontario Registered Psychotherapists Discipline Tribunal

The Discipline Committee shall be known as the Ontario Registered Psychotherapists Discipline Tribunal (ORPDT) in English and Tribunal de discipline des psychothérapeutes autorisés de l’Ontario (TDPAO) in French, and each reference to the Ontario Registered Psychotherapists Discipline Tribunal or the Tribunal de discipline des psychothérapeutes autorisés de l’Ontario, whether orally or in writing, shall be deemed to be a reference to the Discipline Committee of the College as specified in the Code and the Act, and any other legislation or policy where the context requires.

1.03 – Singular and Plural / Masculine, Feminine, and Non-Binary

In these and all by-laws of the College, the singular shall include the plural and the plural shall include the singular. The masculine, feminine, and non-binary shall include one another.

1.04 – Legislative References

Any reference in these and all by-laws of the College to a statute, a regulation or a section of a statute or regulation shall be deemed to apply to any re-enactment or amendment of that statute, regulation or section, as the case may be.

1.05 – Consistency and Severability

All provisions of these and all by-laws of the College shall be interpreted in a manner consistent with the RHPA and the Act and where any inconsistency is found to exist, the inconsistent provision shall, where practical, be severed from the by-law. The invalidity of any part of these by-laws for any reason does not affect the validity of the remainder of these by-laws, which shall continue in full force and effect as if such invalid part had never been included here.

1.06 – 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.

1.07 – 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.

1.08 – Employment

A reference in these and all by-laws of the College to employment of or by a Registrant, including employment by a Professional Association, includes other forms of business relationships, such as partnerships, as a contractor or in a practice association.

2. GENERAL

2.01 – Head Office

The head office of the College shall be in the Province of Ontario, at such city or region as Council may determine from time to time.

2.02 – Forms

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

3. EXECUTION OF CONTRACTS AND OTHER DOCUMENTS

3.01 – General Signing Authority

Documents requiring execution by the College, such as a contract, may be signed by, the Registrar or Deputy Registrar, together with one of the President, Vice-President or other such person as Council may designate, and all documents so signed are binding upon the College without further authorization or formality.

3.02 – Documents Valued at Less Than $20,000

Notwithstanding article 3.01, documents involving liability of less than $20,000 (and that total amount is to include any and all extensions and/or renewals contemplated in the document) can be signed by the Registrar or Deputy Registrar alone, and documents so signed are binding upon the College without further authorization or formality.

3.03 – Other Signing Authority

Instead of, or in addition to, the persons specified in articles 3.01 or 3.02, Council may appoint from time to time, any one or more officers or other persons to sign contracts, documents and instruments in writing on behalf of the College, whether generally or in relation to specific contracts, documents or instruments in writing.

3.04 – 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 April and conclude on the last day of March the following year.

4.02 – Appointed Bank

Council shall appoint, from time to time, one or more Canadian banks chartered under the *Bank Act* (Canada) for the use of the College.

4.03 – Authorized Signatories for Amounts Less Than $20,000

Subject to article 3.03, all cheques, drafts, notes, or orders for payment of money and all notes and acceptances and bills of exchange in an amount less than $20,000 may be signed by the Registrar or Deputy Registrar alone.

4.04 – Authorized Signatories for Amounts of $20,000 or More

Subject to article 3.03, all cheques, drafts, notes, or orders for payment of money and all notes and acceptances and bills of exchange in an amount of $20,000 or more shall be signed by the Registrar or Deputy Registrar together with one of the President, Vice-President or such other person as Council may designate.

4.05 – Borrowing

Subject to any limitation set out in these or any other by-laws of the College, Council may, by resolution,

(i) borrow money on the credit of the College;

(ii) limit or increase the amount or amounts that may be borrowed;

(iii) issue, sell or pledge debt obligations of the College, including, but not limited to, bonds, debentures, notes or other liabilities, whether secured or unsecured; and

(iv) charge, mortgage, hypothecate or pledge all or any of the real or personal property of the College, including book debts, rights, powers, franchises and undertakings, to secure any such securities or any money borrowed, or other debt, or any other obligation or liability of the College.

4.06 – Delegation of Borrowing Authority

Council may, from time to time, authorize one or more officers, Council members or employees of the College to exercise any or all of the powers set out in article 4.05 in such a manner as Council shall determine.

4.07 – Budget

Council shall approve annually,

(i) an operating expense and revenue 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 $35,000 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 $35,000 if the expenditure has previously been approved as an item in the College budget;

(iii) the Registrar may authorize expenses not exceeding $10,000 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 $10,000 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.

4.10 – Investments

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

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

(a) the Government of Canada, or

(b) the Government of any province of Canada;

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

(iii) other investments approved by Council generally.

4.11 – Indemnification

Every Council member, Committee member and officer or employee or appointee of the College, including assessors, investigators and inspectors, and each of their heirs, executors and administrators and estate, respectively, shall from time to time and at all times be indemnified and saved harmless out of the funds of the College from and against:

(i) all costs, charges, expenses, awards and damages whatsoever that he or she sustains or incurs in any action, suit or proceeding that is brought, commenced or prosecuted against them in respect of any act, deed,

matter or thing whatsoever made, done or permitted by them in or about the execution of the duties of their 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 or damages as are occasioned by their own wilful neglect or default. Where the person is a commercial service provider (e.g., a private investigator hired to conduct an investigation), the College has discretion as to whether or not to provide indemnity.

4.12 – Appointment of Auditor

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

4.13 – Term of Office

The Auditor shall remain in office until removed by Council.

4.14 – Audited Financial Statements and Report

The audited financial statements of the College, together with a signed and certified copy of the Auditor's report, shall be presented annually to Council.

4.15 – Deadline for Report

The report of the Auditor shall be prepared within one hundred and twenty (120) days of the close of the fiscal year for presentation to Council.

5. OFFICERS – 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 from time-to-time.

5.02 – Term of Office

The term of office for each officer of the College shall commence at the next regular Council meeting following their election as an officer and shall continue until

the next regular Council meeting after the next election for officers, approximately one year later.

5.03 – Maximum Term

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

6. ELECTION OF OFFICERS

6.01 – Eligibility for Nomination

Only a member of Council with one year of experience serving on Council by the time they would take office, is eligible for nomination or election as an officer of the College. One year of experience serving on Council is not required if the nomination is made from the floor in accordance with Schedule 1.

6.02 – Election Procedure

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

6.03 – Filling Vacancies (President)

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

6.04 – Filling Vacancies (Other Officers)

In the event that any member of the Executive Committee, other than the President, is removed from office, resigns or dies or that position becomes vacant for any reason, Council may elect a new member to hold office for the remainder of the term. If Council is unable to fill the position promptly the Nominations and Elections Committee can appoint another Council member to the Executive Committee on an interim basis.

7. DUTIES OF OFFICERS

7.01 – Duties of the President

The President shall:

(i) if present, and subject to article 11.06, preside as Chair at all meetings of the Council;
(ii) serve as Chair of the Executive Committee;
(iii) perform those duties assigned to the President in the by-laws, including those set out in article 18; and
(iv) perform all duties and responsibilities pertaining to their office and such other duties and responsibilities as may be decided by Council.

7.02 – Duties of the Vice President

The Vice-President shall:

(i) perform the duties of the President in the event that the President is unable to perform those duties;
(ii) perform those duties assigned to the Vice President in the by-laws;
(iii) serve on the Executive Committee; and
(iv) perform all duties and responsibilities pertaining to their 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 determines otherwise:

(i) serve on the Executive Committee; and
(ii) perform all duties and responsibilities as may be decided by Council.

7.04 – Past President

Council may, by a majority vote conducted by secret ballot of those present and voting, appoint the current, outgoing President as Past President. The Past President is a nonvoting officer. Notwithstanding article 5.03, the maximum term for the Past President is one consecutive term of approximately one year. The Past President shall not hold another office of the College. Articles 6.01, 6.04 and Schedule 1 of the by-laws do not apply to the appointment or office of Past President.

8. THE REGISTRAR

8.01 – Appointment of Registrar

The Registrar shall be appointed by Council and, despite subsection 12(1) of the Code, the Executive Committee shall not exercise the authority of Council under this article.

8.02 – Duties of the Registrar

The Registrar shall be the Chief Executive Officer of the College and shall have such duties and responsibilities as are conferred by the Act, the RHPA, the 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

If a vacancy occurs in the office of the Registrar, the Executive Committee or Council shall appoint an Acting Registrar until a Registrar is appointed, and during extended absences, the Registrar may appoint, in writing, a senior staff member to serve as the Acting Registrar during the Registrar's absence.

8.04 – Deputy Registrar

The Registrar may appoint or designate a Deputy Registrar and delegate and/or assign to them any duties or responsibilities in addition to any assigned in the by-laws.

9. COUNCIL - GENERAL

9.01 – Authority of Council

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

9.02 – Honoraria & Expenses

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

9.03 – Composition of Council

Council shall be composed of nine (9) Registrants and as many Public Members as are appointed by Lieutenant Governor in Council in accordance with section 6 of the Act.

9.04 – Term of Office

The term of office of an elected member of Council shall commence on the day of the second regular Council meeting after the election and shall continue for approximately three (3) years until their successor takes office in accordance with these by-laws, or until he or she resigns their office or is removed from Council, or until such other time designated by Council, whichever occurs first.

10. ELECTION OF COUNCIL MEMBERS

10.01 – Electoral Districts

The following electoral districts are established for the purposes of the election of Council members (with necessary modifications by the Registrar to ensure that the entire province is covered and that there is no overlap of Districts 1-7):

1. Electoral District 1 (West) to be composed of the City of Brantford, the Municipality of Chatham-Kent, the Regional Municipality of Waterloo, and the counties of Bruce, Grey, Huron, Perth, Wellington, Dufferin, Lambton, Middlesex, Oxford, Essex, Elgin, Norfolk and Haldimand.
2. Electoral District 2 (North) to be composed of the districts of Kenora, Rainy River, Thunder Bay, Cochrane, Algoma, Timiskaming, Manitoulin, Nipissing, Parry Sound, and Sudbury, the counties of Simcoe, Peterborough and Haliburton, the cities of Greater Sudbury and Kawartha Lakes, and the District Municipality of Muskoka.
3. Electoral District 3 (East) to be composed of the County of Lanark, County of Renfrew, County of Prince Edward, United Counties of Leeds and Grenville, United Counties of Prescott and Russell, United Counties of Stormont, Dundas and Glengarry, Hastings County, County of Lennox and Addington, County of Frontenac, the County of Northumberland, and the City of Ottawa.
4. Electoral District 4 (Central East) to be composed of the regional municipalities of Durham and York.
5. Electoral District 5 (South West) to be composed of the City of Hamilton and the regional municipalities of Halton and Niagara.
6. Electoral District 6 (Central West) to be composed of the Regional Municipality of Peel,

7. Electoral District 7 (Central) to be composed of the City of Toronto; and
8. Electoral District 8 (Ontario) to be composed of the whole of the province of Ontario.

10.02 – Election Date

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

(i) there shall be an election for the North, East and Central East, electoral districts in 2026, if possible, and every third year after 2026;
(ii) there shall be an election for West, South West and Central West electoral districts in 2027, if possible, and every third year after 2027; and
(iii) there shall be an election for the Central and Ontario electoral districts in 2025, if possible, and every third year after 2025.

10.03 – 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	1
2	1
3	1
4	1
5	1
6	1
7	2
8	1

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

(i) the number of Council members whose terms of office have expired or will expire on the day of the elections, and

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

10.04 – Eligibility for Election

A Registrant is eligible for election to Council if the Registrant has been nominated in accordance with the by-laws, has completed and returned the conflict of interest and Council competency questionnaires and if, on March 31 of the year in which an election is held and up to and including the date of the election,

(i) the Registrant holds a certificate of registration other than a Temporary or Emergency certificate of registration;

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

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

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

(v) the Registrant has not been the subject of any professional misconduct, incompetence or incapacity finding in the preceding six (6) years;

(vi) the Registrant has not been required by the Inquiries, Complaints and Reports Committee in the preceding six (6) years:

a. to complete a specified continuing education or remediation program as authorized by paragraph 4 of subsection 26(1) and subsection 26(3) of the Code, nor

b. to attend before a panel of that committee to be cautioned as authorized by paragraph 3 of subsection 26(1) of the Code;

(vii) the Registrant's certificate of registration has not been revoked or suspended in the preceding six (6) years for any reason other than non-payment of fees;

(viii) the Registrant's certificate of registration is not subject to a term, condition, or limitation imposed by the Ontario Registered Psychotherapists Discipline Tribunal;

(ix) the Registrant has resigned, no less than one year before the date of the election, any responsible position such as director, board member, officer or employee that the Registrant holds with a Professional Association relating to psychotherapy;

(x) the Registrant has not been disqualified from Council or a Committee within the preceding six (6) years;

(xi) the Registrant is not a member of a council of any other college regulated under the RHPA or of the Ontario College of Social Workers and Social Service Workers;

(xii) the Registrant is not, and has not been for the twelve months immediately before the date of the election, an employee of the College;

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

(xiv) the Registrant has not, in the preceding six (6) years, commenced, joined, maintained, or materially contributed to legal proceedings, including before a tribunal, against the College, any of its committees, any of its Council or committee members, or any of its staff or other representatives; and

(xv) the Registrant is not running for election in another electoral district.

10.05 – Eligibility to Vote

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

(i) on the day of the election, the Registrant,

a. holds a certificate of registration other than a Temporary or Emergency certificate of registration;

b. is not in default of any fees or other amounts owed to the College; and

c. is not in default of returning any required form or information to the College; and

(ii) on March 31 of the year in which an election is held, has registered with the College, their principal place of practice or, if the Registrant does not practise the profession, their principal place of residence, in the electoral district for which an election is being held.

10.06 – Disputes Decided by the Nominations and Elections Committee

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

10.07 – Notice of Election and Nominations

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

10.08 – Nomination Deadline

The nomination of a candidate for election as a member of Council shall be in writing and shall be received by the Registrar at least thirty (30) days before the date of the election.

10.09 – Signed Nominations

The nomination shall be signed by the nominee as a signal of their consent to the nomination.

10.10 – Council Role Orientation

No Registrant is eligible for election as a member of Council unless they have completed the candidate orientation course that was set or approved by Council.

10.11 – Confirmation of Eligibility

The Registrar shall request every nominee to confirm their 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 and Council Competency Questionnaires

The Registrar shall request every nominee to complete and return a conflict of interest questionnaire and a Council competency questionnaire, and any nominee who fails to complete and return the questionnaires in the form and by the deadline set by 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 Nominations and Election Committee, shall not be included with the materials sent to Registrants under article 10.17.

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 Registrants 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 and Council competency questionnaires and the written confirmation of eligibility, the Registrar determines that the number of eligible candidates nominated for a position or positions for an electoral district is less than or equal to the number of members of Council to be elected for a position or positions in that district, the Registrar shall declare those candidates who are eligible for election to the position or positions 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 – Registrar's Electoral Duties

The Registrar or, if the Registrar so requests, the Registrar with the assistance of the Nominations and Elections Committee, shall act as the chief returning officer and shall supervise and administer the election of candidates and, without limiting the generality of the above, the Registrar may, subject to the 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 Registrants;

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

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

10.17 – Voting Process

No later than fifteen (15) days before the date of an election the Registrar shall send every Registrant eligible to vote in the election a list of the eligible candidates, the biography and personal statement of every eligible candidate who has submitted one by the deadline established by the Registrar and in the form acceptable to the Nominations and Elections Committee, a ballot (or equivalent if voting is done electronically) and an explanation of the voting process.

10.18 – Ballot Verification

Ballots (or equivalent if voting is done electronically) 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.

10.19 – Number of Votes Cast

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

10.20 – 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 10.22.

10.21 – Tie Votes

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

10.22 – Request for Recount

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

10.23 – Manner of Recount

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

10.24 – 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 required under article 10.22.

10.25 – Proxy Voting

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

10.26 – Referral of Disputes to Nominations and Elections Committee

If a candidate is of the opinion that there are reasonable grounds to doubt or dispute the validity of the election in which the candidate ran for election, the candidate may file a written notice of dispute with the Nominations and Elections Committee.

10.27 – Report and Recommendation of Nominations and Elections Committee

Where a dispute has been filed with the Nominations and Elections Committee under article 10.26, the Nominations and Elections Committee may hold an inquiry into the validity of the election of the member of Council in question and, following any inquiry, shall make a report and recommendation to Council. Any inquiry shall be conducted as soon as is feasible.

10.28 – Options Available to Council

Council may, after reviewing the report and recommendation of the Nominations and Elections Committee and subject to article 10.23, do one of the following:

(i) declare the election result in question to be valid; or

(ii) declare the election result in question to be invalid; and either

(a) declare another candidate to have been elected; or

(b) direct that another election be held.

10.29 – Minor Irregularities Not Fatal

Council shall not declare an election result to be invalid solely on the basis of a minor irregularity regarding the requirements of the by-laws or a procedure established by the Registrar or the Nominations and Election Committee.

10.30 – Disqualification of Elected Members

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

(i) resigns from Council;

(ii) ceases to hold a certificate of registration;

(iii) is in default, for a period of more than sixty (60) days, of payment of any fee, or of providing any required form or information to the College;

(iv) is found to have committed professional misconduct or to be incompetent by a panel of the Ontario Registered Psychotherapists Discipline Tribunal;

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

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

(vii) becomes a member of a council of any other college regulated under the RHPA or of the Ontario College of Social Workers and Social Service Workers;

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

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

(x) is no longer principally engaged in the practice of the profession in the electoral district for which he or she was elected or no longer principally resides in the electoral district for which he or she was elected;

(xi) has commenced, joined, maintained, or materially contributed to legal proceedings, including before a tribunal, against the College, any of its committees, any of its Council or committee members, or any of its staff or other representatives; or

(xii) fails, in the opinion of Council, to discharge properly or honestly the duties of any position with the College to which he or she has been elected or appointed.

10.31 – Registrar's Receipt of Information

If the Registrar receives information which suggests that an elected member of Council meets one or more of the criteria for disqualification set out in article 10.30, other than paragraph (i), in which case Council shall immediately disqualify the elected member, the Registrar shall follow the procedure set out in article 15.02. Where the Registrar has reasonable and probable grounds to believe that a member of Council meets the criteria for disqualification and no one has made a complaint, the Registrar shall make a complaint in writing.

10.32 – Effect of Disqualification

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

10.33 – Filling of Vacancies

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

(i) leave the seat vacant;
(ii) appoint as an elected Council Member a Registrant who meets the criteria for eligibility for election set out in article 10.04; or
(iii) direct the Registrar to hold a by-election in accordance with this by-law.

10.34 – By-Election

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

10.35 – Manner of Holding By-Elections

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

10.36 – Term of Office for Members Filling Vacancies

The term of office of a person appointed or elected to fill a vacancy shall commence on the day of the appointment or election, as the case may be, and shall continue until the date that the former Council member's term would have expired.

11. COUNCIL MEETINGS

11.01 – Location and Frequency of Meetings

A Council meeting shall, wherever possible, be held at a place and on a date set in advance and shall occur at regular intervals and at such frequency as necessary for Council to conduct its business but shall, in any event, occur at least three (3) times per year.

11.02 – Notice of Meetings

The Registrar shall notify Council members of the meeting, setting out the date, time and place of the meeting and the general nature of the business to be transacted at least ten (10) days before the date of the meeting.

11.03 – Waiver of Notice

A Council member may, at any time, waive the requirement for the giving of notice of a meeting.

11.04 – Business at Meetings

Council may only consider or transact at a regular meeting:

(i) matters on the agenda;

(ii) matters brought by the Executive Committee or the Registrar;

(iii) recommendations and reports by Committees;

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

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

11.05 – Secretary

The Registrar shall serve as Secretary of Council.

11.06 – Chair

The President acts as Chair of Council. In the event that the President is unable or unwilling to preside at the meeting, the Vice President shall preside at the meeting. In the event that the Vice President is also unable or unwilling to preside at the meeting, the President may designate another Council member as an alternate Chair for all or any portion of the meeting. In the event that the Vice President is unable or unwilling to preside at the meeting and the President has not designated an alternate Chair, Council shall elect a person to serve as Chair at that meeting, including a person not on Council who would act as a non-voting Chair.

11.07 – Manner of Meeting

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

11.08 – Quorum

Unless specifically provided for otherwise under the Act, the RHPA or the by-laws, a simple majority of Council members shall constitute a quorum for the purpose of a meeting.

11.09 – Simple Majority

Unless specifically provided for otherwise under the Act, the RHPA or the by-laws, every motion which properly comes before Council shall be decided by a simple majority of the votes cast at the meeting by the Council members present. Voting by proxy is not permitted at meetings of Council.

11.10 – Chair Votes

If the Chair is a member of Council, he or she may vote.[1]

11.11 – Tie Votes

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

11.12 – Resolution

A resolution signed by all members of Council, including a resolution where all or some of the members have signed by facsimile or email, is valid and effective as if passed at a meeting of Council held for the purpose.

11.13 – Rules

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

11.14 – Minutes

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

11.15 – Adjournments

Whether or not a quorum is present, the presiding Chair, may from time to time, with the consent of the majority of Council members present and voting, adjourn any properly called meeting to a fixed time and place, and any matter brought before the original meeting may be considered and transacted at a reconvened meeting provided that a quorum is present.

11.16 – Calling Special Meetings

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

(i) at their or its discretion;

[1] Ordinarily, a Chair does not vote unless it would affect the result.

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

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

11.17 – Notice of Special Meetings

Subject to article 11.18, the Registrar shall notify Council members of the special meeting, setting out the date, time and place of the meeting and the general nature of the business to be transacted at least five (5) days prior to the date of the meeting. Council may only consider or transact at a special meeting those items of business contained in the notice.

11.18 – Special Meetings without Notice

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

11.19 – In Camera Meetings

The Council may exclude the public from any meeting or part of a meeting in accordance with the Code.

11.20 – College Staff Present

The Council may hold a meeting without any College staff present only to consider the Registrar's appointment, reappointment, dismissal, performance or terms of office. For clarity, the holding of such a meeting shall comply with the remainder of the by-laws.

12. COMMITTEES – GENERAL

12.01 – Duties and Responsibilities

The duties and responsibilities of each Committee shall be those set out in the RHPA, the Act, the 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 Committees deemed necessary for the effective and efficient function of the College.

12.03 – Composition of Committees

Unless stated otherwise in the Code or the by-laws, every Committee of the College shall be composed of at least three (3) persons and shall include at least one (1) Registrant and at least one (1) Public Member.

12.04 – Ratios

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

12.05 – 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.

12.06 – Quorum

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

12.07 – Panels

A committee may meet in panels selected by the Chair of the Committee.

12.08 – Honoraria & Expenses

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

13. SPECIFIC COMPOSITION AND SELECTION OF COMMITTEES

13.01 – Executive Committee

The Executive Committee shall be composed of the President, the Vice-President and three (3) members of Council. Three (3) members of the Executive Committee shall be Registrants and two (2) members of the Executive Committee shall be Public Members.

13.02 – Registration Committee

The Registration Committee shall be composed of:

(i) at least two (2) Registrants; and

(ii) at least two (2) Public Member.

13.03 – Inquiries, Complaints and Reports Committee

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

(i) at least two (2) Registrants; and

(ii) at least two (2) Public Members.

13.04 – Ontario Registered Psychotherapists Discipline Tribunal

The Ontario Registered Psychotherapists Discipline Tribunal shall be composed of:

(i) at least three (3) Registrants, at least one (1) of whom is a member of Council;

(ii) at least two (2) Public Members; and

(iii) experienced adjudicators if Council so wishes.

13.05 – Fitness to Practise Committee

The Fitness to Practise Committee shall be composed of:

(i) at least two (2) Registrants;

(ii) at least one (1) Public Member; and

(iii) experienced adjudicators if Council so wishes.

13.06 – Quality Assurance Committee

The Quality Assurance Committee shall be composed of:

(i) at least two (2) Registrants; and

(ii) at least two (2) Public Members.

13.07 – Client (Patient) Relations Committee

The Client Relations Committee shall be composed of:

(i) at least one (1) Registrant; and

(ii) at least two (2) Public Members.

13.08 – Examination Committee

The Examination Committee shall be composed of:

(i) at least two (2) Registrants; and

(ii) at least one (1) Public Member.

13.09 – Nominations and Elections Committee

The Nominations and Elections Committee shall be comprised of:

(i) at least two (2) Registrants; and

(ii) at least one (1) Public Member.

13.10 – Appointment of Committee Members

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

13.11 – Appointment of Non-Council Members

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.

13.12 – Term of Office of Committee Members

The term of office of a Committee member shall commence immediately after the appointment, unless Council has specified a future effective date, in which case it shall commence on that date, and shall continue for approximately one (1) year, unless the appointment was to fill a vacancy in which case the Committee member shall complete the original term of office.

13.13 – Chairs

Unless stated otherwise in these by-laws, the Chair or Chairs of each Committee shall be appointed by Council.

13.14 – Decisions Regarding Appointments

In making an appointment under article 13.10 or 13.11, Council shall take into consideration the location of practice, if applicable, as well as the experience, expertise, availability and other qualifications and characteristics of the Registrant or other person, in order to complement the attributes of the other Committee members.

13.15 – Eligibility for Appointment

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

(i) the Registrant holds a certificate of registration other than a Temporary or Emergency certificate of registration;

(ii) the Registrant is not in default of payment of any fees or of providing any required form or information to the College;

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

(iv) the Registrant has not been the subject of any professional misconduct, incompetence or incapacity finding in the preceding six (6) years;

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

(v.1) the Registrant has not been required by the Inquiries, Complaints and Reports Committee in the preceding six (6) years:

a. to complete a specified continuing education or remediation program as authorized by paragraph 4 of subsection 26(1) and subsection 26(3) of the Code, nor

b. to attend before a panel of that committee to be cautioned as authorized by paragraph 3 of subsection 26(1) of the Code;

(vi) the Registrant's certificate of registration is not subject to a term, condition, or limitation imposed by the Ontario Registered Psychotherapists Discipline Tribunal;

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

(viii) the Registrant has not been disqualified from Council or a Committee within the preceding six (6) years;

(ix) the Registrant is not a member of a council of any other college regulated under the RHPA or of the Ontario College of Social Workers and Social Service Workers;

(x) the Registrant is not, and has not been for the twelve months immediately before the date of the appointment, an employee of the College; and

(xi) the Registrant has not, in the preceding six (6) years, commenced, joined, maintained, or materially contributed to legal proceedings, including before a tribunal, against the College, any of its committees, any of its Council or committee members, or any of its staff or other representatives.

13.16 – Removal of Committee Members

Despite the other provisions of this by-law that permit the removal of a Committee member in specific circumstances, Council may also remove a member of a Committee at its discretion without needing to provide a specific reason.

13.17 – Maximum Term

The maximum term of a member with respect to a given committee is nine (9) consecutive, full-year terms served on or after January 1, 2025. This article does not affect the maximum term of officers set out in article 5.02.

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 Vice Chair, if Council has appointed a Vice Chair and if the Vice Chair is able and willing, shall preside at the meeting. Otherwise, in the event that the Chair of the Committee is unable or unwilling to preside at the meeting, the Chair shall designate an acting Chair from among the Committee members to preside at the meeting and if the Chair is unable to delegate their chairing duties, the Committee shall then select an acting Chair to preside at the meeting from among its members.

14.04 – Minutes

The Chair of each Committee shall ensure that accurate minutes of all Committee meetings and proceedings are recorded, approved and maintained at the College office.

14.05 – Simple Majority

Unless specifically provided for otherwise under the Code or the 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. Voting by proxy is not permitted at Committee meetings.

14.06 – Resolution

A resolution signed by all members of a Committee or Committee panel, including a resolution where all or some of the members have signed by facsimile or email, is valid and effective as if passed at a meeting of that Committee or Committee panel held for the purpose.

14.07 – Chair Vote

If the Chair is a member of the Committee, he or she may vote.[2]

14.08 – Tie Votes

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

14.09 – College Staff

A committee may meet only if the Registrar or designated College staff has received notice of the meeting, and is present at the meeting.

14.10 – Exception, Executive Committee

Notwithstanding article 14.09, the Executive Committee may hold a meeting without any College staff present to consider the Registrar's appointment, reappointment, dismissal, performance or terms of office. For clarity, the holding of such a meeting shall comply with the remainder of the by-laws.

[2] Ordinarily, a Chair does not vote unless it would affect the result.

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 their duties:

(i) familiarize themselves with the Act, the RHPA, the Code, the by-laws and any policies of the College;

(ii) familiarize themselves with any other records, documents and guidelines that may be necessary for the performance of their duties;

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

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

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

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

(vii) comply with the College's Code of Conduct, which is attached as Schedule 3 to the 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 the by-law;

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

(x) perform the duties associated with their position conscientiously and with due care and diligence in a manner that serves and protects the public interest.

15.02 – Procedure for Removing a Council or Committee Member

The following procedure shall be followed in the event that a Council or Committee member is alleged to have contravened the duties of a Council or Committee member or meets the criteria for disqualification set out in article 10.30.

(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 other committee appointed by it, after any investigation it deems appropriate, believes that the complaint warrants formal action, it shall call a meeting of the Council. Council shall determine whether there has been a breach of duties or whether the criteria for disqualification have been met and, if so, impose the appropriate sanction. The appropriate sanction can include one or more of the following:

  (a) censure of the member verbally or in writing,

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

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

(iv) A decision finding that there has been a breach of duties or that a Council or Committee member meets the criteria for disqualification set out in article 10.30, and a decision to impose a particular sanction must be approved by a two-thirds affirmative vote of the Council members present and voting.

(v) The Council or Committee member whose conduct is the subject of concern shall not take part in the deliberation or vote, however, he or she will 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 psychotherapy 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, board member or officer in or is an employee of any Professional Association relating to psychotherapy.

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, board member or officer in or is an employee of another organization where their duties may be seen by a reasonable person as influencing their judgment in the matter under consideration of the Council or its Committees. For example, an educator in a school should not participate in any decisions relating to the status of that school, its program(s) or the acceptability for registration of graduates from that school.

16.05 – Declaration Forms

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

16.06 – Interests of Related Persons

For the purposes of this by-law, the direct or indirect professional or financial interests of a parent, spouse, partner,[3] child or sibling of a Council or Committee member are interpreted to be the interests of the Council or Committee member. Here, the term "spouse" includes a common-law spouse of the person.

16.07 – Where a Conflict May Exist

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

(i) consult, as needed, with the President, the Registrar and legal counsel and, if there is any doubt about whether he or she may have or be perceived to have a conflict, prior to any consideration of the matter, declare the potential conflict to the Council or the Committee and accept Council's or the Committee's direction as to whether there is an appearance of a conflict;

(ii) where there appears to be a conflict of interest, not take part in the discussion of, or vote on, any question in respect of the matter;

(iii) where there appears to be a conflict of interest, absent themselves 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.

[3] As defined in the *Health Care Consent Act, 1996;* that is: either of two persons who have lived together for at least one year and have a close personal relationship that is of primary importance in both persons' lives.

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, provided such description would not constitute a breach of confidentiality.

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 their own interests, direct or indirect.

16.10 – Staff Positions – Council Members

A member of Council may not hold any other position, contract or appointment with the College while serving as a member of Council. 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 Coach, investigator, inspector, examiner or staff.

16.11 – Staff Positions – Committee Members

A Committee member may not hold any other position, contract or appointment with the College while serving as a member of a Committee. There is a one-year waiting period before the individual may apply for a staff or consultant position with the College.

Notwithstanding this article, a Committee member who is not a Member of the Quality Assurance Committee may be appointed as a Case Developer, Peer Circle Facilitator, or Peer Coach. Notwithstanding this article, a Committee member who is not a Member of the Inquiries, Complaints and Reports Committee and not a Member of the Ontario Registered Psychotherapists Discipline Tribunal may be retained as a Practice Advisor.

17. CONFIDENTIALITY

17.01 – Duty of Confidentiality

Members of the Council and Committees, staff and persons retained or appointed by the College are required to maintain confidentiality of information that comes

before them in the course of discharging their duties unless disclosure is authorized by the Council or is otherwise permitted under section 36(1) of the RHPA.[4]

17.02 – Subsection 36 (1) of the RHPA

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

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

17.03 – Disclosure Under the RHPA

Subsection 36 (1) of the RHPA permits disclosure in a number of specific circumstances. Members of the Council and Committees, staff and persons retained or appointed by the College need to understand when those exceptions apply and to seek advice if they are in doubt.

17.04 – Confidentiality Agreement

Council and Committee members, staff and persons retained or appointed by the College are required to sign, annually, the confidentiality or fiduciary agreement approved by Council. Council and Committee members are also required to sign an agreement, annually, indicating their commitment to abide by the Code of Conduct in these by-laws.

18. COMMUNICATIONS

18.01 – Media Contacts

All media contact shall be channelled and coordinated through the Registrar's office. Any Council or Committee member 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.

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[4] *Regulated Health Professions Act, 1991*, SO 1991, c 18, s 36 <http://canlii.ca/t/2sj#sec36>.

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 or staff 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 a Committee shall resign all positions with the Council and its Committees prior to expressing public disagreement with a decision, policy or position of the College or its Committees and even then, shall only do so in a manner consistent with their ongoing fiduciary duties towards the College.

18.04 – Invitations for Speaking Engagements

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

18.05 – Acceptance of Invitations for Speaking Engagements

The Registrar, in consultation with the President, where possible, will 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 a Committee shall

accept any request to make representations or speak on behalf of the College or in their 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 at least five (5) days before the date of the presentation to the Registrar or a person designated by the Registrar for approval.

18.07 – No Compensation

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

19. FEES

19.01 – Registration Year

The registration year for Registrants shall be from April 1st to March 31st of the following year.

19.02 – Renewal Process

The annual registration is due at 5:00 p.m. eastern time on or before March 31st of each year. At least 45 days before the annual fees are due, the Registrar shall send to each Registrant a notice stating that the annual fees are due, setting out the amount of the annual fee for each category of registration and a request for information required under the regulations and the by-laws of the College. The obligation to pay the annual fee continues even if the Registrar fails to provide the notice or the Registrant fails to receive such notice.

In addition to the annual renewal fee amount set out in Schedule 4, any outstanding balance owing to the College in respect of any decision made by a committee, and any fees payable under these by-laws will be added to and included in the annual fees.

19.03 – Fee Amounts

The fees are set out in Schedule 4 and do not include the applicable taxes, which must also be paid in addition to the stated fee amount.

19.04 – Proration of Registration Fee

A Registrant issued a certificate of registration shall pay, in respect of the registration year in which the certificate was issued: one twelfth of the registration fee for that category of registration multiplied by the number of calendar months remaining before the next registration year, including the month in which the certificate of registration was issued.

19.05 – 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.

19.06 – Fee Increases

Every two years beginning in 2026, effective the third Tuesday in June, the Registrar may increase the Non-Penalty Fees described in these by-laws by no more than the Inflation Amount for the Calculation Period. In this article:

- Non-Penalty Fees means all fee amounts mentioned in the by-laws except the fees for:
    - Penalty for the late renewal of a certificate of registration; and
    - Reinstatement for a person applying to the Registrar to lift a suspension or issue a new certificate.
- Inflation Amount means the increase in the Consumer Price Index for goods and services in Canada as published by Statistics Canada or any successor organization and then rounded down to the nearest multiple of $1.
- Calculation Period means the period, the first of which starts on June 24, 2024 and ends on the second December 31 thereafter, and each subsequent period is the two calendar years following the ending of the preceding period.

20. PROFESSIONAL LIABILITY INSURANCE

20.01 – Requirement to Carry Insurance

(1) A Registrant, other than an Inactive Registrant who has purchased any run-off coverage[5]contemplated by these by-laws, must carry professional liability insurance with the following characteristics:

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

(ii) annual aggregate coverage of no less than $5,000,000;

(iii) no deductible;

(iv) run-off coverage for a minimum of two (2) years;

(v) provided by an insurer licensed with the Financial Services Regulatory Authority of Ontario or the office of the Superintendent of Financial Institutions Canada; and

(vi) a sexual abuse therapy and counselling fund endorsement that,

a. provides coverage for therapy and counselling for every person eligible for funding under subsection 85.7(4) of the Code; and

b. provides coverage, in respect of each such eligible person, for the maximum amount of funding that may be provided for the person under the *RHPA*, for therapy and counselling as a result of sexual abuse by the Registrant.

(2) An Inactive Registrant who has practised in Ontario within the previous two years must carry professional liability run off coverage consistent with this article for a minimum of two (2) years since the Registrant last practised in Ontario.

20.02 – Proof of Insurance

A Registrant must, upon request, provide to the College proof of professional liability insurance which must include the following information:

(i) name of insurer;

(ii) policy number;

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

[5] Sometimes called enduring or tail coverage.

(iv) address of the insured;

(v) policy period; and

(vi) coverage details.

20.03 – Declaration of Eligibility for Insurance

An applicant for registration must provide proof of professional liability insurance coverage in the amount and in the form as required under the by-laws, or undertake to provide proof within 30 days of the issuance of their certificate of registration of having such professional liability insurance that is effective as of the day on which he or she is issued the certificate of registration.

21. THE PUBLIC REGISTER

21.01 – Name in Register

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

21.02 – Exception for Name Change

The Registrar may enter a name, other than the name referred to in article 21.01, in the register if the Registrar:

(i) has received a written request from the member;

(ii) is satisfied that the Registrant has legally changed their name; and

(iii) is satisfied that the name change is not for any improper purpose.

21.03 – Exception for Alternate Name

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

21.04 – Business Address

A Registrant's business address in the register shall be the address for receiving business communications designated by the Registrant, which address may be different than the Registrant's address for communications with the College. If the

Registrant does not designate a business address the Registrar may assign any address for the Registrant known to the College as the business address.

21.05 – Name of Employer

A Registrant's business address shall include the name of the business or entity that employs the Registrant or, if the Registrant is self-employed or is not practising, the Registrant's business address shall include a notation to that effect.

21.06 – Business Telephone Number

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

21.07 – Register Information Required by the Code

The Registrar shall maintain a register in accordance with section 23 of the Code.

21.08 – Additional Register Information

In addition to the information set out in subsection 23(2) of the Code, the register shall contain the following information with respect to each Registrant:

(i) former names since the Registrant became 18 years of age, except where the Registrar believes on reasonable grounds that exceptional circumstances warrant withholding one or more of the Registrant's former names from the public;

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

(iii) the Registrant's email address unless the Registrant requests that it not be placed on the register;

(iv) the Registrant's registration number;

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

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

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

a. a summary of each specified allegation, and

b. the notice of hearing;

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

(ix) where the Registrant's certificate of registration is subject to any terms, conditions and limitations, the reason for them and the date they took effect;

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

(xi) where the College is aware that a finding of professional misconduct or incompetence or similar finding has been made against the Registrant by a Body that Governs a Profession, inside or outside of Ontario, and that finding has not been reversed on appeal,

a. the name of the Body that Governs a Profession that made the finding,

b. a brief summary of the facts on which the finding was based,

c. the penalty and any other orders made relative to the finding,

(xii) where the College is aware that a finding of incapacity or similar finding has been made against the Registrant by a Body that Governs a Profession, inside or outside of Ontario, and that finding has not been reversed on appeal, a notation of the finding,

a. the name of the Body that Governs a Profession that made the finding,

b. the date the finding was made,

c. a summary of any order made, and

d. information regarding any appeals of the finding, unless the Body that Governs a Profession making the finding has not made the finding public;

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

(xiv) in addition to the name of every health profession corporation of which the Registrant 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 except that the business e-mail address shall not be entered on the register if the professional corporation requests that it not be;

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

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

(xvii) a summary of any existing restriction on the Registrant's right to practise that has resulted from an undertaking given by the Registrant to the College or an agreement entered into between the Registrant and the College on or after April 1, 2017;

(xviii) where a decision of a panel of the Inquiries, Complaints and Reports Committee includes a requirement that the Registrant attend before a panel of that committee to be cautioned as authorized by paragraph 3 of subsection 26(1) of the Code,

a. 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 a review or appeal and therefore not yet final;

(xix) Where a decision of a panel of the Inquiries, Complaints and Reports Committee includes a requirement that the Registrant complete a specified

continuing education or remediation program as authorized by paragraph 4 of subsection 26(1) and subsection 26(3) of the Code,

a. a summary of the continuing education or remediation program,

b. the date of the panel's decision, and

c. if applicable, a notation that the panel's decision is subject to a review or appeal and therefore not yet final;

(xx) Any past classes of registration held by the Registrant and the date on which each certificate was issued.

21.09 – Information to be Withheld from Public

All of the information referred to in 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 Registrant shall immediately provide the College with the following information, in the form requested by the College:

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

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

(iii) the Registrant's e-mail addresses;

(iv) proof of professional liability insurance coverage;

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

(vi) information about the Registrant's registration with any other Body that Governs a Profession, whether inside or outside of Ontario, including the

name of the Body that Governs a Profession, the Registrant's registration or licence number and the date the Registrant first became registered;

(vii) information about any finding of incapacity or similar finding that has been made against the Registrant by a Body that Governs a Profession, inside or outside of Ontario, where that finding has not been reversed on appeal, including:

a. the finding,

b. the name of the Body that Governs a Profession 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;

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

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

21.11 – Notification of College

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

(i) the Registrant's name,

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

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

(iv) the name, address or telephone number of any business or entity that employs the Registrant as a practitioner of psychotherapy, and, if the Registrant is self-employed as a practitioner of psychotherapy, any changes to the address or telephone number of the location where the member practises other than addresses of individual clients, and the Registrant's email address.

21.12 – Removal of Suspension Notation

Notwithstanding article 21.08(vi), the Registrar shall remove from the register notation of suspension of registration if all of the following conditions are met:

a. the suspension was only for non-payment of fees or only for non-provision of information required for annual registration renewal or participation in the Quality Assurance Program.

b. the Registrant submits a request in the form provided by the Registrar, and

c. as of the date of the request, the Registrant has held continuous College registration for the immediate past 12 months.

22. PROFESSIONAL CORPORATIONS

22.01 - Fees

Fees do not include applicable taxes and are set out in Schedule 4.

22.02 - Duty to Provide Information

Every Registrant of the College shall, for every professional corporation of which the Registrant is a shareholder, provide in writing the following information on the application and annual renewal forms for a certificate of authorization, upon the written request of the Registrar within 30 days and upon any change in the information within 30 days of the change:

(a) the name of the professional corporation as registered with the Ministry of Government Services;

(b) any business names used by the professional corporation;

(c) the name, as set out in the register, and registration number of each shareholder of the professional corporation;

(d) 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;

(e) the principal practice address, telephone number, facsimile number and email address of the professional corporation;

(f) 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

(g) a brief description of the professional activities of the professional corporation including areas of practice and categories of clients seen.

23. FUNDING FOR THERAPY AND COUNSELLING FOR SEXUAL ABUSE

23.01 – Funding

The Client Relations Committee may require therapists and counsellors who are providing 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; and

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

24. EMERGENCIES

24.01 Declaring an Emergency

A declared emergency shall occur in any of the following circumstances:

(a) the Executive Committee has, by a motion decided by a simple majority vote of the votes cast at the meeting by the members of the Executive Committee in attendance, declared there to be an emergency; or

(b) the Registrar has declared there to be an emergency provided that the Registrar may only do so if there has been a declared emergency under the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9 anywhere in the Province of Ontario and the Executive Committee is unable to meet within 24 hours of such declaration.

24.02 Emergency Measures and Limitations

The following provisions shall apply only in the event of a declared emergency:

(a) the Registrar or the Executive Committee shall give immediate notice to every Council member that a declared emergency exists;

(b) in the event that an election of Council members is not able to be held, the term of office of the elected Members shall continue, despite article 9.04, until after the next election;

(c) despite articles 11.02, 11.04, 11.16, and 11.17, a Council meeting may be called by the President or Registrar at any time on such notice as is sufficient for a quorum to be present, and such meeting may consider and deal with any matter that the Council agrees to consider by a simple majority of votes cast by Council members in attendance at the meeting; and

(d) the Executive Committee may vary the application of any provision(s) of the by-laws as it determines is necessary to facilitate the proper functioning or operation of the College, the Executive Committee or Council, or their ability to fulfill their mandate, without the need to amend the by-laws, provided that such variation is not contrary to law and the affected by-laws shall be applied as enacted once the declared emergency is over.

The Executive Committee and the Registrar shall exercise the powers granted to them under this article 24 only when, and to the extent, necessary in the circumstances. In the event of a conflict between this article 24 and any other provisions of the by-laws, the provisions of this Article shall prevail.

24.03 Ceasing Emergency

The declared emergency is not intended to continue indefinitely and should be declared over, as provided in this article 24 when there is no longer a reasonable basis or rationale for keeping the declared emergency in place. Without limiting the generality of the foregoing, the Executive Committee or Council should consider ceasing the declared emergency if one or more of the following applies:

(a) if the emergency declared under the by-laws is related to, or affected by, an emergency declared under the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9 anywhere in the Province of Ontario, the emergency declared under such Act is terminated; or

(b) the circumstances leading to the declaration of emergency under the by-laws no longer exist or apply, or are not significantly impeding or negatively affecting, and are not expected to significantly impede or negatively affect, the proper functioning

or operation of the College, the Executive Committee or Council, or their ability to fulfill their mandates.

A declared emergency shall cease when the Executive Committee or Council declares, by a motion decided by a simple majority vote of the votes cast at the meeting by the Members of the Executive Committee or Council, as the case may be, in attendance, that the emergency is over or the powers set out in this article 24 are no longer needed.

25. BY-LAWS AND AMENDMENTS

25.01 – Effective Date

These by-laws shall become effective on January 1, 2025.

25.02 – Amendments

The by-laws of the College or any section thereof may be enacted, amended, or revoked by a simple majority of the Council members present and voting at a meeting of Council called for that purpose.

SCHEDULE 1 TO THE BY-LAWS

Process for Election of Officers

The elections will be supervised by the Registrar. The Registrar may be assisted by staff.

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.

A Member's written intent must be supported by the signatures of two other Council Members and be returned to the Registrar no later than 5:00 p.m. fourteen days before the meeting of Council when the election of officers shall take place. A Member may not withdraw their nomination later than 5:00 p.m. fifteen days before the meeting of Council when the election of officers shall take place. The College shall post the names of nominees on its website as nominations are received.

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

Where there is only one nominee for a position, that person shall be elected by acclamation. In the event that there is more than one candidate for the office, the voting will be conducted by ballot (or equivalent if voting is done electronically), with the result being tabulated and then recorded and reported by the Registrar. Where there are no nominations for a position, nominations can be made from the floor.

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

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

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

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

Once the election is completed, the Registrar shall call for a motion to destroy the ballots (or equivalent if voting is done electronically). The elected members of the Executive Committee may then speak briefly.

The above process shall be followed for every election of officers.

SCHEDULE 2 TO THE BY-LAWS

Rules of Order of the Council

1. In this Schedule, "Member" means a Member of the Council.

2. Each agenda topic will be introduced briefly by the person or Committee representative raising it. Members may ask questions of clarification, then the person introducing the matter shall make a motion and another Member must second the motion before it can be debated.

3. When any Member wishes to speak, he or she shall so indicate by raising their hand and shall address the presiding officer and confine themselves to the matter under discussion.

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

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

6. A Member may not speak again on the debate of a matter until every other 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. Members will not speak to a matter more than twice without the permission of the presiding officer.

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

8. 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.

9. 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.

10. When it appears to the presiding officer that the debate on a matter has concluded, when Council has passed a motion to vote on the motion or when the time allocated to the debate on the matter has concluded, the presiding officer shall put the motion to a vote.

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

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

13. Any motion decided by the Council shall not be re-introduced during the same meeting except by a two-thirds vote of Members then present.

14. Whenever the presiding officer is of the opinion that a motion offered to the Council is contrary to these rules or the by-laws, he or she shall rule the motion out of order and give their reasons for doing so.

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

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

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

18. Members shall turn off cell phones during Council meetings and, except during a break in the meeting, shall not use a cell phone 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.

19. Members are to be silent while others are speaking.

20. 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.

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

SCHEDULE 3 TO THE BY-LAWS

Code of Conduct

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

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

(a) be familiar and comply with the provisions of the *Regulated Health Professions Act, 1991* and its regulations, the *Health Professions Procedural Code*, the *Psychotherapy Act* and its regulations, and the by-laws and policies of the College;

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

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

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

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

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

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

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

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

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

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

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

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

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

SCHEDULE 4 TO THE BY-LAWS

Fee Amounts

Fee Description	Amount Approved by Council	CPI-Adjusted Fee June 2026	CPI-Adjusted Fee June 2028	CPI-Adjusted Fee June 2030
Create an online account and undertake the jurisprudence learning module	$152	$157		
Submit an application	$168	$173		
Registration and annual renewal for a Registered Psychotherapist certificate of registration	$620	$641		
Registration and annual renewal for a Temporary certificate of registration	$620	$641		
Registration and annual renewal for an Inactive certificate of registration	$310	$320		
Registration and annual renewal for a Qualifying certificate of registration	$338	$350		
Registration and annual renewal for an Emergency certificate of registration	$338	$350		
Penalty for the late renewal of a certificate of registration	$150	$150		

Each letter after the first one reminding the Registrant of an obligation that has not been performed	$57	$59		
Reinstatement for a person applying to the Registrar to lift a suspension or issue a new certificate	$350	$350		
Transfer from the Qualifying or Inactive classes of registration to the Registered Psychotherapist class of registration	$84	$86		
Requiring a recount in an election	$225	$232		
Reviewing an applicant's education and training under subsection 6(1), paragraph 1, sub-paragraphs iii or iv of Ontario Regulation 67/15: Registration	$105	$108		
Application for a certificate of authorization, including on any reinstatement of a certificate of authorization, for a professional corporation	$100	$103		
Issuance of a certificate of authorization for a professional corporation	$557	$577		
Annual renewal of a certificate of authorization for a	$457	$453		

professional corporation				
Administrative fee for each notice sent by the Registrar to a professional corporation or Registrant for failure of the corporation to renew its certificate of authorization on time	$57	$54		
Issuing of a document or certificate respecting a professional corporation, other than the original certificate of authorization and the original annual renewal of the certificate of authorization	$50	$52		

SCHEDULE 5 TO THE BY-LAWS

Table of Revisions to These By-laws

Date	Description of Change
December 12, 2024	By-laws enacted, effective January 1, 2025
March 27, 2025	Amending article 13.11, effective immediately, replacing the word "Registrants" with "individuals".
October 1, 2025	Repealing article 6.01 and replacing it with: 6.01 Eligibility for Nomination, Only a member of Council with one year of experience serving on Council by the time they would take office, is eligible for nomination or election as an officer of the College. One year of experience serving on Council is not required if the nomination is made from the floor in accordance with Schedule 1. Enacting the following article: 7.04 -- Past President, Council may, by a majority vote conducted by secret ballot of those present and voting, appoint the current, outgoing President as Past President. The Past President is a nonvoting officer. Notwithstanding article 5.03, the maximum term for the Past President is one consecutive term of approximately one year. The Past President shall not hold another office of the College. Articles 6.01, 6.04 and Schedule 1 of the by-laws do not apply to the appointment or office of Past President. Amending article 9.04, deleting the word "immediately", and replacing it with "on the day of the second regular Council meeting".