



BYLAWS

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TABLE OF CONTENTS

PART 1 COUNCIL OF THE COLLEGE

1. Council composition
2. Electoral districts
3. Eligibility for election
4. Notice of Election and Nomination procedure
5. Election procedure
6. Terms of office
7. Vacancy
8. Remuneration of council and committee members
9. Appointments
10. Registrar
11. Deputy registrar
12. The Chair
13. The Treasurer
14. Council meetings
15. Extraordinary council meetings
16. Committees
17. Committee panels

PART 2 COLLEGE ADMINISTRATION

18. Seal
19. Fiscal year
20. Financial authority
21. Rights of Members
22. Levy
23. Membership fees
24. Application fees
25. Examination Fees
26. Borrowing powers
27. Investment income
28. Financial Statements
29. Legal counsel
30. General meetings
31. Notice of general meetings
32. Resolutions proposed by members
33. Proceedings at general meetings
34. Voting by proxy
35. Notice to public representatives

PART 3 COLLEGE RECORDS

36. Manner of disposal of College records containing personal information

PART 4 EXAMINATIONS

37. Examinations

PART 5 GENERAL

38. Code of Ethics

Appendix A

DEFINITIONS

In these bylaws,

"Act" means *Chapter 36 the Podiatrists Act*,

"appointed council member," means a person appointed to the council under section 6(3) of the *Act*,

"COPOM" means the College of Podiatrists of Manitoba,

"council" means the council of the College of Podiatrists of Manitoba,

"council member" means an appointed council member or an elected council member,

"chair" means the chair of the council elected under section 12,

"college" means the College of Podiatrists of Manitoba as established by Chapter 36 *the Podiatrists Act*.

"deliver", with reference to a notice or other document, includes mail to (including electronic mail) or leave with a person, or deposit in a person's mailbox or receptacle at the person's residence or place of business,

"elected council member" means a member of the council elected under section 5 of the *Act*,

"investigator" means a person appointed by the complaints committee to carry out the duties of investigation for the College,

"public representative" means a person who is not a member or former member or who has no close family or business relationship with a member or former member and includes an appointed council member,

"regular mail" with reference to a notice or other document, includes mail to (including electronic mail) or leave with a person, or deposit in a person's mailbox or receptacle at the person's residence or place of business,

"regulation" means the Regulation made under *the Podiatrists Act*.

"member"- means the member of a college

"resolution" means a formal statement of a decision or expression of opinion put before or adopted by the college, this includes bylaws and regulations.

PREAMBLE

The Act provides that the College may make bylaws not inconsistent with *the Act* under section 49(1), (2) and 50.

The council may make by-laws 49(1)

- (a) for the government of the college and the management and conduct of its affairs;
- (b) respecting the calling and conduct of meetings of the college and the council;
- (c) respecting the nomination, election and number of council members and officers of the college, the filling of vacancies on the council and on any committee established by the council, and the appointment of ex officio members of the council and of any committee established by the council, and prescribing the term of office and the duties and functions of those members, officers and ex officio members;
- (d) providing for the procedures for the election of members to the council;
- (e) governing the number of members that constitutes a quorum at meetings of the college and the council;
- (f) governing the operation, proceedings and quorum of the complaints committee and the inquiry committee, the appointment of acting members and ex officio members and the procedures for filling vacancies, and prescribing the terms of office, duties and functions of ex officio members;
- (g) setting remuneration, honorariums, fees and expenses payable to members of the council or of committees established under this Act, the regulations or the by-laws for attending to the business of the college;
- (h) prescribing the fees payable by members and by applicants for registration or the manner of determining such fees;
- (i) authorising the council to prescribe the form of a certificate of registration and any other form or document that may be required for the purposes of this Act, the regulations or the by-laws;
- (j) respecting the holding of votes on any matter relating to the college, including voting by mail or any other method;
- (k) governing the establishment, operation and proceedings of committees, the appointment and revocation of members and acting members of those committees and the procedures for filling vacancies on those committees;

(l) providing for the appointment and remuneration of officers and other employees of the college and prescribing their duties and functions;

(m) providing for the term of office of the registrar and the appointment of an individual as an acting registrar, who has all of the powers, duties and functions of the registrar under this Act and the regulations when the registrar is absent or unable to act or when there is a vacancy in the office of registrar;

(n) respecting the procedures for the approval of regulations by the members.

Amendments and repeal of by-laws

49 (2) After notice is given in accordance with the by-laws, a by-law under subsection (1) may be amended or repealed by a majority of the members of the college

(a) present and voting at a general meeting, or a special general meeting;

(b) voting in a mail vote conducted in accordance with the by-laws.

50 The college may, by resolution passed at a general meeting, adopt a code of ethics governing the conduct of members.

PURPOSE

The function of and the purpose of the College are to safeguard the public interests and to ensure a high standard of care provided by Podiatrists in Manitoba.

PART 1 -- COUNCIL OF THE COLLEGE

1. Council composition

The council consists of four (4) members and two (2) public representatives in accordance with section 6 (1) and (2) of the Act.

2. Electoral districts

For the purposes of this section the Province of Manitoba is considered one electoral district.

3. Eligibility for election

Any full member is eligible for election to the council if:

- (a) The member has paid all monies due pursuant to the bylaws,
- (b) The member has not been the subject of a finding of professional misconduct, incompetence or incapacity in the two years preceding the date of the election.
- (c) The member's registration has not been revoked or suspended in the two years preceding the date of the election for any reason other than the non-payment of fees.
- (d) The member's registration is not subject to a term, condition, or limitation.

4. Notice of Election and Nomination procedure

- (1) At least ninety (90) days prior to the expiration of a term of office of an elected member, the registrar must deliver to every member in the College at his or her last known address of a pending vacancy and provide written notice of the nomination, voting and election procedures.
- (2) Any full member in good standing, may nominate for office a maximum of two (2) full members in good standing for each vacant council position by mailing such nomination to the registrar, together with a letter of consent from the nominee, to be postmarked at least sixty (60) days prior to the expiry of the term of office.
- (3) A nominee must declare in writing that he or she will comply with the provisions of the *Act*, the regulations and these bylaws and the procedures related to the election and the conduct of the election.
- (4) The registrar must disqualify any nominee whose nomination or election contravenes the *Act*, the regulations, these bylaws, or whose registration is not in good standing at the date of receipt of the nomination. The registrar will notify the nominee and the council of the reasons for disqualification.
- (5) In the event the number of nominees is less than the number of vacancies on the council on the date of the election the registrar may accept nominations from the floor.

5. Election procedure

- (1) The registrar must prepare and deliver to each member an election ballot not less than forty-five (45) days prior to the AGM.
 - (a) Each full member is entitled to one vote for each vacancy on the council
 - (b) The registrar must not count a ballot unless it is contained in a sealed envelope on which the member's name and signature appears and is received by the registrar at least fourteen (14) days prior to the expiry of the term of office, or is delivered in person on the day of the election.
 - (c) The Registrar will accept nominations from the floor on the day of the election.
- (2) The nominees receiving the most votes on the return of the ballots are elected to the vacant positions on the council.
- (3) In the case of a tie vote, the registrar must select the successful candidate by random draw.
- (4) The registrar must supervise and administer all council elections and may establish procedures for that purpose, which are consistent with these bylaws.
- (5) In the event of any irregularity or dispute with respect to any nomination, ballot or election, the registrar must be the sole arbitrator thereof, and a decision of the registrar is final.
- (6) Where the number of nominees is less than or equal to the number of vacancies on the council, the registrar will declare the nominees to be elected by acclamation.

6. Terms of office

- (1) The term of office for a council member is three (3) years.
- (2) A council member may serve a maximum of three (3) consecutive terms, with the exception of the Registrar who will serve such term as determined by Council. After an absence of 1 year said council member is eligible for election to council again.
- (3) Notwithstanding section (1) and (2), in the year 2001 two (2) full members will be elected for a two-year term, and two (2) will be elected for a one-year term.
- (4) In any election year two full members, or the additional number required to fill vacancies, will be elected.
- (5) A council member may resign at any time by delivering a notice in writing to the registrar. The resignation is effective upon receipt of the notice by the registrar.
- (6) An elected council member may be removed by a two-thirds (2/3) vote of the council or by the members at a general meeting if a member is unable to fulfil the duties of the office due to:

- (a) non-attendance,
- (b) conflict of interest, or
- (c) physical or mental incapacity.

7. Vacancy

Any vacancy of an elected council position may be filled by the council appointing a full member in good standing for the remainder of the term for that position by passage of a special resolution of the remaining council members.

8. Remuneration of council and committee members

Council and committee members may be paid an honorarium of \$25 per hour up to \$300 per day for designated activities approved by the council and must be reimbursed by the College for reasonable expenses necessarily incurred in connection with the activities of the council.

9. Appointments

The members of the council must appoint a registrar, chair, deputy registrar and treasurer for a one-year term.

10. Registrar

- (1) The registrar shall be a member of the College and in addition to the registrar's duties under the *Podiatrists Act* the registrar shall:
 - (a) submit a report to the annual meeting of the College,
 - (b) ensure that minutes are taken at each meeting and retained on file,
 - (c) keep the records and seal of the College and perform such other duties required by the *Act* and the bylaws and such other duties as required by the council,
 - (d) sign all certificates, diplomas and other instruments executed on behalf of the College as required,
 - (e) sign the minutes of each meeting after the council approves them.
- (2) The registrar is an ex-officio member of every committee of the council.
- (3) In the event of the office of the registrar being vacant, the council shall make a temporary appointment until the council appoints a successor.

11. Deputy Registrar

The deputy registrar shall:

- (a) be directly responsible to the registrar,
- (b) perform the duties of the registrar in his or her absence or inability to act,
- (c) perform any duties assigned by the registrar,
- (d) have the same authority as the registrar under these bylaws where the deputy registrar is performing the duties of the registrar.

12. The Chair

The chair is an ex-officio member of all committees and must:

- (a) preside at all meetings of the College and council,
- (b) act generally in accordance with the requirements of his or her office for the proper carrying out of the duties of the council, and carry out such other duties as are assigned by the council from time to time.
- (c) In the absence of the chair at a council meeting, an Acting chair from the council must be elected by a majority vote of the council members present and voting for the purpose of presiding at the council meeting and carrying out such other duties as are voted upon by the council members.

13. The Treasurer

The treasurer shall:

- (a) be responsible for the funds of the College and make deposits in a chartered bank or other similar financial institution designated by the council,
- (b) at each meeting of the council submit a report of all revenues and expenditures since the last meeting, unless otherwise directed by the council.
- (c) submit a financial statement to the accountant, as soon as possible after the end of each fiscal year, to complete an annual financial statement for the College. The treasurer must mail a copy thereof to each member not later than one hundred twenty (120) days following the end of the fiscal year.

14. Council meetings

- (1) The council must meet at least four (4) times in each fiscal year and must provide reasonable notice of council meetings to members of the College and the public.
- (2) In addition to meetings required by subsection (1), meetings of the council must be called by the registrar at the request of either the chair or any two (2) council members.
- (3) The meetings of the council are open to members and the public. The registrar must provide on request to members or members of the public:
 - (a) details of the time and place of a council meeting,
 - (b) a copy of the agenda, and
 - (c) a copy of the minutes of the preceding meeting.
- (4) Notwithstanding subsection (3), the council may exclude any person from any part of a meeting if it is satisfied that:
 - (a) the desirability of avoiding public disclosure outweighs the desirability of adhering to the principle that meetings be open to the public,
 - (b) regulatory, financial, personnel or other matters may be disclosed which are of a confidential or sensitive nature,
 - (c) a person involved in a criminal proceeding or civil suit or proceeding or disciplinary proceeding may be prejudiced by the meeting being open to the public,
 - (d) property acquisitions will be discussed,
 - (e) instructions will be given to or opinions received from legal counsel or the Office of the Ombudsman, or

- (f) the attendance of a person is disruptive.
- (5) If the council excludes any person from a part of a meeting, its reasons for doing so must be noted in the minutes of the meeting.
- (6) A majority of the council constitutes a quorum. If a quorum is not present after the expiration of thirty (30) minutes from the time fixed for the commencement of the meeting, the chair may adjourn the meeting and fix a time and place for a rescheduled meeting.
- (7) The council may conduct meetings by mail, electronic means, facsimile, telephone or video conference or regular meeting.
- (8) Voting at meetings of the council shall be verbal or by a show of hands except where a secret ballot is requested by a majority of the council.
- (9) Where there is a tie vote on a resolution the resolution is defeated.
- (10) Except as otherwise provided in the *Act*, the regulations, or these bylaws, the most recent edition of *Robert's Rules of Order* governs procedures at meetings of the council.

15. Extraordinary council meetings

- (1) The registrar or the chair may call a meeting of the council without providing notice to the members where deemed necessary by the chair to address an issue of urgency.

16. Committees

- (1) Pursuant to section 6(7), 16(1), and 30(1) of the *Act*, the following committees are established:
 - (a) a standing committee for the purpose of recruiting and selecting public representatives to serve on the council and committees of the college;
 - (b) complaints committee,
 - (c) inquiry committee,
 - (d) and any other committee that council considers necessary.
- (2) A committee may exercise any power, duty, or function assigned to it by a resolution of the council.
- (3) The council shall approve the committee membership.
- (4) Members of any committee:
 - (a) may serve a term of not more than two (2) years,
 - (b) are eligible for re-appointment for a maximum of three (3) terms,
 - (c) may be removed by a majority vote of the council for any of the reasons set out in section 6 (6)

- (5) The council may appoint a committee chair and a committee vice-chair from the members of the committee.
- (6) A majority of committee members constitute a quorum.
- (7) Meetings of committees may be open to members and to the public at the discretion of the committees.
- (8) Notwithstanding subsection 8, the committee may exclude any person from any meeting, or part of a meeting, for any of the reasons set out in section 11(4)(a) through (f).
- (9) Except where inconsistent with *the Act* or bylaws, *Robert's Rules of Order* govern committee meetings.
- (10) Committees may conduct meetings by mail, electronic means, facsimile, telephone or videoconference or regular meeting.
- (11) Each committee must annually submit a report of its activities to the council.
- (12) The registrar is an ex-officio member of each committee.

17. Committee panels

- (1) A committee may, from time to time, establish sub-committees or panels of the committee, and the chair of the committee must appoint the chair of the panel or sub-committee.
- (2) All members of a panel are required for a quorum.
- (3) A panel of a committee referred to in subsection (1) and (2) may exercise any power, duty or function assigned to it by the committee. .

PART 2 – COLLEGE ADMINISTRATION

18. Seal

- (1) The council must approve a common seal for the College.
- (2) The seal of the College must be affixed to certificates of registration and such other documents as the council may direct by resolution, under the hands of such persons as the council may designate.

19. Fiscal year

The fiscal year of the College commences on January 1 and ends on December 31 of that year.

20. Financial authority

The council:

- (1) May enter into agreements on behalf of members and, subject to the bylaws, members are bound by such an agreement
- (2) May raise or secure the payment or repayment of a maximum of \$10,000 (ten thousand dollars) per occurrence, on behalf of and in the name of the College, in the manner it decides, in order to carry out the purposes of the College,
- (3) May invest funds of the College in lawful securities for the establishment of trust funds or for any investments authorised in accordance with the *Trustee Act* in the name of the College and may change those investments.
- (4) Is required to ensure that there is a minimum reserve of \$10,000 available for maintaining the function of the college.
- (5) The Treasurer may approve the expenditure of any sum up to \$500.00. Sums greater than this require approval of council.

21. Rights of Members

(1) Rights of members with full registration

A member whose name is on the register of practising podiatrists with full registration must:

- (a) engage in the practice of podiatry, subject to any restrictions or conditions placed on the member;
- (b) obtain coverage under any applicable liability protection agreement approved by the college;
- (c) if elected, hold office on the council ; as long as there are no terms and conditions on the member's license as per section 41(1) of the Act.

- (d) if appointed serve as an appointed member on any committee of the college; as long as there are no terms and conditions on the member's license as per section 41(1) of the Act.
- (e) attend, participate in and vote at meetings of the college; as long as there are no terms and conditions on the member's license as per section 41(1) of the Act, and
- (f) receive copies of official college publications.

(2) Rights of non-practising members

A member whose name is on the register of non-practising podiatrists with non practising registration shall not engage in the practice of podiatry .

- (a) A non-practising member is entitled to :
 - (i) attend, participate in, **but not vote**, at meetings of the college.
 - (ii) serve as an appointed member, with voting privileges, on any committee of the college; and
 - (iii) receive copies of official college publications.
- (b) A non-practising member is **not** eligible for election to the council .
- (c) A non-practising member **cannot vote** at meetings of the college.

(3) Rights of members with temporary registration

A member whose name is on the register of temporary practice with temporary registration must :

- (a) engage in the practice of podiatry, subject to any restrictions or conditions placed on the member;
- (b) obtain coverage under any applicable liability protection agreement approved by the college.

A member whose name is on the register of temporary practice with temporary registration is **not** entitled to :

- (c) be elected, or hold office on the council ;
- (d) serve as an appointed member on any committee of the college;
- (e) attend, participate in or vote at meetings of the college in accordance with the by-laws; or
- (f) receive copies of official college publications.

22. Levy.

If a member is in default of a requirement as per section 49(1)(a) of the *Act* the council may impose a levy.

23. Membership fees.

- (1) Fees should be set annually by the Council.

- (2) On or before November 30th each year, the registrar must notify members by regular mail at their last known address of the amount of the annual registration fee and the day on which the fee is due.
- (3) Unauthorised Practice Penalty:
(a) Where a member has failed to renew their membership by Dec 31 and has continued practicing Podiatry, in violation of the Podiatrist Act of Manitoba, a penalty of \$500.00 will be imposed.
(b) This penalty fee is in addition to the registration renewal fee.
(c) This penalty fee applies to any calendar year, or part of a year, when a person practices Podiatry in Manitoba while not registered/licensed to practice Podiatry.
(d) Any member renewing after Dec 31 will be required to re-instate their registration/licensure with the College. This may include signing a declaration confirming that he/she has not practiced Podiatry in Manitoba since Dec 31.
- (4) On payment of the registration fee, and any arrears, the registrar must issue to the member a receipt bearing the stamp of the College and stating that the member is, subject to his or her compliance with the Act, the regulations and the bylaws, entitled to practice as member.
- (5) (a) Where a member fails to pay the annual registration fee/ and or liability insurance fee on or before December 31st, and further fails to pay instalment plans where that route is chosen, he or she ceases to be registered but is subject to having his or her registration reinstated pursuant to subsection (6).
(b) Where a member fails to complete and/or provide evidence of compliance in CPR as outlined by the College on or before Dec 31st each year, he or she ceases to be registered.
(c) Where a member fails to complete and/or provide evidence of compliance in First Aid as outlined by the College on or before Dec 31st at the end of each 3 year period, he or she ceases to be registered.
(d) Where a member fails to complete and/or provide evidence of compliance in CPDs as outlined by the College on or before Dec 31st at the end of each 2 year cycle, he or she ceases to be registered.
(e) Insufficient Funds:
(i) Where a member issues a cheque with insufficient funds there will be a penalty of at least \$100.00.
(ii) Within 7 days of notification of default a certified cheque or banker's draft, for the payment plus penalty amount, must be delivered to the COPOM office. Failure to do so will result in suspension of the member, subject to 23(6)(a).
(iii) For repeat offenders membership fees must be paid via certified cheque or banker's draft. The option of quarterly instalments will not be available for an additional 2 years.
(f) Late Fees:
(i) A late payment fee of \$150.00 will automatically be applied to any renewal application received after Dec 15th each year.

- (ii) This late penalty fee is in addition to the registration renewal fee.
- (iii) The membership renewal will NOT be completed, and no license will be issued, until all requirements are met and all fees, including penalties, are paid.

- (6) A member seeking to renew registration because of non payment of fees may be required to pay a late fee penalty in an amount equal to twenty percent (20%) of that member 's annual registration renewal fee plus the annual registration renewal fee for that year.
- (7) A member who ceased to be registered under section (4) is eligible for reinstatement by the board where the former member:
 - (a) applies for renewal of registration in the form required by the board not later than six months following the expiration of his or her registration,
 - (b) is not in contravention of the Act, the regulations, or these bylaws, and
 - (c) provides proof of appropriate liability insurance coverage.
 - (d) pays the annual registration fee and an additional reinstatement fee in an amount equal to twenty percent (20%) of the annual registration fee.
- (8)
 - (a) Council may as necessary impose special levies to maintain 20(4).
 - (b) Council may set any special fee, levy or assessment necessary for the College to pursue its purpose and carry out its duties.
- (9) The registrar must notify members by regular mail at their last known address giving 30 (thirty) days notice of the amount of the special levy and the day on which it is due.
- (10) Where a member fails to pay the levy, he or she ceases to be registered but is subject to having his or her registration reinstated pursuant to subsection (6).
- (11) A member seeking to renew registration because of non payment of levy shall be required to pay a late fee penalty in an amount equal to twenty percent (20%) of that levy plus the levy.

24. Application fees

Applications for membership must be accompanied by a \$150 fee to cover administrative costs associated with processing application.

25. Examination fees

When an exam is requested by council, the application must be accompanied by a \$300 fee to cover costs by the College for administering the exam. If additional costs are encountered to administer an exam, the costs will be the responsibility of the applicant.

26. Borrowing powers

The members may, by special resolution at an annual or extraordinary general meeting, restrict the borrowing powers of the council, but a restriction imposed expires at the next annual general meeting.

27. Investment income

All income derived from invested funds must be added to and become part of the ordinary income of the College.

28. Financial Statements

- (1) The council shall annually appoint someone with a professional background in Accounting to produce the financial statements for the College.
- (2) The financial statements must be included in the Annual Report of the College.

29. Legal counsel

The council or, with the approval of the council, a committee or panel, may retain legal counsel for the purpose of assisting the council, committee or panel in carrying out any power or duty under the *Act*, the regulations or these bylaws.

30. General meetings

- (1) A general meeting of the members must be held in Manitoba at a time and place determined by the council.
- (2) The following matters must be considered at an annual general meeting:
 - (a) financial statements as completed by an accountant,
 - (b) the report of the council.
- (3) Every general meeting, other than an annual general meeting, is an extraordinary general meeting.

31. Notice of general meetings

- (1)
 - (a) The council must prepare and send by the most expeditious means notice of the AGM to every member at least thirty (30) days prior to the meeting.
 - (b) The council must prepare and send by most expeditious means of notice of an extraordinary general meeting to every member at least 10 days prior to the meeting.
- (2) Notice of a general meeting must include:
 - (a) the place, day and time of the meeting,
 - (b) the proposed agenda,
 - (c) any resolutions proposed by the council.
 - (d) any resolutions proposed by the members under section 30 and delivered to the registrar prior to the mailing of the notice,
 - (e) the proxy notice,

- (f) nominations, if any,
 - (g) the previous year's AGM minutes in the case of an AGM,
 - (h) the annual financial statements as completed by the accountant in the case of an AGM, and
 - (i) the council and committee reports in the case of an AGM.
- (3) The accidental omission to deliver notice of a meeting to, or the non-receipt of a notice by, any member or council member entitled to receive notice of a general meeting, does not invalidate proceedings at that meeting.

32. Resolutions proposed by members

- (1) On receipt of a notice specified in subsection 4(6) of *the Act*, the registrar will send to all members, at least thirty (30) days prior to the date of that meeting, notice of the resolution and a copy of it.
- (2) If a resolution is passed by a majority of the full members present and voting at the general meeting, and if the total number of full members present and voting on the resolution represents at least forty percent (40%) plus one (+1) of all full members who are then in good standing, then that resolution will bind the future actions of the council to the extent that it does not conflict with the *Act*, the regulations, or these bylaws.

33. Proceedings at general meetings

- (1) In the absence of both the chair and the vice-chair of the council at a general meeting, an acting chair for the meeting must be elected by a majority vote of the full members present.
- (2) A quorum is 40% (forty percent) +1 (plus one) of members present at a general meeting.
- (3) No business, other than the adjournment or termination of the meeting, may be conducted at a general meeting at a time when a quorum is not present.
- (4) Except as these bylaws otherwise provide, the most recent edition of *Robert's Rules of Order* governs the procedures at a general meeting.
- (5) A general meeting may be adjourned from time to time and from place to place, but no business may be transacted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- (6) When a meeting is adjourned, notice of the rescheduled meeting must be delivered as in the case of the original meeting.
- (7) A full member present at a meeting is entitled to one vote and the chair of the meeting, where the chair is a full member, is entitled to one vote.

- (8) All voting shall be carried out by ballot.
- (9) In the event of a tie vote, the resolution is not passed.

34. Voting by proxy

- (1) A full member entitled to vote at a general meeting may, by proxy in a form approved by the council, appoint in writing another full member as his or her proxy holder to attend and act at the general meeting in the manner, to the extent, and with the power conferred by the proxy.
- (2) A proxy holder has the same rights as the member who appointed him or her to speak at the meeting.
- (3) A proxy ceases to be valid following the general meeting specified in the proxy.
- (4) A proxy must contain:
 - (a) the date it is executed,
 - (b) the name of the proxy holder, and
 - (c) the signature of the member assigning the vote.
- (5) A proxy may be revoked by the member in writing.

35. Notice to public representatives

Every notice or mailing provided to the general membership of the College must also be provided to each public representative serving on the council or committee.

PART 3 – COLLEGE RECORDS

36. Manner of disposal of College records containing personal information

The council must ensure that a College record containing personal information is disposed of only by:

- (a) Effectively destroying a physical record by utilising a shredder, or by complete burning,
- (b) Erasing information recorded or stored by electronic methods on tapes, disks, or cassettes in a manner that ensures that the information cannot be reconstructed,
- (c) Returning the record to the person the information pertains to, or
- (e) Returning the record to the member who compiled the information.

PART 4 – EXAMINATIONS

37. Examinations

- (1) Council may request an applicant successfully complete an ad hoc exam and must approve all matters relating to examinations including:
 - (a) the form and content of the examination,
 - (b) the scheduling of examinations,
 - (c) fees for examinations, and
 - (d) who administers the examination.

- (2) Examinations provided for candidates or assessment of members shall:
 - (a) be administered either by an examinations committee or by a recognized college of podiatric medicine delegated this function by council.
 - (b) reflect current minimum entry-level standards approved by council
 - (c) be subject to fees as in (23)
 - (d) be scheduled within 6 months of notice to applicant of examination requirement.

- (3)
 - (a) A candidate taking the examination in Manitoba must pay the fee provided for in the by-laws.
 - (b) the examination will be scheduled as provided for in the by-laws.

- (4) A candidate who fails two writings of the examination must complete a course of instruction set by the registrar that is based on an assessment of the candidate's need for remedial study. After the registrar receives proof of successful completion of the course of instruction, the candidate may write the examination for a third and final time.

- (5) Partial completion of the examination
 - (a) Subject to subsection (3), a candidate who writes part of the examination shall be considered to have written the examination, and the examination shall be scored.
 - (b) A candidate who writes only part of the examination may elect to be considered a "did not write" if he or she can demonstrate an extenuating circumstance acceptable in accordance with policies established by the council that prevented the candidate from writing all parts of the examination.

- (6) Release of examination results
 - (a) A candidate's examination results may be released to:
 - (i) the candidate;
 - (ii) other persons or agencies, at the written request of the candidate.

PART 5 -- GENERAL

38. Code of Ethics

The College adopts the code of ethics as set out in Schedule B of these by-laws.

APPENDIX A

Introduction to Robert's Rules of Order

What Is Parliamentary Procedure?

It is a set of rules for conduct at meetings that allows everyone to be heard and to make decisions without confusion.

Why is Parliamentary Procedure Important?

Because it's a time tested method of conducting business at meetings and public gatherings. It can be adapted to fit the needs of any organisation. Today, Robert's Rules of Order newly revised is the basic handbook of operation for most clubs, organisations and other groups. So it's important that everyone know these basic rules!

Organisations using parliamentary procedure usually follow a fixed order of business. Below is a typical example:

Call to order.

Roll call of members present.

Reading of minutes of last meeting.

Officer's reports.

Committee reports.

Special orders --- Important business previously designated for consideration at this meeting.

Unfinished business.

New business.

Announcements.

Adjournment.

The method used by members to express themselves is in the form of moving motions. A motion is a proposal that the entire membership take action or a stand on an issue. Individual members can:

Call to order.

Second motions.

Debate motions.

Vote on motions.

There are four Basic Types of Motions:

Main Motions: The purpose of a main motion is to introduce items to the membership for their consideration. They cannot be made when any other motion is on the floor, and yield to privileged, subsidiary, and incidental motions.

Subsidiary Motions: Their purpose is to change or affect how a main motion is handled, and is voted on before a main motion.

Privileged Motions: Their purpose is to bring up items that are urgent about special or important matters unrelated to pending business.

Incidental Motions: Their purpose is to provide a means of questioning procedure concerning other motions and must be considered before the other motion.

How are Motions Presented?

Obtaining the floor

Wait until the last speaker has finished.

Rise and address the Chairman by saying, "Mr. Chairman, or Mr. President."

Wait until the Chairman recognises you.

Make Your Motion

Speak in a clear and concise manner.

Always state a motion affirmatively. Say, "I move that we ..." rather than, "I move that we do not ...".

Avoid personalities and stay on your subject.

Wait for Someone to Second Your Motion

Another member will second your motion or the Chairman will call for a second.

If there is no second to your motion it is lost.

The Chairman States Your Motion

The Chairman will say, "it has been moved and seconded that we ..." Thus placing your motion before the membership for consideration and action.

The membership then either debates your motion, or may move directly to a vote.

Once your motion is presented to the membership by the chairman it becomes "assembly property", and cannot be changed by you without the consent of the members.

Expanding on Your Motion

The time for you to speak in favour of your motion is at this point in time, rather than at the time you present it.

The mover is always allowed to speak first.

All comments and debate must be directed to the chairman.

Keep to the time limit for speaking that has been established.

The mover may speak again only after other speakers are finished, unless called upon by the Chairman.

Putting the Question to the Membership

The Chairman asks, "Are you ready to vote on the question?"

If there is no more discussion, a vote is taken.

On a motion to move the previous question may be adapted.

Voting on a Motion:

The method of vote on any motion depends on the situation and the by-laws of policy of your organisation. There are five methods used to vote by most organisations, they are:

By Voice -- The Chairman asks those in favour to say, "aye", those opposed to say "no". Any member may move for an exact count.

By Roll Call -- Each member answers "yes" or "no" as his name is called. This method is used when a record of each person's vote is required.

By General Consent -- When a motion is not likely to be opposed, the Chairman says, "if there is no objection ..." The membership shows agreement by their silence, however if one member says, "I object," the item must be put to a vote.

By Division -- This is a slight verification of a voice vote. It does not require a count unless the chairman so desires. Members raise their hands or stand.

By Ballot -- Members write their vote on a slip of paper, this method is used when secrecy is desired.

There are two other motions that are commonly used that relate to voting.

Motion to Table -- This motion is often used in the attempt to "kill" a motion. The option is always present, however, to "take from the table", for reconsideration by the membership.

Motion to Postpone Indefinitely -- This is often used as a means of parliamentary strategy and allows opponents of motion to test their strength without an actual vote being taken. Also, debate is once again open on the main motion.

Parliamentary Procedure is the best way to get things done at your meetings. But, it will only work if you use it properly.

Allow motions that are in order.

Have members obtain the floor properly.

Speak clearly and concisely.

Obey the rules of debate.

Most importantly, *BE COURTEOUS*.

Roberts Rules Made Simple

Points

The following three points are always in order:

1. Point of Order: a question about process, or objection and suggestion of alternative process. May include a request for the facilitator to rule on process.
 2. Point of Information: a request for information on a specific question, either about process or about the content of a motion. This is not a way to get the floor to say something you think people should know. People misusing points of information in this fashion will be defenestrated, or otherwise sanctioned forcefully.
 3. Point of Personal Privilege: a comment addressing a personal need - a direct response to a comment defaming one's character, a plea to open the windows, etc.
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Motions

All motions must be seconded, and are adopted by a majority vote unless otherwise noted. All motions may be debated unless otherwise noted. Motions are in order of precedence: motions may be made only if no motion of equal or higher precedence is on the floor (i.e., don't do a number 5 (move to end debate) when the body is discussing a number 4 (move to suspend rules)).

1. Motion to Adjourn: not debatable; goes to immediate majority vote.
2. Motion to Recess: not debatable. May be for a specific time.
3. Motion to Appeal the Facilitator's Decision: Not debatable; goes to immediate vote. Allows the body to overrule a decision made by the chair.
4. Motion to Suspend the Rules: suspends formal process for dealing with a specific question. Debatable; requires 2/3 vote.
5. Motion to End Debate and Vote or Call the Question: applies only to the motion on the floor. Not debatable; requires 2/3 vote.
6. Motion to Extend Debate: can be general, or for a specific time or number of speakers. Not debatable.
7. Motion to Refer to Committee: applies only to the main motion. Refers question to a specific group with a specific time and charge.

8. Motion to Divide the Question: breaks the motion on the floor into two parts, in manner suggested by mover.

9. Motion to Amend: must be voted for by a majority to be considered and by a 2/3 to be passed. If amendment is accepted as "friendly" by the proposer of the amendment then many bodies will allow it to be accepted without a formal vote; this is a way of including a consensus-building process into procedure without endless debate over amendments to amendments. Strictly speaking, however, once the main motion is made it is the property of the body to amend.

10. Main Motion: what it is you're debating and amending.

Other Meeting Guidelines:

1. When a topic is first introduced or a main motion is made, allow all questions for information purposes to be asked before opening to debate.

2. Discourage the repetition of arguments. Attempt to call on people who have not yet spoken before those who have already spoken. Discourage dialogues that start up between two individuals in debate.

3. If debate carries on too long, impose time limits on speakers.

4. Discourage people from talking in initials - spell them out.