



# *Nova Scotia College of Chiropractors*

## *Council By-Laws*

*Approved by  
the NSCC*

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# Nova Scotia College of Chiropractors

## Council By-Laws

### 1. Definitions

In these by-laws,

- a.) "Act" means the Chiropractic Act of Nova Scotia
- b.) "Board" means the Board of the College;
- c.) "Board Regulations" means regulations made by the Board pursuant to subsection 6(2) of the Act;
- d.) "chiropractic" means professional services usually performed by or under the supervision of a chiropractor and includes
  - i) Diagnosis, examination and treatment of persons principally by hand and without the use of drugs or surgery of the spinal column, pelvis, extremities and associated tissues, and
  - ii) such services as approved by the regulations;
- e.) "chiropractor" means a person who is licensed to practice chiropractic under the Chiropractic Act;
- f.) "Chiropractic Regulations" means regulations made under subsections 6(3), and 22 of the Act
- g.) "College" means the Nova Scotia College of Chiropractors;
- h.) "committee" means a committee of the Council
- i.) "Council" means the Council of the College;
- j.) "license" means a valid and subsisting license issued pursuant to the Act;
- k.) "member" means a person who is registered in the Register and holds a license;
- l.) "Register" means the Register of the College kept pursuant to the Act;
- m.) "registered" means registered pursuant to the Act;

### 2. Council

- a.) There shall be a Council of the College (as created and established by the Chiropractic Act), hereinafter referred to as the "Council".
- b.) The objects of the Council, as set out in the Chiropractic Act, Section 90, are to:
  - i) promote and improve the proficiency of chiropractors in all matters relating to the practice of chiropractic;
  - ii) maintain the integrity and honour of the chiropractic profession;
  - iii) improve chiropractic service, however rendered; and
  - iv) perform such other lawful things as are incidental or conducive to chiropractic.
- c.) The Council shall have authority to exercise all powers of the Council between Annual and Special meetings, except to change the By-Laws.

### **3. Member in good standing**

- a.) A member is in good standing in the College for the purpose of these by-laws where;
  - i) he/she is not in default of any fees prescribed by the Act, Regulation or By-laws;
  - ii) his/her license is not under suspension; and
  - iii) his/her license is not subject to a term, condition or limitation other than one prescribed in the Act or Regulations.

### **4. Members of Council**

- a.) As per Section 94 of the Act, the Council will be composed of;
  - i) a President,
  - ii) a Vice-president,
  - iii) a Treasurer,
  - iv) a Secretary,
  - v) two members-at-large
  - vi) the immediate past President of the Council; and
  - vii) a member of the Board, other than the Chair of the Board, chosen by the Board who shall sit as a non-voting member of the Council.

### **5. Council Committees**

- a.) The Council may appoint such committees as the Council considers necessary to assist it in carrying out its duties pursuant to the Act.
- b.) Council Committee Chairs will be appointed by the President.
- c.) Council Committee Members shall be appointed by the President in conjunction with the Committee Chair, in the number and at the time required to complete any committee.
- d.) Joint Board-Council committees may be developed by Council President and Board Chair, in the composition as considered necessary.
- e.) The Council President shall be an ex-officio member of all Council Committees. Upon attendance at any committee meeting, an ex-officio member shall have all rights of a regular committee member, excluding voting rights.

### **6. Officers and Duties**

- a.) The Council may appoint such officers, agents or employees at such salary or other remuneration, and for such term of office, as the Council considers necessary to assist it in carrying out its duties pursuant to the Act.

## **7. Election of Council**

- a.) Election of members to Council shall take place at the Annual General Meeting of the College.
- b.) Only members of the College who practice chiropractic in the Province are eligible to vote in an election for members of the Council (As per Section 91(2) of the Act)
- c.) Every member in good standing who is not a member of the Board is eligible to be nominated as and vote for a candidate for membership on the Council (As per Section 91(3) of the Act).
- d.) Council nominations and elections shall be completed through the Council Secretary. The Council Secretary shall, call for nominations from the registered members of the College for any Council position to be filled. Said nominations shall be signed by two members of the College and shall be accompanied by a statement of willingness to serve in the said capacity, signed by the nominee.
- e.) The Council Secretary shall also call for nominations from the floor at the annual meeting and, if no further nominations are forthcoming, then a motion for nominations to cease shall be called.
- f.) A secret ballot election shall be held if there is more than one nominee per position.
- g.) Members of the Council shall be elected to office for a term of two years (As per Section 89(3) of the Act).
- h.) Elected members of the Council shall not be members of the Council for more than four consecutive terms (As per Section 89(4) of the Act).
- i.) In subsection (h), "consecutive" means that twelve months or less occurred between the end of one term and the commencement of the next term (As per Section 89(5) of the Act).

## **8. Council Meetings**

- a.) The Council shall meet twice yearly, except as required by a special meeting, at a time and place to be determined by the Council.(As per Section 92(1) of the Act)
- b.) The President, or three (3) members of the Council, can call additional Council meetings.
- c.) Four (4) voting Council members shall constitute a quorum of the Council.
- d.) The President, or failing him/her, the Vice-President, or failing him/her the Secretary or Treasurer, shall chair all meetings.
- e.) Except in the event of an equal number of votes being given for and against a resolution at any meeting, the President or other presiding officer shall not vote.
- f.) A meeting of the Council may be held by conference telephone call or other communications facilities that permit all persons participating in the meeting to communicate with each other, and all members participating in the meeting by such means are deemed to have been present at the meeting.

## **9. Annual College Meeting**

- a.) The Council shall report annually to the College at the time of the annual meeting of the College.(As per Section 92(1) of the Act)
- b.) As part of the College report, the Council shall provide for review to the membership;
  - i) minutes of Council meetings.
  - ii) an annual report of Council activities.
  - iii) a proposed Council budget
  - iv) audited financial statements of Council activities
- c.) The Council President, or failing him/her, the Vice-President, or failing him/her, the Secretary or Treasurer, shall chair the Council portion of College meetings or special meetings.

## **10. Special Meeting of the College**

- a.) (As per Section 92(2) of the Act) The Council may call additional meetings of the College to consider matters relating to the objects of the Council.
- b.) The President, or three (3) members of the Council, can call special meetings of the College to consider Council matters.
- c.) The Council will notify the Board to call the special meeting. The Board shall hold the special meeting within fifteen (15) working days.
- d.) The Council President, or failing him/her, the Vice-President, or failing him/her, the Secretary or Treasurer, shall chair the Council portion of a special meeting.
- e.) No other business but that specified in the notice may be transacted at a special meeting.

## **11. Vacancies, replacements and impeachment**

- a.) Any member of the Council may be removed from the Council, by a vote by written ballot of two-thirds (2/3) of the members of the College, present at a College meeting or Special meeting called for such purposes. The Council may, by majority vote, temporarily suspend a Council Member pending the call of the meeting.
- b.) If any Council member resigns or is removed from the Council during his/her term of office, then the Council shall delegate the responsibilities of the vacated Council positions amongst the remaining Council Members, until such time that the position can be filled by election at an annual meeting.
- c.) Any Committee Chair may be removed from the Chair position for cause, by a majority vote of the Council.
- d.) Any Committee Member may be removed from a committee for cause, by a majority vote of the Council.

## **12. Finances**

- a.) At the Annual General Meeting of the College, the Council will provide Audited financial statements of its activities and a proposed budget for the upcoming fiscal year.

- b.) The Council shall use the services of the College auditor.
- c.) The signing officers of the Council shall be the Treasurer, Vice President and the President. The proper institutions shall be notified of the names and given samples of the signatures of the signing officers when a change in name occurs.

### **13. Remuneration**

- a.) Every member of the Council in attendance at meetings of the Council or committees thereof, or who is called upon to attend the Legislature or Court on business of the Council, or who is otherwise engaged on business of the Council, shall be paid a per diem allowance for each day in attendance and for each day spent in traveling from and returning to his/her home. There shall also be paid to such member of the Council the amount necessarily disbursed by him/her for expenses in connection with such attendance.
- b.) Every member of the College in attendance at meetings of the Council or committees thereof at the request of the President, or who is called upon to attend the Legislature or Court on business of the Council, or who is otherwise engaged on business of the Council, may be paid a per diem allowance for each day in attendance and for each day spent in traveling from and returning to his/her home. There may also be paid to each such member of the College the amount necessarily disbursed by him/her for expenses in connection with such attendance.
- c.) The per diem allowance referred to in these By-laws shall be set by Council and reviewed annually.
- d.) All claims for expenses incurred shall be submitted with original receipts and invoices, on an expense account form to be provided by Council, and shall be signed by the person submitting the same for payment.
- e.) No payments under any of the foregoing provisions of these By-laws whether by way of per diem allowance or expenses shall be made unless first authorized by the President, or by an authorized agent of the Council.
- f.) Council members shall be paid a yearly honorarium to be set by the Council and reviewed annually.

### **14. Making and changing By-Laws**

- a.) (As per Section 93(1) of the Act)The Council may make by-laws consistent with this Act that are necessary or desirable for the attainment of its objects or for the proper implementation of its powers.
- b.) (As per Section 93(2) of the Act) A by-law or an amendment or revocation of a by-law may be made by the Council if;
  - i) notice of the by-law, amendment or revocation is given in writing, at least one month (30 days) prior to the vote, to every member eligible to vote; and
  - ii) it is in compliance with the procedures prescribed in the by-laws.
- c.) Passing of a by-law resolution requires a majority vote of the voting members in attendance at a meeting of the College, or special meeting of the College.