

Draft Bylaws:

**College of Health and Care
Professionals of British Columbia**

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4.0 College Administration

Registrar and chief executive officer

4.1 The Registrar:

- (a) is the chief executive officer of the College and holds final responsibility for all administrative and operational matters for the College; and
- (b) has the powers and duties assigned to the position of Registrar under the Act, Regulations and these Bylaws.

4.2 The Registrar is authorized to:

- (a) establish forms for the purposes of these Bylaws; and
- (b) require the use of such forms by Applicants and Licensees.

Deputy Registrars

4.3 A Deputy Registrar is authorized to perform all duties of the Registrar:

- (a) subject to any direction or limits or conditions from the Registrar; and
- (b) without limitation if the Registrar has a Conflict of Interest or is otherwise unable to act or provide direction for any reason, subject to any written succession plan approved by the Board.

4.4 The Registrar may appoint additional deputies who may exercise powers and perform duties of the Registrar or Deputy Registrar as authorized by the Registrar.

Legal counsel

4.5 The Registrar may retain or assign legal counsel to assist the Board, the Registrar, a Committee, a Panel, or a working group on any College matter.

4.6 The Board may, by Special Resolution, retain legal counsel to assist the Board on any College matter.

Fiscal year

4.7 The fiscal year of the College commences on April 1 of each calendar year and ends on March 31 of the following year.

4.8 The Board must at least once in each fiscal year:

- (a) approve an operating budget and a capital budget and corresponding fees for the fiscal year;

- (b) set any limits or conditions the Board considers necessary or appropriate on the Registrar's authority to make financial commitments on behalf of the College during the fiscal year; and
- (c) establish contingency reserve funds and limits and conditions for the permissible uses of such funds.

Banking, borrowing, and investments

- 4.9 The Registrar must establish and maintain one or more College accounts with a chartered bank, trust company, or credit union.
- 4.10 Subject to any policy approved by the Board, the Registrar may raise funds, borrow, or guarantee or secure payments on behalf of the College in any manner determined by the Board, in order to carry out College purposes.
- 4.11 Subject to any policy approved by the Board, the Registrar may invest funds of the College, in the name of the College, in a manner consistent with sections 15.1 and 15.2 of the *Trustee Act*, RSBC 1996, c.464.

Auditor

- 4.12 The Board must appoint a chartered professional accountant as the auditor for the College.
- 4.13 The Board must, for each fiscal year, direct the auditor to conduct an audit of the College's financial statements.
- 4.14 The Registrar must submit the College's financial statements to the auditor not later than sixty (60) days after the end of each fiscal year.
- 4.15 A copy of the auditor's report must be Published or made public otherwise by the Registrar, which may include incorporation in the College's annual report.
- 4.16 The Board may remove an auditor before the expiration of any term of appointment, but in such case must, as soon as reasonably possible:
 - (a) appoint another auditor for the remainder of the predecessor's appointment, or some other period; and
 - (b) direct the Registrar to provide written notice to the predecessor auditor of the removal.

Conflict of Interest – employees and officers

- 4.17 The Board must establish a Conflict of Interest policy for employees and officers of the College, which policy must include steps that apply if a Conflict of Interest is identified.

- 4.18 If an employee or officer of the College identifies a Conflict of Interest in relation to their involvement in a matter, or the Registrar is satisfied that an employee or officer may have such a Conflict of Interest, the employee or officer must:
- (a) as soon as reasonably practicable disclose the general nature of the Conflict of Interest to the Registrar, or to a responsible supervisor the Registrar may designate from time to time; and
 - (b) follow the directions issued by the Registrar or responsible supervisor.
- 4.19 The Registrar or responsible supervisor must not presume any Conflict of Interest for any employee or officer based solely on the employee or officer's Indigenous identity, race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age.
- 4.20 Without limiting Bylaw 4.19, the Registrar or responsible supervisor must not presume any Conflict of Interest for any Indigenous employee or officer relating to any matter involving an Indigenous component, based solely on the employee or officer's Indigenous identity, or their general interest in Indigenous matters.
- 4.21 Without limiting Bylaws 4.19 and 4.20, the Registrar or responsible supervisor must not presume any Conflict of Interest for any employee or officer relating to any matter involving a component related to race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age, based solely on the employee or officer's own race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age.
- 4.22 If the Registrar identifies a Conflict of Interest in relation to their involvement in a matter, the Registrar must disclose it as soon as reasonably practicable to the Board Chair who must:
- (a) assess whether the Registrar has a Conflict of Interest; and, if so,
 - (b) determine next steps, including whether the Registrar may continue to act in the matter, in accordance with the Conflict of Interest policy applicable to the Registrar; and
 - (c) direct the Registrar to disclose the Conflict of Interest, if applicable, and any required next steps to the Deputy Registrar(s).

Notice by the College

- 4.23 Subject to the Act and Regulations, where the College is required to deliver a notice, order or other record, delivery may be effected as follows:
- (a) in relation to a Licensee or a Health Profession Corporation, by mail, registered mail, or electronic mail at the last address provided to the College;

- (b) in relation to a former Licensee or a Health Profession Corporation no longer holding a permit, by mail, registered mail, or electronic mail at the last address provided to the College during the period of licensure or permit validity; or
- (c) in relation to any other person or entity, to the last address of that person or entity known to the College.

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