

BY-LAWS OF THE SOCIETY

September 2013

BY-LAWS AND OBJECTIVES

The Canadian Branch shall be governed by the rules and regulations of the parent Society in the United Kingdom. All rules, regulations and modifications thereof proposed by the Canadian Branch shall be subject to endorsement by the parent body, and shall not become operative until such endorsement has been obtained. The parent Society in the U.K. shall have the power to dissolve or reconstitute the branch should be deemed necessary, provided the Federal Minister of Corporations is advised of such procedures not less than 90 days prior to its occurrence.

The following Bylaws shall be in regard to the Canadian Branch of the L.C.S.P. only, its constitution and membership, and represent amendments to the main Rules, Aims and Objectives of the Society in so far as such are relevant to the Canadian Branch.

1. The name of the Society will be "THE LONDON AND COUNTIES SOCIETY OF PHYSIOLOGISTS, CANADIAN BRANCH."

2. OBJECTS OF THE SOCIETY

- (a) To provide an organization, international in scope and activity, for persons engaged in the scientific study of physiology; but, in particular, for those persons engaged in the profession of Remedial Massage prescribing a standard of professional ability, proficiency and experience essential to the election of Members, thereby conferring a recognized and approved status by virtue of membership.
- (b) May conduct examinations in the theory and practice of Remedial Massage and may grant certificates of proficiency dependent on the results thereof. And further, to promote and support continued education.
- (c) To establish, promote, and enforce a Code of Conduct and Ethics to safeguard the integrity of Members' professional status.
- (d) To print, publish, buy or support books or literature or any publication for circulation to Members in so far as such may be of interest to Members in their professional activities and which may tend to promote the objects of the Society.
- (e) REMOVED November 2000
- (f) To do all such other things as are conducive to the attainments of the objects for which the Society is formed as may be determined from time to time by the Council of the Society.

3. CODE OF ETHICS

Members engaged in the scientific study of physiology, but in particular, the profession of Remedial Massage having satisfied the Council of their competence in such therapy, shall adhere to the following Code of Conduct and Ethics;

- (a) Members shall at all times conduct their professional lives with the propriety and dignity becoming a servant of the public and pledge that they will at all times place service before self. They also pledge that they will under no circumstances infringe the code of morality becoming their profession and commit no breach of conduct that will to any degree reflect upon themselves, upon the Society, or upon their fellow practitioners.
- (b) Members shall at all times respect the knowledge, skill and experience of the registered medical practitioner and shall always seek to elevate the status of their own profession by working as far as it is possible in close liaison with the medical fraternity.

- (c) Members shall be free to advertise their services and practice as they see fit, subject to any such advertisements:
 - (i) being legal, decent, honest and truthful, and in accordance with the laws governing advertising as set down by the Governments of the land;
 - (ii) not being of a character that could reasonably be regarded as likely to bring the profession into disrepute;
 - (iii) not being such as to abuse the trust of existing or potential patients or exploit their lack of knowledge.
- (d) Members shall confine their services to within the recognized spheres of their profession, and shall not offer nor promise cures for specific conditions.

Any Member, knowingly breaching this Code, shall, at the discretion of the Council, be liable to forfeiture of membership.

4. CATEGORIES & QUALIFICATIONS FOR MEMBERSHIP

The Society considers its membership as:

- (i) Removed November 2000
- (ii) Removed November 2000
- (a) STUDENT MEMBERSHIP shall be open to bona-fide students of the profession. Any letters shall not designate such membership. This type of membership is available to enrolled students of the Northern Institute of Massage and/or any approved massage training program. This category of membership shall have no voting privileges. A student member may apply for admission as outlined in the Education and Examination section, Rule 7.
- (b) ASSOCIATE MEMBERSHIP shall be open to persons who have successfully completed an approved course of training to the requirement of the Council (as determined under Section 7), and who have had less than 600 hours of practical experience in the profession of Massage. Members of this category are eligible to call themselves or use the term 'Remedial Massage Practitioner'. Such membership will be designated by the letters - L.C.S.P. (Assoc).
- (c) FULL MEMBERSHIP shall be open to persons who have successfully completed approved training to a standard of proficiency so determined by the Council, and who have had not less than 600 hours of practical experience in the profession. Only Members of this category are able to call themselves or use the term 'Remedial Massage Therapist'. Such membership will be designated by the letters - L.C.S.P. (Phys).
- (d) AFFILIATED MEMBERSHIP shall be open to persons who are registered members with a governing body for massage therapists in the province in which they are practicing. Another requirement for eligibility to this category of membership is that they meet all the current educational and membership requirements of the LCSP Canadian Branch and/or are a current member in good standing. Such membership will be designated by the letters - L.C.S.P. (Assoc) or L.C.S.P. (Phys) - dependent on the educational standard approved Council.
- (e) FELLOWSHIP shall be conferred upon Members who have given distinguished service to the profession or Society. Fellowships are issued by the U.K. Council only; nominations for such honour may be put forward by the Canadian Branch Council. Such to be announced at the Annual General Meeting of the Society, subject to nomination and seconding of a candidate by Members of Council, and subject to a maximum appointment of two Fellowship Members in any one year.

Such membership to carry the designatory letters F.L.C.S.P. (Phys).

- (f) HONOURARY MEMBERSHIP may be conferred by agreement in Council on outside persons who are genuinely associated with the profession and work of this Society. Such membership shall carry no designatory letters, except in those cases where such Member has formerly been in Full or Associate membership, when the appropriate designatory letters may be retained.
- (g) NON-PRACTICING MEMBERSHIP is open, at the discretion of Council, to enrolled Full or Associate Members who, for one reason or another, are not engaged in professional practice during the relevant year of membership. Such Members retain their former rights of membership with the exclusion of insurance coverage. A member is allowed to be Non-Practicing for a maximum of 5 consecutive years, at which time they must either renew as a practicing member or rewrite the board exam. The continued-education requirements for Non-Practicing are exactly the same as practicing members, with the exception of CPR/SFA, which can lapse, but must be renewed before the therapist resumes practice. Non-Practicing members do not require liability insurance, until they resume practicing.
- (h) RETIREMENT MEMBERSHIP is available, at the discretion and consent of Council, only to long-standing Full or Associate Members of the Society who, for reason of age or infirmity, have retired permanently from professional practice. Such Members may retain the use of the designatory letters of membership after their names.
- (i) All admissions to Membership and category of Membership are subject to the approval of the parent Council in the United Kingdom.
- (j) All Associate, Full, Affiliated, Fellow and Non-Practicing Members, other than those registered as retired or Non-practicing, must acquire 40 hours of continued education approved by the Education Committee, or meet the continued education requirements of the governing body in which they hold membership, every 3 years to maintain membership. A maximum of 10 CUE credits may be carried forward and applied to the next window requirements.
- (k) Sports Massage Practitioner is a term reserved for those individuals who have successfully completed an approved course of training to the requirements of the Council and presently hold the level of Associate Member to the Society. Use of the term must be accompanied by the appropriate designating letters for the category. No other Member may promote or use terms, which may lead the public to believe they have such educational qualifications.
- (l) Sports Massage Therapist is a term reserved for those individuals who have successfully completed an approved course of training to the requirements of the Council and presently hold the level of Full Member to the Society. Use of the term must be accompanied by the appropriate designating letters for the category. No other Member may promote or use terms, which may lead the public to believe they have such educational qualifications.

5. MEMBERSHIP FEES

- (a) All Associate, Full and Affiliated Members in the Society must carry Insurance for Malpractice & Liability.
- (b) Membership fees shall be decided and approved by the membership, upon recommendation of Council, at the Annual General Meeting of the Society prior to said fees being implemented and such fees shall include the subscription for membership of the Parent Society as determined by the "U.K. Governing Council."

In addition, Full Members resident in Canada shall agree to a pledge to subscribe to a reserve levy of \$20.00 per annum, such levy (or part thereof) to be called for only in any need to raise funds as an emergency contingency.

- (c) Memberships are payable first on enrollment and thereafter in advance by January 1st of each year. Members applying after April 1st in any year will pay membership fees of 3/4 of the membership fee set out in 5(b); after July 1st in any year, will pay membership fees of 1/2 of the membership fee as set out in 5(b); and after October 1st in any year will pay membership fees of 1/4 of the membership fee set out in 5(b).
- (d) If any Member's subscription is more than three (3) months' in arrears, the Council shall have the power to terminate membership, and shall so notify the Member. Any Member wishing to withdraw from membership may do so upon notice to the Branch in writing.
- (e) Fellowship of the Society shall be gratuitous for life.
- (f) Honorary membership of the Society shall be gratuitous throughout the term of membership.
- (g) At the discretion of the Council, the categories of Affiliated, Non-Practicing, and Retired shall be allowed membership of the Society as set out in 5(b).
- (h) Malpractice and Liability Insurance coverage is not mandatory to Full and Associate Members in the "Retirement", "Non-Practicing" or "Affiliated" categories of membership, nor to Student or Honorary Members.

6. CERTIFICATE OF MEMBERSHIP

- (a) A Certificate of Membership shall be issued to each Member, (except to Student Members), such certificate to remain the property of the Society, and to be returned on termination of membership.
- (b) The certificate must not be used in any way, which would be injurious to, or adversely affect the interests of the Society, or it may, at the discretion of the Council, be forfeited.
- (c) The membership certificate of the Society must be placed in clear view of the public, within the premises of the treatment area. Those with traveling practices must at all times have the certificate available for the patient's observation. Duplicate certificates may be requested in writing to the Membership Director.

7. EDUCATION AND EXAMINATION

- (a) The Educational Guidelines shall be presented each year to the membership at the Annual General Meeting for approval.
- (b) REMOVED
- (c) All applicants for admission to the Society after December 31, 2000 must take the Society's qualifying examination for the category of membership being requested subject to approval of training at the fee set out in 5(b). An applicant may be exempt from the examination process where he/she holds a membership in good standing in a governing body. Proof of membership to the governing body must be submitted with the application for membership. The applicant must also meet the educational requirements as set out in the Educational Guidelines of the Society.

- (c.1) Associate Members as at December 31, 1999 wishing to move to a higher category (Phys level), before June 30, 2001, must have 600 hours practical experience in the profession of Massage, as well as a level of education satisfactory to the Council. Associate Members as at December 31, 1999 wishing to move to a higher category (Phys level), after June 30, 2001, must have 600 hours of practical experience in the profession of Massage and successfully pass the Phys level examination process.
- (c.2) Members joining at the Associate level after December 31, 1999 wishing to move to a higher category (Phys level), must have 600 hours of practical experience in the profession of Massage and successfully pass the Phys level examination process.
- (c.3) Associate members as at December 31, 2000 must upgrade to the “Phys” level by December 31, 2005. Failure to upgrade, or obtain approval by Council, will mean forfeiture of their membership.
- (d) The examination shall consist of both a written and a practical/oral examination, such being to the extent considered by the Council to be appropriate to appraise the candidate's proficiency for membership.
- (e) Exemptions from the written examination may be granted on a subject for subject basis to holders of certain qualifications recognized by the Society, e.g. Registered Medical and/or Dental Practitioners, Registered Nurses and/or medical auxiliaries, etc. Candidates wishing to claim exemption must submit full details of their qualification and copies of supporting documents (not the originals) to the Organizing Secretary at the time of applying for membership.
- (e.1) Exemptions from the written examination will be granted to any student achieving an overall average of 80% from an approved school and examination be granted a pass in the written portion of the examination process. Those students that meet the criteria in Bylaw 4(a) be offered a free membership on the Society.
- (f) Exemptions from the practical examination can only be granted in special circumstances where the applicant is known to be an established practitioner in the profession, and such applicants for admission will, in every such case, be required to attend for interview before the Council of the Society. Supporting documents and/or letters of reference may be required to be produced at the interview.
- (g) The Council shall appoint or approve of suitable examiners. Such persons being FULL members of the Society.
- (h) The Society shall hold its examinations from time to time in various parts of the country as decided by Council, such dates and venues to be announced in the Society's publications.
- (i) REMOVED November 2000
- (j) No Member of the Society shall be involved in any way whatsoever, whether for financial gain or otherwise, in the promotion, arrangement, or management of educational or training courses or seminars or suchlike activities, notwithstanding that qualifications may or may not be offered to participating persons, without the consent and approval of the Council of the Society, and any breach of this Rule shall be considered to be a breach of the Code of Professional Conduct of the Society.
- (k) To become an approved examiner (not including an external examiner) or tutor, a person must be a Full Member of the Society. A tutor or examiner may be required to undergo an examination, if so

determined by the Council. Persons approved by the Council as examiners or tutors will be responsible to the Council of the Society for their actions in this regard; examination results shall be reviewed and approved by the Council and the Council shall have power to adjudicate upon any question relating to education and examinations not provided for in the above paragraphs. Approved tutors and examiners shall be acceptable to both the Canadian Branch and the parent body of the Society in the United Kingdom.

- (l) REMOVED November 2000

8. COUNCIL OF THE BRANCH

(a) The affairs of the Branch shall be managed by the Council of a minimum of seven (7) and a maximum of nine (9) Directors of the Branch, such Directors being either Full, Fellow or Honourary Members of the Society, subject to an increase in the size of the Council being permitted, in accordance with paragraph (g) below. The applicants for incorporation shall become the first Directors for the corporation whose terms of office on the Council of Directors shall be until the first Annual General Meeting of the Society.

(b) The Officers of the Branch shall be as follows:

President Vice-President Organizing Secretary Treasurer

All officers shall be elected Directors of the corporation and they shall cease to be Officers if they cease to be Directors. The said Officers, together with the remaining Directors, form the Council of Directors.

The duties of the Officers shall be as follows:

PRESIDENT

The President shall sit as Exofficio of all Committees, appoint Members to Committees upon the recommendation of Council, and chair all meetings of the Council and Society. Further, the President shall see that all orders of the Council are carried out. The President shall vote on issues of Council only when the remaining Council members have reached an impasse.

ORGANIZING SECRETARY

The Organizing Secretary shall perform the duties as laid out in Section 8(e).

VICE PRESIDENT

The Vice-President shall chair meetings which the President cannot attend and shall take over the chair should the President be required to stand down at any meeting or during the election of the President. The Vice President will take over all duties of the President should the President become incapacitated. The Vice-President shall be considered for the nomination for President.

TREASURER

The Treasurer shall keep the financial records to the Society and have the signing authority for the Society.

DIRECTORS

All remaining Directors shall perform duties and sit on Committees as is required by Council, voting on all matters required at meetings of the Council.

- (c) With the exception of the Offices of President and Organizing Secretary, the election of Council Officers and Directors shall take place each year at the Annual General Meeting of the Society such term of office being for three years, whereby two Officers of the Council shall retire at each Annual General Meeting. A retiring Director shall be eligible for re-election. The Directors whom initially incorporated the Society shall stand for election as follows, once this rotation has completed elections shall occur as previously mentioned.

Elections in the 1st year

Don Bennett FLCSP(Phys)
Randy Ellingson FLCSP(Phys)

Elections in the 2nd year

Carmen Irvine LCSP(Phys)
Gail McKaig LCSP(Phys)

Elections in the 3rd year

Stuart Oikawa LCSP(Phys)
Wayne Wenaus LCSP(Phys)
Jay Fee LCSP(Phys)

- (d) The President of the Branch shall be elected at an Annual General Meeting, such nominations and seconds to come from within the Council, and such term of office shall be for one year, but the retiring President shall be eligible for re-election to a maximum of three consecutive terms.
- (e) The Organizing Secretary shall be appointed by the President. It shall be the duty of the Organizing Secretary (or his/her assistant) to attend all meetings of the Council and of the Society; and to keep proper minutes and records of meetings; and all other books and records of the Society; and to conduct the correspondence of the Society.
- (f) The Council of Directors shall create a nominating committee, made up of two (2) Directors, plus one non-Council Member to make recommendations for positions becoming vacant on the Council. Any Member of the Branch may nominate a Member for Council. All nominations must be provided to Council in writing, not less than sixty (60) days prior to the Annual General Meeting. The Nominating Committee is responsible for organizing a ballot for election purposes. Ballots shall be presented to the Organizing Secretary not less than forty-five (45) days prior to the Annual General Meeting. The remaining Members of the Council may fill any casual vacancy occurring on the Council or a Member of the Society may be co-opted by the Council to serve on the Council until the next Annual General Meeting.
- (g) Council may invite the Administrative Secretary, Past-Presidents (subject to such persons still being Full or Fellow Members of the Society), and Fellowship Members, the Legal Adviser to the Society or other Members to attend a particular meeting of Council. These attending invitees shall have the right to speak for or against any issues but none shall have the full power to vote in Council affairs.
- (h) Meetings of the Council will be held from time to time, as may be necessary, and all Council Members and other Members invited pursuant to paragraph 8(g) above, shall be given reasonable notice of the dates and venues of such meetings. If notice is given by mail, it must be sent at least 14 days in advance of the meeting. At such meetings three (3) Council Members shall constitute a quorum. Meetings of the Council shall take place in or near the office of the Society unless such meeting place is changed by a vote of the Council prior to the meeting.
- (i) At each meeting of the Council, the President (or, in his absence, the Vice-President) shall preside as Chairman, such Chairman being allowed a casting vote.
- (j) Should any Member of the Council fail to attend three successive Council meetings, he shall be

removed from the Council unless a reason acceptable to the Council is received.

- (k) The Council shall have the power to appoint committees as it considers necessary and desirable and may delegate any of its powers to such committees, but the committees shall be answerable to the Council at all times. The President of the Branch shall sit as Chairman on all Committees. Any committee Member may be removed by a majority vote of Council. Committee Members shall receive no remuneration for serving as such but are entitled to reasonable expenses incurred in the exercise of their duty.
- (l) A copy of the Minutes of all Council Meetings of the Branch shall be provided to the Governing Council of the Society in the United Kingdom within twenty-eight (28) days following the meeting. L.C.S.P. Council in the United Kingdom has the right to make recommendations on topics which arise from the minutes of Council Meetings and the views of the U.K. Council shall be made known to the Canadian Council and deliberated there on and the outcome of such deliberation be informed to the U.K. Council.
- (m) A special meeting of the Council may be called if two (2) Council Members apply, in writing, stating the purpose of the meeting.
- (n) The Council shall have the power to decide and adjudicate upon any question not provided for in the Bylaws and Rules Aims and Objects of the Society, but their decision shall be subject to the confirmation of the Members at the next Annual General Meeting.
- (o) Any Council Member or Officer may be removed from Council if, at a special General Meeting of Members of the Society, a resolution is passed by a majority of the Members present at the meeting that, that Director be removed from Council or office.

8A CODE OF PROFESSIONAL CONDUCT

The Society is governed by a duly elected Council. All persons entering membership of the L.C.S.P. Canadian Branch must formally agree to respect and be governed by all decisions of the Council.

The purpose of this Code is to define the professional ethical standards in regard to the practice of Massage, under which all persons entering into membership of any category of the London and Counties Society of Physiologists Canadian Branch shall agree formally to be bound under the following regulations.

REGULATIONS

- 1) At the present time Provincial Statutes do not regulate the practice of Massage Therapy in many Provinces. Nevertheless, Common Law affects the right of an individual to practice this therapy. A Member of the Society shall undertake to abide by all the laws of the Province in which he/she may legally practice, or reside.
- 2) To maintain the highest standards of professional conduct consistent with membership of the Society.
- 3) To observe the highest degree of integrity and responsibility in regard to the practice of Massage Therapy and to recognize that the interest/welfare of the patient is paramount.
- 4) To respect totally the confidentiality of the relationship of practitioner/therapist to patient.
- 5) To seek assistance, or refer the patient to his/her Medical Practitioner, in any situation

where the practitioner/therapist may feel that he/she lacks the necessary knowledge or competence to administer treatment.

- 6) To undertake to continue and update his/her knowledge of Massage Therapy by means of lectures, seminars and suitable reading.
- 7) To refrain from enticing patients from care of a professional colleague, and to abstain from any action or statement which might bring a professional colleague or organization into disrepute.
- 8) To keep detailed and accurate records of all patient's contracts and treatments, as well as business and financial records.
- 9) To refrain from making any statements or claims misrepresenting the therapeutic benefits of their treatment.
- 10) To comply to the letter with the Code of Professional Practice.

8B CODE OF PROFESSIONAL PRACTICE

MEMBERSHIP

- 1) All Members must pay their Annual Membership Fee on the due date.

INSURANCE

- 1a) The Member must agree to take out Malpractice and Liability insurance.

PERSONAL

- 2) A member should maintain the modest and correct demeanor expected of a professional person. The abuse of alcohol, drugs, or good order is deemed to be serious offenses against this code.

PREMISES

- 3) Treatment rooms must be maintained in a state of clinical cleanliness, and public areas and facilities must comply with current Health and Safety Regulations.

RECORDS

- 4) An accurate record of patient's details and treatments is required. These confidential records must be kept in a secure place, properly safeguarded and not accessible to third parties.

CONDUCT

- 5) An LCSP member must not
 - a) Use the title "Doctor" unless he/she is a Registered Medical Practitioner. If a Member has a Doctorate from a recognized university in a subject other than medicine, and is thereby entitled to the designation "Doctor" he/she must make clear on all letter headings, advertisements or correspondence that his/her Doctorate is in the subject in which the degree was awarded. (e.g. Dr. J. Smith, Ph. D. (Litt) Doctor of Letters.)
 - b) Address or refer to an assistant as "nurse" unless the person referred to holds a nursing qualification recognized in Canada.
 - c) Carry on any consultation, physical assessment or treatment of a child under the

age of 16 except in the presence of a parent or guardian or other responsible adult approved by the parent or guardian.

- d) Make any claim, verbally or in writing, in regard to the curative effect of a treatment.
- e) Carry out any treatment of a patient who has already received similar treatment for the same condition from another Therapist unless the patient has, of his/her own volition, decided to abandon the original Therapist's treatment.
- f) L.C.S.P. Canadian Branch Members who hold a membership in good standing with a governing body may use their required designatory letters according to L.C.S.P. Canadian Branch Bylaws section 4- Categories and Qualifications for Membership, in all advertising and/or correspondence.

All other L.C.S.P. members are required to use the designatory letters according to L.C.S.P. Canadian Branch Bylaws section 4- Categories and Qualifications for Membership, in all advertising and/or correspondence.

ADVERTISING

- 6) LCSP Canadian Branch Members may advertise their services subject to the advertisement;
 - a) being legal, decent, honest and truthful, in accordance with the laws governing advertising as set down by the Governments of the land.
 - b) not being of such a character to bring either the profession or the LCSP into disrepute.
 - c) not being such as to abate the trust or exploit the lack of knowledge of existing or potential patients.
 - d) not make any claim for cure of any specific or named condition. A practitioner may, however, indicate that the therapy may be of assistance in, for instance, rheumatic or arthritic conditions.
 - e) not showing any other forms of treatment or therapy under the banner of the LCSP or in any way give said topics authenticity. Any Member involved in providing such services must be a member of a recognized body governing such forms of treatment and/or therapy and must provide said membership registration number to the Membership Committee of the LCSP. Advertisements of such treatments must be approved in writing by the Disciplinary Committee of the Society.

STATIONARY AND NAMEPLATES

- 7) These should be of a professional nature and of unexceptional design. Professional plates should be of modest dimensions.

TEACHING

- 8) The Society recognizes that everyone practicing in the field of Massage Therapy must have adequate training, and must have demonstrated their competence before being permitted to practice in their own right. For this reason, the following regulations apply;
 - a) No Member shall teach, demonstrate or instruct students without written

- permission of Council.
- b) Other Therapies
LCSP members who are qualified to teach other therapies must ensure that there will be no risk that the Society will be brought into disrepute thereby.

ATTENDANCE OF MEETINGS

- 9) Any Member not attending or submitting a valid proxy for three (3) consecutive Annual General Meetings without just cause may be asked to appear before the Disciplinary Committee.
- 9.1) Physical attendance at an Annual General Meeting will count as four (4) hours of continued education credits.

8C DISCIPLINARY CODE

- 1) A Disciplinary Committee shall be appointed by Council to deal with any breaches of the Codes of Professional Conduct or Code of Professional Practice or with the Bylaws of the Society.
 - a) The Disciplinary Committee will consist of a Chairperson, who will be a Member of Council, and two other Council Members. The Disciplinary Committee may co-opt up to two ad hoc Members, who must be Full Members of the Society, and may be resident geographically in the near vicinity of the accused Member but not be in partnership or any professional association with the Member.
 - b) The LCSP Disciplinary Committee will accept as final the findings of any Court of Law, and will act accordingly.
- 2) **PROCEDURE**
 - a) Upon receiving a complaint in writing against a Member, the Disciplinary Committee shall write to that Member, advising him/her of the complaint and requiring from him/her a written explanation, advising him/her this may be used in any subsequent proceedings against him/her. The Member will at the same time be advised of his/her rights under this code.
 - b) The Disciplinary Committee will then meet and, if the Disciplinary Committee decides that there is any danger to the public or to the reputation of the profession or the Society, it may immediately suspend the Member for a period of three months. If no further action is taken within that period, this suspension will expire automatically.
 - c) If it considers it necessary, the Disciplinary Committee may authorize an Investigating Member to visit the accused Member, interview him/her and inspect the premises and relevant records. The Investigating Member will report to the Disciplinary Committee at a private meeting, which need not be advised to the Member.
 - d) The Disciplinary Committee may then summon the Member to a disciplinary hearing. Notice of at least 28 days must be given to the member, and they may bring with them witnesses or documentary evidence for examination by the

Disciplinary Committee. The accused Member shall have the right to be represented by a qualified practicing Solicitor or Barrister; a Full Member of the Society in good standing, or a practicing Member of another profession. If the accused Member elects to be represented legally, the Committee shall have the right to call into attendance a Member of the Society's Legal Advisers. Even if represented, the Member is required to attend the Disciplinary hearing.

- e) The Disciplinary Committee will have the right to examine the circumstances of the alleged offense, and not those of the offender.
- f) Failure to comply with the requirements of the Disciplinary Committee, the Appeals Committee or the Council will result in suspension of that Member until his/her co-operation is obtained.
- g) The Disciplinary Committee may then:
 - i Dismiss the accusations against the Member.
 - ii Adjourn the hearing pending further inquiries.
 - iii Admonish the Member, with warning as to his/her future conduct. It may also order a second visit by the Investigating Member after the lapse of a defined period of time to ensure that the Committee's requirements have been implemented.
 - iv Fine the Member up to an amount agreed annually by Council.
 - v Suspend his/her membership for a defined period or sine die.
 - vi Fine and suspend the Member.
 - vii Order that the Member be expelled from the Society. In the event of such expulsion, a notice shall be sent to all other bodies recognized by the Society in the field of Massage Therapy and Osteopathy or Chiropractic to the effect that the Member has been expelled from the LCSP Canadian Branch for gross professional misconduct. This form of action must be ratified before the membership by a majority vote of Members present at an Annual General Meeting.
 - viii May forward all relevant documentation to the presiding governing body.

All decisions by the Disciplinary Committee shall be subject to confirmation by Council at the first normal Council meeting subsequent to the Disciplinary Committee's decision.

All actions by the Disciplinary Committee must be provided to the Council in a written report.

APPEAL PROCESS

A Member shall have the right of appeal against decisions of the Disciplinary Committee. It should be noted that Council of the Society also has the right of appeal should Council consider that the Disciplinary Committee's decision is contrary to justice. An appeal must be notified in writing to the Organizing Secretary within 14 days of the Disciplinary Committee's decision.

THE APPEALS COMMITTEE

- A) The Appeals Committee shall consist of the President of the Society, who will take the Chair, two other Council Members, who will not be members of the Disciplinary Committee, two Fellowship Members resident in Canada one of whom may be nominated by the appellant, should the Fellow be willing to so serve. Should the

nominated Member not be willing to serve, then the President, as Chairperson of the Appeals Committee, shall nominate an alternative Fellowship Member.

- B) The Appeals Committee may consider all aspects of the case, and consider character of the offender as well as that of the offense.
- C) Additional evidence or witnesses may be examined by the Appeals Committee provided that the appellant has notified the Appeals Committee of his/her intention to present additional evidence at least 28 days prior to the hearing of his/her appeal, together with a valid reason why this additional evidence or witness(es) were not made available to the Disciplinary Committee.
- D) The Appeals Committee shall have the power to increase, as well as to decrease, any penalty imposed by the Disciplinary Committee, and this regulation must be advised to the appellant prior to the hearing of his/her appeal.
- E) The decision of the Appeals Committee is subject to confirmation by Council at the first Council meeting subsequent to the hearing of the appeal.

APPEAL TO COUNCIL

The accused Member shall also have the right of appeal to the full Council, the aforementioned procedures having been carried out.

The decision of the Council shall, as in all matters relating to the governing of the Society, be final.

9. ACCOUNTS AND FUNDS OF THE SOCIETY

- (a) The Council shall ensure that proper books relating to the accounts of the Branch are kept by the Treasurer, and a revenue account and balance sheet made up to the 31st of December and duly audited by the Auditor to the Branch, shall be presented each year at the Annual General Meeting together with the Auditor's report. The Organizing Secretary shall have charge of the seal of the Branch, which, whenever used, shall be authorized by the signature of the Organizing Secretary and the President.
- (b) No Member of the Society is permitted in any respect to pledge the credit of the Society.
- (c) The funds of the Society shall at all times be used only in accordance with the Rules, Aims and Objects of the Society and with regard to the general administration and operation of the Society.
- (d) The funds of the Branch shall be kept in a deposit account with one of the established banks, credit unions or trust companies in Canada and a current account may be kept at the same financial institution. Cheques drawn on the current banking account of the Branch and withdrawals from the deposit banking account of the Branch shall require two (2) out of the three (3) signatures of the President, Treasurer and one other Director or the Administrative Secretary. Other investments may be made by Council on behalf of the Branch, subject to confirmation of such decisions at the next Annual General Meeting.
- (e) The Society may pay all expenses incurred by its Officers, Employees and Servants in the execution of their duties, or when traveling on the business of the Society, such expenses to be paid at the discretion of the Council.
- (f) The Council shall act gratuitously, but the Organizing Secretary, Employees and Servants of the Society shall be entitled to reasonable remuneration to be determined and fixed by resolution from

time to time by the Council of the Society and shown in the annual accounts each year. Such resolution shall be confirmed by resolution of the Members at the next General Meeting. No other Officers are entitled to remuneration.

- (g) For the purpose of carrying out its objectives, the Branch may borrow, raise or secure the payment of money in such a manner as it thinks fit. This power shall be exercised only under the authority of the Branch and must be ratified by a majority of the Members present and voting at the Annual General Meeting.
- (h) A copy of the balance sheet shall be supplied to the Council of the Society in the United Kingdom, within twenty-eight (28) days of its approval at the Annual General Meeting in each year.

10. ANNUAL GENERAL MEETING OF THE BRANCH

- (a) The Annual General Meeting of the Branch shall take place in Canada between September 1 and November 30 of each year, at a venue determined by the Council of the Branch. One month's written notice of the venue shall be sent by mail to each Member, with such venue in Canada being decided upon by the Council. The notice of any General Meeting where special business will be transacted shall contain sufficient information to permit the Member to form a reasoned judgment on the decision to be taken.
- (b) The attendance of five (5) Members personally present at the Annual General Meeting shall consist of a quorum.
- (c) The President shall preside at the meeting in the capacity of Chairman.
- (d) A resolution put to the vote at the Annual General Meeting shall be decided upon by a show of hands, unless the Chairman elects to conduct a poll. The Chairman will be permitted a casting vote, and the declaration by the Chairman of the result shall be accepted as final. Any motion must be passed by a majority of the voting Members present at the Annual General Meeting unless the Canada Corporation Act or these bylaws otherwise provide.
- (e) Proposals and resolutions may only be made by Members attending the AGM. Unless in regard to matters arising in the procedures of the business at the Meeting, notice of proposals and resolutions must be submitted, in writing, to the Organizing Secretary at least sixty (60) clear days before the date of the Annual General Meeting and should be signed by the proposing Member and the seconding Member respectively. Proposals and resolutions will be reported to the Council by the Organizing Secretary prior to the AGM and the Council will determine the competency of all such proposals and resolutions before submission to the AGM. Resolutions adjudged incompetent by the Council will be reported by the Chairman at the Meeting.
- (f) Each Associate Member, Full Member and Fellowship Member shall be permitted one vote on each resolution placed before the Meeting, subject to being a fully paid-up Member of the Society at the time of the Meeting. Student Members and Honourary Members of the Society may attend the Meeting, but shall have no power of vote.
- (g) Normally, voting at an Annual General Meeting shall be permitted from attending Members only, but a Member unable to attend personally at a meeting may appoint a proxy to vote on his behalf, subject to such written proxy being placed in writing with the Organizing Secretary at least forty-eight (48) hours in advance of the meeting, but no attending Member may act as a proxy voter for

more than one absent Member. Any notice of the Annual General Meeting or notice of a Special General Meeting shall include a reminder of the proxy right.

- (h) Motions to be brought before the general membership must be provided in writing not less than sixty (60) days prior to the Annual General Meeting.
- (i) Any Member may voice an opinion for, or against, any motion, for not longer than three (3) minutes. At the end of twenty (20) minutes debate, the Chairman must call for a vote on the motion presently on the floor.
- (j) The Organizing Secretary shall provide to the membership, thirty (30) days prior to the Annual General Meeting, the Agenda of the Annual General Meeting, including motions, election ballots and details of all business to be discussed at the Meeting.
- (k) A special General Meeting of the Branch may be called if a petition, signed by one third (1/3) of the membership is presented to the President. The reason for calling the special meeting must be stated, in writing, on each page of the petition containing the signatures.

11. EXECUTION OF DOCUMENTS

Contracts, documents or any instrument in writing requiring the signature of the Branch shall be signed by any two of the President, the Organizing Secretary and the Administrative Secretary and all contracts, documents and instruments in writing so signed shall be binding upon the Branch without any further authorization or formality. The Council shall have power from time to time by resolution to appoint a Director or Directors or the Administrative Secretary on behalf of the corporation to sign specific contracts, documents and instruments in writing. The seal of the Branch, when required, may be affixed to contracts, documents and instruments in writing, signed as aforesaid or by any Director or Directors appointed by resolution of the Council.

12. AUDITOR

Members at each Annual General Meeting of the Branch shall appoint an Auditor to audit the accounts of the Branch, to hold office until the next Annual General Meeting, provided that the Council may fill any casual vacancy of the Auditor. The remuneration of the Auditor shall be fixed by Council.

13. ACCOUNTANT TO THE SOCIETY

The Council shall appoint an Accountant to perform the duties and functions in relation to the Branch's account and balance sheet that may be desired by the Council, and the charges of the Accountant in this respect shall be payable by the Branch.

14. SOLICITOR TO THE SOCIETY

The Council may appoint a Solicitor to perform such legal duties and functions that may be desired by the Council, and the charges of the Solicitor in this respect shall be payable by the Branch.

14.1 ADMINISTRATIVE SECRETARY OF THE SOCIETY

The Council shall appoint an Administrative Secretary to perform such administrative duties that may be desired by the Council. The Council shall set the remuneration for the Administrative Secretary.

15. DIRECTORY OF MEMBERS

The Society shall publish an annual list of its Members, with particulars of the qualifications and services available from such Members. This list is confidential and shall not be reprinted or redistributed to any non-member of the Society without the written consent of the Council. This list will not be used for any purpose other than direct LCSP business.

16. ALTERATION TO BYLAWS

- (a) Any alteration in the Bylaws and Objects of the Branch must be made by a majority of voting Members present at an Annual General Meeting of the Branch.
- (b) Any alteration to the Bylaws and Objects of the Branch shall not be enforced or acted upon until the approval of the Minister of Consumer and Corporate Affairs has been obtained.
- (c) All elections, appointments and changes to the Bylaws must be notified to the L.C.S.P. Council in the United Kingdom, prior to their being brought before the General Membership of the Canadian Branch.
- (d) All the original Rules, Aims and Objectives of the Society, unless amended hitherto, pertain to the membership and Council of the Canadian Branch of the L.C.S.P. The preceding Bylaws are for the Canadian Branch of the Society only, and are in no way to take away from the Rules, Aims and Objectives as set down by the parent Council in the United Kingdom.