



Newfoundland and Labrador Council of Health Professionals

By-Law No. 1

Revised December 2020

1. These By-laws are the By-Laws of the Newfoundland and Labrador Council of Health Professionals, made pursuant to section 17 of the *Health Professions Act*, SNL 2010, c.H-1.02.
2. In these By-laws:
 - a. “Act” means the *Health Professions Act*, SNL 2010, c.H-1.02 as from time to time amended and every statute that may be substituted therefor and, in the case of such substitution, any references in the By-Laws of the Council to provisions of the Act shall be read as references to the substituted provisions therefor in the new statute or statutes;
 - b. “Chairperson” means the chairperson of the Council, who shall be an elected member as defined in 2(e) below;
 - c. “College” means the college of a health profession or group of health professions established under the Act;
 - d. “Council” means the Newfoundland and Labrador Council of Health Professionals established under the Act;
 - e. “Elected member” means the members of the Council who are elected by the membership of the Colleges in accordance with paragraph 8(1)(a) of the Act;
 - f. “Health profession” means a health profession designated in the Schedule as governed by the Act;
 - g. “Health professional” means a member of a designated health profession;
 - h. “Member” means Council member unless expressly indicated otherwise;
 - i. “In good standing” when used in respect of a health professional or a Registrant means a person who has fulfilled all of the requirements for membership as a health professional in a College and is a Registrant with the Council pursuant to the Act:
 - (i) Whose registration is not subject to a suspension;
 - (ii) who is not under active sanction or investigation by the Council in accordance with the Act;
 - (iii) whose certificate of registration with the Council has not been surrendered; and

- (iv) whose name has not been struck from the register of health professionals maintained by the Registrar of the Council pursuant to the Act.
- j. “Minister” means the minister appointed under the laws of the Province to administer the Act;
- k. “Prescribed by Council” means as prescribed by by-laws or policies made by Council, or as may be prescribed by regulation made by Council, and approved by the Minister, under section 53 or 54 of the Act;
- l. “Province” means Province of Newfoundland and Labrador;
- m. “Public member” means a member of Council appointed by the Minister pursuant to subsection 9(1) of the Act;
- n. “Register” means the register of health professions referred to in the Act;
- o. “Registrant” means a health professional who has met all requirements for initial registration or renewal under the Act and Regulations and who has paid all outstanding fees due to the Council and to the College and who has been added or maintained on the Register by the Registrar in accordance with the Act and Regulations.
- p. “Registrar” means the registrar of health professionals appointed according to the Act;
- q. “Regulations” means the regulations under the Act as published or from time to time amended and every regulation that may be substituted therefor and, in the case of such substitution, any reference in the By-Laws of the Council to provisions of the regulations shall be read as references to the substituted provisions therefor in the new regulations;
- r. “Statutory committees” means the quality assurance committee, the complaints authorization committee and the registration committee established under the Act;
- s. “Working day” shall mean any day which a “holiday” is not as defined by the Interpretation Act of the Province and may include a Saturday.

3. Council By-laws and Colleges

- a. Subject to paragraph 3(b) below, pursuant to paragraph 17 (1)(f) of the Act, for the purposes of the Council making or amending any of its by-laws, any College may recommend to the Council, in respect of its health profession:

- 1) Definitions of “conduct deserving of sanction”, for the purpose of Part V of the Act, which include provisions for each of the categories of conduct deserving of sanction listed in paragraphs 34(c)(i) to (vi) of the Act;
 - 2) Provisions respecting “conflict of interest” of a health professional, in relation to his or her clients; and
 - 3) Rules respecting methods of advertising by the health professionals belonging to that College.
- b. The definitions, provisions and rules recommended by a College to the Council under subsection 3. a), and any amendments to them as may be recommended by a College to the Council from time to time, shall only be effective upon approval by the Council.

4. Office of the Council

- a. The offices of the Council shall be located at such place in the Province as the Council shall determine from time to time.

5. The Seal of the Council

The Council shall have an official seal that:

- a) Shall bear a design approved by the Council, and include the words “Newfoundland and Labrador Council of Health Professionals”;
- b) Shall be kept in the custody of the Registrar; and
- c) Shall be affixed to all documents requiring the affixing of the seal of the Council, in accordance with applicable law or as may be prescribed by Council from time to time.

6. Annual General Meeting of the Members of the Council

- 6.1.** The fiscal year-end of the Council is March 31 in each year.
- 6.2.** The Council shall hold an Annual General Meeting, to which all members of Council and all Registrants shall be given notice in accordance with this By-law and shall be invited to attend.

- 6.3.** The Annual General Meeting shall be held on such working day and at such time as the Council may decide provided that the Annual General Meeting shall not be later than September 30 of any calendar year.
- 6.4.** Annual General Meeting shall be held in such place in the Province as the Council may determine, provided that for reasons of cost and administrative convenience, the Council may determine to hold Annual General Meeting in St. John's or in near proximity to St. John's. Subject to section 6.3 of this By-Law, the Council sets the place, day and time of the Annual General Meeting.
- 6.5.** The agenda for the Annual General Meeting shall be set by the Council, and shall include,
- a) Presentation of the audited financial statements of the Council and report of the Council's auditors for the previous financial year;
 - b) The appointment by the Council of an auditor to audit the accounts of the Council for the coming financial year.
 - c) One or more reports on the work of the Council in the past year, which may be updated to include reporting on matters continuing or arising after the end of the immediately preceding fiscal year as far as is considered practical by Council to do so;
 - d) Such other appointments by Council, including appointment of legal counsel for the Council, as may be determined by Council; and
 - e) Such other matters of importance to the Council or of general interest to the members of the Colleges, as may be determined by Council.
- 6.6.** The Registrar shall send the Notice of the Annual General Meeting to all Council members and to all Registrants in good standing who are currently registered, at least 42 calendar days before the date of the meeting.
- 6.7.** The Notice shall state the place, date and time of the Annual General Meeting and shall include the agenda for the meeting. The Notice shall be posted on the Council's website.
- 6.8.** The Notice shall be sent by electronic mail to each Council Member and to each Registrant in good standing at their electronic mail addressed provided by them to the Council. If no e-mail address is provided by a Council member or a Registrant, the Notice shall be sent to the person's last mailing address on record with the Council.

Any Notice sent by electronic mail in accordance with this section 6.8 shall be considered to have been received on the date that it was sent by the Council. Any notice sent by regular mail in accordance with this section 6.8 shall be considered to have been received on the second working day following the mailing of the Notice.

- 6.9.** Each Council member and each Registrant shall be responsible for providing the Council with his or her current electronic mail address. Council members and registrants who prefer to receive correspondence via ordinary mail must provide his or her most current mailing address for this purpose.
- 6.10.** The non-receipt of the Notice of an Annual General Meeting by any Council member or any Registrant shall not invalidate any appointment made or any other decision taken in the conduct of business at the Annual General Meeting.
- 6.11.** Each elected member and each public member of the Council shall have the right to exercise one vote at the Annual General Meeting.
- 6.12.** A quorum for the Annual General Meeting is 50% plus one of the members of the Council, provided at least 2 members of the quorum shall be public members. Council members may participate in an Annual General Meeting and be counted as part of the quorum of Council, by teleconference; videoconference or such other electronic means as may be approved by Council.
- 6.13.** Persons who are not members of the Council shall not have the right to vote at an Annual General Meeting. However, the Council may authorize the holding of a vote by registrants in good standing (including elected members of Council who are registrants in good standing) for the purpose of consulting with one or more health professions on any matter. Any motion or resolution passed by a majority of registrants in good standing pursuant to a vote authorized by the Council under this section 6.13 shall be advisory only, and shall not be binding upon the Council unless separately voted upon and approved by the Council at the Annual General Meeting or at a subsequent meeting of Council.
- 6.14.** The Council may establish a policy regarding information to be made available to the public regarding the Annual General Meeting and the reports delivered at the Annual General Meeting.

7. Election of elected members of Council

- 7.1.** In accordance with paragraph 8 (1) (a) and 8 (4) of the Act, each of the Colleges shall have a position of Council Representative on its College Board of Directors. The elected Council member must be a director of the applicable College but the position of elected member to Council may be in combination with any other elected executive position of a College in accordance with the College's By-Laws.
- 7.2.** To be eligible for election as an elected member of the Council on behalf of a College, the individual;
- a) Must be a health professional and a Registrant in good standing of the applicable College and the Council;
 - b) Must be nominated by a health professional and Registrant in good standing within the applicable College and the Council seconded for nomination by another health care professional and Registrant in good standing within the applicable College and the Council or be nominated by a nominating committee of the board of the College in accordance with the by-laws of the applicable College;
 - c) Must be elected by a plurality of those casting ballots in an election at a duly called and properly constituted meeting in accordance with this by-law and the by-laws of the Applicable College; or
 - d) Acclaimed at a duly called and properly constituted meeting of members of the applicable College in accordance with this by-law and the by-laws of the applicable College.
 - e) Must not be currently or at any time on or after the date that is 11 months before the expiry of the applicable term of office, a director or officer of the health professions professional association.
 - f) Must not be a current candidate for election as a director or officer of the health professions professional association.
- 7.3.** Subject to this by-law, each College shall establish its own by-laws and procedures for electing a Council representative which by-laws and procedures shall include;

- a) a written call for nominations made to all of its health professionals in good standing given at least two (2) weeks in advance of the close of such nominations, with the health professionals in good standing of that College being advised of the identity of the nominees for this position and being given a ballot listing in alphabetical order the names of those nominees within one (1) week of the close of such nominations and being given a further 21 days in which to cast their ballots;
 - b) if there are no nominations received from the written call for nominations in accordance with paragraph 7.3 (a) , a call for nominations will occur in accordance with 7.2 (b) at either; (i) a regularly held annual general meeting of the applicable College; or (ii) a special general meeting of the applicable College that is held for such a purpose, provided the College gives notice in writing to all its health professionals in good standing of its intent to hold such a meeting at least thirty (30) days in advance of such a meeting;
- 7.4.** The elected Council representative for each College shall serve on Council for a term which shall not exceed 3 years, and an elected member is eligible to be re-elected, but he or she shall not serve as an elected member of the Council for more than 9 consecutive years.
- 7.5.** In the event of the death or incapacity or resignation of an elected Council representative, the Council shall request the applicable College to provide a nominee from the then-current members of the applicable College's Board for consideration. A person appointed to act under this section 7.5 may serve on the Council until the next annual general meeting of the applicable College or for the remainder of the term of the deceased, incapacitated or retired elected member, whichever period is shorter.
- 7.6.** In the event that a person elected by a College to represent that College on the Council ceases to be a health professional in good standing, the College shall within seven (7) days of making such a finding advise the Council of that fact. Upon such notice being received by the Council, that person is disqualified from acting as a member of the Council and shall cease to be a member of the Council. Where a health professional is disqualified by this section 7.6 from acting as an elected member of Council, section 7.5 shall apply for the replacement of that disqualified person by the applicable College.

8. Council Officers and Duties

- 8.1.** In addition to the Council electing from among its elected members: (i) a chairperson as required under section 8 (3) of the Act and (ii) a secretary-treasurer as required under subsection 8(3)(1)v of the Act; and appointing a Registrar as required by subsection 12(1) of the Act, the Council may create such other offices and appoint such other officers from among its members as the Council may determine necessary or desirable from time to time. The Council may elect one person to the position of secretary-treasurer or may have separate offices of secretary and treasurer filled by different members in any year.
- 8.2.** The Chairperson and the Secretary-Treasurer shall be elected by the members of Council on the date of the annual general meeting to serve until the next annual general meeting of the Council. The Chairperson and the secretary-treasurer shall be eligible to be re-elected, but shall, not serve as an elected officer for more than 9 consecutive years.
- 8.3.** In addition to the position of Registrar as required by the Act, the Council may create and maintain the office of Deputy-Registrar together with such other offices as the Council may from time to time determine to be necessary. Council may employ such persons at such rates of pay and such other terms of employment as Council may determine appropriate for the operational requirements of the Council as per section 12.4 of the Act.
- 8.4.** The chair in conjunction with the Council is ultimately responsible to ensure the council fulfills the duties and objects as indicated in the Act. The chair in addition to performing duties already established in the by-laws shall perform the following duties:

 - 8.4.1. Preside as chair of meetings of the Council.
 - 8.4.2. Oversee the operations and performance of the Council.
 - 8.4.3. Participate in orientating new members to Council
 - 8.4.4. Work with the Registrar to prepare and approve agendas and meeting materials for Council meetings.
 - 8.4.5. Other duties which may be requested by the Council from time to time.
- 8.5.** The secretary-treasurer in addition to performing duties already established in the by-laws shall perform the following duties:

- 8.5.1. Review draft minutes of Council meetings prepared by council staff for completeness prior to circulation to council members.
 - 8.5.2. Shall be a member of the Finance and Human Resource Committee.
 - 8.5.3. Other duties which may be requested by the Council for time and time.
- 8.6.** The Registrar or any other officer appointed pursuant to section 8.3 above or any other employee may not be a member of the Council. If a person who is appointed pursuant to section 8.3 above is a member of the Council, he or she shall resign as a member prior to the commencement of his or her duties as an officer or employee. If such member is an elected member, then his or her replacement as Council representative shall be appointed in accordance with subsection 8(6) of the Act. A current chair of a College shall not be eligible to be appointed as the Registrar or a deputy registrar, unless he or she resigns his or her College chair position.
- 8.7.** As is the case with the Registrar pursuant to subsection 12(1) of the Act, the Deputy Registrar shall be a non-voting member of Council.
- 8.8.** The Registrar or a deputy registrar, or any other paid employee of the Council, may be removed by Council from that position, in accordance with his or her contract of employment and other applicable law. All officers of the Council who serve in the positions reserved for members pursuant to section 8.1 of this by-law serve at the pleasure of the Council and may be removed from that appointment by a majority of Council at any time.

9. Code of Conduct

- 9.1.** The NLCHP Code of Conduct is attached in Schedule A. Council members are expected to adhere to the Code of Conduct in fulfilling their duties of Council.

10. Conflict of Interest

- 10.1.** NLCHP Council members are expected to adhere to the NLCHP Conflict of Interest Policy in fulfilling their duties of Council.

11. Replacement of Council Members

- 11.1.** If a majority of the members of Council determine that a Council representative elected by a College is not adequately fulfilling the responsibilities of an elected

member, a recommendation may be made by the chairperson to the College that the member be asked by the College to resign. The College shall nominate a replacement Council representative in accordance with section 7 of the by-laws.

- 11.2.** If a majority of the Council determines that a public member is not adequately fulfilling the responsibilities of a public member, or if a public member resigns, dies or becomes incapable of performing his or her duties written notice may be given by the Chairperson to the Minister to that effect.

12. Financial Matters

12.1. Payment

- a. Council members shall serve without payment for their service.
- b. Council representatives may request their travel and other expenses associated with their duties as Council members be approved by the Registrar and paid by Council, in accordance with the applicable policy established by the Finance and Human Resource Committee.
- c. Pursuant to subsection 9(5) of the Act, the Council shall pay the expenses of a public member in accordance with guidelines established by the Lieutenant-Governor in Council;
- d. Remuneration and travel expenses shall be paid by Council to members of adjudication tribunals in accordance with the applicable policy established by the Finance and Human Resource Committee.
- e. Remuneration of the Registrar, a deputy registrar and other staff and consultants shall be according to the scales established by the Finance and Human Resource Committee.

12.2. Fees

- a. All fees shall be set by the Council in accordance with section 15.1 of the Act;
- b. All money received by the Council in payment of fees shall be applied solely to discharge the duties of the Council under the Act.
- c. Funds

1. All monies received by the Council or its officers, agents or employees shall be receipted and recorded in accordance with Finance Committee policy, and shall be kept in a secure place until deposited;
2. The banking business of the Council or any part thereof shall be transacted with such bank or trust company as the Council may designate, appoint or authorize from time to time by resolution and all such banking business or any part thereof shall be transacted on the Council's behalf by two or more members:
3. The Council may require that all members of the Council handling or responsible for moneys or securities shall furnish adequate fidelity bonds. The premiums on such bonds shall be paid by the Council.

13. Audit

- a. Not later than 6 months after the end of the financial year the Council shall submit to the Minister the audited financial statements for the previous financial year.

14. Signing Authority

- a. The Chairperson, Secretary-Treasurer, Registrar, or the Deputy Registrar, shall sign all official correspondence.
- b. The Chairperson, Secretary-Treasurer, the Chair of the Finance Committee and the Registrar shall be designated as signing authorities for the Council's financial transactions. Two signatures shall be required on all financial documents and cheques.

15. Annual Report

- a. The annual report, to be submitted to the Minister, shall contain:
- b. The Council's audited financial statements for the previous financial year;
- c. Quality assurance statistics on the frequency and circumstances of access to patient records without patient consent;
- d. The annual reports of each College established under the Act; and
- e. Such other information regarding the objects and duties of Council as the Council may determine.

The annual report shall be made available to each College and be placed on the Council's web site.

16. Rules of Council Meetings

- 16.1.** There shall be a minimum of four Council meetings per year, with further meetings convened by the chairperson as required.
- 16.2.** A quorum of the Council is 50% plus one member, including at least 2 public members. For the purpose of section 15 (a) Council is defined as the number of council members less any vacancies that are on council at the time of the meeting.
- a. Where a quorum is not present at the opening of or during a meeting, the meeting may be adjourned and rescheduled to a fixed time and place. All information about an adjournment must be communicated to members within 24 hours.
 - b. Where a quorum exists, a majority of that number is sufficient to make a decision, and in the event of a tie the chairperson of the meeting shall cast the deciding vote.
 - c. In the absence of the chairperson the secretary-treasurer would assume the chairperson and in their absence the members of the Council in attendance at a meeting may appoint another member to chair that meeting.
 - d. A member may participate in a meeting of the Council by means of the telephone or by other electronic means that permits all persons participating in the meeting to communicate with each other.
 - e. The Council may allow for voting at a meeting in person, by means of the telephone or by other electronic means.
 - f. Notice of cancellation of a Council meeting, due to inclement weather or other reasons, should be made by the chairperson, or his or her designated, as soon as possible and when possible at least 24 hours before the planned start of the meeting, which notice shall be by e-mail unless a member has previously requested that such notice be by a telephone call.

17. Confidentiality Policies

The Council shall protect the confidentiality of personal health information regarding patients or clients of health professionals collected by the Council and by the Colleges for the purposes of their quality assurance and disciplinary processes.

18. Committees

18.1. The statutory Committees of the Council are as follows:

- a. Registration Committee
- b. Quality Assurance Committee
- c. Complaints Authorization Committee
- d. Finance and Human Resource Committee

18.2. The Council shall appoint the persons to serve on the statutory committees, in accordance with the Act and these By-Laws. Statutory committee members shall be appointed by Council on an annual basis at the AGM.

18.3. Committee Membership

Statutory Committees of Council shall be chaired by a member of Council. Members of statutory committees of the Council shall serve for one year but not more than nine consecutive years. In the event of a vacancy in a statutory committee, the Chair of the Committee and the Registrar have authority to appoint a new member to the committee.

- a. Registration Committee - see Part II of the Act

The Committee members shall be a minimum of two elected members and a public member, and the Registrar who maintains a register of health professionals registered under the Act. Other representatives from the Colleges may be Committee members but need not be Council members.

- b. Quality Assurance Committee - see Part III of the Act

The Committee members shall be a minimum of two elected members and one public member. Other representatives from the Colleges may be Committee members but need not be Council members.

- c. Complaints Authorization Committee - see Part V of the Act

The Committee members shall be a minimum of three persons in accordance with the Act. The committee chair and vice-chair shall be appointed by the Council.

- d. Finance and Human Resource Committee

The Finance and Human Resource committee is established to oversee the financial, human resources and office operations on behalf of council

The Committee members shall be a minimum of two elected members and one public member. A member of the Committee must have accounting or related financial experience. The registrar will be an ex-officio member of the committee. Other representatives from the Colleges may be Committee members but need not be Council member.

18.4. In addition to the statutory committees, the Council may establish other committees for the purpose of fulfilling the duties and obligations of the Act.

- a. Membership of committees established under this section 17. shall be chaired by a member of the Council,
- b. membership may include eligible persons who are not members of the Council who shall be appointed for a term determined by Council.

18.5. General procedures for committees (as per Appendix B)

- a. The chair of a committee, or in his or her absence, the deputy chair if one has been appointed, calls committee meetings. Each committee:
 - I. Records minutes of its meetings for review on request by Council members;
 - II. Provides regular reports to the Council's request.
- b. A majority of the committee members present at a meeting is a quorum.

19. Notice of Change in By-Laws

- a. A by-law may be made, amended or repealed at a meeting of the Council provided that 30 days' notice, in writing, of the making, amendment or repeal of the by-law and of the meeting is given to members of the Council.
- b. The Council shall provide the minister with a copy of a by-law to be made, amended or repealed at least 60 days before it is intended to be made, amended or repealed.
- c. Once the by-law is made, amended or repealed, notice shall be given by posting the information on the Council's website and providing copies of the By-Law, amended By-Law or notice of the By-Law repeal to each of the Colleges.

Motion to Adopt these By-laws

That these by-laws of the Newfoundland and Labrador Council of Health Professionals be adopted.

Mover: Doug Wright

Secunder: Colin Power

Date: June 19, 2019

Schedule A

NLCHP Code of Conduct

1. This Code of Conduct applies to Members of the Council and all committees of the Council.
2. Council and Committee members must, at all times, act with integrity and in an ethical, respectful, and professional manner when discharging their Council duties. They shall:
 - a. Be familiar and comply with the provisions of the Act, its regulations and the By-laws and policies of the Council;
 - b. Diligently take part in committee work and actively serve on committees as appointed by the Council;
 - c. Undertake their duties and responsibilities with thorough preparation and careful attention to detail;
 - d. Regularly attend meetings on time and participate constructively in discussions;
 - e. Exercise independent and unbiased professional judgment in the performance of their duties.
 - f. Offer opinions and express views on matters before the Council, and Committees where appropriate;
 - g. Participate in all deliberations in a respectful and courteous manner, recognizing the diverse background, skills and experience of Members on the Council and Committees;
 - h. Consider the opinions of others during deliberations, strive for integration of viewpoints and consensus building, and respect the final decision of Council and Committees;

- i. Avoid and where that is not possible, declare any appearance of or actual conflicts of interest as per the NLCHP Conflict of Interest Policy;
- j. Refrain from including or referencing Council or Committee positions held in any personal or business promotional materials, advertisements and business cards;
- k. Preserve confidentially of all information before the Council or Committee unless disclosure has been authorized by the Council or otherwise exempted under the Act;
- l. Refrain from communicating to members, including other Council or Committee members, regarding registration, complaints, reports, investigations, disciplinary or fitness to practice proceedings unless he or she is a member of the panel or where there is no panel, of a statutory committee dealing with the matter;
- m. Respect the roles of staff whose duties and responsibilities are not to report to or work for the individual Council or Committee member; and
- n. Be respectful of others and not engage in behavior that might reasonably be perceived as verbal, physical or sexual abuse or harassment.

Appendix B

NLCHP Rules of Council Meetings

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

1. Each agenda topic will be introduced briefly by the person or committee representative raising it. Members may ask questions of clarification, then the person introducing the matter shall make a motion and another Member must second the motion before it can be debated.
2. For members participating via distance the chairperson will acknowledge their presence and request if a member wishes to speak to the topic. Members will be acknowledged by the chairperson and provided an opportunity to address the issue.
3. When any Member wishes to speak/address the topic, he or she shall so indicate by raising his or her hand and shall address the presiding officer and confine him or herself to the matter under discussion. For members participating via distance they will indicate their request by verbally requesting or if utilizing electronic media (i.e. webinar) will post a request to the chairperson to be acknowledged.
4. Staff persons and consultants with expertise in a matter may be permitted by the presiding officer to answer specific questions about the matter.
5. Observers at the Council meeting are not allowed to speak to a matter that is under debate.
6. A Member may not speak again on the debate of a matter until every other Member of the College who wishes to speak to it has been given an opportunity to do so. The only exception is that the person introducing the matter or a staff person may answer questions about the matter. Members will not speak to a matter more than twice without the permission of the chair.
7. No Member may speak longer than five minutes upon any motion except with the permission of the Chair.
8. When a motion is under debate, no other motion can be made except to amend it, to postpone it, to put the motion to a vote, to adjourn the debate or the Council meeting or to refer to motion to a committee.

9. A motion to amend the motion then under debate shall be disposed of first. Only one motion to amend the motion under debate can be made at a time.
10. When it appears to the presiding officer that the debate in a matter has concluded, when the Council has passed a motion to vote on the motion or when the time allocated to the debate of the matter has concluded, the presiding officer shall put the motion to a vote.
11. When a matter is being voted on, no Member shall enter or leave the meeting room and no further debate is permitted.
12. No member is entitled to vote upon any motion in which he or she has a conflict of interest, and the vote of any Member so interested will be disallowed.
13. Any motion decided by the Council shall not be re-introduced during the same session except by a two-thirds vote of the Council then present
14. Whenever the presiding officer is of the opinion that a motion offered to the Council is contrary to these rules or the by-laws, he or she shall rule the motion out of order and give his or her reasons for doing so.
15. The presiding officer shall preserve order and decorum and shall decide questions of order, subject to an appeal to the Council without debate.
16. The above rules may be relaxed by the chair if it appears that greater informality is beneficial in the particular circumstances unless the Council requires strict adherence.
17. Members are not permitted to discuss a matter with observers while it is being debated.
18. Members shall turn off cell phones during Council meetings and except during a break in the meeting, shall not use a cell phone, blackberry or other electronic device. Laptops shall only be used during Council meetings to review materials related to the matter under debate (e.g. electronic copies of background documents) and to make a personal note of the debate.
19. Members are to be silent while others are speaking.

20. In all cases, not provided for in these rules or by other rules of the College, the current edition of Robert's Rules of Order shall be followed so far as they may be applicable.