

Terms of Reference

Discipline Committee

AIBC Statutory Committees are established by section 32(3) of the *Professional Governance Act* (PGA) and governed by AIBC Bylaws and associated Committee Terms of Reference.

1.0 Authority

Type:	Statutory Committee
Established:	February 2023 under authority of s. 75(1) of the <i>Professional Governance Act</i> (PGA)
References:	<p>AIBC Board delegates authority to the Discipline Committee under s. 32(2) of the PGA to carry out the directives related to the Discipline Committee as follows:</p> <ul style="list-style-type: none"> • PGA s. 28 requiring the taking and signing of an Oath of Office; • PGA s. 31(3)(f)(i)(B) and s. (5)(b) specifying any information to be included in the register in disposing of a matter in respect of a Registrant; • PGA s. 32(7)(a) requiring at least one lay member; • PGA s. 32(7)(b) requiring at least one lay member present at every meeting; • PGA s. 32(7)(c) requiring a chair who is appointed in accordance with the selection principles; • PGA s. 67 make an order for Extraordinary Action to Protect Public; • PGA s. 72 request a Reprimand Remedial Action by Consent; • PGA s. 73 propose a Consent Order; • PGA s. 74 agree to an Alternative Consent Resolution; • PGA s. 75 conduct Discipline Hearings; • PGA s. 76 make an order against a Registrant for conduct in another jurisdiction; • PGA s. 77 establish Disciplinary Hearing Panels to conduct hearing of a Citation.

- AIBC Bylaws 3.8 – 3.9 regarding the establishment of the Discipline Committee;
- AIBC Bylaws 3.11 – 3.12 regarding the selection and appointment of committee chairs;
- AIBC Bylaw 6.10 establish Extraordinary Action Panel to conduct extraordinary action to protect the public Proceeding;
- AIBC Bylaws 7.1 – 7.30 regarding the discipline process;
- AIBC Bylaws 7.31 – 7.38 regarding the Discipline Hearing;
- AIBC Board Policy 1.5 Statutory Committees; and
- AIBC Volunteer Policies and Code of Conduct.

2.0 Membership

Committee Chair:	Appointed by AIBC Board
Term:	3 years, renewable.
Committee Members:	Appointed by AIBC Board
Term:	3 years, renewable.
Restrictions:	Must not be a member of the Investigation Committee or a Board Member
Committee Member Selection Criteria:	<p>The following criteria are not exhaustive. The criteria are intended to guide the Board when appointing new members to the Committee.</p> <ul style="list-style-type: none"> • Understanding and appreciation of the AIBC's core regulatory mandate; • Understands the AIBC's governance structure and relationship between Registrants, the AIBC, and the public; • Integrity, including the ability to exercise discretion and maintain confidentiality; to remain openminded and objective when contemplating decisions; and to share observations and findings through effective communication; • Understanding the principles of due process and procedural fairness; • Familiarity with the Code of Ethics and Professional Conduct; and • Taking and signing Oath of Office (PGA s. 28).

**Committee Chair
Selection Criteria:**

- Committee Member Selection Criteria
- Ability to fulfill the duties of the Committee chair listed in section 3.0.

**Committee Composition
Requirements:**

Legislated under *PGA* s. 32(7) and AIBC Bylaws 3.9, 3.11, 3.12

- Registration as an Architect AIBC or Retired Architect AIBC in Good Standing;
- Include at least one (1) Lay Committee Member who is present at every meeting (s. 32 (7) of the *PGA*); and
- Chair must be appointed in accordance with selection principles in *PGA* s. 25(1).

Committee Members	Composition (as applicable)	Appointment Date
1. Brent North	Architect AIBC – Chair	February 14, 2023
2. Gary Fields	Architect AIBC	February 14, 2023
3. Wayne Fougere	Architect AIBC	February 14, 2023
4. Karl Gustavson	Architect AIBC	February 14, 2023
5. Brian Hart	Architect AIBC	February 14, 2023
6. Simon Ho	Architect AIBC	February 14, 2023
7. Hui Hu	Architect AIBC	February 14, 2023
8. Natalka Lubiw	Architect AIBC	February 14, 2023
9. Cal Meiklejohn	Architect AIBC	February 14, 2023
10. Ross Rettie	Lay Member	February 14, 2023
11. Andrea Ritchie	Lay Member	February 14, 2023
12. Lee Satveit	Lay Member	February 14, 2023
13. Spencer Slipper	Lay Member	February 14, 2023

Departmental Staff Representatives (DSR)	Position
1. Sabinder Sheina	Legal Counsel Director, Professional Conduct and Illegal Practice
2. Meagan Sands, Paralegal	Manager, Regulatory Compliance
3. Tatiana Perez Velez, Paralegal	Conduct and Discipline Officer

3.0 Mandate:

Through Panels:

- Conduct Discipline Hearings into specified allegations of professional misconduct or incompetence, in accordance with the PGA, Regulations, AIBC Bylaws and Rules of procedure and policies; and
- Conduct applications for Extraordinary Action to Protect Public in accordance with the PGA, AIBC Bylaws and Rules of procedure and policies.
- Ensure the AIBC's discipline process is transparent, objective, impartial, fair, and allows for thorough, evidence based and proportionate response to complaints.

4.0 Duties:

Duties of the Committee:

The Discipline Committee will:

- Establish Discipline Hearing Panels to conduct hearings into a Citation.
- Inform Respondents, Complainants and the public about the outcome and action taken.
- Propose that the matter proceed by way of a Reprimand or Remedial Action by Consent (s.72 of the PGA), Consent Order (s. 73 of the PGA); Alternative Complaint Resolution (s. 74 of the PGA) or a Citation (s. 66 of the PGA).
- Establish Extraordinary Action Panels to conduct applications for Extraordinary Action to Protect the Public, including imposing limits or conditions on Registrants practice, or suspending the registration of the Registrant. (s.67 of the PGA).

<p>Duties of the Committee Chair:</p>	<p>The Committee Chair will:</p> <ul style="list-style-type: none"> • Efficiently chair committee meetings; and • Lead the committee in meeting established timelines and the deliverables identified in section 5.0 of this Terms of Reference.
<p>Duties of the Departmental Staff Representative:</p>	<p>The DSR will support committee administration including meeting minute taking, committee communications, scheduling meetings, and other support services required for effective committee administration.</p>
<p>5.0 Deliverables:</p>	<p>Conduct fair, timely, thorough, and transparent hearings with respect to Citations forwarded by the Investigation Committee.</p> <p>When called upon, strike a Panel of three members to hear:</p> <ul style="list-style-type: none"> • a Discipline Hearing against Registrants (architects, associates, temporary licensees, and firms), which may include alleged breaches of the PGA, its Regulations, AIBC Bylaws, and the Code of Ethics and Professional Conduct; or an application for Extraordinary Action to Protect Public.
<p>6.0 Reporting:</p>	<ul style="list-style-type: none"> • Accountable to the AIBC Board. • Publish in accordance with part 8.0 of the AIBC Bylaws. • Upon request of the Board, provide verbal or written reports related to general discipline matters and policy considerations. • Reporting statistical and other relevant information at the annual general meeting, in CEO & Registrar reports to the Board, and upon request, to the Office of the Superintendent of Professional Governance.
<p>7.0 Liaison with Internal and External Groups/Associations:</p>	<ul style="list-style-type: none"> • Internal Group: as determined. • External Group: Legal Counsel – as needed.
<p>8.0 Scheduled Meetings:</p>	<ul style="list-style-type: none"> • Attendees: Only members of the committee have the right to attend committee meetings. However, other AIBC individuals and external advisers may be invited to attend all or part of any meeting, as and when deemed by the committee to be appropriate and necessary. • When: To be determined by the committee in order to meet its obligations.

- Place: AIBC offices and/or, video/teleconferencing

9.0 Quorum:

Quorum (Legislated): Under PGA section 32(7) have at least one Lay Committee Member present at every meeting of the committee or Disciplinary Hearing Panel or Extraordinary Action Panel.

Quorum (Other): A quorum for any meeting of the committee or Disciplinary Hearing Panel or Extraordinary Action Panel will be the majority of the members of the committee present in person, and/or by video/teleconferencing. (AIBC Bylaws 3.16, 3.18 and 3.19).

10.0 Amending the Terms of Reference

The Terms of Reference may be revised by the Board upon the recommendation of the Committee or CEO or upon a change of members.