

## TERMS OF REFERENCE

**1. NAME: Discipline Committee (the “Committee”)**

**2. TYPE/REPORTING RELATIONSHIP**

2.1 Independent Statutory Committee

**3. Purpose:**

3.1 To review files referred for disciplinary inquiries for Consent Order offers; to participate in mediations of disciplinary cases; to conduct disciplinary inquiries into alleged breaches of the *Engineers and Geoscientists Act* (the “Act”), Bylaws and Code of Ethics by members and licensees (as defined in the Act) of APEGBC; and to make recommendations to Council on discipline related matters.

**4. Authorities of the Committee:**

4.1 The Committee may establish one or more panels of at least 3 members of the Committee to hear inquiries. On hearing an inquiry, a panel has the power and authority of the Committee.

4.2 Any member of the Committee who participated in the review of the file for preparation of a Consent Order shall not sit on the panel.

4.3 Disciplinary inquiries and cost awards, if any, shall be in accordance with the procedures and authority set out in the *Act*. The Committee shall also have such other responsibilities as may be directed by Council.

4.4 To exercise the Committee’s responsibilities, powers and duties as set out in the *Act* and Bylaws.

4.5 To submit statistical quarterly and annual reports to Council.

**5. Function:**

5.1 As set out in the *Act*.



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**6. Budget:**

6.1 Except as set out above and as allocated in APEGBC's annual budget, the Committee has no budget authority beyond reasonable expenses for travel, teleconference or ancillary expenses.

**7. Membership:**

7.1 At least five (5) members of APEGBC. Council members are not eligible for appointment to the Committee.

**8. Term of Office:**

8.1 Appointments are two years normally, with a maximum of two reappointments, except where Council deems it appropriate to extend beyond the normal terms per Committee Member Term Length Policy.

**9. Selection of Officers:**

9.1 The Chair is appointed by Council. The members may appoint an alternate Chair to act in the Chair's absence. If at any meeting of the Committee the Chair and alternate Chair cannot attend a portion of the meeting or are not present within ten minutes after the time appointed for holding the meeting, the members present may choose one of their number to be Chair of the meeting.

**10. Quorum:**

10.1 At least half the members of the Committee.

**11. Frequency of Meetings:**

11.1 Minimum once per year in person, and at the call of the Chair.

**12. Conduct of Meetings:**

12.1 The Committee may meet in person and/or telephone conference, webcast or other electronic communications media where all members attending may simultaneously hear each other and participate during the meeting.

12.2 On occasion, a Committee Chair may communicate with all members by e-mail and, with supporting information, propose and call for a consent



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resolution. At his or her discretion, the Committee Chair may or may not allow limited e-mail discussion on the matter. Beyond this, Committee members have the option of responding by moving, seconding or supporting the motion, or requesting that it be considered further at a meeting of the committee. A consent resolution is deemed to have been achieved if there are no negative votes or calls for in-person discussion, and the number of support votes are equal to or greater than the number required for a quorum. In the case where a member so requests, the motion is not carried, but instead may be brought forward for consideration at a subsequent meeting of the Committee. (In the case of an urgent matter, this may occur at a special meeting conducted by telephone where the normal requirements for a quorum will prevail.) Any motion so carried is considered to take effect immediately, and is ratified at the subsequent Committee meeting and recorded in the minutes of that meeting.

**13. Minutes:**

- 13.1 Minutes are the responsibility of the Director, Legislation, Ethics and Compliance.
- 13.2 Minutes are confidential and distributed only to Committee members.

**14. Periodic Reporting and Review of Terms of Reference:**

- 14.1 The Committee shall review its Terms of Reference on a regular basis and submit any recommended changes to Council for approval.

**15. Staff Support:**

- 15.1 Staff support is the responsibility of the Director, Legislation, Ethics and Compliance.

**Approved by Council:** December 2, 1987 (Minute# CO 88-36)  
REVISED, APPROVED BY COUNCIL: May 4, 1988 (Minute# CO 88-143 )  
REVISED, APPROVED BY COUNCIL: October 4, 1990 (Minute # CO 90-230)  
REVISED, APPROVED BY COUNCIL: February 25, 2005 (Minute # CO 05-17-1)  
REVISED, APPROVED BY COUNCIL: June 18, 2010 (Minute # CO-10-106)