

2012

**PROPOSED NEW BY-LAW FOR MIT REPRESENTATIVE TO COUNCIL**  
**BY-LAW 3 Elections and Appointments**  
**And BY-LAW 4 Administration**

Approved by Council September 13, 2012

<b>By-Law</b>	<b>Current Wording</b>	<b>Proposed Wording</b>	<b>Reason</b>
TOC Part III Elections & Administration	<b>ELECTIONS AND APPOINTMENTS</b> <b>3.1 Council Elections</b> 3.1.1 Eligibility 3.1.2 Nominations 3.1.3 Notice of Withdrawal 3.1.4 Notification 3.1.5 Withdrawal of Nomination 3.1.5.1 Letter Ballots 3.1.6 Voting Procedure 3.1.6.1 Letter Ballots 3.1.7 Counting of the Votes 3.1.8 Vacancies <b>3.2 Appointments</b> 3.2.1 Registrar 3.2.2 Secretary 3.2.3 Executive Director 3.2.4 Auditor	<b>ELECTIONS AND APPOINTMENTS</b> <b>3.1 Council Elections</b> 3.1.1 Eligibility 3.1.2 Nominations 3.1.3 Notice of Withdrawal 3.1.4 Notification 3.1.5 Withdrawal of Nomination 3.1.5.1 Letter Ballots 3.1.6 Voting Procedure 3.1.6.1 Letter Ballots 3.1.7 Counting of the Votes 3.1.8 Vacancies <b><u>3.2 Election of Representatives to Council</u></b> <u>3.2.1 Member-in-training</u> <u>representative to Council</u> <u>3.2.1.1 Eligibility</u> <u>3.2.1.2 Nominations</u> <u>3.2.1.3 Notice of Withdrawal</u> <u>3.2.1.4 Notification</u> <u>3.2.1.5 Withdrawal of</u> <u>Nomination</u> <u>3.2.1.6 Voting Procedure</u> <u>3.2.1.7 Counting of the Votes</u> <u>3.2.1.8 Term</u>	

		<b><u>3.2.1.9 Vacancies</u></b>	
		<b>3.3 Appointments</b> <b>3.3.1 Registrar</b> <b>3.3.2 Secretary</b> <b>3.3.3 Executive Director</b> <b>3.3.4 Auditor</b>	
TOC Part IV Administration	<b>ADMINISTRATION</b> <b>4.1 Council</b> <b>4.1.1 Composition</b> <b>4.1.2 Resignation</b> <b>4.1.3 Vacancy of Office</b> <b>4.1.4 Policies and Procedures</b> <b>4.2 Officers</b> <b>4.2.1. President</b> <b>4.2.1.1 Election</b> <b>4.2.1.2 Term of Office</b> <b>4.2.1.3 Filling a Vacancy</b> <b>4.2.2. Vice-President</b> <b>4.2.2.1 Election</b> <b>4.2.2.2 Term of Office</b> <b>4.2.2.3 Filling a Vacancy</b> <b>4.2.3 Executive Committee Member</b> <b>4.2.3.1 Election</b> <b>4.2.3.2 Term of Office</b> <b>4.2.3.3 Filing a Vacancy</b> <b>4.2.4 Past-President</b> <b>4.2.4.1 Term of Office</b> <b>4.2.4.2 Filling a Vacancy</b> <b>4.3 Duties</b> <b>4.3.1 Councillors</b> <b>4.3.1.1 Governance</b> <b>4.3.2 President</b> <b>4.3.3 Vice-President</b> <b>4.3.4 Executive Committee</b>	<b>ADMINISTRATION</b> <b>4.1 Council</b> <b>4.1.1 Composition</b> <b>4.1.2 Resignation</b> <b>4.1.3 Vacancy of Office</b> <b>4.1.4 Policies and Procedures</b> <b>4.2 Officers</b> <b>4.2.1. President</b> <b>4.2.1.1 Election</b> <b>4.2.1.2 Term of Office</b> <b>4.2.1.3 Filling a Vacancy</b> <b>4.2.2. Vice-President</b> <b>4.2.2.1 Election</b> <b>4.2.2.2 Term of Office</b> <b>4.2.2.3 Filling a Vacancy</b> <b>4.2.3 Executive Committee Member</b> <b>4.2.3.1 Election</b> <b>4.2.3.2 Term of Office</b> <b>4.2.3.3 Filing a Vacancy</b> <b>4.2.4 Past-President</b> <b>4.2.4.1 Term of Office</b> <b>4.2.4.2 Filling a Vacancy</b> <b>4.3 Duties</b> <b>4.3.1 Councillors</b> <b>4.3.1.1 Governance</b> <b>4.3.2 President</b> <b>4.3.3 Vice-President</b> <b>4.3.4 Executive Committee Member</b> <b>4.3.5 Registrar</b>	

	<p><b>Member</b>  <b>4.3.5 Registrar</b>  <b>4.3.6 Secretary</b>  <b>4.3.7 Executive Director</b>  <b>4.3.8 Auditor</b></p>	<p><b>4.3.6 Secretary</b>  <b>4.3.7 Executive Director</b>  <b>4.3.8 Auditor</b>  <u><b>4.3.9 Member-in-training Representative to Council</b></u>  <u><b>4.3.9.1 Resignation</b></u>  <u><b>4.3.9.2 Vacancy</b></u></p>	
<p>By-Law 3.2</p>	<p><b>3.2 Appointments</b>  <b>3.2.1 Registrar</b>          The registrar shall be appointed by the council. The term of office and remuneration of the registrar shall be determined by the council from time to time.  <b>3.2.2 Secretary</b>          The secretary shall be appointed by the council. The term of office and remuneration of the secretary shall be determined by the council from time to time. The offices of registrar and secretary may be combined.  <b>3.2.3 Executive Director</b>          The council may appoint an executive director. The term of office and remuneration of the executive director shall be determined by the council from time to time. The office(s) of registrar and/or secretary may be combined with that of the executive director.  <b>3.2.4 Auditor</b>          At the annual general meeting each year an auditor shall be appointed for the ensuing year.</p>	<p><b>3.2 Election of Representatives to Council</b>  <u><b>3.2.1 Member-in-Training Representative</b></u>  <u><b>3.2.1.1 Eligibility</b></u>  <u>Only members-in-training shall be eligible to nominate, vote, or be elected as the member-in-training representative to the Council.</u>  <u><b>3.2.1.2 Nominations</b></u>  <u>The secretary shall, at least 60 days before each annual general meeting, give or cause to be given notice to all members-in-training of the association that nominations for a member-in-training representative to council will be received by the secretary up to a date which shall be 42 days before the date of the annual general meeting.</u>  <u>Each nomination shall be made on-line or upon a form available from the secretary. It shall be endorsed by the nominee and six nominators.</u>  <u><b>3.2.1.3 Notice of Withdrawal</b></u>  <u>A nominee for member-in-training representative to council may, at any time prior to the commencement of counting of the ballots, give notice to the secretary of his or her wish to withdraw his or her nomination. The withdrawal</u></p>	<p>To provide a direct voice to Council for members-in-training and to encourage participation of potential members in the affairs of the Association.          The old 3.2 is re-numbered to become 3.3</p>

becomes effective upon receipt of the notice in a form acceptable to the secretary.

#### **3.2.1.4 Notification**

The members-in-training of the Association shall be notified through electronic mail of the names of those nominated for member-in-training representative to council. The notification shall be accompanied by voting instructions, information on each candidate prepared in a standard format, and a declaration of his or her platform. The notification shall be sent to the members-in-training no later than 35 days before the date of the annual general meeting.

#### **3.2.1.5 Withdrawal of Nomination**

The nomination of any nominee for member-in-training representative to council shall be deemed to be withdrawn upon the receipt of notice of withdrawal by the secretary, by the nominee's death, or by the nominee ceasing to be a member-in-training of the association.

Upon any withdrawal of a nomination:

a) prior to preparing the notification, the name of the withdrawn nominee shall not be included in the notification and the on-line voting form;

b) after the notification is issued but before the vote, the name of the withdrawn nominee shall not appear on the on-line voting form and a notice posted advising the membership of the withdrawal;

c) after the commencement of the vote, the counting of the votes shall be in accordance with

		<p><u>the method approved by council and on file in the association office, taking into account the withdrawal of the nominee or nominees.</u></p> <p><b><u>3.2.1.6 Voting Procedure</u></b></p> <p><u>Voting shall be conducted on-line through a secure portal. Voting shall occur in the period between 21 days and eight days before the annual general meeting.</u></p> <p><b><u>3.2.1.7 Counting of the Votes</u></b></p> <p><u>Counting of the votes shall be performed by the scrutineers and in accordance with the procedures outline in 3.1.7.</u></p> <p><b><u>3.2.1.8 Term</u></b></p> <p><u>Each member-in-training representative to council shall be elected for a term of two years, and may be re-elected for a second and third term, but is not eligible for election for a fourth or subsequent term</u></p> <p><b><u>3.2.9 Vacancies</u></b></p> <p><u>If the member-in-training representative to council should become vacant for any reason whatsoever, the council may fill the vacancy by appointing a member-in-training of the association to fill the vacancy for the balance of the term. If such vacancy shall occur prior to the giving of notice of the date for receipt of nominations, then notice of the vacancy and appointment, if any, shall be given to the membership at the same time.</u></p>	
By-Law 3.3	(New)	<p><b><u>3.3 Appointments</u></b></p> <p><b><u>3.3.1 Registrar</u></b></p>	Re-numbering

		<p>The registrar shall be appointed by the council. The term of office and remuneration of the registrar shall be determined by the council from time to time.</p> <p><b><u>3.3.2 Secretary</u></b></p> <p>The secretary shall be appointed by the council. The term of office and remuneration of the secretary shall be determined by the council from time to time. The offices of registrar and secretary may be combined.</p> <p><b><u>3.3.3 Executive Director</u></b></p> <p>The council may appoint an executive director. The term of office and remuneration of the executive director shall be determined by the council from time to time. The office(s) of registrar and/or secretary may be combined with that of the executive director.</p> <p><b><u>3.3.4 Auditor</u></b></p> <p>At the annual general meeting each year an auditor shall be appointed for the ensuing year.</p>	
By-Law 4.3.9	(New)	<p><b><u>4.3.9 Member-in-training Representative to Council</u></b></p> <p><u>The member-in-training representative to council serves to provide a voice to council on behalf of the members-in-training of the Association. He or she shall have all the rights of a member of council except the right to make or second motions, or to vote.</u></p> <p><b><u>4.3.9.1 Resignation</u></b></p> <p><u>The member-in-training representative to council may at any time give notice in writing to council</u></p>	

		<p><u>of his or her wish to resign, and such resignation shall become effective upon the acceptance of the resignation by the council.</u></p> <p><b><u>4.3.9.2 Vacancy</u></b></p> <p><u>The position of the member-in-training representative to council shall be vacated by the representative:</u></p> <ul style="list-style-type: none"><li>a) <u>ceasing to be a member-in-training; or</u></li><li>b) <u>dying; or</u></li><li>c) <u>failing to attend three successive regular meetings of council, unless the absence has been excused by resolution of council.</u></li></ul>	
--	--	---	--