



# CRPNM By-Laws

*Approved by CRPNM Council – December 2, 2023*

# COLLEGE OF REGISTERED PSYCHIATRIC NURSES OF MANITOBA - BY-LAWS

The College has a duty to serve the public interest. The College must carry out its activities and govern its members in a manner that serves and protects the public interest.

## Article 1 DEFINITIONS AND INTERPRETATIONS

### 1.01 Definitions

In these by-laws unless otherwise stated:

**"Act"** means *The Regulated Health Professions Act*, including the Regulations made pursuant to the Act.

**"By-Laws"** means the by-laws of the College made under section 222 of the Act.

**"College"** means the College of Registered Psychiatric Nurses of Manitoba.

**"Council"** means the Council of the College.

**"Registrar/CEO"** means the registrar/CEO of the College appointed under the Act.

**"General Regulation"** means The College of Registered Psychiatric Nurses General Regulation.

**"In Good Standing"** means that the Registered Psychiatric Nurse's registration is current and not suspended, and the registrant is not currently engaged in any professional conduct processes.

**"Member"** means a person registered under The College of Registered Psychiatric Nurses General Regulation.

**"Minister"** means the Minister appointed by the Lieutenant Governor in Council to administer the Act.

**"Public representative"** means a person who is not and never has been registered under the General Regulation, and who has not practised any other regulated health profession within the previous five years.

**"Register"** means a register or Subregister established in the General Regulation.

### 1.02 Interpretation

In the interpretation of these by-Laws, words in the singular include words in the plural and vice versa and words in one gender include all genders. Words defined in the Act have the same meaning when used in these by-laws.

## **Article 2 NAME AND OFFICE**

### **2.01 Name**

The name of the organization shall be the College of Registered Psychiatric Nurses of Manitoba.

### **2.02 Head Office**

The head office of the College shall be located in Manitoba at such location the Council may from time to time determine.

### **2.03 Seal**

The College shall have a seal, which is inscribed "College of Registered Psychiatric Nurses of Manitoba".

The seal shall remain at the head office of the College and, whenever used, shall be authenticated by the signature of a signing officer of the College.

### **2.04 Officials Directory**

The Council shall establish and maintain a directory that contains the names and contact information for the Council members, committee members and the Registrar/CEO.

## **Article 3 COUNCIL**

### **3.01 Composition**

- a) The affairs of the College shall be governed by a Council of 11, seven of whom are members of the College, and four of whom are public representatives.
- b) In accordance with subsection 13(2) of the Act, at least 1/3 of the Council members must be public representatives. At least 50% of the public representatives shall be appointed by the Minister responsible for the Act. The other public representatives shall be appointed by the Council.
- c) All other Council members shall be those members who hold membership in the Registered Psychiatric Nurse class of the Subregister of Registered Psychiatric Nurses, appointed by Council in accordance with article 5.

### **3.02 Term of Office**

- a) The term of office, unless otherwise provided in these by-laws, commences immediately following the appointment date.
- b) Except as otherwise set out in these by-laws, each member of the Council shall be appointed to serve a two-year term with a maximum of three consecutive terms.
- c) For the purpose of creating staggered term lengths, a Council member may serve a term of three years if so approved by the Council.
- d) A Council member, within their term, may assume the position of Chair-Elect.
- e) The term of Chair-Elect shall be two years, followed by a two-year term as Chair. The Chair-Elect will not be required to stand for election after their term as Chair-Elect.

- f) A Council member who assumes the position of Chair-Elect may exceed the maximum number of three terms but must not exceed a total of twelve consecutive years on the Council.
- g) Subject to (i) and (j) below, no member may hold office of Chair or Chair-Elect for more than one term for each position.
- h) If the Chair is unable to complete their term, the Chair-Elect will move into the position of Chair and will serve the balance of the former Chair's term, followed by the full term the Chair-Elect would have served as Chair, at the end of their original term as Chair-Elect. A new Chair-Elect will be elected by the Council from among the Council members.
- i) If the Chair-Elect is unable to complete their term, the Council will elect a Chair-Elect from among the Council members to complete the balance of the former Chair-Elect's term.

### **3.03 Term of Office- Public Representatives**

Each public representative shall serve a two-year term, with a maximum of three consecutive terms.

### **3.04 Officers**

- a) The officers of the College shall be the Chair, the Chair-Elect and the Registrar/CEO as an *ex officio* (non-voting) Council member.
- b) The Chair shall be an *ex officio* member of all committees of the Council except the Complaints Investigation Committee and Inquiry Committee.
- c) The Chair and Chair-Elect duties shall be fixed from time to time by Council policy.

### **3.05 Procedural Policy**

The Council may establish policies outlining any procedural rules applicable to the meetings of the members, Council, or committees.

## **Article 4 BUSINESS OF THE COLLEGE**

### **4.01 Registrar/CEO**

- a) The Registrar/CEO shall be a Registered Psychiatric Nurse appointed by and responsible to the Council.
- b) The Registrar/CEO shall obey and carry out all lawful instructions given to them by the Council and as delegated by the Council and be responsible for the administration and operation of the business and affairs of the College. The Registrar/CEO shall provide the Council members all information they may require regarding the affairs of the College.
- c) The Registrar/CEO shall:
  - i. be an *ex-officio*, non-voting member of the Council
  - ii. be an *ex-officio*, non-voting officer of the College
  - iii. be an *ex-officio*, non-voting member of all committees of the College with the exception of the Governance Committee, the Complaints Investigation Committee

and the Inquiry Committee.

- d) The Registrar/CEO may appoint any other staff necessary to perform the work of the College. The Registrar/CEO shall set out the duties and remuneration for these staff in accordance with the policies and guidelines set by the Council.

#### **4.02 Execution of Documents or Instruments**

- a) The Registrar/CEO, in accordance with policies established by the Council, shall prescribe any form, instrument or document, including the certificates of registration and practice that may be required for the purposes of the Act, its regulations and these by-laws.
- b) The seal of the College may be affixed to documents signed on behalf of the College.

#### **4.03 Financial Year and Audit**

- a) The financial year end of the College shall be December 31 each year.
- b) A Chartered Professional Accountant shall be appointed as auditor by the Council. The audit shall be submitted to the Council as soon after the close of the fiscal year as possible.

### **Article 5 APPOINTMENTS TO THE COUNCIL**

#### **5.01 Eligibility**

- 1) A member is eligible for or appointment to the Council if:
  - a) The member is in the Registered Psychiatric Nurses class of the Subregister of Registered Psychiatric Nurses;
  - b) on the deadline for the receipt of applications, the member is a member in good standing and their registration is not subject to terms, conditions or limitations;
  - c) on the deadline for the receipt of applications, the member is not subject to any disciplinary or incapacity proceedings;
  - d) the member's registration has not been cancelled, suspended, surrendered or subject to conditions within the current calendar year and the six previous calendar years for the matters (a) to (h) identified in subsection 124(2) of the Act;
  - e) on the deadline for receipt of nomination, the member's home address is in Manitoba;
  - f) the member has not previously been removed from the Council under article 5.04 (b) (iv), (c) or (e) in the three years preceding the date of the application;
  - g) a period of at least one year has lapsed since the member had previously served the maximum term of office on the Council.)
- 2) No employee of the College shall be eligible for appointment to the Council.

#### **5.03 Appointment Process**

- a) The Governance Committee shall supervise the application and appointment process.
- b) At least 90 days before the deadline for receipt of applications, the Governance Committee shall notify each member in the Registered Psychiatric Nurse class of the Subregister of Registered Psychiatric Nurses who is in good standing the deadline for

returning the application to the College.

- c) The College shall notify members of the results of the appointment process in a manner directed by the Council.

#### **5.04 Cease to be a Council Member**

- a) Any elected Council member may resign at any time by providing written notice to the Chair.
- b) Any Council member ceases to be a Council member if they:
  - i. are a member residing and working outside of Manitoba;
  - ii. resign;
  - iii. are no longer in the Registered Psychiatric Nurse class of the Subregister of Registered Psychiatric Nurses ;
  - iv. become an employee of the College;
  - v. die.
- c) Where any Council member
  - i. is subject to a finding in accordance with subsection 124(2) of the Act; or
  - ii. is convicted of an offence punishable by more than six months imprisonment or is sentenced to a term of imprisonment, whether conditional or otherwise, they cease to be a member of the Council, unless reinstated by resolution of the Council at one of the next two regularly scheduled meetings of the Council.
- d) When a person ceases to be a Council member, all committee appointments and representations held by that person shall be terminated.
- e) The Council, by a three-quarters majority vote, may remove any Council member who fails, refuses or is unable to fulfill the duties of a Council member, which duties include participation on committees of the Council to which that Council member is appointed.

#### **5.05 Vacancy on the Council**

- a) Where a vacancy occurs on the Council, the Council shall appoint an eligible member for the remainder of the term.
- b) If the Chair-Elect vacates their officer position, the Council shall appoint a replacement from among the Council members.
- c) If the Chair vacates their position, the Chair-Elect shall assume the position of Chair for the remainder of the term.

### **Article 6 MEETINGS OF THE COUNCIL**

#### **6.01 Council Meetings**

- a) Regular, special, and emergency Council meetings shall be held at such times and places and with such notice to Council members as may be fixed from time to time by Council policy.
- b) There shall be no fewer than four meetings each year.
- c) The College may permit members of the public to attend meetings of the College and of

the Council except where the Council considers that a private meeting is necessary to consider matters of a confidential or personal nature concerning an individual.

- d) A special meeting of the Council may be convened by the Chair with a minimum of four days' notice. Only such business as is stated in the notice of meeting shall be considered.
- e) A meeting of the Council may be held, without notice, immediately following the annual general meeting.

## **6.02 Quorum**

- a) Unless otherwise specifically provided for in the Act or General Regulation, a majority of members constitute a quorum for the meeting of a committee.
- b) For a Council meeting, a majority of Council members shall form a quorum as long as there is at least one voting officer and one public representative member.

# **Article 7 MEETING OF MEMBERS**

## **7.01 Annual General Meeting**

- a) The Council shall convene at least one general meeting of the College in the calendar year at a date, time, and place to be determined by the Council. The agenda shall be prescribed by the Council.
- b) Written or electronic notice setting out the business proposed for the meeting and a draft of all proposed changes to by-laws, financial statements and any other reports from the Council shall be provided to each member not less than 30 days before the meeting is to take place.

## **7.02 Special General Meetings**

The Council may also and shall in any event upon the written request of not less than five percent of the members of the College qualified to vote at a general meeting, call a special general meeting. Notice of a special general meeting of the College shall state the business to be considered at the meeting, and the business to be transacted at a special general meeting of the College shall be limited to that specified in the notice.

## **7.03 Quorum**

A quorum for any annual general meeting or special general meeting of the College shall be the number of members in the Registered Psychiatric Nurse class of the Subregister of Registered Psychiatric Nurses in attendance at the meeting.

## **7.04 Voting at Annual General and Special Meetings**

- a) Each member in the Registered Psychiatric Nurse class of the Subregister of Registered Psychiatric Nurses in attendance at an annual general or special meeting shall be entitled to one vote.
- b) A majority vote of those eligible members present shall be needed for adoption at an annual general meeting unless otherwise stated in these by-laws.

- c) A two thirds' vote of those eligible members present shall be needed for adoption at a special meeting unless otherwise stated in these by-laws.
- d) The procedural rules of the College shall apply to every annual general and special meeting of the College.

## **Article 8 MEMBERS**

### **8.01 Classes of Members**

In accordance with Section 2.2 of the General Regulation, the Registrar/CEO shall maintain two Subregisters for members of the College:

- i. the Subregister of Registered Psychiatric Nurses.
- ii. the Subregister of Graduate Psychiatric Nurses.

The individuals on these subregisters are the members of the College.

### **8.02 Rights, Privileges and Obligations of All Members**

All members:

- a) are entitled to attend College meetings;
- b) are entitled to receive copies of any official College publications;
- c) shall pay the fees prescribed in the by-laws;
- d) shall report to the College, within 30 days:
  - i. any change in name;
  - ii. any change in home address, telephone number, facsimile number, or electronic e-mail address;
  - iii. any change to place(s) of employment including business address, telephone number, facsimile number, or electronic e-mail address for each place of practice;
- e) shall answer all correspondence from the College in which a reply requested or demanded, within 15 days or the deadline specified in the correspondence, unless an extension is granted by the Council;
- f) shall accurately complete and submit the required annual renewal by providing such information as may be requested and required pursuant to the Act, General Regulation, and these by-laws.

### **8.03 Rights, Privileges and Obligations of Members in the Registered Psychiatric Nurse class of the Subregister of Registered Psychiatric Nurses**

Those who hold membership in the Registered Psychiatric Nurse class of the Subregister of Registered Psychiatric Nurses who are in good standing:

- a) may hold office, upon appointment, on the Council;
- b) may serve as an appointed member on any committee of the College;
- c) may attend, participate in, and vote at meetings of the College in accordance with these by-laws.



#### **8.04 Rights, Privileges and Obligations of Members in the Graduate Psychiatric Nurse class of the Subregister of Graduate Psychiatric Nurses**

Those who hold membership in the Graduate Psychiatric Nurse class of the Subregister of Graduate Psychiatric Nurses:

- a) may attend and participate in, but not vote at meetings of the College;
- b) may serve as a member on any committee of the College but shall not hold the position of chairperson of such a committee and shall not sit on the Council.

#### **8.05 Unauthorized Practice**

A person practicing psychiatric nursing while not on an applicable Subregister, who was otherwise eligible to be on the applicable Subregister, having used the title which was restricted to members and having held him or herself out as member or qualified to practice as a Registered Psychiatric Nurse, shall be referred to the Complaints Investigation Committee.

### **Article 9 FEES**

#### **9.01 Membership Year**

The membership year of the College shall commence on the first day of January and terminate on the last day of December.

#### **9.02 Registration Fees**

Registration fees payable by members of the College are those fees determined by the Council from time to time and posted on the College website.

#### **9.03 Initial Fees**

- a) The initial application fee shall be as determined from time to time by Council policy and posted on the College website.
- b) The initial registration fees shall be prorated based on the date the applicant is entered onto the *Registered Psychiatric Nurse class of the Subregister of Registered Psychiatric Nurses*, as follows:

Applications made between January 1 and March 31	full registration fee
Applications made between April 1 and June 30	75% of registration fee
Applications made between July 1 and September 30	50% of registration fee
Applications between October 1 and December 31	25% of registration fee

The initial graduate registration fees shall be as determined by the Council from time to time and posted on the College website.

#### **9.04 Renewal Fees**

- a) Members must renew annually. The fee for annual renewal shall be as determined by the Council from time to time and posted on the College website.
- b) Registration shall expire on December 31st each year, unless renewed prior to that date. Each person whose membership has expired shall then cease to have the rights and privileges of a member.
- c) The annual renewal fee and the prescribed form, completed in full, is due on November 15th of the year preceding that for which application is being made. If not received by December 1st, an automatic late fee of an amount determined by the Council from time to time and posted on the College website, will be applied over and above the renewal fee.
- d) If the renewal fee and the late fee are not received by noon on December 31st, or the last business day of December, whichever is sooner, the member's registration shall be cancelled.

#### **9.05 Renewal- Graduate Members**

The fee for the renewal of graduate registration shall be as determined by the Council from time to time and posted to the College website.

#### **9.06 Unauthorized Practice Fee**

A person practising psychiatric nursing while not on a Subregister, who was otherwise eligible to be on a Subregister, having used the title which was restricted to members and having held themselves out as member or qualified to practice as a Registered Psychiatric Nurse, shall be assessed an additional fee set by the Council from time to time for reinstatement to the applicable Subregister.

#### **9.07 Reinstatement Fee**

- a) In order to be eligible to renew a certificate of practice, a member must:
  - i. annually submit a complete application between October 1 and December 31; and
  - ii. have paid all outstanding monies owed to the College.
- b) Members who have not met all the requirements for renewal in the time period set out in a) above will be required to apply for reinstatement pursuant to College policies.
- c) Applicants for reinstatement shall have the registration fee prorated based on the date the applicant is entered onto the relevant Subregister, in accordance with section 9.03 of these by-laws.
- d) The reinstatement fee may be waived for those persons who have maintained registration in good standing in another Canadian province or territory during all or part of the time the applicant was not registered in Manitoba providing that such applicant meets all the requirements identified in the Act, the regulations, these by-laws and policies established by the Council.

## **9.08 Membership Conversion Fees**

- a) Upon meeting the requirements in section 2.7 of the General Regulation, a graduate member is entitled to convert their membership to the Registered Psychiatric Nurse class of the Subregister of Registered Psychiatric Nurses. The fee for initial registration shall be prorated based on the date the applicant is entered onto the Registered Psychiatric Nurse class of the Subregister of Registered Psychiatric Nurses.

## **9.09 Other Fees**

Other fees payable on application, review, assessment or examination and other miscellaneous fees or charges shall be as determined by the Council from time to time and posted to the College website.

# **Article 10 HEALTH PROFESSION CORPORATIONS**

## **10.1 Applications**

- a) An application for an initial permit or renewal of a permit for a Health Profession Corporation shall be made in accordance with the policy for Health Profession Corporations.
- b) An application for an initial permit by a Health Profession Corporation shall be subject to fees as determined by the Council from time to time and posted to the College website.
- c) Applications and fees for renewals of Health Profession Corporation permits must be received by the Registrar/CEO at least 30 days prior to the permit expiration date.

## **10.2 Notice of Change**

A Corporation appearing on the Health Profession Corporation Registry shall give notice to the Registrar/CEO within 30 days of:

- i. any change of name;
- ii. any change in directors;
- iii. any change in officers;
- iv. any change in voting shareholders;
- v. any change in non-voting shareholders; or
- vi. any change of address, telephone number, facsimile number, or electronic mail address.



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*This publication is available in alternate formats on request.*