

BY-LAW NO. 6**ELECTION AND SELECTION OF COUNCILLORS****DEFINITIONS**

1. In this by-law,
 - (a) the counties, united counties, regional municipalities, municipalities, district municipalities and territorial districts described in subsection 2(1) are those that existed as at December 31, 1996 and the geographical territory of each electoral district shall be interpreted to ensure that all parts of Ontario fall into one of the aforementioned counties, united counties, regional municipalities, municipalities, district municipalities and territorial districts described in each of subsection 2(1);
 - (b) the word "money" when used in the context of money owed to the College means any money including but without limitation costs or expenses ordered to be paid by a panel of the discipline committee, costs awarded by a Court, monies owed to the College pursuant to a regulation or by-law or an order or decision of a statutory committee or a panel of a statutory committee or pursuant to an agreement entered into by the member with the College;
 - (c) "tie vote" means a vote involving two or more eligible candidates where no one eligible candidate received more votes than any other eligible candidate; and
 - (d) "run-off election" means the election referred to in subsection 18(2) of this by-law.

ELECTORAL DISTRICTS

2. (1) The following electoral districts are established for the purpose of the election of members to the council:

1. District 1, composed of the counties of Frontenac, Renfrew and Lanark, the united counties of Lennox and Addington, Stormont, Dundas and Glengarry, Prescott and Russell, Leeds and Grenville, and The Regional Municipality of Ottawa-Carleton.
2. District 2, composed of the counties of Hastings, Northumberland, Peterborough, Prince Edward, Victoria and Haliburton, and the regional municipalities of Durham and York.
3. District 3, composed of the territorial districts of Algoma, Cochrane, Kenora, Manitoulin, Nipissing, Rainy River, Thunder Bay and Timiskaming and The Regional Municipality of Sudbury.
4. District 4, composed of the regional municipalities of Halton and Peel.
5. District 5, composed of the counties of Bruce, Dufferin, Grey, Huron and Simcoe, the Territorial District of Parry Sound and The District Municipality of Muskoka.
6. District 6, composed of the counties of Elgin, Essex, Kent, Lambton and Middlesex.
7. District 7, composed of the counties of Brant, Oxford, Perth and Wellington and the regional municipalities of Haldimand-Norfolk and Waterloo.
8. District 8, composed of the regional municipalities of Hamilton-Wentworth and Niagara.
9. District 9, composed of those portions of The Municipality of Metropolitan Toronto bounded on the north side by Steeles Avenue, on the east by the centre of Bayview Avenue and the centre of the Bayview Extension, on the south by the centre of St. Clair Avenue and easterly projection of St. Clair Avenue to the Bayview Extension, and on the west by the centre of Dufferin Street from St. Clair Avenue to Wilson Avenue, its northerly projection to the recommencement of Dufferin Street at Sheppard Avenue and the centre of Dufferin Street to the centre of Steeles Avenue.

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10. District 10, composed of those portions of The Municipality of Metropolitan Toronto bounded on the north by Steeles Avenue, on the west by the westerly boundary of the City of Etobicoke, on the south by the shore of Lake Ontario and on the east by the centre of Dufferin Street from Steeles Avenue to Sheppard Avenue, its southerly projection to the recommencement of Dufferin Street at Wilson Avenue, the centre of Dufferin Street to its southerly terminus and the southerly projection of Dufferin Street to the shore of Lake Ontario.
 11. District 11, composed of those portions of The Municipality of Metropolitan Toronto bounded on the north by the centre of St. Clair Avenue and the easterly projection of St. Clair Avenue to the Bayview Extension, on the east by the centre of the Bayview Extension to Pottery Road, the centre of Pottery Road to the Don River and the Don River to the shore of Lake Ontario, on the south by the shore of Lake Ontario and on the west by the centre of Dufferin Street from St. Clair Avenue to its southerly terminus and its southerly projection to the shore of Lake Ontario, and including the Toronto Islands.
 12. District 12, composed of those portions of The Municipality of Metropolitan Toronto bounded on the north by Steeles Avenue, on the east by the easterly boundary of the City of Scarborough, on the south by the shore of Lake Ontario and on the west by the centre of Bayview Avenue, the centre of the Bayview Extension to Pottery Road, the centre of Pottery Road to the Don River and the Don River to the shore of Lake Ontario.
- (2) The electoral district in which a member is eligible to vote is the district in which the designated register address of the member is located on the date which is four days before the deadline for receipt of nominations (as referred to in subsection 9(2)).
 - (3) The designated register address of a member is
 - (a) the address in Ontario where the member practises;
 - (b) if the member does not practise, the address in Ontario where the member resides; or

- (c) if the member practises at more than one address in Ontario, the address designated by the member as his or her register address.

NUMBER OF MEMBERS ELECTED

- 3. (1) There shall be twelve members elected to the council.
- (2) One member shall be elected from each electoral district.

TERM OF OFFICE

- 4. (1) The term of office of a member elected to the council in an election held pursuant to section 5 commences with the first regular meeting of the council immediately following the member's election.
- (2) The elected members of the council shall continue in office until their successors take office at the first regular meeting of the council following an election.

ELECTION DATE

- 5. An election of members to the council shall be held on the second Wednesday of December in 2002 and the second Wednesday of December in every second year after that.

ELIGIBILITY TO VOTE

- 6. Every member may vote if, on the day which is four days before the deadline for receipt of nominations (as referred to in subsection 9(2)), the member,
 - (a) holds a general or specialty certificate of registration;
 - (b) practises dentistry in or resides in Ontario;

- (c) is not in default of payment of any fees and does not otherwise owe any money to the College; and
 - (d) is not in default of completing and returning any form prescribed by the Regulations or required by the by-laws of the College.
7. Any dispute as to whether a member is eligible to vote shall be decided by the elections committee.

ELIGIBILITY FOR ELECTION

8. (1) A member is eligible for election to the council in an electoral district if, on the deadline for receipt of nominations,
- (a) the member holds a general or specialty certificate of registration;
 - (b) the member is engaged in the practice of dentistry in the electoral district for which he or she wishes to stand for election, or, if the member is not engaged in the practice of dentistry, is resident in the electoral district for which he or she wishes to stand for election;
 - (b.1) the member completed and signed a written nomination in a form approved by the council and that form was received by the registrar;
 - (b.2) if a member has been found guilty of an offence under the Criminal Code (Canada), a period of at least three years has elapsed since the member fully complied with any penalty imposed as a result of that finding or if no penalty was imposed, a period of at least three years has elapsed since the finding was made;
 - (c) the member is not in default of payment of any fees and does not otherwise owe any money to the College;
 - (d) the member is not in default of completing and returning any form prescribed by the Regulations or required by the by-laws of the College;

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- (e) the member is not the subject of any disciplinary or incapacity proceeding;
 - (f) the member's certificate of registration is not subject to a term, condition or limitation other than one applicable to all members holding that class of certificate;
 - (g) a period of at least three years has elapsed since the member complied with all aspects of an order of a panel of the Discipline Committee or Fitness to Practise Committee;
 - (h) a period of at least three years has elapsed since the member was disqualified from sitting on the council as a result of a breach of the College's Code of Conduct for Council Members or the College's Conflict of Interest By-Law; and
 - (i) the member is not and has not been during the previous two years,
 - I a director or other member of the board of directors, governing council or other governing body of;
 - II officer of; or
 - III Executive Director, Chief Administrative Officer or other appointed official of

the Canadian Dental Association, Ontario Dental Association, a national or provincial dental specialty association or organization or other like national or provincial association or organization.
- (2) A member may be elected to the council in four consecutive elections.
 - (3) A member who has been elected to the council in four consecutive elections is not eligible for election until the election held in accordance with section 5 which is more than five calendar years after the member was last elected as a member of council.
 - (4) An election in a by-election shall be counted in determining whether a member is eligible under subsection (3).

REGISTRAR TO SUPERVISE NOMINATIONS

9. (1) The registrar shall supervise the nomination of candidates.
- (2) The registrar shall establish a deadline for receipt of nominations which deadline shall be at least forty-five days before the date of the election.

NOTICE OF ELECTIONS AND NOMINATIONS

10. No later than sixty days before the date of an election, the registrar shall notify every member who is eligible to vote of the date, time, place and method of the election, the procedure to be followed in order to stand for election and the deadline for receipt of nominations.

NOMINATION PROCEDURE

11. ~~(1) The nomination of a candidate for election as a member of the council shall be in writing, on a form approved by the registrar and must be received by the registrar on or before the deadline for the receipt of nominations~~ (Removed 03/2006)
 - (2) A candidate shall submit the nomination form which shall be signed by the candidate.
 - (3) A candidate may withdraw his or her nomination for election to the council by notifying the registrar in writing at least forty days before the election.
- 11.1 Immediately following the deadline for nominations and where there is to be an election for an electoral district, the registrar shall make available to each candidate two sets of mailing labels (“Mailing Labels”) and two printed lists (“Printed Lists”) containing the designated register address, in the case of the Mailing Label and the phone number and designated register address, in the case of the Printed Lists, of each member believed by the College to be eligible to vote in the electoral district in which the candidate was nominated.

DISPUTES AS TO ELIGIBILITY FOR ELECTION

12. (1) Should a candidate for election in an electoral district file with the registrar a notice in writing disputing the eligibility of another candidate for election in that same electoral district or should the registrar receive information which, if true, may result in a candidate not being eligible for election or being disqualified as an elected member, the registrar shall
- (a) if the written notice or information is received by the registrar on or before the twenty-second day before the day of the election, refer the matter to the elections committee to determine the candidate's eligibility; and
 - (b) if the written notice or information is received by the registrar after the twenty-second day before the day of the election and the candidate whose eligibility is questioned is successful in the election, refer the matter to the council to determine if the elected member should be disqualified in accordance with this by-law.
- (2) Where the registrar refers the question of the eligibility of a candidate to the elections committee in accordance with clause (1)(a), the registrar may extend the date of the election or the date for the mailing out of ballots for the electoral district involved in the dispute, or both, for a maximum of seven (7) days in order to permit the elections committee sufficient time to make its determination.
- (3) In making a determination respecting the question of eligibility of a candidate, the elections committee may obtain the assistance of an independent legal consultant respecting any issues of law.
- (4) The elections committee shall provide to the candidate whose eligibility is the subject of question, full particulars of the information it receives as well as any information it obtains pursuant to subsection (3) as well as a reasonable opportunity to make either written or oral submissions or both to the elections committee should he or she wish to do so.
- (5) The elections committee shall notify the registrar of its decision.

- (6) The registrar shall immediately notify the candidate whose eligibility was brought into question and any candidate who filed a notice under subsection (1) of the decision of the elections committee.
- (7) The decision of the elections committee is final and an election result is not subject to challenge on the basis that a candidate was not permitted to run as a result of a decision of the elections committee made pursuant to this section.

ACCLAMATION

- 13. (1) If only one eligible candidate is nominated for an electoral district, the registrar shall declare that candidate to be elected by acclamation.
- (2) If no eligible candidate is nominated in an electoral district, a vacancy shall be deemed to exist in the electoral district and the council shall direct the registrar to hold a by-election for that electoral district in accordance with this by-law.

VOTING

- 14. Voting for an election of members to the council shall be by mail ballot using the ballot supplied by the registrar.

REGISTRAR'S ELECTORAL DUTIES

- 15. (1) The registrar shall supervise and administer the election of candidates and, for the purposes of carrying out that duty, and without limiting the generality of this, the registrar shall
 - (a) appoint a returning officer(s) and scrutineers;
 - (b) establish a deadline for the receiving of ballots;
 - (c) establish procedures for the opening and counting of ballots; and

- (d) provide for the notification of all candidates and members of the results of the election.
- (2) The registrar shall send to every member eligible to vote in an electoral district in which an election is to take place, a list of the eligible candidates in the electoral district, a ballot and an explanation of the voting procedures.
- (3) The ballots shall be mailed on a date determined by the Registrar which date shall be no later than 14 days and no more than 21 days before the date of the election.
- (4) The registrar shall advise all candidates of the date on which the ballots will be mailed immediately after determining that date.
- (5) A failure to mail the ballots on the date determined by the registrar shall not, in and of itself, invalidate an election.

NUMBER OF VOTES TO BE CAST

- 16. A member shall not cast more than one vote in an election of members to the council.
- 17. Ballots received on or before the deadline for the receiving of ballots will be opened and counted on the day of the election by the returning officer(s) in the presence of the scrutineers.

TIE VOTES

- 18. (1) If there is a tie vote in an election of members to the council for which all of the eligible candidates received the same number of votes, the registrar shall break the tie by lot, in the presence of at least one member of the elections committee.

- (2) If there is a tie vote in an election of members to the council and at least one eligible candidate received fewer votes than another eligible candidate a run-off election shall be conducted between/among only those candidates who obtained the highest number of votes.

18.1 The run-off election shall be conducted in the same manner as other elections (excluding by-elections) under this by-law and the provisions of this by-law shall be applied with such modifications as shall be necessary save and except

- (a) there shall be no nomination of candidates and the only eligible candidates shall be those candidates who obtained the highest number of votes in the election which gave rise to the run-off election;
- (b) section 12 "Disputes as to Eligibility for Election" shall not be applicable to a run-off election;
- (c) the registrar shall determine the date for the run-off election and the deadline for the receipt of ballots, bearing in mind the need to complete the run-off election before the next regular meeting of the council; and
- (d) if the run-off election results in a tie vote, the registrar shall break the tie by lot, in the presence of at least one member of the elections committee.

19. (1) As soon as possible following the counting of the ballots, the registrar shall, in respect of each election,

- (a) notify each eligible candidate of the results of the election and the number of votes cast for each eligible candidate; and
- (b) notify each eligible candidate that he or she may require a recount.

- (2) Where the registrar breaks a tie by lot the registrar shall notify each eligible candidate of the manner in which the tie was broken and who was present when the registrar broke the tie.

RECOUNTS

20. (1) An eligible candidate may require a recount by giving a written request to the registrar no more than five days after being advised of the result of the election.
 - (2) The registrar shall hold the recount no more than five days after receiving the request.
 - (3) A recount shall be conducted in the same manner as the original counting of the ballots except that at least one member of the elections committee shall be present and each eligible candidate shall be entitled to attend in person or by a representative.
21. In an election of members to the council, the successful candidate is the eligible candidate with the highest number of votes or the eligible candidate whose name was chosen by the registrar by lot in accordance with subsection 18(1) or clause 18.1(d).

INTERRUPTION OF MAIL SERVICE

22. Where there is an interruption of mail service during a nomination or election, the registrar may extend the deadline for receipt of nominations or date of the election or both for such period of time as the registrar considers necessary to compensate for the interruption.

SELECTION OF MEMBERS TO COUNCIL

23. (1) For the purposes of clause 6(1)(c) of the Dentistry Act, 1991, one member shall be selected by the faculty of dentistry of the University of Toronto and one member shall be selected by the school of dentistry of the University of Western Ontario to serve as a selected member of council.

- (2) A member is eligible for selection as a member of the council if, on the date of selection,
- (a) the person holds a full-time appointment of professorial rank in the faculty or school of dentistry;
 - (b) the member is not in default of payment of any fees and does not otherwise owe any money to the College;
 - (b.1) if a member has been found guilty of an offence under the Criminal Code (Canada), a period of at least three years has elapsed since the member fully complied with any penalty imposed as a result of that finding or if no penalty was imposed, a period of at least three years has elapsed since the finding was made;
 - (c) the member is not in default of completing and returning any form prescribed by the Regulations or required by the by-laws of the College;
 - (d) the member is not the subject of any disciplinary or incapacity proceeding;
 - (e) the member's certificate of registration is not subject to a term, condition or limitation other than one applicable to all members of the class;
 - (f) a period of at least three years has elapsed since the member complied with all aspects of an order of a panel of the Discipline Committee or Fitness to Practise Committee;
 - (g) a period of at least three years has elapsed since the member was disqualified from sitting on the council as a result of a breach of the College's Code of Conduct for Council Members or the College's Conflict of Interest By-Law; and

(h) the member is not and has not been, during the previous two years,

I a director or other member of the board of directors,
governing council or other governing body of;

II officer of; or

III Executive Director, Chief Administrative Officer or other
appointed official of

the Canadian Dental Association, Ontario Dental Association a
national or provincial dental specialty association or organization
or other like national or provincial association or organization.

- (2.1) A selected member's term of office shall not commence until the member completes and files with the registrar an eligibility questionnaire in the form approved by the council.
- (3) The term of office of a selected member expires at the first meeting of the council following the election of members to the council held next after the effective date of his or her selection.
- (4) A member who has been selected to the council and served four consecutive terms is not eligible to be selected until more than five calendar years after the member was last selected to be a member of council.
- (5) A selected member of the council may be re-selected so long as he or she is eligible for selection at the time of his or her selection.
- (6) A selection to fill a vacancy shall be counted in determining whether a member is eligible under subsection (4).

DISQUALIFICATION OF AN ELECTED MEMBER

24. (1) The council shall disqualify an elected member from sitting on the council if the elected member

- (a) is determined by council not to have met the eligibility requirements for election;
 - (b) ceases to be the holder of a general or specialty certificate of registration;
 - (c) ceases to either practise or reside in the electoral district for which the member was elected;
 - (d) has a term, condition or limitation placed on his or her certificate of registration other than one applicable to all members holding that class of certificate;
 - (e) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee;
 - (f) is found to be an incapacitated member by a panel of the Fitness to Practise Committee;
 - (g) fails, without reasonable cause, to attend two consecutive regular meetings of the council;
 - (h) fails, without reasonable cause, to attend three consecutive meetings of a committee of which he or she is a member; or
 - (i) fails, without reasonable cause, to attend a hearing of a panel of a committee for which he or she has been selected.
- (2) An elected member of council is also subject to disqualification by council for breaching the College's Code of Conduct for Council Members or Conflict of Interest By-Law.

DISQUALIFICATION OF A SELECTED MEMBER

- 25. (1)** The council shall disqualify a selected member from sitting on the council if the selected member
- (a) is determined by council not to have met the eligibility requirements for selection;

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- (b) has a term, condition or limitation placed on his or her certificate of registration other than one applicable to all members holding that class of certificate;
 - (b.1) has his or her selection rescinded, withdrawn or otherwise cancelled by the faculty of dentistry or school of dentistry that selected the member;
 - (c) ceases to hold a full-time appointment of professorial rank in the faculty or school of dentistry which selected him or her;
 - (d) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee;
 - (e) is found to be an incapacitated member by a panel of the Fitness to Practise Committee;
 - (f) fails, without reasonable cause, to attend two consecutive regular meetings of the council;
 - (g) fails, without reasonable cause, to attend three consecutive meetings of a committee of which he or she is a member; or
 - (h) fails, without reasonable cause, to attend a hearing of a panel of a committee for which he or she has been selected.
- (2) A selected member of council is also subject to disqualification by council for breaching the College's Code of Conduct for Council Members or Conflict of Interest By-Law.

PROCESS FOR DISQUALIFYING AN ELECTED OR SELECTED MEMBER

- 26. (1)** Where the registrar believes, on reasonable and probable grounds, that an elected or selected member of council meets one or more of the disqualification factors set out in this by-law, the registrar shall

- (a) provide in writing to the councillor whose conduct has been brought into question the basis for the registrar's belief;
 - (b) provide that councillor with twenty days to provide a written response; and
 - (c) once the written response has been received or the twenty days referred to in clause (b) have expired, provide the executive committee with the written response and the information referred to in clause (a).
- (2) Where the registrar receives a written statement from a councillor alleging that an elected or selected member of council should be disqualified under this by-law, the registrar shall
 - (a) provide a copy of the written statement to the councillor whose conduct has been called into question;
 - (b) provide that councillor with twenty days to provide a written response; and
 - (c) once the written response has been received or the twenty days referred to in clause (b) have expired, provide the executive committee with the written response and the information referred to in clause (a).
- (3) The executive committee shall make a preliminary determination of the relevant facts and report those facts to the councillor whose conduct is the subject of concern and, where applicable, to the councillor who brought the concern to the registrar's attention.
- (4) If either the executive committee or the councillor who brought the matter to the registrar's attention is of the view that further action may be required by council, the issue shall be placed on the agenda for the next meeting of council.
- (5) If the issue is placed on the agenda for a meeting of council, the registrar shall advise the person whose conduct is the subject of concern

of the date of that meeting of council and of his or her opportunity to make either written or oral submissions or both to the council should he or she wish to do so.

- (6) After providing the opportunity referred to in subsection (5), council shall determine whether any material facts are in dispute.
- (7) Where material facts are in dispute, and council determines that if proven the allegations would constitute grounds to disqualify the councillor whose conduct has been called into question, it shall appoint a retired Justice of the Ontario Superior Court of Justice (“Commissioner”) to hold a hearing to consider
 - (a) the relevant facts; and
 - (b) any questions of law in respect of which the council requests the Commissioner's assistance.
- (8) The Commissioner shall determine who, in addition to the councillor whose conduct has been called into question, shall be parties to the hearing and, where appropriate, may appoint legal counsel to present relevant evidence.
- (9) The Commissioner shall use a process that provides the councillor whose conduct is in question with full and continuing disclosure of the evidence which will be presented at the hearing as well as an opportunity to make written or oral submissions or both to the Commissioner. To the extent reasonably possible, the provisions of the Statutory Powers Procedure Act shall be used in respect of the hearing.
- (10) Where council appoints a Commissioner, it may suspend the councillor whose conduct has been brought into question from all of his/her duties with the council, including all committees of the College, until the matter is finally disposed of if the council is satisfied that the suspension is necessary to ensure the integrity of the College and/or its processes.

- (11) The hearing shall be completed within forty-five days of the appointment of the Commissioner or such other period of time as shall be permitted by the executive committee.
- (12) After considering all of the evidence, the Commissioner shall provide a written report to council which shall include the Commissioner's
 - (a) findings in respect of the relevant facts; and
 - (b) opinion as to any questions of law on which the council sought the Commissioner's advice;as well as the Commissioner's reasons for those findings and opinions.
- (13) The Commissioner shall deliver to the registrar the report referred to in subsection (12) as soon as possible following the completion of the hearing.
- (14) The registrar shall provide a copy of the report to the executive committee and unless the executive committee directs that a special meeting of council be called, the report and the decision of what action to take as a result of the report shall be included in the agenda at the next meeting of council.
- (15) Council may adopt either in whole or in part any or all of the findings or opinions of the Commissioner and where council determines that the councillor whose conduct is the subject of concern has acted in a manner which constitutes grounds for disqualification under this by-law, council shall disqualify the councillor.
- (16) Where council determines that the councillor whose conduct is the subject of concern has not acted in a manner which constitutes grounds for disqualification under this by-law, any interim suspension imposed hereunder shall automatically be lifted.

PROCEDURAL AND OTHER SAFEGUARDS

- 27.** (1) A resolution of at least two-thirds of the members of council at a meeting duly called for that purpose shall be required in order to
- (a) appoint a Commissioner to hold a hearing referred to in subsection 26(7);
 - (b) impose an interim suspension on the member of council in accordance with subsection 26(10); or
 - (c) disqualify a member of council in accordance with this by-law.
- (2) The member of council whose conduct is the subject of concern shall not take part in any council deliberation or vote which is taken pursuant to this by-law.
- (3) Any deliberation or vote taken under this by-law shall be with the public excluded from the meeting unless the member whose conduct is the subject of concern requests that a public meeting be held.
- (4) A member of council who is the subject of a vote taken under this by-law shall not be present during the vote on those issues and shall not be counted as a member of council in determining whether a quorum exists or whether the resolution was carried or defeated.
- 28.** An elected or selected councillor who is disqualified by council under this or any other by-law of the College ceases to be a councillor and ceases to be a member of all committees.
- 29.** If the council disqualifies an elected or selected councillor, it shall treat the situation in the same way as if a vacancy had been created as a result of the resignation of that councillor.
- 30.** (1) An elected or selected member of council who becomes in default of
- (i) the payment of any fees or who owes money to the College; or

- (ii) completion and return of any form prescribed by the Regulations by by-laws of the College

including a default or debt which originates at any time after the deadline for receipt of nominations, in the case of an elected member, or after the member's selection, in the case of a selected member, shall not serve on council or any committee until the default is remedied.

- (2) An elected or selected member of council who becomes subject to a disciplinary or incapacity proceeding including one which originates at any time after the deadline for receipt of nominations, in the case of an elected member, or after the member's selection, in the case of a selected member, shall not serve on council or any committee until the proceeding is finally completed.

VACANCIES

- 31.** (1) The seat of an elected or selected member of council shall be deemed to be vacant upon the death, resignation or disqualification of that member of council.
- (2) A resignation shall be irrevocable and therefore may not be withdrawn.
 - (3) A resignation is effective upon receipt by the president, vice-president or the registrar.
 - (4) If the seat of an elected member of council becomes vacant in an electoral district not more than six months before the expiry of the member's term of office, the council may,
 - (a) leave the seat vacant;
 - (b) appoint a member who would be eligible as of the date of the appointment for election from that electoral district; or
 - (c) direct the registrar to hold a by-election in accordance with this by-law for that electoral district.

- (5) If the seat of an elected member of council becomes vacant in an electoral district more than six months before the expiry of the member's term of office, the council shall direct the registrar to hold a by-election for that electoral district in accordance with this by-law.

- (6) If the seat of a selected member of council becomes vacant, the faculty or school of dentistry that appointed the member shall appoint an eligible successor for the balance of the term.

Enacted: the 2nd day of March 2006

Replacing previous By-Law No. 6

Amended March 6, 2008

Amended June 10, 2010