



**Professional Geoscientists of Ontario (PGO)
Enforcement and Compliance (E&C) Committee
Terms of Reference (ToR)**

Status:

The Enforcement & Compliance (E&C) Committee (the “Committee” herein) is a Standing Committee of Council to satisfy the mandate outlined below. The operational term of the Committee is open-ended.

Mandate:

To protect the public by optimizing the approach, practices and tools available to PGO for reducing illegal practice of geoscience in Ontario.

Composition/Organization

It is recommended that the Committee include, but not be limited to, the following perspectives:

- Two (2) elected councillors;
- One (1) non-registrant appointee; and
- Two (2) registrants in good standing of the PGO.

Additional Clause:

- a) To provide oversight or guidance to the committee, the following individuals may attend or may be invited to attend any committee meeting in a non-voting, ex-officio capacity:
- i) The President or Chair of Council;
 - ii) The PGO CEO; or
 - iii) Other members of staff
- b) Unless approved by the Committee Chair, no more than one member of staff (not including the CEO) may be present at a meeting of a committee.
- c) Quorum does not include staff or other guests.

Committee Selection

Committee seats are filled and maintained according to the following procedures:

- The Committee Chair is to be selected by Council, generally on the basis of a recommendation from Committee members;
- The Vice-Chair is to be selected by Committee members;
- The recommended terms of the Chair and Vice-Chair are two years;
- It is recommended that the Vice-Chair shall normally succeed the Chair;
- Other members of the Committee may be selected by Council on recommendations from the Chair of the Committee, as needed, from the roster of volunteers.

- The selection of members of the committee is determined by Council (with recommendations sought from the Chair) from among eligible nominees;
- Invited observers and experts may attend meetings of the Committee, as agreed upon by the committee members;
- A volunteer at large who is not a registrant nor a Councillor of PGO may be invited by Council to sit on this Committee if they have valuable professional expertise and experience to offer; ideally such a committee member will have been a PGO Councillor or Registrant previously.

Functions and Responsibilities

The functions and responsibilities of the Committee include:

- Establishment, review and updating of PGO's enforcement and compliance policies;
- Identification of gaps in enforcement and compliance practices, including the provision of recommendations to address the gaps.

Outcomes and Deliverables

The Enforcement and Compliance Committee is responsible for providing the following:

- Periodic reports to PGO Council on findings and progress of the Committee;
- An Annual Report to Council, which includes activities of the Committee up to December 31 of the previous year;
- Meet any other deliverables as determined by Council.

Training Requirements

Committee members shall attend training provided by PGO, as well as by Committee Chairs at such times as those Chairs shall determine, for committee members to help them carry out their roles and responsibilities effectively.

Operational Considerations

Operations of the Committee are expected to follow ordered procedures, as follows:

- The Committee reports to Council through its Chair or a Council member designated by the Chair;
- Recommendations and decisions of the Committee will be by consensus to the extent reasonably possible;
- When consensus is not achievable, a majority of votes shall determine the outcome, as per Bourinot's Rules of Order, which governs the meetings of members, Council and committees of Professional Geoscientists of Ontario as per its By-Law #1A. Section 6.05;
- Meetings will be held quarterly or more frequently, as required;
- The Chair or any Committee member that the Chair may designate shall record, prepare, and deliver minutes or notes of meetings to the CEO within 30 days of a meeting being held; and

- Minutes, documents and information will be managed following established policies of the PGO.

Authority

In order to complete its mandate, the Committee has the authority to:

- Function independently, by reporting directly to Council;
- Call upon expert advice it determines is appropriate to enable the Committee to satisfy its responsibilities and meet its objectives;
- Seek external support from staff or contractors as needed to fulfill tasks within its mandate, subject to the approval of Council (or, if the situation does not permit delay, the approval of Executive Committee);
 - Foresee, plan for, and submit its external support needs as part of the annual PGO budgeting process conducted by the Finance Committee and by Council.
- Act by unanimous circulated resolution where meetings are not practical.
- Working groups of the Committee that include members who are not Committee members may only be formed with the express approval of Council.

Review

The Governance Committee shall review the Terms of Reference of the Enforcement & Compliance Committee next in 2025 and at least once every three years thereafter, or as mandated by the Council.

References

Professional Geoscientists Act
Bylaws of the Corporation

Version Control

Version	Author	Date	Changes
1.1	Governance Committee	March 23, 2023	Incorporated the update to decision-making process approved by Council
1.2	Governance Committee	May 23, 2024	Incorporated the amendments approved by Council