Terms of Reference
Investigations Committee

- The AIBC operates under a policy governance model through which council and operational boards and committees are established to assist AIBC council and staff in developing and implementing policies and programs in fulfillment of legislative requirements, council policy and organizational priorities.

- AIBC boards and committees are governed by the *Architects Act*, institute bylaws, council policies (1.9 and 2.14), and the Volunteer Handbook, as applicable.

Established: Formally established by Council Rules May 2001

Type: Operational, Bylaw 37.10

Chair:
    Appointed by: Council
    Term: At the pleasure of council (Bylaw 37.11)

Members:
    Appointed by: Council
    Term: At the pleasure of council (Bylaw 37.11)

Committee Selection Criteria: The following general qualifications and experience criteria are not exhaustive. The criteria are intended to guide council when appointing new members to the committee.

- Understanding and appreciation of AIBC’s core regulatory mandate, particularly the *Code of Ethics and Professional Conduct* and related standards;
- Five or more years of practical architectural experience preferred;
- Ability to exercise discretion and maintain confidentiality; and
- Sound, objective judgement in relation to professional standards and ethics.
Committee Composition

Requirements:

Council shall appoint an investigations committee of not less than five individuals, one of whom shall be appointed as chairperson. Council may appoint one public member to serve as member of the investigations committee and one retired architect associate, but otherwise a person must be an architect to be eligible for appointment to the committee. (Bylaw 37.10)

A member of council may be appointed to the investigations committee but any such member will not be eligible, during the balance of that member’s current term on council, for appointment to a disciplinary committee, nor consideration at council meetings of approval of any notice of inquiry.

<table>
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<tr>
<th>Committee Members</th>
<th>Composition (as applicable)</th>
<th>Appointment Date</th>
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<tbody>
<tr>
<td>1. Margaret Sutherland Architect AIBC</td>
<td>Chair (July 2018)</td>
<td>January 2010</td>
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<td>2. Wayne Fougere Architect AIBC</td>
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<td>February 2006</td>
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<td>4. Joe Minten Architect AIBC</td>
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<td>April 2014</td>
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<td>5. Elisa Brandts Architect AIBC</td>
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<td>June 2015</td>
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<td>7. Scott Kemp Architect AIBC</td>
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<td>May 2017</td>
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<td>8. Mark Hamilton Architect AIBC</td>
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<td>April 2019</td>
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<td>9. S. Ross Rettie, P. Eng, Life Member (Retired)</td>
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<td>September 2019</td>
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<td>11. John Davidson Retired Architect AIBC</td>
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<td>January 2020</td>
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<tr>
<th>Staff</th>
<th>Position</th>
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<td>1. Sabinder Sheina</td>
<td>Legal Counsel, Director of Professional Conduct and Illegal Practice</td>
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1.0 Mandate:  
- The Committee’s primary responsibility is to conduct investigations of complaints filed against members, firms, licensees and associates, and to determine whether these complaints provide sufficient grounds to merit a formal inquiry by the AIBC Council.

2.0 Specific Assignments:  
To investigate complaints and make recommendations to council as to discipline. As per Bylaw 37.16, additional functions of the Investigations Committee are:

- To investigate complaints referred to it by the CEO under bylaw 37.4(a);
- To review any written report from the CEO under bylaw 37.6 and to conduct any further investigation it may in its discretion deem necessary or advisable;
- To consider any potential complaints referred to it by the CEO under 37.4(a) to determine whether such matter should be dismissed without investigation or should become a complaint for investigation under subsection (a) above, with the institute as the nominal complainant;
- After investigation of a complaint, or review of a written report from the CEO, to determine whether to recommend that council order an inquiry into a matter by a disciplinary committee pursuant to section 46 of the Architects Act;
- To determine whether, after investigation of any complaint, to make a remedial recommendation under bylaw 37.20;
- Upon receipt of a report from the remedial review panel indicating that a respondent has satisfied a remedial recommendation, to discontinue the investigation and close the matter per bylaw 37.18;
- Upon receipt of a report from the remedial review panel indicating that a respondent has failed to satisfy a remedial recommendation, to determine whether to recommend that council order an inquiry by a disciplinary committee pursuant to section 46 of the Architects Act into the concerns that arose during the investigation or remedial recommendation process;
- Upon decision by a respondent to reject a remedial recommendation, to recommend that council order an inquiry into a matter by a disciplinary committee pursuant to section 46 of the Architects Act.
• To review decisions of the CEO made under bylaw 37.7 at the written request of a complainant per bylaw 39.9 and, in its sole discretion without further appeal or review by any party, determine whether to further investigate the matter and exercise any of its powers or to concur with the CEO’s decision; and

• Where the committee deems it appropriate, and upon the discontinuance of an investigation, to provide written, non-binding observations to a respondent related to professional conduct, practice and ethics. Such observations do not constitute a disciplinary violation and are intended to assist the respondent with future practice.

3.0 Deliverables:  
• In addition to recommendations to council, the committee approves file summaries for all investigations.

4.0 Reporting:  
• Inclusion of statistical information in the CEO Report for the annual meeting report to members.

• Representation on the Professional Conduct and Illegal Practice Board (pending name change: Professional Practice and Conduct Advisory Committee).

• Update provided as needed in CEO’s weekly stand-up with senior staff member.

5.0 Liaison with Internal and External Groups/Associations:  
• Internal Group: Bylaw Review Committee and Professional Conduct and Illegal Practice Board (pending name change: Professional Practice and Conduct Advisory Committee).

• External Group: Legal Counsel – as needed.

6.0 Scheduled Meetings:  
• When: Meetings are held the third Tuesday of every month.

• Place: AIBC Offices

7.0 Quorum:  
• A majority of the members of the investigations committee shall constitute a quorum, and the quorum shall have a majority of architects. (Bylaw 37.13)

8.0 Amending the Terms of Reference  
• The Terms of Reference may be revised by Council upon the recommendation of the panel or the CEO, or upon a change of members.

Note that many aspects of this committee’s work and authority derives from bylaw and cannot be varied without appropriate amendments.