

1980

## c 103 The Institute of Chartered Secretaries and Administrators in Ontario Act, 1980

Ontario

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## CHAPTER 103

**An Act respecting The Institute of  
Chartered Secretaries and Administrators in Ontario***Assented to December 12th, 1980*

**W**HEREAS The Institute of Chartered Secretaries and Administrators <sup>Preamble</sup>  
in Ontario, herein called the Institute, hereby represents that it was  
incorporated under the name of "The Chartered Institute of Secretaries of  
Joint Stock Companies and other Public Bodies in Ontario" by a special  
Act of the Legislative Assembly entitled *The Chartered Secretaries of  
Ontario Act, 1958*, being chapter 128; that by supplementary letters patent  
dated the 25th day of June, 1973, the name of the Institute was changed to  
its present name; that the Institute considers it desirable to provide for  
certain rights for affiliates of the Institute as set out in this Act; that the  
Institute also considers it desirable to grant its members and affiliates the  
right to use the designation "Professional Administrator"; and whereas the  
applicant hereby applies for special legislation for such purposes; and  
whereas it is expedient to grant the application;

Therefore, Her Majesty, by and with the advice and consent of the  
Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 2 of *The Chartered Secretaries of Ontario Act, 1958*, being <sup>s. 2,</sup>  
chapter 128, is repealed and the following substituted therefor: <sup>re-enacted</sup>

2. The objects of the Institute shall be to provide means and <sup>Objects</sup>  
facilities by which its members and affiliates may increase their  
knowledge, skill and proficiency in all things relating to the pro-  
fession or business of a Chartered Secretary or Administrator and  
to hold such examination and prescribe such tests of competency  
as may be deemed expedient to qualify for admission to member-  
ship or affiliation and to discipline any member or affiliate guilty  
of any default or misconduct in the practice of his profession or  
business.

2. Subsections 2, 3, 4 and 5 of section 3 of the said Act are repealed and <sup>s. 3 (2-5),</sup>  
the following substituted therefor: <sup>re-enacted</sup>

(2) The Council shall consist of fifteen elected persons who shall <sup>Composition</sup>  
be elected for such term and in such manner as the by-laws  
provide, and in addition every past chairman of the Institute shall  
be an *ex officio* member of the Council.

Officers	(3) The Council shall elect from among its number a chairman, two vice-chairmen, a treasurer and such other officers as it may deem necessary.
Secretary	(4) The Council shall appoint a member or affiliate of the Institute as secretary who shall be paid such remuneration as may be fixed by the Council.
Vacancy	(5) When a vacancy occurs in the Council from any cause, the Council shall appoint a member or affiliate of the Institute to fill the vacancy for the unexpired term of the person on Council being replaced.
s. 4 (3), re-enacted	3. Subsection 3 of section 4 of the said Act is repealed and the following substituted therefor:
Classes of membership and affiliation	(3) The Institute shall have two classes of membership, namely, Fellows and Associates, and one grade of affiliation, namely, affiliates, qualifications for each of which shall be those prescribed by the by-laws.
s. 5 (2), (3), re-enacted	4. Subsections 2 and 3 of section 5 of the said Act are repealed and the following substituted therefor:
Offence	(2) Any person in Ontario who, not being a member of the Institute, takes or uses the designation "Chartered Secretary" or the initials F.C.I.S. or A.C.I.S. or any name, title or description, such as C.S. or C.I.S., implying that he is a member of the Institute, is guilty of an offence and on conviction is liable to a fine of not more than \$25 for each offence.
Designation	(3) Every member and every affiliate of the Institute shall have the right to use the designation "Professional Administrator" and may use after his name, in addition to any other designations to which he may be entitled, the initials "P.Adm."
Offence	(4) Any person in Ontario who, not being a member or affiliate of the Institute, takes or uses the designation "Professional Administrator" or the initials P.Adm. or any name, title or description, such as P.Admin., implying that he is a member or an affiliate of the Institute is guilty of an offence and on conviction is liable to a fine of not more than \$25 for each offence.
s. 6 (1), re-enacted	5. Subsection 1 of section 6 of the said Act is repealed and the following substituted therefor:
Register	(1) The secretary shall keep a register in which shall be entered in alphabetical order the names of all members and affiliates in good standing showing the class of membership or affiliation held, and only those persons so registered shall be members or affiliates

and entitled to the privileges of membership or affiliation in the Institute.

6. Clauses *a, b, c, d* and *e* of subsection 1 of section 8 of the said Act are repealed and the following substituted therefor: s. 8 (1) (*a-e*),  
re-enacted

- (*a*) prescribing a curriculum and the course of studies to be pursued by students and the subjects upon which students and candidates for admission as members or affiliates shall be examined and for granting certificates to students and candidates who have successfully passed the examinations;
- (*b*) establishing the power, duties and remuneration of examiners to be appointed for the purpose of ascertaining and reporting upon the qualifications of candidates for membership or affiliation;
- (*c*) regulating and governing the conduct of its members and affiliates in the practice of their profession or business, including the suspension or expulsion of any member or affiliate for misconduct or violation of the rules or by-laws of the Institute;
- (*d*) fixing the fees to be paid by students and candidates for membership or affiliation and by members and affiliates;
- (*e*) governing the election of members or affiliates to the Council and fixing their term of office.

7. Clause *g* of section 10 of the said Act is repealed and the following substituted therefor: s. 10 (*g*),  
re-enacted

- (*g*) operate a library for the benefit of members, affiliates and students and publish, or cause to be published, books, pamphlets or other publications of interest to members, affiliates and students.

8. Sections 11, 12 and 13 of the said Act are repealed and the following substituted therefor: ss. 11, 12, 13,  
re-enacted

11. The Institute may establish and administer a benevolent fund for the benefit of any members or affiliates or the families of deceased members or affiliates who may require financial assistance and for the purpose may make and receive contributions and donations. Benevolent  
(fund)

12. Any surplus derived from carrying on the affairs and business of the Institute shall be devoted and applied solely to promote Surplus



and carry out its objects and purposes and shall not be divided among its members or affiliates.

Application  
of Act

13. Nothing in this Act affects or interferes with the right of any person not a member or affiliate of the Institute to perform the duties of a secretary or administrator in Ontario.

Commence-  
ment

9. This Act comes into force on the day it receives Royal Assent.

Short title

10. The short title of this Act is *The Institute of Chartered Secretaries and Administrators in Ontario Act, 1980*.