TERMS OF REFERENCE – DISCIPLINE COMMITTEE

1. DEFINITIONS

1.1. Unless otherwise defined in these terms of reference, terms defined in the *Bylaws* have the same meaning when used in these terms of reference.

1.2. "*Act*" means the *Building Officials' Association Act*, S.B.C. 1997, c. 16, and its regulations, as amended from time to time.

1.3. "*Association*" means the Building Officials' Association of British Columbia (B.C.).

1.4. "*Bylaws*" has the same meaning as set out in section 1 of the *Act*.

1.5. "*Committee*" means standing and ad hoc committees or working groups established by the *Bylaws* or the *Executive*.

1.6. "*Discipline Committee*" means a designated *Committee* of the *Association* pursuant to sections 13 and 14 of the *Act*.

1.7. "*Executive*" means the Executive Committee as set out in section 1 of the *Act*.

1.8. "*Executive Code of Conduct*" means the Code of Conduct that governs the conduct of members of the *Executive* and *Committees*.

1.9. "*Executive Director*" means the Executive Director of the *Association* as appointed by the *Executive*.

1.10. "*In Good Standing*" means that a *Member* meets the following criteria:

1.10.1. the *Member's* membership is not cancelled, suspended or subject to restrictions, terms or conditions imposed under the *Act* or *Bylaws*;

1.10.2. the *Member* does not owe any outstanding Membership Dues, fees, monetary fines, or other amounts to the *Association*; and

1.10.3. the *Member* maintains their qualifications under the Building Act if they are a Regular *Member* and required to be qualified under the Building Act to work as a Building Official or Plumbing Official.

1.11. "*Investigation Committee*" is established pursuant to section 10(2)(y) of the *Act*, to inquire into the conduct and competence of *Members*, or former *Members*, and to perform the duties assigned to it under the *Act* and the *Bylaws*.

1.12. "*Member*" means the same as set out under section 1 of the *Act*.

1.13. "*Parties*" means the *Complainant* and *Respondent* to a complaint that is submitted to the *Association*.

1.14. *"Professional Incompetence"* includes a demonstrated lack of knowledge, skill, judgment, or ability in the performance of a *Member's* professional duties as contemplated by section 3 of the *Act*, including plan review, inspection, and the administration of *Building Regulations*, and encompasses conduct that is contrary to the *Code of Ethics* and:

1.14.1. demonstrates a persistent or serious failure to meet the standard of practice reasonably expected of a similarly qualified and prudent *Member* in comparable circumstances;

1.14.2. shows a lack of ability to apply or interpret applicable enactments, codes, standards, or accepted professional practices;

1.14.3. demonstrates an inability to exercise reasonable professional judgment in matters affecting health, safety, or compliance with Building Regulations; and/or

1.14.4. indicates that the *Member* requires supervision, retraining, or practice limitations in order to competently carry out the functions of a Building Official or Plumbing Official.

1.15. *"Professional Misconduct"* means an act or omission that contravenes the *Code of Ethics* in the performance of building inspection, plan review or the administration of *Building Regulations*.

1.16. "*Public Representative*" means a person appointed to the *Executive* by the *Minister* as set out in section 7 of the *Act*.

2. PURPOSE AND AUTHORITY

2.1. The *Discipline Committee* is designated under the *Association's Bylaws*, by the *Executive*, to hear and determine allegations of *Professional Misconduct* and *Professional Incompetence* involving *Members* and former *Members* of the *Association*.

2.2. The *Discipline Committee* is, and must fulfill the duties of, a designated *Committee* under sections 13 and 14 of the *Act* and Part 11 of the *Association's Bylaws*.

3. COMPOSITION AND ORGANIZATION

3.1. The *Discipline Committee* shall be comprised of at least three people appointed by the *Executive*.

3.2. *Members* of the *Association* appointed to the *Discipline Committee* must be *Members* in *Good Standing* throughout their term of appointment.

3.3. The *Executive* shall designate one *Discipline Committee* member to serve as the *Discipline Committee* chair.

3.4. *Discipline Committee* members shall designate one *Discipline Committee* member to serve as the *Discipline Committee* vice-chair.

3.5. The chair and vice-chair are not required to be members of the *Executive*.

3.6. A member of the *Discipline Committee* must not be a member of the *Investigation Committee*, and the *Executive* shall not appoint the same individual to both *Committees*.

3.7. *Discipline Committee* members must not participate in the consideration of a citation where the member:

3.7.1. was involved in the matter before the citation was issued;

3.7.2. has or had a relationship with any of the *Parties*; or

3.7.3. has a real or reasonably perceived conflict of interest.

3.8. Where the chair has a real or reasonably perceived conflict of interest in respect of a citation, the vice-chair shall act as chair for that citation.

3.9. Where the vice-chair also has a real or reasonably perceived conflict of interest, the remaining *Discipline Committee* members shall designate another *Discipline Committee* member as temporary chair for that citation.

3.10. *Discipline Committee* members shall continue to serve as members of the *Discipline Committee* until the member resigns or is removed by the *Executive*.

4. MEETINGS AND DECISION-MAKING

4.1. The *Discipline Committee* shall meet at the call of the chair or as directed by *Executive*.

4.2. Meetings may be conducted in person, by electronic means, or by a combination of both.

4.3. A majority of appointed *Discipline Committee* members must be present at a *Discipline Committee* meeting to constitute quorum.

4.4. For the purposes of a discipline hearing, quorum for the *Discipline Committe*e requires the presence and participation of at least three members at all times during the discipline hearing process, including preparation, attendance at the hearing, deliberation, and decision making, and must include at least one *Public Representative*.

4.5. The *Discipline Committee* will aim to reach decisions by consensus of all members; however, if a vote is required, the decision will be by majority vote.

4.6. The *Executive Director* is responsible for providing administrative support to the *Discipline Committee* and facilitating access to independent legal counsel as required to carry out its mandate.

5. DUTIES AND RESPONSIBILITIES

5.1. The *Discipline Committee* may:

5.1.1. consider and determine citations referred to it under the *Association's Bylaws*;

5.1.2. amend citations in accordance with the *Bylaws*;

5.1.3. conduct discipline hearings in accordance with the *Bylaws*;

5.1.4. defer discipline hearings in accordance with the *Bylaws*;

5.1.5. consider and issue consent orders in accordance with the *Bylaws*;

5.1.6. determine whether allegations contained in a citation are substantiated;

5.1.7. make findings pursuant to section 14(1) of the *Act*;

5.1.8. impose orders, penalties, remedies, and costs pursuant to the *Act* and *Bylaws*;

5.1.9. dismiss citations where appropriate;

5.1.10. carry out discipline reporting and compliance monitoring responsibilities assigned by the *Bylaws*; and

5.1.11. perform any other duties assigned under the *Act* or *Bylaws* or policies authorized by the *Act or Bylaws*.

6. ACCOUNTABILITY

6.1. The *Discipline Committee* reports to the *Executive*.

6.2. The *Discipline Committee* will provide written updates to the *Executive*, as required, regarding its activities and any matters requiring the *Executive's* consideration, approval, or action.

6.3. In carrying out its responsibilities, the *Discipline Committee* will adhere to the *Act* and *Bylaws*, and act in accordance with the principles of procedural fairness and administrative justice.

6.4. The *Discipline Committee* shall comply with applicable privacy and information access legislation, including the *Freedom of Information and Protection of Privacy Act*.

6.5. The *Discipline Committee* must ensure confidentiality with respect to all information and records that come to its knowledge in performing its duties and shall not communicate or share any information or records outside of the *Discipline Committee* except as authorized by law or the *Bylaws*.

6.6. *Discipline Committee* members must annually review and sign the *Executive Code of Conduct.*

7. REVIEW AND AMENDMENTS

7.1. These terms of reference shall be reviewed annually by the *Executive* or a *Committee* designated by the *Executive*.

7.2. The *Executive* must approve any amendments to the *Discipline Committee* terms of reference.

8. ATTACHMENTS

8.1. Building Officials' Association Act

8.2. Building Officials' Association of B.C. Bylaws

8.3. Freedom of Information and Protection of Privacy Act

9. VERSION HISTORY

Date of Approval	Effective Date	Description
October 20, 2026	November 1, 2026	Approved by the *Executive*.