TERMS OF REFERENCE – INVESTIGATION 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. "*Authority Having Jurisdiction*" means a jurisdiction that is responsible for administration and enforcement of *Building Regulations* within its jurisdictional boundaries in B.C. or the Yukon that is not a *Local Authority*.

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

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

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

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

1.9. "*Executive Code of Conduct*" means the Code of Conduct that governs the conduct of members of the *Executive*.

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

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

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

1.9.2. the *Member* does not owe any outstanding membership dues, fees, monetary fines, or other amounts to the *Association*; and

1.9.3. 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.*

1.12. "*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*.

1.13. "*Investigation Panel*" means a panel of *Investigation Committee* members appointed by the chair of the *Investigation Committee* to investigate a complaint about a *Member* or former *Member*.

1.14. "*Local Authority*" has the same meaning as set out in section 1 of the *Building Act*.

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

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

1.17. "*Respondent*" means a *Member* or former *Member* whose professional competence or professional conduct is the subject of a complaint, investigation or discipline proceeding under these *Bylaws*.

2. PURPOSE AND AUTHORITY

2.1. The *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*.

2.2. The *Investigation Committee* is responsible for carrying out the duties assigned under section 49 of the *Bylaws*, including reviewing complaints referred to by the *Registrar*, determining the appropriate disposition of complaints, establishing *Investigation Panels*, and exercising powers necessary to protect the public interest.

3. COMPOSITION AND ORGANIZATION

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

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

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

3.4. *Investigation Committee* members shall designate one *Investigation Committee* member to serve as the *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 *Investigation Committee* must not be a member of the *Discipline Committee*, and the *Executive* shall not appoint the same individual to both *Committees*.

3.7. *Investigation Committee* members must not participate in the consideration or investigation of a matter where the member:

3.7.1. was involved in the matter before the complaint was submitted;

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 complaint, the vice-chair shall act as chair for that complaint.

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

3.10. *Investigation Committee* members shall continue to serve until they resign or are replaced by the *Executive*.

4. MEETINGS AND DECISION-MAKING

4.1. The *Investigation Committee* shall meet at the call of the chair or a majority of *Investigation Committee* members.

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

4.3. A majority of appointed *Investigation Committee* members constitutes quorum.

4.4. The *Investigation Committee* must confirm and maintain quorum for each complaint file review, deliberation, and decision.

4.5. The *Investigation Committee* will aim to reach decisions by consensus; however, where a vote is required, decisions shall be made by majority vote. In the event of a tie vote, the motion is defeated.

4.6. The chair may direct that a vote be conducted by email in accordance with the *Bylaws*.

4.7. The *Executive Director* is responsible for providing administrative support for the Committee.

5. DUTIES AND RESPONSIBILITIES

5.1. The *Investigation Committee* may:

5.1.1. review complaints referred to it by the *Registrar*;

5.1.2. determine whether a complaint should be closed, deferred, referred to alternative dispute resolution, referred to an *Investigation Panel*, or addressed through extraordinary action to protect the public;

5.1.3. establish *Investigation Panels* to investigate complaints in accordance with the *Bylaws*;

5.1.4. receive and consider recommendations from *Investigation Panels*;

5.1.5. determine whether complaints should be deferred, suspended, or closed where related proceedings are before another court, tribunal, or decision-maker;

5.1.6. combine complaints relating to the same *Respondent* or subject matter where appropriate;

5.1.7. consider recommendations from Investigation Panels regarding citations and determine whether a citation should be issued and referred to the *Discipline Committee* for a discipline hearing;

5.1.8. exercise responsibilities relating to consent orders in accordance with the *Bylaws*; and

5.1.9. perform any other duties assigned under the *Act*, *Bylaws*, by the *Executive* or policies authorized by the *Act or Bylaws*.

5.2. The chair may:

5.2.1. appoint at least three individuals to an *Investigation Panel*;

5.2.2. designate the chair of an *Investigation Panel*; and

5.2.3. terminate the appointment of a member or chair of an *Investigation Panel*.

5.3. The *Investigation Committee* shall not evaluate or interfere with the policy decisions, procedures, or administrative systems of a *Local Authority* or *Authority Having Jurisdiction* except as necessary for the investigation of a complaint.

6. ACCOUNTABILITY

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

6.2. The *Investigation Committee* will provide a written report to the *Executive* for each *Executive* meeting on its activities, recommendations, and any matters requiring *Executive* consideration or approval.

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

6.4. The *Investigation Committee* shall administer complaints and investigations in an objective, fair, transparent, and timely manner.

6.5. The *Investigation Committee* and its members shall comply with applicable privacy and information access legislation, including the *Freedom of Information and Protection of Privacy Act*.

6.6. The *Investigation Committee* must ensure confidentiality with respect to all information and records obtained in performing its duties and shall not disclose such information except as authorized by law or the *Bylaws*.

6.7. *Investigation 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. Amendments to these terms of reference must be approved by *Executive*.

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.