

TECHNICAL SAFETY AUTHORITY OF SASKATCHEWAN
(called the “Authority”)

BY-LAW NO. 1
APPOINTMENT OF MEMBERS

A By-law pursuant to s.7(2)(a) of *The Technical Safety Authority of Saskatchewan Act* relating generally to the appointment of members of the Authority

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BE IT ENACTED as a By-law of the Authority as follows:

Section One
INTERPRETATION

1.01 **Definitions.** – In this By-law of the Authority, unless the context otherwise requires:

“**Act**” means *The Technical Safety Authority of Saskatchewan Act*, and any statute that may be substituted therefor, as amended;

“**Authority**” means the Technical Safety Authority of Saskatchewan established pursuant to s.3 of the Act, consisting of two persons appointed by the Lieutenant Governor in Council and not less than three and not more than eight other persons appointed by the existing Members in accordance with this By-law;

“**Board**” means the board of directors of the Authority established pursuant to the Act, consisting of all those persons appointed as Members;

“**By-law**” means this By-law as amended and in force and effect;

“**Chairperson**” means the chairperson of the Board;

“**Member**” means a person who is appointed as a member of the Authority in accordance with the Act;

“Special Meeting” means a special meeting of the Board called pursuant to Section 3.02 to consider the appointment of one or more candidates proposed under Section 3.01 as Members;

Save as aforesaid, words and expressions defined in the Act have the same meanings when used in this By-law. Words importing the singular number include the plural and *vice versa*; words importing gender include the masculine, feminine and neuter genders; and words importing persons include individuals.

Section Two

QUALIFICATION OF MEMBERS

2.01 **Number of Members.** – In accordance with the Act, the Authority consists of not less than five and not more than ten Members.

2.02 **Disqualification.** – A person is disqualified from being appointed as a Member and as a member of the Board if that person lacks capacity as defined in the Act, is a minor, is or has been convicted of an offence involving dishonesty, or is an undischarged bankrupt.

2.03 **Mandatory Resignation.** - A Member who is or becomes disqualified from acting as a Member under the Act or this By-law shall immediately resign.

2.04 **Residence.** - A majority of the Members shall have their permanent residence in Saskatchewan.

Section Three

PROCESS FOR PROPOSING CANDIDATES

3.01 **Proposal of Candidates.** – Subject to the Act, where there is a vacancy in the membership of the Authority as described under Section 2.01, any one or more Members, or a committee of Members, may propose to the Chairperson one or more persons as candidates for appointment as Members.

3.02 **Calling of Special Meeting.** – Upon receiving a proposal under Section 3.01, the Chairperson shall call a Special Meeting of the Board to consider the appointment of additional Members.

3.03 **Notice of Meeting.** – Notice of the time and place of a Special Meeting shall be given in the manner provided in Section 3.04 to each Member not less than 48 hours before the time when the meeting is to be held. A Member may in any manner waive notice of or otherwise consent to a Special Meeting.

3.04 **Method of Giving Notice.** – The notice required to be given to a Member pursuant to Section 3.03 shall be sufficiently given if delivered personally to the Member or if delivered to the Member in any way with the Member’s consent.

3.05 **Adjourned Meeting.** – Notice of an adjourned Special Meeting is not required if the time and place of the adjourned meeting is announced at the original meeting.

3.06 **Meeting by Telephone.** – A Member may participate in a Special Meeting by means of such telephone or other communications facilities as permit all persons participating in the meeting to hear each other, and a Member participating in a Special Meeting by such means is deemed to be present at the meeting.

3.07 **Place of Meeting.** – Without limiting Section 3.06, a Special Meeting may be held at any place in Saskatchewan.

Section Four

APPOINTMENT OF MEMBERS

4.01 **Quorum.** – At a Special Meeting, the quorum of the Board for a vote on the appointment of Members pursuant to this By-law is a majority of members of the Board then in office.

4.02 **Term.** – The term of office of each Member appointed pursuant to this By-law shall be set by the Board but shall in any case not exceed three years and no Member shall hold office for more than two consecutive terms.

4.03 **Consent.** – No candidate shall be appointed as a Member at a Special Meeting unless the candidate has first filed with the Board with his or her consent in writing to such appointment.

4.04 **Vote.** – Subject to Sections 4.01 and 4.02, at a Special Meeting a resolution for the appointment of one or more candidates as Members and the term of any such appointment shall be decided by a majority of the votes of the Members present at the Special Meeting and, in case of a tie vote, the Chairperson shall cast a second and deciding vote.

4.05 **Notification.** – The Chairperson shall ensure that each candidate who is appointed as a Member is notified of his or her appointment as soon as reasonably practicable.

4.06 **Rescinding of Appointment.** – The appointment of a Member pursuant to this By-law may be rescinded only by a resolution of more than two-thirds of the Members at a duly constituted meeting called for that purpose, stating that they consider the Member to have failed to adhere to the code of conduct or code of ethical behaviour established by the Authority pursuant to the Act.

4.07 **Cessation of Office.** – If a Member dies or resigns, the person ceases to be a Member on the date of death or on the date on which notice of the resignation is received by the Board, as the case may be.

Section Five
AMENDMENTS

5.01 **Amendment of By-laws.** – The Board may amend or repeal this By-law in whole or in part and may adopt new by-laws from time to time by a two-thirds vote of the Members at any properly constituted meeting of the Board called for that purpose.

5.02 **Proposal of Amendments.** – At any properly constituted meeting of the Board, any Member may propose one or more amendments to this By-law.

Section Six
NOTICE

6.01 **Notice to Minister.** – The Board shall cause a copy of this By-law or any amendment to this By-law to be provided to the minister responsible for the Act within 30 days after it is made.

6.02 **Notice to Public.** – Subject to the Act, provided a copy of the By-law has first been provided to the minister in accordance with Section 6.01, the Board shall cause this By-law and any amendment thereto to be made public:

- (a) in any manner from time to time prescribed by the Act;
- (b) by posting a copy of the By-law or amendment thereto on a website maintained by the Authority; and
- (c) in the discretion of the Board, in such other manner that the Board considers appropriate to bring notice of the By-law or amendment to the attention of the public.

Section Seven
EFFECTIVE DATE

7.01 **Effective Date.** – This By-law shall be effective as of the date it is enacted by the Board.

ENACTED by the Board the 9th day of August, 2010.

original signed by Keith Laxdal

Chairperson