

Current Section	Proposed Amendment
<p>Hearing</p> <p>96. (1) Within 72 hours of service upon the defendant, barring extenuating circumstances, a Discipline Committee hearing shall be called for both the complainant and the defendant to attend.</p> <p>(2) The defendant may submit a statement of defence to the Discipline Committee.</p> <p>(3) The Discipline Committee may, at its discretion, may gather information by holding additional meetings and conducting additional interviews in the absence of the complainant and the defendant.</p> <p>(4) The Discipline Committee shall not use information collected in the absence of the complainant and defendant unless the person who provided the information attends the Discipline Committee hearing and presents the information, and the complainant and the defendant are given an opportunity to respond.</p> <p>(5) Based only on the information presented at the hearing, the Discipline Committee shall either sustain or dismiss the complaint.</p> <p>(6) If the complaint is sustained, the Discipline Committee shall recommend appropriate sanctions and/or course of action.</p> <p>(7) A decision and recommendation shall not be reported at a Council meeting unless the complainant and defendant have been notified of the decision and recommendation by noon the day before the meeting.</p> <p>(8) The Discipline Committee shall submit its written decision and recommendation to Council for</p>	<p>Hearing</p> <p>96. (1) Within 72 hours of service upon the defendant, barring extenuating circumstances, a Discipline Committee Disciplinary Committee Code of Ethics and Disciplinary Committee hearing shall be called for both the complainant and the defendant to attend.</p> <p>(2) The defendant may submit a statement of defense to the Discipline Committee Code of Ethics and Disciplinary Committee.</p> <p>(3) The Discipline Committee Code of Ethics and Disciplinary Committee may, at its discretion, may gather information by holding additional meetings and conducting additional interviews in the absence of the complainant and the defendant.</p> <p>(4) The Discipline Committee Code of Ethics and Disciplinary Committee shall not use information collected in the absence of the complainant and defendant unless the person who provided the information attends the Discipline Committee Code of Ethics and Disciplinary Committee hearing and presents the information, and the complainant and the defendant are given an opportunity to respond.</p> <p>(5) Based only on the</p>

<p>approval.</p> <p>(9) For greater certainty, Council may ratify or reject the Discipline Committee's recommendation in whole or in part, and may substitute its own decision.</p>	<p>information presented at the hearing, the Discipline Committee Code of Ethics and Disciplinary Committee shall either sustain or dismiss the complaint.</p> <p>(6) If the complaint is sustained, the Code of Ethics and Disciplinary Committee shall recommend appropriate sanctions and/or course of action. Unless the offence is of such an egregious nature that an immediate move to impeach or take legal action is warranted the following shall apply. An offence is considered to be egregious if it is an offence under the Criminal Code of Canada. A first offence will result in a written warning, prepared by the Chair, which will not be submitted to Council. A second offence will result in a written warning, prepared by the Chair and submitted for publication to the Sheaf, upon approval by Council. A third offence will be referred to Council for an impeachment vote.</p> <p>(7) A decision and recommendation shall not be reported at a Council meeting unless the complainant and defendant have been notified of the decision and recommendation by noon the day before the meeting.</p> <p>(8) The Code of Ethics and Disciplinary Committee shall submit its written decision and recommendation to Council for approval.</p> <p>(9) For greater certainty,</p>
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	<p>Council may ratify or reject the Code of Ethics and Disciplinary Committee's recommendation in whole or in part, and may substitute its own decision. If the Code of Ethics and Disciplinary Committee fails to obtain approval for their decision in whole or in part, it must reconsider the suggested course of action based on feedback from Council.</p>
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