

MEMORANDUM

PBLRC-C 9-2019

Subject: Councillor Information Request - Information respecting Member Term Length on Committees and Agencies, Boards and Commissions

Date: July 30, 2019

To: Procedural By-law Review Committee

From: Ann-Marie Norio, Regional Clerk

The Corporate Services Committee, at its meeting held on February 20, 2019, referred the matter of Membership Limits for Standing Committees to the Procedural By-law Review Committee for consideration.

The Procedural By-law Review Committee made the following request for information at the meeting held on June 17, 2019:

Provide information respecting any rules or processes currently in place which determine the length of term for members appointed to Committees, including appointments made by Regional Council to its Agencies, Boards and Commissions.

Staff have provided excerpts from legislation respecting term length in the following table:

Committee / ABC	Legislation	Clause Respecting Length of Term
Niagara Regional Housing Board of Directors	<i>Corporations Act, 1990</i>	<p><u>Section 287(2)</u> Unless the by-laws otherwise provide, the election of directors shall take place yearly and all the directors then in office shall retire, but, if qualified, are eligible for re-election. R.S.O. 1990, c. C.38, s. 287 (2); 1998, c. 18, Sched. E, s. 76 (1).</p> <p><u>Section 287(5)</u> The by-laws may provide for the election and retirement of directors in rotation, but in that case no director shall be elected for a term of more than five years and at least three directors shall retire from office in each year. R.S.O. 1990, c. C.38, s. 287 (5); 1998, c. 18, Sched. E, s. 76 (2).</p>
Niagara Peninsula Conservation Authority	<i>Conservation Authorities Act, 1990</i>	<u>Section 14(4.1)</u> A member shall be appointed for a term of up to four years, as may be determined by the council that appoints the member. 2017, c. 23, Sched. 4, s. 12 (2).

Niagara Region Police Services Board	<i>Police Services Act. 1990</i>	<u>Section 27(10.1)</u> The term of office for a member appointed by resolution of a council shall be as set out by the council in his or her appointment, but shall not exceed the term of office of the council that appointed the member. 1997, c. 8, s. 19 (2).
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It has been the practice of Council to appoint members of its Standing and Advisory Committees for a four-year term, in alignment with the term of office of the Council appointing those members.

Additional considerations respecting a change in the length of term for members appointed to Committees, including Agencies, Boards and Commissions, are as follows:

- Time required to advertise for vacant citizen/community member positions
- Orientation of newly appointed members to Committee/Board processes, procedures and strategic priorities, where applicable.

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk