

**Terms of Reference
Fees Mediation Committee (FMC)**

Issue Date: December 2012		Review Date: December 17, 2012	
Approved by Council:		Review by: FMC Committee	
Legislated and other Mandate approved by Council	The mandate of the committee is specified in Section 32 of the <i>Professional Engineers Act</i> and Sections 30 and 31 of Regulation 941.		
Key Duties and Responsibilities	To review and mediate or arbitrate fee disputes between engineers, engineering companies and their clients in accordance with the Act and Regulations.		
Success Measurements of Key Duties and Responsibilities	Matters referred to the Committee will be dealt with in accordance with the legislation and in a timely and efficient manner.		
Type of Committee	Operational on regulatory matters.		
Constituency & Qualifications of Committee Members	<p>Council designates members eligible to act as members of the Fees Mediation Committee. No person who is a member of the Complaints Committee or the Discipline Committee shall be eligible for membership on the Committee.</p> <p>There will be no preference given to appointing Councillors, however, preference will be given to engineers who are engaging in offering or who are utilizing engineering services and also have ADR experience.</p>		
Recruitment of New Committee Members	New committee members will be recruited as and when necessary.		
Term Limits for Committee Chair	The Chair is elected annually for a one-year term, from January to December. The Chair may be re-elected to the position to serve a maximum of three (3) consecutive years. Once the Chair has served for the maximum term, he/she is not eligible for reappointment to those positions. The Chair, once having served as Chair, may only serve as a general committee member.		
Term Limits for Committee Members	<i>Note: Given the statutory mandate of the Fees Mediation Committee (FMC) as well as the reliance on the expertise and experience of their members in order to carry out their legislated mandates, there is no term limit imposed on the general membership of this committee.</i>		
Succession Planning	Note: All committees must have a succession plan, approved by Council, to ensure the orderly transition of the position of chair and vice chair as well as provide for the renewal of the committee's membership and on-boarding of new committee members.		

<p>Quorum</p>	<p>No more than four and no less than three Members selected by Registrar will serve as the Fees Mediation Committee for matters referred to arbitration. The Committee may designate a single Member for matters referred to mediation.</p> <p>A decision by the Fees Mediation Committee may be filed with the Superior Court of Justice. The committee is convened only when required to mediate or arbitrate a dispute with written consent of the parties to the dispute.</p>
<p>Meeting Frequency & Time Commitment</p>	<p>The Committee meets 3-4 times per year. Average meeting time estimated at one day per case per member.</p>
<p>Committee Advisor/ Staff Support</p>	<p>Manager Tribunals, and Tribunal Staff</p>