

CITIZENSHIP AND IMMIGRATION

IMMIGRATION PRACTICE

Judicial review of Immigration Consultants of Canada Regulatory Council (ICCRC) Disciplinary Committee decision dismissing applicant's objection to composition of panel set to hear complaint against him — ICCRC governed by *Canada Not-for-profit Corporations Act*, S.C. 2009, c. 23 (Act) — Applicant immigration consultant, member of ICCRC — Becoming subject of complaint to ICCRC, which complaint referred to ICCRC Discipline Committee for hearing — Applicant objecting to composition of panel on basis one of its members not a member of ICCRC, contrary to Act, s. 158 — Panel interpreting s. 158 as not intending to be exhaustive, not limiting corporation's ability to make by-laws to create discipline committee including individuals who are not directors or members — Whether Act, s. 158 precluding someone who is not ICCRC member from sitting on panel of Discipline Committee — Panel's interpretation correct — First sentence of s. 158 ambiguous, susceptible to two different interpretations — Ambiguity resolved by looking at provision in context, in light of its purpose — Only obligation set out in s. 158 is that if power to discipline member set out in articles or by-laws of corporation, those articles or bylaw should "set out the circumstances and the manner in which that power may be exercised." — Had Parliament intended to circumscribe class of persons who may exercise this power in any circumstance, it would have said so expressly — While s. 158 referring to directors, members or any committee of directors or members, provision not requiring that corporation limit class of those who may exercise this power in this way — Panel not erring in concluding that its constitution consistent with Act, s.158 — Application dismissed.

WATTO V. IMMIGRATION CONSULTANTS OF CANADA REGULATORY COUNCIL (IMM-3546-18, 2019 FC 1024, Norris J., reasons for judgment dated July 30, 2019, 16 pp.)