

# College of Psychologists of British Columbia

## SCHEDULE "J"

### **Tariff of Costs in relation to Investigation of the Inquiry Committee pursuant to the Health Profession Act, chapter 183 R.S.B.C 1996, as amended**

*Section 19(1)(v.1): A board may, by bylaw for its college, do the following:  
Establish a tariff of costs to partially indemnify for the expenses incurred by the college for investigations under section 33.*

*Section 19(1)(1.3): A tariff of costs under subsection (1)(v.) must not provide for the recovery of the remuneration paid to inspectors or members of the inquiry committee.*

#### Interpretation

1. In this Tariff

“Act” means the Health Professions Act, *Health Professions Act*, chapter 183 R.S.B.C 1996, as amended;

“Assessment” means a determination and an award by the Inquiry Committee of appropriate costs in consideration of the relevant matters in this Tariff and any other circumstances it considers are relevant to a fair determination;

“Bill of Costs” means an itemized statement, based upon this Tariff, of costs incurred in and for the preparation and conduct of a hearing before the Inquiry Committee;

“Inquiry Committee” means the Inquiry Committee of the College and any duly constituted Panel thereof;

“Process” means drawing, amending, filing, serving or delivering a document.

#### Powers to make Orders for Costs

2. The Inquiry Committee may, pursuant to Section 19(1)(v.1) of the Act and this bylaw, and Section 33(7) of the Act if it has taken action under Section 33(6)(b) to (d), award costs to the College against the Respondent based on this Tariff of Costs.

#### Scale of Costs

3. (1) Where the Inquiry Committee has made an Order for Costs, it may fix the scale under which the costs will be assessed, and the amount of reasonable disbursements and in the event of an assessment the number of applicable units in any item.
- (2) The Inquiry Committee may order that one or more items in the Tariff may be assessed under a different scale.
- (3) In fixing the scale of costs the Inquiry Committee may fix costs using one or more of the following scales:

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- (a) Scale 1 - for matters of less than ordinary difficulty or complexity
  - (b) Scale 2 - for matters of ordinary difficulty or complexity
  - (c) Scale 3 - for matters of more than ordinary difficulty or complexity
4. Where an Order of Costs has been made but no scale has been fixed or agreed then the costs shall be on Scale 2.
5. The Inquiry Committee, in determining the number of units to allow or order, shall value the units on a continuum with the minimum number reflecting a matter for which little time would ordinarily be required and the maximum number for matters for which a great amount of time would ordinarily be required.

### Offers to Settle Bill of Costs

6. (1) A party to an assessment of costs may deliver in writing an offer to settle costs, and in the event that offer is not accepted and the matter is assessed, and after the assessment is completed, may produce the offer to the Inquiry Committee which shall determine whether, in all of the circumstances, the offer should have been accepted and may
- (a) allow or disallow items of the Tariff which relate to the assessment of the party that made the offer to settle costs; or
  - (b) allow, by way of set off, items of the Tariff which relate to the assessment of the party that made the offer to settle costs; or
  - (c) allow double the value of items of the Tariff which relate to the assessment of the party that made the offer to settle costs.

### Value of Units

7. The value for each unit allowed on an assessment is as follows:

- (a) Scale 1 - \$75.00 for each unit
- (b) Scale 2 - \$120.00 for each unit
- (c) Scale 3 - \$150.00 for each unit

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8. An award of costs against a respondent is a debt owed to the College for purposes of bylaw 53(3)(g).

<b>TARIFF OF COSTS FOR INQUIRY COMMITTEE</b>		
<b>Item</b>	<b>Description</b>	<b>Units</b>
1	Review and consideration of complaint and any documents submitted with the complaint	Min. 1 Max. 10
2	Preparation of statement of evidence or statement of particulars or statement of concerns under the section 33(5)	Min. 1 Max. 10
3	Preparation of documents for disclosure	Min. 1 Max. 10
4	Disclosure and delivery of documents	Min. 1 Max. 10
5	Correspondence, instructions, conferences, negotiations	Min. 1 Max. 10
6	Preparation for and attendance at settlement conference	Min. 1 Max. 10
7	Preparation for attendance for assessment of costs	Min. 1 Max. 10
8	Attendance before Inquiry Committee for settlement of bill costs	Min. 1 Max. 10

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	<b>Description</b>	
<b>Item</b>		<b>Units</b>
9	All process for which provision is not made in this Tariff	Min. 1 Max. 10
10	For any matter not referred to in this Tariff	Min. 1 Max. 10
11	<b>Disbursements</b> for copying, courier, parking, postage, document production, expert expenses including travel and accommodation are at receipted cost, except that all photocopies shall be reimbursed at .25c per page.	
12	All other disbursements	At reasonable cost