

Bylaws of the College of Chiropractors of B.C. under the *Health Professions Act*

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Definitions

1. In these bylaws:

“Act” means the *Health Professions Act*;

“appointed board member” means a person appointed to the board under section 17(3)(b) of the *Act*;

“board” means the board for the college;

“board member” means an appointed board member or an elected board member;

“chair” means the chair of the board elected under section 11;

“chiropractic services” means the services a registrant is authorized under the *Act* to provide;

“college” means the College of Chiropractors of British Columbia continued under section 15.1(1) of the *Act*;

“deliver”, with reference to a notice or other document, includes mail to or leave with a person, or deposit in a person's mailbox or receptacle at the person's residence or place of business, and in respect of a registrant, includes transmit to the electronic mail address the registrant most recently provided to the college for the purpose of delivery;

“direct supervision” means the supervised person is subject to the direction and review of a registrant, who is present at the same location at the time the supervised person performs a clinical aspect of practice, but is not necessarily involved in the performance of that clinical aspect of practice;

“elected board member” means a person elected to the board under section 17(3)(a) of the *Act* or appointed to the board under section 10;

“examination” means a theoretical examination, given orally or in writing, or a practical examination, or any combination of these, and includes a supplemental examination;

“general supervision” means the supervised person is acting subject to the review of a registrant;

“in good standing”, in respect of a registrant, means

- (a) the registrant's registration as a member of the college is not suspended under the *Act*, and
- (b) no limits or conditions are imposed on the practice of chiropractic by the registrant under section 20, 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the *Act*;

“personal information” means,

- (a) for the purposes of Part 3, “personal information” as defined in Schedule 1 of the *Freedom of Information and Protection of Privacy Act*, and
- (b) for the purposes of section 73, means “personal information” as defined in section 1 of the *Personal Information Protection Act*;

“public representative” means a person who

- (a) is not a registrant or former registrant, and
- (b) has no close family or business relationship with a registrant or former registrant,

and includes an appointed board member;

“record” means, for the purposes of Part 3, a “record” as defined in Schedule 1 of the *Freedom of Information and Protection of Privacy Act*;

“registrant” means a person granted registration as a member of the college;

“registrar” means the registrar for the college;

“Regulation” means the Chiropractors Regulation, B.C. Reg. 414/2008;

“respondent” means a registrant named in a citation under section 37 of the *Act* or a health profession corporation named in a notice of permit revocation hearing under section 80;

“special resolution” is a resolution which requires a $\frac{3}{4}$ vote of those persons present and eligible to vote at a meeting;

“vice-chair” means the vice-chair of the board elected under section 12.

PART 1 COLLEGE BOARD, COMMITTEES AND PANELS

Composition of the board

2. The board consists of 8 elected board members and the appointed board members.

Electoral districts

3. (1) The province of British Columbia is divided into the following electoral districts, whose boundaries are defined by the metes and bounds descriptions set out in Schedule “A”:
 - (a) Lower Mainland;
 - (b) Vancouver Island;
 - (c) Interior.
- (2) The number of elected board members from each electoral district is as follows:
 - (a) Lower Mainland – 6;
 - (b) Vancouver Island – one;
 - (c) Interior – one.
- (3) The boundaries of an electoral district established under subsection (1) may only be changed by a special resolution of the board amending Schedule “A”.

Voting and non-voting registrants

4. Only full registrants are eligible to vote, and to be elected, in an election under section 17(3)(a) of the *Act*.

Notice of election

5. (1) The registrar must notify every registrant eligible to vote under section 4 of an election under section 17(3)(a) of the *Act* by delivering notice at least 120 days prior to the expiry of the term of office.
- (2) The notice must contain information about the nomination procedure and the election procedure, including without limitation the length of the term of office for each vacant or impending vacant board member position to be filled in the board election.

Nomination procedure

6. (1) Any registrant eligible to vote under section 4 may nominate for office a maximum of one registrant in good standing, who is not the subject of an investigation by the inquiry committee under section 33 of the *Act* or an unresolved citation issued by the registrar under section 37 of the *Act*, for each vacant or impending vacant board member position in his or her electoral district, by delivering such nomination and election to the registrar, together with a letter of consent from the person nominated, at least 90 days prior to the expiry of the term of office.
- (2) A person nominated under subsection (1) must declare in writing that he or she will observe the provisions of the *Act*, the regulations and these bylaws and the procedures related to the election and the conduct of the election.

Election procedure

7. (1) At least 60 days prior to the expiry of the term of office, the registrar must prepare and deliver to each registrant eligible to vote under section 4
 - (a) an election ballot, and
 - (b) a notice of
 - (i) the time and date by which the ballot must be received by the college, and
 - (ii) the procedure for completing and delivering the ballot.
 - (2) Each registrant eligible to vote under section 4 is entitled to one election ballot and may vote in favour of one candidate for each vacant or impending vacant board member position in his or her electoral district that is to be elected on such ballot.
 - (3) The registrar must not count the vote of a registrant under subsection (2) unless the registrant's election ballot is
 - (a) received by the registrar at least 30 days prior to the expiry of the term of office, and
 - (b) cast using the procedure for completing and delivering a ballot specified in the notice under subsection (1)(b).
 - (4) The person or persons receiving the most votes on the return of the ballots is elected.
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- (5) In the case of a tie vote, the registrar must select the successful candidate by random draw.
- (6) The registrar must supervise and administer all board elections and may establish additional election procedures, consistent with these bylaws, for that purpose.
- (7) The registrar may determine any dispute or irregularity with respect to any nomination, ballot or election.
- (8) If the number of persons nominated in an electoral district under section 6 is less than or equal to the number of vacant or impending vacant board member positions in the electoral district at the close of nominations, the nominees in that electoral district are elected by acclamation.
- (9) The registrar must use Form 1 to certify newly elected members of the board under section 17.1(1) of the *Act*.

Terms of office

8.
 - (1) The term of office for an elected board member expires on the date of the annual general meeting held in the third year following the date of the election of the board member.
 - (2) Despite subsection (1), before the registrar delivers notice of a board election under section 5, the board may by special resolution designate that the term for a vacant or impending vacant elected board member position ends on the date of the annual general meeting in the second year following the date of the election of the board member.
 - (3) An elected board member may serve a maximum of 3 consecutive terms.
 - (4) An elected board member may resign at any time by delivering a notice in writing to the registrar and the resignation is effective upon receipt by the registrar.

Removal of elected board member

9.
 - (1) An elected member of the board ceases to hold office if he or she ceases to be a registrant in good standing.
 - (2) An elected member of the board may be removed by special resolution of the board, or by special resolution of the registrants at a general meeting in accordance with the provisions of section 36.

Vacancy

10. (1) In the case of any vacancy of an elected board position, the board may by special resolution appoint a registrant eligible under section 4 and from the same electoral district as the outgoing elected board member to fill that elected board member's position for the period of time until the next scheduled board election.
- (2) If the vacancy referred to in subsection (1) occurs less than 120 days before the next scheduled board election, the board may by special resolution appoint a registrant eligible under section 4 and from the same electoral district as the outgoing elected board member to fill that elected board member's position for the period of time until the following scheduled board election.
- (3) An election must be held at the next scheduled board election, or the following scheduled board election, if applicable, to fill any vacant position of an elected board member for the remainder of the outgoing elected board member's term.

Chair

11. (1) At the first meeting of the board following an election under section 17(3)(a) of the *Act*, the board members must elect a chair by a majority vote for a one year term.
- (2) The chair must
 - (a) preside at all meetings of the board and all general meetings of the college,
 - (b) sign all certificates, diplomas and other instruments executed on behalf of the college together with such other officers as required by the board,
 - (c) sign the minutes of each meeting after they are approved by the board, and
 - (d) act generally in accordance with the requirements of his or her office for the proper carrying out of the duties of the board.

Vice-chair and acting chair

12. (1) At the first meeting of the board following an election under section 17(3)(a) of the *Act*, the board members must elect a vice-chair by a majority vote for a one year term.
- (2) The vice-chair must perform the duties of the chair in the absence of or as requested by the chair.
- (3) In the absence of both the chair and the vice-chair, an acting chair for a board

meeting must be elected by a majority vote of the board members present.

Board meetings

13. (1) The board must meet at least 4 times in each fiscal year and must provide reasonable notice of board meetings to board members, registrants and the public.
- (2) Meetings of the board must be called by the registrar at the request of either the chair or any 3 board members.
- (3) The registrar must provide the following to members of the public on request:
 - (a) the place, day and time of an upcoming board meeting,
 - (b) a copy of the agenda for that meeting, and
 - (c) a copy of the minutes of any previous board meeting.
- (4) Subject to subsection (5), meetings of the board must be open to registrants and to the public.
- (5) The board may exclude any person from any part of a meeting if it is satisfied that one or more of the following matters will be discussed:
 - (a) financial or personal or other matters of such a nature that the interest of any person affected or the public interest in avoiding public disclosure of those matters outweighs the public interest in board meetings be open to the public,
 - (b) information concerning an application by any individual for registration under section 20 of the Act, the disclosure of which would be an unreasonable invasion of the applicant's personal privacy,
 - (c) information concerning a complaint against, or an investigation of, any individual under Part 3 of the Act, the disclosure of which would be an unreasonable invasion of the individual's personal privacy,
 - (d) information the disclosure of which may prejudice the interests of any person involved in
 - (i) a proceeding under the Act, including a disciplinary proceeding under Part 3 of the Act or a review under Part 4.2 of the Act, or
 - (ii) any other criminal, civil or administrative proceeding,

- (e) personnel matters,
 - (f) property acquisitions or disposals,
 - (g) the contents of examinations,
 - (h) communications with the Office of the Ombudsman,
 - (i) instructions will be given to or opinions received from legal counsel under section 32, or any other matter that is subject to solicitor-client privilege,
 - (j) information that the college would be required or authorized to refuse to disclose to an applicant making a request for records under Part 2 of the *Freedom of Information and Protection of Privacy Act*, or
 - (k) information that the college is otherwise required by law to keep confidential.
- (6) If the board excludes any person from a part of a meeting, it must have its reasons for doing so noted in the minutes of the meeting.
 - (7) The registrar must ensure that minutes are taken at each meeting and retained on file, and must publish them on the college website.
 - (8) A majority of the board constitutes a quorum.
 - (9) No resolution proposed at a meeting need be seconded and the chair of a meeting may move or propose a resolution.
 - (10) In the case of an equality of votes the chair does not have a casting or second vote in addition to the vote to which he or she is entitled as a board member and the proposed resolution does not pass.
 - (11) If some or all of the members of the board are unable to meet in person, the board may meet and conduct business using video-conference, tele-conference and internet conference connections, in writing, using any other electronic means or using any combination of these.
 - (12) Except as otherwise provided in the *Act*, the regulations, or these bylaws, the most recent edition of *Robert's Rules of Order* governs the procedures at meetings of the board.
 - (13) The accidental omission to deliver notice of a meeting to, or the non-receipt of a notice by, any person entitled to receive notice under subsection (1) does not

invalidate proceedings at that meeting.

Extraordinary board meetings

14. (1) A written resolution signed by all board members is valid and binding and of the same effect as if such resolution had been duly passed at a meeting of the board.
- (2) Despite section 13(1), the registrar or the chair may call a meeting of the board without providing notice to the registrants or the public if necessary to conduct urgent business.

Registration committee

15. (1) The registration committee is established consisting of 3 persons appointed by the board.
- (2) The registration committee must include at least one appointed board member.

Inquiry committee

16. (1) The inquiry committee is established consisting of 6 persons appointed by the board.
- (2) The inquiry committee must include at least 2 public representatives, at least one of whom must be an appointed board member.

Discipline committee

17. (1) The discipline committee is established consisting of 6 persons appointed by the board.
- (2) The discipline committee must include at least 2 public representatives, at least one of whom must be an appointed board member.

Quality assurance committee

18. (1) The quality assurance committee is established consisting of 4 persons appointed by the board.
- (2) The quality assurance committee must include at least 2 public representatives, at least one of whom must be an appointed board member.
- (3) The quality assurance committee is responsible for
 - (a) reviewing the standards of practice to enhance the quality of practice and to

- reduce incompetent, impaired or unethical practice among registrants,
- (b) administering a quality assurance program to promote high standards of practice among registrants,
 - (c) assessing the clinical ability of registrants, and
 - (d) recommending courses to the board for approval under section 57,
 - (e) collecting information from registrants in furtherance of the objects of this section,
 - (f) establishing remedial procedures to assist registrants in identifying and correcting deficiencies in their clinical abilities or places of practice, and
 - (g) reviewing all aspects of the management and conduct of health profession corporations to ensure their compliance, and the compliance of their registrant shareholders, with the *Act*, the regulations, these bylaws and the policies of the college.

Patient relations committee

19. (1) The patient relations committee is established consisting of 3 persons appointed by the board.
- (2) The patient relations committee must include at least one appointed board member.
 - (3) The patient relations committee must
 - (a) establish and maintain procedures by which the college deals with complaints of professional misconduct of a sexual nature,
 - (b) monitor and periodically evaluate the operation of procedures established under paragraph (a),
 - (c) develop and coordinate, for the college, educational programs on professional misconduct of a sexual nature for members and the public as required,
 - (d) establish a patient relations program to prevent professional misconduct, including professional misconduct of a sexual nature,
 - (e) develop guidelines for the conduct of registrants with their patients, and

- (f) provide information to the public regarding the college's complaint and disciplinary process.
- (4) For the purposes of this section, "professional misconduct of a sexual nature" means
 - (a) sexual intercourse or other forms of physical sexual relations between the registrant and the patient,
 - (b) touching, of a sexual nature, of the patient by the registrant, or
 - (c) behaviour or remarks of a sexual nature by the registrant towards the patient; but does not include touching, behaviour and remarks by the registrant towards the patient that are of a clinical nature appropriate to the service being provided.

Committees

- 20. (1) A person appointed to a committee established under these bylaws
 - (a) serves a term determined by the board not exceeding 3 years, and
 - (b) is eligible for reappointment but may not serve more than 3 consecutive terms.
- (2) A person cannot be appointed to the inquiry committee and the discipline committee at the same time.
- (3) A committee member, other than an *ex officio* member, may be removed by a majority vote of the board.
- (4) The board must designate a committee chair and a committee vice-chair from among the members of the committee appointed under subsection (1).
- (5) Each committee must submit a quarterly report of its activities to the board.
- (6) The chair of the board and the registrar are *ex officio* non-voting members of every committee.

Committee panels

- 21. (1) The discipline committee and the inquiry committee may meet in panels of 3 persons which must include at least one public representative.
- (2) *Ex officio* members must not be appointed to panels.

- (3) The chair of a committee referred to in subsection (1) must appoint the members of a panel and must designate a chair of the panel.
- (4) A panel of a committee referred to in subsection (1) may perform any duty and exercise any power of that committee.

Meetings of a committee or panel

22. (1) A majority of a committee constitutes a quorum at a meeting of the committee.
- (2) All members of a panel constitute a quorum at a meeting of the panel.
- (3) The provisions of section 13(3) to (6) and (9) to (12) apply to a committee or a panel as if it were the board.

Remuneration of board and committee members

23. (1) A board member or committee member is entitled to be paid an honorarium in accordance with the policy established by the board.
- (2) A board member or committee member is entitled to be reimbursed by the college for reasonable expenses necessarily incurred in connection with the activities of the board or committee, in accordance with the policy established by the board.
- (3) Appointed board members and elected board members must be remunerated equally under the policies referred to in this section.
- (4) All members of a committee must be remunerated equally under the policies referred to in this section.
- (5) Despite subsection (4), the amount of an honorarium referred to in subsection (1) may be different for each committee.

PART 2 COLLEGE ADMINISTRATION

Seal

24. (1) A seal for the college must be approved by the board.
- (2) The seal of the college must be affixed, by those persons designated by the board, to certificates of registration and such other documents as the board may direct by resolution.

Registrar and deputy registrar

25. (1) In addition to the registrar's powers and duties under the Act, the registrar is the chief executive officer of the college, responsible to the board for all administrative and operational matters of the college, including hiring college employees or retaining other persons to assist the registrar.
- (2) The registrar is authorized to establish, by bylaw, forms for the purposes of these bylaws, and to require the use of such forms by registrants.
- (3) If a deputy registrar is appointed by the board,
 - (a) the deputy registrar is authorized to perform all duties and exercise all powers of the registrar, subject to the direction of the registrar, and
 - (b) if the registrar is absent or unable to act for any reason, the deputy registrar is authorized to perform all duties and exercise all powers of the registrar.

Fiscal year

26. The fiscal year of the college commences on August 1 and ends on July 31 of the following year.

Banking and financial administration

27. (1) The board must establish and maintain such accounts with a chartered bank, trust company or credit union as the board determines necessary from time to time and must deposit into the accounts all money received for and on account of the college.
- (2) The board is responsible for
 - (a) managing the college's system of financial administration, including
 - (i) accounting practices and systems, including classification of accounts,

internal control and auditing systems.

- (ii) financial planning,
 - (iii) budgetary control,
 - (iv) ensuring the safekeeping of college assets, including assets held in trust,
 - (v) managing college revenues, including receipt, recording and control of funds and deposit to accounts maintained by the board,
 - (vi) producing financial reports for the use of the board, and submitting a financial statement to the auditor immediately after the close of each fiscal year,
- (b) determining the needs of the college in regard to financial administration, and the financial implications of board decisions,
 - (c) applying legislative, regulatory and other financial requirements to the college,
 - (d) developing, establishing and administering financial policies, systems and procedures essential to the financial administration of the college, and
 - (e) overseeing the organization, staffing and training of administrative staff of the college.

Payments and commitments

- 28. (1) The registrar may approve payments and commitments for the purchase of goods and services up to \$10,000.
- (2) Subject to subsection (3), all payments and commitments by the college in excess of \$10,000 must be approved by the registrar and one board member designated by the board.
- (3) All payments and commitments by the college in excess of \$50,000 must be approved by the board.

Borrowing powers

- 29. (1) The board must not enter into any security obligation in excess of \$250,000 without a special resolution approved by the registrants of the college at a general meeting.

- (2) The registrants may, by special resolution at a general meeting, restrict the borrowing powers of the board, but a restriction so imposed expires at the next general meeting.

Investments

30. Subject to sections 15.1 and 15.2 of the *Trustee Act*, the board may, in the name of the college,
 - (a) invest funds of the college in any investments, and
 - (b) change those investments.

Auditor

31.
 - (1) The board must appoint a chartered professional accountant to be the auditor.
 - (2) The registrar must submit the financial statement to the auditor within 45 days of the end of the fiscal year.
 - (3) A copy of the auditor's report must be included in the annual report.

Legal counsel

32. The board or, with the approval of the board, a committee or panel, may retain legal counsel for the purpose of assisting the board, committee or panel in performing any duty or exercising any power under the *Act*, the regulations or these bylaws.

General meetings

33.
 - (1) General meetings of the college must be held in British Columbia at a time and place determined by the board.
 - (2) An annual general meeting must be held at least once in every calendar year and not more than 15 months after the holding of the last preceding annual general meeting.
 - (3) The following matters must be considered at an annual general meeting
 - (a) financial statements,
 - (b) the report of the board, and
 - (c) the report of the auditor.

- (4) Every general meeting, other than an annual general meeting, is an extraordinary general meeting.
- (5) The board
 - (a) may convene an extraordinary general meeting by resolution of the board, and
 - (b) must convene an extraordinary general meeting within 60 days after receipt by the registrar of a request for such a meeting signed by at least 15 percent of all registrants.

Notice of general meetings

34. (1) The board must deliver notice of an annual or extraordinary general meeting to all board members and registrants at least 45 days prior to the meeting.
- (2) Notice of a general meeting must include
 - (a) the place, day and time of the meeting,
 - (b) the general nature of the business to be considered at the meeting,
 - (c) any resolutions proposed by the board, and
 - (d) any resolutions proposed by the registrants under section 35 and delivered to the registrar prior to the mailing of the notice.
- (3) The accidental omission to deliver notice of a meeting to, or the non-receipt of a notice by, any person entitled to receive notice under subsection (1) does not invalidate proceedings at that meeting.
- (4) General meetings must be open to the public.
- (5) The registrar must
 - (a) provide reasonable notice of each general meeting to the public, and
 - (b) provide to members of the public on request a copy of the notice given under subsection (1) in respect of a general meeting.

Resolutions proposed by registrants

35. (1) Any 10 registrants who are eligible to vote at a general meeting may deliver a
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written notice to the registrar at least 30 days prior to the date of an annual or extraordinary general meeting requesting the introduction of a resolution.

- (2) On receipt of a notice specified in subsection (1) and at least 14 days prior to the date of that meeting, the registrar must deliver a notice and a copy of the resolution to each registrant.
- (3) A registrant who is eligible to vote at a general meeting may propose a resolution at a general meeting from the floor and any such resolution must be noted by the chair of the meeting and placed at the end of the agenda to be debated if time permits.
- (4) Except as provided under section 29, all resolutions under this section are for the consideration of the board and are not binding on the board.

Proceedings at general meetings

36. (1) A quorum for a general meeting is 45 registrants who are eligible to vote at a general meeting.
- (2) No business, other than the adjournment or termination of the meeting, may be conducted at a general meeting at a time when a quorum is not present.
- (3) If at any time during a general meeting there ceases to be a quorum present, business then in progress must be suspended until there is a quorum present.
- (4) In the case of an annual general meeting under section 33(2) or an extraordinary general meeting under section 33(5)(a),
 - (a) if there is no quorum present within 30 minutes from the time appointed for the start of the meeting, or
 - (b) if there is no quorum present within 30 minutes from any time during the meeting when there ceases to be a quorum present,the meeting must be adjourned to a date within 45 days, at a time and place to be determined by the board, and those registrants who attend that later meeting will be deemed to be a quorum for that meeting.
- (5) In the case of an extraordinary general meeting under section 33(5)(b),
 - (a) if there is no quorum present within 30 minutes from the time appointed for the start of the meeting, or
 - (b) if there is no quorum present within 30 minutes from any time during the

meeting when there ceases to be a quorum present,

the meeting must be adjourned and cancelled and no further action may be taken in respect of the request under section 33(5)(b).

- (6) In the absence of both the chair and the vice-chair of the board, an acting chair for a meeting must be elected by a majority vote of the registrants entitled to vote at a general meeting who are present.
- (7) A general meeting may be adjourned from time to time and from place to place, but no business may be transacted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- (8) When a meeting is adjourned in accordance with subsection (4) or (5) or by motion under subsection (7), notice of the rescheduled meeting must be delivered as in the case of the original meeting.
- (9) No motion proposed at a meeting need be seconded and the chair of a meeting may propose a motion.
- (10) Every registrant entitled to vote at a general meeting who is present at a meeting is entitled to one vote and the chair of the meeting, if the chair is a registrant who is entitled to vote at a general meeting, is entitled to one vote.
- (11) Voting may be conducted by ballot or by hand count.
- (12) In the case of an equality of votes the chair does not have a casting or second vote in addition to the vote to which he or she is entitled under subsection (10), if any, and the proposed resolution does not pass.
- (13) Except as these bylaws otherwise provide, the most recent edition of *Robert's Rules of Order* governs the procedures at an annual or extraordinary general meeting.

Notice to public representatives

37. Every notice or mailing provided to the general membership of the college must also be provided to a public representative serving on the board or a committee.

PART 3 COLLEGE RECORDS

Body responsible for administering the *Freedom of Information and Protection of Privacy Act*

38. (1) The registrar is the “head” of the college for the purposes of the *Freedom of Information and Protection of Privacy Act*.
- (2) The registrar may authorize a deputy registrar, a person employed by the college or a person who has contracted to perform services for the college to perform any duty or exercise any function of the registrar that arises under the *Freedom of Information and Protection of Privacy Act*.
- (3) The board is responsible for ensuring that the registrar fulfils the college’s duties under the *Freedom of Information and Protection of Privacy Act*.
- (4) The registrar must report annually to the board regarding the steps the college has taken to fulfil its duties under the *Freedom of Information and Protection of Privacy Act*.

Protection of personal information

39. (1) The board must take all reasonable measures to ensure that the collection, use, and disclosure of personal information occurs in accordance with the *Freedom of Information and Protection of Privacy Act*.
- (2) The board must take reasonable measures to ensure that, if personal information is sent to any person or service organization for processing, storage or destruction, a contract is made with that person or organization which includes an undertaking by the person or organization that confidentiality will be maintained.

Disclosure of annual report

40. The registrar must make each annual report under section 18(2) of the *Act* available electronically and free-of-charge on the college website, must notify registrants that the report is available, and must provide a paper copy of the report to any person on request upon payment of the fee set out in Schedule “C”.

Disclosure of registration status

41. (1) If an inquiry about the registration status of a person is received by the board or the registrar, the registrar must disclose, in addition to the matters required by section 22 of the *Act*,

- (a) whether the discipline committee has ever made an order relating to the person under section 39 of the *Act* and the details of that order,
 - (b) whether the person has ever consented to an order under sections 37.1 of the *Act* and the details of that order, and
 - (c) whether the person has ever given an undertaking or consented to a reprimand under section 36 of the *Act* and the details of that undertaking or reprimand.
- (2) When acting under subsection (1), the registrar must not release information which might enable a person to identify
- (a) a complainant or patient, or
 - (b) another person, other than the registrant, affected by the matter, except with the consent of the complainant, patient or other person.

Manner of disposal of college records containing personal information

42. The board must ensure that a college record containing personal information is disposed of only by
- (a) effectively destroying a physical record by utilizing a shredder or by complete burning,
 - (b) erasing information recorded or stored by electronic methods on tapes, disks or cassettes in a manner that ensures that the information cannot be reconstructed,
 - (c) returning the record to the person the information pertains to, or
 - (d) returning the record to the registrant who compiled the information.

PART 4 REGISTRATION

Classes of registrants

43. The following classes of registrants are established:

- (a) full registrants;
- (b) student registrants;
- (c) non-practising registrants ;
- (d) temporary registrants.

Full registration

44. (1) For the purposes of section 20(2) of the *Act*, the conditions and requirements for full registration are,

- (a) graduation from one of the recognized chiropractic education programs listed in Schedule B,
- (b) successful completion of the examinations specified by the registration committee less than 3 years prior to the date of the application for full registration submitted under subsection (e)(i),
- (c) successful completion of the jurisprudence examination required by the registration committee,
- (d) evidence satisfactory to the registration committee of the good character of the applicant consistent with the responsibilities of a registrant and the standards expected of a registrant, and
- (e) receipt by the registrar of
 - (i) a signed application for full registration in Form 2,
 - (ii) the application fee specified in Schedule “C”,
 - (iii) an original transcript, or other evidence satisfactory to the registration committee, of the applicant’s degree or diploma and evidence satisfactory to the registration committee that the applicant is the person named therein,
 - (iv) the fee for the jurisprudence examination,

- (v) any other fee, fine, levy or debt owed to the college,
 - (vi) an authorization for a criminal record check in the form required by the *Criminal Records Review Act*,
 - (vii) a certified passport size photograph of the applicant taken within one year prior to the date of application,
 - (viii) evidence satisfactory to the registration committee, of the applicant's Canadian citizenship or his or her right to work in Canada,
 - (ix) proof of professional liability protection or insurance coverage as required under section 84,
 - (x) proof of first aid certification as required under s. 57(2),
 - (xi) in the case of an applicant who is practising or has practised chiropractic or another health profession in a jurisdiction outside Canada, a criminal record check from that jurisdiction in a form satisfactory to the registration committee obtained no more than 60 days prior to the date of application, and
 - (xii) a letter or certificate, in a form satisfactory to the registration committee and dated within 60 days prior to the date of application, from each body responsible for the regulation of chiropractic or another health profession in a jurisdiction where the applicant is, or has been, authorized to practise chiropractic or another health profession, specifying particulars of any cancellation, suspension, limitation or conditions on the applicant's entitlement to practise, or any investigation, review or proceeding which could lead to cancellation, suspension, limitation or conditions on the applicant's entitlement to practise.
- (2) Despite subsection (1), an applicant who is authorized to practise chiropractic in another Canadian jurisdiction may be granted registration under this section if the applicant
- (a) satisfies the registration committee that he or she is currently authorized to practise chiropractic in that other jurisdiction as the equivalent of a full registrant under these bylaws, and
 - (b) meets the conditions and requirements established in subsection (1)(c), (d) and (e)(i), (ii) and (iv) to (xii).

- (3) Despite subsection (1), the registration committee has discretion, in satisfying itself under section 20 of the *Act* that the applicant meets the conditions or requirements for registration under this section, to consider whether the applicant's knowledge, skills and abilities are substantially equivalent to the standards of academic or technical achievement established in subsection (1)(a), and to grant registration under this section on that basis, if the applicant also meets the conditions and requirements established in subsection (1)(b) to (d) and (e)(i), (ii) and (iv) to (xii).
- (4) Despite subsection (1), an applicant who successfully completed the examinations specified by the registration committee under subsection (1)(b), 3 years or more prior to the date of the application for full registration submitted under subsection (1)(e), may be granted registration under this section if, in addition to meeting the conditions and requirements established in subsections (1)(a) and (c) to (e), the applicant
 - (a) successfully completes the clinical skills examinations specified by the registration committee, or
 - (b) satisfies the registration committee that
 - (i) during each of the 3 years immediately preceding the application for full registration under subsection (1)(e), he or she
 - (A) engaged in the practise of chiropractic in another regulated jurisdiction for a minimum of 300 hours in accordance with criteria established by the quality assurance committee, and
 - (B) completed a minimum of 20 hours of continuing education that meet the criteria and guidelines established by the quality assurance committee under section 58, or
 - (ii) his or her knowledge, skills and abilities are substantially equivalent to the competencies or other qualifications established in subparagraph (i).

Repealed

45. [Repealed.],

Student registration

46. (1) For the purposes of section 20(2) of the *Act*, the conditions and requirements for student registration are

- (a) the applicant is enrolled, or was enrolled during the 6 months previous to the date of application under this subsection, as a student in one of the recognized chiropractic education programs listed in Schedule “B”;
- (b) successful completion of the jurisprudence examination required by the registration committee,
- (c) evidence satisfactory to the registration committee of the good character of the applicant consistent with the responsibilities of a registrant and the standards expected of a registrant, and
- (d) receipt by the registrar of
 - (i) a signed application for student registration in Form 3a,
 - (ii) the application fee specified in Schedule “C”,
 - (iii) an original transcript, or other evidence satisfactory to the registration committee, of the applicant’s educational standing,
 - (iv) an authorization for a criminal record check in the form required by the *Criminal Records Review Act*,
 - (v) a certified passport size photograph of the applicant taken within one year prior to the date of application,
 - (vi) evidence satisfactory to the registration committee, of the applicant’s Canadian citizenship or his or her right to work in Canada,
 - (vii) proof of professional liability protection or insurance coverage as required under section 84,
 - (viii) in the case of an applicant who is practising or has practised chiropractic or another health profession in a jurisdiction outside Canada, a criminal record check from that jurisdiction in a form satisfactory to the registration committee obtained no more than 60 days prior to the date of application, and
 - (ix) a letter or certificate, in a form satisfactory to the registration committee and dated within 60 days prior to the date of application, from each body responsible for the regulation of chiropractic or another health profession in a jurisdiction where the applicant is, or has been, authorized to practise chiropractic or another health profession, specifying particulars of any cancellation, suspension, limitation or conditions on the applicant’s entitlement to practise, or any

investigation, review or proceeding which could lead to cancellation, suspension, limitation or conditions on the applicant's entitlement to practise.

- (2) Student registration may be granted under subsection (1) for a period that does not exceed 4 consecutive months in any calendar year.
- (3) A student registrant may do the following only under the general supervision of a full registrant:
 - (a) observation of an aspect of practice;
 - (b) monitoring and directing patient rehabilitation or exercise programs;
 - (c) office management functions.
- (4) A student registrant may do the following only under the direct supervision of a full registrant:
 - (a) examination of patients, history taking, x-ray marking, developing a treatment plan, and delivery of the registrant's report of findings and treatment plan;
 - (b) performing a restricted activity specified in section 4 of the Regulation, and application of any other therapeutic modalities or treatments.
- (5) Whenever a student registrant provides chiropractic services under subsection (3) or (4), the supervising full registrant remains ultimately responsible for the patient's health.
- (6) A student registrant must not
 - (a) be appointed to, or serve on, any committee established under these bylaws, or
 - (b) vote at a general meeting of the college.
- (7) A student registrant must not delegate or supervise any aspect of practice involving patient assessment or treatment.

Non-practising registration

47. (1) For the purposes of section 20(2) of the *Act*, the conditions and requirements for non-practising registration are

- (a) the applicant is currently a full registrant, and
- (b) receipt by the registrar of
 - (i) a signed application for non-practising registration in Form 11,
 - (ii) the fee specified in Schedule “C” for change in registration status from full registrant to non-practising registrant,
 - (iii) any other fee, fine, levy or debt owed to the college,
 - (iv) proof of professional liability protection or insurance coverage as required under section 84, and
 - (v) a declaration in Form 12.
- (2) A non-practising registrant must not
 - (a) provide, delegate or supervise chiropractic services in British Columbia, or
 - (b) vote at a general meeting of the college.
- (3) A non-practising registrant may be appointed to, and serve on, any committee established under these bylaws.
- (4) For the purposes of section 20(2) of the *Act*, the conditions and requirements for a non-practising registrant to return to full registration are, despite section 44(1), (3) or (4),
 - (a) the non-practising registrant is not in contravention of the *Act*, regulations or these bylaws,
 - (b) receipt by the registrar of
 - (i) a return to full registration application in Form 10,
 - (ii) a letter or certificate, in a form satisfactory to the registration committee and dated within 60 days prior to the date of application, from each body responsible for the regulation of chiropractic or another health profession in a jurisdiction where the non-practising registrant is, or has been, authorized to practise chiropractic or another health profession, specifying particulars of any cancellation, suspension, limitation or conditions on the non-practising registrant’s entitlement to practise, or any investigation, review or proceeding which could lead to cancellation, suspension, limitation or conditions on the non-

practising registrant's entitlement to practise,

- (iii) an authorization for a criminal record check in the form required by the *Criminal Records Review Act*,
 - (iv) in the case of a non-practising registrant who is practising or has practised chiropractic or another health profession in a jurisdiction outside Canada, a criminal record check from that jurisdiction in a form satisfactory to the registration committee obtained no more than 60 days prior to the date of application,
 - (v) proof of completion of the requirements under section 57(1) as though the non-practising registrant had been a full registrant for the period since he or she ceased to be a full registrant,
 - (vi) proof of first aid certification as required under s. 57(2),
 - (vii) the fee specified in Schedule "C" for change in registration status from non-practising registrant to full registrant,
 - (viii) any other fee, fine, levy or debt owed to the college,
 - (ix) proof of professional liability protection or insurance coverage as required under section 84, and
 - (x) evidence satisfactory to the registration committee that the non-practising registrant remains a person of good character suitable for registration as a member of the college, and
- (c) if the non-practising registrant's full registration has been cancelled for 3 consecutive years or more prior to the date of application under this subsection, he or she either successfully completes the clinical skills examinations specified by the registration committee, or satisfies the registration committee that
- (i) during each of the 3 years immediately preceding the date of application under this subsection, he or she
 - (A) engaged in the practice of chiropractic in another regulated jurisdiction for a minimum of 300 hours in accordance with criteria established by the quality assurance committee, and
 - (B) completed a minimum of 20 hours of continuing education that meet the criteria and guidelines established by the quality assurance committee under section 58, or

- (ii) his or her knowledge, skills and abilities are substantially equivalent to the competencies or other qualifications established in subparagraph (i).

Temporary registration

48. (1) For the purposes of section 20(2) of the *Act*, the conditions and requirements for temporary registration are
- (a) the applicant is a member in good standing of a body responsible for the regulation of chiropractic, and is authorized to practise chiropractic, in a Canadian or foreign jurisdiction recognized by the board for the purposes of this section,
 - (b) successful completion of the jurisprudence examination required by the registration committee,
 - (c) evidence satisfactory to the registration committee of the good character of the applicant consistent with the responsibilities of a registrant and the standards expected of a registrant, and
 - (d) receipt by the registrar of
 - (i) a signed application for temporary registration in Form 3b,
 - (ii) the application fee specified in Schedule “C”,
 - (iii) any other fee, fine, levy or debt owed to the college,
 - (iv) a letter from a body described in paragraph (a), or other evidence satisfactory to the registration committee, of the applicant’s membership status in that body and evidence satisfactory to the registration committee that the applicant is the person named therein,
 - (v) an authorization for a criminal record check in the form required by the *Criminal Records Review Act* together with the applicable fee for obtaining a criminal record check,
 - (vi) a certified passport size photograph of the applicant taken within one year prior to the date of application,
 - (vii) evidence satisfactory to the registration committee, of the applicant’s Canadian citizenship or his or her right to work in Canada,

- (viii) proof of professional liability protection or insurance coverage as required under section 84, and
 - (ix) in the case of an applicant who is currently practicing chiropractic in a jurisdiction outside Canada, a criminal record check from that jurisdiction in a form satisfactory to the registration committee obtained no more than 60 days prior to the date of application.
- (2) Temporary registration under subsection (1) may be granted for a period of up to 90 days.
 - (3) The registration of a person who has been granted temporary registration under subsection (1) may be renewed once for an additional period of up to 90 days if
 - (a) the registration renewal fee specified in Schedule “C” is paid,
 - (b) a signed application for registration renewal in Form 4 is delivered to the registrar prior to the cancellation of the temporary registration granted to the registrant under subsection (1), and
 - (c) if applicable, the applicant’s right to work in Canada has been extended for the additional period.
 - (4) A person who has been granted temporary registration under subsection (1) may provide chiropractic services as though he or she is a full registrant.
 - (5) A temporary registrant must not
 - (a) be appointed to, or serve on, any of committees established under these bylaws, or
 - (b) vote at a general meeting of the college.

Certificate of registration

- 49. (1) The registrar must issue a certificate in Form 5 to
 - (a) any person who
 - (i) is granted full, student, non-practising or temporary registration under section 44, 46, 47 or 48, or is reinstated to full or non-practising registration under sections 54 or 55, and
 - (ii) pays the applicable registration fee specified in Schedule “C”,

- (b) a temporary registrant whose registration is renewed under section 48(3), and
 - (c) a full registrant or a non-practising registrant whose registration is reinstated under sections 53.
- (2) A certificate issued by the registrar under subsection (1) must specify the limits or conditions that apply to the registrant's class of registrants.
 - (3) A certificate of full or non-practising registration or any renewal of such certificate is valid until not later than July 31.
 - (4) A certificate of student or temporary registration is valid until the date shown on the certificate.

Use of terms

- 50. (1) A person who is granted full or temporary registration may use the titles reserved for exclusive use by registrants under the *Regulation*, as well as the terms "regulated", "registered", "licensed" and "certified", or an abbreviation of one of those terms.
- (2) A person who is granted student registration may use the titles reserved for exclusive use by registrants under the *Regulation*, as well as the terms "regulated", "registered", "licensed" and "certified", or an abbreviation of one of those terms, but only in association with the term "student".
- (3) A person who is granted non-practising registration may use the titles reserved for exclusive use by registrants under the *Regulation*, as well as the terms "regulated", "registered", "licensed" and "certified", or an abbreviation of one of those terms, but only in association with the term "non-practising".

Examinations

- 51. (1) Except for examinations conducted by the Canadian Chiropractic Examining Board, any examination required to be taken must be prepared by or under the direction of the registration committee and approved by the board.
- (2) Except for examinations conducted by the Canadian Chiropractic Examining Board, the registration committee must
 - (a) determine the time, place and procedure for conducting an examination,
 - (b) review the results of the examination or re-examination for each applicant, and

- (c) notify the applicant of the results of the examination or re-examination as soon as is practicable.
- (3) An applicant who fails an initial examination conducted by the registration committee is entitled to 2 opportunities to repeat the examination.
- (4) If the registration committee has reason to believe that an applicant has engaged in improper conduct during the course of an examination, the registration committee may take one or more of the following courses of action
 - (a) fail the applicant,
 - (b) pass the applicant,
 - (c) require the applicant to rewrite the examination, or
 - (d) disqualify the applicant from participating in any examination for a period of time.
- (5) An applicant disqualified under subsection (4)(d) must be provided with written reasons for the disqualification.

Registration renewal

- 52. (1) For the purposes of section 20(2) of the *Act*, the conditions and requirements for renewal of the registration of a full registrant or non-practising registrant are, despite section 44 or 47, receipt by the registrar of the following on or before July 31:
 - (a) a signed application for renewal of registration in Form 4;
 - (b) the registration renewal fee specified in Schedule “C”;
 - (c) any other fee, fine, levy or debt owed to the college;
 - (d) proof of professional liability protection or insurance coverage as required under section 84;
 - (e) in the case of full registrants, proof of having completed any applicable requirements of the quality assurance program under Part 5.
- (2) Notice of the registration renewal fees must be delivered to each full registrant and non-practising registrant no later than June 1 and must describe the consequences of late payment and non-payment of fees.

- (3) The annual registration renewal fee may be paid in advance instalments if approved by the board.
- (4) If a full registrant or non-practising registrant meets the conditions and requirements established in subsection (1), the registrar must issue to the registrant a receipt bearing the seal of the college and stating that the registrant's registration has been renewed.
- (5) If a full registrant or non-practising registrant fails to meet, on or before July 31, the conditions and requirements established in subsection (1), his or her registration is cancelled.
- (8) Despite subsections (1) and (5), the registration committee may, for reasons of undue hardship or other special circumstances, reduce or waive a registration renewal fee that would otherwise be payable by a full registrant.

Reinstatement within 2 months of failure to renew registration

53. For the purposes of section 20(2) of the *Act*, the conditions and requirements for reinstatement of the registration of a former registrant whose previous registration was cancelled under section 52(5) are, despite section 44(1), (3) or (4) or 47,
- (a) the former registrant was a full registrant or a non-practising registrant and in good standing upon the cancellation of his or her previous registration,
 - (b) the former registrant is not in contravention of the *Act*, the regulations or these bylaws, and
 - (c) receipt by the registrar of
 - (i) a reinstatement application in Form 6a not later than September 30 in the year of the cancellation under section 52(5),
 - (ii) in the case of a former full registrant, proof of completion of all applicable requirements of the quality assurance program under Part 5, as though the former registrant's previous registration had not been cancelled under section 52(5),
 - (iii) the registration reinstatement fee specified in Schedule "C",
 - (iv) any other fee, fine, levy or debt owed to the college, and
 - (v) proof of professional liability protection or insurance coverage as required under section 84.

Reinstatement where sections 53 and 55 do not apply

54. For the purposes of section 20(2) of the *Act*, the conditions and requirements for reinstatement of the registration of a former registrant are, despite section 44(1), (3) or (4), 47 or 53,
- (a) the former registrant was a full registrant or non-practising registrant upon cancellation of his or her previous registration,
 - (b) the former registrant is not in contravention of the *Act*, the regulations or these bylaws,
 - (c) evidence satisfactory to the registration committee of the good character of the applicant consistent with the responsibilities of a registrant and the standards expected of a registrant
 - (d) receipt by the registrar of
 - (i) a reinstatement application in Form 6b,
 - (ii) a letter or certificate, in a form satisfactory to the registration committee and dated within 60 days prior to the date of application, from each body responsible for the regulation of chiropractic or another health profession in a jurisdiction where the former registrant is, or has been, authorized to practise chiropractic or another health profession, specifying particulars of any cancellation, suspension, limitation or conditions on the former registrant's entitlement to practise, or any investigation, review or proceeding which could lead to cancellation, suspension, limitation or conditions on the former registrant's entitlement to practise,
 - (iii) an authorization for a criminal record check in the form required by the *Criminal Records Review Act*,
 - (iv) in the case of a former registrant who is practising or has practised chiropractic or another health profession in a jurisdiction outside Canada, a criminal record check from that jurisdiction in a form satisfactory to the registration committee obtained no more than 60 days prior to the date of application,
 - (v) in the case of a former full registrant, proof of completion of all applicable requirements of the quality assurance program under Part 5 as though the former registrant had been a full registrant for the period since the cancellation of his or her previous registration,

- (vi) the registration reinstatement fee specified in Schedule “C”,
 - (vii) any other fee, fine, levy or debt owed to the college, and
 - (viii) proof of professional liability protection or insurance coverage as required under section 84, and
- (e) in the case of a former full registrant whose previous registration has been cancelled for 3 consecutive years or more prior to the date of application under this section, he or she either successfully completes the clinical skills examinations specified by the registration committee, or satisfies the registration committee that
- (i) during each of the 3 years immediately preceding the date of application under this section, he or she
 - (A) engaged in the practice of chiropractic in another regulated jurisdiction for a minimum of 300 hours in accordance with criteria established by the quality assurance committee, and
 - (B) completed a minimum of 20 hours of continuing education that meet the criteria and guidelines established by the quality assurance committee under section 58, or
 - (ii) his or her knowledge, skills and abilities are substantially equivalent to the competencies or other qualifications established in subparagraph (i).

Reinstatement following disciplinary action

55. (1) In this section, “disciplined person” means
- (a) a former full registrant or former non-practising registrant whose previous registration was cancelled
 - (i) under section 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the *Act*, or
 - (ii) under section 52(5) or on the agreement or request of the former registrant at a time when it was suspended under section 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the *Act*, or
 - (b) a person whose certificate of registration was suspended or cancelled under the *Chiropractors Act*, and who is eligible to apply for reinstatement of registration.

- (2) For the purposes of section 20(2) of the *Act*, the conditions and requirements for reinstatement of the registration of a disciplined person are, despite section 44, 47, 53 or 54 and subject to any applicable order or agreement under the *Act* or the *Chiropractors Act*,
- (a) the disciplined person is not in contravention of the *Act*, the regulations or these bylaws,
 - (b) evidence satisfactory to the registration committee
 - (i) of the good character of the disciplined person consistent with the responsibilities of a registrant and the standards expected of a registrant, and
 - (ii) that the disciplined person's registration will not
 - (A) pose an undue risk to public health or safety, or
 - (B) otherwise be contrary to the public interest,
 - (c) receipt by the registrar of
 - (i) a reinstatement application in Form 6b,
 - (ii) a letter or certificate, in a form satisfactory to the registration committee and dated within 60 days prior to the date of application, from each body responsible for the regulation of chiropractic or another health profession in a jurisdiction where the disciplined person is, or has been, authorized to practise chiropractic or another health profession, specifying particulars of any cancellation, suspension, limitation or conditions on the disciplined person's entitlement to practise, or any investigation, review or proceeding which could lead to cancellation, suspension, limitation or conditions on the disciplined person's entitlement to practise,
 - (iii) an authorization for a criminal record check in the form required by the *Criminal Records Review Act*,
 - (iv) in the case of a disciplined person who is practising or has practised chiropractic or another health profession in a jurisdiction outside Canada, a criminal record check from that jurisdiction in a form satisfactory to the registration committee obtained no more than 60 days prior to the date of application,
 - (v) in the case of a disciplined person who is a former full registrant, proof

of completion of all applicable requirements of the quality assurance program under Part 5 as though the disciplined person had been a full registrant for the period since the cancellation of his or her previous registration,

- (vi) the registration reinstatement fee specified in Schedule “C”,
 - (vii) any other fee, fine, levy or debt owed to the college, and
 - (viii) proof of professional liability protection or insurance coverage as required under section 84, and
- (d) in the case of disciplined person who is a former full registrant whose previous registration has been cancelled for 3 consecutive years or more prior to the date of application under this section, he or she either successfully completes the clinical skills examinations specified by the registration committee, or satisfies the registration committee that
- (i) during each of the 3 years immediately preceding the date of application under this section, he or she
 - (A) engaged in the practice of chiropractic in another regulated jurisdiction for a minimum of 300 hours in accordance with criteria established by the quality assurance committee, and
 - (B) completed a minimum of 20 hours of continuing education that meet the criteria and guidelines established by the quality assurance committee under section 58, or
 - (ii) his or her knowledge, skills and abilities are substantially equivalent to the competencies or other qualifications established in subparagraph (i).

Notification of change of registration information

56. A registrant must immediately notify the registrar of any change of address, name or any other registration information previously provided to the registrar.

PART 5 QUALITY ASSURANCE

Continuing education

57. (1) Every 2 years of registration, a full registrant must complete 40 hours of continuing education including any mandatory courses required by the board.
- (2) Commencing April 30, 2017, a full registrant must hold current first aid certification as specified by the quality assurance committee.

Criteria and guidelines

58. The quality assurance committee must establish criteria and guidelines for achieving the continuing education hours required under section 57(1).

Proof of compliance

59. Each registrant must prove compliance with the requirements of section 57 by submitting to the quality assurance committee such proof of compliance as the quality assurance committee may establish.

Assessment of professional performance

60. (1) The quality assurance committee or an assessor appointed by the committee may
- (a) assess the clinical ability of a registrant,
 - (b) collect information from registrants for the purposes of this Part,
 - (c) establish remedial procedures to assist registrants in identifying and correcting deficiencies in their clinical abilities or places of practice, and
 - (d) review all aspects of the management and conduct of health profession corporations to ensure their compliance, and the compliance of their registrant shareholders, with the *Act*, the regulations, these bylaws and the policies of the college.
- (2) Upon receiving a practice self-review form or any other request for practice information from the quality assurance committee under subsection (1)(b), a registrant must send the committee the completed form or his or her response to the request within 30 days.
- (3) If the quality assurance committee is not satisfied with a response provided by a registrant in a practice self-review form or in reply to a request for practice information, the committee may return the practice self-review form to the

registrant or repeat the request for information.

- (4) Despite subsection (3), the quality assurance committee, or an assessor on behalf of the committee, may assess a registrant's professional practice and inspect his or her records under section 26.1(2) and (3) of the *Act*, if
 - (a) the registrant does not send the quality assurance committee a completed practice self-review form or a response to a request for information under subsection (2) or (3), or
 - (b) the committee is not satisfied with a response provided by the registrant in a practice self-review form or in reply to a request for information under subsection (2) or (3).
- (5) If the quality assurance committee or an assessor acts under subsection (4), the registrant must pay the office assessment fee specified in Schedule "C".
- (6) The quality assurance committee or an assessor must not observe a registrant while the registrant is providing a service to a patient except if
 - (a) the consent of the patient being treated has been obtained in advance, or
 - (b) the service is being provided in a public setting.
- (7) If the quality assurance committee is required to notify the inquiry committee of a matter in accordance with subsection 26.2(3) of the *Act*, it must deliver notice in writing to the registrar.

PART 6 INSPECTIONS, INQUIRIES AND DISCIPLINE

Inspections

61. An inspector must not observe a registrant while the registrant is providing a service to a patient except if
- (a) the consent of the patient being treated has been obtained in advance, or
 - (b) the service is being provided in a public setting.

Registrar authority

62. The registrar is authorized to act under section 32(3) of the *Act*.

Mediation

63. (1) If the complainant and the registrant agree, the inquiry committee may recommend under section 33(6)(b) of the *Act* that a complaint be mediated.
- (2) Following a recommendation under subsection (1), the inquiry committee must appoint a mediator who is acceptable to the complainant and the registrant.
- (3) If an agreement between the complainant and the registrant is reached through mediation, the terms of the agreement must be approved by the inquiry committee before becoming effective.
- (4) If an agreement is approved by the inquiry committee under subsection (3), the inquiry committee must retain a copy of the agreement on file.
- (5) If an agreement is not reached through mediation, or if the terms of an agreement are not approved by the inquiry committee, the mediator must refer the matter back to the inquiry committee and may recommend that the inquiry committee take one or more actions under section 36 of the *Act*.

Citation for disciplinary hearing

64. (1) On the direction of a panel of the discipline committee, the registrar may join one or more complaints or other matters which are to be the subject of a discipline hearing in one citation as appropriate in the circumstances.
- (2) On the direction of a panel of the discipline committee, the registrar may sever one or more complaints or other matters which are to be the subject of a discipline hearing as appropriate in the circumstances.

- (3) On the direction of a panel of the discipline committee, the registrar may amend a citation issued under section 37 of the *Act*.
- (4) If a citation is amended under subsection (3) prior to a discipline hearing, the amended citation must be delivered to the respondent by personal service or sent by regular mail to the respondent at the last known address for the person recorded as required under section 21(2) of the *Act* not fewer than 14 days before the date of the hearing.
- (5) If a citation is amended under subsection (3) prior to a discipline hearing, and the amended citation changes the date, time or place of the hearing, the registrar must notify any complainant of the amendment not fewer than 14 days before the date of the hearing.

Notice of disciplinary committee action under section 39.1 of *Act*

65. The discipline committee must notify a registrant not fewer than 14 days before making an order under section 39.1 of the *Act*.

Hearings of discipline committee

66. (1) No member of the discipline committee may hear a matter under section 38 of the *Act* in which he or she
 - (a) was involved as a member of the inquiry committee, or
 - (b) has otherwise had any prior involvement.
- (3) Information about the date, time and subject matter of the hearing must be provided to any person on request.
- (4) The discipline committee must provide notice by registered mail or by personal service to a person who is required to attend a hearing under section 38(6) or section 47 of the *Act* in Form 7.
- (5) All discipline hearings must be recorded and any person may obtain, at his or her expense, a transcript of any part of the hearing which he or she was entitled to attend.

Retention of discipline committee and inquiry committee records

67. (1) Records of the inquiry committee must be retained for not less than 10 years following the conclusion of an investigation and records of the discipline committee must be retained for not less than 10 years following the date a decision is rendered.

- (2) Despite subsection (1), documents setting out decisions and reasons of the inquiry and discipline committees relating to actions taken under sections 32, 32.2, 32.3, 33(6)(c) or (d), 35, 36, 37.1, 38, 39, 39.1 or 44 of the *Act* must be kept on permanent record at the office of the college.

Notice to regulatory bodies

68. If an order is made against a registrant under section 39(2) or 39.1 of the *Act* which
- (a) imposes limits or conditions on the practice of chiropractic by the registrant, or
 - (b) suspends or cancels the registration of the registrant ,
- the registrar must notify
- (c) the body responsible for the regulation of chiropractic in every other Canadian jurisdiction, and
 - (d) on request, any body responsible for the regulation of chiropractic outside Canada.

Registrant under suspension

69. (1) A registrant whose registration is suspended must, for the duration of the suspension,
- (a) not provide, delegate or supervise chiropractic services in British Columbia or hold himself or herself out as being a registrant,
 - (b) not hold office in the college,
 - (c) not make appointments for patients or prospective patients,
 - (d) not contact or communicate with patients or prospective patients, except for the following purposes:
 - (i) to advise patients or prospective patients of the fact and duration of the suspension;
 - (ii) to advise a patient or prospective patient that another registrant will continue to operate in the suspended registrant's place, or to refer the patient to another registrant in good standing,

- (e) remove his or her name from any signs in or around the premises where he or she practises and in or on the building in which the premises are located,
 - (f) prominently display, a notice of suspension in a form and in an area approved by the registrar, which states the duration of and reasons for the suspension,
 - (g) surrender to the registrar the practice certificate issued to the registrant under section 49,
 - (h) pay any fee or special assessment required by the college when due in order to remain a member, and
 - (i) not be given a refund solely by reason of the suspension on any fee or special assessment required to be paid under paragraph (h) .
- (2) During the period of suspension, a suspended registrant may permit another registrant in good standing to practise within the suspended member's office, provided that the suspended member complies with the provisions of subsection (1).
- (3) Any communication under subsection (1)(d) must be made in writing in a form approved in advance by the registrar, or by employing office staff, an answering service or other telephonic device specifically for this purpose.

Fines

70. The maximum amount of a fine that may be ordered by the discipline committee under section 39(2)(f) of the *Act* is \$50,000.

Costs under section 33 of the Act

71. (1) The tariff of costs to partially indemnify the college for expenses incurred for investigations under section 33 of the *Act* is set out in Schedule "D".
- (2) If the inquiry committee awards costs to the college against a registrant under section 33(7) of the *Act*, it must
- (a) determine
 - (i) the amount of the award based on the tariff set out in Schedule "D", and
 - (ii) any terms for payment of the award, and

- (b) notify the college and registrant in writing of its determination under paragraph (a) and the reasons for that determination.

Costs under section 39 of the Act

- 71.1 (1) The tariff of costs to partially indemnify parties for their expenses incurred in the preparation for and conduct of hearings under section 38 of the Act is set out in Schedule “E”.
- (2) Subject to subsection (4), if the discipline committee awards costs under section 39(4) or (5) of the Act, it must
- (a) determine
 - (i) the amount of the award based on the tariff set out in Schedule “E” and
 - (A) if the award of costs is to the respondent and against the college, subject to section 39(6) of Act, or
 - (B) if the award of costs is to the college and against the respondent, subject to sections 39(7) of the Act, and
 - (ii) any terms for payment of the award, and
 - (b) notify the college and the respondent in writing of its determination under paragraph (a) and the reasons for that determination.
- (3) Before making a determination under subsection (2)(a), the committee may
- (a) request that the college and the respondent make submissions on the appropriate amount of the award and terms for payment, and
 - (b) direct those submissions be made either in writing or in person.
- (4) If, prior to receiving notice from the committee under subsection (2)(b), the college and respondent notify the committee in writing that they have agreed on the amount of the award and terms for payment, the committee must not complete its determination under subsection (2)(a) or, if that determination is complete, must not proceed with notice under subsection (2)(b).

Costs a debt to college

- 71.2 For the purposes of these bylaws, each of the following is deemed to be a debt that a registrant owes to the college:

- (a) costs awarded against the registrant by the inquiry committee under section 33(7) of the Act;
- (b) costs ordered against the registrant by the inquiry committee under section 37.1 of the Act;
- (c) costs awarded against the registrant by the discipline committee under section 39(5) of the Act;
- (d) costs the registrant has agreed to pay the college under s. 71.1(4).

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PART 7 REGISTRANT RECORDS

Record-keeping

72. (1) A registrant must keep:
- (a) clinical records for each patient showing the patient's name and address, the dates seen, an adequate history and all particulars of physical examinations, radiographic examinations, investigations ordered and the results of same, as well as, descriptions of all diagnoses made and treatment provided by the registrant,
 - (b) an account card or ledger page or section with respect to each patient or, if appropriate, the patient's representative showing the date of services rendered, nature of those services, charges and payments made, and balance outstanding, and
 - (c) a day book, daily diary, appointment sheets or similar documentation showing for each day the names of patients to whom professional services were rendered.
- (2) All records referred to in subsection (1) must be typed or written legibly in ink and kept in suitable systematic permanent forms such as books, binders, files, cards or folders for a period of not less than 16 years from the date of the last recorded entry or the date the patient reaches the age of majority, whichever is later, provided that a computerized, mechanical or electronic record-keeping or accounting system must be deemed sufficient if the information kept on such system can be reproduced promptly in written form when required, and if the material so reproduced, either by itself or in conjunction with other records, constitutes orderly and legible permanent records that would provide, without delay, the information required to be kept under subsections (1)(a), (b) and (c).

Privacy requirements

73. A registrant must take all reasonable measures to ensure that the collection, use, disclosure and disposal of patient personal information occurs in accordance with the *Personal Information Protection Act*, and all other relevant legal requirements, and, without limitation, a registrant must
- (a) ensure that patient personal information collected under section 72 is current, legible, accurate and completely recorded,
 - (b) at all times protect and maintain the confidentiality of patient personal information collected under section 72,

- (c) upon request, provide patients, or the legal representatives of patients, with access to their patient personal information in accordance with the *Personal Information Protection Act*, and all other relevant legal requirements, and
- (d) ensure that all records from his or her practice containing patient personal information are safely and securely stored, or disposed of, by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal.

Production of registrant records to the college

- 74. A registrant must make records kept under section 72 and any written or electronically, computerized or mechanically-recorded documentation relevant to those records available at reasonable hours for inspection by representatives of the college, including the registrar, members of the inquiry committee, the discipline committee and the quality assurance committee, and assessors and inspectors appointed under any provision of these bylaws or the *Act*.

PART 8 HEALTH PROFESSION CORPORATIONS

Application for health profession corporation permit

75. (1) A corporation incorporated under the *Business Corporations Act* may apply to the board for a permit to carry on the business of providing chiropractic services to the public by delivering to the board
- (a) a completed permit application in Form 8,
 - (b) a true copy of the certificate of incorporation of the company, and
 - (c) the permit application fee specified in Schedule “C”.
- (2) The president of a corporation applying for a permit under subsection (1) or his or her designate must promptly advise the board in writing of any change to the information contained in the permit application.

Issuance of health profession corporation permit

76. A permit is valid from the issue date shown until the next July 31.

Renewal of health profession corporation permit

77. (1) A health profession corporation which intends to continue to provide chiropractic services to the public must, before its permit expires, apply for a renewal of the permit by delivering to the board
- (a) a completed permit renewal application in Form 9, and
 - (b) the permit renewal fee specified in Schedule “C”.
- (2) A renewal permit is valid until the next July 31.
- (3) The president of the health profession corporation or his or her designate must promptly advise the board in writing of any change to the information contained in the most recent permit renewal application.

Health profession corporation advertising

78. A health profession corporation which carries on the business of providing chiropractic services to the public must disclose on all letterhead and business cards, and in all other advertisements, that the chiropractic services are being provided by a health profession corporation.

Disposition of shares

79. The articles of the corporation must provide for the disposition, in accordance with section 43 of the *Act*, of the shares of a shareholder who dies, ceases to be a registrant or who ceases to be qualified to practise chiropractic.

Hearings respecting revocation of permits

80. (1) The duties and powers of the board under section 44 of the *Act* are delegated to the discipline committee.
- (2) The discipline committee may conduct a permit revocation hearing on the receipt of a written complaint or on its own motion.
- (3) The discipline committee may conduct an oral hearing or a hearing by written submission to determine if a health corporation permit should be revoked.
- (4) A permit revocation hearing may be consolidated with a hearing conducted under section 38 of the *Act* if there is a similarity of subject matter between the two hearings.
- (5) A consolidated hearing under subsection (4) must be an oral hearing conducted in accordance with the requirements of section 38 of the *Act*.
- (6) The registrar must provide notice of a permit revocation hearing by personal service or by registered mail to the registered office of the health profession corporation not less than 30 days before the date of the hearing.
- (7) The notice of permit revocation hearing must
- (a) name the health profession corporation as respondent,
 - (b) describe the matter that is to be the subject of the hearing, including the particulars of any evidence in support of that subject matter,
 - (c) if the hearing is to be an oral hearing,
 - (i) specify the date, time and place of the hearing,
 - (ii) advise the respondent that the discipline committee is entitled to proceed with the hearing in the absence of representatives of the health profession corporation, and
 - (iii) advise the respondent that the respondent and the college may appear as parties and with counsel at a hearing,

- (d) if the hearing will be conducted by written submission
 - (i) specify the date of the hearing, and
 - (ii) advise the respondent that the respondent is entitled to submit a written submission no later than 14 days prior to the date of the hearing.
- (8) At an oral permit revocation hearing of the discipline committee
 - (a) the testimony of witnesses must be taken on oath, which may be administered by any member of the discipline committee, and
 - (b) there must be a full right to cross examine witnesses and call evidence in defence and reply.
- (9) If the respondent does not attend, the discipline committee may
 - (a) proceed with the hearing in the respondent's absence on proof of receipt of the citation by the respondent, and
 - (b) without further notice to the respondent, take any action that it is authorized to take under the *Act*, the regulations or the bylaws.
- (10) The discipline committee must provide notice by registered mail or by personal service to a person who is required to attend an oral permit revocation hearing under section 47 of the *Act* in Form 7.
- (11) The discipline committee must provide written reasons for its decision.

PART 9 DELEGATION AND SUPERVISION

Delegation and supervision

81. (1) Subject to section 46, a registrant may delegate any aspect of practice that does not involve the performance of a restricted activity specified in section 4 of the *Regulation*, if
- (a) any aspect of practice involving patient assessment or treatment is performed under the direct supervision of the registrant,
 - (b) any other aspect of practice is performed under the general supervision of the registrant,
 - (c) the person to whom the aspect of practice is delegated is employed by or contracted with the registrant, or a registrant or health profession corporation with which the registrant is associated, and
 - (d) the registrant is satisfied that the person to whom the aspect of practice is delegated is competent to perform the aspect of practice safely.
- (2) Whenever a registrant delegates any aspect of practice, the registrant remains ultimately responsible for the patient's chiropractic health.

PART 10 GENERAL

Standards of professional ethics and practice

82. (1) The board must publish, on the college website or in another manner accessible to registrants and the public, all standards, limits and conditions established by the board in accordance with the authority set out in section 19 (1)(k), (l) and (z) and (1.1) of the *Act*.
- (2) Registrants must at all times conduct their practice in a manner that is in keeping with the standards, limits or conditions published by the board under subsection (1).

Radiation safety and procedure

83. (1) All registrants who, in connection with the practice of chiropractic, own radiographic equipment or operate radiographic equipment that is not owned by a registrant must ensure that
- (a) the equipment is registered and certified as required by the board, and
 - (b) proof of compliance with paragraph (a) is, in the form and manner specified by the board,
 - (i) delivered to the registrar, and
 - (ii) displayed on or near the equipment.
- (2) Registrants may only issue an instruction or authorization under section 4(1)(f) of the *Regulation* to apply
- (a) electromagnetism for the purpose of magnetic resonance imaging to a magnetic resonance imaging technologist, certified by the Canadian Association of Medical Radiation Technologists, or equivalent organization approved by the board,
 - (b) X-rays for diagnostic of imaging purposes, including X-rays for the purpose of computerized axial tomography, to a radiological technologist, certified by the Canadian Association of Medical Radiation Technologists, or equivalent organization approved by the board, and
 - (c) X-rays for diagnostic or imaging purposes, excluding X-rays for the purpose of computerized axial tomography, to another registrant.

Liability protection or insurance coverage

84. (1) All full, student and temporary registrants, and all employees of registrants or health profession corporations to whom aspects of practice involving patient assessment or treatment are delegated under Part 9, must obtain and at all times maintain professional liability protection or insurance coverage in an amount of at least \$2,000,000 per claim in a form that is satisfactory to the college.
- (2) For a period of 5 years following the grant of non-practising registration under section 47(1), a non-practising registrant must maintain professional liability protection or insurance coverage in the amount and form specified in subsection (1) against liability arising from the practice of chiropractic while he or she was a full or temporary registrant or a member of the college under the *Chiropractors Act*.

Marketing

85. (1) In this part,

“advertisement” means the use of space or time in a public medium, or the use of a commercial publication such as a brochure or handbill, to communicate with the general public, or a segment thereof, for the purpose of promoting professional services or enhancing the image of the advertiser,

“marketing” includes

- (a) an advertisement,
 - (b) any publication or communication in any medium with any patient, prospective patient or the public generally in the nature of an advertisement, promotional activity or material, a listing in a directory, a public appearance or any other means by which professional services are promoted, and
 - (c) contact with a prospective patient initiated by or under the discretion of a registrant.
- (2) Any marketing undertaken or authorized by a registrant in respect of his or her professional services must not be
- (a) false,
 - (b) inaccurate,
 - (c) unverifiable,

- (d) misleading,
 - (e) misrepresentative of the effectiveness of any technique, procedure, instrument or device
 - (f) undignified, offensive or in bad taste, or
 - (g) contrary to the ethical standards of the profession.
- (3) Without limitation, marketing violates subsection (2) if it
- (a) is calculated or likely to take advantage of the weakened state, either physical, mental or emotional, of the recipient or intended recipient,
 - (b) is likely to create in the mind of the recipient or intended recipient an unjustified expectation about the results which the registrant can achieve,
 - (c) implies that the registrant can obtain results
 - (i) not achievable by other registrants,
 - (ii) by improperly influencing a public body or official, or any corporation, agency or person having any interest in the welfare of the recipient, or
 - (iii) by any other improper means, or
 - (d) compares the quality of services provided with those provided by another registrant.
- (4) A registrant must not
- (a) state publicly that he or she speaks on behalf of the college unless he or she has been expressly authorized by the board to state the official position of the college, or
 - (b) endorse or lend himself or herself as a chiropractor to the advertisement of any property, investment or service for sale to the public unless such property, investment or service relates directly to the profession.
- (5) A registrant who, in any advertisement, includes a statement of fees for a specific service
- (a) must ensure that the statement sufficiently describes the fees and services so as to enable the recipient or intended recipient to understand the nature and extent of the services to be provided and the cost to the patient, and

- (b) must not in the advertisement compare the fees charged by the registrant with those charged by another registrant.
- (6) Unless otherwise authorized by the *Act*, the regulations, these bylaws, or the board, a registrant,
 - (a) must not use the title “specialist” or any similar designation suggesting a recognized special status or accreditation on any letterhead or business card or in any other marketing, and
 - (b) must take all reasonable steps to discourage the use, in relation to the registrant by another person, of the title “specialist” or any similar designation suggesting a recognized special status or accreditation in any marketing.
- (7) A registrant must retain all marketing material for one year after the date of publication or broadcast, and must provide to the registrar, the inquiry committee, the discipline committee or the board upon request
 - (a) a copy of any such publication
 - (b) a recording of any such broadcast made by use of any electronic media, including radio, television and microwave transmission, and
 - (c) a written record of when and where the publication or broadcast was made.
- (8) It is the duty of a registrant to verify the statements made in his or her marketing when requested to do so by the registrar, the inquiry committee, the discipline committee or the board.
- (9) Registrants who limit their practices to certain branches or areas of the profession may state in any marketing the branch or area to which the practice is restricted.

Clinic names

- 86. (1) A registrant may use only one name per clinic location at any one time.
- (2) A registrant cannot use a name for a clinic that contravenes section 85.
- (3) A registrant cannot use a clinic name if another registrant can demonstrate to the satisfaction of the registrar that he or she is and has been using,
 - (a) an identical name, or

- (b) a name so closely resembling the name which the first registrant wants or has begun to use that it is likely to confuse or mislead the public.

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SCHEDULE “A” Electoral districts
(section 3)

The boundaries for the 3 electoral districts established by section 3 of these bylaws are as follows:

- (1) “Lower Mainland” is all that part of British Columbia lying East of the Strait of Georgia, and South of the 50th parallel of North latitude, and West of the 121st meridian;
- (2) “Vancouver Island” is all that part of British Columbia lying West of the 123rd meridian, except that part described as the Lower Mainland; and
- (3) “Interior” is all that part of British Columbia lying East of the 123rd meridian, except that part described as the Lower Mainland.

SCHEDULE “B”
(sections 44 and 46)

Recognized chiropractic education programs

The chiropractic education programs of the following institutions are recognized chiropractic education programs for the purposes of Part 4 of the bylaws:

Canada

Canadian Memorial Chiropractic College

University of Quebec at Trois Rivieres

United States

Cleveland Chiropractic College (Kansas City and Los Angeles)

D'Youville College Doctor of Chiropractic Degree Program (Buffalo)

Life University College of Chiropractic

Life Chiropractic College West

Logan College of Chiropractic

Los Angeles College of Chiropractic of the Southern California University of Health Sciences

Doctor of Chiropractic Degree Program in the College of Professional Studies of the National University of Health Sciences

New York Chiropractic College

Northwestern College of Chiropractic of the Northwestern Health Sciences University

Palmer College of Chiropractic

Palmer College of Chiropractic West

Palmer College of Chiropractic Florida

Parker College of Chiropractic

Sherman College of Straight Chiropractic

Texas Chiropractic College

University of Bridgeport College of Chiropractic

University of Western States

Australasia

Macquarie University (Sydney, New South Wales)

Murdoch University (Perth, Western Australia)

The Royal Melbourne Institute of Technology (Bundoora, Victoria)

The Royal Melbourne Institute of Technology (Japan)

New Zealand College of Chiropractic

Europe

Anglo-European College of Chiropractic

Durban University of Technology (South Africa)

Institut Franco-Européen de Chiropratique

Syddansk Universitet Odense

University of Glamorgan, Welsh Institute of Chiropractic

SCHEDULE “C” Fees

1. Application fees:

- | | |
|--|-------|
| (a) for full registration under section 44 | \$320 |
| (b) for temporary registration | \$25 |
| (c) for student registration | \$25 |

2. Jurisprudence examination fees:

- | | |
|---------------------------|-------|
| (a) for first examination | \$150 |
| (b) for re-examinations | \$75 |

3. Initial registration fees:

- | | |
|-------------------------------------|--------|
| (a) for full registration: | |
| (i) first year registrants | \$475 |
| (ii) second year registrants | \$575 |
| (iii) third year registrants | \$675 |
| (iv) all other full registrants | \$1550 |
| (b) for non-practising registration | \$75 |
| (c) for temporary registration | \$75 |
| (d) for student registration | \$25 |

4. Registration renewal fees:

- | | |
|-------------------------------------|--------|
| (a) for full registration: | |
| (i) second year registrants | \$575 |
| (ii) third year registrants | \$675 |
| (iii) all other full registrants | \$1550 |
| (b) for non-practising registration | \$75 |
| (c) for temporary registration | \$75 |

5. Changes in registration status and reinstatement:

- | | |
|---|-------|
| (a) for change in registration status: | |
| (i) from full registration to non-practising registration | \$75 |
| (ii) from non-practising to full registration | \$320 |

- | | |
|--|--------|
| (b) for reinstatement under section 53 (including fees for renewal): | |
| (i) to full registration | |
| (1) for second year registrants | \$775 |
| (2) for third year registrants | \$875 |
| (3) for all other registrants | \$1750 |
| (ii) to non-practising registration | \$150 |
| (c) for reinstatement under section 54: | |
| (i) to full registration | \$320 |
| (ii) to non-practising registration | \$75 |
| (d) for reinstatement under section 55: | \$320 |

6. Prorating of fees:

Fees listed in sections 3(a) and (b), 4(a) and (b), and 5(b)(i) of this Schedule will be prorated on a monthly basis for a registrant who practises less than a full year, including a registrant who discontinues practice for reasons of a maternity or paternity leave. Prorating does not apply when a registrant cannot practice because of the cancellation or suspension of his or her registration.

7. Incorporation fees:

- | | |
|------------------------|-------|
| (a) for initial permit | \$150 |
| (b) for permit renewal | \$75 |
| (c) late renewal fee | \$150 |

8. Provision of paper copy of Annual Report under section 40:

- | | |
|----------|------|
| per copy | \$15 |
|----------|------|

9. Office assessment fee: \$350

SCHEDULE “D” Tariff of Costs – Investigations

Definitions

1. In this tariff:

“committee” means the inquiry committee or a panel of the inquiry committee;

“investigation” means an investigation under section 33 of the Act;

“registrant” includes a current or former registrant.

Components of an award of costs

2. An award of costs against a registrant determined using this tariff includes the following:
 - (a) a costs component;
 - (b) subject to section 19(1.3) of the Act and section 5 of this tariff, the actual cost of all reasonable and necessary disbursements incurred further to or in the course of the investigation.

Calculation of Units

3. In determining the costs component of an award of costs under section 2(a), the committee must allow a number of units from a minimum of 1 unit to a maximum of 20 units, having regard to
 - (a) the complexity, scope and seriousness of the conduct under investigation, and
 - (b) the time that should reasonably have been spent on all process and communication relating to the investigation.

Value of Units

4.
 - (1) The value of each unit allowed under section 3 of this tariff is \$200.
 - (2) Despite subsection (1), the committee may reduce the value of each allowed unit
 - (a) by 25%, if prior to the matter giving rise to the current award of costs, no action as described in section 39.2 of Act has been taken respecting the registrant during the immediate preceding 5 years, or
 - (b) by 50%, if prior to the matter giving rise to the current award of costs, no action as described in section 39.2 of the Act has been taken respecting the
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registrant during the immediate preceding 10 years.

Disbursement rates

5. For the purposes of section 2(b) of this tariff, the following disbursements will be calculated using the following rates:
 - (a) photocopies, facsimile transmissions or scans: \$0.25 per page;
 - (b) travel by automobile \$0.55 per kilometre.

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SCHEDULE “E” Tarrif of Costs – Disciplinary Hearings

Definitions

1. In this tariff

“committee” means the discipline committee or a panel of the discipline committee;

“hearing” means a hearing under section 38 of the Act;

“party” means

- (a) the respondent if the award of costs is made under section 39(4) of the Act, and
- (b) the college if the award of costs is made under section 39(5) of the Act.

Components of an award of costs

2. An award of costs determined using this tariff includes the following:

- (a) a costs component;
- (b) subject to section 19(1.4) of the Act and section 5 of this tariff, the actual cost of all reasonable and necessary disbursements incurred further to or in the course of an activity described in an item listed in section 3(1) of this tariff.

Calculation of Units

3. (1) The committee must decide which of the following items are applicable to the determination of the costs component of a costs award under section 2(a) of this tariff and allow a number of units for those items as indicated:

| Item | Description | Units |
|-------------|---|-------------------------|
| 1 | Communication, conferences, instructions, investigations or negotiations after the authorization of the citation to the completion of the hearing, for which provision is not made elsewhere in this tariff | Minimum 1 Maximum 20 |
| 2 | Preparation and delivery of the citation and any amendment to it or any particulars of it | Minimum 1 Maximum 20 |
| 3 | All process for providing and obtaining disclosure of records, excluding summaries of witness evidence | Minimum 1 Maximum 20 |
| 4 | Preparation and delivery of summary of non-expert witness evidence, per witness | 1 |
| 5 | All process for making or obtaining admissions of fact | Minimum 1 |

| | | |
|----|---|-------------------------|
| | | Maximum 10 |
| 6 | All process and communication associated with retaining and consulting experts for the purposes of obtaining opinions | Minimum 1 Maximum 20 |
| 7 | All process and communication associated with contacting, interviewing and issuing subpoenas to all non-expert witnesses | Minimum 1 Maximum 20 |
| 8 | Attendance at a pre-hearing conference, including preparation for the conference not otherwise provided for in this tariff | 5 |
| 9 | Attendance at a pre-hearing application, including preparation for the application not otherwise provided for in this tariff, for each day of attendance before the committee (a) if unopposed (b) if opposed | 10 20 |
| 10 | Pre-hearing application by written submission | Minimum 5 Maximum 10 |
| 11 | Preparation of affidavit, per affidavit | Minimum 1 Maximum 10 |
| 12 | Attendance at a hearing, including preparation for the hearing not otherwise provided for in this tariff, for each day of attendance before the committee | 20 |
| 13 | Attendance for a hearing if the party is ready but the hearing does not proceed | 3 |
| 14 | Written submissions for a hearing | Minimum 1 Maximum 20 |
| 15 | Submissions on determination of the amount of a costs award | 10 |

- (2) Where an item listed in subsection (1) provides for minimum and maximum numbers of units, the committee has the discretion to allow a number of units within that range having regard to the time that should reasonably have been spent on the described activity.
- (3) For items 9 and 12 in subsection (1),
- (a) one day of attendance includes a day in which the party attended the application or hearing for 2 and one-half hours or more, and
- (b) for a day in which the party attended for less than 2 and one-half hours, only half the indicated units apply.

Value of Units

4. The value of each unit allowed for an item listed in section 3(1) of this tariff is \$150.

Disbursement rates

5. For the purposes of section 2(b) of this tariff, the following disbursements will be calculated using the following rates:
 - (a) photocopies, facsimile transmissions or scans: \$0.25 per page;
 - (b) travel by automobile \$0.55 per kilometre.

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