

Bill No. 86 of 1953

A BILL TO AMEND THE CHIROPRACTIC ACT, 1945

NOTE

This Bill amends *The Chiropractic Act, 1945*, being chapter 16 of the Statutes of Alberta, 1945.

Section 2 is amended. This is the definition section and it is amended to define terms to be used in the Act as a result of other amendments.

Subsection (5) of section 5 is struck out.

A new section 5a is added providing for a council of the Alberta Chiropractic Association consisting of a chairman and four members elected from the active membership of the Association. The council replaces the Board of Chiropractors. This section provides for the election of the council, their term of office and eligibility.

Section 6 is amended. This section is amended to refer to the council of the Association, and certain duties therein set out which by subsequent amendments are to become the duty of the Board of Examiners, are removed from the section. Subsection (2) provides that regulations made by the council, after approval by the Lieutenant Governor in Council and the Association, come into effect upon publication in *The Alberta Gazette* or at such later date as the by-laws of the Association may prescribe.

Sections 7 and 8 are amended to refer to the council instead of Board of Chiropractors.

A new section 9 is substituted for the former section 9. It provides for the Board of Examiners and its duties. The Board is composed of two committees. The Board may consist of seven persons. The accrediting committee consists of three lay members and one member of the Association. The examining committee is composed of the whole Board, that is the other three members of the Association permitted to be on the Board. Subsection (5) sets out the duties of the accrediting committee and subsection (6) sets out the duties of the examining committee. Appeal to the Lieutenant Governor in Council is permitted from a decision of the Board exempting an applicant from examination or approving a school or institution. The Board reports the results of its examinations and exemptions from examinations to the Minister.

A new section 9a is added which provides for a statutory declaration to be submitted with an application.

A new section 9b providing for proof of academic credentials required to be submitted with an application for approval for registration by the Board of Examiners is added to the Act.

Section 10 is struck out and a new section substituted in its stead. Subsections (1) and (2) provide for the papers and subjects which a candidate will be required to pass, the pass mark required and subsection (3) states that examinations will be held at the convenience of the Board. Subsection (4) is the former subsection (3). Subsections (4), (5) and (6) of the former section are repealed as they are no longer applicable.

Section 11 is struck out and a new section substituted, providing for the registration of candidates by the registrar, and for the issuing of certificates of registration.

Section 12, subsection (3) is amended for clarification.

Section 12a is amended to refer to council instead of Board of Chiropractors.

Section 13 is repealed. This section permitted a chiropractor to use the term "Doctor" in certain cases.

Section 14 is amended to remove references to provisions struck out of the Act.

Section 15 is amended. The effect of this amendment is to make it an offence only for a member of the Association knowingly to aid or assist a person who fraudulently or by false representations procures or attempts to procure registration in the Association.

Sections 16, 19, 20, 21, 23, 24, 26 and 26a are amended to remove references to licensing which are not applicable.

Section 27 is struck out and a new section substituted in its stead. It now provides a scale of fees for certificates of approval for registration.

Section 28 is amended to refer to council rather than to Board of Chiropractors.

This Bill comes into force on the 1st day of July, 1953.

J. W. RYAN,
Acting Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 86 of 1953

An Act to amend The Chiropractic Act, 1945

(Assented to _____, 1953)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Chiropractic Act, 1945*, being chapter 16 of the Statutes of Alberta, 1945, is hereby amended.

2. Section 2 is struck out and the following is substituted: Section 2 amended
- "2. In this Act, unless the context otherwise requires, Interpretation
- "(a) 'Association' means the Alberta Chiropractic Association constituted under this Act; "Association"
- "(b) 'Board' means the Board of Examiners appointed under this Act; "Board"
- "(c) 'certificate of approval for registration' means a certificate issued by the Board stating that the holder is qualified to practise chiropractic in the Province; "certificate" of approval for registration"
- "(d) 'certificate of registration' means a certificate showing the holder to be registered as a member of the Association and entitled to practise chiropractic; "certificate of registration"
- "(e) 'chiropractic' means the philosophy, science and art of things natural, the system of analyzing, and adjusting by hand only, the articulations of the human spinal column and other articulations incidental thereto, for the purpose of removing the cause of disease; "chiropractic"
- "(f) 'chiropractor' means a person who is registered under this Act; "chiropractor"
- "(g) 'council' means the council of management of the Association; "council"
- "(h) 'Minister' means that member of the Executive Council for the time being charged by the Lieutenant Governor in Council with the administration of this Act; "Minister"
- "(i) 'registrar' means the registrar of the Association." "registrar"

3. Section 5 is amended by striking out subsection (5).

4. The following new section is added immediately after section 5: New section 5a

"5a. (1) A council shall be elected by and from the active membership of the Association which shall ad- Council of management

minister this Act under the direction of the Association and shall act in an advisory capacity to the Association.

Council
members

“(2) The council shall consist of

“(a) a chairman who shall be elected annually,

“(b) four members who shall be elected for a term of two years each.

“(3) At the next annual meeting of the Association after the first day of July, 1953, and at each subsequent annual meeting, the chairman of the council and two members of the council shall be elected.

“(4) Until the second annual meeting of the Association after the first day of July, 1953, the two members last elected as members of a Board of Chiropractors of the Association shall be members of the council.

Quorum

“(5) Three members of the council shall constitute a quorum.

Vacancy on
council

“(6) If a vacancy occurs on the council during the year, the council shall fill the vacancy by the appointment of an active member of the Association to the council, and he shall hold office only until the next annual meeting of the Association.

“(7) If the office of chairman of the council becomes vacant during the year, the council shall elect a member of the council to fill that office until the next annual meeting of the council.

“(8) No member of the executive committee of the Association shall be eligible for membership on the council.”.

Section 6
amended

5. Section 6 is amended

(a) by striking out the word “Board”, wherever it occurs in subsection (1), and by substituting the word “council”;

(b) by striking out the words “the admission of chiropractors into membership of the Association and to practice in Alberta, and”, where they occur in clause (b) of subsection (1);

(c) by striking out clause (c) of subsection (1) and by substituting the following:

“(c) the qualifications as to education and character required of a chiropractor for admission into the Association;”;

(d) by striking out clause (e) of subsection (1) and by substituting the following:

“(e) the annual renewal of registration of active and non-participating members and governing the fees payable thereon;”;

(e) by striking out clause (j) of subsection (1);

(f) by relettering clause (k) of subsection (1) as clause (j);

(g) by striking out subsection (2) and by substituting the following:

“(2) The regulations made from time to time by the council, after approval by the Lieutenant Governor in Council and the Association, shall be published in one issue of *The Alberta Gazette*, and shall come into force upon publication or such later date as may be specified in the by-laws of the Association.”; Regulations

- (h) by striking out the word “Board”, where it occurs in subsection (3) and by substituting the word “council”.

6. Sections 7 and 8 are amended by striking out the word “Board”, wherever it occurs, and by substituting the word “council”. Sections 7 and 8 amended

7. The heading “Examining Board” and section 9 are struck out and the following are substituted: Heading and section 9 amended

“Board of Examiners

“9. (1) The Lieutenant Governor in Council shall appoint a board to be known as the Board of Examiners. Board of Examiners

“(2) The Board shall consist of not more than seven persons, all of whom shall hold office during the pleasure of the Lieutenant Governor in Council, and four of whom shall be members of the Association. Board members

“(3) The Lieutenant Governor in Council may appoint one of the members to be chairman of the Board and one of the members to be secretary of the Board. Chairman and secretary

“(4) The Board shall consist of two committees, Accrediting and examining committee
“(a) an accrediting committee which shall be composed of three lay members and one member of the Association, and

“(b) an examining committee which shall be composed of the whole Board.

“(5) The accrediting committee shall Duties of accrediting committee
“(a) evaluate credentials of candidates for admission to practise,

“(b) exempt from examination a candidate
“(i) who is a graduate of an approved school or college of chiropractic, or
“(ii) who is otherwise qualified by reason of his training and experience and who, in the opinion of the accrediting committee, possesses the qualifications required by this Act, and

“(c) issue certificates of approval for registration to successful candidates upon payment of the fee prescribed by section 27.

“(6) The examining committee shall Duties of examining committee
“(a) classify and accredit approved schools and colleges of chiropractic whose graduates may be considered qualified,

“(b) set the examinations or tests for and conduct the examination of all persons who have not been

	granted exemption from examination by the accrediting committee under clause (b) of subsection (5),
	“(c) prescribe the course of study to be followed by applicants for admission to practise chiropractic as defined in clause (e) of section 2.
Results of examinations	“(7) Results of examinations shall be reviewed by the Board and shall not be approved except by a majority vote.
Quorum	“(8) The majority of the Board shall constitute a quorum.
Expenses	“(9) The Lieutenant Governor in Council may prescribe the fees and allowances for expenses to be paid to members of the Board.
Appeal	“(10) The council may appeal to the Lieutenant Governor in Council from any decision of the Board exempting an applicant from examination or approving any school or institute.
Report to Minister	“(11) The Board shall report to the Minister the results of every examination held under clause (b) of subsection (6) and shall file with the Minister a report dealing with the qualifications of applicants exempted from examination under clause (b) of subsection (5).
New sections 9a and 9b Application for approval for registration	<p>“9a. (1) A candidate applying for approval for registration shall submit to the Association a statutory declaration in duplicate on a form to be prescribed and furnished by the Board.</p> <p>(2) The Association shall send one copy of the statutory declaration to the Board.</p>
Credentials	“9b. A candidate for approval for registration shall present to the Board for inspection and evaluation his academic credentials verified by photostat copy of graduating diploma and a certified copy of an official transcript of credits issued by the graduating institution.”.
Section 10 amended	8. Section 10 is struck out and the following is substituted:
Examinations	<p>“10. (1) Examinations or tests held under clause (b) of subsection (6) of section 9 shall include the following papers and subjects:</p> <p>“Paper No. 1—Anatomy and Histology</p> <p>“Paper No. 2—Philosophy, Theory and Practice of Chiropractic</p> <p>“Paper No. 3—Physiology, Sanitary Science and Hygiene</p> <p>“Paper No. 4—Bacteriology and Chemistry</p> <p>“Paper No. 5—General Diagnosis, Symptomatology and Pathology</p> <p>“Paper No. 6—Examination in Meric Chiropractic Technique</p> <p>“Paper No. 7—Examination in Specific Chiropractic Technique,</p>

except that an applicant shall not be required to be examined on both Paper No. 6 and Paper No. 7 but may elect to be examined on one or the other.

“(2) The pass mark shall be an average of at least sixty per cent on each paper. Pass mark

“(3) The examinations required by this Act shall be held at the convenience of the Board.

“(4) A registered chiropractor under this Act who has a certificate of competency in X-ray and spinographic technique from a school or college of chiropractic approved by the Board, or who has other such certificates of competency in connection with his practice, may use X-ray for making shadow-graphs or for the purpose of a general analysis wherein bone tissue is involved.” Certificates of competency

9. Section 11 is struck out and the following is substituted: Section 11 amended

“Membership in the Association

“**11.** (1) The secretary or secretary-treasurer of the Association shall be the registrar of the Association and shall register every candidate qualifying under clause (b) of subsection (5) of section 9 and clause (b) of subsection (6) of section 9 Registrar

“(a) who produces satisfactory evidence that he is twenty-one years of age, that he is of good moral character and that his name is not erased from the register of any chiropractic association, and

“(b) to whom the Board of Examiners has issued a certificate of approval for registration, and

“(c) who pays the registration fee prescribed by a by-law of the Association.

“(2) Certificates of registration shall be issued by the registrar and shall be numbered consecutively and recorded in a register kept by the registrar for that purpose and, when requested to do so, the registrar shall provide the Minister with a list of all members of the Association.” Certificates of registration

10. Section 12, subsection (3) is amended Section 12 amended

(a) by striking out the words “the application” and by substituting the words “an application”;

(b) by striking out the word “Board” and by substituting the word “council”.

11. Section 12a is amended by striking out the word “Board”, wherever it occurs, and by substituting the word “council”. Section 12a amended

12. Section 13 is repealed. Section 13 repealed

13. Section 14 is amended Section 14 amended

(a) by striking out subsection (1) and by substituting the following:

Use of title
"Chiro-
practor"

"14. (1) No person other than a chiropractor registered under this Act shall engage in the practice of chiropractic or use the title "Chiropractor" or any word, title or designation, abbreviated or otherwise, to imply that he is engaged in the practice of chiropractic."

- (b) by striking out the words "or licensed" where they occur in subsections (2) and (3).

Section 15
amended

14. Section 15 is amended

- (a) by striking out the words "or licensed";
(b) by striking out the words "any person knowingly" and by substituting the words "a member of the Association knowingly".

Section 16
amended

15. Section 16 is amended

- (a) by striking out the words "and unlicensed", where they occur in subsection (1);
(b) by striking out the words "or licensed", wherever they occur in subsection (2).

Sections 19,
20, 21, 23, 24
and 26
amended

16. Sections 19, 20, 21, 23, 24 and 26 are amended by striking out the words "or licensed", wherever they occur.

Section 26a
amended

17. Section 26a is amended by striking out the word "Board", wherever it occurs, and by substituting the word "council".

Section 27
amended

18. Section 27 is struck out and the following is substituted:

Fees for
certificate
of approval
for
registration

"27. The following fees shall be payable to the Minister for a certificate of approval for registration

- "(a) by every applicant if exempt from examination \$10.00**
"(b) by every applicant required to write examinations \$50.00".

Section 28
amended

19. Section 28 is amended by striking out the word "Board" and by substituting the word "council".

Coming into
force

20. This Act comes into force on the first day of July, 1953.

No. 86

FIRST SESSION
TWELFTH LEGISLATURE
2 ELIZABETH II
1953

BILL

An Act to amend The Chiropractic
Act, 1945

Received and read the

First time

Second time

Third time

HON. MR. GERHART
