

Bill No. 77 of 1955

A BILL TO AMEND THE NATUROPATHY ACT

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NOTE

This Bill amends The Naturopathy Act, being chapter 61 of the Statutes of Alberta, 1952.

The Act is being amended to enable a person who is not a member of the Alberta Association of Naturopathic Practitioners to practise naturopathy if he is a graduate of a school accredited by the Naturopathy Appraisal Board and has been listed with the Board. That board is to replace the Board of Examiners, and is to be independent from the association.

The responsibility for examining applicants for admission to the association is now being passed from the Board of Examiners to the association itself.

A discipline committee is constituted with power to suspend naturopaths who are guilty of conduct inimical to the best interests of the public and of naturopaths generally. Power to appeal to a judge of the Supreme Court is given to suspended naturopaths, however.

This Bill comes into force upon assent.

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. 77 of 1955

An Act to amend The Naturopathy Act

(Assented to \_\_\_\_\_, 1955)

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

1. *The Naturopathy Act*, being chapter 61 of the Statutes of Alberta, 1952, is hereby amended.

2. Section 2 is amended

Section 2  
amended

(a) by adding immediately before clause (a) the following new clause:

“(a) ‘accredited school’ means a school or college of naturopathy accredited by the board;”,

“accredited  
school”

(b) by relettering clause (a) as clause (aa),

(c) as to clause (b) by striking out the words “Board of Examiners” and by substituting the words “Naturopathy Appraisal Board”,

(d) by striking out clause (c),

(e) as to clause (g) by striking out the words “is registered under the provisions of this Act as such” and by substituting the words “practises naturopathy”,

(f) by striking out clause (h) and by substituting the following:

“(h) ‘naturopathy’ means a system of therapy that treats human injuries, ailments or diseases by methods of nature, including any agency of nature, and employs as auxiliaries for such purpose the use of electrotherapy, hydrotherapy, body manipulation and dietetics;”.

“natur-  
opathy”

3. Section 3, subsection (3) is amended by striking out the word “naturopaths” and by substituting the word “members”.

Section 3  
amended

4. Section 4 is amended

Section 4  
amended

(a) as to subsection (1) by adding immediately after clause (f) the following new clauses:

“(g) the admission of naturopaths into membership in the association, and the qualifications as to

education and character required of a naturopath for admission into the association;

“(h) the examination of applicants for registration as members of the association.”,

(b) by striking out subsection (3) and by substituting the following:

“(3) By-laws, or amendments thereto, shall be ratified by the association at an annual general meeting or at a general meeting called for that purpose.”.

Section 5  
amended

**5.** Section 5, subsection (5) is amended by striking out the words “, and which has been approved by the Lieutenant Governor in council”.

Section 6  
amended

**6.** Section 6, subsection (1) is amended

(a) by striking out the words and figures “under section 11, subsections (1) and (2) or section 12” and by substituting the words “for membership in the association”,

(b) by striking out clause (b).

Section 7  
amended

**7.** Section 7 is amended

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

“**7.** (1) Any applicant who has applied to the association for registration, and who has been notified by the association that he must submit himself to examination, may be granted, at the discretion of the council, an interim certificate of registration, and such applicant shall be deemed to be registered during the period for which he holds a valid interim registration.”,

(b) as to subsection (3) by striking out the word “board”, wherever it occurs, and by substituting the word “association”.

Section 8  
amended

**8.** Section 8 is amended by striking out subsection (9).

Heading  
amended

**9.** The heading “Board of Examiners” immediately preceding section 9 is struck out and the heading “Naturopathy Appraisal Board” is substituted.

Section 9  
amended

**10.** Section 9 is amended

(a) as to subsection (1) by striking out the words “Board of Examiners” and by substituting the words “Naturopathy Appraisal Board”,

(b) as to subsection (2)

(i) by striking out the word “seven” and by substituting the word “four”,

(ii) by striking out the words “, of whom four shall be members of the association”,

(c) by striking out subsections (4) and (5) and by substituting the following:

“(4) The board shall establish

“(a) a list of schools and colleges, graduation from which would, in the opinion of the board, qualify a person to practise naturopathy, and

“(b) a list containing the name of each person who by submitting credentials has satisfied the board,

“(i) that he is a graduate of an accredited school or college listed by the board, and

“(ii) that he has not been suspended or expelled from any naturopathy association or organization.

“(5) The persons listed by the board pursuant to clause (b) of subsection (4) may practise naturopathy in the Province.”,

(d) by striking out subsections (6) and (7).

**11.** Section 10 is amended

Section 10  
amended

(a) as to subsection (1)

(i) by striking out the figure “(1)”,

(ii) by striking out the words “for approval”,

(iii) by striking out the word “board” and by substituting the word “association”,

(b) by striking out subsection (2).

**12.** Sections 11, 12 and 13 are repealed.

Sections  
11, 12 and 13  
repealed

**13.** Section 15 is amended by striking out the words “registered naturopath” and by substituting the words “member of the association”.

Section 15  
amended

**14.** Section 16 is amended by striking out the words “registered naturopath” and by substituting the words “member of the association”.

Section 16  
amended

**15.** Section 17 is amended by striking out the words “registered naturopath” and by substituting the words “member of the association”.

Section 17  
amended

**16.** Section 19 is amended by striking out the words “registered naturopath” and by substituting the words “naturopath practising”.

Section 19  
amended

**17.** Section 23 is struck out and the following is substituted:

Section 23  
amended

“**23.** (1) Subject to subsection (2), no person shall engage in the practice of naturopathy or advertise or use the title of ‘naturopath’ or any suffix, prefix, word, title or

Use of title

designation, abbreviated or otherwise, to imply that he is engaged in the practice of naturopathy.

“(2) Subsection (1) does not apply to

“(a) a member of the association in good standing,

“(b) a person entitled under subsection (5) of section 9 to practise naturopathy in the Province, or

“(c) a person justified under section 22 .

“(3) No person, other than a member of the association, shall use the title ‘registered naturopath’ or any suffix, prefix, word, title or designation, abbreviated or otherwise, implying that he is registered as a member of the association.”.

Section 24  
repealed

**18.** Section 24 is repealed.

Section 25  
amended

**19.** Section 25 is amended by striking out the words “registered under this Act” and by substituting the words “registered as a member of the association”.

Section 28  
amended

**20.** Section 28 is amended by striking out subsection (2) and by substituting the following:

“(2) The onus of proof of membership in the association or of entitlement to practise naturopathy in the Province is upon the person charged with an offence under this Act.”.

Section 29  
amended

**21.** Section 29 is struck out and the following new sections are substituted:

Discipline  
committee

**29.** (1) A discipline committee is hereby constituted, which shall consist of

“(a) the Deputy Provincial Secretary, who shall be chairman,

“(b) the chairman of the Naturopathy Appraisal Board,

“(c) a member who shall be appointed annually by the association, and

“(d) a member who shall be appointed from time to time by the Lieutenant Governor in Council.

“(2) If the discipline committee has reason to suspect that a naturopath has been guilty of conduct inimical to the best interest of the public or the practice of naturopathy, it may summon the naturopath before it by giving him two weeks’ notice by registered mail.

“(3) If, when the naturopath has appeared before it, the discipline committee is unanimously agreed that he has been guilty of conduct inimical to the best interests of the public or the practice of naturopathy, it may take such action as it deems necessary to protect the public and may reprimand the naturopath or suspend or cancel his right to practise.

Evidence

“(4) The discipline committee may take evidence under oath and for that purpose may administer oaths or affirmations.

“(5) When a naturopath has his right to practise in the Province suspended or cancelled, he may appeal to a judge of the Supreme Court of Alberta within fourteen days of the suspension or cancellation, or within such further time as the judge may allow, at a time and place appointed in writing by the judge. <sup>Appeal</sup>

“(6) The appointment shall be served upon the chairman of the discipline committee seven days before the date fixed by the judge for the hearing of the appeal.

“(7) The proceedings on the appeal shall be in the nature of a re-hearing upon which the judge may make such order, including an order as to costs, as the justice of the case requires, and every such order is final and binding upon the naturopath and the discipline committee.

“(8) The consolidated Rules of the Supreme Court relating to the attendance of witnesses apply to the appeal.

“**29a.** The Lieutenant Governor in Council may prescribe the fees and allowances for expenses to be paid to members of the discipline committee.” <sup>Expenses of discipline committee</sup>

**22.** This Act comes into force on the day upon which it is assented to. <sup>Coming into force</sup>

THIRD SESSION  
TWELFTH LEGISLATURE  
4 ELIZABETH II  
1955

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**BILL**

An Act to amend The Naturopathy  
Act

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Received and read the

First time.....

Second time.....

Third time.....

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HON. MR. GERHART

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