

No. 93

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5th Session, 13th Legislature, Alberta  
7 Elizabeth II, 1959

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## **BILL 93**

A Bill to amend The Chiropractic Professions Act

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HON. DR. ROSS

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## Explanatory Note

General. This Bill will make a change in the functions of the Alberta Chiropody Association and the Board of Examiners in Chiropody. This Board appointed by the Lieutenant Governor in Council evaluates educational qualifications. It is proposed to give to the Board the power of registration and the power to discipline chiropodists presently held by the Association. The name of the practice is being changed from Chiropody to Podiatry and all references in the Act are changed accordingly. Membership in the Association will be voluntary. Most of the amendments are for the purpose of putting these proposed changes into effect.

**2. Long title reads:**

"An Act respecting the Practice of Chiropody".

**3. Section 1 presently reads:**

"1. This Act may be cited as "The Chiropody Professions Act"."

**4. Section 2, clauses (c) and (d) presently read:**

"2. In this Act,

(c) "certificate of approval for registration" means a certificate issued by the Board stating that the holder is qualified to practise as a chiropodist in the Province;

(d) "certificate of registration" means the certificate issued by the Association entitling the holder to practise chiropody;"

**5. Section 3, subsection (3) presently reads as follows:**

"(3) The membership of the Association shall consist of all persons holding a certificate of registration as a chiropodist."

**6. Section 7 amended to provide for registration by the Board in place of the registrar of the Association.**

# BILL

No. 93 of 1959

An Act to amend The Chiropractic Professions Act

(Assented to \_\_\_\_\_, 1959)

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

1. *The Chiropractic Professions Act*, being chapter 40 of the Revised Statutes is hereby amended.

2. The long title of the Act is amended by striking out the word "Chiropractic" and by substituting the word "Podiatry".

3. Section 1 is amended by striking out the word "*Chiropractic*" and by substituting the word "*Podiatry*".

4. Section 2 is amended by striking out clauses (c) and (d) and by substituting the following clause:

(c) "certificate of competency" means the certificate issued by the Board entitling the holder to practise podiatry;

5. Section 3, subsection (3) is amended by striking out the words "registration as a chiropractor" and by substituting the words "membership as a podiatrist".

6. Section 7 is struck out and the following is substituted:

7. (1) The Board shall

(a) register every candidate

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

(ii) who successfully completes an examination required under section 11 or who is exempted from examination under section 11, and

(iii) who pays the registration fee prescribed by section 20,

and

(b) issue each such candidate a certificate of competency.

**7. (a) Power to discipline given to Board.**

(b) Subsection (3) which deals with suspension from the Association for non-payment of membership fees is amended to remove references to matters no longer dealt with by the Association.

**8. The present section 9 revised to change references to the Board.**

(2) Certificates issued by the Board shall be numbered consecutively and recorded in a register kept for that purpose and the Board shall on request provide the Minister with a roll of all podiatrists duly registered.

**7. Section 8 is amended**

(a) by striking out subsections (1) and (2) and by substituting the following:

**8. (1) The Board may**

- (a) discipline any podiatrist, or
- (b) suspend or cancel the certificate of competency of any podiatrist
  - (i) who is guilty of professional misconduct, or
  - (ii) who contravenes any regulation under this Act that imposes suspension or cancellation as a penalty for contravention thereof.

(b) as to subsection (3),

- (i) by striking out the words "Notwithstanding this section or subsection (1) of section 9,"
- (ii) by striking out the word "registration" in clause (a) and by substituting the word "membership".

**8. Section 9 is struck out and the following is substituted:**

**9. (1) The Board, by resolution or order, may in its discretion suspend or cancel the certificate of competency of any podiatrist it finds guilty**

- (a) of improper conduct or incompetency, or
- (b) of contravention of a regulation imposing suspension or cancellation as a penalty for contravention thereof.

(2) The Board shall not take action under subsection (1) until a complaint, verified by statutory declaration, has been filed with the chairman of the Board and a copy of the complaint forwarded to the accused podiatrist.

(3) The certificate of competency of a podiatrist shall not be suspended or cancelled without the podiatrist first being summoned to appear before the Board in order to be heard in his own defence.

(4) The Board shall not suspend or cancel a certificate of competency without having heard the evidence under oath

- (a) in support of the complaint, and
- (b) on behalf of the accused podiatrist, if the podiatrist wishes to be heard.

(5) The chairman of the Board, or the person conducting the hearing in his absence, may administer the oath.

**9.** Section 11 is amended to remove references to the certificate of approval for registration and to matters now covered by section 7.

**10.** A reference is changed.

**11.** Section 15 presently reads:

“15. A person not duly registered under this Act who holds himself out to be a registered chiropractor is guilty of an offence and liable on summary conviction to the penalties provided in section 19.”.

**12.** Section 16 presently reads:

“16. A person who wilfully procures or who wilfully attempts to procure himself to be registered under this Act by making false or fraudulent representations or declarations, either orally or in writing and a member of the Association knowingly aiding or assisting him therein is guilty of an offence, and liable on summary conviction to the penalties provided in section 19.”.

**13.** Section 20 presently reads:

“20. The following fees shall be payable to the Minister for a certificate of approval for registration:

- (a) by each applicant, if exempt from examination.....\$10.00
- (b) by each applicant required to write examinations.....\$50.00”.

(6) Evidence offered by the complainant and the accused member shall be taken down in shorthand by a competent stenographer.

(7) A podiatrist whose certificate of competency is suspended or cancelled may appeal from the decision of the Board to a judge of the Supreme Court at any time within fourteen days of the date of the order or resolution of suspension or cancellation, or within such further time as a judge of the Supreme Court may order.

(8) On the request of the appellant a copy of the evidence taken at the hearing before the Board shall be filed with the Clerk of the Court for the judicial district in which the appellant resides.

(9) The judge on appeal may make such order or direction on the merits of the case, and on the costs, as the judge considers just.

(10) The Board shall notify the Minister of the suspension or cancellation of the certificate of competency of a podiatrist.

**9.** Section 11 is amended

- (a) as to subsection (2) by striking out clause (b),
- (b) by striking out subsection (4),
- (c) as to subsection (5) by striking out the words "approval for registration" and by substituting the word "competency".

**10.** Section 13 is amended by striking out the words "certificate of registration" and by substituting the words "certificate of competency".

**11.** Section 15 is struck out and the following is substituted:

**15.** Any person

- (a) who does not hold a subsisting certificate of competency under this Act, or
- (b) who is not permitted under any other law of the Province to practise podiatry,

and who practises podiatry is guilty of an offence and liable on summary conviction to the penalties provided in section 19.

**12.** Section 16 is amended by striking out the words "member of the Association" and by substituting the word "podiatrist".

**13.** Section 20 is amended

- (a) by striking out the words "approval for registration" and by substituting the word "competency",
- (b) by striking out the figure "10" in clause (a) and by substituting the figure "100",

**14. Regulations.**

**15. References in the Act that have not been changed by the preceding amendments are changed.**

**16. Provision is made for the issuing of new certificates to persons presently qualified to practice.**



- (c) by striking out the figure "50" in clause (b) and by substituting the figure "150".

**14.** The following new section is added immediately after section 20:

**21.** The Lieutenant Governor in Council may make regulations

- (a) governing the conduct of podiatrists and the standards to be maintained in the practice of podiatry,
- (b) providing for the suspension or cancellation of certificates of competency for the contravention of any provision of the regulations, and
- (c) prescribing the conditions upon which a suspended or cancelled certificate may be reinstated.

**15.** The Act is amended

- (a) by striking out the word "chiropody" wherever it occurs in sections 2, 3, 4 and 10 and by substituting the word "podiatry",
- (b) by striking out the word "chiropodist" wherever it occurs in sections 2, 13 and 14 and by substituting the word "podiatrist".

**16.** (1) Notwithstanding anything contained in *The Podiatry Professions Act*, the Board of Examiners in Podiatry shall

- (a) as soon after the coming into force of this Act as is reasonably possible, and

(b) without making any charge therefor, issue a certificate of competency to every person entitled under subsection (2) to receive a certificate.

(2) A person who on the day before this Act comes into force holds a subsisting certificate of registration issued by the Alberta Chiropody Association pursuant to *The Chiropody Professions Act* as that Act read immediately prior to the coming into force of this Act is entitled to receive a certificate of competency under *The Podiatry Professions Act*.

(3) Until such time as the Board issues a certificate as required under subsection (1), the certificate issued by the Alberta Chiropody Association referred to in subsection (2) shall be deemed to be a certificate of competency under *The Podiatry Professions Act*.

**17.** This Act comes into force on the day upon which it is assented to.

No. 93

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FIFTH SESSION

THIRTEENTH LEGISLATURE

7 ELIZABETH II

1959

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**BILL**

An Act to amend The Chiroprody  
Professions Act

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Received and read the

First time.....

Second time.....

Third time.....

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HON. DR. ROSS

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