

No. 100

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2nd Session, 14th Legislature, Alberta  
9 Elizabeth II

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## **BILL 100**

A Bill to amend The Chiropractic Act

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HON. DR. ROSS

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## Explanatory Note

2. The definition of "chiropractic" is revised. Section 2, clause (e) presently reads:

"(e) 'chiropractic' means the philosophy, science and art of things natural, a 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;"

3. Provisions relating to non-participating membership are struck out. Subsections (5) to (7) read:

"(5) Non-participating membership shall be the status bestowed upon chiropractors

(a) who are registered at the time this Act comes into force, or

(b) who may subsequently become registered under this Act, but who have not applied for and obtained active membership in the Association.

(6) The annual fee payable to the Association by a non-participating member for renewal of registration shall not exceed twenty-five dollars.

(7) Non-participating members are governed by this Act and all regulations made hereunder and affecting the members of the Association, but they shall not have a vote at any meeting of the Association and are not entitled to any of the benefits of the Association."

4. Section 6 relating to the establishment of a council is revised. Section 6 presently reads:

"6. (1) A council shall be elected by and from the active membership of the Association which shall administer, under the direction of the Association, the provisions of this Act relating to the Association and shall act in an advisory capacity to the Association.

(2) The council shall consist of

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

(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.

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

(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, who 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 is eligible for membership on the council."

# BILL

No. 100 of 1961

## An Act to amend The Chiropractic Act

(Assented to \_\_\_\_\_, 1961)

**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 Act*, being chapter 41 of the Revised Statutes, is hereby amended.

**2.** Section 2 is amended by striking out clause (e) and by substituting the following:

(e) "chiropractic" means the philosophy, science, and art of analyzing, and of adjusting the articulations of the human spinal column and other articulations incidental thereto;

**3.** Section 4 is amended by striking out subsections (5), (6) and (7).

**4.** Section 6 is struck out and the following is substituted:

**6.** (1) The Association shall have a council consisting of the executive committee elected pursuant to section 5 and three other persons to be elected by and from the members of the Association.

(2) At the first annual meeting after the enactment of this section, the three members shall be elected to the council and

(a) the member receiving the greatest number of votes shall hold office for a term of three years,

(b) the member receiving the second greatest number of votes shall hold office for a term of two years, and

(c) the member receiving the third greatest number of votes shall hold office for a term of one year.

(3) At each annual meeting after the one mentioned in subsection (2), one member shall be elected to the council, to hold office for a term of three years.

(4) If a position on the council becomes vacant for any cause, the council shall appoint a member to fill the vacancy for the remainder of the unexpired term.

**5. Section 7, clauses (b), (c), (e) and (j) read:**

- "7. The council may make regulations governing
  - .....
  - (b) the admission of persons into membership of the Association and the fees to be paid for registration and renewal of registration,
  - (c) the qualifications as to education, character and experience that a chiropractor must have before he may be admitted as a member of the Association,
  - .....
  - (e) the fees, not exceeding one hundred dollars, payable by a person applying for examination with a view to registration, and, subject to section 4, the annual renewal of registration of active and non-participating members and the fees payable thereon,
  - .....
  - (j) the examination of applicants for registration as members of the Association, and".

Provisions relating to qualifications are removed and these matters will be governed by the Appraisal Board established under section 10 of the Act.

**6. Section 8, subsection (1) reads:**

- "8. (1) If a chiropractor registered under this Act is charged with unprofessional conduct, incompetency or lack of skill, an inquiry shall be made by the council, and if the council considers the charge to have been proved it may
  - (a) discipline the member in such manner as is provided by the regulations under this Act, or
  - (b) suspend or cancel the registration of such member".

**7. Section 10 is revised to give the Chiropractic Appraisal Board complete jurisdiction over the educational qualifications of applicants for registration. Section 10, subsections (2), (5) and (7) read:**

- "(2) The Board shall consist of not more than four persons, all of whom shall hold office during the pleasure of the Lieutenant Governor in Council.
- (5) The persons listed by the Board pursuant to clause (b) of subsection (4) may practise chiropractic in the Province.
- (7) The Lieutenant Governor in Council may prescribe the fees and allowances for expenses to be paid to members of the Board."

(5) The officers elected pursuant to section 5 shall be the executive of the council.

**5. Section 7 is amended**

- (a) by striking out the words "The council may" and by substituting the words "Subject to the approval of the Lieutenant Governor in Council, the council may",
- (b) as to clause (b) by adding immediately after the words "fees to be paid for registration" the words ", not exceeding one hundred dollars,"
- (c) by striking out clauses (c), (e) and (j).

**6. Section 8 is amended by adding immediately after subsection (2) the following:**

(3) A member may appeal from a decision of the council under subsection (1) to a judge of the Supreme Court at any time within fourteen days of the date of the decision or within such further time as the judge may order.

(4) 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.

(5) The council shall promptly report any decision made under subsection (1) to the Minister.

**7. Section 10 is amended**

- (a) as to subsection (2) by striking out the word "four" and by substituting the word "five",
- (b) by striking out subsection (5),
- (c) as to subsection (7) by adding immediately at the end thereof the words "and the cost of hiring examiners",
- (d) by adding immediately after subsection (7) the following subsections:

(8) A fee of ten dollars shall be charged to each application for listing, which shall be deposited to the credit of the General Revenue Fund.

(9) The Board may set examinations for, and conduct the examination of, persons who are unable to satisfy the Board that they are graduates of an accredited school or college listed by the Board, and may add the names of any persons who pass the examinations to the satisfaction of the Board, to the list established under clause (b) of subsection (4).

(10) A fee of one hundred dollars shall be charged to each person taking such examinations, which shall be deposited to the credit of the General Revenue Fund.

(11) The Board may require that an applicant shall have been in active practice for a certain pro-

**8. Section 11, subsection (1) reads:**

"11. (1) The secretary or secretary-treasurer of the Association shall be the registrar of the Association and shall register every candidate qualifying for membership in the Association who

- (a) 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) pays the registration fee prescribed by a by-law of the Association."

The amendment to section 11, subsection (1), together with the repeal of subsection (5) of section 10 and clause (b) of subsection (2) of section 14 will make the right to practise chiropractic dependent upon membership in the Association.

**9. Section 13, subsection (1) reads:**

"13. (1) The council in its discretion may grant a non-participating life membership in the Association to any member who

- (a) has attained the age of sixty years,
- (b) has practised in Alberta as a member of the Association in good standing for at least five years, and
- (c) in the opinion of the council is a fit and proper person to be granted a non-participating life membership."

**10. Section 14, subsections (1) and (2) read:**

"14. (1) Subject to subsection (2), no person shall engage in the practice of chiropractic or advertise or use the title "chiropractor" or any suffix, prefix, word, title or description, abbreviated or otherwise, to imply that he is engaged in the practice of chiropractic.

- (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 10 to practice chiropractic in the Province, or
  - (c) a person justified under section 22."

See note to clause 8 of this Bill.

**11. Section 27 relating to reciprocal recognition of qualifications to practise in other jurisdictions is amended. Section 27, subsection (2) reads:**

"(2) No such agreement shall be made with any other body, council or board unless, in the opinion of the council, the qualifications to practise in the jurisdiction governed by the other body, council or board are of a standard at least as high as the qualifications required for membership in the Association."

**12. Sections 28 and 29 which provide for a discipline committee are repealed. Discipline will be governed directly by the council of the Association. See clause 6 of this Bill.**

portion of time since graduation or for a certain proportion of time during the five years prior to application.

(12) The Board may make such rules as are necessary for the carrying out of the intent of this section.

**8. Section 11 is amended**

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

(a1) that his name is on the list established under clause (b) of subsection (4) of section 10, and

(b) by adding immediately after subsection (2) the following subsections:

(3) Notwithstanding subsection (1), a person whose name appears on the list established under clause (b) of subsection (4) of section 10 on the date this subsection comes into force is entitled to be registered as of right, upon payment of the registration fee.

(4) A person who is refused registration under this section may appeal to a judge of the Supreme Court and the judge may make such order as in the circumstance seems to him to be just.

**9. Section 13 is amended**

(a) by striking out the word "non-participating" wherever it occurs in the section,

(b) as to subsection (1) by striking out clause (a).

**10. Section 14, subsection (2) is amended**

(a) by adding the word "or" at the end of clause (a),

(b) by striking out clause (b).

**11. Section 27, subsection (2) is amended by striking out the words "opinion of the council" and by substituting the words "opinion of the Board".**

**12. Sections 28 and 29 are repealed.**

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

No. 100

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SECOND SESSION

FOURTEENTH LEGISLATURE

9 ELIZABETH II

1961

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## **BILL**

An Act to amend The Chiropractic  
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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