

1969 Bill 104

Second Session, 16th Legislature, 18 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 104

An Act respecting Social Workers

THE MINISTER OF PUBLIC WELFARE

First Reading

Second Reading

Third Reading

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BILL 104

1969

An Act respecting Social Workers

(Assented to _____, 1969)

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

1. This Act may be cited as *The Social Workers Act*.
2. In this Act,
 - (a) "Association" means The Alberta Association of Social Workers incorporated under section 3;
 - (b) "Co-ordinating Council" means the Universities Co-ordinating Council established under *The Universities Act*;
 - (c) "council" means the council of the Association established under section 5;
 - (d) "member" means a member of the Association.

PART 1

ASSOCIATION OF SOCIAL WORKERS

3. (1) The Alberta Association of Social Workers as heretofore constituted is continued by that name as a corporation.
- (2) In addition to the powers vested in it by section 14 of *The Interpretation Act, 1958* and by this Act, the Association may
 - (a) acquire and hold real or personal property and sell, lease or otherwise dispose of it, and
 - (b) borrow money for any purpose connected with the objects of the Association and give security by mortgage charge or otherwise.

Explanatory Notes

1. This Bill constitutes The Alberta Association of Social Workers as a corporation and prescribes a means whereby social workers can become registered.

2. Definitions.

3. Associations continued as a corporation.

4. The Association has the following objects:

- (a) to promote, develop and sponsor the activities of social workers;
- (b) to set and maintain ethical standards for social workers;
- (c) to edit and publish books, papers, journals and other literature concerning social work;
- (d) to provide assistance and facilities for special studies and research into social work;
- (e) to carry on other activities that promote social work.

5. (1) The administration and management of the Association shall be under the control of a council consisting of 10 elected members, six of whom shall be members registered as registered social workers in accordance with this Act.

(2) The members of the council shall be elected at each annual general meeting of the Association by the members, hold office until the following annual general meeting and may be re-elected.

(3) When a vacancy occurs on the council, the council may appoint a member of the Association to serve for the remainder of the term of office.

6. The council shall appoint a registrar who need not be a member of the council or a member of the Association at such salary and on such terms as the council may decide.

7. The council may make by-laws for carrying out the objects of the Association, and without restricting the generality of the foregoing the Association may make by-laws

- (a) governing
 - (i) membership (including honorary and associate membership) and the registration, suspension and cancellation and reinstatement of registration of members and registered social workers.
 - (ii) application and annual fees for members and registered social workers,
 - (iii) the rights, duties and powers of members,
 - (iv) the creation, powers, duties and functions of committees,
 - (v) the appointment of officers of the Association (whether members or not) and specifying the conditions and terms of appointment and remuneration,

4. Objects of the Association.

5. Election of council.

6. Appointment of registrar.

7. By-laws of the council.

- (vi) the procedure for investigating complaints,
and
- (vii) the investing of funds,
- (b) concerning
 - (i) the regulation, procedure and administration of elections,
 - (ii) the number of council members to constitute a quorum, and
 - (iii) rules of procedure and evidence in connection with disciplinary proceedings,
and
- (c) providing
 - (i) for reciprocal membership agreements with other provinces, both for members and registered social workers, and
 - (ii) for any other matters necessary to carry on the affairs and business of the Association.

8. Notwithstanding section 7, a by-law of the council is of no effect until it has been approved in writing by the Minister of Social Development.

9. A person shall be admitted as a member of the Association

- (a) if
 - (i) his academic qualifications are satisfactory to the council,
 - (ii) he is of good character, and
 - (iii) he has paid the membership fee,
or
- (b) if
 - (i) he is a registered social worker, and
 - (ii) he has paid the membership fee.

PART 2

REGISTERED SOCIAL WORKERS

10. The right to practise as a registered social worker in Alberta is not dependant upon membership in the Association but is under the control of the council and the by-laws made by it.

8. By-laws must be approved.

9. Membership in the Association.

10. Practise of social work.

11. (1) The evaluation of the academic qualifications of, and the examination of applicants for registration as registered social workers is under the control of the Co-ordinating Council.

(2) The council shall enter into an agreement with the Co-ordinating Council for the conduct of examinations of applicants for registration.

(3) The subject matter of examinations shall be prescribed by the Co-ordinating Council.

(4) The Co-ordinating Council may

- (a) prescribe procedures to be followed with respect to any of the matters to be followed under this section,
- (b) prescribe examination fees, and
- (c) establish and appoint a board of examiners in social work and delegate to the board such of its duties and functions under this Act as it sees fit.

12. (1) A person may apply for registration with the Association as a registered social worker if

(a) he satisfies the Co-ordinating Council that he holds a masters degree in social work from an educational institution approved by the Co-ordinating Council, and

(b) he attains the required standard in an examination set by the Co-ordinating Council (if any),

and the Co-ordinating Council issues a certificate that he has satisfied its requirements under this subsection.

(2) A person may apply for registration with the Association as a registered social worker if

(a) he has, in the opinion of the council, had sufficient practical experience in social work, and

(b) he attains the required standard in an examination set by the Co-ordinating Council (if any),

and the Co-ordinating Council issues a certificate that he has satisfied its requirements under this subsection.

(3) A person may apply for registration with the Association as a registered social worker who immediately prior to the coming into force of this Act

(a) is a member in good standing in The Canadian Association of Social Workers, or

(b) is a member in good standing of The Alberta Association of Social Workers, or

(c) is a member in good standing in any other association or organization of social workers approved by the council,

11. Power and duties of the Co-ordinating Council.

12. Application for registration as a registered social worker.

and applies for registration as a registered social worker within two years of the date of this Act coming into force.

13. (1) A person is entitled to registration as a registered social worker by the Association if

- (a) he produces a certificate issued by the Co-ordinating Council under section 12, or is a member of an association under section 12, subsection (3),
- (b) has shown himself to the satisfaction of the council to be of good character and reputation,
- (c) satisfies the registrar that he is not under suspension or prohibition to practise as a social worker in Canada or elsewhere, and
- (d) pays the prescribed fee.

(2) If a person satisfies the requirements of subsection (1), the registrar shall issue a certificate of registration that the person is a registered social worker.

(3) Subject to this Act and the by-laws the first certificate of registration of a registered social worker remains in force until the end of the calendar year in which the certificate of registration was issued and a registered social worker in good standing is entitled to a renewal of his certificate of registration for each succeeding calendar year upon paying the prescribed fee.

(4) While a certificate of registration is in force a registered social worker may call himself by that title and is entitled to use the initials "R.S.W."

14. (1) Subject to this section the council may by order

- (a) suspend or cancel the certificate of registration of a registered social worker, or
- (b) reprimand a registered social worker,

upon a complaint thereof verified by statutory declaration being filed with the registrar and a copy of the complaint being sent by registered mail to the accused person.

(2) No order under subsection (1) shall be made unless

- (a) the accused person is summoned to appear before the council and given an opportunity to be heard in his own defence, and
- (b) the council hears under oath the evidence in support of the complaint and if the accused person wishes to be heard the evidence on behalf of the accused person.

(3) For the purpose of a hearing under this section, the presiding officer of the council, or the person acting for him, may administer oaths.

13. Certificate of registration.

14. Suspension or cancellation of registration or membership
and reprimands.

(4) All evidence offered by the complainant and by the accused person shall be taken down by a competent stenographer.

15. (1) Any accused person who has had an order made in respect of him under section 14, subsection (1) may appeal to the Supreme Court from the order.

(2) An appeal shall be commenced by originating notice of motion filed within 30 days from the date on which the order is made by the council.

(3) On the request of the accused person the registrar shall file a copy of the evidence taken at the hearing before the council with the clerk of the court for the judicial district in which the accused person resides.

(4) The Court on hearing the appeal may

(a) quash or confirm the finding of guilt, or

(b) quash or confirm the punishment imposed or order a different punishment,

and give such directions as to the costs of the appeal as seem just.

16. (1) The registrar shall enter in the register of registered social workers maintained by him the order made by the council and the Supreme Court or either of them.

(2) The registrar shall notify the Minister of Social Development of every suspension, cancellation, reprimand or reinstatement made in connection with an accused person.

17. A certificate purporting to be signed by the registrar and stating that a person was or was not on a specified day or during a specified period a registered social worker shall be admitted in evidence as *prima facie* proof of the facts stated therein without proof of the registrar's appointment or signature.

18. (1) Any person who assumes the title "Registered Social Worker" or the initials "R.S.W." or in any manner represents that he is a registered social worker or in any way holds himself out to the public as a registered social worker when he is not, or by false or fraudulent declaration attempts to procure registration under this Act is guilty of an offence.

(2) Every person who is guilty of an offence under subsection (1) is liable on summary conviction

(a) for the first offence, to a fine not exceeding \$50 and in default of payment to imprisonment for a term not exceeding 30 days, and

15. Appeal.

16. Duties of the registrar.

17. Certificate of registrar as evidence.

18. Offences and penalties.

(b) for a subsequent offence, to a fine not exceeding \$200 and in default of payment to imprisonment for a term not exceeding three months.

(3) No prosecution under this Act shall commence after four years after the date of the alleged offence.

19. The Association shall, before the first day of February in each year, file with the Minister of Social Development lists certified by the secretary to be true lists showing

- (a) the names of all registered social workers in good standing as of the 31st day of December in the preceding year, their addresses as shown by the records of the Association and the respective dates of their registration as registered social workers,
- (b) the names of all persons whose registrations were suspended or who otherwise ceased to be in good standing during the preceding year, and
- (c) the names of all persons who were reinstated as registered social workers during that year.

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

19. Lists of social workers.