

1988 BILL 12

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Third Session, 21st Legislature, 37 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 12**

**PROFESSIONAL AND OCCUPATIONAL ASSOCIATIONS  
REGISTRATION AMENDMENT ACT, 1988**

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MR. JONSON

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First Reading .....  
Second Reading .....  
Committee of the Whole .....  
Third Reading .....  
Royal Assent .....

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*Bill 12*  
*Mr. Jonson*

## **BILL 12**

1988

### **PROFESSIONAL AND OCCUPATIONAL ASSOCIATIONS REGISTRATION AMENDMENT ACT, 1988**

*(Assented to , 1988)*

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

*1 The Professional and Occupational Associations Registration Act is amended by this Act.*

*2 Section 14(1) is amended by adding the following after clause (j):*

(j.1) respecting the costs payable pursuant to an order under section 33.1,

(i) by an investigated person, in respect of a hearing by the Discipline Committee or a review by the governing body under section 34, or

(ii) by a complainant, in respect of a complaint determined to be frivolous or vexatious under section 22(3)(a);

*3 The following is added after section 33:*

**33.1(1)** The Discipline Committee may, in addition to or instead of dealing with the conduct of an investigated person in accordance with section 33, order that the investigated person pay to the registered association

(a) all or part of the costs, determined in accordance with the regulations, of the hearing before the Discipline Committee or a review under section 34,

(b) a fine not exceeding \$5000 for each finding of unskilled practice or professional or occupational misconduct or \$25 000 in the aggregate for all such findings arising out of the hearing, or

(c) both the costs under clause (a) and the fine under clause (b),

within the time set by the order.

(2) If the person ordered to pay a fine or costs, or both, under subsection (1) fails to pay the fine or costs, or both, within the time ordered, the governing body of the registered association

## **Explanatory Notes**

- 1** This Bill will amend chapter P-18.5 of the Statutes of Alberta, 1985.
- 2** Section 14(1) presently reads in part:  
*14(1) The governing body of a registered association may make regulations*  
*(j) respecting the establishment of the Discipline Committee and its procedures;*
- 3** Payment of fines and costs.

may suspend the registration of that person until the fine or costs, or both, are paid.

(3) If the governing body finds under section 22(3)(a) that a complaint is frivolous or vexatious, the Discipline Committee may order the complainant to pay all or part of the costs, determined in accordance with the regulations, of the proceeding before the governing body.

(4) A fine or costs ordered to be paid under this section are a debt due to the registered association and may be recovered by the association by civil action for debt.

4 *Section 34(1) is amended by adding “or 33.1(1)” after “33”.*

**4** Section 34(1) presently reads:

*34(1) A member of the Discipline Committee or the investigated person in respect of whom an order has been made under section 33 may, within 30 days of the service of the order, by written notice served on the president of the registered association, request the governing body to review the order.*