

1998 BILL 42

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Second Session, 24th Legislature, 47 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 42

**PROFESSIONAL STATUTES  
AMENDMENT ACT, 1998**

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MR. MAGNUS

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First Reading .....

Second Reading .....

Committee of the Whole .....

Third Reading .....

Royal Assent .....

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Bill 42  
Mr. Magnus

## BILL 42

1998

### PROFESSIONAL STATUTES AMENDMENT ACT, 1998

(Assented to \_\_\_\_\_, 1998)

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

#### Agrologists Act

Amends RSA  
1980 cA-13

**1 The *Agrologists Act* is amended by adding the following  
after section 29:**

##### General

Exemption  
from municipal  
licence

**29.1** No municipality has the power to require

- (a) any agrologist to obtain a licence from the municipality for practising agrology, or
- (b) any agrologist in training to obtain a licence from the municipality for or in connection with the performance of any acts or services authorized by this Act to be performed by an agrologist in training.

#### Architects Act

Amends RSA  
1980 cA-44.1

**2 The *Architects Act* is amended by adding the following  
after section 66:**

Exemption  
from municipal  
licence

**66.1** No municipality has the power to require any person to obtain a licence from the municipality to engage in the practice of architecture.

## **Explanatory Notes**

### **Agrologists Act**

**1** Amends chapter A-13 of the Revised Statutes of Alberta 1980.  
Exemption from municipal licence.

### **Architects Act**

**2** Amends chapter A-44.1 of the Revised Statutes of Alberta 1980.  
Exemption from municipal licence.

### **Engineering, Geological and Geophysical Professions Act**

Amends SA  
1981 cE-11.1

**3** The *Engineering, Geological and Geophysical Professions Act* is amended by adding the following after section 76:

Exemption  
from municipal  
licence

**76.1** No municipality has the power to require

- (a) any professional member, licensee, permit holder or certificate holder to obtain a licence from the municipality to engage in the practice of engineering, the practice of geology or the practice of geophysics, or
- (b) any member-in-training to obtain a licence from the municipality for or in connection with the performance of any acts or services authorized by this Act to be performed by a member-in-training.

### **Land Surveyors Act**

Amends SA  
1981 cL-4.1

**4** The *Land Surveyors Act* is amended by adding the following after section 67:

Exemption  
from municipal  
licence

**67.1** No municipality has the power to require any practitioner to obtain a licence from the municipality to engage in the practice of surveying.

### **Professional and Occupational Associations Registration Act**

Amends SA  
1985 cP-18.5

**5** The *Professional and Occupational Associations Registration Act* is amended by adding the following after section 38:

Exemption  
from municipal  
licence

**38.1** No municipality has the power to require any member of a registered association to obtain an licence from the municipality to engage in the field of practice established by the registered association under the regulations.

### **Social Work Profession Act**

Amends SA  
1991 cS-16.5

**6(1)** The *Social Work Profession Act* is amended by this section.

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

### **Engineering, Geological and Geophysical Professions Act**

**3** Amends chapter E-11.1 of the Statutes of Alberta, 1981. Exemption from municipal licence.

### **Land Surveyors Act**

**4** Amends chapter L-4.1 of the Statutes of Alberta, 1981. Exemption from municipal licence.

### **Professional and Occupational Associations Registration Act**

**5** Amends chapter P-18.5 of the Statutes of Alberta, 1985. Exemption from municipal licence.

### **Social Work Profession Act**

**6(1)** Amends chapter S-16.5 of the Statutes of Alberta, 1991.

**(2)** Adds definition of social work.

(i.1) “social work” means any activity that

- (i) enhances or restores the social functioning of individuals, families, groups, organizations and communities by improving the developmental, problem solving and coping capacities of individuals and systems,
- (ii) promotes effective and humane systems that provide resources, opportunities and services to individuals,
- (iii) links individuals to systems described in subclause (ii), and
- (iv) contributes to the development and improvement of social policy;

**(3) The following is added after section 9:**

Mandatory  
registration

**9.1(1)** If in the opinion of the Registrar an individual meets the requirements of section 12(1) and

- (a) provides a service that falls within the definition of social work to any member of the public, either directly or in a clinical setting, or
- (b) supervises an individual who provides a service in accordance with clause (a),

the Registrar may direct that individual to apply for registration as a registered social worker.

**(2)** An individual who receives a direction under subsection (1) shall apply to the Registrar on the form set by the Council for registration as a registered social worker.

**(3)** The application for registration

- (a) must be accompanied by the registration fee prescribed in the by-laws, and
- (b) must be received by the Registrar not more than 30 days after the applicant received the direction from the Registrar under subsection (1).

Exemption  
order

**9.2** The Minister of Family and Social Services may by order exempt any category of individuals from the operation of section 9.1.

(3) **Mandatory registration.**

Application to  
service  
provider

**9.3** Section 9.1 does not apply to an individual who provides child and family services in accordance with the *Child and Family Services Authorities Act* unless the Minister of Family and Social Services by order indicates otherwise.

**(4) This section comes into force on Proclamation.**

### Universities Act

Amends RSA  
1980 cU-5

**7 The *Universities Act* is amended in section 64 by repealing subsections (2) and (3) and substituting the following:**

(2) The Universities Co-ordinating Council may delegate a duty, power or function in respect of a profession or occupation to which subsection (1) applies in the same manner as a body may delegate under section 46(1)(c).

(3) The Universities Co-ordinating Council must make a delegation under subsection (2) if

(a) the enactment respecting the profession or occupation requires the delegation, or

(b) the governing body of the profession or occupation requests the delegation.

(4) When a delegation has occurred under subsection (2) or (3) and an applicant for membership in the profession or occupation under an enactment is not satisfied with a decision of the delegated body respecting the qualifications of the applicant, the applicant may request the Universities Co-ordinating Council to review the decision of the delegated body.

(5) The Universities Co-ordinating Council must review a matter referred to it under subsection (4) and may

(a) make any decision the Council is authorized to make under the enactment as if no delegation had been made under this section, or

(b) refer the matter back to the delegated body with a direction to reconsider the matter.



- (4) Proclamation.

### **Universities Act**

**7** Amends chapter U-5 of the Revised Statutes of Alberta 1980. Section 64 presently reads:

*64(1) If an enactment respecting a profession or occupation gives the Universities Co-ordinating Council any duty, power or function in respect of the academic qualifications required for membership in the profession or occupation, the Universities Co-ordinating Council may, notwithstanding and in addition to the duties, powers or functions granted under that enactment,*

- (a) enter into any arrangement with the governing body of the profession or occupation that the Council considers desirable for the fulfilment of the Council's duties, powers or functions under the enactment;*
- (b) evaluate the academic qualifications of an applicant for membership in the profession or occupation;*
- (c) certify that a person is academically eligible for membership in the profession or occupation;*
- (d) require a person to pass examinations or take a course of instruction that the Council considers necessary in order to establish his academic qualifications;*
- (e) provide for the development, setting or marking of examinations with respect to the profession or occupation;*
- (f) waive any requirement with respect to an examination if it is otherwise satisfied as to the adequacy of the academic qualifications of the person;*
- (g) grant to or withdraw from an institution the designation "approved faculty", "approved school" or "approved program" and specify the consequences of that designation;*
- (h) prescribe fees payable to the Council in respect of any matter under this section.*

### **Veterinary Profession Act**

Amends SA  
1984 cV-3.1

**8 The *Veterinary Profession Act* is amended by adding the following after section 63:**

Exemption  
from municipal  
licence

**63.1** No municipality has the power to require

- (a) any registered veterinarian or permit holder to obtain a licence from the municipality to engage in the practice of veterinary medicine, or
- (b) any student to obtain a licence from the municipality for or in connection with the performance of any acts or services authorized by this Act to be performed by a student.

*(2) Notwithstanding section 46(1)(c), the Council may delegate a duty, power or function in respect of a profession or occupation to which subsection (1) of this section applies only to a committee, the members of which are appointed by the Council as follows:*

- (a) 1 or more individuals registered as members of the profession or occupation under the enactment respecting the profession or occupation,*
- (b) 1 or more individuals active as educators with respect to the profession or occupation,*
- (c) after consultation with the governing body of the profession or occupation, any other members that the Council considers necessary, and*
- (d) if the number of members of the committee to which clauses (a) to (c) apply is*
  - (i) 10 or fewer, 1 individual who is not registered as a member of the profession or occupation,*
  - (ii) 11 or more but not more than 20, 2 individuals who are not registered as members of the profession or occupation, or*
  - (iii) more than 20, 3 individuals who are not registered as members of the profession or occupation.*

*(3) The Universities Co-ordinating Council shall delegate its duties, powers and functions in respect of a profession or occupation to which subsection (1) applies to a committee established under subsection (2) if*

- (a) the enactment respecting the profession or occupation requires the delegation, or*
- (b) the governing body of the profession or occupation requests the delegation.*

### **Veterinary Profession Act**

**8** Amends chapter V-3.1 of the Statutes of Alberta, 1984. Exemption from municipal licence.