2026 Bill 38

Second Session, 31st Legislature, 5 Charles III

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 38

ADVANCED EDUCATION STATUTES AMENDMENT ACT, 2026

THE MINISTER OF ADVANCED EDUCATION

First Reading . . . . . .

Second Reading . . . . . .

Committee of the Whole . . . . . .

Third Reading . . . . . .

Royal Assent . . . . . .

BILL 38

2026

ADVANCED EDUCATION STATUTES AMENDMENT ACT, 2026

(Assented to , 2026)

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

Post-secondary Learning Act

Amends SA 2003 cP-19.5

1(1) The *Post-secondary Learning Act* is amended by this section.

NOTE: 1(1) Amends chapter P-19.5 of the Statutes of Alberta, 2003.

(2) The preamble is amended by striking out "and" **at the end of the 8th recital, adding** "and" **at the end of the 9th recital and adding the following after the 9th recital:**

WHEREAS Alberta's post-secondary institutions provide a setting that fosters a diversity of viewpoints and free and open inquiry in all matters;

NOTE: (2) The 8th and 9th recitals presently read:

WHEREAS apprenticeship education is as valuable, useful and respectable as other forms of post-secondary education, and experiential learning is as important to post-secondary education as academic learning; and

WHEREAS the Government of Alberta is committed to ensuring that Alberta's post-secondary institutions continue to build on their record of global excellence in post-secondary research and innovation and that they continue contributing to the economic diversification of the province by promoting and strengthening the commercialization of post-secondary research;

(3) Section 31 is amended

(a) in subsection (1) by striking out "The" **and substituting** "Subject to subsection (1.1), the";

(b) by adding the following after subsection (1):

(1.1) The general faculties council must exercise its powers under subsection (1) in accordance with an applicable student code of conduct established by the board under section 60.1.

NOTE: (3) Section 31 presently reads in part:

31(1) The general faculties council has general supervision of student affairs at a university and in particular, but without restricting the generality of the foregoing, the general faculties council may

(4) The following is added after section 60:

Student code of conduct

60.1(1) A board shall establish, implement and maintain a student code of conduct.

(2) The student code of conduct must

(a) address, at minimum, the following matters in accordance with the regulations:

(i) academic misconduct;

(ii) non-academic misconduct;

(iii) sexual and gender-based violence,

(b) include any provisions or content prescribed by the regulations, and

(c) conform to any requirements specified in the regulations.

(3) The Minister may direct a board to undertake consultation to inform the development of a student code of conduct.

Submission and review of student code of conduct

60.2(1) A board shall, on the request of and within the time specified by the Minister, submit a student code of conduct to the Minister for the purpose of confirming that the code of conduct meets the minimum requirements identified in the Act and the regulations, together with a summary of any consultation undertaken.

(2) On review of a student code of conduct, the Minister may

(a) approve the student code of conduct, if the student code of conduct meets the requirements of the Act and the regulations,

(b) identify which requirements are not met and direct the board to revise and resubmit the student code of conduct within the time specified by the Minister, if the student code of conduct does not meet the requirements of the Act and the regulations, or

(c) require that the board engage in consultation or further consultation.

NOTE: (4) Student code of conduct; submission and review of student code of conduct.

(5) Section 61 is amended

(a) by adding the following before subsection (1):

Tuition fees and mandatory non-instructional fees

61(0.1) In this section, "approved program" means

(a) a program of study approved by the Minister under this Act, or

(b) a program approved by the Minister for the purposes of section 1(1)(m) of the *Student Financial Assistance Act*.

(b) in subsection (3)

(i) by striking out "for an academic year" **and substituting** "for an academic year up to and including the 2026-2027 academic year";

(ii) in clause (a)(ii)(B) by striking out "2024-2025 academic year and subsequent academic years" **and substituting** "2024-2025, 2025-2026 and 2026-2027 academic years";

(iii) in clause (b) by striking out "of study or in respect of" **and substituting** "or";

(c) by adding the following after subsection (3):

(3.01) With respect to the 2027-2028 and subsequent academic years, the Minister may by order establish maximum tuition fees for approved programs, classroom instruction in apprenticeship education programs or groups of approved programs and classroom instruction in groups of apprenticeship education programs, in accordance with the regulations.

(3.02) A board of a public post-secondary institution other than Banff Centre shall not set the tuition fees to be paid by domestic students for an approved program or classroom instruction in an apprenticeship education program as higher than the maximum tuition fees established under subsection (3.01) for that approved program or classroom instruction in that apprenticeship education program.

NOTE: (5) Section 61 presently reads in part:

(3) In setting the tuition fees for an academic year, the board may increase the tuition fees to be paid by domestic students, subject to any restrictions on increasing tuition fees set out in the regulations,

(a) if the average tuition fee increase per domestic student does not exceed the product of

(ii) in respect of

(B) the 2024-2025 academic year and subsequent academic years, 2%,

(b) in respect of a specific approved program of study or in respect of classroom instruction in an apprenticeship education program, by means of an exceptional tuition fee increase made in accordance with the regulations.

(6) Section 78(1) is amended by striking out "sections 79 and 80" **and substituting** "sections 78.2 to 80".

NOTE: (6) Section 78(1) presently reads:

78(1) In this section and sections 79 and 80, "board" includes the governing body of an independent academic institution.

(7) The following is added before section 79:

Policies re institutional neutrality and freedom of expression

78.2(1) Subject to subsection (5) and the regulations, a board shall establish, implement and maintain policies with respect to

(a) institutional neutrality, and

(b) freedom of expression of students, academic staff, non-academic staff and visitors on campus.

(2) A policy with respect to institutional neutrality must

(a) address, at minimum, the following matters in accordance with the regulations:

(i) the duty of the board to remain neutral on political, social or ideological matters that are not related to its academic mission;

(ii) the ability of the board, a member of the board and senior officials of the post-secondary institution to issue statements on behalf of the post-secondary

institution that take positions on political, social or ideological matters that are not related to its academic mission;

(iii) how the board will ensure students are able to learn in an environment that fosters a diversity of viewpoints and free and open inquiry;

(iv) any other matter specified in the regulations,

(b) include any provisions or content prescribed by the regulations, and

(c) conform to any requirements specified in the regulations.

(3) A policy with respect to freedom of expression must

(a) address the following matters in accordance with the regulations:

(i) the duty of the board to protect the freedom of expression of students, academic staff, non-academic staff and visitors;

(ii) any other matter specified in the regulations,

(b) include any provisions or content prescribed by the regulations, and

(c) conform to any requirements specified in the regulations.

(4) The Minister may direct a board to undertake consultation to inform the development of an institutional neutrality or freedom of expression policy.

(5) The Minister may by order exempt, in whole or in part, a board from the requirements of this section.

Submission and review of policies

78.3(1) A board shall, on the request of and within the time specified by the Minister, submit a policy established under section 78.2 to the Minister for the purpose of confirming that the policy meets the minimum requirements identified in the Act and the regulations, together with a summary of any consultation undertaken.

(2) On review of a policy, the Minister may

(a) approve the policy, if the policy meets the requirements of the Act and the regulations,

(b) identify which requirements are not met and direct the board to revise and resubmit the policy within the time specified by the Minister, if the policy does not meet the requirements of the Act and the regulations, or

(c) require that the board engage in consultation or further consultation.

NOTE: (7) Policies re institutional neutrality and freedom of expression; submission and review of policies.

(8) Section 124 is amended

(a) by adding the following after clause (a):

(a.1) respecting the requirements that a student code of conduct under section 60.1 must meet, including regulations

(i) respecting matters that must be addressed in a student code of conduct for the purposes of section 60.1(2)(a),

(ii) prescribing provisions or content that a student code of conduct must include for the purposes of section 60.1(2)(b), and

(iii) respecting requirements that a student code of conduct must conform with for the purposes of section 60.1(2)(c);

(b) by adding the following after clause (b)(iv):

(iv.1) respecting factors to be considered when establishing maximum tuition fees for approved programs, classroom instruction in apprenticeship education programs or groups of approved programs and classroom instruction

in groups of apprenticeship education programs under section 61(3.01);

(c) by adding the following after clause (e):

(e.1) respecting the requirements that policies under section 78.2 must meet, including regulations

(i) respecting matters that must be addressed in a policy for the purposes of section 78.2(2)(a) and (3)(a),

(ii) prescribing provisions or content that policies must include for the purposes of section 78.2(2)(b) and (3)(b), and

(iii) respecting requirements that policies must conform with for the purposes of section 78.2(2)(c) and (3)(c);

NOTE: (8) Adds regulation-making powers.

(9) This section comes into force on Proclamation.

NOTE: (9) Coming into force.

Professional Governance Act

Amends SA 2025 cP-25.5

2(1) The *Professional Governance Act* is amended by this section.

NOTE: 2(1) Amends chapter P-25.5 of the Statutes of Alberta, 2025.

(2) Section 1 is amended

(a) by repealing clause (j)(v);

(b) in clause (m) by striking out ", and includes a joint complaints inquiry committee established by the regulations";

(c) by repealing clause (eee)(iii).

NOTE: (2) Section 1 presently reads in part:

1 In this Act,

(j) "committee" means any or all of the following, as the case may be:

(v) a joint committee established by the regulations;

(m) "complaints inquiry committee" means the complaints inquiry committee of a professional regulatory organization established under section 26(1), and includes a joint complaints inquiry committee established by the regulations;

(eee) "tribunal" means any or all of the following as the context requires:

(iii) a joint tribunal established by the regulations.

(3) Section 14(1) is amended by striking out "under this section".

NOTE: (3) Section 14(1) presently reads:

14(1) After an application is received under this section, a professional governance officer may require the amalgamation applicants to provide, within the time determined by the professional governance officer, any additional information that the professional governance officer requires for the purposes of providing advice to the Minister under section 16.

(4) Section 21(1)(a) is amended by striking out "competence and other".

NOTE: (4) Section 21(1)(a) presently reads:

21(1) A professional regulatory organization must

(a) establish competence and other requirements for the registration of registrants,

(5) Section 27(2) is repealed and the following is substituted:

(2) A committee may include the following members in accordance with the bylaws of the professional regulatory organization:

(a) non-regulated members of the professional regulatory organization;

(b) non-voting members.

NOTE: (5) Section 27(2) presently reads:

(2) A committee may include non-regulated members in accordance with the bylaws of the professional regulatory organization.

(6) Section 31 is amended

(a) in subsection (1) by adding "or selecting individuals for" **after** "appointing individuals to";

(b) in subsection (2)(c)(ii) by striking out "appointed" **and substituting** "selected";

(c) in subsection (4)

(i) in clause (a) by striking out "appointment of a member of the discipline tribunal and appoint" **and substituting** "appointment or selection of a member of the discipline tribunal and appoint or select";

(ii) by repealing clause (b) and substituting the following:

(b) appoint an additional member or members to, or select an additional member or members for, the discipline tribunal,

NOTE: (6) Section 31 presently reads in part:

31(1) A discipline tribunal roster chair must convene a discipline tribunal as soon as practicable after the need for a discipline tribunal arises under section 107 or 128, and may convene a discipline tribunal if the discipline tribunal roster chair decides to convene a discipline tribunal under section 129(1), by appointing individuals to the tribunal in accordance with subsection (2).

(2) The composition of a discipline tribunal must

(c) include

(ii) at least 25% public members appointed from the public member roster established under section 37(2).

(4) Prior to the commencement of a discipline tribunal hearing, or at the request of the discipline tribunal, prior to the discipline tribunal hearing evidence, a discipline tribunal roster chair may

(a) revoke the appointment of a member of the discipline tribunal and appoint a replacement member from the same roster, or

(b) appoint an additional member or members to the discipline tribunal,

if the discipline tribunal roster chair considers it fair and reasonable in the circumstances to do so and doing so would not violate subsection (2).

(7) Section 32 is amended

(a) in subsection (1) by adding "or selecting individuals for" **after** "appointing individuals to";

(b) in subsection (2)(c)(ii) by striking out "appointed" **and substituting** "selected";

(c) in subsection (4)

(i) in clause (a) by striking out "appointment of a member of the appeal tribunal and appoint" **and substituting** "appointment or selection of a member of the appeal tribunal and appoint or select";

(ii) by repealing clause (b) and substituting the following:

(b) appoint an additional member or members to, or select an additional member or members for, the appeal tribunal,

NOTE: (7) Section 32 presently reads in part:

32(1) An appeal tribunal roster chair must convene an appeal tribunal as soon as practicable after the need for an appeal tribunal arises under section 149, and may convene an appeal tribunal if the appeal tribunal roster chair decides to convene an appeal tribunal under section 161(1), by appointing individuals to the tribunal in accordance with subsection (2).

(2) The composition of an appeal tribunal must

(c) include

(ii) at least 25% public members appointed from the public member roster established under section 37(2).

(4) Prior to the commencement of the appeal tribunal hearing, or, at the request of the appeal tribunal, prior to the appeal tribunal hearing evidence, the appeal tribunal roster chair may

(a) revoke the appointment of a member of the appeal tribunal and appoint a replacement member from the same roster, or

(b) appoint an additional member to the appeal tribunal,

if the appeal tribunal roster chair considers it fair and appropriate in the circumstances to do so and doing so would not violate subsection (2).

(8) The heading preceding section 33 and section 33 are repealed.

NOTE: (8) The heading preceding section 33 and section 33 presently read:

Joint Committees and Joint Tribunals

33(1) The Minister may establish a joint committee or a joint tribunal for 2 or more professional regulatory organizations in the regulations and, subject to subsection (2), the regulations will govern to the extent of any inconsistency with anything in this Division.

(2) Notwithstanding anything to the contrary in this Division or Division 3, each joint committee and each joint tribunal must be composed of

(a) an equal number of registrants selected by each professional regulatory organization's governing body,

(b) the number of public members prescribed by the regulations, and

(c) any other members prescribed by the regulations.

(9) Section 37 is amended

(a) by repealing subsection (1) and substituting the following:

Appointment of public members

37(1) The Minister, following consultation with a governing body, may appoint or revoke the appointment of public members to the governing body.

(b) in subsection (3) by striking out ", joint committee, joint tribunal or public member roster" **and substituting** "or the public member roster";

(c) by repealing subsection (4) and substituting the following:

(4) An individual may be appointed as a public member of more than one governing body under this Act.

(d) in subsection (5)

(i) by striking out ", joint committee or joint tribunal";

(ii) by striking out "or has been appointed as a member of a joint committee or joint tribunal that the professional regulatory organization is a member of".

NOTE: (9) Section 37 presently reads in part:

37(1) The Minister, following consultation with a governing body, or with the applicable governing bodies in the case of a joint committee or joint tribunal, may appoint or revoke the appointment of public members to

(a) the governing body,

(b) the joint committee, or

(c) the joint tribunal.

(3) The Minister may, subject to subsection (3.1), appoint any number of public members to a governing body, joint committee, joint tribunal or public member roster that the Minister deems appropriate to protect the public interest, and may fill any vacancies that may arise.

(4) An individual may be appointed as a public member of more than one governing body, joint committee or joint tribunal under this Act as long as the individual does not serve on

(a) a joint committee that a professional regulatory organization is a member of and a joint tribunal that the same professional regulatory organization is a member of, or

(b) a joint committee or joint tribunal that a professional regulatory organization is a member of and the governing body of that professional regulatory organization.

(5) Unless it would cause a conflict of interest, a public member appointed to the roster of public members under subsection (2) may also be appointed to a governing body, joint committee or joint tribunal, but the public member may not be selected by

(a) the CIC chair under section 138,

(b) a discipline tribunal roster chair, or

(c) an appeal tribunal roster chair

of a professional regulatory organization if the public member has been appointed as a member of the governing body of that professional regulatory organization or has been appointed as a member of a joint committee or joint tribunal that the professional regulatory organization is a member of.

(10) Section 38 is amended

(a) in subsection (2) by striking out ", a joint committee or joint tribunal that a professional regulatory organization is a member of, a panel" **and substituting** "or to be selected for a panel";

(b) by repealing subsection (3) and substituting the following:

(3) An individual described in subsection (2) is not prohibited from

(a) being appointed as a public member of the governing body of a different professional regulatory organization, or

(b) being selected for a panel established under section 138 with respect to a registrant of a different professional regulatory organization or for a discipline tribunal or

appeal tribunal convened with respect to a registrant of a different professional regulatory organization.

NOTE: (10) Section 38 presently reads in part:

(2) An individual is not eligible to be appointed as a public member of the governing body of a professional regulatory organization, a joint committee or joint tribunal that a professional regulatory organization is a member of, a panel established under section 138 with respect to a registrant of a professional regulatory organization or a discipline tribunal or appeal tribunal convened with respect to a registrant of a professional regulatory organization if

(3) An individual described in subsection (2) is not prohibited from being appointed as a public member with respect to a different professional regulatory organization.

(11) Section 40(1)(a) is amended

(a) by adding "or selected to serve on" **after** "body to which the public member has been appointed";

(b) by adding "or selected to serve in" **after** "position to which the public member has been appointed".

NOTE: (11) Section 40(1)(a) presently reads:

40(1) A public member appointed under section 37(1) or (2) must

(a) act as an objective and full participant of a body to which the public member has been appointed in accordance with the position to which the public member has been appointed and within the scope of the public member's role as a public member, and

(12) Section 41 is amended

(a) in subsection (1)(b) by striking out ", other than the public members of a joint committee";

(b) in subsection (2) by adding "or selected" **after** "appointed".

NOTE: (12) Section 41 presently reads in part:

41(1) Each professional regulatory organization must prescribe the terms

(b) for members of each committee of the professional regulatory organization, other than the public members of a joint committee, and

in the bylaws of the professional regulatory organization.

(2) Despite anything to the contrary in section 42(2), if the term of a public member or registrant who is a member of

(a) a discipline tribunal convened under section 31,

(b) an appeal tribunal convened under section 32, or

(c) a panel established under section 138 to consider a sanction agreement

expires, the member of the tribunal or panel may continue to carry out the member's powers, duties and functions until the proceeding in respect of which the member was appointed has concluded.

(13) Section 42(3)(a) is amended by striking out "or as a public member of a joint complaints inquiry committee or joint tribunal".

NOTE: (13) Section 42(3)(a) presently reads:

(3) A public member may be reappointed for one or more additional terms, but no individual shall be appointed as a public member for a total term length of more than

(a) 12 consecutive years on the public member roster established under section 37(2) or as a public member of a joint complaints inquiry committee or joint tribunal, or

(14) Section 44(1) is amended by adding ", non-regulated member, non-voting member" **after** "registrant member" **wherever it occurs.**

NOTE: (14) Section 44(1) presently reads:

44(1) Except as otherwise provided in this Act, and subject to applicable bylaws prescribing quorum, the powers, duties and functions of a governing body, committee, sub-committee, tribunal, panel or task force are not affected by

(a) the failure of a public member, registrant member or other appointee to attend a meeting,

(b) a vacancy in the office of a public member, registrant member or other appointee, or

(c) the inability of a public member, registrant member or other appointee to attend or act for any reason.

(15) Section 52(2) is amended

(a) in clause (a) by adding "in respect of which the applicant is applying to be registered," **after** "practice of the profession";

(b) in clause (c) by striking out "work under the *Immigration and Refugee Protection Act* (Canada)" **and substituting** "work in Canada under the *Immigration and Refugee Protection Act* (Canada), unless the Minister has made regulations permitting individuals who are not Canadian citizens and who are not permitted to work in Canada under the *Immigration and Refugee Protection Act* (Canada) to register with the professional regulatory organization";

(c) by adding the following after clause (c):

(c.1) evidence required by the regulations, if any, if the Minister has made regulations permitting individuals who are not Canadian citizens and who are not permitted to work in Canada under the *Immigration and Refugee*

Protection Act (Canada) to register with the professional regulatory organization,

(c.2) evidence of being an individual permitted to study in Canada, if

(i) the Minister has made regulations permitting individuals who are permitted to study in Canada under the *Immigration and Refugee Protection Act* (Canada) to register with the professional regulatory organization, and

(ii) the applicant is applying for registration based on their status as an individual who is permitted to study in Canada,

NOTE: (15) Section 52(2) presently reads in part:

(2) An application for registration must be in the form required by the bylaws of the applicable professional regulatory organization and must be submitted to the registrar of that professional regulatory organization together with

(a) evidence of meeting the requirements for competence in the practice of the profession in accordance with section 53,

(c) evidence of being a Canadian citizen or an individual permitted to work under the Immigration and Refugee Protection Act (Canada),

(16) Section 53(1) is repealed and the following is substituted:

Competency requirements

53(1) An applicant may meet the requirements for competence in the practice of a profession by fulfilling the requirements related to education, training, experience, knowledge, skills, proficiency or judgment that are established in the regulations and, if applicable, in the bylaws of the professional regulatory organization.

NOTE: (16) Section 53(1) presently reads:

53(1) An applicant may meet the requirements for competence in the practice of the profession by fulfilling one or more requirements related to education, training, experience, knowledge, skills, proficiency or judgment prescribed by the regulations and the bylaws of the professional regulatory organization.

(17) Section 54(2) is repealed and the following is substituted:

(2) The Minister may, by regulation, permit the registration of individuals in a professional regulatory organization who are not Canadian citizens or who are not permitted to work in Canada under the *Immigration and Refugee Protection Act* (Canada), including permitting the registration of individuals who are permitted to study in Canada under that Act.

NOTE: (17) Section 54(2) presently reads:

(2) The Minister may make regulations permitting the registration of individuals who are not Canadian citizens or who are not permitted to work in Canada under the Immigration and Refugee Protection Act (Canada) in one or more professional regulatory organizations.

(18) Section 60(1) is amended by adding "in Canada" **after** "another jurisdiction".

NOTE: (18) Section 60(1) presently reads:

60(1) An individual whose registration is in good standing with a professional regulator that regulates the same profession in another jurisdiction may apply, in accordance with the bylaws of the applicable professional regulatory organization, for temporary registration in a professional regulatory organization for a specific project or scope of work if the professional regulatory organization has authorized temporary registrants in the professional regulatory organization's bylaws.

(19) The following is added after section 64:

Non-disciplinary cancellation

64.1(1) The registrar or registration committee of a professional regulatory organization may cancel a registrant's registration

(a) on the request of the registrant,

(b) if the governing body, a competence committee, a complaint review committee, a discipline tribunal or an appeal tribunal notifies the registrar or registration committee that an error resulted in the registrant being registered or continuing to be registered, or

(c) if the registrar or registration committee determines that an error resulted in the registrant being registered or continuing to be registered.

(2) If a registrant's registration is cancelled under subsection (1), the registrar or registration committee, within a reasonable time after cancelling the registration and in any case within 30 days of cancelling the registration, must provide notice to the former registrant that their registration has been cancelled.

NOTE: (19) Non-disciplinary cancellation.

(20) Section 65 is amended

(a) in subsection (5) by striking out "or" **at the end of clause (a), adding** "or" **at the end of clause (b) and adding the following after clause (b):**

(c) an error referred to in section 64.1(1)(b) or (c) that led to the former registrant being registered or continuing to be registered in error.

(b) by adding the following after subsection (5):

(6) Despite subsection (5)(c), this section applies if an appeal tribunal or the Court of Appeal determines that the former registrant's registration should not have been cancelled under section 64.1(1)(b) or (c).

NOTE: (20) Section 65 presently reads in part:

(5) This section does not apply to an application for reinstatement if the former registrant resigned as a result of, or the registration of the former registrant was cancelled as a result of,

(a) a disciplinary process under Part 8 or any appeal in respect of the disciplinary process, or

(b) a disciplinary process or appeal from a disciplinary process under a former Act.

(21) Section 69(1) is amended

(a) in clause (c) by adding "or former registrant" **after** "registrant";

(b) by adding the following after clause (c):

(c.1) a former registrant whose registration is cancelled under section 64.1(1)(b) or (c);

NOTE: (21) Section 69(1) presently reads in part:

69(1) The following may appeal to the appeal tribunal under Part 10:

(c) a registrant whose registration is suspended, cancelled or made subject to conditions or restrictions or who is required to give an undertaking under section 64(5);

(22) The following is added after section 70:

Correcting the Register

70.1(1) Subject to subsection (2), the registrar of a professional regulatory organization may correct or remove any information in the Register

(a) on the request of the registrant, if the information is inaccurate or incomplete and the registrant provides the

registrar with the information necessary to correct the inaccurate or incomplete information,

(b) if the governing body, a competence committee, a complaint review committee, a discipline tribunal or an appeal tribunal notifies the registrar of information that is inaccurate or incomplete and the registrant or the governing body, a committee, a tribunal or another body of the professional regulatory organization provides the registrar with the information necessary to correct the inaccurate or incomplete information, or

(c) if the registrar determines that there is inaccurate or incomplete information contained in the Register.

(2) The registrar may require the following to provide the registrar with information necessary to enable the registrar to correct inaccurate or incomplete information in the Register:

(a) the registrant;

(b) the governing body, a competence committee, a complaint review committee, a discipline tribunal, an appeal tribunal or another committee or body of the professional regulatory organization.

(3) A registrar may only remove information that must be contained in the Register if the information being removed is replaced with revised, correct information.

NOTE: (22) Correcting the Register.

(23) Section 72(f)(ii) is amended by striking out ", committee, tribunal or joint committee or joint tribunal" **and substituting** "or committee".

NOTE: (23) Section 72(f)(ii) presently reads:

72 A professional regulatory organization must provide to any person, within a reasonable time of a written request, any of the following information that it has in its possession regarding a registrant or former registrant of the professional regulatory organization:

(f) a summary of any findings of unprofessional conduct made with respect to a registrant or former registrant under this Act or a former Act and any order made as a result of those findings when

(ii) the findings were made by a discipline tribunal, appeal tribunal, governing body, committee, tribunal or joint committee or joint tribunal of a professional regulatory organization whose findings or orders are published and made available to all registrants on a named basis.

(24) Section 120(1)(f)(ii) and (h) are amended by striking out "professional regulatory organization" **and substituting** "regulated profession".

NOTE: (24) Section 120(1) presently reads in part:

120(1) If a discipline tribunal determines that the conduct of a registrant or former registrant whose conduct is the subject of a complaint constitutes unprofessional conduct, the discipline tribunal may issue a warning or make any orders that the discipline tribunal considers appropriate in the circumstances, which may include orders that

(f) direct a registrant to undergo

(ii) an assessment of whether the registrant meets the competence requirements of a professional regulatory organization, or

(h) direct the payment of all or part of the costs of complying with an order by the registrant or former registrant, including an order to undergo a practice review, an assessment of whether the registrant meets the competence requirements of a professional regulatory organization or an incapacity assessment,

(25) Sections 186(1)(b) and 191(1) are amended by striking out "joint committee, joint tribunal," **wherever it occurs.**

NOTE: (25) Sections 186(1)(b) and 191(1) presently read:

186(1) No legal proceeding may be brought or maintained against any of the following in respect of anything done or omitted to be done in good faith under this Act, the regulations, a bylaw, a code of ethics and conduct, practice standards and guidelines or any direction of a governing body:

(b) a governing body, committee, sub-committee, tribunal, joint committee, joint tribunal, panel or task force, or an individual who is or was a member of a governing body, committee, sub-committee, tribunal, joint committee, joint tribunal, panel or task force;

191(1) Subject to subsection (3) and the bylaws of a professional regulatory organization, a meeting of a governing body, committee, sub-committee, tribunal, joint committee, joint tribunal, panel, task force or any other body of a professional regulatory organization may be conducted by means of electronic or other communication methods if the methods enable all the meeting's participants to watch or hear each other.

(26) Section 207(1) is amended

(a) by repealing clauses (k) and (s);

(b) by repealing clause (t) and substituting the following:

(t) prescribing powers, duties or functions that a public member appointed to a governing body or selected for a panel established under section 138, a discipline tribunal or an appeal tribunal must perform;

(c) by repealing clause (y) and substituting the following:

(y) establishing requirements for demonstrating competence in the practice of a profession, which may include

(i) specified requirements related to education, training, experience, knowledge, skills, proficiency or judgment,

(ii) requirements related to education, training, experience, knowledge, skills, proficiency or judgment to be specified, approved, accepted, recognized, adopted or assessed by a professional regulatory organization or its governing body, registrar or registration committee or by another person or body, and

(iii) requirements that provide a person or body with the authority to assess whether an applicant's combination of education, training, experience, knowledge, skills, proficiency or judgment demonstrates competence in the practice of the profession;

(d) in clause (z) by adding ", including an individual permitted to study in Canada under the *Immigration and Refugee Protection Act* (Canada)" **after** "organization".

NOTE: (26) Section 207(1) presently reads in part:

207(1) The Minister may make regulations

(k) establishing categories and classes of registrants for professional regulatory organizations established under this Act;

(s) establishing a joint committee or a joint tribunal for 2 or more professional regulatory organizations, and respecting

(i) the powers, duties and functions of the committee or tribunal,

(ii) the composition of the committee or tribunal, including the number of public members or other members that must be on the committee or tribunal,

(iii) the processes for selecting and removing members from the committee or tribunal and the filling of vacancies on the committee or tribunal,

(iv) the powers, duties and functions of the chair of the committee or tribunal and the process for selecting and removing a chair,

(v) the procedures and quorum for the committee or tribunal,

(vi) requirements for the making of bylaws respecting the committee or tribunal, and

(vii) any other matter relating to the committee or tribunal that the Minister considers necessary or advisable;

(t) prescribing powers, duties or functions that a public member who is appointed to a governing body, committee or tribunal of a professional regulatory organization, or a joint committee or joint tribunal for 2 or more professional regulatory organizations, must perform;

(y) prescribing one or more of the following as ways to meet the requirements for competence in the practice of a profession:

(i) meeting specified education requirements, which may include being enrolled in or having completed an educational course or program of study, or holding a specified degree, certificate or diploma;

(ii) meeting specified training, experience, knowledge, skills or proficiency requirements;

(iii) successfully completing a specified examination or examinations;

(iv) demonstrating requisite judgment;

(z) respecting the eligibility of an individual who is not a Canadian citizen or who is not permitted to work under the Immigration and Refugee Protection Act (Canada) to be registered in a professional regulatory organization;

(27) Section 213 is amended

(a) in subsection (1)

(i) in clause (f) by striking out "and" **at the end of subclause (ii), adding** "and" **at the end of subclause (iii) and adding the following after subclause (iii):**

(iv) non-voting members that may be on a committee,

(ii) in clause (p)(ii) by adding "if the professional regulatory organization's bylaws authorize registration of temporary registrants," **after** "temporary registrants,";

(iii) by repealing clause (q);

(iv) in clause (r) by adding "if the professional regulatory organization is establishing continuing competence requirements under clause (w)(i) or requirements for demonstrating competence in the practice of a profession under subsection (2)(q.1)," **after** "profession,";

(b) in subsection (2)

(i) in clause (l) by adding "or study in Canada" **after** "work";

(ii) in clause (q)

(A) by striking out "prescribing" **and substituting** "respecting";

(B) by adding "respecting" **after** "including";

(iii) by adding the following after clause (q):

(q.1) establishing requirements for demonstrating competence in the practice of a profession, which may include

(i) specified requirements related to education, training, experience, knowledge, skills, proficiency or judgment,

(ii) requirements related to education, training, experience, knowledge, skills, proficiency or

judgment established by the professional regulatory organization or another person or body that are to be specified, approved, accepted, recognized, adopted or assessed by the professional regulatory organization or its governing body, registrar or registration committee or by another person or body, and

(iii) requirements that provide a person or body with the authority to assess whether an applicant's combination of education, training, experience, knowledge, skills, proficiency or judgment demonstrates competence in the practice of the profession,

(iv) in clause (w)(i) by striking out "establishing requirements for being registered as a temporary registrant and" **and substituting** "respecting";

(v) by adding the following after clause (x):

(x.1) respecting the sharing of information concerning the suspension or cancellation of a business registrant's registration,

NOTE: (27) Section 213 presently reads in part:

213(1) Each governing body must make bylaws

(f) respecting the composition of the committees and tribunals of the professional regulatory organization, which may prescribe

(ii) the number of registrant members from any category or class of registrants that must be on a committee or tribunal, and

(iii) non-regulated members that may be on a committee,

(p) respecting the registration of

(ii) temporary registrants,

(q) prescribing the combination of

(i) education requirements, which may include being enrolled in or having completed an educational course or program of study, or holding a specified degree, certificate or diploma,

(ii) training, experience, knowledge skills or proficiency requirements,

(iii) requirements for the successful completion of an examination or examinations, and

(iv) requirements for demonstrating the requisite judgment

needed to meet the requirements for demonstrating competence in the practice of a profession,

(r) respecting the process for determining the requirements for demonstrating competence in the practice of a profession,

(2) A governing body may make bylaws

(l) respecting the provision of evidence that an applicant for registration is a Canadian citizen or an individual permitted to work under the Immigration and Refugee Protection Act (Canada),

(q) prescribing requirements for registration as a registrant of the professional regulatory organization, including training requirements, residence requirements and age requirements,

(w) authorizing and respecting temporary registration, including

(i) establishing requirements for being registered as a temporary registrant and the processes and procedures for applying for temporary registration,

(28) Section 214 is repealed.

NOTE: (28) Section 214 presently reads:

214(1) If a joint committee or joint tribunal has been established under this Act, the governing bodies of the relevant professional regulatory organizations may jointly make bylaws

(a) respecting procedures necessary to effectively participate in the joint committee or joint tribunal, and

(b) respecting any matter for which a professional regulatory organization must or may make a bylaw.

(2) A joint bylaw is made when the professional regulatory organizations have each made the same bylaw.

(29) Section 219 is amended by striking out "Each" **and substituting** "Subject to section 226, each".

NOTE: (29) Section 219 presently reads:

219 Each continued professional regulatory organization continues to regulate the same profession or professions that it regulated under its former Act.

(30) Section 221 is amended

(a) in subsection (1) by striking out "On" **and substituting** "Subject to subsection (7), on";

(b) by repealing subsections (7) and (8) and substituting the following:

(7) Subject to sections 228(2.1) and (6) and 229(1.1) and (4), on the continuation of the Association of Science and Engineering Technology Professionals of Alberta and the Association of Professional Engineers and Geoscientists of Alberta under this Act,

(a) the Joint Professional Technologists Regulations Committee and Joint Board of Examiners established by

section 87.5(1) of the *Engineering and Geoscience Professions Act* are disestablished,

(b) the Joint Practice Review Board, Joint Appeal Board, Joint Discipline Committee and Joint Investigative Committee established by section 87.5(1) of the *Engineering and Geoscience Professions Act* are disestablished effective on the conclusion of all hearings of or involving that board or committee that are ongoing when those professional regulatory organizations are continued under this Act and that relate to a person who was registered as a professional technologist under that Act or who held a permit issued under section 27 of the *Professional Technologists Regulation* (AR 283/2009), and

(c) all matters relating to registrants of the Association of Professional Engineers and Geoscientists of Alberta under this Act, including registrants who were registered as a professional technologist under the *Engineering and Geoscience Professions Act* or who held a permit issued under section 27 of the *Professional Technologists Regulation* (AR 283/2009), must be dealt with by the Association of Professional Engineers and Geoscientists of Alberta in accordance with this Act.

NOTE: (30) Section 221 presently reads in part:

221(1) On the continuation of a professional regulatory organization under this Act,

(7) On the continuation of the Association of Professional Engineers and Geoscientists of Alberta and the Association of Science and Engineering Technology Professionals of Alberta under this Act, the Minister shall replace the joint bodies established by the Association of Professional Engineers and Geoscientists of Alberta and the Association of Science and Engineering Technology Professionals of Alberta under the Engineering and Geoscience Professions Act as follows:

(a) the Joint Appeal Board shall be replaced by a joint appeal tribunal convened under this Act for all appeals filed under the former Act where a hearing

of an appeal has not commenced before the coming into force of this subsection;

(b) the Joint Board of Examiners shall be replaced by a joint registration committee established under this Act for all matters arising but not completed before the coming into force of this subsection;

(c) the Joint Discipline Committee shall be replaced by a joint discipline tribunal convened under this Act for hearings into allegations of unprofessional conduct made under the former Act where a hearing has not commenced before the coming into force of this subsection;

(d) the Joint Investigative Committee shall be replaced by a joint complaints inquiry committee established under this Act for all matters arising but not completed before the coming into force of this subsection;

(e) the Joint Practice Review Board shall be replaced by a joint practice review committee established under this Act for all matters arising but not completed before the coming into force of this subsection;

(f) the Joint Professional Technologists Regulations Committee shall be replaced by a joint professional technologists committee established under this Act for all matters arising but not completed before the coming into force of this subsection.

(8) The Minister shall establish the joint committees and joint tribunals referred to in subsection (7) effective on the continuation of the Association of Professional Engineers and Geoscientists of Alberta and the Association of Science and Engineering Technology Professionals of Alberta under this Act.

(31) Section 222 is amended

(a) in subsections (2) and (3) by striking out "of the applicable professional regulatory organization";

(b) by adding the following after subsection (3):

(4) For the purposes of subsections (2) and (3), if a person was appointed as a public member to more than one complaints or investigation body under a former Act or discipline body under a former Act, the member's time as an appointee under a former Act shall be determined based on the member's most recent appointment unless that would result in the member exceeding the term limits for a member of the public member roster under this Act, in which case the member's time as an appointee under a former Act shall be determined based on the member's most recent appointment that does not result in the member exceeding those term limits.

NOTE: (31) Section 222 presently reads in part:

(2) The appointment of a public member to a complaints or investigation body under a former Act continues as an appointment to the public member roster of the applicable professional regulatory organization under this Act, and a member's time as an appointee under the former Act shall be counted as time on the public member roster under this Act.

(3) The appointment of a public member to a discipline body under a former Act or an appeal body under a former Act continues as an appointment to the public member roster of the applicable professional regulatory organization under this Act, and a member's time as an appointee under the former Act shall be counted as time on the public member roster under this Act.

(32) Section 226 is amended

(a) by adding the following after subsection (1):

(1.1) Notwithstanding subsection (1), on the continuation of the Association of Science and Engineering Technology Professionals of Alberta and the Association of Professional Engineers and Geoscientists of Alberta under this Act,

(a) an individual registered with the Association of Science and Engineering Technology Professionals of Alberta as

a professional technologist, including an individual whose registration is subject to a suspension, is deemed to be registered as an individual registrant with the Association of Professional Engineers and Geoscientists of Alberta under this Act, and

(b) a partnership, corporation or other entity who held a permit issued under section 27 of the *Professional Technologists Regulation* (AR 283/2009), including a partnership, corporation or other entity whose registration was subject to a suspension, is deemed to be registered as a business registrant with the Association of Professional Engineers and Geoscientists of Alberta under this Act.

(b) in subsection (2) by striking out "subsection (1)" **and substituting** "subsections (1) and (1.1)";

(c) by adding the following after subsection (3):

(3.1) Notwithstanding subsection (3), any document or thing provided by the Association of Science and Engineering Technology Professionals of Alberta or Association of Professional Engineers and Geoscientists of Alberta as evidence of registration or continuing registration under the *Engineering and Geoscience Professions Act* to a person who was registered as a professional technologist or professional licensee under that Act or who held a permit issued under section 27 of the *Professional Technologists Regulation* (AR 283/2009) is discontinued on the continuation of the Association of Science and Engineering Technology Professionals of Alberta and the Association of Professional Engineers and Geoscientists of Alberta under this Act.

NOTE: (32) Section 226 presently reads in part:

(2) The deemed registrations under subsection (1) continue with the same approvals, conditions, undertakings, restrictions or suspensions that existed on that registration immediately before the continuation of the professional regulatory organization under this Act, subject to the provisions of this Act and the regulations, bylaws, codes of ethics and conduct and practice standards and guidelines under this Act.

(33) Section 227 is amended

(a) by adding the following after subsection (1):

(1.1) For the purposes of subsection (1), where an application for registration, continuing registration or reinstatement was made under the *Engineering and Geoscience Professions Act* but no final decision has been made with respect to that application, and the application was for the registration, continuing registration or reinstatement of a professional technologist under that Act or the holder of a permit issued under section 27 of the *Professional Technologists Regulation* (AR 283/2009), that application is deemed to be made under this Act, is subject to Part 5 of this Act and must be decided by the Association of Professional Engineers and Geoscientists of Alberta under that Part.

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

(3) For the purposes of subsection (2), where an application for registration, continuing registration or reinstatement was deferred under the *Engineering and Geoscience Professions Act*, and the application was for the registration, continuing registration or reinstatement of a professional technologist under that Act or the holder of a permit issued under section 27 of the *Professional Technologists Regulation* (AR 283/2009), any matter arising from that deferred application must be dealt with by the registrar or registration committee of the Association of Professional Engineers and Geoscientists of Alberta under Part 5 of this Act.

NOTE: (33) Clarification re applications made or deferred under the Engineering and Geoscience Professions Act.

(34) Section 228 is amended

(a) by adding the following after subsection (1):

(1.1) For the purposes of subsection (1), any complaint made to the Association of Science and Engineering Technology Professionals of Alberta or the Association of Professional Engineers and Geoscientists of Alberta that relates to the conduct of a professional technologist under the *Engineering*

and Geoscience Professions Act or the holder of a permit issued under section 27 of the *Professional Technologists Regulation* (AR 283/2009), occurring all or partly before the continuation of those professional regulatory organizations under this Act, must be dealt with by the Association of Professional Engineers and Geoscientists of Alberta under and in accordance with this Act.

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

(2.1) For the purposes of subsection (2) and subject to subsection (6), a complaint made or referred to the Association of Science and Engineering Technology Professionals of Alberta, the Association of Professional Engineers and Geoscientists of Alberta or a joint body or committee established by section 87.5(1) of the *Engineering and Geoscience Professions Act* before the continuation of those professional regulatory organizations under this Act and that relates to the conduct of a professional technologist under that Act or the holder of a permit issued under section 27 of the *Professional Technologists Regulation* (AR 283/2009) must be concluded by the Association of Professional Engineers and Geoscientists of Alberta in accordance with the *Engineering and Geoscience Professions Act*, with necessary modifications, as if that Act had not been repealed.

(c) in subsection (3)

(i) by striking out "subsections (4) and (5)" **and substituting** "subsections (4) to (6)";

(ii) by striking out "subsection (2)" **and substituting** "subsections (2) and (2.1)";

(d) by adding the following after subsection (5):

(6) For the purposes of subsection (5), if a hearing of a joint body or committee established under section 87.5(1) of the *Engineering and Geoscience Professions Act* has begun when the Association of Science and Engineering Technology Professionals of Alberta and the Association of Professional Engineers and Geoscientists of Alberta are continued under this Act and the hearing has not been concluded, the hearing must be concluded by that joint body under the *Engineering and*

Geoscience Professions Act as if that Act had not been repealed.

NOTE: (34) Section 228 presently reads in part:

(3) Subject to subsections (4) and (5), for the purposes of subsection (2), the powers, duties and functions of

(35) Section 229 is amended

(a) in subsection (1) by striking out "subsections (2) and (3)" **and substituting** "subsections (2) to (4)";

(b) by adding the following after subsection (1):

(1.1) Notwithstanding subsection (1) and subject to subsections (2) and (4), regardless of when a right of appeal arose, where a notice of appeal in relation to a professional technologist under the *Engineering and Geoscience Professions Act* or the holder of a permit issued under section 27 of the *Professional Technologists Regulation* (AR 283/2009) was provided

(a) before the continuation of the Association of Science and Engineering Technology Professionals of Alberta and the Association of Professional Engineers and Geoscientists of Alberta under this Act, or

(b) after the continuation of those professional regulatory organizations under this Act in relation to a complaint or application made before the continuation of those professional regulatory organizations under this Act,

that appeal must be conducted by the Association of Professional Engineers and Geoscientists of Alberta in accordance with the *Engineering and Geoscience Professions Act*, with necessary modifications, as if that Act had not been repealed.

(c) in subsection (2) by striking out "subsection (3)" **and substituting** "subsections (3) and (4)";

(d) by adding the following after subsection (3):

(4) For the purposes of subsection (3), if a hearing of a joint body or committee established under section 87.5(1) of the *Engineering and Geoscience Professions Act* has begun when the Association of Science and Engineering Technology Professionals of Alberta and the Association of Professional Engineers and Geoscientists of Alberta are continued under this Act and the hearing has not been concluded, the hearing must be concluded by that joint body or committee under the *Engineering and Geoscience Professions Act* as if that Act had not been repealed.

(5) Where a complaint or application relating to a professional technologist under the *Engineering and Geoscience Professions Act* or the holder of a permit issued under section 27 of the *Professional Technologists Regulation* (AR 283/2009) that gave rise to an appeal was made to the Association of Science and Engineering Technology Professionals of Alberta or the Association of Professional Engineers and Geoscientists of Alberta after those professional regulatory organizations are continued under this Act, that appeal is subject to, and must be concluded by the Association of Professional Engineers and Geoscientists of Alberta in accordance with, this Act.

NOTE: (35) Section 229 presently reads in part:

229(1) Subject to subsections (2) and (3), where a right of appeal in relation to a continued professional regulatory organization arose under a former Act before its continuation under this Act, that appeal is subject to and must be concluded in accordance with the former Act as if that Act had not been repealed.

(2) Subject to subsection (3), the powers, functions and duties of

(36) Section 231 is amended

(a) in subsection (2)(h) by striking out "joint committee or joint tribunal,";

(b) by repealing subsection (5) and substituting the following:

(5) The Minister may exercise the power to appoint public members

(a) under section 37(1), in respect of a professional regulatory organization that is to be continued under section 218(1), including any necessary consultations with a governing body, prior to the coming into force of section 37(1) and prior to the continuation of the professional regulatory organization, but an exercise of that power has no effect until section 37(1) comes into force and the professional regulatory organization is continued, and

(b) under section 37(2), including any necessary consultations with a governing body, prior to the coming into force of section 37(2), but an exercise of that power has no effect until section 37 is in force and at least one professional regulatory organization is continued under this Act.

NOTE: (36) Section 231 presently reads in part:

(2) For the purposes of subsection (1), the following powers may be exercised by a governing body under a former Act:

(h) the power to select, designate or appoint members of a governing body, committee, sub-committee, tribunal, joint committee or joint tribunal, panel or task force under this Act, other than public members;

(5) The Minister may exercise any of the following powers in respect of a professional regulatory organization that is to be continued under section 218(1) prior to the coming into force of the section conferring the power and prior to the continuation of the professional regulatory organization, but an exercise of any of the following powers has no effect until the section conferring the power comes into force and the professional regulatory organization is continued:

(a) the power to establish joint committees and joint tribunals under section 33;

(b) the power to appoint public members under section 37, including any necessary consultations with a governing body.

(37) Section 247(a)(v) is repealed and the following is substituted:

(v) by adding the following after clause (h):

(h.1) "professional regulatory organization" means

(i) a professional regulatory organization as defined in the *Professional Governance Act*, and

(ii) a governing body, committee, sub-committee, tribunal, panel, task force or other body of a professional regulatory organization and any governing body chair, registrar, complaints inquiry committee secretary, complaints inquiry committee chair, discipline tribunal secretary, discipline tribunal roster chair, discipline tribunal chair, appeal tribunal secretary, appeal tribunal roster chair, appeal tribunal chair, committee chair, sub-committee chair or other official, officer, investigator, practice reviewer or person engaged by the professional regulatory organization;

NOTE: (37) Section 247(a)(v) presently reads:

247 The Ombudsman Act is amended

(a) in section 1

(v) by adding the following after clause (h):

(h.1) "professional regulatory organization" means

(i) a professional regulatory organization as defined in the Professional Governance Act, and

(ii) a governing body, committee, sub-committee, tribunal, joint

committee, joint tribunal, panel, task force or other body of a professional regulatory organization and any governing body chair, registrar, complaints inquiry committee secretary, complaints inquiry committee chair, discipline tribunal secretary, discipline tribunal roster chair, discipline tribunal chair, appeal tribunal secretary, appeal tribunal roster chair, appeal tribunal chair, committee chair, sub-committee chair, joint committee chair or co-chairs, joint tribunal roster chair or co-chairs, joint committee secretary or other official, officer, investigator, practice reviewer or person engaged by the professional regulatory organization;

RECORD OF DEBATE

Stage	Date	Member	From	To

		Interventions	From	To

Stage	Date	Member	From	To

		Interventions	From	To

Stage	Date	Member	From	To

		Interventions	From	To

Stage	Date	Member	From	To

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Stage	Date	Member	From	To

		Interventions	From	To