

BILL

No. 3 of 1923.

An Act to Regulate the Practice of Chiropractic.

(Assented to _____, 1923.)

HIS 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 Chiropractic Act.*"
2. In this Act, unless the context otherwise requires,—
 - (a) "Chiropractic" is hereby defined to be the adjustment by hand of the articulations of the human spinal column and other incidental adjustments by hand only according to chiropractic methods;
 - (b) "The Practice of Chiropractic" is hereby defined to be the science of adjusting the cause of human disease by re-aligning the moveable vertebrae of the spinal column, correcting misalignments, releasing pressure on the nerves which radiate from the spinal column, and thus allowing the nerves to carry their full quota of nerve energy or health current from the brain to all parts of the body;
 - (c) "Chiropractor" means one who practises chiropractic as herein defined;
 - (d) "Council" means the executive council of the Chiropractors Association of the Province of Alberta as herein established.

3. There is hereby established and constituted in the Province of Alberta an association of chiropractors under the name of "The Chiropractors Association of the Province of Alberta," which shall be a body corporate and politic, and by the said name shall have perpetual succession and a common seal, with power to have, hold, receive, possess, enjoy and retain for the purposes of the said association all such sums of money as may at any time be received from the fees, dues or other charges of the said association or as may be given, donated or bequeathed to it, and may sue or be sued in any court of the Province, and may purchase, take, hold and enjoy any real or personal estate, and may sell, grant, lease or otherwise dispose of the same

for the purposes of the association but not otherwise, and shall be capable to make and receive all deeds, conveyances, assignments and contracts necessary to carry into effect the provisions of this Act and to promote the objects and designs of the said association.

4. The following persons shall be members of and shall constitute the said association, namely:

- (a) Every person who on the first day of March, one thousand nine hundred and twenty-two, was practising as a chiropractor in the Province of Alberta and who was a graduate of a school or college of chiropractic which had a curriculum or course of study of at least three annual academic terms of six months each, or its equivalent, and which required personal attendance at such school or college for the said full term;
- (b) All graduates in chiropractic of the University of Alberta who may at any time be resident within and practising chiropractic in the Province;
- (c) All persons who shall hereafter be duly licensed and registered under the provisions of this Act.

5. There shall be an executive council of the said chiropractors' association of the Province of Alberta consisting of five members, namely: the president, the secretary-treasurer, and three directors, to be elected in the manner hereinafter provided for and hereinafter referred to as the "council."

6.—(1) The Minister of Health shall, within fifteen days from the coming into force of this Act, select from amongst those resident chiropractors as described in section 4(a) hereof a suitable person to act as chairman and another suitable person to act as secretary for the purpose of holding the first annual meeting of the association.

(2) The said chairman and secretary shall forthwith after their selection proceed to call the first annual meeting of the said association.

(3) At least fifteen days notice of the said first annual meeting shall be given by an advertisement in *The Alberta Gazette* and in two newspapers, one published in the City of Edmonton and the other in the City of Calgary.

(4) At the said first annual meeting the members of the said association (who for the purposes of such meeting shall consist of all chiropractors resident in Alberta on March first, one thousand nine hundred and twenty-two), shall elect by ballot from amongst their number the said five

members of the council, who shall hold office until their successors shall have been elected at the next succeeding annual meeting.

7.—(1) After the first annual meeting an election of members of the said council shall be held annually during the month of December at such time and place as the council may determine.

(2) One month's notice of the said annual meeting shall be given by circular by the secretary-treasurer to each member of the association, provided that any oversight or omission in giving such notice shall not void the election.

(3) If for any reason the election of the members of the council shall not be held on the date specified it shall be held on such date thereafter as shall be appointed by the council, and in every case the members of the council in office shall continue to hold office until their successors are elected.

(4) In the event of a vacancy occurring in the said council either by the death, resignation or removal from the Province of any of its members the council shall fill such vacancy by appointment and the member so appointed shall hold office until the next annual meeting.

(5) The persons qualified to vote at the said annual election shall be all members of the association as defined in section 4 hereof, who have paid their annual dues, license or other fees to the association and who are otherwise in good standing as members of the association.

(6) Three members of the council shall form a quorum, and all acts of the council shall be decided by a majority of the members present.

8. The said association shall be governed by the said council, and the council may make regulations not contrary to law, or to the provisions of this Act, for or with reference to all or any objects of the association for the promoting or effecting of which the council is herein created or established, including but without limiting the generality of these powers—

- (a) the direction, conduct and management of the council, its officers, employees and property;
- (b) to appoint or engage such officers or employees as the council deems necessary to carry out the objects and purposes of the association as well as the provisions of this Act;
- (c) to require and take from any officer or employee such security for the due performance of his duty as the council deems necessary;

- (d) to fix the fees, salary, wage, allowance or remuneration to be paid to the officers, employees or servants of the council or association including the travelling or other expenses of the members of the council when engaged upon the business of the council or association;
- (e) to hold such meetings of the council at such times and places as it may deem necessary; to conduct or carry on all business of the council or association; to define the powers and duties of the president and secretary-treasurer; to select a registrar; to define the tenure of office, powers and duties of the registrar and of all other employees of the council;
- (f) to appoint all committees of the council for general and special purposes; to define their powers and duties, the summoning and holding of their meetings, and the conduct of business by such committees;
- (g) to fix the annual licence fee of all members of the association as well as the fee for the examination to practise chiropractic, and any and all other fees, dues or charges of the association;
- (h) the arrangement, maintenance and conduct of examinations for ascertaining whether candidates possess the qualifications required; the number, nature, times and modes of such examinations; the appointment of examiners; the recognition of references and qualifications from any school or college of chiropractic; the standard of education required from all applicants; and generally all matters incident to such examinations or necessary or expedient to effect the objects hereof;
- (i) the enrolment and registering of all persons entitled under this Act to appear on the register hereinafter provided for;
- (j) generally, all matters which it is necessary or expedient to provide for or regulate in pursuance of the purposes of this Act and in furtherance of its general intention.

9. Notwithstanding the powers granted to the council by the next preceding section as to the matter of examination of applicants to practise chiropractic, the council shall provide that the examinations to be held by or under it shall include anatomy, physiology, symptomatology and diagnosis, hygiene and sanitation, histology and pathology, the principles and practice of chiropractic and shall include a clinical demonstration of vertebral palpation, nerve tracing and adjusting.

10. As soon as the University of Alberta shall have established a department or faculty of chiropractic in the said University all of the powers of the council with reference to the examination of applicants to practice chiropractic shall forthwith cease and determine and the council shall not hold or attempt to hold any such examination as long as the said faculty or department is in operation and maintained by the said University.

11. The council shall cause to be kept by the registrar under its direction a book or register to be known as "The Alberta Chiropractors' Register" in which shall be entered in such manner and with such particulars as the council directs, the names and addresses of all persons who have become members of the association under the requirements or regulations of this Act and who have applied to the registrar to have their names so entered.

12. All persons who comply with the requirements or provisions of this Act or who have passed the examination prescribed by the council from time to time and who have otherwise complied with the conditions and regulations requisite for registration as prescribed by this Act and by the council, shall upon payment of the licence fee as fixed by the council from time to time in that behalf be entitled to be registered as a duly qualified chiropractor in the Province of Alberta.

13. All such certificates of licence shall be sealed with the corporate seal of the association and signed on behalf of the council by the president and secretary-treasurer and the production of such certificate of licence shall be *prima facie* evidence in all courts of law and in all proceedings of whatever kind of its execution and contents.

14. A certificate of licence shall not be granted to any person under the age of twenty-one years.

15. It shall be the duty of the registrar in the months of January and July of each year to make a report to the Minister of Health giving the names and addresses of all persons whose names appear upon the register as members in good standing of the association at the time of such report.

16.—(1) No person shall be entitled to have his name on the said register unless the registrar is satisfied by the proper evidence as to the character and standing of the applicant and otherwise that such person is entitled to be registered under this Act, provided that there shall be an appeal from the decision of the registrar to the council.

(2) Any person dissatisfied with the decision of the council upon his application to be registered under this Act and to receive a licence may appeal to the Minister of Health whose decision in the matter shall be final.

17. Every licence to practise chiropractic issued by the council under the provisions of this Act shall be subject to revocation by the council after notice and hearing upon any of the following grounds:

- (a) Fraud or deception in procuring such licence;
- (b) Practising chiropractic under a false or assumed name;
- (c) Conviction for any crime involving moral turpitude;
- (d) Habitual intemperance in the use of spirituous liquors or narcotics;
- (e) Immoral, unprofessional or dishonourable conduct;
- (f) Generally where the character or personal habits of the licensee are such as to cast reflection upon the profession or to unfit him for the practice of chiropractic.

18. Any person who practices or attempts to practise chiropractic or who publicly advertises as a chiropractor without being the holder of a licence from the council and without being a member of the association in good standing and registered in The Alberta Chiropractors' Register shall be liable on summary conviction to a penalty not exceeding two hundred dollars, one-half of which in the event of a conviction shall be remitted to the council.

19. Every person who is registered under the provisions of this Act and who is the holder of a licence to practise chiropractic in accordance with the provisions hereof and no others shall be entitled to practise chiropractic in the Province and to demand and recover in the courts thereof reasonable charges for his or her services:

Provided, however, that nothing contained in this Act shall entitle a licensee to prescribe or administer to any person any drug or medicine now or hereafter included in *materia medica*, nor to practise major or minor surgery, obstetrics or any branch of medicine or osteopathy.

20. Chiropractors licensed under this Act shall observe and be subject to all provincial and municipal laws and regulations relating to the reporting of contagious and infectious diseases.

21. Every person who practises chiropractic in the Province shall cause to be displayed upon the premises where such practice is carried on and in all advertising the word "Chiropractor."

22. Nothing in this Act shall be construed or interpreted to interfere with any other method or science of healing.

23. All acts or parts of acts which are inconsistent with the terms or provisions hereof are hereby repealed in so far as they effect the practice of chiropractic.

24. This Act shall take effect immediately upon the passage thereof.

No. 3.

THIRD SESSION
FIFTH LEGISLATURE
13 GEORGE V
1923

BILL

An Act to Regulate the Practice of
Chiropractic.

Received and read the

First time..... ..

Second time.

Third time.

MR. BUCKLEY.

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J. W. JEFFERY, KING'S PRINTER
A.D. 1923