

# BILL

No. 68 of 1923.

An Act to amend The Dental Association Act.

(Assented to \_\_\_\_\_, 1923.)

**H**IS 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 Dental Association Act Amendment Act, 1923.*"

**2.** Section 4 of *The Dental Association Act*, being chapter 204 of the Revised Statutes of Alberta, 1922, is hereby repealed and the following substituted therefor:

“BOARD OF DIRECTORS.

“**4.**—(1) The business of the association shall be transacted and carried on by a board of directors consisting of seven members of the association in good standing, each of whom shall be resident at the time of his election in the district for which he is elected and shall hold office for a period of two years from the date of his election or until his successor is elected.

“(2) For the purposes of the election of directors under this Act, the Province of Alberta shall be divided into the following five districts:

“(a) The Edmonton District, comprising the City of Edmonton and all that part of the Province lying to the north of the North Saskatchewan River;

“(b) The Red Deer District, comprising all that part of the Province lying to the south of the Edmonton District and to the north of township thirty-four;

“(c) The Calgary District, comprising the City of Calgary;

“(d) The Lethbridge District, comprising that part of the Province described as follows: Commencing at the point of intersection between the north boundary of township thirty-four and the western boundary of the Province of Alberta, and thence running east along the northern boundary of township thirty-four to the western boundary of range twenty-four, west of the Fourth Meridian; thence south along the western boundary of range twenty-four to the northern boundary of township

nineteen; thence east along the northern boundary of township nineteen to the western boundary of range nineteen, west of the Fourth Meridian; thence south to the southern boundary of the Province; thence west along the southern boundary of the Province to the western boundary of the Province, excepting therefrom the City of Calgary, and thence along the western boundary of the Province to the point of commencement;

“(e) The Medicine Hat District, comprising that part of the Province lying to the south of the Red Deer District and to the east of the Lethbridge District.

“(3) The Edmonton District and the Calgary District shall each be entitled to elect two members of the Board of Directors and each of the other districts shall be entitled to elect one member of such board, and the members of the association resident in each of such districts shall be entitled to vote only for members to be elected for such district.

“(4) The members of the board for the Lethbridge District and the Red Deer District, and one member from the Calgary District and one member from the Edmonton District shall be elected in the year 1923 and every second year thereafter, and one member from the Medicine Hat District, one from the Edmonton District and one from the Calgary District shall be elected in the year 1924 and every second year thereafter.

“(5) Any Director may at any time resign, by letter directed to the secretary, and in the event of any such resignation or of any vacancy occasioned by death or otherwise, the remaining members of the board or a majority of such remaining members shall elect some fit and proper person from among the members of the association to supply such vacancy.

“(6) In the event of a tie between any candidates at any election, the president of the association at the time such election is held is authorized to declare which of the persons affected by the tie is elected.”

**3.** Section 5 of the said Act is hereby repealed and the following substituted therefor:—

“**5.**—(1) The election of directors of the said association shall be held at such time and place as may be decided upon by the directors in each year.

“(2) The secretary shall, not later than sixty days prior to the date set for the election of the board of directors, forward by registered mail to each and every member of the association in each of the said districts who is not in arrears in respect of any fees payable under the provisions of this Act, and who has been a resident of the

Province of Alberta during the three immediately preceding months, a notice of the time and place fixed for the election of directors, a list of all the members of the association resident in the district, who are not in arrears as aforesaid, and a nomination paper.

“(3) All members whose names appear on such list and no others shall be eligible for nomination and every qualified elector may nominate one person for election.

“(4) Nomination papers to be valid must be returned to the secretary by registered mail so as to reach him not later than thirty days prior to the date set for the election, and no member shall be considered duly nominated who has not been nominated by at least two qualified electors with the written consent of the nominee.

“(5) The secretary shall, not later than twenty-one days prior to the date set for election, forward to every qualified elector by registered mail, a statement of the number of vacancies to be filled in his district, a ballot paper containing the names of all those duly nominated for such district, and an addressed return envelope which shall be so marked on the outside as to indicate that a ballot is contained therein.

“(6) The persons qualified to vote at an election shall be all members of the association who are not in arrears in respect of any fees payable under the provisions of this Act and have been residents of the Province during the three months immediately preceding the date of sending out the notice of the election of directors.

“(7) At all elections of directors of the association there shall be used a form of ballot paper with a place for the signature of the member voting on a detachable slip which may be inspected and removed by the scrutineers without opening such ballot paper.

“(8) Upon the holding of such election there shall be counted all ballots which have been sent or handed to the secretary so as to be received by him prior to the hour fixed for the holding of an election. All ballots so sent or handed shall be signed by the member of the association voting, and shall be marked with a cross (X) opposite the name of the candidate for whom such member votes. In the event of any such ballot not being signed, or being marked for more names than there are vacancies, such ballot shall be rejected. Ballots so sent or handed shall be enclosed in an envelope marked on the outside so as to indicate that the same contains a ballot.

“(9) If, for any reason, the election of directors shall not be held at the time appointed by the board, it shall be held at such date thereafter as shall be appointed by the president, or by at least twenty-five of the members of the association in writing, by a letter addressed to the secretary, in case no date has previously been set by the president.

“(10) The ballots cast at any election shall, at the hour fixed for the holding of such election, be handed unopened to two scrutineers appointed by the board, or if no such appointment has been made, then by the president, and the said scrutineers shall satisfy themselves by examination of the signatures thereto that such ballots have been cast by duly qualified electors, and shall before opening such ballots detach the signatures therefrom, and shall thereafter open and count the ballots in the presence of any members of the association who may desire to be present.

“(11) The scrutineers counting the ballots at any such election shall, after such ballots have been counted, and the result of the voting declared, place all ballots cast at such election in an envelope and securely seal the same, and deliver such ballots so cast to the secretary, who shall retain the same for a period of forty-five days, and at the expiration of such time, if no proceedings are in the meantime taken to set aside such election, the secretary shall destroy such ballots.

“(12) Any accidental oversight or omission in the giving of any notice required by this section shall not render any election void.”

**4.** Sections 6 and 7 of the said Act are hereby repealed.

**5.** Section 8*a* is added to the said Act as follows:

“**8*a*.** If any member of the association desires to contest the validity of any election which is held pursuant to the provisions of this Act for the election of members of the board of directors, such member may, within thirty days from the date of such election, present a petition to a judge of the Supreme Court of Alberta, praying that said election may be set aside, and the said judge shall, upon receipt of such petition, appoint such time and place as he may see fit for the hearing and determining of the matters complained of, and after hearing the parties and such evidence as may be adduced, shall decide the matters in question, and the decision of such judge in respect of such petition shall be final. Such judge shall in and about such petition have such powers as may be exercised by him in any cause or proceeding in such Court.”

**6.** Section 17 of the said Act is amended by striking out subsection (2) thereof and substituting therefor the following:

“(2) A candidate for admission to study or practise shall be required to possess or obtain such preliminary academic standing as may be required by the Senate of the University of Alberta.”

**7.** Section 25a is added to the said Act as follows:

**“25a.** No action for indemnity for injuries alleged to have been suffered or sustained by reason of any negligence or default on the part of any registered member of the association in the rendering or performing of professional services shall be instituted or maintained unless such action is commenced within six months after the fact of the occurrence of such injuries has come to the knowledge of the plaintiff.”

**8.** This Act shall come into force on the day upon which it is assented to.

No. 68.

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THIRD SESSION  
FIFTH LEGISLATURE  
13 GEORGE V  
1923

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**BILL**

An Act to amend The Dental  
Association Act.

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Received and read the

First time . . . . .

Second time . . . . .

Third time . . . . .

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HON. MR. BROWNLEE.

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