

REPRINTED BILL

BILL

No. 3 of 1932.

An Act to Regulate the Practice of Chiropody.

(Assented to _____, 1932.)

WHEREAS a Petition has been presented praying that an Act may be passed to regulate the practice of Chiropody, and it is expedient to grant the prayer of such petition;

Now therefore, 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 Chiropody Act.*"
2. In this Act, unless the context otherwise requires—
 - (a) "Board" shall mean the Board of Examiners appointed under the provisions of this Act;
 - (b) "Chiropody" is hereby defined as the method of treatment of minor ailments of the human foot, and the treatment and removal of skin growths and such like abnormalities.
 - (c) "Chiropodist" means a person who practises chiropody as herein defined;
 - (d) "Minister" shall mean the Minister of Health.
3. The Minister shall keep or cause to be kept a register for the purpose of registration of all chiropodists in the Province who are from time to time by this Act authorized to practise as chiropodists.
- 4.—(1) There shall be constituted an Advisory Board of Examiners, consisting of five members to be appointed by the Minister, of whom two shall be chiropodists resident in the Province, and registered or eligible for registration under this Act. The Minister shall appoint one of the members to act as chairman.
 - (2) The members of the Board shall be appointed in each year in the month of July and shall hold office from the last day of July in the year of their appointment until the first day of August in the next ensuing year, and shall be eligible for reappointment.
 - (3) The Minister may at any time fill any vacancies in the Board which may from time to time occur.

(4) The Minister may from time to time prescribe and fix the dates upon which the Board shall meet, and rules and regulations governing the conduct and procedure of the Board, the holding of examinations and the remuneration to be paid to any person or persons in respect of any service in pursuance of this Act.

(5) The Board may adjourn its meetings from time to time; four shall constitute a quorum; and the chairman shall be entitled to vote upon all motions, and shall in the event of a tie have a casting vote.

(6) The Board shall cause a complete minutes to be kept of its proceedings, and shall at every subsequent meeting confirm the minutes of the last previous meeting; and the minutes as confirmed shall be signed by the chairman and secretary and when so signed shall be deemed to be conclusive evidence of any matter therein stated.

5.—(1) From and after the first day of July, one thousand nine hundred and thirty-two, no person shall in the Province of Alberta practise as a chiropodist unless he is then the holder of a valid certificate of registration issued in pursuance of this Act.

(2) No person who is not a duly registered chiropodist shall by advertisement in a newspaper or in any written or printed circular, or on any business card, letterhead, or sign, or otherwise assume the title of chiropodist, D.S.C., M.Cp., D.C.O., podiatrist, foot specialist, foot correctionist, pedopractor, or any other title, name or description implying or calculated to lead to the belief that he is qualified to practise chiropody.

(3) Proof of the practising or offering to practise chiropody in any manner prohibited by this section shall be sufficient evidence of a violation of this section.

6. The use of the title "chiropodist" shall be restricted to those persons who are authorized to practise chiropody under this Act.

7.—(1) Any chiropodist who has been a resident of the Province for the continuous term of two years prior to the date of the passing of this Act, and who has during the same time been practising as a chiropodist, who is of good moral character, and who is over the age of twenty-one years, may apply to the Minister at any time on or before the first day of July, one thousand nine hundred and thirty-two, to be registered under the provisions of this Act.

(2) The application shall be in writing and shall be in such form as the Minister shall from time to time prescribe, and the Minister may require the applicant to furnish any information or evidence of the matters therein stated as he deems proper.

(3) The applicant shall pay to the Minister the sum of twenty-five dollars at the time of making such application, as a fee.

(4) The Minister shall submit the application together with all information and evidence to the Board, which shall as soon thereafter as possible, proceed to examine and inquire into the same, and shall certify to the Minister as to whether or not the applicant is a person having the qualifications set out in subsection (1) of this section.

(5) The Minister may, upon receipt by him of such certificate, proceed to register the chiropodist under the provisions of this Act, but shall not be obliged to do so.

8.—(1) On and after the first day of July, one thousand nine hundred and thirty-two, every person desiring to be registered under this Act shall make application to the Minister in writing, in such form as the Minister may from time to time prescribe, and shall at the same time pay to the Minister the sum of twenty-five dollars as a fee thereon.

(2) The applicant shall submit evidence to the satisfaction of the Minister, together with such evidence in support thereof as the Minister may require—

- (a) that he has received a preliminary education equal to the matriculation requirements of the University of Alberta;
- (b) that he has received a diploma or certificate of graduation from a college or school of chiropody recognized by the Board;
- (c) that he is a person of good moral character;
- (d) that he is over the age of twenty-one years.

9. Every person applying for registration under the provisions of the preceding section shall submit himself to such examination as to his qualifications as the Board may direct, and such examination shall be of a practical nature to ascertain the general knowledge of the applicant as a chiropodist, and more particularly as to his knowledge in anatomy, physiology, chemistry, bacteriology, histology, pathology, diagnosis and treatment, *materia medica* and therapeutics and clinical chiropody, but said examination shall be so limited in its scope as to cover only the requirements for chiropody education, and shall not be construed to require of the applicant a medical or surgical education other than deemed necessary for the practice of chiropody.

10. Every such applicant who satisfactorily passes the said examination, and satisfies the Minister as to the matters set out in Section 3 hereof, shall be entitled to be registered under the provisions of this Act.

11. Every registration under this Act and every certificate thereof shall remain in force until the first day of July after the date of such registration or renewal thereof as hereinafter mentioned.

12.—(1) The Minister may renew the registration of a chiropodist and upon such renewal grant a certificate in form B in the schedule hereto upon application of a registered chiropodist made in such form as the Minister may prescribe, and upon production of evidence to the satisfaction of the Minister that the applicant is of good morals and of reputable professional character.

(2) There shall be paid to the Minister upon every such application the sum of ten dollars as a fee.

13. Upon it being made to appear to the Minister by the sworn declaration in writing of any person that any registered chiropodist has been convicted by any Court of competent criminal jurisdiction of any offence against the provisions of The Criminal Code or has been guilty of conduct of an immoral or unprofessional character, he shall notify in writing the person complained against of the substance of the complaint and that such complaint will be investigated by the Board at a meeting thereof to be held at a date and place to be named therein, not earlier than fourteen days from the date of the service of such notice; and such notice shall be deemed to be duly served upon being sent by prepaid registered mail addressed to the person complained against, at his registered address.

14. The Minister shall cause the Board to meet at such time or times as he may direct, for the purpose of investigating into any complaint.

15. Upon meeting to investigate any complaint referred to the Board by the Minister, the Board shall hear the testimony of witnesses upon oath, which oath shall be administered by the chairman or acting chairman of the Board, touching the complaint, and shall afford full opportunity of cross-examination of witnesses, and for making defence and answer to the said complaint, and shall hear counsel (if any) appearing in support of the charge or appearing for the defence.

16. The Board shall proceed to determine upon the truth of the complaint, and shall decide the same by the vote of the majority, and shall certify to the Minister, in writing under the hand of the chairman, that the complaint has or has not been proved, as the case may be.

17.—(1) Upon it being made to appear by such certificate that the complaint has been proved the Minister may in his discretion—

- (a) suspend the certificate of registration of the delinquent for such period as he may think proper; or
- (b) cancel the certificate of registration; and such cancellation or suspension shall be made by an entry in the register, signed by the Minister, as follows:

“Registration suspended until the.....day of....., A.D. 19... (or cancelled, *as the case may be*), this.....day of....., A.D. 19...

“.....
Minister of Health.”

(2) In any case where pursuant to this section a certificate of registration has been suspended, such registration shall be deemed for all purposes to have been cancelled during the period of suspension.

18. Any chiropodist whose certificate of registration has been cancelled or suspended by the Minister, may appeal from such order or decision to a Judge of the Supreme Court, presiding in Chambers, at any time within six months from the date of such order or decision, or the publication or express notice thereof, and the judge upon the hearing of such appeal may make an order varying, confirming, or reversing, either in whole or in part, the order or decision appealed from. Costs of the application shall be in the discretion of the judge.

19. Every person who is not duly registered as required by this Act who for hire, gain or the hope of reward, practises, or professes to practise as a chiropodist within the Province shall be guilty of an offence and liable on summary conviction to a penalty of not less than fifty dollars and not more than five hundred dollars, and in default of payment to a term of imprisonment of not more than three months.

20. Every person who contravenes any provision of this Act for the contravention of which no other penalty is imposed, shall be guilty of an offence, and liable on summary conviction to a fine of not less than twenty-five dollars and not more than one hundred dollars.

21. The Board shall in respect of all inquiries held under this Act, have full power to compel the attendance of witnesses and the production of any documents or writings, and for that purpose the Board may cause witness-summons to be issued under the hand of the chairman or acting chairman of the Board requiring the attendance of the person named therein to attend to give evidence or to produce any documents or writings specified therein, or both; and any person who having been personally served with a copy of such summons and provided with reasonable conduct

money, neglects to comply therewith, shall be guilty of an offence and shall be liable upon summary conviction to a fine not exceeding fifty dollars.

22. Nothing in this Act shall be construed to apply to physicians or surgeons authorized to practise under the laws of the Province, nor to the sale of shoes or shoe appliances or foot appliances or remedies, nor to the recommending or demonstrating thereof, nor to the giving of expert opinion thereon, nor to the advertising thereof or of ability to give expert opinion thereon.

23. No person practising chiropody in the Province shall be permitted to use the prefix "Doctor" unless he is a legally qualified medical practitioner, nor shall he advertise or represent himself in such manner as to lead the public to believe him to be other than a chiropodist.

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

SCHEDULE
Form A
THE CHIROPODY ACT
Certificate of Registration

CANADA
PROVINCE OF ALBERTA
To WIT:

This is to certify that.....,
of....., is duly registered under *The Chiropody Act* and that such registration will remain in force until the first day of July, 19.., and will then cease to have any effect unless renewed.

Dated this.....day of.....19....

.....
Minister of Health.

Form B
THE CHIROPODY ACT
Certificate of Renewal of Registration

CANADA
PROVINCE OF ALBERTA
To WIT:

This is to certify that.....,
of....., is duly registered as a chiropodist under the provisions of the said Act, and that such registration has been renewed and will continue in effect until the first day of July, 19....

Dated this.....day of.....19....

.....
Minister of Health.

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No. 3

SECOND SESSION
SEVENTH LEGISLATURE
22 GEORGE V
1932

BILL

An Act to Regulate the Practice of
Chiroprody.

Received and read the

First time.....

Second time.....

Third time.....

MR. MACLACHLAN

EDMONTON:
W. D. McLEAN, KING'S PRINTER
1932