

Bylaws

July 3, 2025

Amendments

Date Effective	Sections	Approval
January 28, 2021	Section 19.5	Council - January 28, 2021
August 11, 2021	Section 7	Council - August 11, 2021
September. 11, 2021	Sections 1(e),4, 5, 6.3	Council - September 11, 2021
November 12, 2021	Section 15 and page numbers	Council - November 12, 2021
March 16, 2022	Amendments made throughout	Council - March 16, 2022
May 11, 2022	Amendments made throughout, reformatted document in compliance with new branding and to fix numbering issues, and thoroughly proofread	Council - May 11, 2022
November 30, 2022	Bill 46 amendments	Council – November 30, 2022
April 3, 2024	Align with new policies, committee changes, and general housekeeping	Council – April 3, 2024
July 3, 2025	Amend PLI requirements Update Executive Director to CEO Amend sections 11, 14.5	Council – July 3, 2025

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Part I General

1. Enactment, Amendment, and Repeal of the Bylaws

- 1.1 A Bylaw, or an amendment to a Bylaw, may be passed at any meeting of the Council and comes into effect on the same day that Council passes a motion to adopt the proposed Bylaws.
- 1.2 Whenever an amendment is made to the Bylaws, any consequential editorial changes to the Bylaws, as required, are implied.

2. Interpretation

The following rules shall be applied when interpreting these Bylaws.

- 2.1 All words referencing the singular in these Bylaws shall also include the plural where the context requires and vice versa.
- 2.2 The headings in these Bylaws are for ease of reference only and shall not affect in any way the meaning or interpretation of the Bylaws.
- 2.3 The Bylaws shall be interpreted broadly and generously.
- 2.4 Words in bold font with the first letter capitalized, excluding headings, are defined terms in these Bylaws.

3. Paramountcy

- 3.1 In any instance where the Bylaws are found to contradict, or be inconsistent with provisions of the **Act**, or the **Regulation**, the **Act** or the **Regulation** will prevail.

4. Invalidity of Bylaw Provisions

- 4.1 The invalidity or unenforceability of any provision of the Bylaws shall not affect the validity or enforceability of the remaining provisions of the Bylaws.

5. Definitions

Unless otherwise defined in these Bylaws, terms used in these Bylaws have the same meaning as in the **Act** and the **Regulation**:

- 5.1 **Act** means the *Health Professions Act*;
- 5.2 **Appointed member** means an individual appointed to the Council and Regulatory Committees;
- 5.3 **College** means the College of Acupuncturists of Alberta;
- 5.4 **Chair** means the President of the Council as selected by Council pursuant to section 7 of the Act;
- 5.5 **Council** means the Council of the College established under section 5 of the Act;
- 5.6 **CEO/Registrar** means the Chief Executive Officer and Registrar of the College;
- 5.7 **Regulation** means the *Acupuncturists Profession Regulation* under the Act;
- 5.8 **TCM** means Traditional Chinese Medicine.

Part II Governance

6. Council

Composition

- 6.1 The **Council** shall consist of a minimum of six (6) to a maximum of twelve (12) members including the **Chair**, but excluding the **CEO/Registrar** and as set out below:
- 6.1.1 three (3) to six (6) regulated members appointed in accordance with the appointment process set out in these Bylaws and in the Appointment to the Council and Regulatory Committees Policy and Procedure;
 - 6.1.2 the number of public members required to be appointed by the Lieutenant Governor in Council in accordance with the **Act**; and
 - 6.1.3 any non-voting members appointed by **Council**.
- 6.2 Only one (1) regulated member with a current or past affiliation, within the preceding two years, as an owner, shareholder, board member, or officer of an acupuncture education program may serve on the **Council** at any given time.
- 6.3 The **CEO/Registrar** shall be a non-voting, ex-officio member.

Duties and Powers

- 6.4 The **Council** is the governing body of the **College** and will exercise all the duties and powers granted to a governing **Council** under the **Act**.
- 6.5 The **Council** retains the discretion to form standing or ad hoc committees or ad hoc working groups, as deemed necessary, to provide advisory support in the effective execution of its duties and responsibilities. Ad hoc committees and working groups are not subject to the appointment process and do not have to be regulated members.

Term of Office

- 6.6 Except when these Bylaws provide otherwise, the term of office for each regulated member on the **Council** is three (3) years to a maximum of two (2) consecutive terms.
- 6.7 In accordance with section 5(4) of the **Act**, a **Council** member, other than the **Chair**, continues to hold office after the expiry of that member's term until a successor is appointed.
- 6.8 The **Council** is empowered to increase or decrease the length of terms of office of regulated **Council** members, including those already appointed to a specific term of office, in order to preserve continuity.

Officers

- 6.9 The **Council** shall select a **Chair** and a Vice-Chair from among the members of the **Council**, in accordance with **Council** policy.
- 6.10 The **Chair** shall hold office for one (1) year and may serve a maximum of two (2) consecutive years as **Chair**.
- 6.11 The Vice-Chair shall hold office for one (1) year and may serve a maximum of two (2) consecutive years as Vice-Chair.
- 6.12 The **Chair** is the primary contact point between the **Council** and the **CEO/Registrar**.
- 6.13 If the **Chair** is temporarily absent or unable to act, the Vice-Chair shall perform the functions, duties, powers, and responsibilities of the **Chair**.

- 6.14 If both the **Chair** and the Vice-Chair are temporarily absent or unable to act, **Council** will determine who shall perform the functions, duties, powers, and responsibilities of the **Chair**.

Council Meetings

- 6.15 The **Council** shall meet at least three (3) times per year in person, virtually, or by a combination of these methods, or by any other means of communication technology that allows all persons to hear and be heard, on such dates as may be determined by the **Chair**.
- 6.16 In addition to the minimum number of regularly scheduled meetings, the **Chair** may call any additional meetings that the **Chair** considers necessary or shall call an additional meeting upon the request of a member of **Council** with the agreement of two-thirds (2/3) of the members of **Council** and all members of the **Council** shall receive at least forty-eight (48) hours' notice of a meeting.
- 6.17 When deemed necessary for the **Council** to consider a complaint regarding a **Council** member and in accordance with **Council** policy, the **Chair** or the Vice-Chair may call an additional meeting.
- 6.18 Except when the **Council** otherwise directs, **Council** meetings are open to the membership and the public by request.
- 6.19 The **Chair** shall chair **Council** meetings.
- 6.20 Notice of a **Council** meeting shall be sent to the **Council** one week prior to the meeting and will include the date and time of the meeting, as well as additional meeting details and the agenda.
- 6.21 The agenda and order of business at a meeting of the **Council** will be determined by the **Council** and may be amended at the **Council's** discretion.
- 6.22 Subject to Division 5 of the **Act**, sections 87 to 89 inclusive, the **Council** may determine to conduct any portion of a meeting in-camera in accordance with the following principles, where there will be discussion of:
- 6.22.1 advice from legal counsel or other privileged information;
 - 6.22.2 financial, personnel, or other matters that are of such a nature that avoiding public disclosure of information outweighs adhering to the principle that **Council** meetings be open to the public;
 - 6.22.3 information that the **College** is otherwise required by law to keep confidential; and
 - 6.22.4 any matter that would reveal private information about a person.
- 6.23 An in-camera session involves **Council** members and, at the discretion of the **Chair**, the **CEO/Registrar** and other resource persons as the **Chair** may determine.
- 6.24 Not all matters that individual **Council** members wish to raise are appropriate to discuss in an in-camera session. In-camera sessions are designed to address specific sensitive matters that are better initially discussed without notes being taken or observers present. They are not designed as a forum to raise personal agendas or special interests, nor to alter a decision that has been presented by management and approved.

Quorum

- 6.25 A quorum to make a **Council** decision, and regardless of the voting method, is a majority of the members of the **Council**.
- 6.26 For the purpose of calculating whether a majority of the members of **Council** are present for a **Council** decision, public member positions on **Council**, to which the Lieutenant Governor in Council has not appointed a person, shall not be counted.

Voting

- 6.27 Voting on matters by the **Council** may be conducted in person, virtually, by email, or by any other communications technology that allows all persons to hear and be heard or by a combination of these methods.
- 6.28 Subject to the meeting quorum set out above, a decision shall be made by a majority vote of the members participating in the vote.
- 6.29 Except as otherwise stated in these Bylaws, the **Chair** shall not vote except in the event of a tie vote, in which case the **Chair** shall then cast a deciding vote.

Council Charter and Procedures

- 6.30 **Council** shall approve a **Council** Charter for the **Council** and may determine its own procedures, subject to the **Act**, the **Regulation**, and these Bylaws.

7. **Vacant Positions on Council**

Filling Vacancies on Council

- 7.1 If a regulated member of the **Council**, other than the **Chair**, is unable to complete their term of office:
 - 7.1.1 The **Council** may appoint a regulated member who meets the eligibility criteria; and
 - 7.1.2 The term of the position may be adjusted in order to preserve continuity as set out in the terms of office above.

Vacancy of the Chair or Vice-Chair Office

- 7.2 If the office of the **Chair** becomes vacant before the **Chair's** term of office would normally end, the Vice-Chair shall succeed to the office of the **Chair** for the remainder of the Vice-Chair's current term as a member of the **Council**.
- 7.3 If the office of the Vice-Chair becomes vacant before the Vice-Chair's term of office would normally end, a new Vice-Chair shall be appointed or elected by the **Council** from among the members on the **Council**, in accordance with **Council** policy.

8. **Regulatory Committees**

Establishment

- 8.1 In addition to committees established in the **Act** or in these Bylaws, the **Council** shall establish such committees as it considers necessary in carrying out its duties and responsibilities.
- 8.2 The **Council** shall approve terms of reference for all committees.
- 8.3 These terms of reference will include:
 - 8.3.1 criteria for membership on each committee;
 - 8.3.2 duties and powers of each committee;
 - 8.3.3 prohibition on membership;
 - 8.3.4 membership terms;
 - 8.3.5 quorum;
 - 8.3.6 voting; and
 - 8.3.7 other information deemed necessary by the **Council**.
- 8.4 The **Council** shall set out a process in policy for the appointment and removal of committee members.

- 8.5 Each committee established by the **Council** shall prepare and submit to the **Council** each year, via the **CEO/Registrar**, a report of their activities for the preceding twelve (12) months.
- 8.6 Each committee may determine its own procedures, subject to the **Act**, the **Regulation**, and these Bylaws.

9. Ethical Governance

Code of Conduct and Ethics

- 9.1 **Appointed members** are subject to the **College's** Code of Conduct and Ethics Policy (Code).
- 9.2 **Appointed members** must acknowledge in writing that they have read and will comply with the Code upon appointment and reaffirm this acknowledgement every three years thereafter.

Conflicts of Interest

- 9.3 **Appointed members** are subject to the **College's** Conflict of Interest Policy.
- 9.4 Appointed members must:
 - 9.4.1 refrain from attempting to exert influence in connection with issues for which they are in a conflict or potential conflict of interest; and
 - 9.4.2 abstain from participating in any hearings, discussions, or voting on such issues pending resolution of the conflict or potential conflict of interest as prescribed by the **College's** Conflict of Interest Policy.

Confidentiality

- 9.5 **Appointed members** shall keep information received by them for the purpose of their role confidential.
- 9.6 Information given to **appointed members** shall only be disclosed in accordance with the **Act**, the **Regulation**, these Bylaws, or as otherwise required by law.
- 9.7 The **Council** or a **College** regulatory committee may authorize the disclosure of information for statistical use when the information cannot be attributed to a particular person or facility.

Part III Appointment, Suspension, and Termination of Council and Regulatory Committee Members

10. Appointment to the Council or a Regulatory Committee

Eligibility Criteria

- 10.1 Subject to the provisions outlined in the Appointment to the Council and Regulatory Committees Policy and Procedure, and the ineligibility criteria set out below, a person is eligible for appointment if they meet the following criteria:
 - 10.1.1 hold the status of a regulated member on the General Register and are in good standing as set out in Bylaw 10.2; and
 - 10.1.2 reside in Alberta.

Good Standing

- 10.2 For the purposes of appointment, a regulated member of the **College** shall be in good standing where:

- 10.2.1 they are not in default of any assessments, costs, dues, fees, fines, levies, or other sums owing and due as set out in the **Act, Regulation**, and these Bylaws;
- 10.2.2 their practice permit is not under suspension for any reason; and
- 10.2.3 the member is compliant with all orders and directions made in accordance with the **Act**.

Ineligibility for Appointment

- 10.3 A regulated member is not eligible for the **Council** or a regulatory committee if the regulated member:
 - 10.3.1 is currently subject to an undertaking, a condition imposed under section 55 or 65 of the **Act**, or a direction under section 118 of the **Act**;
 - 10.3.2 has been found guilty of unprofessional conduct within the five (5) years immediately preceding the deadline for the appointment;
 - 10.3.3 is elected to federal or provincial public office;
 - 10.3.4 occupies a senior position (Assistant Deputy Minister or higher) with the Government of Alberta;
 - 10.3.5 is on the board of directors or in any other executive position with a professional organization that advocates on behalf of **TCM** or the acupuncture profession;
 - 10.3.6 is an officer or senior employee of a professional association or labour union that represents members of a regulated health profession;
 - 10.3.7 is employed by the **College** or has been employed by the **College** in the two years preceding the deadline for the appointment;
 - 10.3.8 is a spouse, partner, child, or parent of a current **Council** member; or
 - 10.3.9 has served two consecutive terms as a **Council** or regulatory committee member and it has been less than one (1) year since the **appointed member's** second term.

11. **Appointment Review Committee (Council)**

Establishment

- 11.1 There is hereby established an Appointment Review Committee (ARC) to review applications for regulated member **Council** appointments and to recommend regulated members for appointment to the **Council**.

Composition

- 11.2 The ARC shall be composed of public member(s) from the Board and regulated member(s) from the Board. The ideal composition will be two (2) public members and one (1) regulated member, contingent on the composition of the Board at the time the ARC is convened. There will be no less than three (3) voting members on the ARC. Members will be selected by the **CEO/Registrar**. The CEO will be an ex-officio, non-voting member of the ARC.

Quorum

- 11.3 A quorum of the ARC shall be three (3).

Chair of Appointment Review Committee

- 11.4 One person of the ARC shall be chosen by the ARC to chair each meeting of the ARC, provided there is a quorum.

Eligibility for Selection

- 11.5 Subject to Bylaws 10.1 and 10.3, a regulated member is eligible to be selected for **Council** provided that the regulated member has satisfied the ARC that the member has all the competencies on the date of their nomination to be an effective member of the **Council** as set out in a list of competencies approved by **Council**.

Recommendations of Appointment - Council Members

- 11.6 The ARC will consider the competencies of the applicants and the **Council's** needs and will recommend eligible applicants to the **Council** for appointment.
- 11.7 The **Council** will consider the ARC's recommendations and appoint eligible applicants to fill vacant **Council** positions.

12. **Suspension and Termination of Appointed Members**

Automatic Suspension of Appointed Members

- 12.1 An **appointed member** is automatically suspended as a member of the **Council** or a regulatory committee if:
- 12.1.1 the member is charged with an offence pursuant to the *Criminal Code of Canada*, the *Controlled Drugs and Substances Act*, or any other statute or legislation under which a finding a guilt may bring the **College** into disrepute;
 - 12.1.2 the member is subject to a complaint pursuant to Part 4 of the **Act** with the **College**;
 - 12.1.3 the member is subject to a complaint pursuant to Part 4 of the **Act** with another regulated college for which they are a regulated member; or
 - 12.1.4 the member is subject to disciplinary proceedings by a regulatory college in another province.
- 12.2 The suspension of the **appointed member's** membership ends if:
- 12.2.1 the member becomes subject to an automatic termination pursuant to Bylaw 12.4, or
 - 12.2.2 the grounds for the suspension of the member pursuant to Bylaw 12.1 no longer exists.

Automatic Termination of Appointed Members

- 12.3 An **appointed member** automatically ceases to be a member of the **Council** or a regulatory committee if:
- 12.3.1 the member provides a letter of resignation to their chair or the **CEO/Registrar**;
 - 12.3.2 the member becomes incapacitated or dies;
 - 12.3.3 the member is suspended or ceases to be a regulated member;
 - 12.3.4 the member is found to have engaged in unprofessional conduct or makes an admission of unprofessional conduct that is accepted by a hearing tribunal following a complaint pursuant to Part 4 of the **Act** with the **College** or with another regulated college in which they are a regulated member;
 - 12.3.5 the member is found guilty of an offence pursuant to the *Criminal Code of Canada*, the *Controlled Drugs and Substances Act*, or any other statute or legislation under which a conviction could bring the **College** into disrepute, as has been determined by the **Council**;
 - 12.3.6 the member is absent from three consecutive meetings without prior written notice and without proper justification;
 - 12.3.7 the member ceases to meet the eligibility requirements for appointment; or

- 12.3.8 the member is appointed, elected, employed by any of the organizations named under 10.3 of these Bylaws.
- 12.4 An **appointed member** shall advise their chair within two (2) working days or prior to any meeting, whichever is first, of any of the grounds named in section 12 of these Bylaws occurring and this will be conveyed to the **Chair** for follow-up with **Council**.
- 12.5 The determination of whether a finding of guilt pursuant to a statute or legislation may bring the **College** into disrepute shall be made by a majority vote of the **Council**. The member who is subject to the possible suspension shall not vote.
- 12.6 The Complaint Director shall advise the **Council** or the **CEO/Registrar** upon receipt of a complaint against an **appointed member** within two (2) working days of receipt.
- 12.7 Bylaws 12.1 and 12.3 shall not apply when:
- 12.7.1 the complaint is initiated by another member;
 - 12.7.2 the complaint pertains to conduct prior to the member's appointment; or
 - 12.7.3 in the opinion of the Complaints Director, the complaint is frivolous, vexatious, or without merit.
- 12.8 All **appointed members** have an obligation to disclose information that they have relating to another **appointed member** that meets the criteria in section 12 of these Bylaws. The disclosure of the information:
- 12.8.1 shall be made to the Complaints Director; and
 - 12.8.2 shall not be considered a complaint as referred to in Bylaw 12.7.
- 12.9 The identity of the **appointed member** making the disclosure shall be kept confidential.
- 12.10 At any time, an **appointed member** may have their membership terminated by a motion, passed by a two-thirds (2/3) majority of the **Council**. Should a **Council** member be the **appointed member** who is the subject of the removal motion, this member shall not be included in calculating the two-thirds (2/3) majority nor shall the member vote on the motion.
- 12.11 To ensure procedural fairness, the **appointed member** who is the subject of a removal motion shall be entitled to make submissions to the **Council** in response to the motion.
- 12.12 Where the member is a public member, all actions above are subject to 12.13 below.

Request to Rescind Appointment of a Public Member

- 12.13 At any time, the **Council** may pass a motion, supported by a vote of two-thirds (2/3) majority of the **Council**, that the **Council** recommend to the Lieutenant Governor in Council that the appointment of a public member who is the subject of the removal motion be rescinded. The public member who is the subject of the removal motion shall not be included in calculating this two-thirds (2/3) majority, nor shall the member vote on the motion.
- 12.14 To ensure procedural fairness, the public member who is the subject of a removal motion shall be entitled to make submissions to the **Council** in response to the motion.

Part IV Registration

13. Registrar

Duties and Powers

- 13.1 The Registrar appointed under section 8 of the **Act** may:
 - 13.1.1 consider complete applications for registration and for a practice permit;
 - 13.1.2 undertake any other power or duty given to the Registrar under the **Act**, the **Regulation**, or these Bylaws;
 - 13.1.3 subject to sections 19 and 20 of the **Act**, execute any powers and duties delegated by the **Council** and as set out in the Delegation to the CEO/Registrar Policy.
- 13.2 If the registration or practice permit, or both, of a regulated member has been cancelled, the registration and practice permit are not to be reinstated except by order of the Registrar, who may seek advice from the Registration and Examination Committee (REC).
- 13.3 On completing a review of an application for reinstatement pursuant to s.45.1 of the **Act**, wherein the registration or practice permit, or both, of a regulated member has been cancelled under Part 4 of the **Act**, the Registrar may order the person to pay reasonable expenses associated with the application.
- 13.4 The Registrar may in their sole discretion decide to refer any application for registration or a practice permit to the REC or the Competence Committee for their advice.
- 13.5 The Registrar may delegate in writing all or any of their duties and responsibilities to another staff member, with or without conditions.

14. Registration Applications

Applications

- 14.1 In addition to the requirements set out under s.28(1) of the **Act** and subject to the **College** Registration Policy and Procedure, the following criteria must be met.

Citizenship

- 14.2 An applicant for registration as a regulated member must provide evidence satisfactory to the Registrar that the applicant is a Canadian citizen or is lawfully admitted to and entitled to work in Canada.

English Language Requirements

- 14.3 An applicant for registration as a regulated member must be sufficiently proficient in English to be able to engage safely and competently in the practice of acupuncture.
- 14.4 An applicant may be required by the Registrar to demonstrate proficiency in English.

Equivalent Jurisdictions

- 14.5 The following jurisdictions are recognized as having substantially equivalent competence and practice requirements for the purposes of section 28(2)(b) of the **Act**:
 - 14.5.1 British Columbia;
 - 14.5.2 Ontario;
 - 14.5.3 Quebec;
 - 14.5.4 Newfoundland; and
 - 14.5.5 PEI.
- 14.6 An applicant for registration as a regulated member pursuant to section 28(2)(b) of the **Act** must:
 - 14.6.1 provide a complete application; and

- 14.6.2 any other information required under the **Act, Regulations**, these Bylaws, and the **College** Registration Policy and Procedure.

Professional Liability Insurance

- 14.7 An applicant for registration and all regulated members at renewal or upon request by the Registrar must provide evidence satisfactory to the Registrar that they hold and continue to hold a minimum of \$2,000,000.00 in professional liability insurance (PLI) coverage in their own name, in addition to any coverage provided by their employer, if applicable. The PLI policy must specify "Acupuncture Services" and include disciplinary legal defense and expenses in the event of a claim or an unprofessional conduct complaint, with minimum coverage of \$25,000 per claim and an annual aggregate of \$50,000.

Practice Permits

- 14.8 The College registration year is from April 1 to March 31 of the following year, and accordingly, an annual practice permit expires on March 31 each year, unless otherwise provided in the **Act**.
- 14.9 Each regulated member must be in good standing and must submit a complete application for renewal of an annual practice permit, including all information required under section 40(1) of the **Act**, section 21 of the **Regulation**, and subject to the Registration Policy and Procedure by March 31 of each year, in the form required by the Registrar.
- 14.10 For the purposes of renewal, good standing means the regulated member is not in default of any assessments, costs, dues, fees, fines, levies, or other sums owing and due as set out in the **Act, Regulation**, and these Bylaws.
- 14.11 A late fee determined by the **Council** and as set out in the **College** fee schedule will be charged on any application for renewal of an annual practice permit received after March 31.

Part V Registers

15. Regulated Members

Registers of Regulated Members

- 15.1 The **College** shall maintain registers with the following categories of regulated members:
- 15.1.1 General Register;
 - 15.1.2 Provisional Register; and
 - 15.1.3 Courtesy Register.

Registers - Personal Information

- 15.2 The registers in each category above shall contain, with respect to each person:
- 15.2.1 legal first and last name and common name;
 - 15.2.2 gender and date of birth;
 - 15.2.3 contact information including mailing address, telephone number, and email address;
 - 15.2.4 initial date of registration as a regulated member;
 - 15.2.5 education credentials including exam results;
 - 15.2.6 historical information relevant to the person including conduct information;
 - 15.2.7 citizenship information;

- 15.2.8 practice hours;
- 15.2.9 specializations, if applicable;
- 15.2.10 CPR details;
- 15.2.11 such other information as the **Council** may prescribe; and

Practice information

- 15.2.12 employment status and position i.e., owner, self-employed acupuncturist;
- 15.2.13 primary employer's name and contact information;
- 15.2.14 secondary employers and contact information; and
- 15.2.15 employment timeline.

General Register Members

- 15.3 Every person on the General Register is a regulated member of the **College**.
- 15.4 In addition to the rights, duties, and responsibilities a regulated member on the General Register has under the **Act** and **Regulation**, a regulated member on the General Register:
 - 15.4.1 is entitled to serve on the **Council** in accordance with these Bylaws;
 - 15.4.2 is eligible to serve on committees of the **College** in accordance with these Bylaws;
 - 15.4.3 is entitled to receive **College** publications; and
 - 15.4.4 may receive such other benefits as the **Council** determines from time to time.

Provisional Register Members

- 15.5 Every person on the Provisional Register is a regulated member of the **College**.
- 15.6 In addition to the rights, duties, and responsibilities a regulated member on the Provisional Register has under the **Act** and **Regulation**, a regulated member on the Provisional Register:
 - 15.6.1 is entitled to receive **College** publications; and
 - 15.6.2 may receive such other benefits as **Council** determines from time to time.

Courtesy Register Members

- 15.7 Every person on the Courtesy Register is a regulated member of the **College** for the duration of their registration with the **College** but must maintain active registration in the jurisdiction where they hold primary registration.

16. **Non-Regulated Members**

Registers of Non-Regulated Members

- 16.1 The **College** shall maintain registers with the following categories of non-regulated members:
 - 16.1.1 Non-Practising Members; and
 - 16.1.2 Student Members.
- 16.2 A person registered on the register for any of the above categories is deemed to be a non-regulated member of the **College**.

Non-Practising Member Register

- 16.3 The Non-Practising Members register shall contain, with respect to each person:

- 16.3.1 name, date of birth, address, telephone number, and email address;
- 16.3.2 initial date of registration as a regulated member on the General Register and the date the person ceased to be a regulated member on the General Register;
- 16.3.3 employment status;
- 16.3.4 education, including the acupuncture education program attended;
- 16.3.5 historical information relevant to the person; and
- 16.3.6 such other information as the **Council** may prescribe.

Non-Practising Member

- 16.4 A person who was formerly a regulated member on the General Register may apply to the Registrar for membership in the **College** as a Non-Practising Member by submitting the forms and paying the fees prescribed by the **Council** and as set out in the fee schedule.
- 16.5 A Non-Practising Member is entitled to:
 - 16.5.1 receive **College** publications; and
 - 16.5.2 may receive such other benefits as **Council** determines from time to time.
- 16.6 A Non-Practising Member is not authorized to engage in the practice of acupuncture in the Province of Alberta.

Student Member Register

- 16.7 The Student Members register shall contain, with respect to each person:
 - 16.7.1 name, date of birth, address, telephone number, and email address;
 - 16.7.2 date of enrollment as a student in an acupuncture education program approved by the **Council**;
 - 16.7.3 historical information relevant to the person; and
 - 16.7.4 such other information as the Council may prescribe.

Student Member

- 16.8 A person who is enrolled in an acupuncture education program approved by the **Council** may apply to the Registrar for membership in the **College** as a Student Member by submitting the forms and paying the fees prescribed by **Council** and as set out in the fee schedule.
- 16.9 A Student Member is entitled to:
 - 16.9.1 receive **College** publications; and
 - 16.9.2 may receive such other benefits as **Council** determines from time to time.

17. Information Regarding Regulated Members and Applicants

- 17.1 In addition to that required under s.33(3) of the **Act** and the information set out in these Bylaws, a regulated member or applicant for registration as a regulated member must provide the names of other organizations responsible for the regulation of professions or professional bodies in which the regulated member or applicant is or was registered or that otherwise authorized the regulated member or applicant to provide professional services in Alberta or any other jurisdiction and the current status of that registration or authorization to the Registrar when requested by the Registrar and when there are any changes to the information.
- 17.2 The **College** may disclose information collected about a regulated member:

- 17.2.1 with the consent of the regulated member; or
- 17.2.2 in a summarized or statistical manner so it is not possible to relate the information to the regulated member or any other identifiable person.

Changes to Information

- 17.3 The Registrar may enter, change, or remove information from the regulated member and non-regulated member register(s) of the **College**.
- 17.4 Upon the direction of the **Council**, the Hearing Tribunal, the REC, the CRC, or the Competence Committee, the Registrar may correct or remove any entry made in error in a register of the **College**.
- 17.5 In addition to that required under sections 33(3) of the **Act** and subject to verification as necessary, a regulated member under the register categories shall:
 - 17.5.1 provide and update their information as changes occur through the online portal; and
 - 17.5.2 notify the Registrar in writing within thirty (30) days of any change in the information contained in any register which relates to that member.
- 17.6 No registration or practice permit shall be cancelled except in accordance with the **Act**.

Written and Computer Records

- 17.7 The registers established by the **Act**, the **Regulation**, and these Bylaws may be maintained in a written record or by means of a computer record, or both.

18. **Protected Titles**

- 18.1 In addition to the protected titles within the **Act** and **Regulation**, regulated members on the General Register or Courtesy Register may use the title of Specialist, as well as the appropriate abbreviations and initials, in compliance with the Standards of Practice approved by the **Council**.

Part VI Professional Conduct

19. **Complaints Director**

Appointment

- 19.1 The **Council** shall appoint a Complaints Director in accordance with section 14(3) of the **Act**.
- 19.2 The appointment shall be conducted in accordance with the policies of the **College** approved by **Council**.

Duties and Powers

- 19.3 The Complaints Director may undertake any power or duty given to the Complaints Director under the **Act**, the **Regulation**, or these Bylaws.
- 19.4 The Complaints Director may delegate some or all of their duties to another person, with the exception of the Hearings Director.
- 19.5 The Complaints Director may disclose any information regarding a complaint or disciplinary proceeding if:
 - 19.5.1 the information is required to be disclosed for the purposes of the **Act**, the **Regulation**, or these Bylaws;
 - 19.5.2 the information is required to be disclosed by law; or

- 19.5.3 the information is disclosed to a law enforcement agency for the purpose of reporting potential criminal conduct or for the purpose of providing information for a law enforcement investigation.

20. Hearings Director

Appointment

- 20.1 The **Council** shall appoint a Hearings Director in accordance with section 14(1) of the **Act**.
- 20.2 The appointment shall be conducted in accordance with the policies of the **College** approved by **Council**.

Duties and Powers

- 20.3 The Hearings Director may undertake any power or duty given to the Hearings Director under the **Act**, the **Regulation**, or these Bylaws.
- 20.4 The Hearings Director may delegate some or all of their duties to another person, with the exception of the Complaints Director.
- 20.5 The Hearings Director may disclose any information regarding a complaint or disciplinary proceeding if:
 - 20.5.1 the information is required to be disclosed for the purposes of the **Act**, the **Regulation**, or these Bylaws;
 - 20.5.2 the information is required to be disclosed by law; or
 - 20.5.3 the information is disclosed to a law enforcement agency for the purpose of reporting potential criminal conduct or for the purpose of providing information for a law enforcement investigation or potential investigation.

21. Appeals Committee

Establishment

- 21.1 There is hereby established an Appeals Committee from which panels of **Council** members will be selected.

Composition

- 21.2 Council shall appoint all members of Council to the Appeals Committee, unless otherwise agreed by **Council**.
- 21.3 Each panel of **Council** members drawn from the Appeals Committee shall consist of a minimum of four (4) members of the Appeals Committee, with at least fifty percent (50%) of the panel being public members.
- 21.4 Each panel of **Council** members drawn from the Appeals Committee shall appoint a Chair.
- 21.5 Panel decisions shall be by a majority vote. If a panel is sitting with an even number and there is a tie vote, the Chair shall cast a second and deciding vote.

Duties and Powers

- 21.6 A panel of **Council** members from the Appeals Committee shall carry out the duties and powers of **Council** under section 31, 41, 87 to 89, 93, 118(6) to 118(8) of the **Act** and exercise any other authority specifically delegated to it in the **Regulation** or these Bylaws.

Term of Office

- 21.7 The term of office of Appeals Committee members shall coincide with their term as a **Council** member.
- 21.8 Members of the **Council** appointed to the Appeals Committee shall continue to hold office after the expiry of their term on **Council** for the sole purpose of concluding appeal hearings that have commenced but have not been completed.
- 21.9 New members of the Appeals Committee shall not participate in a hearing that was commenced prior to their appointment.

Quorum

- 21.10 A quorum of the Appeals Committee is four (4) members, two (2) of whom must be public members.
- 21.11 In the event the Lieutenant Governor in Council has not appointed at least two (2) public members to **Council**, a quorum of the Appeals Committee shall be four (4) members, one (1) of whom must be a public member.

22. **Complaint Review Committee and Hearing Tribunal Membership List**

- 22.1 The **Council** shall appoint no fewer than six (6) regulated members to the membership list referenced in section 15 of the **Act**. This list shall be used for appointing regulated members to both Hearing Tribunals and Complaints Review Committees.
- 22.2 Subject to 22.3 below, the term of office of a regulated member on the membership list is three (3) years to a maximum of two six (6) years or two (2) consecutive terms.
- 22.3 In accordance with section 16(2) of the **Act**, a member of a Hearing Tribunal or Complaint Review Committee (CRC) continues to hold office after the expiry of the member's term until the member is reappointed or a successor is appointed.

23. **Hearing Tribunal**

Composition

- 23.1 The Hearings Director shall establish a Hearing Tribunal from the members appointed by the **Council** to the membership list established under section 15 of the **Act**.
- 23.2 A Hearing Tribunal shall be composed of at least four people with at least fifty percent (50%) being public members appointed by the Lieutenant Governor in Council under section 13(1)(b) of the **Act** and the balance being regulated members appointed by the **Council** to the membership list established under section 15 of the **Act**.
- 23.3 The Hearings Director shall designate a member of the Hearing Tribunal as chair.

Duties and Powers

- 23.4 A Hearing Tribunal established under section 16 of the **Act** may:
- 23.4.1 conduct hearings under Part 4 of the **Act**; and
- 23.4.2 undertake any other power or duty given to it under the **Act**, the **Regulation**, or these Bylaws.

Prohibition on Membership

- 23.5 No member of a Hearing Tribunal shall be a member of the Acupuncture Education Program Review Committee (AEPRC), **Council**, REC, or the Competence Committee.

Quorum

- 23.6 A quorum for a Hearing Tribunal is four (4) members of the Hearing Tribunal with at least fifty percent (50%) being public members.

Voting

- 23.7 Subject to quorum set out above, a decision shall be made by a majority vote of the members participating in the vote. If a Hearing Tribunal is sitting with an even number and there is a tie vote, the chair shall cast a second and deciding vote.

24. **Complaint Review Committee**

Composition

- 24.1 The Hearings Director shall establish a CRC from the members appointed by the **Council** to the membership list established under section 15 of the **Act**.
- 24.2 A CRC shall be composed of at least four (4) people with at least fifty percent (50%) being public members appointed by the Lieutenant Governor in Council under section 13(1)(b) of the **Act**, and the balance being regulated members appointed by the **Council** to the membership list established under section 15 of the **Act**.
- 24.3 The Hearings Director shall designate a member of the CRC as Chair.

Duties and Powers

- 24.4 The CRC established under Section 16 of the **Act** may:
- 24.4.1 review and ratify settlements under section 60 of the **Act**;
 - 24.4.2 conduct reviews under section 68 of the **Act**; and
 - 24.4.3 undertake any other power or duty given to it under the **Act**, the **Regulation**, or these Bylaws.

Prohibition on Membership

- 24.5 No member of the CRC shall be a member of the AEPRC, the **Council**, REC, or Competence Committee.

Quorum

- 24.6 A quorum for a CRC is four (4) members of the CRC with at least fifty percent (50%) being public members.

Voting

- 24.7 Subject to quorum set out above, a decision shall be made by a majority vote of the members participating in the vote. If a CRC is sitting with an even number and there is a tie vote, the chair shall cast a second and deciding vote.

25. **Designates**

- 25.1 The **Council** designates the **CEO/Registrar** as the person to carry out the duties under section 65 and 86 of the **Act**.

26. **Notices**

- 26.1 Unless otherwise required under an enactment of Alberta or Canada, any notice or document that may be given or is required to be given under the **Act**, the **Regulation**, these Bylaws, and College policy and procedure may be given by:
- 26.1.1 mail;

- 26.1.2 electronic mail;
- 26.1.3 fax;
- 26.1.4 posting on the College's website; or
- 26.1.5 any other means that may be available for transmission, provided such means are as reliable as any of the other means set out in these Bylaws.

27. Publication of Conduct Information

- 27.1 The **CEO/Registrar** may publish information concerning scheduled hearings of hearing tribunals and scheduled appeals to be heard by the **Council** on the **College** website or through any publication method determined appropriate by the **CEO/Registrar**.
- 27.2 Publication of information under 27.1 may include the date, location, and time of the hearing or appeal, and the name of the investigated person.
- 27.3 Subject to section 135.93 of the **Act** and subject to the **CEO/Registrar's** discretion to redact personal information from decisions of Hearing Tribunals and panels of the **Council**, in which there is a finding of unprofessional conduct, shall be published and shall include the investigated person's name.
- 27.4 Publication of the decisions of Hearing Tribunals and panels of the **Council** may include a summary of the decision or the full decision or both.
- 27.5 If a decision of a Hearing Tribunal or panel of the **Council** is under appeal, the **CEO/Registrar** has the discretion to either withhold publishing until all appeals are completed or, alternatively, to publish the decision, but add a notation that the decision is under appeal.
- 27.6 If a decision of a panel of the **Council** is appealed to the Court of Appeal, then a note on the outcome of the appeal shall be included with the publication of the decision by the Hearing Tribunal and by the panel of the **Council**.
- 27.7 The Registrar may direct that personal information be redacted from the decisions of Hearing Tribunal and panels of the **Council**. In determining what personal information shall be redacted from the decisions, the **CEO/Registrar** shall consider:
 - 27.7.1 the privacy interests of the person whose personal or health information may be disclosed;
 - 27.7.2 the public interest in ensuring that the **College's** conduct process is open and transparent;
 - 27.7.3 the need to educate the public and regulated members about the issues addressed in the decisions; and
 - 27.7.4 any other factors that the Registrar considers relevant to the matter.
- 27.8 Subject to section 135.92(3) of the **Act**, the **CEO/Registrar** may determine the length of time the decisions of Hearing Tribunals, panels of the **Council**, and the Court of Appeal shall be published.
- 27.9 Subject to section 135.92(2) of the **Act**, the **CEO/Registrar** shall determine the method of publication and may include publication on the **College's** website.
- 27.10 When the Alternative Complaint Resolution (ACR) process results in a ratified settlement between the parties, the **College** may publish information respecting the complaint and the ratified settlement and may reveal the identity of the complainant or the investigated person, or both, if authorized to do so pursuant to the ratified settlement.

28. Disclosure of an Investigation Report

- 28.1 An investigation report may be released to the investigated person or their legal counsel for the purpose of a hearing before a Hearing Tribunal.

- 28.2 An investigation report may be released to the investigated person for the purpose of a review by the CRC and a copy of the investigation report or a summary of the report may be released to the complainant for the purpose of a review by the CRC, at the Complaints Director's discretion.
- 28.3 An investigation report may be released to the investigated person for the purpose of negotiating a settlement in an ACR or an agreement and undertaking process.
- 28.4 An investigation report may be redacted in a manner considered appropriate by the Complaints Director.

Part VII Administration

29. Annual Financial Audit

- 29.1 Following the conclusion of each fiscal year, the **Council** will appoint a chartered accountant, certified management accountant, or certified general accountant registered under the *Chartered Professional Accountants Act* to conduct an audit of the **College's** financial books, records, and accounts.
- 29.2 The audited financial information will be published in the **College's** Annual Report and provided to the Minister responsible for the **Act**.

30. CEO

- 30.1 The **Council** may hire, as an employee of the **College**, a CEO who reports to the **Council** and shall have such powers as are delegated by the **Council**.
- 30.2 The CEO:
 - 30.2.1 assists the **Council** in the management and conduct of the **College's** affairs;
 - 30.2.2 reports to and takes direction from the **Council**;
 - 30.2.3 oversees the activities, administration, affairs, conduct, and management of the **College** office and the implementation of policies, procedures, and directives of the **College** as delegated by the **Council**;
 - 30.2.4 assists or oversees in the planning, development, and implementation of programs and processes to support **College** regulatory functions as delegated by the **Council**;
 - 30.2.5 is responsible for the overall management of the financial resources of the **College** and monitors the annual audit process; and
 - 30.2.6 carries out other duties as delegated by the **Council** and as set out in the Delegation to the CEO/Registrar Policy.

31. Costs, Expenses, and Honorariums

- 31.1 The **College** shall reimburse travel expenses and such other costs and expenses for **appointed members** and **College** employees in accordance with the Honorarium and Expense Policy.
- 31.2 Honorariums will be paid to **appointed members** under the same policy.

32. Fees

Setting of Fees

- 32.1 The **Council** shall establish fees for the following:

- 32.1.1 initial registration and registration renewals for each membership category;
- 32.1.2 initial practice permits and practice permit renewals for regulated members; and
- 32.1.3 registration exams.
- 32.2 The **Council** may determine such other fees, costs, dues, assessments, or levies as are required under the **Act**, the **Regulation**, or these Bylaws, or for anything it considers necessary for services or goods provided to a regulated or non-regulated member or any other person.
- 32.3 The **Council** may establish policies that give direction to the Executive Director in the setting of fees for recuperation of the costs and expenses with acupuncture education program approval and for reviews and appeals under section 31, 41, 68 or 87 of the **Act**.

Fee Changes

- 32.4 If the **Council** proposes to change any of the fees set out in Bylaw 31.1 above, it shall give at least sixty (60) days' notice of its intention to do so by notice on the **College's** website.

Special Levy

- 32.5 If special circumstances arise requiring additional funding for the **College**, the **Council** may impose a special levy against the regulated or non-regulated members or a category of membership.

Notice of Fees, Dues and Levies

- 32.6 When fees, dues, or levies are payable, notice of the fees, dues, or levies payable shall be sent to those regulated or non-regulated members or persons required to pay them.

33. **Forms and Documents**

The CEO is authorized to prescribe such forms, certificates, permits, or other documents that may be required for the purposes of the **Act**, the **Regulation**, or these Bylaws.

34. **Head Office**

The head office of the **College** is located in Edmonton, Alberta, or at such other locations may be determined by the **Council**.

35. **Seal**

- 35.1 The **College** shall have a seal, which shall have inscribed thereon, "College of Acupuncturists of Alberta."
- 35.2 The CEO shall have custody of the seal of the **College** and shall have authority to affix the seal to any documents requiring the seal to be affixed.
- 35.3 The **Council** may amend the design of the seal.

36. **Banking Arrangements**

- 36.1 The **College's** banking business, including, without limitation, the borrowing of money and the giving of security therefor, shall be transacted with such banks, trust companies or other bodies corporate or organizations as may be authorized by the **Council**.
- 36.2 Banking business shall be transacted under such agreements, instructions, and delegations of powers as the **Council** may prescribe or authorize and in accordance with the **College's** Signing Authority Policy.

37. Use of Funds

- 37.1 The **College** is entitled to make use of all revenues received from membership fees and other sources of income to carry out the objectives of the **College**.
- 37.2 Financial policy pertaining to the **College** shall be determined by the **Council**.

38. Fiscal and Registration Year

The fiscal and registration year of the **College** shall be from April 1 to the following March 31.

39. Process for Developing or Proposing the Adoption of a Code of Ethics and Standards of Practice

- 39.1 The **Council** may adopt a Code of Ethics and Standards of Practice or amend these documents in accordance with the consultation process set out in section 133 of the **Act**.
- 39.2 At least thirty (30) days before adopting a proposed Code of Ethics or Standards of Practice or amendment, the **Council** shall provide a copy to regulated members for review and comment and shall indicate a deadline for the **Council** to receive written comments.
- 39.3 The **Council** shall consider any written submissions received in accordance with Bylaw 39.2. before making a decision.

40. Parliamentary Authority

- 40.1 Any rules adopted by the **College** shall govern the **College** in all cases to which they are applicable and in which they are consistent with these Bylaws. On those matters not covered by the **College**, rules of order, Robert's Rules of Order, shall apply.

41. Website

- 41.1 In addition to the information in section 135.92(2) and 119(1) of the **Act** and as otherwise provided for in these Bylaws, the type of information that may be published on the **College's** website, shall include:
 - 41.1.1 publications and reports;
 - 41.1.2 publication of conduct information;
 - 41.1.3 a website portal for members of the **College**;
 - 41.1.4 policies and procedures;
 - 41.1.5 general information about the **College** and its activities, the acupuncture profession, the acupuncture practice, the regulatory processes under the **Act**, including applying for exams, registration, applying for practice permits, the professional conduct process, including complaints and concerns; continuing competence; and other matters addressed in the **Act**; and
 - 41.1.6 any other matter determined appropriate for publication on the College website, in the sole discretion of the CEO.