

APPENDIX 3

AUTHORITY TO DELEGATE



APPENDIX 3: Powers and Duties of Registrars in Other Self-Regulated Professions in Alberta

This table provides a summary of Alberta legislation regarding professional associations and, more specifically, whether that legislation includes provisions whereby Registrars have been given clear authority regarding their powers/duties). (Column 2)

Also summarized here is whether the power to delegate has been clearly stated in the legislation. (Column 3)

Instances where such powers are clearly stated in respect of other entities (e.g. Council, boards, committees, etc.) are also referenced. (Column 4)

*Council’s powers and duties, and authority to delegate, in respect of some of these self-regulated professions, are summarized in Appendix 5

In addition to APEGA legislation itself, the Alberta statutes that were reviewed, analyzed and compared included the following:

- *Architects Act (AA)*
- *Health Professions Act (HPA)*
- *Agrology Profession Act (APA)*
- *Regulated Forestry Profession Act (RFPA)*
- *Regulated Accounting Profession Act (RAPA)*¹
- *Veterinary Profession Act (VPA)*
- *Professional and Occupational Associations Registration Act (POARA)*
- *Legal Profession Act (LPA)*

The relevant regulations and bylaws under these Acts were included in the research (with the exception of the bylaws under POARA), along with the ASET provisions of the EGP Act, and the ASET bylaws.

Legislation	Are Registrar’s powers clearly stated? (specific powers/duties)	Are Registrar’s powers to delegate (or powers that can be delegated to the Registrar) clearly stated?	Are powers of other entities (Council*, Boards, Committees, etc) – and powers to delegate -- clearly stated?	Comments
Engineering and Geoscience Professions Act General	Act s 13 -- The Council shall appoint a Registrar for the purposes of this Act There is no clear summary statement regarding powers/duties, which are found throughout the Act, Reg and bylaws	Bylaws s 22: Council may appoint a Deputy Registrar who has all the powers and can perform all the duties of the Registrar when the Registrar is absent or unable to act, or when there is a vacancy in the office of the Registrar	<ul style="list-style-type: none"> • Act s 11 re the Association’s capacity and powers • Act s 12; Reg s 25, 29 and 30; Bylaws s 11 and 22 re the Council (incl officers and exec comm) • Act s 19, 20, 45 and 46 re legislative power of Council 	

¹ Also reviewed was Bill 7 – Chartered Professional Accountants Act, which received Royal Assent December 17, 2014 and will come into force on proclamation.

<p>Regulation</p> <p>Bylaws</p> <p>(excluding ASET)</p>	<p>(A detailed document regarding the powers and duties of the APEGA Registrar can be found in Appendix 1)</p>	<p>No other provisions regarding delegation of the Registrar's powers are included in the legislation. (Functions performed by APEGA staff are authorized on the basis of implied delegation of administrative functions.)</p>	<ul style="list-style-type: none"> • Act s 16 re Practice Review Board • Act s 52; Reg s 32 re Investigative Committee • Act s 53 and 63; Reg s 36 and 45 re Discipline Committee • Act s 69 re Appeal Board • Reg s 62 re Enforcement Review Committee 	
<p>Engineering and Geoscience Professions Act</p> <p>ASET and PTech Regulations</p> <p>ASET Bylaws</p> <p><i>(ASET only, highlighting differences)</i></p>	<p>Act s 87.1 -- ASET Council shall appoint a Registrar for the purposes of this Part, ASET regulations and ASET bylaws</p> <p>Act s 88.5(1) The JPT Regulations Committee may make regulations ... (d) respecting the establishment and administration of a register of professional technologists and the functions, duties and responsibilities of the ASET Registrar, including the removal of entries from the register</p> <p>Act s 90.6(6) The ASET Registrar shall provide the Registrar with access to the registers established for professional technologists.</p> <p>ASET Reg s 30 Despite not receiving a complaint under section 43 of the Act, but subject to section 43(3) of the Act, if the ASET Registrar has reasonable grounds to believe that the conduct of a regulated member or former member constitutes unprofessional conduct or unskilled practice, the ASET Registrar may treat the information as a complaint and act on it under section</p>	<p>ASET Bylaws 1.3 A reference in these Bylaws to Council, an officer, person or committee includes any delegate of the Council, officer, person or committee.</p> <p>ASET Bylaws 8.1 The Deputy Registrar has all of the powers and can perform all of the duties of the Registrar under the EGPA, the Regulations and the Bylaws when the same are delegated to them by the Chief Executive Officer.</p>	<p>Act s 89 The Joint Board of Examiners has all the powers, duties and functions with respect to professional technologists that the Board of Examiners has with respect to professional members.</p> <p>ASET Bylaws 3.1 The governing body of ASET is the Council. Council is empowered to:</p> <p>(a) Act on behalf of ASET to implement the applicable requirements of the EGPA;</p> <p>(b) Establish and revise policies which govern ASET's activities;</p> <p>(c) Delegate authority and responsibility for implementation of ASET's policies to the Chief Executive Officer.</p>	

	43 of the Act.			
Architects Act General Regulation Bylaws	Act s 7: Council may by resolution appoint or revoke the appointment of an individual as Registrar for the purposes of the Act Bylaws 4.17: (1) The Registrar shall: (a) perform such duties as are specified in the Act (b) keep the Registers and records up to date; and (c) perform such other duties as are assigned by the Council. ... (4) The Registrar reports to and is responsible to the Council. Registrar's powers/duties are otherwise found throughout the Act, Reg and bylaws	Bylaws s 4.17: ... (2) The Council may appoint an individual as acting Registrar who shall act as the Registrar in the absence or inability of the Registrar to act or when the office of Registrar is vacant. (3) An acting Registrar, so appointed, has all the powers and duties of the Registrar under the Act, General Regulation and this bylaw. ...	<ul style="list-style-type: none"> • Act s 5 re the Association • Act s 6; Reg s 4.8 and 4.14 re the Council (incl officers and exec dir) • Act s 9 and 10 re leg power of Council • Act s 12 (see below) and Reg s 5 re Registration Committee (established by bylaw by Council) • Act s 36 and 37 re Complaint Review Committee • Act s 38 and 39 re Practice Review Board 	There is also an Executive Director appointed in the Bylaws
Health Professions Act There are 26 relevant regulations under the HPA, the provisions of which were reviewed and are summarized	Act s 8 -- Council must appoint or provide for the appointment of registrar Act s 28(3) If there are reasonable and probable grounds to be of the opinion that an applicant by engaging in the regulated profession as a regulated member would create a danger to the public or be unsafe because of a disability or incapacity, the registrar, the registration committee or competence committee may require an applicant for registration to undergo	Act s 19(1) A council may delegate any of its powers and duties to one or more persons or committees, except the power to make regulations or bylaws and to adopt a code of ethics or standards of practice. (2) A council may impose conditions on a delegation under subsection (1). (3) When a council delegates a power or duty, it may authorize the person or committee to further delegate the power or duty, subject to any conditions imposed by the council. (4) Any reference in this Act or any	Act s 9(4) A registration committee may, (a) if provided for in the bylaws, review an application for registration, and (b) undertake any other power or duty given to it under this Act or the bylaws. Act s 10(6) A competence committee (a) may make recommendations to the council on continuing competence requirements and the assessment of those requirements,	Act s 1(2)(b): a reference to a power and duty includes the power and duty to make a decision All of the regulations for the various health professions under the HPA

<p>generally.</p> <p><i>The relevant provisions of the bylaws under the HPA are included in Appendix 4.</i></p>	<p>physical or mental examinations by a person agreed on by the applicant and the registrar, registration committee or competence committee or, failing an agreement, designated by the registrar, registration committee or competence committee for the purpose of assisting the registrar, registration committee or competence committee in determining whether the applicant by engaging in the regulated profession as a regulated member would create a danger to the public or be unsafe.</p> <p>Registrar's powers/duties are found throughout the Act, Reg and bylaws</p> <p>Under some of the various regulations under the HPA, the Registrar and/or Registration Committee has the following powers/duties:</p> <ul style="list-style-type: none"> -may register applicant if prescribed conditions are met -may require applicant to undergo exams, tests, assessments, training or education they consider to be advisable -determines which register (general or specialized) it is appropriate to register someone from another jurisdiction having substantially equivalent registration requirements -makes determination re substantial equivalence; may direct applicant to undergo education or training activities they consider necessary; may require applicant to pay costs incurred -may permit temporary member to 	<p>other enactment to a council is deemed to be also a reference to a delegate and to a delegate of the delegate under this section.</p> <p>Act s 20(1) Subject to the bylaws, a person or committee to whom a power or duty is given under this Act or the bylaws may delegate the power or duty to one or more other persons or committees.</p> <p>(2) A person or committee making a delegation under subsection (1) may impose conditions on the delegation.</p> <p>(3) Despite subsection (1), (a) the powers and duties of both a complaints director and a hearings director may not be delegated to the same person, and (b) a complaint review committee, a hearing tribunal or a council or panel of council may not delegate its powers or duties with respect to a review or appeal under Part 4.</p> <p>(4) Any reference in this Act or any other enactment to a person or committee to whom a power or duty is given under this Act is deemed to be also a reference to a delegate of the person or committee under this section.</p> <p>In the Act, Part 3.1 Inspections: 53.5(1)A council may establish an inspection committee to carry out the powers and duties of the registrar under this Part except those described</p>	<p>(b) may, if authorized by the regulations, provide for practice visits as part of the continuing competence program and conduct a practice visit of regulated members, and</p> <p>(c) may undertake any other power or duty given to it under this Act or the bylaws.</p> <p>(7) Despite subsection (6) and section 20, if a competence committee is authorized to conduct practice visits it shall not carry out any powers or duties under sections 28 to 30.</p> <p>Act s 17(1) A hearing tribunal's powers and duties include holding hearings under this Act.</p> <p>(2) A complaint review committee's powers and duties include reviewing and ratifying settlements under section 60 and conducting reviews under section 68.</p> <p>Act s 18(3) The chair of the registration committee or of the competence committee may direct a panel of the registration committee or of the competence committee to carry out any power or duty that the registration committee or competence committee may carry out under this Act.</p>	<p>are structured similarly; some are more involved than others.</p> <p>Some regulations have only a Registrar while others (also) have a Registration Committee, Competence Committee, Hearings Director and/or Reinstatement Review Committee</p> <p>Some have provisions for Alternative Complaint Resolution; Complaints Director appoints someone to conduct a process acceptable to both the complainant and the investigated person.</p>
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	<p>practise under supervision of a regulated member of another regulated health profession and may direct the manner and type of supervision to be provided</p> <ul style="list-style-type: none"> -determines purpose and term for person on courtesy register; may specify time period and must identify any title that may be used by the registered person and the restricted activities that person may engage in while so registered -approves certain details of structured practical training program -Registrar, Reg Comm, Council and/or Competence Committee may impose conditions on permit e.g. limiting practice to areas/settings approved/specified; reporting on specified matters on specified dates; title(s) that member can use; that regulated member must practice under supervision for period of time considered necessary -may authorize performance of restricted activities -may grant approval as a supervising member -may approve other activities that count as continuing education credit hours; may recommend rules or amendments to rules to Council -must periodically select regulated members for a review and evaluation; in some cases, assessments must be done at prescribed intervals by Competence Committee – if 	<p>in section 53.3.</p> <p>(2) An inspection committee must consist of one or more members appointed by the council.</p> <p>(3) If a council establishes an inspection committee under subsection (1), the powers and duties of the registrar under this Part, except those described in section 53.3, are vested in and may be exercised by the inspection committee, and any reference to the registrar in this Part, except in section 53.3, is deemed to be a reference to the inspection committee.</p>		
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	<p>competence unsatisfactory, Competence Committee or Registrar may require a regulated member to undertake remedial action -review and make orders on applications for reinstatement (reviewable) -may correct or remove any info in the register if determines it is incorrect or inaccurate</p>			
<p>Agrology Profession Act</p> <p>Alberta Institute of Agrologists Bylaws</p>	<p>29(1) The council, a hearing tribunal, the registration committee, the complaint review committee or the competence committee may direct the registrar to correct or remove any entry made in error in a register and the registrar must correct or remove the entry.</p> <p>(2) The registrar, on becoming aware of an entry made in error in a register, may correct or remove that entry.</p> <p>(3) If the registrar corrects or removes an entry under subsection (1) or (2) that contains personal information about a regulated member or other member the registrar must notify the regulated member or other member as soon as reasonably possible.</p> <p>Bylaws 4.02 I 1) A Registration Committee shall be appointed by the Council...</p> <p>Bylaws 4.02 II 1) The Registration Committee will be established for the purposes of assisting the Registrar and</p>	<p><i>Proposed amended wording to Bylaws 4.02 I</i></p> <p>A Registration Committee shall be appointed by the Council as allowed in the Act Section 9(1)(a). The Council shall appoint a chair, which may be the Registrar or Registrar’s designate. The committee shall consist of at least four professional agrologists and four registered technologists in agrology, all in good standing. At least six committee members must be outside the employ of the Institute. The committee shall also include the Registrar. ...The Registration Committee may act as the Competence Committee as allowed in Section 10(2) of the Act.</p> <p>...</p>	<p>Act s 18(3) The chair of the registration committee and of the competence committee may direct a panel ... to carry out...</p> <p>Act s 19(1) A council may delegate any of its powers and duties to one or more persons, panels or committees, ...</p> <p>(4) Despite subsections (1) and (3), the council and a panel of the council may not delegate its powers or duties with respect to a review or appeal under Part 4.</p> <p>Bylaws 4.03 II 1) The Competence Committee will be established for the purposes of assisting the Registrar and the Council in carrying out the following activities:</p> <p>a) Oversee and update for Council approval, as required, the General Standard of Practice requirements for all regulated members in the Institute.</p> <p>b) Selection and appointment of Practice Area Expert Committees</p>	<p>The Agrology Profession Act is structured and worded very similar to the HPA. Only relevant wording from the Act that is different from the HPA is included here.</p> <p>There are no clear statements regarding registrar’s powers/duties or power to delegate in the regulations under this Act but there are in the bylaws.</p> <p>Per the bylaws, the Registration</p>

	<p>the Council in carrying out the following activities:</p> <p>a) Making recommendations to the Registrar regarding reviewing and approving programs of study for educational institutions in Alberta;</p> <p>b) Making recommendations to the Registrar about courses required for entrance into the Agrology profession;</p> <p>c) Reviewing and making recommendations to the Registrar concerning all applications for registration with AIA;</p> <p>d) Reviewing proposed scope of practice statements submitted to the Registrar by applicants for registration. The committee shall revise, delete from or add to the proposed scope of practice statement to ensure the scope of practice is consistent with the applicant’s knowledge, expertise and skills.</p> <p>e) Recommending to the Registrar any appropriate courses of action to applicants who apply to AIA;</p> <p>f) Reviewing and recommending to the Registrar any policy regarding registration procedure and function;</p> <p>g) Assisting the Registrar and Council with any appeals of the Registrar’s decision regarding an application to the AIA.</p> <p>3) The committee members shall be recommended to the Council by the Registrar and the Assistant Registrar.</p>		<p>responsible for oversight of a particular Practice Area;</p> <p>c) Oversee the function of the Practice Area Expert Committees (Practicing members) in the development of the following:</p> <p>i. Identifying and defining the knowledge, skill and performance requirements for competent practice within a particular Practice Area;</p> <p>ii. Definition of a Practice Standard for a particular Practice Area that describes the standard of practice by which competence within that Practice Area will be assessed;</p> <p>iii. Identifying and overseeing the development of Continuing Professional Development opportunities to meet regulated member needs within a particular Practice Area.</p> <p>d) Oversee the review of practice permits for regulated members and recommending to the Registrar the placing of conditions, or removal of conditions, on the practice permit as deemed necessary by the committee.</p>	<p>Committee shall include (among others) the Registrar and the Assistant Registrar.</p>
Regulated	CAPF Bylaws s 4.2	CAPF Bylaws s 4.14	CAPF Bylaws s 17.1	The Regulated

<p>Forestry Profession Act</p> <p>Registered Professional Foresters Regulation</p> <p>Registered Professional Forest Technologists Regulation</p> <p>College of Alberta Professional Foresters (CAPF) Bylaws</p> <p>College of Alberta Professional Forest Technologist (CAPFT) Bylaws</p>	<p>b. The Executive Committee of the Council shall consist of the President, Vice-President and the Past-President together with the Registrar as a non-voting ex-officio member. The Executive Committee shall direct the affairs of the College subject to the instructions of the Council.</p> <p>CAPF Bylaws s 4.13 The Council shall appoint: 1) a Registrar in accordance with Section 8 of the Act</p> <p>CAPF Bylaws s 4.14 Registrar a. The Registrar shall: 1) be a Registered Professional Forester on the Registered Professional Foresters Register; 2) keep the registers and records up-to-date; 3) perform such other duties as are assigned to him/her by the Council; and, 4) do such other things as are necessary or expedient for the proper administration of the Act, Regulations and Bylaws, and the affairs of the College generally. ...</p> <p>d. The Registrar is responsible to the Council and has responsibilities as defined by the Executive.</p> <p>e. The Registrar is a non-voting, ex-officio member of all committees of the Council and committees of the College.</p>	<p>Registrar</p> <p>b. The Council may appoint a Registered Professional Forester from the Registered Professional Foresters Register as Acting Registrar who shall act as the Registrar in the absence or inability of the Registrar to act, or when the office of Registrar is vacant.</p> <p>c. When an acting Registrar acts as Registrar, he/she has all the powers and duties of the Registrar under the Act, Regulation and Bylaws.</p> <p>CAPF Bylaws s 2.3 The Registrar, or, in his/her absence or inability to act, the President or an individual designated by the Council, shall have custody of the Common Seal of the College.</p> <p>CAPF Bylaws s 4.1 b. The Registrar and Legal Advisor are non-voting, ex-officio members of the Council, but if either is unable to attend a meeting, he/she shall not appoint an individual to represent him/her.</p> <p>CAPF Bylaws s 4.2 c. In the event that any member of the Executive Committee is unable to act, the Council shall appoint a replacement from amongst its members.</p>	<p>a. The Council shall manage the property and business of the College and may exercise all such powers of the College as are not specified by the Act, Regulation and Bylaws to be dealt with otherwise.</p> <p>b. Within the same limitations, the Council may delegate its power to the Executive Committee.</p>	<p>Forestry Profession Act is structured and worded very similar to the HPA.</p> <p>There are no clear statements regarding registrar's powers/duties or power to delegate in the regulations under the Act.</p> <p>Not clear whether CAPF Bylaws s 4.2 would apply to the Registrar, as a non-voting ex-officio member.</p>
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	<p>CAPFT Bylaws 5.06 It shall be the duty of the Registrar, who is a member of the College in good standing, to attend all meetings of the College and Council, and to keep accurate minutes of the same. The Registrar shall have charge of all the correspondence of the College and be under the direction of the President and Council.</p> <p>The Registrar and/or office staff shall also keep a record of all the members of the College and their addresses, send all notices of the various meetings as required, and shall collect and receive the annual dues or assessments levied by the College, such monies to be promptly deposited in a bank, trust company, credit union or treasury branch as hereinafter required. The Registrar also has signing authority as per an officer of the College.</p>			
<p>Regulated Accounting Profession Act</p> <p>CGA, CMA and CA Bylaws</p>	<p>Act s 29 Governing body must appoint an individual as a registrar of the accounting organization for the purposes of the Act</p> <p>Act s 31 Registrar or registration committee (bylaws indicate which of the two) must consider and decide on application for registration under Part 3, including the imposition of conditions on a registration, and must undertake any other functions and duties prescribed by the governing</p>	<p>Act s 12(1) When an accounting organization is given a power, duty or function, it is to be carried out by its governing body or the individual, committee or other body prescribed by the governing body, and the delegated power, duty or function may be subdelegated, unless the governing body otherwise prescribes.</p> <p>(2) If an individual, committee or other body is not designated by this Act or prescribed by a governing body to perform a power, duty or function of</p>	<p>CMA Bylaws Section 4.03 Duties, Responsibilities and Powers of the President and CEO</p> <p>CMA Bylaws Section 4.04 (2) For the complaints inquiry committee and the practice review committee, the chair may appoint a vice-chair who will assume the powers and duties of the chair when the chair is not able to act for any reason.</p>	<p>Clear summaries or statements regarding registrar's powers and delegation are found in the bylaws.</p>

	<p>body.</p> <p>CMA Bylaws, Section 4.02 Duties, Responsibilities and Powers of the Registrar</p> <p>(1) The Registrar’s primary responsibility is to accept, consider and decide upon applications for membership for individual applicants, for public accounting firms, or for professional service providers. The Registrar has the power to approve, defer, or refuse an application for membership. The Registrar may impose conditions on a registration that the Registrar considers in the best interest of the public. The Registrar must notify an applicant of an incomplete registration application within 30 days of receipt. A decision must be rendered within 120 days of the receipt of an application; a failure to provide a decision must be considered a refusal of an application.</p> <p>(2) The Registrar will receive, and may issue approvals of, the articles of a proposed professional corporation. The Registrar will receive notifications regarding changes in ownership or directors or in the name of professional corporations. The Registrar has the power to set time limits for notification requirements. If a professional corporation does not comply with the requirements of the Act, the Registrar may cancel that professional corporation’s registration. The</p>	<p>the accounting organization, the chief elected officer or a designate of the chief elected officer may perform it.</p> <p>Act s 13(1) A governing body may fulfil the purposes of this Act and exercise its powers, duties and functions by regulation, bylaw, resolution, rule of professional conduct or practice standard unless this Act provides that a power, duty or function is to be exercised in a particular way.</p> <p>(2) A governing body may not delegate its authority to make regulations, bylaws, resolutions, rules of professional conduct or practice standards, but may delegate authority to act under or in accordance with a regulation, bylaw, resolution, rule of professional conduct or practice standard.</p> <p>Act s 15(3) Any power, duty or function under the bylaws may be delegated and subdelegated.</p> <p>CGA Bylaw 4101 If the registrar or Executive Director is absent or for any reason cannot act, the Executive Director shall appoint a person as acting registrar or Executive Director and that person, while so acting, has the powers and shall perform the duties of the registrar or Executive Director</p> <p>CGA Bylaw 4102</p>		
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	<p>Registrar may make complaints, under section 67 of the Act, and must notify the registrant regarding any resulting suspension, cancellation, or practice restriction. The Registrar must notify the Registrar of Corporations of any suspension or cancellation of a professional corporation within 30 days.</p> <p>(3) The Registrar may be required to act as a party to an appeal. The Ombudsman may require the Registrar to rehear any matter, and reconsider a decision. The Registrar has the power to quash, confirm or vary any decisions, recommendations, or parts of them.</p>	<p>If for any reason the Executive Director is unable to appoint an acting registrar or Executive Director in accordance with by-law 4101, the Board shall appoint a person as acting registrar or Executive Director and that person, while so acting, has the powers and shall perform the duties of the registrar or Executive Director</p> <p>There is a similar provision in CA Bylaws 500</p> <p>CMA Bylaws Section 4.01 Acting Registrar and Acting President and CEO (1) If the Registrar or the President and CEO is absent, or for any reason cannot act, or when there is a vacancy in the office, the Board may appoint any person as Acting Registrar or Acting President and CEO and that person, while so acting, has the powers and shall perform the duties of the Registrar or President and CEO, as the case may be. The responsibilities identified under Section 4.02 and Section 4.03 are primary responsibilities as identified under the Act however these may not include other responsibilities inherent in these positions as defined by the Board. The Board may require the Acting Registrar or Acting President and CEO to assume additional responsibilities.</p>		
<p>Bill 7 – Chartered Professional</p>	<p>Registrar 32 The board must appoint an individual as registrar of the CPAA for</p>	<p>13(1) A power, duty or function of the CPAA is to be carried out by the board or the individual, committee or other</p>	<p>Registration committee 33(3) The registration committee may, in the manner prescribed by the</p>	

<p>Accountants Act</p> <p><i>Received Royal Assent December 17, and will come into force on Proclamation.</i></p>	<p>the purposes of this Act.</p> <p>Registration decisions</p> <p>34 The registrar or the registration committee must consider and decide on applications for registration under this Part, including the imposition of conditions or restrictions on a registration, and must undertake any other functions and duties prescribed by the board in accordance with the regulations, bylaws, directives and resolutions.</p>	<p>body prescribed by the board, and the delegated power, duty or function may be subdelegated unless the board otherwise prescribes.</p> <p>17(3) Any power, duty or function under the bylaws may be delegated and subdelegated.</p>	<p>board, delegate any of its functions, powers or duties.</p>	
<p>Veterinary Profession Act</p> <p>Veterinary Profession General Regulation</p> <p>Alberta Veterinary Medical Association Bylaws</p>	<p>Act s 9 The Council shall appoint a Registrar for the purposes of the Act.</p> <p>Bylaws s 9.1.1 Council shall appoint a Registrar, Secretary-Treasurer, Complaints Director, Hearings Director, and such other personnel as it from time to time deems appropriate for the efficient operation of the Association.</p> <p>Bylaws 9.2 The separate duties of Registrar and of Secretary-Treasurer may, at Council’s discretion, be carried out from time to time by one person assuming the duties of both positions.</p> <p>Bylaws 9.3 The Registrar/Secretary-Treasurer as Registrar shall:</p> <p>9.3.1 generally act as the Chief Executive Officer of the Association;</p> <p>9.3.2 maintain in accordance with the Act, Regulations and Bylaws, a Register of Registered Veterinarians, Permit</p>	<p>Bylaws 9.1.3 Council may appoint such persons as it deems appropriate to discharge the duties of such persons appointed pursuant to 9.1.1 during the absence, disability, or vacancy in the office of such person. Such persons shall be designated the “Acting” or “Deputy” of the said position.</p>	<p>Act s 6 The Association has the capacity and, subject to this Act, the rights powers and privileges of a natural person</p> <p>Act s 11; Reg s 50.1; Bylaws s 4.4 re Practice Review Board</p> <p>Bylaws 4.3 Registration Committee</p> <p>4.3.1 The Registration Committee shall carry out the duties and responsibilities assigned to it in the Act and Regulations.</p> <p>Bylaws s 3.7, 3.8 and 3.9 re roles of President, VP and Past President</p> <p>Bylaws 9.8 The Association’s authorized signing authorities shall be the President, Vice President, immediate past President, Secretary-Treasurer, Registrar, Deputy Registrar</p>	<p>Practice Review Board, Hearing Tribunal, and Complaint Review Committee are established in the Act (though it says in s 4.1 of the Bylaws that Council shall establish these, among others).</p> <p>No clear statement establishing the Registration Committee but Act and bylaws say it shall be established by Council. It is</p>

	<p>Holders, and Other Members; 9.3.3 maintain in accordance with the Regulations, a Register of Technologists; 9.3.4 carry out such other duties as Registrar as are set out in the Act, Regulations and Bylaws; 9.3.5 on behalf of the Association, employ or contract with such individuals as are necessary for its efficient and prudent management and administration; 9.3.6 perform such duties as may be from time to time assigned by Council; 9.3.7 be a non-voting, ex officio member of each Legislated and Non-Legislated committee, except the Complaint Review Committee and Hearing Tribunal and the recording and corresponding secretary for each Legislated Committee, except the Complaint Review Committee and Hearing Tribunal.</p> <p>Bylaws 9.4 The Registrar/Secretary-Treasurer as Secretary shall: 9.4.1 attend to providing all notices required to be given by the Association and shall keep minutes of all meetings of the Association and Council. 9.4.2 keep in safe custody and have charge of all of the records of the Association together with copies of all reports by the Association, Council or committees thereof and such other books and papers as Council may direct.</p>		<p>and any other person designated in writing by Council.</p>	<p>referenced in the regulation, and its powers are outlined in the bylaws.</p> <p>Practice Inspection and Practice Standards Committee continued by bylaws.</p>
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	<p>9.4.3 be the custodian of all personal property of the Association and shall hold all deeds, documents and other evidence of title to real and personal property of the Association.</p> <p>9.4.4 perform such other duties as pertaining to the office of Secretary-Treasurer as may be required by Council.</p> <p>Bylaws 9.5 The Registrar/Secretary-Treasurer as Treasurer shall:</p> <p>9.5.1 have general charge of the finances of the Association;</p> <p>9.5.2 deposit all money and other valuable effects of the Association in the name of and to the credit of the Association in such banks or other depositories as Council may from time to time designate by resolution.</p> <p>9.5.3 render to Council whenever directed by Council an account of the financial condition of the Association and all transactions as Treasurer as soon as possible after the end of each fiscal year.</p> <p>9.5.4 cause the books of the Association to be audited by the Association's auditors.</p> <p>9.5.5 make and submit to Council a report for each year together with the audited financial statements.</p> <p>9.5.6 have custody and be responsible for the keeping of books of account of the Association.</p> <p>9.5.7 perform such other duties as are incidental to the office of Treasurer as</p>			
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	<p>requested by Council.</p> <p>Act s 15 The Registrar shall maintain, in accordance with the bylaws and subject to the direction of the Council, a register of registered veterinarians and permits holders.</p>			
<p>Professional and Occupational Associations Registration Act</p> <p>Regulations</p> <p><i>(Bylaws were not reviewed)</i></p>	<p>Act s 2 In accordance with the <i>Public Service Act</i>, there may be appointed a Registrar of Registered Professional and Occupational Associations and any other persons who are necessary for the administration of this Act.</p> <p>Act s 3 The Registrar [of Registered Professional and Occupational Associations] shall, when directed to do so by the Minister, examine, inquire into, study and report to the Minister on any matter that the Minister considers necessary for the purpose of obtaining information for conducting an investigation under section 7.</p> <p>Act s 7 ... Registrar [of Registered Professional and Occupational Associations] shall conduct an investigation into whether an association should be recommended for registration under this Act</p> <p>Regs – Association/Institute/Society Registrar appointed under the bylaws</p>	<p>Act s 18(1) A Discipline Committee shall choose one of its members to act as chair and a member to act as vice-chair.</p> <p>(2) In the absence or inability to act of the chair, the vice-chair has the powers and duties of the chair.</p> <p>Regs – Annual fee paid to the Association Registrar or to any person authorized by the Association Registrar to accept payment of the fee</p>	<p>Act s 11(1) An association that is named in an order under section 9(1)(a)</p> <p>(a) is a corporation, or</p> <p>(b) if it was a corporation before the order is made, is continued as a corporation under this Act and has the capacity and, subject to this Act, the rights, powers and privileges of a natural person.</p> <p>Act s 13(1) The governing body of a registered association shall manage and conduct the business and affairs of the registered association and exercise the rights, powers and privileges of the registered association in the name and on behalf of the registered association.</p> <p>Act s 16(1) A registered association may establish a Registration Committee and a Practice Review Committee in accordance with the regulations.</p> <p>(2) The Registration Committee and the Practice Review Committee shall have the procedures, powers and duties prescribed by regulation.</p>	<p>There are 15 regulations under POARA. They are all set up essentially the same way. Relevant provisions are summarized here.</p> <p>Registration Committee is established in the Regs; sometimes but not always includes the Association/Institute/Society Registrar, sometimes as non-voting member</p> <p>Regs – includes powers and duties of Registration Committee (and</p>

				Practice Review Committee)
Legal Profession Act	Act s 25(1) The Executive Director, the Deputy Executive Directors, the Deputy Secretaries and the Treasurer shall be appointed by the Benchers.	Act s 25(2) Unless otherwise expressly provided in the rules or by a resolution of the Benchers, a Deputy Executive Director or a Deputy Secretary may exercise and perform any powers, functions and duties of the Executive Director.	Act s 3 The Society, in addition to the powers vested in it by this or any other Act, has the power to borrow money for the purposes of the Society and to mortgage or charge property of the Society or its sources of funds as security for money borrowed.	There is no Registrar but an Executive Director (ED).
Rules of the Law Society of Alberta	<p>Act s 40(1) The Executive Director shall approve the admission of a person as a student-at-law if the person proves to the Executive Director's satisfaction...</p> <p>Act s 41(1) and 42(2) The Executive Director shall approve the enrolment of a person as a member of the Society if ... (re transfer of Canadian lawyers to Alberta, and transfer of corporate counsel to Alberta)</p> <p>Act s 48 ED can grant authorization to outside counsel</p> <p>Act s 53(1) Any conduct of a member that comes to the attention of the Society, whether by way of a complaint or otherwise, shall first be reviewed by the Executive Director.</p> <p>Rule s 6 The Executive Director is (a) the chief executive officer of the Society, (b) the custodian of the seal of the Society, and (c) subject to the Deposit Agreement referred to in Rule 44, the custodian of the records of the Society.</p>	<p>(3) The President may appoint any person as Acting Executive Director if the Executive Director is absent or unable to act, and that person, while Acting Executive Director, has the powers and shall perform the duties of the Executive Director.</p> <p>(4) The Benchers may, by resolution or by the rules, delegate any powers or duties of the Executive Director under this Act to the Treasurer, the holder of an office established under section 24(1) or an employee of the Society and prescribe the circumstances in which or the conditions on which the delegation is to apply.</p> <p>(5) A delegation made under subsection (4) does not affect the ability of the Executive Director to exercise or perform the power or duty so delegated.</p> <p>Act s 37 re role of Society re enrolment or admission</p> <p>(5) The Benchers may delegate any of their authority under this section, other than the authority to make rules,</p>	<p>Act s 24(5) The Acting President has the powers and shall perform the duties of the President.</p> <p>Act s 58(2) On being directed to carry out a review and assessment under this section, the Practice Review Committee may delegate the carrying out of any aspect of the review and assessment to a subcommittee consisting of one or more persons, whether they are members of the Practice Review Committee or of the Society or not, and in that case, the subcommittee shall submit a written report containing its findings and recommendations to the Practice Review Committee.</p> <p>Rule 24(3) If for any reason the chair of a committee is absent or unable to perform the duties of the chair at a meeting of the committee, the vice-chair, if available, or any other committee member chosen by the committee, may preside at the</p>	

	<p>Rule 31.1 and 31.2 – appointments made by ED</p> <p>Rule 54 ED determines articling commencement date</p> <p>Rule 55 ED determines the suitability of a member to act or continue to act as a principal</p> <p>Rule 57.2 ED can approve assignment of articles</p> <p>Rule 57.3 ED can terminate articles</p> <p>Rule 60 Can approve extension of time period re CPLED program requirements</p> <p>Rule 72.2 and 72.3 ED may allow visiting lawyer to provide legal services without a permit</p> <p>Rule 76 ED may issue licence re foreign legal consultant (or attached conditions or refer the application to the Credentials and Education Committee)</p> <p>Rule 85 Any matter regarding the conduct of a member is reviewed by the ED who makes a direction on the matter</p> <p>Rule 119.5 and 119.34 ED reviews and makes decision re responsible lawyer</p> <p>Rule 119.27 ED can make decisions re</p>	<p>to the ED or to the Credentials and Education Committee.</p> <p>Rule 1(3) If a power or duty of the Executive Director under any provision of these Rules is delegated by the Benchers to an officer or employee of the Society, a reference to the Executive Director in that provision shall be construed as including that officer or employee.</p> <p>In Part 2, Division I, Interpretation and Authority, per Rule 47(e) "Executive Director" includes the employees holding the positions of Credentials and Education Counsel, Counsel, Policy and Programs Counsel, and any other person designated by the Executive Director to perform any of the duties assigned to the Executive Director in these Rules</p> <p>Rule 48.3 Wherever this Part of the Rules provides the ED with the authority to determine a matter, the ED may, in his/her sole discretion, refer the matter to the Committee for determination. (Re Part 2 Membership and Qualifications to Provide Legal Services)</p> <p>Rule 87.1(1) The powers and duties of the Executive Director under part 3 of the Act and part 3 of these Rules are delegated:</p>	<p>meeting and while so presiding has the powers and duties of the chair. (4) A power or duty conferred or imposed by these Rules or the Act on the chair of a committee may be exercised or performed by the vice-chair of the committee.</p> <p>Rule 26 re powers and duties of Executive Committee</p> <p>Rule 82 A power or duty conferred or imposed by this Part of the Rules or Part 3 of the Act [re conduct of members] on the chair of the Conduct Committee may be exercised or performed by a vice-chair of the Conduct Committee.</p> <p>Rule 89 Practice Review Committee may sit in panels of a minimum of 3 members each for certain purposes; nothing in this Rule affects the ability of the Practice Review Committee to exercise or perform the power or duty delegated to the panel, nor to exercise the power of delegation under s 58(2) of the Act</p> <p>Rule 119.33(2) The powers conferred by subrule (1) on the Benchers may also be exercised by ... (e) the Executive Director ...</p>	
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	<p>dealing with certain trust monies</p> <p>Rule 119.35 and 119.37 ED can grant exemptions re financial records</p> <p>Rule 137 ED approves pro bono provider</p> <p>Rule 141 ED reviews and makes a decision on each claim against the assurance fund</p>	<p>(a) to the President or the President-Elect where ...; and (b) to the President-Elect where ...</p> <p>In Part 4 (reinstatement), per Rule 107.2: In this Part, “Executive Director” includes the employee holding the positions of Credentials and Education Counsel and any other person designated by the Executive Director to perform any of the duties assigned to the Executive Director in this Part.</p> <p>In Part 5 (duties of law firms), per Rule 119(1)(f): “Executive Director” includes the employees holding the position of Credentials and Education Staff Lawyer, Manager, Trust Safety, and any other person designated by the Executive Director to perform any of the duties assigned to the Executive Director;</p> <p>In Part 6, Division 2 (claims against the assurance fund), per Rule 139(d): In this Division ... “Executive Director” includes the employee holding the position of Director of Insurance and any other person designated by the Executive Director to perform any of the duties assigned to the Executive Director in this Division.</p> <p>In Part 8, Professional Corporations, per Rule 153.1: In this Part, “Executive Director”</p>		
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		<p>includes the employees holding the positions of Credentials and Education Counsel, Membership Manager, Membership Officer, Counsel and Policy and Programs Counsel. (Similarly, in Part 8.1, Limited liability partnerships, per Rule 159.01)</p> <p>In Part 9, Society fees and assessments, per Rule 160 In this Part, ... (b) “Executive Director” includes a delegate of the Executive Director.</p> <p>Rule 164.1(2) Each member must complete, sign and return the Member Information Update form to the Law Society no later than March 15 of that year, subject to any extension of time authorized by the Executive Director’s delegate.</p>		
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