

***Professional and Occupational
Associations Registration Act***

ALBERTA COMMUNITY PLANNER REGULATION

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Definitions

- 1 In this Regulation,
- (a) "Act" means the *Professional and Occupational Associations Registration Act*;
 - (b) "Alberta Community Planner" means a person whose name is entered in the register of Alberta Community Planners;
 - (c) "Association" means the Alberta Association, Canadian Institute of Planners;
 - (d) "Association Registrar" means the Registrar of the Association appointed under the by-laws;
 - (e) "by-laws" means the by-laws of the Association;
 - (f) "Council" means the Council of the Association established under the by-laws;
 - (g) "Discipline Committee" means the Discipline Committee established pursuant to section 14;
 - (h) "Institute" means The Canadian Institute of Planners;
 - (i) "member" means an Alberta Community Planner, a provisional member and a student member;
 - (j) "practice of planning" means the process of planning the scientific, aesthetic and orderly allocation of land, community resources facilities and services with a view to maintaining and improving the physical environment and the economic and social conditions of urban and rural communities;
 - (k) "Practice Review Committee" means the Practice Review Committee established pursuant to section 10;
 - (l) "provisional member" means a person whose name is entered in the register of provisional members;
 - (m) "Registration Committee" means the Registration Committee established pursuant to section 2;
 - (n) "student member" means a person whose name is entered in the register of student members.

Registration Committee

- 2(1) There is hereby established the Registration Committee consisting of
- (a) one Alberta Community Planner who is a member of the Council, and
 - (b) 2 other Alberta Community Planners who are not members of the Council, one of whom shall be appointed as chairman.
- (2) The Registration Committee shall be appointed by the Council in accordance with the by-laws.
- (3) The Registration Committee shall meet at the call of the chairman.
- (4) A quorum at a meeting of the Registration Committee is 2 members.

Registers

3(1) The Association Registrar shall maintain, in accordance with this Regulation and the by-laws and subject to the direction of the Council,

- (a) a register of Alberta Community Planners,
- (b) a register of provisional members,
- (c) a register of student members, and
- (d) any other register prescribed by the by-laws.

(2) The register of Alberta Community Planners shall consist of the following categories of membership:

- (a) Full Members, being persons who satisfy the requirements of this Regulation for registration as an Alberta Community Planner;
- (b) Fellows, being persons who satisfy the requirements of this Regulation for registration as an Alberta Community Planner and have been elected by the Council of the Institute in recognition of a significant contribution to the planning profession.

(3) The Association Registrar shall enter in the appropriate register

- (a) the name of an individual whose registration has been approved by the Council or the Registration Committee, as the case may be, and who has paid the fee prescribed by the by-laws, and
- (b) the business address, if any, of that individual.

(4) The Association Registrar shall permit any person to inspect a register during regular office hours.

Powers and duties of Registration Committee

4(1) The Registration Committee shall consider applications from persons to become members of the Association in accordance with this Regulation and the by-laws and may

- (a) approve the application,
- (b) refuse to approve the application, or
- (c) approve the application subject to the condition that the applicant pass a practical written examination prescribed by the Universities Co-ordinating Council or complete course work as required by the Universities Co-ordinating Council.

(2) The Registration Committee shall send a written notice of any decision made by it to the applicant.

(3) If the decision made by the Registration Committee is to refuse the

- application for membership, written reasons for the decision shall be sent to the applicant.
- (4) If the decision made by the Registration Committee is to approve the application for membership, the Committee shall arrange for an interview to be held with the applicant in order to outline the work of the Association and the responsibilities of the member.

Review of application

5(1) An applicant whose application for membership is refused by the Registration Committee may, by notice in writing served on the Association Registrar within 30 days of receiving a notice of refusal and the reasons for it, appeal the refusal, and the notice of appeal shall set out the reasons why, in the applicant's opinion, the application for membership should be approved.

- (2) An applicant who appeals a decision of the Registration Committee under subsection (1)
- (a) shall be notified in writing by the Association Registrar of the date, place and time that the Council will hear the appeal, and
 - (b) is entitled to appear with counsel and make representations to the Council when it hears the appeal.

(3) A member of the Registration Committee who is also a member of the Council may participate in the appeal but shall not vote on a decision of the Council under this section and shall not be counted for the purposes of a quorum.

(4) On hearing an appeal under this section, the Council may make any decision the Registration Committee may make, and shall notify the applicant of its decision.

Payment of fee

6 A member shall pay the annual fee prescribed by the by-laws to the Association Registrar or to any person authorized by the Association Registrar to accept payment of the fee.

Registration as Alberta Community Planner

- 7(1) An applicant
- (a) who has acquired a doctorate, master's or a four-year bachelor's degree in planning recognized by the Universities Co-ordinating Council and has at least 2 years of responsible professional planning experience acceptable to the Registration Committee, or
 - (b) who
 - (i) has acquired a degree in a field related to planning that is

acceptable to the Universities Co-ordinating Council, has at least 4 years of responsible professional planning experience acceptable to the Registration Committee and has successfully completed a written examination approved by the Universities Co-ordinating Council, or

- (ii) has acquired a degree which is not related to planning but is acceptable to the Universities Co-ordinating Council, has at least 6 years of responsible professional planning experience acceptable to the Registration Committee and has successfully completed a written examination approved by the Universities Co-ordinating Council,

is entitled to be registered as an Alberta Community Planner.

- (2) A person who, on the coming into force of this Regulation, is a Full Member or Fellow in good standing with the Association is entitled to be registered as an Alberta Community Planner and the Association Registrar shall enter the name of that person in the register.
- (3) A person who
 - (a) moves from another jurisdiction to the area served by the Association,
 - (b) meets the requirements of subsection (1) as determined by the Universities Co-ordinating Council, and
 - (c) was a Full Member of the Institute while resident in that other jurisdiction

is entitled to be registered as an Alberta Community Planner.

Registration as a provisional member

- 8(1) An applicant who
 - (a) holds a degree referred to in section 7(1)(a), or
 - (b) holds a degree referred to in section 7(1)(b) and who has obtained employment in the planning field,

is entitled to be registered as a provisional member.

- (2) A person may remain in the register of provisional members for not more than
 - (a) 5 years in the case of a person referred to in subsection (1)(a), or
 - (b) 7 years in the case of a person referred to in subsection (1)(b).

Registration as a student member

9(1) An applicant

- (a) who is enrolled in a degree program in planning recognized by the Universities Co-ordinating Council, or
- (b) who has been granted a degree in planning recognized by the Universities Co-ordinating Council and who is enrolled in another degree program

in entitled to be registered as a student member.

- (2) A person may remain in the register of student members until the expiry of 1 year after the date he completes his degree program.

Practice Review Committee

10(1) There is hereby established the Practice Review Committee consisting of

- (a) one Alberta Community Planner who is a member of the Council, and
 - (b) at least 3 other Alberta Community Planners who are not members of the Council, one of whom shall be appointed as chairman.
- (2) The Practice Review Committee shall be appointed by the Council in accordance with the by-laws.
 - (3) The Practice Review Committee shall meet at the call of the chairman.
 - (4) A quorum at a meeting of the Practice Review Committee is 3 members.

Powers and duties of Practice Review Committee

11 The Practice Review Committee

- (a) may, on its own initiative, and shall, at the request of the Council, inquire into and report to and advise the Council in respect of
 - (i) the assessment of educational standards and experience requirements that are conditions precedent to registration as an Alberta Community Planner,
 - (ii) the assessment and development of continuing education programs for upgrading and enrichment of Alberta Community Planners,
 - (iii) the evaluation of desirable standards of competence for Alberta Planners generally,
 - (iv) any other matter that the Council from time to time considers necessary or appropriate in connection with the exercise of its powers and the performance of its duties in relation to competence in the practice of planning under this Regulation, and

(v) the practice of planning generally,

and

(b) may, with the approval of the Council, conduct a review of the practice of a member.

Notice

12 The Practice Review Committee shall give reasonable notice to a member of its intention to conduct a review of the practice of the member.

Reports and recommendations

13(1) After each inquiry or review under section 11, the Practice Review Committee

- (a) shall make a written report to the Council on the inquiry or review and, where appropriate, on its decision,
- (b) may make recommendations, together with reasons, to the Council regarding the matter inquired into or reviewed,
- (c) may make recommendations to a member as to that member's conduct in the practice of planning, and
- (d) shall, if it is of the opinion that the conduct of a member constitutes or may constitute either unskilled practice of the profession or professional misconduct within the meaning of section 19 of the Act, forthwith refer the matter relating to that conduct to the chairman of the Discipline Committee to be dealt with under Part 3 of the Act, and in such a case the Discipline Committee shall deal with it as if it were a complaint.

(2) The Practice Review Committee may at any time during an inquiry or review under section 11 refer any matter to the chairman of the Discipline Committee to be dealt with under Part 3 of the Act, and in such a case the Discipline Committee shall deal with it as if it were a complaint.

Discipline Committee

14(1) There is hereby established the Discipline Committee consisting of not fewer than 3 and not more than 5 Alberta Community Planners, none of whom shall be members of the Council, and one of whom shall be appointed as a chairman.

(2) The members of the Discipline Committee shall be appointed by the Council in accordance with the by-laws.

- (3) The Discipline Committee shall meet as required.
- (4) A quorum at a meeting of the Discipline Committee shall be a majority of the members of the Committee.

Written complaints

- 15 A complaint made to the Discipline Committee shall be in writing and signed by the complainant.

Costs

- 16(1) The Discipline Committee, with respect to hearings before it, and the Council, with respect to reviews by it, may order the investigated person to pay the following costs:

- (a) the fee payable to the lawyer advising the Discipline Committee or Council at the hearing or review and the fee payable to the lawyer acting in a prosecutory role at the hearing or review;
- (b) the cost of recording the evidence and preparing transcripts;
- (c) the expenses of the members constituting the Discipline Committee including, without limitation, the per diem allowances of those members;
- (d) any other expenses incurred by the Association that are incidental to the hearing or review.

- (2) Where the Council determines under section 22(3)(a) of the Act that a complaint is frivolous or vexatious, it may order the complainant to pay the following costs:

- (a) the fee payable to the lawyer advising the Council at any hearing held by the Council, and
- (b) any other expenses incurred by the Association that are incidental to any hearing held by the Council.

Cancellation and suspension

- 17(1) The registration of a member is cancelled or suspended when the decision to cancel or suspend the registration is made in accordance with the Act or this Regulation.

- (2) The Association Registrar shall enter a memorandum of the cancellation or suspension of the registration in the appropriate register indicating

- (a) the date of the cancellation or suspension,
- (b) the period of the suspension, and

- (c) the nature of any finding under Part 3 of the Act.
- (3) If the registration of a member is cancelled, the person whose registration is cancelled shall, on request, surrender to the Association Registrar all documents relating to the registration.

Cancellation on request

- 18 The Association registrar shall not cancel the registration of a member at the request of the member unless the request for cancellation is approved by the Council.

Non-payment of fees, etc.

19(1) The Council shall direct the Association Registrar to suspend or cancel the registration of a member who is in default of payment of annual fees, penalties, costs or any other fees, dues or levies payable under the act, this Regulation or the by-laws after the expiration of 30 days following the service on that person of a written notice by the Council unless that person complies with the notice.

- (2) The notice under subsection (1) shall state that the Association Registrar shall suspend or cancel the registration unless the fees, penalties, costs, dues or levies are paid as indicated in the notice.

Registration in error

- 20 The Council shall direct the Association Registrar to cancel the registration of any person that is entered in error in a register.

Notice of cancellation or suspension

21(1) The Council may publish, in any manner it considers appropriate, notice of the suspension or cancellation of the registration of a member.

- (2) A notice published under subsection (1) may include
 - (a) the period of suspension, if applicable.
 - (b) a statement of the reasons for the cancellation or suspension, and
 - (c) the nature of any finding and order made under Part 3 of the Act.

Reinstatement

22(1) The Council may order the Association Registrar, subject to any conditions respecting the payment of arrears and any reinstatement fee that the Council may prescribe to reinstate in the applicable register a registration that was cancelled or suspended for non-payment of fees, penalties, costs, dues or levies.

- (2) A member whose registration was cancelled at the member's own request may apply to become registered and in that case the application shall be treated by the Registrar as a new application.
- (3) If the registration of a member has been cancelled under Part 3 of the Act, the registration shall not be reinstated in the register except by order of the Council or a court of competent jurisdiction.
- (4) If the registration of a member has been suspended under Part 3 or the Act for a fixed period, the registration shall not be reinstated before the expiration of that period except by order of the Council or a court of competent jurisdiction.
- (5) Where the registration of a member has been
 - (a) cancelled under Part 3 of the Act, or
 - (b) suspended under Part 3 of the Act for a fixed period of more than one year,

no order shall be made under subsection (3) or (4), as the case may be, within one year after the date on which the registration was cancelled or suspended.

Service of notices

23 A notice to be served on the Association Registrar, the Council, the Practice Review Committee, the Registration Committee or the Discipline Committee, or any member of those committees or the Council, is sufficiently served if it is personally served at, or sent by registered or certified mail to, the office of the Association.

Use of title

24 An Alberta Community Planner may use the title "Alberta Community Planner" and the abbreviation "A.C.P." and "ACP".

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