

competence of an individual who has applied for registration to provide professional services of the regulated profession.

(2) No action for defamation may be founded on a communication regarding the conduct of a regulated member if the communication is made or is published in accordance with this Act by a college, a person described in subsection (1) or a council, committee or hearing tribunal in good faith and in the course of any proceedings under this Act or the bylaws relating to that conduct.

RSA 2000 cH-7 s126;2007 c32 s1(28);2007 c33 s1

## Ombudsman

### Complaints to Ombudsman

**127(1)** Any person may make a complaint with respect to anything under this Act in accordance with the *Ombudsman Act*.

(2) A college, the council or a panel, committee, tribunal, registrar, president, complaints director and hearings director of a college and any officer, investigator or person engaged by a college may, on the recommendation of the Ombudsman,

- (a) rehear any matter and reconsider any decision or recommendation made by that person or body, and
- (b) quash, confirm or vary the decision or recommendation or any part of it.

(3) If a matter is reheard or reconsidered pursuant to subsection (2), the provisions of this Act governing the original hearing or consideration apply to the rehearing or reconsideration.

1999 cH-5.5 s127

## Part 7 Title Protection

### Protected words, abbreviations

**128(1)** No person or group of persons shall represent or imply that the person is a regulated member or that the group of persons consists of regulated members unless the person is a regulated member or the group of persons consists of regulated members.

(2) No person or group of persons shall use the name of a college, alone or in combination with other words, in a manner that states or implies that the person or group of persons is a college under this Act unless the person or group of persons is a college under this Act.

(3) No regulated member shall use the word “registered” in a manner that states or implies that the member is a regulated

member of a regulated profession except in accordance with the regulations.

**(4)** No person or group of persons shall use the word “regulated” in connection with the name of a regulated profession or professional service or the words “regulated health professional” in a manner that states or implies that the person or group of persons is a college or a regulated member or group of regulated members unless the person or group of persons is a college under this Act or another enactment or is a regulated member or consists of a group of regulated members.

**(5)** No person other than

- (a) a regulated member shall use a title, abbreviation or initials set out in section 2 of a schedule to this Act alone or in combination with other words in a manner that states or implies that the person is a regulated member of the college to which section 2 of the schedule refers, or
- (b) a student who is enrolled in a program that in the opinion of the registrar is a program to train persons to provide professional services shall use a title, abbreviation or initials set out in section 2 of a schedule to this Act in combination with the word “student” while undertaking activities related to the program.

**(5.1)** Despite subsections (1), (3), (5) and (10), a student described in subsection (5)(b) shall not use the title “regulated” or “registered” or the initial “R” in combination with the word “student” while undertaking activities related to a program described in subsection (5)(b).

**(6)** No corporation shall use the word college, alone or in combination with other words, in a manner that states or implies that the corporation is a college under this Act unless the corporation is a college under this Act or authorized to use the word college under another enactment.

**(7)** No person shall use the title “doctor”, “surgeon”, “pathologist” or “oncologist” or the abbreviation “Dr.” alone or in combination with other words in connection with providing a health service unless the person is authorized to use the title or abbreviation by this Act or another enactment.

**(8)** Subsection (7) does not apply to a person who uses the title “doctor”, “surgeon”, “pathologist” or “oncologist” or the abbreviation “Dr.” alone or in combination with other words in connection with teaching, research or administration.

(9) No person shall use the word “nurse” alone or in combination with other words that in a manner states or implies that the person is a regulated member unless the person is authorized to use the word pursuant to Schedule 10, 24 or 25 or another enactment.

(10) No person or group of persons shall use the word “registered” or “regulated” or the phrase “regulated health professional” alone or in combination with other words that in a manner states or implies that the person is a regulated member unless the person or group of persons

- (a) is a regulated member or consists of a group of regulated members, or
- (b) is a person or group of persons authorized to use the word “registered” or “regulated” or the phrase “regulated health professional” in connection with the health service by another enactment.

(11) No regulated member shall use the term “specialist” or hold himself or herself out to be a specialist in connection with providing a health service unless the regulated member is authorized to use the term “specialist” by a Schedule to this Act or by a regulation made under section 131 or by a bylaw made under section 132 or as otherwise authorized by a council.

RSA 2000 cH-7 s128;2001 c21 s21;2005 c13 s4(2);  
2006 c19 s2(10)

#### **Use of alternative punctuation in an abbreviation or initials**

**128.1** In respect of an abbreviation or initials set out in section 2 of a schedule to this Act, a college may authorize regulated members entitled to use the abbreviation or initials to use punctuation that differs from that set out in the schedule.

2016 c9 s8

#### **Penalty**

**129** A person who contravenes section 128 is guilty of an offence and liable

- (a) for a first offence, to a fine of not more than \$2000,
- (b) for a 2nd offence, to a fine of not more than \$4000, and
- (c) for a 3rd and every subsequent offence, to a fine of not more than \$6000 or to imprisonment for a term of not more than 6 months or to both fine and imprisonment.

1999 cH-5.5 s129

**Injunction**

**130** The Court of Queen's Bench, on application by a college, may grant an injunction enjoining any person from doing any act that contravenes section 128, despite any penalty that may be provided by section 129 in respect of that contravention.

RSA 2000 cH-7 s130;2009 c53 s79

## **Part 8**

### **Regulations, Bylaws, Codes of Ethics and Standards of Practice**

**Council regulations**

**131(1)** A council may make regulations

- (a) respecting requirements for and applications for registration and practice permits, including but not restricted to
  - (i) education, experience, enrolment in programs of studies, successful completion of examinations, including limiting the number of times examinations may be taken, and holding of certificates and diplomas;
  - (ii) recognizing professions in other jurisdictions for the purposes of section 28(2)(b);
  - (iii) requirements for the purposes of section 28(2)(b);
  - (iv) carrying professional liability insurance and governing the minimum coverage and type of insurance required to be carried;
  - (v) providing evidence of being a Canadian citizen or lawfully permitted to work or study in Canada;
  - (vi) providing evidence of having good character and reputation;
  - (vii) providing evidence respecting standards of language proficiency;
  - (viii) for the purposes of section 28(2)(c), determining the combination of education, experience, practice and other qualifications that demonstrates the competence required for registration as a regulated member;
- (b) respecting the evaluation of education, training, experience, practice and competence required of applicants for registration as regulated members and of