

COLLEGE OF DIETITIANS OF ALBERTA
BYLAWS

Under the Authority of the
Health Professions Act

Effective May 1, 2002

Revised December 2023

These Bylaws were enacted by Council of the College of Dietitians of Alberta on May 1, 2002 and further amended on the following dates:

- (a) September 6, 2002
- (b) January 2005
- (c) September 2005
- (d) November 2006
- (e) June 2007
- (f) November 2007
- (g) April 2008
- (h) June 2010
- (i) June 2011
- (j) September 2013
- (k) March 2014
- (l) November 2014
- (m) February 2015
- (n) September 2015
- (o) June 2017
- (p) March 2018
- (q) November 2018
- (r) March 2019
- (s) June 2019
- (t) May 2020
- (u) March 2021
- (v) March 2022
- (w) June 2023
- (x) December 2023

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PART 1: DEFINITIONS AND APPLICATIONS

1.01 Bylaws in Force

The Bylaws are established by the Council of the College in accordance with Section 132 of the *Health Professions Act*.

The Bylaws replace the Bylaws previously in force under the *Registered Dietitians Act*.

1.02 Amendment of Bylaws

The Bylaws may be added to, amended, or repealed in whole or in part by a motion of the Council of the College.

1.03 Definitions

All terms contained in the Bylaws which are defined in the *Act* have the meanings given to the terms in the *Act*.

In these Bylaws:

- (1) "Act" means the *Health Professions Act (HPA)*;
- (2) "Bylaws" means the Bylaws of the College of Dietitians of Alberta;
- (3) "Central meeting site" means the location of a meeting where the chairperson is in attendance;
- (4) "Chair" means President of Council as referenced in the *Act*;
- (5) "Chairperson" means the chairperson of a committee or tribunal as referenced in the *Act*;
- (6) "Code of Ethics" means the Code of Ethics adopted by Council pursuant to Section 133 of the *Act*;
- (7) "College" means the College of Dietitians of Alberta, established pursuant to the *Act*;
- (8) "Committees" means the Registration Committee, the Competence Committee, the Appointment Committee and other committees;
- (9) "Council" means the Council of the College;

- (10) "Councillor" means a regulated member appointed to Council pursuant to the Bylaws or a public member appointed to Council pursuant to Section 13 of the *Act*;
- (11) "Membership list" means a list of regulated members to be used for appointing members to hearing tribunals and complaint review committees, established in accordance with Section 15 of the *Act*;
- (12) "Other Committee" means a committee established for a specific purpose and for a specified term by the Council; and does not include the registration, competence, appointment, complaint review committee, or a hearing tribunal;
- (13) "Other Communication" means any type of electronic or telephone communication media;
- (14) "Practice Permit" means a practice permit issued to a college as established under Section 2 of the *Act*;
- (15) "Register" means a register established in accordance with the *Act*;
- (16) ""Regulated Member" means a person who is a member of one of the regulated member registers described in *Regulation*;
- (17) "Regulation" means the *Registered Dietitians and Registered Nutritionists Profession Regulation* made in accordance with Section 131 of the *Act*;
- (18) "Satellite meeting site" means a site connected to the central meeting site through other communications;
- (19) "Standards of Practice" means the *Standards of Practice* adopted by Council pursuant to Section 133 of the *Act*.

1.04 Severable

The provisions of the Bylaws are independent and severable and the invalidity of any part of the Bylaws does not affect the validity of the remainder of the Bylaws, which continue in force.

1.05 Changes of Number and Gender

The Bylaws are to be read with all changes of number and gender required by the context.

1.06 Headings for Reference Only

The headings in the Bylaws are for ease of reference only and do not affect in any way the meaning or interpretation of the Bylaws.

1.07 Bylaws Subject to Act and Regulation

1.07.1 - All provisions of the Bylaws are subject to the provisions of the *Act* and the *Regulation* whether or not expressly stated.

1.07.2 - Where the *Act*, *Regulation*, *Standards of Practice*, *Code of Ethics*, and these Bylaws are silent, College Policies apply.

PART 2: COLLEGE: DUTIES AND POWERS

2.01 Head Office

The head office of the College is to be located in the city in which the Provincial Legislature sits.

2.02 Fiscal Year and Registration Year

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

2.03 General Meeting

General meetings may be called from time to time as determined by the Council of the College.

2.04 Seal of the College

The College is to have a seal, which is to be inscribed "College of Dietitians of Alberta". The seal is to be kept at the head office of the College. Any document to which the seal is affixed is to be signed by the Chair or by the Registrar or by another person authorized to do so by Council.

2.05 Manage Revenue and Pay Accounts

The College is to collect, deposit and invest revenues of the College in accordance with policies approved by the Council and is entitled to make use of all revenues received from fees and other sources to carry out the affairs and activities of the College.

2.06 Communication

The College may publish and distribute communications or any other material to regulated members and any other persons.

2.07 Indemnification of Regulated Members, Employees and Others

2.07.1 - The College is to indemnify any person carrying out any power or duty on behalf of the College under the *Act* and the Bylaws. The indemnification is to be against all losses, costs, and expenses, reasonably incurred in connection with any action, suit or proceeding which the person may be made a party of by reason of being or having been engaged, employed, elected, or appointed by the College.

2.07.2 - Notwithstanding section 2.07.1 of the Bylaws, the College will not provide indemnification to the extent that such losses, costs, and expenses are attributable to the willful misconduct of the party in question, or where the person did not act in good faith.

2.07.3 - All liability, losses, costs, and expenses incurred or suffered by the College for reasons rising out of or in connection with the foregoing indemnification provisions are to be treated and handled by the College as an expense of the College.

2.08 Rules of Order

General meetings of the College and meetings of the Council and Committees are to be conducted according to the procedures set out in the most recent edition of Bourinot's Rules of Order and these Bylaws. If a dispute arises about procedure during a meeting, the dispute is to be settled by the chairperson of the meeting and the decision of the chairperson is final. The Council may appoint a person to serve as parliamentarian during a general meeting and the parliamentarian may advise the chairperson about procedure.

2.09 Good Faith

Any person carrying out powers and duties on behalf of the College under the *Act* and the Bylaws must do so in good faith and in accordance with the codes and policies on conduct, conflict of interest and confidentiality approved by the Council.

PART 3: OFFICERS OF THE COLLEGE

3.01 Chair

3.01.1 - The Chair presides over all general meetings of the College and meetings of Council as the chairperson.

3.01.2 - The Chair is designated by Council to appoint panels of councillors to hear and decide on appeals to Council under PART 4 of the *Act* and to undertake reviews of registration and practice permit decisions referred to Council under PART 2 of the *Act*. The panels are to be constituted

according to Sections 12 and 18 of the *Act*, and the Chair is to appoint a chairperson for each panel.

3.01.3 - Decisions of a panel of councillors hearing an appeal under PART 4 of the *Act* or reviews of registration or practice permit decisions under PART 2 of the *Act* shall be by majority vote. If a panel of councillors is sitting with an even number of individuals and there is a tie vote, the chairperson shall cast a second and deciding vote.

3.01.4 - The Chair performs all duties which may be directed by the Council.

3.02 Chair-Elect

3.02.1 - The Chair-Elect performs the duties of the Chair if the Chair is absent, unable, or unwilling to perform their duties or if the Chair requests the Chair-Elect to perform their duties.

3.02.2 - The Chair-Elect performs all duties which may be directed by the Council.

3.03 Past-Chair

3.03.1 - The Past-Chair performs the duties of the Chair or the Chair-Elect if they are absent, unable, or unwilling to perform their duties or if requested by the Chair or the Chair-Elect to perform their duties.

3.03.2 - The Past-Chair performs all duties which may be directed by the Council.

3.04 Registrar, Complaints Director, Hearings Director

3.04.1 - Subject to Sections 19 and 20 of the *Act*, the Registrar performs any powers and duties delegated by the Council.

3.04.2 - The Registrar may in their sole discretion decide to refer any application for registration to the Registration Committee for their determination.

3.04.3 - The Registrar may in their sole discretion decide to refer the competence program of a regulated member to the Competence Committee for their determination.

3.04.4 - The *Act*, the *Regulations*, the Bylaws, and the Governance Policies approved by the Council specify the powers, duties and limitations of such powers and duties granted to the Registrar.

3.04.5 - The Registrar is a non-voting member of Council and of all Committees, except a Complaint Review Committee and a Hearing Tribunal on which the Registrar may not sit.

3.04.6 - The Registrar is appointed as the Complaints Director under Section 14 of the *Act*.

3.04.7 - The Executive Assistant is appointed as the Hearings Director under Section 14 of the *Act*.

PART 4: COLLEGE GENERAL MEETINGS

4.01 Convening General Meetings

4.01.1 - General meetings may be called as determined by the Council.

4.01.2 - The Council is to determine the time, place, and order of business of general meetings of the College.

4.01.3 - The Council is to determine whether participation in the general meeting will be in person and/or through other communications, what form of other communications will be used, and where the central meeting site and satellite sites, if any, will be located.

4.02 Notification of General Meetings

4.02.1 - All regulated members must be notified at least thirty (30) days in advance of a general meeting, with the notification specifying the time, date and place of the meeting, the nature of the business to be conducted, any motions, and any supporting documentation for consideration by the regulated member prior to the meeting.

4.02.2 - Failure to notify any regulated member due to an accidental omission or non-receipt of a notification by the regulated member does not invalidate any proceedings at a general meeting. Notification to the regulated member is sufficient if the notification is sent to the current contact information provided by the regulated member to the College at least thirty (30) days before the date appointed for the meeting.

4.03 Chairperson of General Meeting

In the absence of the Chair, the Chair-Elect, and the Past-Chair, at the commencement of the meeting, a chairperson is to be appointed from amongst and by the councillors participating in the meeting.

4.04 Quorum at a General Meeting

4.04.1 - Subject to the *Act* and the Bylaws, no business is to be transacted at any general meeting of the College unless quorum is met at the time when the meeting proceeds to business.

4.04.2 - A Council member participating in a general meeting in person or through other communications approved by the Council, is to be counted as part of the quorum for the meeting.

4.04.3 - A quorum for a general meeting is to consist of not less than fifty (50) percent of all the regulated members of council participating in person or through other communications approved by the Council.

4.04.4 - Provided quorum is maintained and the chairperson continues to chair the general meeting the failure of other communications does not invalidate any proceedings at a general meeting.

4.04.5 - If quorum is not met at the start of or at any time during a general meeting, the meeting will be adjourned, and business will be deferred to the next duly constituted meeting.

4.05 Eligibility to Vote at a General Meeting

4.05.1 - Regulated members on the General Register and the public members of Council are eligible to vote at a general meeting of the College, when participating in person or through other communications approved by the Council and have one (1) vote each.

4.05.2 - Regulated members on the General Register and the public members of Council attending part of a general meeting, are entitled to vote only during that part of the meeting in which the member participates.

4.06 Motions at a General Meeting

4.06.1 - Only motions pre-circulated with the notification of the general meeting will be considered at a general meeting.

4.06.2 - A motion at a general meeting requires a simple majority of the votes cast in favor of the motion for it to be carried.

4.06.3 - Votes will be registered by a show of hands for and against the motion, with any abstentions noted. The chairperson will announce the result of the vote and whether the motion has been carried or lost.

4.06.4 - In the case of a tie vote the chairperson will cast the deciding vote.

4.06.5 - If the general meeting is being held in person and or through other communications the votes of members participating through other communications are to be sent to the chairperson by the method established by the chairperson.

4.07 Order of Business at a General Meeting

The order of business at a general meeting is:

- (1) Determination of Quorum, Notification of Meeting, declare the meeting validly constituted and Call to order by the chairperson.
- (2) Appointment of Parliamentarian.
- (3) Approval of the Agenda.
- (4) Approval of the minutes of previous general meeting.
- (5) Ratification of pre-circulated motions (if any).
- (6) Adjournment.

PART 5: COUNCIL DUTIES AND POWERS

5.01 Governing the College

The Council is to manage and conduct the activities of the college, exercise the rights, powers, and privileges, and carry out the duties of the College in the name of and on behalf of the College and carry out the powers and duties of the Council under the *Act*, the *Regulation*, and the Bylaws.

5.02 Employ Staff

The Council will employ on behalf of the College any staff it determines necessary for the control, management, and administration of the College and may authorize those persons to exercise the powers of and carry out the duties of the College, subject to the delegation authorities in the *Act*.

5.03 Determine Remuneration

5.03.1 - The Council may determine remuneration, expenses, and other terms of employment for employees of the College.

5.03.2 - The Council may determine remuneration and expenses for regulated members who serve on the Council, Committees, and Membership Lists of the College.

5.03.3 – The Council may determine remuneration for those who serve as Chair on the Council of the College.

5.04 Determine Fees, Costs, Levies and Assessments

5.04.1 - The Council may establish fees, costs, levies, or assessments for the following. Approved fees and assessments are listed in Appendix 1.

- (a) application fees
- (b) registration fees
- (c) registration review fees
- (d) practice permit fees
- (e) practice permit review fees
- (f) examination fees
- (g) assessment fees
- (h) late payment fees
- (i) fees for reviews or appeals of any decisions under the *Act*.

5.04.2 - Council may establish any other fees, costs, levies, and assessments it considers necessary for services provided by the College.

5.04.3 - The omission, failure, or inability of the Council, before the expiration of any fiscal year, to determine the fees, costs, levies, and assessments for the subsequent year is not a waiver or modification in any respect of the provisions of the Bylaws. In such cases the fees fixed are to continue until the new fees, costs, levies, and assessments are determined by Council.

5.05 Appoint Regulated Members to Committees and Membership Lists

5.05.1 - Subject to the *Act* and the Bylaws, Council is to appoint regulated members to the Registration Committee, the Competence Committee, and to other committees and is to appoint the chairperson, and their alternates.

5.05.2 – Subject to the *Act* and the Bylaws, Council is to appoint councillors and regulated members to the Appointment Committee and is to appoint the chairperson.

5.05.3 – Subject to the *Act* and the Bylaws, Council may establish committees, panels, and tribunals of the College and make other appointments as it considers necessary.

5.06 Appoint the Registrar, Complaints Director, and Hearings Director

5.06.1 - The Council will appoint a Registrar to perform the powers and duties of the Registrar subject to the *Act*, the *Regulations*, and the Bylaws.

5.06.2 - The Council will appoint a Complaints Director to perform the powers and duties of the Complaints Director subject to the *Act*, the *Regulations*, and the Bylaws.

5.06.3 - The Council will appoint a Hearings Director to perform the powers and duties of the Hearings Director subject to the *Act*, the *Regulations*, and the Bylaws.

5.07 Prescribe Forms and Notices

The Registrar is to prescribe forms and notices for registration, practice permits and any other form, notice or document that may be required for the purposes of the *Act* and the Bylaws.

5.08 Appoint Signing Officers

The Council is to appoint signing officers who are authorized to sign any instrument, document, or cheques on behalf of the College according to the *Act*, the *Regulations*, and the Bylaws or by a motion of the Council.

5.09 Keep Minutes

The Council is to require minutes be kept of its proceedings and meetings. A copy of the minutes of a Council meeting, except any part that was held in-camera, is available to regulated members upon written request.

5.10 Determine Policies

The Council shall determine and approve policies of the College. Copies of policies will be provided to regulated members upon request.

5.11 Keep Accounts

The Council is to require proper books of accounts to be kept in respect of all sums of money received and expended by the College.

5.12 Require an Audit

The Council is to require the books and accounts of the College to be audited annually, and the cost of such an audit is to be an obligation of the College. Copies of the report from the auditor are to be distributed to regulated members upon written request.

5.13 Maintain Insurance

The Council is to require insurance, bonds, and other instruments of the type and amount determined by the Council as sufficient to protect the assets of the College, and in accordance with section 2.07 of the Bylaws.

PART 6: COUNCIL

6.01 Composition of the Council

The Council is to consist of:

6.01.1 - prior to April 1, 2021, not fewer than six (6) regulated members, and effective April 1, 2021, not fewer than five (5) regulated members;

6.01.2 - the number of public members appointed by the Lieutenant Governor in Council pursuant to Sections 12 and 13 of the *Act*;

6.01.3 - Individuals who were regulated members of the Council prior to April 1, 2021, and who ceased to be voting, regulated members of the Council as of April 1, 2021, may continue as non-voting members of the Council until their terms of office would have expired pursuant to Bylaw 6.02.

6.02 Appointment and Term of Office

6.02.1 - Regulated members of Council are to be appointed in accordance with section 8.06 and PART 10 of the Bylaws, for a term of three (3) years with approximately one-third of council positions becoming vacant each year.

6.02.2 - The three-year term of office can be extended for one (1) year if required to allow the Chair to fill the position of Past-Chair.

6.02.3 - A councillor whose three-year term has expired, holds office until the close of the September meeting, at which time the newly appointed councillors take office.

6.02.4 - A councillor may serve for a maximum of two (2) consecutive terms.

6.02.5 - The Chair, Chair-Elect, and Past-Chair hold office for one (1) year, until the close of the last Council meeting of the term, at which time the new Chair-Elect takes office, the former Chair-Elect becomes Chair, and the former Chair becomes Past-Chair. The Chair term may be extended to two (2) years if deemed necessary by Council.

6.03 Nomination of Chair-Elect

6.03.1 - The Chair-Elect may be elected from nominations within Council.

6.03.2 - The call for nominations from Council will be made prior to the last Council meeting of the term.

6.03.3 - Where one nomination is received the Chair will declare the nominee elected by acclamation.

6.03.4 - The vote will be conducted electronically. The Chair will forward the names of the nominees to each member of Council who will have one (1) vote. The Chair does not vote.

6.03.5 - Council members will forward their vote to the Chair and the Registrar electronically.

6.03.6 - The nominee receiving the largest number of votes will be elected to the position of Chair-Elect.

6.03.7 - In the case of a tie vote the Chair will cast the deciding vote.

6.03.8 - All the nominees will be notified of the results by the Chair.

6.04 Removal of Council

6.04.1 - Regulated members may call for a mail vote of non-confidence in the Council, by stating in writing the issue giving rise to the call, signed by at least ten (10) percent of the regulated members, and forwarding it to the Registrar.

6.04.2 - Within thirty (30) days of receiving the call for a vote of non-confidence the Registrar is to put the question of non-confidence to a mail vote.

6.04.3 - If the vote of non-confidence is passed by two-thirds of the regulated members eligible to vote, the Registrar will within thirty (30) days of the decision call for applications in accordance with Bylaw 10.02. Notwithstanding Bylaw 10.01, the Appointment Committee will consider the Council's

needs and the applicants and appoint eligible applicants who best fit the Council's needs to form a new Council.

6.05 Council Meetings Open

A regulated member or a member of the public may request to attend a meeting of the Council, except for any part of a meeting that is held in-camera, and the Registrar will confirm whether seating is available.

6.06 Notification of Council Meetings

The Council is to publish in regular communications of the College, the time, date, and place of Council meetings. Failure to publish this information does not invalidate any proceedings or business transacted at the Council meeting.

6.07 Quorum at Council Meetings

A quorum for a meeting of Council is to consist of not less than fifty (50) percent of all the regulated members of Council and in accordance with section 8.03 of the Bylaws.

PART 7: COMMITTEES

7.01 Registration Committee

7.01.1 - The Council is to establish and appoint in accordance with section 8.06 of the Bylaws, at least three (3) regulated members to the Registration Committee.

7.01.2 - The Council may delegate appointments to the Registration Committee in section 7.01.1 of the Bylaws to the Registrar. The Registrar is to appoint a chairperson for the Committee.

7.01.3 - The Registration Committee and its panels are established subject to Section 9 and Section 18 of the *Act* and have the powers and duties of the Registration Committee under the *Act*.

7.01.4 - The members of the Registration Committee serve for a term of three (3) years or until a successor has been appointed.

7.01.5 - The Registration Committee must consider and decide on applications for registration referred by the Registrar in accordance with section 3.04.2 of the Bylaws.

7.01.6 - The Registrar may delegate referrals to the Registration Committee in section 7.01.5 of the Bylaws to the Director of Professional Practice.

7.01.7 – Subject to Section 45.1 of the *Act*, the Registration Committee must consider and decide on applications for reinstatement of practice permits cancelled under PART 4 of the *Act*, referred by the Registrar.

7.01.8 - A quorum for a meeting of the Registration Committee is to consist of not less than two (2) regulated members and the Registrar or the Director of Professional Practice and in accordance with section 8.03 of the Bylaws.

7.02 Competence Committee

7.02.1 - The Council is to establish and appoint in accordance with section 8.06 of the Bylaws, at least three (3) regulated members to the Competence Committee.

7.02.2 - The Council may delegate appointments to the Competence Committee in section 7.02.1 of the Bylaws to the Registrar. The Registrar is to appoint a chairperson for the Committee.

7.02.3 – The members of the Competence Committee serve for a term of three (3) years or until a successor has been appointed.

7.02.4 – The Competence Committee must consider and decide on a referral from the Registrar in accordance with Section 40(2) of the *Act* and section 3.04.3 of the Bylaws.

7.02.5 – The Registrar may delegate referrals to the Competence Committee in section 7.02.4 of the Bylaws to the Director of Professional Practice.

7.02.6 - A quorum for a meeting of the Competence Committee is to consist of not less than two (2) regulated members and the Registrar or the Director of Professional Practice and in accordance with section 8.03 of the Bylaws.

7.03 Appointment Committee

7.03.1 - The Council is to establish and appoint in accordance with section 8.06 of the Bylaws, an Appointment Committee and appoint a chairperson.

7.03.2 – The Appointment Committee shall consist of equal representation of regulated members and public members.

7.03.3 - The members of the Appointment Committee shall serve for a one (1) year term or until a successor has been appointed.

7.03.4 - A quorum for a meeting of the Appointment Committee is to consist of not less than four (4) councillors and in accordance with section 8.03 of the Bylaws.

7.04 Other Committees

7.04.1 - The Council may establish and appoint regulated members to standing committees and ad hoc committees, panels, or tribunals, and appoint a chairperson for each committee, panel or tribunal established.

7.04.2 - Terms of reference for standing and ad hoc committees are approved by Council.

7.04.3 - The regulated members of standing and ad hoc committees may serve for a term determined by Council.

7.04.4 - A quorum for a meeting of other committees is to consist of not less than fifty (50) percent of all the members of the committee and in accordance with section 8.03 of the Bylaws.

PART 8: GENERAL PROCEDURES: COUNCIL, REGISTRATION AND COMPETENCE AND APPOINTMENT COMMITTEES

8.01 Convening Meetings

8.01.1 - Meetings are to be held at least once (1) during the fiscal year to transact the business of the College. A regular time and place may be appointed for meetings and the calendar of meetings for the year may be set in advance.

8.01.2 - Unscheduled meetings may be called at the request of the chairperson, the Registrar or of a majority of Council or Committee members and must specify the purpose of the meeting.

8.01.3 - Notification of the time, date, and place of an unscheduled meeting is to be given to each Council or Committee member not less than forty-eight (48) hours prior to the meeting.

8.01.4 - At any Council or Committee member's request, a meeting may occur through other communications approved by the chairperson.

8.02 Chairperson

8.02.1 - The chairperson of the Registration Committee, the Competence Committee, the Appointment Committee, or other committees is to preside at meetings of that Committee and is appointed by the Registrar.

8.02.2 - In the absence of the designated chairperson, at the commencement of the meeting a chairperson is to be chosen from amongst the members present for that meeting.

8.03 Quorum

8.03.1 - No business is to be transacted at any meeting unless quorum is met at the time when the meeting proceeds to business.

8.03.2 - A Council or Committee member participating in a meeting in person or through other communications approved by the chairperson, is to be counted as part of the quorum for the meeting.

8.03.3 - Provided quorum is maintained and the chairperson continues to chair the meeting the failure of other communications does not invalidate any proceedings at any meeting.

8.04 Motions and Voting

8.04.1 - A motion at a meeting requires a simple majority of the votes cast in favor of the motion for it to be carried.

8.04.2 - Council and Committee members are eligible to vote on motions when participating in a meeting in person or through other communications approved by the chairperson.

8.04.3 - Council and Committee members attending part of a meeting are entitled to vote only during that part of the meeting in which the member participates.

8.04.4 - A motion in writing signed by each Council and Committee member without their meeting together is as valid as if it had been passed at a regular meeting.

8.04.5 - In the case of a tie vote on a motion the chairperson will cast the deciding vote.

8.05 Vacancy during a Term

8.05.1 - If the office of Chair or Chair-Elect becomes vacant, the Council may appoint a member of the Council to serve as Chair or Chair-Elect for the remainder of the term.

8.05.2 - If a regulated member position on Council or a Committee becomes vacant, the Council may appoint a regulated member to fill that position for the remainder of the term.

8.05.3 - A Council or Committee position may be left vacant during a term at the discretion of the Council if the minimum number of members required by the *Act* or the Bylaws is met.

8.06 Eligibility for Nomination or Appointment to Council and Committees and the Membership List

8.06.1 – Subject to these Bylaws, a regulated member on the General Register who has held a practice permit for the previous three (3) years is eligible for nomination or appointment to Council, Committees, and the Membership List.

8.06.2 - To be eligible for nomination or appointment to Council, Legislated Committees and the Membership List a regulated member must:

- (a) be in good standing, as defined in section 12.01 of the Bylaws,
- (b) meet current practice requirements, and
- (c) reside in Alberta.

8.06.3 – Despite section 8.06.2 of the Bylaws, a regulated member is not eligible for nomination or appointment to Council, Legislated Committees, and the Membership List if the regulated member:

- (a) is currently the subject to any proceedings under Part 4 of the *Act* or a similar provision under a similar enactment in any other jurisdiction,
- (b) is currently the subject of any criminal or civil action that would harm the integrity or reputation of the Council, the College, or the profession,
- (c) previously had a finding against them in any professional conduct, criminal, or civil action that would harm the integrity or reputation of the Council, the College, or the profession,
- (d) is currently serving as a director, officer, or employee of a related professional association or labour union, and
- (e) is a current member of a Legislated Committee, Membership List, or Staff.

8.06.4 - To be eligible for nomination or appointment to Council, Committees and the Membership List a regulated member must meet the requirements under PART 16 and PART 17 of the Bylaws.

8.06.5 - Prior to a nomination or appointment to Council, Committees and the Membership List a regulated member must complete and sign the confidentiality, conflict of interest declaration and Code of Conduct forms of the College.

8.06.6 - If a conflict or potential conflict of interest has been identified the matter will be forwarded by the Registrar to Council for review and a decision. The nominee/appointee may forward a written submission to the Registrar with respect to the matter for consideration by Council.

8.06.7 - Council will determine if a conflict or potential conflict of interest exists in accordance with PART 17 of the Bylaws and will make a decision as to whether the nominee/appointee is eligible to let their name stand under section 8.06 of the Bylaws. The Registrar will send notification to the nominee of the decision of Council and the reasons for the decision.

8.06.8 - A nomination for appointment to Council must be endorsed by a minimum of two (2) regulated members on the General Register.

8.06.9 – A former councillor, committee member or staff member may be eligible for appointment to Council, Legislated Committees, or the Membership List one (1) year after expiry or termination of their position, provided member left position in good standing.

8.07 Code of Conduct for Council and Committees and the Membership List

8.07.1 - A regulated member on Council, Committees and the Membership List or any person who carries out any power or duty on behalf of the College of Dietitians of Alberta must conduct themselves in accordance with the *Act, Regulations, Bylaws, Standards of Practice, Code of Conduct, Code of Ethics*, and policies of the College.

8.07.2 - A regulated member on Council, Committees and the Membership List or any person who carries out any power or duty on behalf of the College of Dietitians of Alberta must conduct themselves in accordance with and make decisions based on the best interests of the public.

8.08 Removal from Council and Committees and the Membership List

8.08.1 - A regulated member may be removed from Council, Committees, and the Membership List if two-thirds of the Council vote in favor of a motion to remove the regulated member if any of the following occur:

- (a) the regulated member is in contravention of the *Act, Regulations, Bylaws, Standards of Practice, Code of Conduct, Code of Ethics* or policies of the College;
- (b) the regulated member becomes incapacitated or dies;
- (c) the regulated member's practice permit is suspended or cancelled subject to the *Act* or the *Regulations*, or the regulated member ceases to hold a practice permit;
- (d) the regulated member is convicted of an indictable offense;

- (e) the regulated member resigns in writing;
- (f) the regulated member is absent from two (2) consecutive meetings of Council or Committees without permission of the chairperson.

8.08.2 - The Council may appoint a regulated member to fill a vacancy created by the removal of a regulated member.

8.08.3 - The Council may recommend to the Lieutenant Governor in Council that a public member's appointment be rescinded if two-third of the Council vote in favor of a motion to recommend rescinding if any of the following occur:

- (a) The public member is in contravention of the *Act, Regulations, Bylaws, or policies* of the College;
- (b) The public member becomes incapacitated or dies;
- (c) The public member is convicted of an indictable offence;
- (d) The public member resigns in writing;
- (e) The public member is absent from two (2) consecutive meetings of Council or Committee without permission of the chairperson.

8.09 Removal from Employment, Consulting and Contracts

Any person carrying out any power or duty on behalf of the College of Dietitians of Alberta including employees, volunteers, external contractors, consultants, and suppliers, may be removed from a position or have a contract with the College terminated if:

- (a) the person is in contravention of the *Act, Regulations, Bylaws, Standards of Practice, Code of Conduct, Code of Ethics* or policies of the College;
- (b) the person is convicted of an indictable offense.

PART 9: MEMBERSHIP LISTS: HEARING TRIBUNALS AND COMPLAINT REVIEW COMMITTEES

9.01 - In accordance with Section 15 of the *Act* and section 8.06 of the Bylaws, the Council is to appoint at least four (4) regulated members to the Membership List and may remove regulated members from the Membership List in accordance with section 8.08 of the Bylaws.

9.02 - The Council may delegate the appointment to and removal from the Membership List in section 9.01 of the Bylaws to the Hearings Director.

9.03 - Each regulated member on the membership list may serve for a term determined by Council.

9.04 - Subject to Section 16(1) of the *Act*, a quorum of a Hearing Tribunal or Complaint Review Committee is to consist of not less than four (4) individuals with at least fifty (50) percent being public members appointed by the Lieutenant Governor in Council and the balance being regulated members appointed to the Membership List established in Section 15 of the *Act*.

9.05 - Decisions of a Hearing Tribunal or Complaint Review Committee shall be by majority vote. If a Hearing Tribunal or Complaint Review Committee is sitting with an even number of individuals and there is a tie vote, the chairperson shall cast a second and deciding vote.

PART 10: APPOINTMENT OF COUNCIL

10.01 Determination of Council's Needs

At least one hundred-twenty (120) days prior to the end of the Council term, the Appointment Committee is to determine which councillors' terms are expiring and determine the skills and competencies that Council will require in the following year.

10.02 Call for Applications

10.02.1 - At least ninety (90) days prior to the end of the Council term, the Registrar is to send out the call for applications for Council positions to each regulated member on the General Register. The call for applications is to specify the date for the close of applications, which will be fourteen (14) days following the call for applications.

10.02.2 - Upon receiving the call for applications, a regulated member may request application forms from the Registrar.

10.02.3 - Completed application forms are to be forwarded to the Appointment Committee. The Appointment Committee may also nominate eligible regulated members for Council positions notwithstanding Bylaw 8.06.8.

10.03 Appointment of Councillors

10.03.1 - After the close for applications, the Appointment Committee will consider the Council's needs and the applicants and recommend eligible nominees who best fit the Council's needs to fill vacant Council positions.

10.03.2 - The Council will consider its needs, the nominees and the Appointment Committee's recommendations and appoint eligible nominees to fill vacant Council positions.

PART 11: APPLICATION FOR REGISTRATION

11.01 Complete and Accurate Information

Subject to Section 33(4) of the *Act*, regulated members and applicants for registration shall provide complete and accurate information respecting the following, whenever the information changes:

- demographic status of the regulated member or applicant,
- education, training, and experience of the regulated member or applicant, and
- the regulated member's practice of the regulated profession within Alberta or in other jurisdictions.

11.02 Professional Liability Insurance

11.02.1 - Subject to Section 28(1) of the *Act*, an applicant to the College shall provide evidence, on the request of the Registrar, of professional liability insurance in the type and amount set out in College policy.

11.02.2 - Subject to Section 40(1) of the *Act*, a regulated member of the College shall provide evidence, on the request of the Registrar, of professional liability insurance in the type and amount set out in College policy.

11.03 Eligibility to Lawfully Practice

11.03.1 – Subject to Section 28(1) of the *Act*, an applicant to the College shall provide evidence, satisfactory to the Registrar, that they are a Canadian citizen or being lawfully permitted to work in Canada.

11.03.2 - Subject to Section 13 of *Regulations*, a regulated member of the College shall provide evidence, satisfactory to the Registrar, that they are a Canadian citizen or being lawfully permitted to work in Canada.

11.04 Good Character and Reputation

11.04.1 - Subject to Section 28(1) of the *Act*, an applicant to the College shall provide evidence, on the request of the Registrar, of having good character and reputation by submitting any of the following:

- a statement by the applicant as to whether the applicant is currently undergoing an unprofessional conduct process or has previously been disciplined by another regulatory body responsible for the regulation of dietitians or nutritionists or of another profession;
- a statement as to whether the applicant has ever been convicted of a criminal offence;
- any other relevant evidence as the Registrar determines is necessary.

11.04.2 – Subject to Section 13 of *Regulations*, a regulated member of the College, on the request of the Registrar, shall provide information related to whether they have been found guilty of a criminal offense in Canada or of a similar nature outside of Canada.

11.05 English Language Proficiency

An applicant to the College must be proficient at using English in their practice. Subject to Section 28(1) of the *Act*, an applicant to the College shall provide evidence, on the request of the Registrar, of English language proficiency that meets the eligibility criteria outlined in College policy.

11.06 Labour Mobility

Subject to the *Labour Mobility Act*, an applicant who is currently registered in Canada with a provincial dietetic regulator and who meets the eligibility criteria outlined in policy shall be registered with the College without restrictions, limitations, or conditions unless otherwise provided for in the *Labour Mobility Regulation*.

PART 12: PRACTICE PERMITS

12.01 Good Standing

A regulated member of the College shall be in good standing only if:

- (a) no fees, costs, levies, or assessments are owing by the regulated member to the College,
- (b) they have a valid and subsisting practice permit,
- (c) their registration and/or practice permit has not been cancelled or suspended pursuant to Part 4 of the *Act*,
- (d) they have complied with all Continuing Competence Program requirements,
- (e) they are not in breach of:
 - (i) Any professional conduct orders pursuant to Part 4 of the *Act*

- (ii) Any Section 118 directions pursuant to Part 6 of the *Act*.

12.02 Expiry Date

Practice permits expire on March 31.

12.03 Practice Permit Renewal

Subject to Section 38 and 39 of the *Act*, a regulated member must submit a complete application for a practice permit to the Registrar on or before March 31.

12.04 Complete Application for Renewal

Subject to Section 40 of the *Act* an application is complete if it includes: the renewal application form and declarations, the annual practice permit fee, and Continuing Competence Program submissions as required by the College. Regulated members must also complete any additional requirements for registration as determined by Council including submitting evidence of professional liability insurance upon request in an amount determined by Council and successful completion of any additional learning modules.

12.05 Late Payment Fee

If a complete application for a practice permit is not received by the close of business on March 31, or on the last day preceding March 31, if March 31 falls on a weekend or holiday, the late renewal fee will automatically be applied.

12.06 Practice Permit Fee not refundable

Practice permit fees are not refundable for partial registration years.

12.07 Practice Permit Renewal to Regulated Members

Practice permit renewal will be available to regulated members a minimum of thirty (30) days prior to March 31.

12.08 Resigning in Good Standing

A regulated member may resign in good standing from the College by completing the resignation section on the Registration Renewal form and submitting a letter of resignation to the Registrar by March 31, if the regulated member:

- Does not practice dietetics,

- Retired from dietetic practice,
- Moved out of the province.

On resignation, the regulated member relinquishes the right to use the protected titles of the College and may not practice dietetics within Alberta.

PART 13: REINSTATEMENT OF PRACTICE PERMITS

13.01 - A regulated member whose practice permit was suspended or cancelled under PART 4 of the *Act* may apply to the Registrar for reinstatement subject to Section 45 and 46 of the *Act*.

13.02 - Except for a practice permit suspended or cancelled under PART 4 of the *Act*, a regulated member whose practice permit is suspended or cancelled, may apply to the Registrar for registration or a practice permit by submitting a complete application for registration under Section 28 or for a practice permit under Section 40 of the *Act*, and all other documents, fees, assessments, levies, and late payment fees required by the College.

13.03 – Subject to Section 45(3) of the *Act*, a person whose practice permit is cancelled as a result of a decision of unprofessional conduct based on sexual misconduct may not apply to the Registrar for reinstatement until at least five (5) years have elapsed from the date that the decision of unprofessional conduct was made by the hearing tribunal of the college or by the governing body of a similar profession in another jurisdiction.

13.04 - If a person's application for reinstatement following 13.03 above is refused, the person must wait a minimum of six (6) months before making a subsequent application to have the person's practice permit reinstated.

PART 14: PUBLICATION OF INFORMATION

14.01 College Website

In accordance with the *Act*, the College shall establish and maintain a website to be made available to regulated members and the public at no charge.

14.02 Required Information

14.02.1 – The College shall publish information on the College website in accordance with the *Act* and College Policies. Published information must include:

- The College's annual report;

- The College's *Regulations, Bylaws, Standards of Practice*, and *Code of Ethics*;
- Information in the College's public directory in accordance with the *Act*;
- Information respecting each regulated member in accordance with the *Act*;
- A copy of any decision of unprofessional conduct for a minimum of five (5) years;
 - The College may redact any third-party identifiers.
 - The College may redact a regulated member's name if required to protect any third-parties.
- Whether a regulated member's Practice Permit has been suspended or cancelled due to a decision of unprofessional conduct; and
- Any conditions placed on an investigated person's Practice Permit due to a decision of unprofessional conduct.

14.02.2 – Subject to Section 119 of the *Act* and to any policies approved by Council, the Complaints Director may publish or distribute any information with respect to the professional conduct process and hearings in any manner the Complaints Director considers appropriate.

14.02.3 - Subject to requirements of Section 60(6) of the *Act* and to any policies approved by Council, the College may publish information respecting a complaint and a ratified settlement.

14.03 Additional Information

The College may publish or distribute additional information on the College website in accordance with the *Act* and College Policies. Published information may include:

- Information about the College and its activities;
- Information about the profession;
- Information about the regulatory processes under the *Act* including;
 - requirements for registration with the College;
 - registration as a regulated member of the College;
 - the Continuing Competence Program;
 - professional conduct process including complaints and the College's Patient Relations Program;
- News and events concerning the College;
- Publications, reports, and other resources for regulated members of the profession and members of the public; and
- Access to a secure portal for regulated members.

PART 15: DELEGATION

Subject to Section 19 and 20 of the *Act*:

- (a) Council may by motion delegate any of its powers and duties under the *Act* and these Bylaws to one (1) or more persons or committees.
- (b) A person or committee to whom a power or duty is given under the *Act* or these Bylaws may delegate in writing the power or duty to one (1) or more persons or committees.

PART 16: CONFIDENTIALITY AND RELEASE OF INFORMATION

16.01 - The College is subject to information laws including but not limited to the *Personal Information Protection Act* (PIPA), the *Personal Information and Protection of Electronic Documents Act* (PIPEDA), the *Health Professions Act* and the College of Dietitians of Alberta's *Regulations* and Bylaws.

16.02 - Any person carrying out any power or duty on behalf of the College of Dietitians of Alberta including Council, Committees, employees, volunteers, external contractors, consultants, and suppliers, may not publish, release, or disclose in any manner information obtained in the course of carrying out powers and duties except to:

- (a) the extent the information is available to the public under the *Health Professions Act* or the College of Dietitians of Alberta *Regulations* or Bylaws, *PIPA* or *PIPEDA*;
- (b) the extent the information is required to be provided under the *Health Professions Act* or the College of Dietitians of Alberta *Regulations* or Bylaws.

16.03 - Any person carrying out any power or duty on behalf of the College of Dietitians of Alberta including Council, Committees, employees, volunteers, external contractors, consultants, and suppliers will sign the confidentiality agreement of the College.

16.04 - If Council determines a breach of confidentiality or release of information occurred in accordance with PART 17 of the Bylaws the Council will make a decision as to whether the person will be removed under section 8.08 or 8.09 of the Bylaws or take any other action appropriate in the circumstances.

PART 17: CONFLICT OF INTEREST

17.01 - Any person carrying out any power or duty on behalf of the College of Dietitians of Alberta including Council, Committees, employees, volunteers, external contractors, consultants, and suppliers must declare any conflict or potential conflict of interest they may have in discharging their responsibilities.

17.02 - A conflict or potential conflict of interest exists when a reasonable person knowing the relevant facts would conclude or perceive that the exercise of another person's judgment was likely to have been influenced by personal extraneous factors.

17.03 - A conflict or potential conflict of interest exists with respect to any of the following that could influence or be perceived to influence the exercise of a person's judgment in discharging their responsibilities to the College:

- (a) Membership in an advocacy, special interest, lobby, or group that relates to or conflicts with the mandate of the College,
- (b) Involvement in a project, initiative, or specific agenda external to the College that relates to or conflicts with the mandate of the College,
- (c) Direct or indirect personal, professional, financial, employment or business interests that relate to or conflict with the mandate of the College,
- (d) Holding a position as a councillor, committee member, officer, director, employee, consultant or contractor with another organization or group:
 - (i) whose goals, mandate or philosophy relates to or conflicts with the mandate of the College,
 - (ii) where the person's responsibilities or duties relates to or conflicts with the mandate of the College,
 - (iii) that is an international, national, or provincial association or organization whose members are predominately dietitians or nutrition professionals,
- (e) Knowingly taking advantage of or benefiting from information obtained through their responsibilities and duties with the College,
- (f) Has an association, relationship, non-financial interest, or activity that is incompatible with their responsibilities as an independent decision-maker,
- (g) Makes a decision that is not based on impartiality, or is not based solely on relevant information or evidence properly received in the decision-making process,
- (h) Makes a decision that is based on personal extraneous factors rather than in the best interest of the College or the public.

Disclosure of conflict or potential conflict of interest

17.04 - A person who becomes aware they have, or another person has, a conflict or a potential conflict of interest must disclose the matter to the chairperson as soon as it becomes evident.

17.05 - If the disclosure is made during a meeting the other participants will discuss the matter and determine if a conflict or potential conflict of interest exists in accordance with PART 17 of the Bylaws.

17.06 - A person who has declared or is in a conflict or potential conflict of interest may not participate in any discussion or a vote on the matter in question and must leave any portion of the meeting relating to the matter.

17.07 - Minutes will reflect the disclosure, whether it was determined that there was a conflict or potential conflict of interest and the absence of the person from the portion of the meeting relating to the matter.

Non-Disclosure or Breach of conflict or potential conflict of interest

17.08 - If a person becomes aware that another person has not disclosed or has acted in conflict or potential conflict of interest, they will outline the nature of the concern and any supporting evidence in writing to the Registrar. The Registrar will forward the information to the person whose conduct is the subject of concern and provide them the opportunity to make a written or oral submission with respect to the matter for consideration by Council. The Registrar will forward the information with respect to the matter to Council for review and a decision.

17.09 - If Council determines a person failed to declare a conflict or potential conflict of interest or acted in a conflict or potential conflict of interest, the Council will decide whether the person will be removed under section 8.08 or 8.09 of the Bylaws if the person is a regulated member of Council, or whether to recommend the Lieutenant Governor in Council to rescind their appointment if the person is a public member, or take any other action appropriate in the circumstances.

17.10 - In making its decision Council may also consider whether the actions of the person:

- were inadvertent or the result of willful conduct or gross neglect,
- had or are likely to have serious or substantial negative implications for the College.

17.11 - The Registrar will send notification to the person of the decision of Council and the reasons for the decision.

PART 18: PRACTICE STANDARDS AND CODE OF ETHICS

Subject to Section 3(1)(c)(d) of the *Act*, the Council approves the *Integrated Competencies for Dietetic Education and Practice (2020)*, *Standards of Practice (2018)*, and the *Code of Ethics (2008)* of the College of Dietitians of Alberta as the competencies, standards and ethics required for dietetic practice in Alberta.

APPENDIX 1: Fees and Assessments

Fees are to be paid in Canadian Funds. Fees charged by the College include GST collected under registration number R128396132

Fees:

Application fee	
Domestic Application	\$105.00
International Application	\$210.00
Courtesy Application	\$ 52.50
Practice Permit Fee (April 1)	\$598.50
Practice Permit Fee (July 1)	\$448.88
Practice Permit Fee (October 1)	\$299.25
Practice Permit Fee (January 1)	\$149.63
Temporary Practice Permit Fee	
(1) To 8 weeks following exam date	\$236.25
General Practice Permit Fee	
(1) January to March	\$149.63
or	
(2) July to March	\$448.88
Courtesy Practice Permit Fee (max 30 days)	\$ 52.50
Late Renewal Fee (no GST)	\$150.00
International / Return to Practice Assessment - due at the time of assessment (no GST)	\$600.00
Administrative Fees:	
NSF cheques	\$ 26.25
Restricted Activities Application	\$ 26.25
Verification of Registration for former regulated members	\$ 26.25
File copying and transfer	\$ 26.25
Examination Fees:	
Canadian Dietetic Registration Examination (CDRE) (no GST)	\$525.00
Reviews and Appeals:	
Registration Decision Review	\$262.50
Review or appeal of decision under <i>HPA</i>	\$262.50
CDRE appeal	\$ 78.75

APPENDIX 2: Cross-Reference of Bylaws Corresponding to Governance Policies

The following Bylaws have a corresponding Governance Policies, which further defines College policy:

BYLAWS	GOVERNANCE POLICIES
2.05 MANAGE REVENUE AND PAY ACCOUNTS	IV - D. FINANCIAL CONTROLS
2.06 COMMUNICATION	II - D. COMMUNICATION PRINCIPLES
	III - E. OFFICIAL SPOKESPERSONS
2.07 INDEMNIFICATION OF REGULATED MEMBERS, EMPLOYEES AND OTHERS	IV - E. ASSET PROTECTION
2.09 GOOD FAITH	IV - E. ASSET PROTECTION
3.01 CHAIR	II - C. CHAIR/CHAIR-ELECT ROLES
3.02 CHAIR-ELECT	II - C. CHAIR/CHAIR-ELECT ROLES
3.04 REGISTRAR, COMPLAINTS DIRECTOR, HEARINGS DIRECTOR	III - A. DELEGATION TO THE REGISTRAR
5.01 GOVERNING THE COLLEGE	II - A. COUNCIL FUNCTION
	II - B. COUNCIL MEMBER ROLE
5.02 EMPLOY STAFF	III - A. DELEGATION TO THE REGISTRAR
5.03 DETERMINE REMUNERATION	III - A. DELEGATION TO THE REGISTRAR
	III - D. COMPENSATION AND BENEFITS
	IV - F. COMPENSATION AND BENEFITS
5.08 APPOINT SIGNING OFFICERS	IV - D. FINANCIAL CONTROLS
5.09 KEEP MINUTES	IV - E. ASSET PROTECTION
5.10 KEEP ACCOUNTS	IV - E. ASSET PROTECTION
5.11 REQUIRE AN AUDIT	IV - D. FINANCIAL CONTROLS
5.12 MAINTAIN INSURANCE	IV - D. FINANCIAL CONTROLS
8.07 CODE OF CONDUCT FOR COUNCIL AND COMMITTEES AND THE MEMBERSHIP LIST	II - B. COUNCIL MEMBER ROLE
8.09 REMOVAL FROM EMPLOYMENT, CONSULTING AND CONTRACTS	IV - H. CONTRACTS AND SERVICES
PART 15: DELEGATION	III - A. DELEGATION TO THE REGISTRAR
PART 17: CONFLICT OF INTEREST	IV - H. CONTRACTS AND SERVICES