



Province of Alberta

## HEALTH PROFESSIONS ACT

# ACUPUNCTURISTS PROFESSION REGULATION

### **Alberta Regulation 255/2020**

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### Extract

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**ALBERTA REGULATION 255/2020**

**Health Professions Act**

**ACUPUNCTURISTS PROFESSION REGULATION**

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### **Definitions**

- 1 In this Regulation,
  - (a) “Act” means the *Health Professions Act*;
  - (b) “College” means the College of Acupuncturists of Alberta;
  - (c) “Competence Committee” means the competence committee of the College;
  - (d) “Complaints Director” means the complaints director of the College;

- (e) “Council” means the council of the College;
- (f) “courtesy register” means the courtesy register category of the regulated members register;
- (g) “general register” means the general register category of the regulated members register;
- (h) “jurisprudence requirement” means the jurisprudence requirement approved by the Council;
- (i) “provisional register” means the provisional register category of the regulated members register;
- (j) “Registrar” means the Registrar of the College;
- (k) “Registration Committee” means the registration committee of the College;
- (l) “registration examination” means the registration examination approved by the Council;
- (m) “registration year” means the registration year set out in the bylaws of the College;
- (n) “standards of practice” means the standards of practice governing the acupuncturists profession as adopted by the Council in accordance with the bylaws and section 133 of the Act;
- (o) “upgrading” includes academic requirements, formal refresher training requirements, experiential requirements, examinations and testing.

## **Registration**

### **Registers**

**2** The regulated members register established by the Council under section 33(1)(a) of the Act has the following categories:

- (a) general register;
- (b) provisional register;
- (c) courtesy register.

### **General register**

**3** An applicant for registration as a regulated member may be registered on the general register if

- (a) the applicant, within the 3-year period preceding the date on which the Registrar receives the applicant's completed application for registration,
  - (i) has obtained a diploma from a program in acupuncture approved by the Council,
  - (ii) has passed the registration examination, and
  - (iii) has successfully completed the jurisprudence requirement, if any,

or

- (b) the applicant
  - (i) has obtained a diploma from a program in acupuncture approved by the Council,
  - (ii) has passed the registration examination,
  - (iii) has successfully completed the jurisprudence requirement, if any, and
  - (iv) meets one or more of the following currency-in-practice requirements:
    - (A) the applicant, within the one-year period preceding the date on which the Registrar receives the applicant's completed application for registration, has successfully completed upgrading to the satisfaction of the Registrar or Registration Committee;
    - (B) the applicant has practised as an acupuncturist in a manner and to an extent that demonstrates to the satisfaction of the Registrar or Registration Committee that the applicant is currently competent to practise as an acupuncturist;
    - (C) the applicant otherwise demonstrates to the satisfaction of the Registrar or the Registration Committee that the applicant is currently competent to practise as an acupuncturist.

#### **Provisional register**

**4(1)** An applicant for registration as a regulated member on the general register may be registered on the provisional register if the applicant

- (a) meets the registration requirement under section 3(a)(i) but has not passed the registration examination or successfully completed the jurisprudence requirement, if any, or
  - (b) is completing upgrading for the purposes of meeting the requirements set out in section 3(b).
- (2)** A regulated member registered on the provisional register may practise only
- (a) while under the supervision, in accordance with the standards of practice, of a regulated member who
    - (i) is registered on the general register, and
    - (ii) is authorized to perform all the restricted activities that the regulated member being supervised is authorized to perform,
  - and
  - (b) in accordance with any conditions imposed by the Registrar or Registration Committee.
- (3)** A registration on the provisional register expires on the earlier of the following:
- (a) one year or such shorter term as specified by the Registrar or, if the Registrar extends the registration, on the expiry of the final term of extension;
  - (b) immediately on the regulated member's final unsuccessful attempt to pass the registration examination in accordance with section 8.
- (4)** The Registrar may extend a registration on the provisional register for one or more additional terms if the Registrar is of the opinion that extenuating circumstances exist.
- (5)** A registration on the provisional register, including any extensions under subsection (4), must not exceed 2 years.
- (6)** If a regulated member registered on the provisional register meets the requirements set out in section 3, the Registrar must remove the regulated member's name from the provisional register and enter it on the general register.
- (7)** The Registrar must remove the name of a regulated member registered on the provisional register when the regulated member's registration on the provisional register expires.

**Courtesy register**

- 5(1)** An applicant may be registered on the courtesy register if
- (a) the applicant is registered as an acupuncturist in good standing in another jurisdiction recognized by the Council as having substantially equivalent competencies and practice requirements to those set out in section 3,
  - (b) the applicant has applied for registration in Alberta on a temporary basis for a specified purpose approved by the Registrar or Registration Committee, and
  - (c) the Registrar or Registration Committee is satisfied of the applicant's competence to provide services related to the specified purpose.
- (2)** Subject to subsection (3), a registration on the courtesy register expires after the term specified by the Registrar or Registration Committee, which must not exceed 6 months.
- (3)** The Registrar or Registration Committee may extend a registration on the courtesy register for one additional term not exceeding 6 months if the Registrar or Registration Committee is of the opinion that extenuating circumstances exist.
- (4)** A regulated member registered on the courtesy register must remain registered in good standing in the other jurisdiction in which the regulated member is registered.
- (5)** If the registration of a regulated member registered on the courtesy register is suspended or cancelled in the other jurisdiction, the courtesy registration is cancelled and the Registrar must remove the name of the person from the courtesy register.
- (6)** The Registrar must remove the name of a regulated member registered on the courtesy register when the regulated member's registration on the courtesy register expires.

**Equivalent jurisdiction**

- 6** An applicant for registration as a regulated member on the general register who is currently registered in good standing in another jurisdiction recognized by the Council under section 28(2)(b) of the Act as having substantially equivalent registration requirements to those set out in section 3 may be registered on the general register.

**Substantial equivalence**

- 7(1)** An applicant for registration as a regulated member on the general register who does not meet the requirements set out in

section 3 but whose qualifications have been determined by the Registrar or Registration Committee under section 28(2)(c) of the Act to be substantially equivalent to the requirements set out in section 3 may be registered on the general register.

- (2) The Registrar or Registration Committee may, in order to determine whether an applicant's qualifications are substantially equivalent,
- (a) engage the services of experts, or
  - (b) require the applicant to undergo an examination or other assessment activity.
- (3) The Registrar or Registration Committee may require an applicant who does not meet the requirements set out in section 3 to provide any other relevant information or evidence that the Registrar or Registration Committee considers necessary to determine whether the applicant's qualifications are substantially equivalent to the requirements set out in section 3.
- (4) The Registrar or Registration Committee may require an applicant who does not meet the requirements set out in section 3 to successfully complete any upgrading or examination the Registrar or Registration Committee considers necessary for the applicant to be registered under subsection (1).
- (5) The Registrar or Registration Committee may require an applicant who the Registrar or Registration Committee has determined does not meet the requirements set out in section 3 to pay any costs incurred under subsection (2) or (4).

#### **Examination attempts**

- 8(1)** An applicant for registration as a regulated member may attempt the registration examination 3 times.
- (2) The Registrar or Registration Committee may grant permission to an applicant who has failed the registration examination 3 times to attempt the examination for a 4th and final time if the Registrar or Registration Committee is of the opinion that extenuating circumstances exist.
- (3) The Registrar or Registration Committee may require an applicant to successfully complete upgrading before attempting the registration examination for a 4th and final time.

#### **Character and reputation**

- 9(1)** An applicant for registration as a regulated member must provide evidence satisfactory to the Registrar or Registration

Committee of having good character and reputation by submitting one or more of the following, as requested by the Registrar or Registration Committee:

- (a) 2 written references with respect to the applicant's acupuncture practice, which may be from an employer, educational institution or, where applicable, colleagues, and may include employers, educational institutions or colleagues in any other jurisdiction in which the applicant is or was registered with an organization responsible for the regulation of acupuncturists;
- (b) a letter of good standing from the organization responsible for the regulation of acupuncturists in any other jurisdiction in which the applicant is or was registered;
- (c) a letter of good standing from any other organizations responsible for the regulation of professions in which the applicant is or was registered or otherwise authorized to provide professional services in Alberta or any other jurisdiction;
- (d) a written statement by the applicant as to whether the applicant
  - (i) is currently undergoing an investigation, alternative complaint resolution process, hearing or appeal related to unprofessional conduct, or is otherwise subject to an unprofessional conduct process in relation to the acupuncturists profession or another profession,
  - (ii) has previously been disciplined by an organization responsible for the regulation of acupuncturists or another profession, or
  - (iii) has ever had any conditions imposed on the applicant's practice of acupuncture or another profession;
- (e) the results of a current criminal records check;
- (f) a written statement by the applicant as to whether the applicant has ever pleaded guilty or been found guilty of a criminal offence in Canada or an offence of a similar nature in a jurisdiction outside Canada for which the applicant has not been pardoned;
- (g) any other relevant information.

(2) In determining whether an applicant for registration as a regulated member is of good character and reputation, the Registrar or Registration Committee may consider information other than that submitted by the applicant under subsection (1), but only if the Registrar or Registration Committee gives the applicant sufficient particulars of the other information and a reasonable opportunity to respond to the information.

**Fitness to practise**

**10** An applicant for registration as a regulated member must, on the request of the Registrar or Registration Committee, provide evidence satisfactory to the Registrar or Registration Committee confirming the applicant's fitness to practise.

**Liability insurance**

**11** An applicant for registration as a regulated member must provide evidence satisfactory to the Registrar or Registration Committee that the applicant has the type and amount of professional liability insurance required by the Council.

**First aid and CPR certification**

**12** An applicant for registration as a regulated member must provide evidence satisfactory to the Registrar or Registration Committee of current first aid and cardiopulmonary resuscitation certification at the level required by the Council.

**English language requirements**

**13(1)** An applicant for registration as a regulated member must be sufficiently proficient in English to be able to engage safely and competently in the practice of acupuncture.

(2) An applicant may be required by the Registrar to demonstrate proficiency as required by subsection (1) in accordance with the requirements approved by the Council.

**Citizenship**

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

## **Titles and Abbreviations**

### **Authorization to use titles, etc.**

**15(1)** A regulated member registered on the general register or courtesy register may use the following titles, abbreviations and initials:

- (a) acupuncturist;
- (b) doctor of acupuncture;
- (c) Dr. Ac.;
- (d) R. Ac.;
- (e) Ac.

**(2)** A regulated member registered on the provisional register may use the title “intern acupuncturist”.

**(3)** A regulated member may, in accordance with the standards of practice, use the word “specialist” in connection with the provision of professional services within the acupuncturists profession.

## **Restricted Activities**

### **Authorized restricted activities**

**16** Subject to section 17, a regulated member may perform the restricted activities of cutting a body tissue or performing other invasive procedures on body tissue below the dermis or mucous membrane for the purposes of practising acupuncture.

### **Restriction**

**17(1)** Despite any authorization to perform restricted activities, regulated members must restrict themselves in performing restricted activities to those activities that they are competent to perform and to those that are appropriate to their area of practice and the procedure being performed.

**(2)** A regulated member who performs a restricted activity must do so in accordance with the standards of practice.

### **Supervision of restricted activities**

**18(1)** A regulated member must not supervise the performance of a restricted activity unless the regulated member is authorized to perform the restricted activity being supervised.

**(2)** A regulated member who supervises the performance of a restricted activity must do so in accordance with the standards of practice.

#### **Training and supervision**

**19** A student who is enrolled in a program of studies approved by the Council or by the council of another regulated profession and who, in the course of that program, is receiving training in the performance of a restricted activity, is permitted to perform the restricted activity under the supervision of a regulated member who

- (a) has consented to supervise the performance of the restricted activity, and
- (b) is not prohibited from supervising the restricted activity under section 18(1).

#### **Practice Permit**

##### **Conditions on practice permit**

**20** When issuing a practice permit to a regulated member, the Registrar or Registration Committee may impose conditions on the practice permit, including the following:

- (a) that the regulated member successfully complete any upgrading required by the Registrar or Registration Committee;
- (b) that the regulated member limit the member's practice to specified professional services, restricted activities, practice areas or practice settings approved by the Registrar or Registration Committee;
- (c) that the regulated member refrain from performing specified restricted activities or other activities;
- (d) that the regulated member refrain from providing specified professional services;
- (e) that the regulated member refrain from practising in specified practice areas or practice settings;
- (f) that the regulated member report to the Registrar or Registration Committee on specified matters on specified dates;
- (g) that the regulated member is prohibited from supervising students or other regulated members;

- (h) that the regulated member practise only under the supervision of a regulated member;
- (i) that the practice permit is valid for a specified time and purpose.

#### **Renewal requirements**

**21** A regulated member who is applying for renewal of a practice permit must provide evidence satisfactory to the Registrar or the Registration Committee that the regulated member

- (a) has, within the 5-year period immediately preceding the date on which the Registrar receives the regulated member's completed application for renewal,
  - (i) practised as an acupuncturist for at least 1200 hours, or
  - (ii) enrolled in a program of studies recognized by the Council,
- (b) continues to meet the requirements set out in sections 9, 10, 11, 12 and 14, and
- (c) meets the requirements set out in sections 23 and 24 with respect to the registration year that ended immediately before the date on which the Registrar receives the regulated member's completed application for renewal.

#### **Continuing Competence**

##### **Continuing competence program**

**22** The continuing competence program of the College is established and consists of

- (a) continuing professional development, and
- (b) competence assessment.

##### **Continuing competence program credits**

**23(1)** A regulated member must, in each registration year, earn the number of continuing competence program credits required by the rules made under section 28.

**(2)** Continuing competence program credits may be earned by undertaking continuing professional development activities in accordance with the rules made under section 28.

**Continuing professional development**

**24(1)** A regulated member who is registered on the general register or provisional register must complete the following documents in each registration year:

- (a) a written record of the continuing professional development activities undertaken by the regulated member during the registration year;
- (b) a written evaluation of the ways, if any, in which the regulated member's acupuncture practice has been changed or enhanced as a result of undertaking the activities referred to in clause (a);
- (c) any other documents required by the rules made under section 28.

**(2)** A regulated member must retain a copy of every document required under subsection (1) for at least 5 years after the end of the registration year to which the document relates.

**Competence assessment**

**25(1)** As part of the continuing competence program, the Competence Committee may, in accordance with the rules made under section 28, require a regulated member registered on the general register or provisional register to undergo an assessment for the purpose of evaluating the regulated member's competence.

**(2)** In conducting a competence assessment of a regulated member, the Competence Committee may

- (a) administer examinations,
- (b) review documents, copies and other evidence provided under section 26,
- (c) conduct interviews with persons having knowledge related to the regulated member's practice, including colleagues, employers and patients,
- (d) conduct practice visits, and
- (e) use any other method of evaluation the Competence Committee considers appropriate.

**Evidence re continuing competence**

**26** The Registrar, Registration Committee or Competence Committee may, at any time, require a regulated member to provide evidence of having met the requirements of the continuing

professional development program, including providing the documents required under section 24, or copies of them, to the Registrar, Registration Committee or Competence Committee for review.

**Actions to be taken**

**27(1)** If the Competence Committee considers that

- (a) a regulated member has not earned, in a registration year, the number of continuing competence program credits required under section 23 and the rules made under section 28,
- (b) a regulated member has not complied with one or more requirements set out in section 24, or
- (c) the results of an assessment of a regulated member's competence under section 25 are unsatisfactory,

the Competence Committee may, on considering the regulated member's next application for a practice permit, impose one or more of the conditions set out in subsection (2) on the issuance of a practice permit to the regulated member.

**(2)** The conditions that may be imposed under subsection (1) are the following:

- (a) that the regulated member successfully complete specified continuing competence program requirements within a specified time;
- (b) that the regulated member enhance the regulated member's competence in specified areas within a specified time by doing one or both of the following:
  - (i) successfully completing specified learning activities, assessments, training, education, counselling or upgrading;
  - (ii) passing specified examinations or testing;
- (c) that the regulated member practise under the supervision of another regulated member;
- (d) that the regulated member's practice be limited to specified procedures or settings;
- (e) that the regulated member refrain from supervising students or others in the performance of restricted activities;

- (f) that the regulated member report to the Registrar, Registration Committee or Competence Committee on specified matters on specified dates;
- (g) that the regulated member correct any problems identified in the competence assessment;
- (h) that the regulated member demonstrate or provide evidence of competence gained in a specific area;
- (i) that the regulated member comply with any other conditions the Competence Committee considers appropriate.

**Rules re continuing competence program**

**28(1)** The Council may make rules respecting the continuing competence program, including

- (a) rules respecting the continuing professional development activities that regulated members must undertake in a registration year,
- (b) rules respecting documents that must be completed under section 24(1), the form and manner in which the documents are to be retained for the purposes of section 24(2) and the form and manner in which documents and copies are to be completed or provided to the Registrar, Registration Committee or Competence Committee for the purposes of section 26,
- (c) rules respecting competence assessments, including
  - (i) rules respecting the approval of criteria established by the Competence Committee for the selection of regulated members for competence assessments, practice visits or both,
  - (ii) rules respecting how regulated members' continuing competence is to be assessed by the Competence Committee, including rules respecting procedures to be followed in conducting a competence assessment and rules respecting the approval by the Competence Committee of factors to be taken into account in deciding what is a satisfactory level of competence, and
  - (iii) rules respecting procedures to be followed by the Competence Committee in conducting a practice visit,

and

- (d) rules providing for a scheme of continuing competence program credits referred to in section 23, including
  - (i) rules respecting the number of continuing competence program credits that regulated members must earn in a registration year,
  - (ii) rules respecting the continuing professional development activities for which continuing competence program credits may be awarded,
  - (iii) rules respecting the number of continuing competence program credits that may be earned in a registration year for undertaking specified continuing professional development activities, and
  - (iv) rules respecting the awarding of continuing competence program credits and respecting how the number of continuing competence program credits earned by regulated members is to be recorded.

(2) The Registrar, Registration Committee and Competence Committee may make recommendations to the Council respecting rules or amendments to rules.

(3) Before making or amending a rule under this section, the Council must make the proposed rule or amendment available to all regulated members for their review.

(4) The Council may make a rule or an amendment to a rule 30 or more days after the proposed rule or amendment has been made available under subsection (3) and after having considered any comments received on the proposed rule or amendment.

(5) The rules and any amendments to the rules made under this section must be made available by the Registrar in printed or electronic form to all regulated members and on request to the Minister and any other person or body.

### **Alternative Complaint Resolution**

#### **Process conductor**

**29** When a complainant and an investigated person have agreed to enter into an alternative complaint resolution process referred to in section 58 of the Act, the Complaints Director must appoint an individual to conduct the process.

**Agreement**

**30(1)** Before proceeding with an alternative complaint resolution process, the individual conducting the process must, in consultation with the complainant and the investigated person, establish the procedures for and objectives of the process.

**(2)** The procedures and objectives referred to in subsection (1) must be set out in a written agreement signed by the complainant, the investigated person and a representative of the College before the alternative complaint resolution process begins.

**(3)** The agreement must

- (a) establish the scope of the process, which may include agreeing to address separate parts of the complaint through separate processes,
- (b) identify who will participate in the process,
- (c) specify whether the individual appointed under section 29 is to act as a mediator, facilitator or conciliator or in some other capacity in conducting the process, and
- (d) set out the time frames for progress or completion of the process,

and may include other terms agreed on by the complainant, the investigated person and the representative of the College.

**Confidentiality**

**31** The complainant, the investigated person, the representative of the College and the individual conducting the alternative complaint resolution process must, subject to sections 59 and 60 of the Act, treat all information shared during the course of the alternative complaint resolution process as confidential.

**Leaving the process**

**32** A complainant or an investigated person may withdraw from an alternative complaint resolution process at any time.

**Reinstatement of Registrations and Practice Permits  
Cancelled under Part 4 of the Act****Reinstatement application**

**33(1)** Subject to section 45 of the Act, a person whose registration and practice permit have been cancelled under Part 4 of the Act

may apply in writing to the Registrar to have the registration reinstated and the practice permit reissued.

**(2)** An application under subsection (1)

- (a) must not be made earlier than 5 years after the date of the cancellation, and
- (b) must not be made more frequently than once in each 12-month period following a refusal of an application under subsection (1).

**(3)** An applicant under subsection (1) must provide evidence of having the qualifications for registration.

**Consideration of application for reinstatement**

**34(1)** An application made under section 33 must be considered by the Registrar or Registration Committee in accordance with this section and the application for registration process set out in sections 28 to 30 of the Act.

**(2)** When considering an application, the Registrar or Registration Committee must take into account

- (a) the record of the hearing at which the applicant's registration and practice permit were cancelled, and
- (b) whether the applicant
  - (i) meets the current requirements for registration,
  - (ii) has met any conditions that were imposed under Part 4 of the Act before the applicant's registration and practice permit were cancelled, and
  - (iii) is fit to practise the acupuncturists profession and does not pose a risk to public safety.

**Decision on reinstatement**

**35** The Registrar or Registration Committee may, after considering an application made under section 33, issue a written decision containing one or more of the following orders:

- (a) an order refusing the application;
- (b) an order approving the application and authorizing the reinstatement of the applicant's registration and reissuance of the applicant's practice permit;
- (c) an order

- (i) approving the application subject to the applicant complying with specified conditions imposed by the Registrar or Registration Committee, and
  - (ii) authorizing the reinstatement of the applicant's registration and reissuance of the applicant's practice permit on the Registrar or Registration Committee being satisfied that the applicant has complied with those conditions;
- (d) an order imposing specified conditions on the applicant's practice permit;
  - (e) an order directing the applicant to pay any or all of the College's expenses incurred in respect of the application as provided for in the bylaws;
  - (f) any other order that the Registrar or Registration Committee considers necessary for the protection of the public.

#### **Review of decision**

**36(1)** An applicant whose application for reinstatement is refused or on whose practice permit conditions have been imposed under section 35 may request a review by the Council.

**(2)** Sections 31 and 32 of the Act apply to a review under subsection (1).

#### **Access to decision**

**37(1)** The Registrar or Registration Committee may order that a decision under section 35 be published in a manner that the Registrar or Registration Committee, as the case may be, considers appropriate.

**(2)** The Council may order that a decision under section 36 be published in a manner that the Council considers appropriate.

**(3)** The College must make decisions under sections 35 and 36 available to the public on request for 5 years.

### **Information**

#### **Information**

**38(1)** A regulated member or an applicant for registration must provide the following information, in addition to that required under section 33(3) of the Act, to the Registrar or Registration

Committee when requested by the Registrar or Registration Committee and when there are any changes to the information:

- (a) the following personal information and academic information:
  - (i) full legal name and, if applicable, previous names or aliases;
  - (ii) date of birth and gender;
  - (iii) home address;
  - (iv) telephone number, fax number and email address, if any;
  - (v) emergency contact information, including name, address, telephone number and email address, if any;
  - (vi) degrees, diplomas and certifications, including areas of specialization, if any, and any other qualifications;
  - (vii) the names of the educational institutions that granted the degrees, diplomas, certifications and other qualifications referred to in subclause (vi) and the year in which each was granted;
  - (viii) a recent photo of the regulated member or applicant, which must be of a size and quality similar to that required for a Canadian passport;
  - (ix) all applicable information described in section 33(3) of the Act;
- (b) the following information respecting the regulated member's or applicant's practice:
  - (i) the names and addresses of current and previous employers or agencies for which the regulated member or applicant provides or has provided professional services as a paid or unpaid employee, consultant, contractor or volunteer and the addresses at which the professional services are or were provided;
  - (ii) the type of facility or facilities in which the regulated member or applicant provides or has provided professional services;
  - (iii) the languages in which the regulated member or applicant is able to provide professional services;

- (iv) the names of any other organizations responsible for the regulation of professions or professional bodies in which the regulated member or applicant is or was registered or that otherwise authorized the regulated member or applicant to provide professional services in Alberta or any other jurisdiction and the current status of that registration or authorization.

(2) The College may disclose information collected under subsection (1) about a regulated member

- (a) with the consent of the regulated member, or
- (b) in a summarized or statistical form so that it is not possible to relate the information to the regulated member or any other identifiable person.

#### **Section 119 information**

**39** The periods of time during which the College is obliged to provide information on the request of a member of the public under section 119(4) of the Act are the following:

- (a) in the case of information referred to in section 33(3) of the Act, other than information referred to in section 33(3)(h) of the Act, during the period while the person is a regulated member of the College;
- (b) in the case of information referred to in section 119 of the Act,
  - (i) during the period while the suspension is in effect and for 5 years after the period of suspension has expired, in the case of information that a regulated member's practice permit has been suspended;
  - (ii) during the period while the cancellation is effective and for 5 years after the cancellation, in the case of information that a regulated member's practice permit has been cancelled;
  - (iii) during the period while the conditions are in effect, in the case of information that conditions have been imposed on a regulated member's practice permit;
  - (iv) during the period while the direction is in effect, in the case of information that a regulated member has been directed under section 118(4) of the Act to cease providing professional services;

- (v) during the 5-year period immediately after the imposition of a caution, reprimand or fine, in the case of information respecting the imposition of a caution, reprimand or fine under Part 4 of the Act;
- (vi) during the 5-year period immediately after the date of the order, in the case of information that an order has been made respecting a regulated member by a hearing tribunal, council or the Court of Appeal under Part 4 of the Act;
- (c) during the period until the hearing is concluded, in the case of information as to whether a hearing is scheduled to be held under Part 4 of the Act with respect to a named regulated member;
- (d) during the period beginning at the conclusion of the hearing and ending 5 years after the date that a written decision under section 83 of the Act or an order under section 89(5) or 92(1) of the Act is made, in the case of information as to whether a hearing has been held under Part 4 of the Act with respect to a named regulated member;
- (e) during the 5-year period after the date of the written decision made by the hearing tribunal under section 83 of the Act, in the case of a decision and testimony referred to in section 85(3) or (4) of the Act.

### **Transitional Provisions, Repeal and Coming into Force**

#### **Transitional**

**40** On the coming into force of this Regulation, a person described in section 6 of Schedule 1 to the Act is deemed to be entered on the regulated members register in the register category that the Registrar considers appropriate.

#### **Repeal**

**41** The *Acupuncture Regulation* (AR 42/88) is repealed.

#### **Coming into force**

**42** This Regulation has effect on the coming into force of Schedule 1 to the Act.









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