

# COLLEGE OF PSYCHOLOGISTS OF BRITISH COLUMBIA

## BYLAWS

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## 1. Definitions

(1) Except as otherwise provided, terms used in these bylaws have the same meaning as in the *Health Professions Act*.

(2) In these bylaws, unless the context indicates otherwise,

“Act” means the *Health Professions Act*;

“appointed board member” means a board member appointed under section 17(3)(b) of the *Act*;

“board” means the board of the College;

“board member” means an appointed board member or an elected board member;

“College” means the College of Psychologists of British Columbia continued under the Psychologists Regulation deposited under BC Reg. 442/99;

“elected board member” means a board member elected under these bylaws;

“full register” means the register on which registrants are registered with no limitations imposed on their right to practice psychology;

“full registrant” means a registrant registered on the full register;

“limited register” means the register on which registrants are registered with limitations imposed on their right to practice psychology;

“limited registrant” means a registrant registered on the limited register;

“ordinary resolution” means a resolution which requires a majority vote of those persons present and eligible to vote;

“patient” means a client who receives a psychological service from a registrant or from a person under supervision of a registrant;

“personal information” means “personal information” as defined in schedule 1 of the *Freedom of Information and Protection of Privacy Act*;

“psychological service” means a service included in the practice of psychology;

“public representative” means

- (a) a person who
  - (i) is not a registrant or former registrant, and
  - (ii) has no close family or business relationship with a registrant or former registrant, or
- (b) an appointed board member;

“special resolution” means a resolution which requires a two-third vote of those persons present and eligible to vote.

## PART 1: COLLEGE BOARD, COMMITTEES AND PANELS

### 2. Board

The board consists of six elected board members and the appointed board members.

### 3. Election procedure

- (1) The registrar must supervise and administer all board elections and, subject to these bylaws and any board policies not inconsistent with these bylaws, may establish procedures for that purpose.
- (2) The registrar must notify every full registrant of a board election by giving written notice at least 60 days before the term of office of a board member expires.
- (3) The notice under subsection (2) must contain information about the nomination procedure and the election procedure, including nomination papers.
- (4) A full registrant may nominate not more than two full registrants for each vacant position on the board.
- (5) A registrant making a nomination must deliver the following to the registrar at the offices of the College not later than 45 days before the term of office of a board member expires:
  - (a) the nomination papers;
  - (b) the written consent of the person nominated.
- (6) If the registrar is satisfied that a person nominated under subsection (5)
  - (a) is eligible for election,
  - (b) has been nominated within the time and as required under these bylaws,
  - (c) has given the required consent, andthe registrar must declare that person a candidate for election.
- (7) A person declared to be a candidate for election under subsection (6) may deliver the following to the registrar within five days after the date the candidate's nomination papers were filed:
  - (a) a brief biography of the candidate;
  - (b) information respecting the candidate's activities on behalf of the profession.
- (8) Not later than 28 days before the term of office of a board member expires, the registrar must send to each full registrant
  - (a) one election ballot,
  - (b) any information provided by a candidate as permitted in, and within the time required by, subsection (7), and
  - (c) notice of the time and date by which election ballots must be delivered to the offices of the College for counting.
- (9) No person may distribute information respecting a candidate for election other than as contemplated in subsection (8).
- (10) Each full registrant may cast one vote for each board position to be elected.
- (11) The registrar must be satisfied that each ballot is submitted by an eligible voter and that the anonymity of each voter is assured in the counting of ballots.
- (12) The candidate for election receiving the most votes on the return of the ballots is elected.
- (13) In the case of a tie vote, the registrar must select the successful candidate by random draw.

- (14) The registrar must resolve any dispute or irregularity with respect to any nomination, ballot or election.
- (15) Where the number of persons nominated is less than or equal to the number of board positions at the close of nominations, all the nominees are elected to office by acclamation.
- (16) The registrar must publish the results of the election on the College website as soon as practicable, and in the next edition of any College publication.
- (17) Before the board's first meeting following a board election, all board members must sign the board member's undertaking set out in Schedule A.

#### **4. Terms of office**

- (1) The term of office for an elected board member is three years.
- (2) An elected board member may serve a maximum of two consecutive terms.
- (3) An elected board member may resign at any time by delivering a notice in writing to the registrar and the resignation is effective upon receipt by the registrar.
- (4) Despite subsection (1), the first terms of office of the first elected board under the *Act* are
  - (a) one year for two positions,
  - (b) two years for two positions, and
  - (c) three years for two positions.

#### **5. Removal of board member**

- (1) An elected board member who fails to meet his or her obligations to the College set out in the *Act*, its regulations, these bylaws, or the board member's undertaking in Schedule A may be removed from office by a special resolution of the board.
- (2) If an appointed board member fails to meet his or her obligations to the College set out in the *Act*, its regulations, these bylaws, or the board member's undertaking in Schedule A, the board, by special resolution, may advise the minister and request that the appointed board member's appointment be rescinded.
- (3) If an elected board member is found guilty of professional misconduct or professional incompetence by the discipline committee, the board member is suspended from holding office unless and until that finding is set aside by a court.
- (4) A board member described in subsection (3) is no longer eligible to hold office and his or her office is deemed to be vacant if
  - (a) the time for appealing
    - (i) the finding described in subsection (3), or
    - (ii) a B.C. Supreme Court ruling on that finding, has expired without an appeal being filed, or
  - (b) on appeal, a court has refused to set aside that finding.

#### **6. Vacancy**

- (1) A vacant elected position on the board may be filled by a full registrant who has been appointed by special resolution of the board.
- (2) An appointment under subsection (1) expires on the earlier of
  - (a) the date of the end of the term of the vacated elected position, and
  - (b) the date of the next scheduled board election.

## **7. Reimbursement of board members**

\_\_\_ A board member must be reimbursed by the College in accordance with board policies for reasonable expenses necessarily incurred in connection with College business.

## **8. Chair and vice-chair**

- (1) At the board's first meeting following a board election, the board members must elect a chair and a vice-chair to hold office for a one year term.
- (2) A board member may serve as chair for a maximum of two consecutive terms.
- (3) The chair must
  - (a) preside at all meetings of the College and board,
  - (b) sign certificates, diplomas and other instruments executed on behalf of the College,
  - (c) sign the minutes of each meeting after they are approved by the board, and
  - (d) act generally in accordance with the requirements of his or her office for the proper carrying out of the duties of the board.
- (4) The vice-chair must perform the duties of the chair in the absence of the chair.
- (5) In the absence of both the chair and the vice-chair at a board meeting, the board members present must elect an acting chair.

## **9. Board meetings**

- (1) The board must meet at least six times in each fiscal year and, subject to subsection (4), must provide reasonable notice to all registrants of its meetings.
- (2) The registrar must call a board meeting on the request of the chair or three board members.
- (3) With the prior approval of the chair, a board member may participate in a board meeting by means of tele-conference or video-conference connections if the member is unable to attend the meeting in person.
- (4) In order to conduct urgent business, the chair may request the registrar to call a board meeting to be conducted by tele-conference or video-conference connection, and in that event, notice need not be given to all registrants.
- (5) With the prior approval of the chair, a vote of a board member on an ordinary resolution may be recorded by an e-mail transmission from that member.
- (6) A written resolution signed by all members is valid and binding and of the same effect as if such resolution had been duly passed at a meeting of the board.
- (7) On request, the registrar must provide the following to a member of the public:
  - (a) details of the time and place of a board meeting;
  - (b) a copy of the agenda;
  - (c) a copy of the minutes of any preceding meeting.
- (8) Subject to subsections (4) and (9), board meetings must be open to registrants and to the public.
- (9) The board, by special resolution, may exclude any person from any meeting or part of a meeting if it is satisfied that
  - (a) the matters which may be disclosed present issues of protection of any person, or the public interest, which outweigh the principle that meetings be open to the public,
  - (b) a person involved in a criminal proceeding or civil suit or proceeding may be prejudiced,

- (c) personnel matters or property acquisitions will be discussed,
  - (d) the contents of examinations will be discussed,
  - (e) communications with the Office of the Ombudsman will be discussed,
  - (f) privileged communications or opinions will be discussed or provided to the board or committees by legal counsel for the College,
  - (g) professional discipline matters and appeals under the *Act* are being discussed in relation to a particular individual, or
  - (h) the attendance of the person at the meeting is disruptive.
- (10) If the board excludes any person from a part of a meeting, the board must note its reasons for doing so in the minutes of the meeting.
- (11) The registrar must ensure that minutes are taken at each meeting and that the approved minutes, signed by the chair, are maintained as College records.
- (12) Unless otherwise provided in these bylaws, the board must take any action required in the Act or these bylaws by ordinary resolution and record the resolution in the minutes.
- (13) A majority of the board constitutes a quorum.
- (14) No resolution proposed at a meeting need be seconded and the chair of a meeting may move or propose a resolution.
- (15) In case of an equality of votes, the chair may not cast a second vote in addition to the vote he or she cast as a board member and the proposed resolution fails.

## **10. Committees**

- (1) The board must appoint all committee members.
- (2) Only the following individuals are eligible to be a member of a committee:
  - (a) a full registrant;
  - (b) a limited registrant who is retired from the practice of psychology;
  - (c) a public representative.
- (3) At least one-third of the membership of each of the registration committee, inquiry committee, discipline committee, quality assurance committee and patient relations committee must be public representatives.
- (4) The board must establish the term of office of a committee member which term must not exceed three years.
- (5) No person may be a member of a particular committee for more than two consecutive terms.
- (6) The board must appoint a chair for each committee from among the committee members and the chair of each of the committees referred to in subsection (4) must be a board member.
- (7) The board may rescind the appointment of a committee member.
- (8) Each committee must submit to the board
  - (a) at least once every three months, a report summarizing its activities, and
  - (b) annually, a comprehensive report of its activities.
- (9) The registrar is an ex-officio member of every committee.

## **11. Committee panels**

- (1) The chair of the discipline committee, inquiry committee or the registration committee
  - (a) may appoint a panel of that committee consisting of not less than three committee members, and
  - (b) must, if a panel is appointed, appoint a chair of that panel from the members of the panel.
- (2) A panel of a committee must have one public representative.
- (3) A panel of a committee may exercise any power, duty or function of that committee.

## **12. Meetings of a committee or a panel**

- (1) The quorum of a committee is a majority of its members.
- (2) The quorum of a panel of a committee is all the panel members.
- (3) Section 9(2) to (10) and (14) apply to a committee or the panel of a committee as if it were the board.

## **13. Reimbursement of committee members**

A committee member must be reimbursed by the College in accordance with board policies for reasonable expenses necessarily incurred in connection with College business.

## **14. Registration committee**

- (1) The registration committee is established.
- (2) The registration committee consists of not less than six members including at least one board member.

## **15. Inquiry committee**

- (1) The inquiry committee is established.
- (2) The inquiry committee consists of not less than six members including at least one board member.

## **16. Discipline committee**

- (1) The discipline committee is established.
- (2) The discipline committee consists of not less than six members including at least one board member.
- (3) The board must not appoint a person to be a member of the discipline committee and the inquiry committee at the same time.
- (4) No member of the discipline committee may participate in the hearing of a matter in which he or she was involved as a member of the inquiry committee.
- (5) A panel of the discipline committee must have two members who are full registrants.

## **17. Quality assurance committee**

- (1) The quality assurance committee is established.
- (2) The quality assurance committee consists of not less than six members including at least one board member.
- (3) The quality assurance committee must

- (a) review periodically, as appropriate, any standards of practice or codes of conduct set out in these bylaws to enhance the quality of practice, and to prevent incompetent, impaired or unethical practice among registrants,
  - (b) recommend to the board for approval a continuing competency program to promote high standards of practice among registrants, and
  - (c) recommend to the board for approval any continuing education courses required by these bylaws.
- (4) The quality assurance committee may monitor compliance of continuing competency requirements for registrants by conducting random audits of registrants by mail or by using any other method approved by the board

#### **18. Patient relations committee**

- (1) The patient relations committee is established.
- (2) The patient relations committee consists of not less than three members including at least one board member.
- (3) The patient relations committee must
  - (a) recommend to the board the establishment of specific procedures by which the College deals with complaints of professional misconduct of a sexual nature,
  - (b) monitor and periodically evaluate the operation of procedures established under paragraph (a),
  - (c) develop and coordinate educational programs dealing with professional misconduct of a sexual nature for registrants and the public as required,
  - (d) establish a patient relations program to prevent professional misconduct, including professional misconduct of a sexual nature, and
  - (e) recommend to the board standards and guidelines for the conduct of registrants with their patients.

#### **19. Finance committee**

- (1) The finance committee is established.
- (2) The finance committee consists of not less than three members including at least one board member.
- (3) The finance committee must review periodically the College's system of financial administration and provide recommendations to the registrar or the Board, as appropriate, regarding
  - (a) accounting practices and systems, including internal control and auditing systems,
  - (b) the annual operating or capital budget, including fees and special levies,
  - (c) the safekeeping of College assets, including assets held in trust, and
  - (d) the budgeting and investment needs of the College.

### **PART 2: COLLEGE ADMINISTRATION**

#### **20. Seal**

- (1) The board must approve a seal for the College.
- (2) The seal of the College must be affixed, by those persons designated by the board, to certificates of registration and any other documents as the board may direct.

#### **21. Registrar**

- (1) Only an individual who is eligible to be registered as a psychologist on the full register may be appointed by the board as registrar.
- (2) The registrar is the chief executive officer of the College and the office of registrar is a full-time position.

- (3) The registrar must
  - (a) on direction of the board, establish and maintain appropriate accounts with a chartered bank, trust company or credit union for the deposit of College funds,
  - (b) unless otherwise directed by the board, submit a report at each regular meeting of the board which sets out, since the last meeting of the board, all revenues and expenditures and activities of the College,
  - (c) submit an annual report to the annual general meeting of the College,
  - (d) keep the seal and records of the board and all minutes of the board and its committees,
  - (e) oversee the organization, staffing and training of staff of the College, and
  - (f) perform the duties required under the *Act*, its regulations and these bylaws and such other duties required by the board that are not inconsistent with the *Act*, its regulations and these bylaws.
- (4) At least once every two years the board must review the job performance of the person holding the office of registrar.
- (5) The registrar may appoint one or more deputy registrars.

## **22. Fiscal year**

The fiscal year of the College commences on January 1 and ends on December 31.

## **23. Signing officers**

The signing officers of the College are

- (a) one of either the registrar or a deputy registrar, plus
- (b) one of either the chair of the board or a member of the finance committee.

## **24. Payments and commitments**

- (1) The registrar may make commitments and approve payments for the purchase of goods and services for the College in an amount less than \$10,000 if the expenditure is in the annual budget approved by the board.
- (2) All commitment and payments by the College for an expenditure in an amount of \$10,000 or greater must be
  - (a) first approved by the registrar and one member of the finance committee, and
  - (b) in the annual budget approved by the board.
- (3) If the board considers it necessary to make a commitment or payment by the College for any unexpected cost or expenditure that
  - (a) exceeds \$100,000 and
  - (b) was not included in the annual budget approved by the board,the board must give notice to the registrants.

## **25. Borrowing powers**

- (1) The board may raise funds or borrow money in the name of the College, in any manner determined by the board, in order to carry out the purposes of the College.
- (2) The board must not enter into any obligation in the name of the College to secure the repayment of funds or money in an amount in excess of \$100,000 unless the obligation is first authorized by special resolution at an annual or special general meeting of the registrants.
- (3) The registrants may, by special resolution at an annual or special general meeting, restrict the borrowing powers of the board.

## **26. Investments**

The board may invest funds of the College in any investments authorized under section 15 of the *Trustee Act* and in the name of the College and may change those investments.

## **27. Auditor**

- (1) The board must appoint a chartered accountant to conduct an annual audit.
- (2) The registrar must submit the College's financial statements to the auditor within 60 days of the end of the fiscal year.

## **28. Legal counsel**

The registrar may retain legal counsel to assist the board, the registrar, a committee or a panel of a committee in carrying out any power, duty or function under the *Act*, its regulations, or these bylaws.

## **29. General meetings**

- (1) An annual general meeting of all registrants must be held in British Columbia at a time and place determined by the board.
- (2) The following matters must be considered at an annual general meeting:
  - (a) audited financial statements of the College for the previous fiscal year, including a copy of the auditor's report, if any;
  - (b) the report of the board;
  - (c) the annual report of the registrar.
- (3) Every general meeting, other than an annual general meeting, is a special general meeting.
- (4) The board
  - (a) may convene a special general meeting, and
  - (b) must convene a special general meeting within 45 days after receipt by the registrar of a request for such a meeting signed by at least 10% of all full registrants.

## **30. Notice of general meetings**

- (1) The board must deliver a notice of an annual general meeting to all registrants at least 60 days before the date of the meeting.
- (2) The board must deliver a notice of a special general meeting to all registrants at least 30 days before the date of the meeting.
- (3) Notice of a general meeting must include the following:
  - (a) the place, day and time of the meeting;
  - (b) the general nature of the business to be considered at the meeting;
  - (c) any resolutions proposed by the board;
  - (d) any resolutions proposed by the registrants under section 31(1) that were delivered to the registrar before the mailing of the notice.

## **31. Resolutions proposed by registrants**

- (1) Twenty percent of registrants on the full register of the College may request the introduction of a resolution at a general meeting by giving the registrar written notice
  - (a) at least 45 days before the date of an annual general meeting, and
  - (b) at least 21 days before the date of a special general meeting.

- (2) On receipt of a notice under subsection (1) and at least 30 days before the date of the annual general meeting and at least 15 days before the date of the special general meeting, the registrar must
  - (a) deliver a copy of the notice and the resolution to all full registrants, and
  - (b) place the notice and resolution on the agenda of the general meeting.
- (3) A full registrant may propose a resolution from the floor at a general meeting and the chair of the meeting must place the resolution at the end of the agenda to be debated if time permits.
- (4) A resolution under this section which is passed at the meeting does not bind the College or the board but can be treated by the board as advice or a recommendation given to the Board.

### **32. Proceedings at a general meeting**

- (1) In the absence of the chair and the vice-chair of the board at a general meeting, the full registrants must elect, by ordinary resolution, an acting chair from among the board members who are present at the meeting.
- (2) A quorum of a general meeting is 10% of the total number of full registrants as at the date of the meeting.
- (3) No business, other than the adjournment or termination of the meeting, may be conducted at a general meeting at a time when a quorum is not present.
- (4) If, within 30 minutes from the time set for the beginning of a general meeting, a quorum is not present, the meeting must be adjourned.
- (5) If, at any time during a general meeting, there ceases to be a quorum present, the business of the meeting must
  - (a) be suspended until there is a quorum present, and
  - (b) be adjourned if a quorum is not present for 30 minutes..
- (6) A full registrant who is present at a general meeting is entitled to one vote.
- (7) The chair of a general meeting must determine whether voting on a resolution will be conducted by show of hands or ballot but, if the full registrants by show of hands pass a resolution requesting voting by ballot, the voting must be conducted by ballot.
- (8) In case of a tie vote at a general meeting, the proposed resolution does not pass.

### **33. Notice to public representatives**

Every notice or mailing provided to the general membership of the College must also be provided to the public representatives serving on the board or any board committees.

### **34. Defects**

The accidental omission to deliver notice of a meeting to, or the non-receipt of a notice by, any registrant or board member entitled to receive notice does not invalidate proceedings at that meeting.

## **PART 3: COLLEGE RECORDS**

### **35. *Freedom of Information and Protection of Privacy Act***

- (1) The registrar is the “head” of the College for the purposes of the *Freedom of Information and Protection of Privacy Act*.
- (2) The registrar may authorize a person employed by the College or a person who has contracted to perform services for the College to perform any duty or exercise any function of the registrar as “head” of the College under the *Freedom of Information and Protection of Privacy Act*.

- (3) The board must ensure that the registrar fulfills his or her duties under the *Freedom of Information and Protection of Privacy Act*.
- (4) The registrar must report quarterly to the board regarding the steps he or she has taken to fulfill his or her duties under the *Freedom of Information and Protection of Privacy Act*.

### **36. Fees for information requests**

Subject to section 75 of the *Freedom of Information and Protection of Privacy Act*, an applicant who requests access to a College record under section 5 of that *Act* must pay the applicable fees set out in the “Maximum Schedule of Fees” established in the Freedom of Information and Protection of Privacy Regulation, BC Reg. 323/93.

### **37. Protection of personal information**

- (1) The board must take reasonable measures to ensure that the collection, use and disclosure of personal information by the College occurs in accordance with the *Freedom of Information and Protection of Privacy Act*.
- (2) If personal information collected or maintained by the College is sent to a person or service organization for processing, storage or destruction, the registrar must take reasonable measures to ensure that a contract is made with that person or organization which includes an undertaking by the person or organization to maintain confidentiality of the personal information.
- (3) If records maintained by the College are to be disposed of, the registrar must ensure that any record containing personal information is disposed of using one of the following methods:
  - (a) if the information is kept in a physical record, by complete destruction by a shredder or by burning;
  - (b) if the information is kept electronically, by complete erasure using a method which ensures that the information cannot be reconstructed;
  - (c) by returning the record to the person to whom the information pertains;
  - (d) by returning the record to the registrant who compiled the information.

### **38. Disclosure of annual report**

The board must provide to each registrant and to any other person, on request, a copy of the College’s annual report which is submitted to the minister under section 18 of the *Act*.

### **39. College record maintenance**

- (1) The board must ensure that the following College records are maintained for the period specified in these bylaws or, if none is specified, as set out in board policy:
  - (a) a file for every application for registration;
  - (b) a file for every registrant;
  - (c) approved board minutes;
  - (d) board policies and procedures;
  - (e) financial records and audited financial statements;
  - (f) any other records required by the *Act*, its regulations, these bylaws and any other law.
- (2) The board must maintain the minutes and written decisions of the board, inquiry committee, discipline committee and registration committee for at least seven years.
- (3) Subject to subsection (2), the board may destroy the records of the inquiry committee and the discipline committee after the expiration of any applicable appeal periods and consistent with any requirements of the *Freedom of Information and Protection of Privacy Act*.
- (4) The board must maintain the records described in
  - (a) subsection (1)(a) for at least two years after the application was received,
  - (b) subsection (1)(b) during the period of the registrant’s registration and for at least seven years after lapse or cancellation of the registration, and
  - (c) subsection (1)(c) for at least seven years after they were created.

#### **40. Ownership of College records**

- (1) All records provided by the College to board members and committee members in their capacities as members of the board or committee are the property of the College.
- (2) No person may reproduce or distribute to others or destroy any record described in subsection (1) except in the performance of their responsibilities as board member or committee member or as permitted or required by board policy.
- (3) On or before the end of a board member's or committee member's term of office, whether resulting from resignation, expiration of term, disqualification or otherwise, the member must return to the registrar as soon as practicable all records described in subsection (1).

### **PART 4: REGISTRATION**

#### **41. Classes of registrants**

The following classes of registrants are established:

- (a) registered psychologist;
- (b) registered psychological associate

#### **42. Title**

- (1) A person who
  - (a) applies for registration,
  - (b) has a doctoral degree in psychology, and
  - (c) meets the registration requirements of this Part,must be registered as a registered psychologist and is entitled to use the title psychologist or registered psychologist.
- (2) A person who
  - (a) applies for registration,
  - (b) has a master's degree in psychology, and
  - (c) meets the registration requirements of this Part,must be registered as a registered psychological associate and is entitled to use the title psychological associate or registered psychological associate.
- (3) Despite subsection (1) or (2), a person who is registered as a registered psychologist when these bylaws come into effect
  - (a) is deemed to satisfy the requirements of subsection (1),
  - (b) must be registered as a registered psychologist under these bylaws, and
  - (c) is entitled to use the title psychologist or registered psychologist.

#### **43. Right to practice**

- (1) A full registrant is entitled to practice psychology.
- (2) A limited registrant's right to practice psychology is subject to the restrictions, conditions or limitations entered in the limited register under section 49.

#### **44. Qualifications for registration**

- (1) An applicant for registration must
  - (a) successfully complete any oral or written examinations required by the registration committee,
  - (b) have a graduate degree from a program of study with content that is primarily psychological in nature as required in subsection (3),
  - (c) have good character and be fit to practice psychology, and
  - (d) have completed 1600 hours of the supervised practice of psychology
    - (i) in an internship program that meets the requirements of registration committee policies, or
    - (ii) under the supervision of a person who
      - (A) meets the qualifications set by registration committee policies and these bylaws, if any, and
      - (B) has supervised the applicant in accordance with registration committee policies and these bylaws, if any.
- (2) In addition to subsection (1), an applicant for registration on or after July 1, 2003 must satisfy any requirements described in Schedule I for core competencies and foundational knowledge in psychology.
- (3) For purposes of subsection (1)(b), a program of study with content that is primarily psychological in nature must meet one of the following requirements:
  - (a) the program of study is offered within a department of psychology in a recognized Canadian university;
  - (b) the program of study is accredited by the Canadian Psychological Association or the American Psychological Association;
  - (c) the program of study is accredited by the Association of State and Provincial Psychology Boards; or
  - (d) if the program of study is offered in a department other than the department of psychology or is offered in a recognized university of another jurisdiction, the program of study is accepted by the registration committee after taking into account the relevant criteria set out in Schedule H.

#### **45. Qualifications for reciprocal registration**

- (1) This section applies to an applicant for registration who is currently registered or licensed to practice psychology in a jurisdiction with a regulatory body with which the College has a reciprocal registration agreement.
- (2) An applicant for registration under this section must satisfy the following:
  - (a) the applicant must have a graduate degree from a program of study with content that is primarily psychological in nature as required in section 44(3);
  - (b) the applicant must have good character and be fit to practice psychology;
  - (c) on the date of application and up to and including the date the application is approved, the applicant's registration or license to practice psychology in the jurisdiction referred to in subsection (1) must be in good standing and without current limitations or restrictions;
  - (d) the applicant must successfully complete a written exam required by the registration committee respecting applicable provincial laws, these bylaws and the Code of Conduct attached as Schedule F; and
  - (e) The applicant must satisfy one of the following requirements:
    - (i) The applicant must have been registered or licensed as a Psychologist in a jurisdiction referred to in subsection (1) before July 1, 2003 and for the period of five consecutive years immediately before the date of application must have been
      - (A) registered or licensed to practice psychology in a jurisdiction referred to in subsection (1), and
      - (B) actively practicing psychology in a jurisdiction referred to in subsection (1).
    - (ii) the applicant must have been first registered or licensed as a Psychologist or Psychological Associate in the jurisdiction referred to in subsection (1) on or after July 1, 2003 after having been evaluated for any requirements described in Schedule I for core competencies and foundational knowledge in psychology;
    - (iii) the applicant must have a graduate degree from a program of study accredited by the Canadian Psychological Association or the American Psychological Association;
    - (iv) the applicant must be registered with the Canadian Register of Health Service Providers in Psychology or the National Register of Health Service Providers in Psychology; or
    - (v) the applicant must have a current Certificate of Professional Qualifications awarded by the Association of State and Provincial Psychology Boards.

- (3) The registration committee may require an applicant for registration under this section to be interviewed by the committee or a person appointed by the committee.
- (4) If an applicant for registration under this section was first registered or licensed to practice psychology in the jurisdiction referred to in subsection (1) on or after July 1, 2003, and if that applicant has not successfully completed the Examination for Professional Practice in Psychology (EPPP), the registration committee may require the applicant to successfully complete that examination or to demonstrate foundational knowledge in psychology through other evaluation methods acceptable to the board.
- (5) For purposes of subsection (2) (e),

“Psychological Associate” means a person who is registered or licensed for the independent practice of psychology in a jurisdiction referred to in subsection (1) and who has been granted use of the title “Psychological Associate” by the regulatory body of that jurisdiction; and

“Psychologist” means a person who is registered or licensed for the independent practice of psychology in a jurisdiction referred to in subsection (1) and who has been granted use of the title “Psychologist” by the regulatory body of that jurisdiction.

#### **45.1 Qualifications for mobility registration**

- (1) This section applies to an applicant for registration who is currently registered or licensed to practice psychology with a regulatory body in a jurisdiction, other than a jurisdiction referred to in section 45(1).
- (2) An applicant for registration under this section must satisfy all of the following:
  - (a) the applicant must have a graduate degree from a program of study with content that is primarily psychological in nature as required in section 44(3);
  - (b) the applicant must have good character and be fit to practice psychology;
  - (c) on the date of application and up to and including the date the application is approved, the applicant’s registration or licence to practice psychology in the jurisdiction referred to in subsection (1) must be in good standing and without limitations or restrictions;
  - (d) the applicant must successfully complete a written exam required by the registration committee respecting applicable provincial laws, these bylaws and the Code of Conduct attached as Schedule F; and
  - (e) the applicant must have a current Certificate of Professional Qualification awarded by the Association of State and Provincial Psychology Boards or the National Register of Health Service Providers in Psychology.
- (3) The registration committee may require an applicant for registration under this section to be interviewed by the committee or a person appointed by the committee.
- (4) If an applicant for registration under this section was first registered or licensed to practice psychology in the jurisdiction referred to in subsection (1) on or after July 1, 2003, and if that applicant has not successfully completed the Examination for Professional Practice in Psychology (EPPP), the registration committee may require the applicant to successfully complete that examination or to demonstrate foundational knowledge in psychology through other evaluation methods acceptable to the board.

#### **46. Temporary registration**

- (1) A person who satisfies the requirements for registration under section 45 or 45.1, other than the requirement in section 45(2)(d) or 45.1(2)(e), as applicable, may apply for temporary registration to practice psychology for a period of 15 consecutive days in a calendar year.
- (2) An applicant described in subsection (1) may only hold a temporary registration twice in any calendar year.
- (3) The registration committee may require an applicant for temporary registration under this section to be interviewed by the committee or a person appointed by the committee.

#### **47. Application for registration**

- (1) An applicant for registration under section 44, 45, 45.1 or 46 must submit the following to the registrar:
  - (a) a signed criminal record authorization form under the *Criminal Records Review Act* and any other criminal record verification form approved by the board and required by the registration committee, and
  - (b) a signed and completed application in Form B, as applicable, including a declaration of the applicant's practice areas of competence as required in section 52;
  - (c) documentary or other evidence, satisfactory to the registration committee, to demonstrate the applicant's qualifications under section 44, 45, or 45.1 as applicable;
  - (d) letters of reference;
  - (e) a signed consent form authorizing the regulatory body, if any, administering the applicant's current or previous registration in another jurisdiction to disclose to the registration committee
    - (i) any current or previous restrictions, terms or limitations on the applicant's right to practice psychology in that jurisdiction,
    - (ii) any unresolved complaints respecting the applicant in that jurisdiction, and
    - (iii) the disciplinary history of the applicant in that jurisdiction,
  - (f) if an applicant for temporary registration under section 46, a declaration that the applicant intends to practice psychology for a period of not more than 15 consecutive days in the current calendar year,
  - (g) the applicable application fee set out in Schedule C, and
  - (h) written evidence satisfactory to the registration committee of the professional liability coverage required under section 61.

#### **48. Limitations on registration**

- (1) If the registration committee determines that an applicant for registration is not fully qualified to practice psychology without limitations, the committee may approve the application subject to one or more of the following:
  - (a) a limitation to practice only a specified area or areas of psychology;
  - (b) a limitation not to practice a specified area or areas of psychology;
  - (c) a limitation imposing a term or condition of registration;
  - (d) limitation to practice only under supervision for a specified period of time.
- (2) If the registration committee approves an application for temporary registration under section 46, the committee must impose the time limit referred to in that section on the applicant's right to practice.
- (3) A registrant who completes a declaration referred to in section 53(3)(a)(iv) or (v) must not practice psychology.

#### **49. Full register and limited register**

- (1) The registrar must enter into the full register the name of a registrant who has been approved by the registration committee without any limitation imposed on the registrant's right to practice.
- (2) The registrar must enter into the limited register the name of a registrant who
  - (a) has limitations imposed on his or her right to practice psychology
    - (i) by the registration committee under section 48(1),
    - (ii) by the discipline committee as permitted under the *Act*, or
    - (iii) by the registrant's consent under section 36(1) of the *Act*,
  - (b) has completed a declaration referred to in section 53(3)(a)(v) that the registrant does not intend to practice for a period of time not to exceed two consecutive years, or
  - (c) has completed a declaration referred to in section 53(3)(a)(iv) that the registrant is retired from practice.
- (3) The registrar must issue
  - (a) a registration certificate to each full registrant, and
  - (b) a limited registration certificate to each limited registrant which certificate must include any limitations on the registrant's right to practice psychology.
- (4) The registrar must amend a registrant's registration if the registrant's right to practice psychology is changed or amended as provided in the *Act* or these bylaws.

- (5) A registrant must comply with any restrictions, conditions or limitations imposed under the *Act* or these bylaws on his or her right to practice psychology.

#### **50. Contents of the full register and limited register**

- (1) The full register must contain the following information respecting each full registrant:
  - (a) full name;
  - (b) registration number;
  - (c) class of registration;
  - (d) date of registration;
  - (e) address;
  - (f) highest academic degree upon which registration with the college is based and name of conferring institution.
- (2) The limited register must contain the following information respecting each limited registrant:
  - (a) full name;
  - (b) registration number;
  - (c) class of registration;
  - (d) date of registration;
  - (e) address;
  - (f) highest academic degree upon which registration with the college is based and name of conferring institution.
  - (g) any limitations on the registrant's right to practice.
- (3) If there is a change in the information on the full register or limited register respecting a registrant, the registrant must, within 30 days of the effective date of the change, provide the registrar with the new information.

#### **51. Obligation to disclose**

- (1) As soon as practicable, a registrant must advise the registrar in writing of any of the following events:
  - (a) a conviction of the registrant for a criminal offence or an offence related to the practice of psychology;
  - (b) a proceeding for professional misconduct, incompetency or incapacity in respect of the registrant
    - (i) in British Columbia in relation to another health profession, or
    - (ii) in another jurisdiction in relation to the practice of psychology or another health profession;
  - (c) a finding of professional misconduct, incompetency or incapacity in respect of the registrant
    - (i) in British Columbia in relation to another health profession, or
    - (ii) in another jurisdiction in relation to the practice of psychology or another health profession.
- (2) As soon as practicable, a registrant must advise the registrar in writing of any change in the address of the location where the registrant's practice records are being kept or stored.

#### **52. Practice areas of competence**

- (1) For purposes of this section, a practice area of psychology means a practice area of psychology described generally in registration committee policies.
- (2) An applicant for registration must make a written declaration of the practice area of psychology in which the applicant is competent.
- (3) The registration committee must review an applicant's declaration under subsection (2) and take that information into account when considering the applicant's qualifications to be registered to practice psychology.
- (4) An applicant for renewal of registration must make a written declaration of the practice area or areas of psychology in which the applicant is competent.
- (5) The registration committee may review an applicant's declaration under subsection (4) and if not satisfied that the applicant is qualified to practice the declared area or areas of psychology, the committee may impose a limitation under section 48 on the applicant's registration.

### **53. Renewal of registration**

- (1) The registrar must send an annual notice of renewal to all registrants no later than 30 days before the date their registrations must be renewed.
- (2) A notice of renewal must contain the fees specified in Schedule C and payable by a registrant on renewal, the form required in subsection (3) and a complete reference to section 21(3) of the *Act*.
- (3) In order to maintain his or her registration a registrant must deliver the following to the registrar on or before the date registration must be renewed:
  - (a) a signed and completed renewal of registration application in Schedule D including
  - (b) a declaration of the practice areas of psychology in which the registrant is competent as required in section 52,
  - (c) a declaration of compliance with any continuing competency requirements set out in these bylaws,
  - (d) declaration of past and future compliance with the *Act*, its regulations, these bylaws and any terms, conditions and limitations of registration,
  - (e) if applicable, a declaration that the registrant is retired, and
  - (f) if applicable, a declaration that the registrant does not intend to practice psychology for the period set out in the declaration;
  - (g) the amount of any outstanding fees, levies or debts owed to the College;
  - (h) the amount of the applicable fees for renewal specified in Schedule C; and
  - (i) written evidence satisfactory to the registration committee of the professional liability insurance coverage required under section 61.
- (4) Despite any other provision of these bylaws, a limited registrant
  - (a) who has not practiced psychology for the immediately preceding two consecutive years, or
  - (b) who has a temporary registration under section 46,may not renew his or her registration under this section.
- (5) Subsection (4) does not apply to a limited registrant who is retired.
- (6) Upon renewal of a registrant's registration, the registrar must issue an annual certificate in Schedule E to the registrant.
- (7) An annual certificate issued to a registrant must specify
  - (a) the registrant's class of registration,
  - (b) any restrictions, terms or limitations that apply to the registrant's right to practice psychology, and
  - (c) the year for which the certificate is valid.
- (8) A registrant must prominently display his or her current annual certificate in the premises routinely used by the registrant to practice psychology.

### **54. Reinstatement**

- (1) A former registrant whose registration was canceled under section 21(3) of the *Act* may be reinstated by the board under section 21(4) of the *Act* if the former registrant submits
  - (a) a signed and completed application for reinstatement in Schedule H,
  - (b) all documents, fees and information required for renewal of registration in section 53(3), and
  - (c) a reinstatement fee in an amount equal to 35 % of the registrant's annual registration renewal fee.
- (2) The board may waive all or any part of the reinstatement fee referred to in subsection (1)(c) if the board is satisfied that imposition of the fee would cause undue financial hardship for the former registrant.

## **55. Examinations**

- (1) All examinations required to be taken under these bylaws must be prepared by or under the direction of the registration committee.
- (2) The registration committee must establish procedures for conducting and evaluating examinations under these bylaws including
  - (a) providing for the security of the examination environment,
  - (b) reviewing the results of the examination and determining the applicant's qualifications for registration,
  - (c) providing an opportunity to repeat the examination, and
  - (d) notifying the applicant of the results of the examination.
- (3) An applicant who is required to take an examination under these bylaws must pay the required fee set out in Schedule C.

## **PART 5: INSPECTIONS, INQUIRIES AND DISCIPLINE**

### **56. Inspections**

- (1) On request of the registrar or an inspector appointed by the inquiry committee under section 27 of the *Act*, a registrant or former registrant must, as soon as practicable, make available his or her practice records to the registrar or the inspector, as the case may be.
- (2) A registrant, former registrant or a patient of a registrant or former registrant may not refuse to provide access to practice records that are subject of an inspection under section 27 of the *Act* on the basis that the records are confidential.

### **57. Inquiry Committee**

- (1) If a registrant is subject of an investigation by the inquiry committee, the committee must notify the registrant as soon as practicable.
- (2) As soon as practicable, the inquiry committee must notify
  - (a) a registrant who is subject of a complaint, and
  - (b) the complainant,of any action taken under section 33(6) of the *Act*.
- (3) In order to be satisfied that a proposed undertaking or consent under section 36(1) of the *Act* is appropriate in the circumstances, the inquiry committee may take into consideration
  - (a) any previous undertakings or consents of the registrant under that section,
  - (b) any orders of the discipline committee involving the registrant, and
  - (c) the registrant's registration file.
- (4) Proceedings of the inquiry committee are not open to the public.
- (5) A tariff of costs in relation to investigations of the inquiry committee is established in Schedule "J".

### **58. Citation**

The registrar may join one or more complaints and one or more registrants in a citation under section 37 of the *Act*.

- (1) After a citation has been issued but before a hearing is convened in respect of that citation, the registrar may amend the citation.
- (2) At any time before the conclusion of a hearing in respect of a citation, the discipline committee may amend the citation.
- (3) If the registrar or the discipline committee amends a citation, the registrar or the discipline committee, as the case may be, must notify the registrant of the amendment as soon as practicable.

## **59. Discipline Committee**

- (1) On request, the registrar must provide the date, time and subject matter of any discipline hearing to any person.
- (2) All discipline hearings must be recorded and, on request of the respondent registrant, the registrar must provide the registrant with a transcript of the hearing at his or her cost.
- (3) Within 45 days after its hearing is concluded, the discipline committee, or the panel of the committee hearing a disciplinary matter, as the case may be, must give its written decision including reasons.
- (4) At the conclusion of a disciplinary proceeding, the registrar must, as soon as practicable, advise every registrant of
  - (a) the name of the registrant who was subject of the proceeding,
  - (b) a brief summary of the relevant facts of the proceeding, and
  - (c) the decision or the disposition of the case, including any limitations imposed on the registrant.
- (5) If disciplinary proceedings result in the limitation, suspension or cancellation of a registrant's registration, the registrar must notify the self-regulatory bodies of the profession of psychology in every Canadian jurisdiction and, on request, to any other self-regulatory body in a jurisdiction inside or outside Canada.
- (6) A tariff of costs in relation to a discipline committee hearing is established in Schedule "K".

## **60. Fines**

For purposes of section 39(1)(f) of the *Act*, the maximum amount of a fine that may be ordered by the discipline committee is \$35,000.

## **PART 6: PROFESSIONAL CONDUCT**

### **61. Professional liability insurance**

All registrants must maintain or be included in coverage under professional liability insurance in an amount not less than \$1,000,000 per occurrence.

### **62. Professional conduct**

- (1) Registrants must comply with the applicable provisions of the Code of Conduct set out in Schedule F.
- (2) The board may issue practice advisories and guidelines from time to time to assist registrants to conduct their practices of psychology in accordance with the requirements of subsection (1) and these bylaws.

## **PART 7: MISCELLANEOUS**

### **63. Special levy**

- (1) By special resolution, the board may approve the levy on all registrants of a special fee if the board determines that the College has insufficient funds
  - (a) to enable it to properly discharge its disciplinary functions, or
  - (b) to enable it to make a commitment for, or to pay any amount required for, an extraordinary expenditure that
    - (i) was not included in the annual budget for the fiscal year, and
    - (ii) could not have been reasonably contemplated when the annual budget was prepared.
- (2) The board must not
  - (a) levy more than one special fee in each fiscal year, and
  - (b) levy a special fee that will raise a total aggregate amount that is greater than the amount required to satisfy the requirements of subsection (1).
- (3) For purposes of this section, the board may
  - (a) levy a special fee on all or any class of registrants in an amount that does not exceed \$250 per registrant, and
  - (b) levy a different fee for different classes of registrants.

#### **64. Transitional**

- (1) Section 10(3) does not apply if the board determines that it is impractical or impossible to comply with this provision.
- (2) Subsection (1) is repealed one year after the date these bylaws come into effect.
- (3) If there is a vacancy in the number of appointed board members that are required to be appointed to the board, the board may
  - (a) appoint a public representative to sit as a committee member in place of an appointed board member under sections 14(2), 15(2), 17(2), 18(2) or 19(2), and
  - (b) despite section 10(5), must establish the term of office for that committee member for a period not to exceed one year.

#### **65. Repeal of bylaws**

The bylaws of the College which are in force on the date these bylaws come into force are repealed.

## APPENDIX I

Schedule "A"	Undertaking of Board Member
Schedule "B"	Application for Registration
Schedule "C"	Schedule of Fees
Schedule "D"	Registration Renewal Form
Schedule "E-1"	Annual Certificate of Registration - Psychologist
Schedule "E-2"	Annual Certificate of Registration - Psychological Associate
Schedule "F"	Code of Conduct
Schedule "G"	Application for Reinstatement
Schedule "H"	Criteria for Evaluating Program of Study
Schedule "I"	Core Competencies
Schedule "J"	Tariff of Costs in Relation to Investigation of the Inquiry Committee
Schedule "K"	Tariff of Costs in Relation to a Discipline Committee Hearing

Schedules available upon request.