

# COLLEGE OF PSYCHOLOGISTS OF BRITISH COLUMBIA

## BYLAWS

(as of November 27, 2017)

### 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 person appointed to the board 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;

**“deliver”**, with reference to a notice or other document, includes mail to or leave with a person, or deposit in a person’s mailbox or receptacle at the person’s residence or place of business, or transmit to the most recent electronic mail address, if any, provided to the College by a registrant for the purpose of delivery;

**“elected board member”** means a person elected to the board under section 17(3)(a) of the *Act* or appointed to the board under section 6;

**“in good standing”** means, in respect of a registrant,

(a) the registration of the registrant is not suspended under the *Act*, and

(b) no limits or conditions are imposed on the registrant’s practice of psychology under section 20(2.1) or (3), 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the *Act*;

**“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 service included in the “practice of psychology”, as defined in the Regulation, 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*;

**“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;

**“Regulation”** means the Psychologists Regulation, B.C. Reg. 289/2008;

**“regulations”** means the regulations under the *Act*;

**“special resolution”** means a resolution which requires a two-thirds 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.
  - (1.1) Subject to subsection (1.2), only a registered psychologist registrant in good standing is eligible to vote or be elected in an election under section 17(3)(a) of the *Act*.
  - (1.2) A registered psychologist registrant is ineligible to be elected in an election under section 17(3)(a) of the *Act* if, at any time during the five-year period preceding the deadline for nominations for the vacant position, limits or conditions were imposed on the registrant’s practice of psychology or the registration of the registrant was suspended or cancelled under section 32.2, 33, 35, 36, 37.1, 38, 39 or 39.1 of the *Act*, unless otherwise directed by the inquiry committee or discipline committee, as the case may be.
- (2) The registrar must notify every registered psychologist 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 registered psychologist registrant in good standing may nominate not more than two registered psychologist 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;
  - (c) a candidate questionnaire completed by the person nominated, in the form established in Schedule A;
  - (d) a conflict of interest disclosure statement completed by the person nominated, in the form established in Schedule A.1.
  
- (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,
  - (d) has completed the required candidate questionnaire, and
  - (e) has completed the required conflict of interest disclosure statement, and has not declared any conflict of interest of such a nature as to disqualify the person from serving as a board memberthe 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) a brief statement concerning the candidate's contributions to the profession.
  
- (7.1) Information delivered by a candidate under subsection (7) must not be inconsistent with the oath of office prescribed for the purpose of section 17.11 of the *Act*.
  
- (8) Not later than 28 days before the term of office of a board member expires, the registrar must send to each registered psychologist registrant
  - (a) one election ballot,
  - (b) any information provided by a candidate as permitted in, and within the time required by, subsections (7) and (7.1), and
  - (c) notice of the time and date by which election ballots must be delivered to the offices of the College for counting.
  
- (9) The registrar must make a candidate questionnaire provided by a candidate under subsection (5)(c) available for inspection by any registered psychologist registrant at all reasonable times during regular business hours, from the time the registrar declares

that person a candidate for election under subsection (6) until the time and date specified in the notice under subsection (8)(c).

- (10) Each registered psychologist registrant in good standing 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 within a reasonable period of time after the election.

#### **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.

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

- (1) An elected board member ceases to hold office as an elected board member if he or she
  - (a) ceases to be a registered psychologist registrant in good standing,
  - (b) ceases to be a resident of British Columbia,
  - (c) becomes an employee of the College,
  - (d) resigns from office as an elected board member, or
  - (e) dies.
- (2) In addition to the power of the board under section 17.11(5) of the *Act*, an elected board member may be removed from office as an elected board member by special

resolution of the registrants in good standing in attendance at a general meeting of the College.

## **6. Vacancy**

- (1) A vacant elected position on the board may be filled by a registered psychologist registrant in good standing 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.
- (3) If an appointment under subsection (1) is made less than 60 days before it expires under subsection (2),
  - (a) the election for the position must be deferred until the date of the next scheduled board election referred to in subsection (2) (b), and
  - (b) on expiry of the appointment, the board may again act under subsection (1) in respect of the position.
- (4) Despite subsections (2) and (3), if the expiry under subsection (2) of an appointment under subsection (1) would result in elections for more than two positions on the Board occurring at the same time,
  - (a) the election for the position in respect of which the appointment under subsection (1) was made must be deferred until the date of the next scheduled board election in which only one position would otherwise be elected, and
  - (b) on expiry of the appointment, the board may again act under subsection (1) in respect of the position for which the election is deferred under paragraph (a).

## **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) Subject to subsection (12), at the first board meeting after an election under section 17(3)(a) of the *Act*, the board must elect a chair and vice-chair from among its members, for a one-year term, in accordance with the process set out in subsections (2) to (11).
- (2) Immediately after the certification of the results of the board election under section 17.1(1) of the *Act*, the registrar must call for nominations for the positions of chair and vice-chair.
- (3) Subject to subsection (13), any board member may nominate another board member for each of the positions of chair or vice-chair, at any time up to or at the

commencement of the agenda item for the election of the applicable position under subsection (4).

- (4) The election of the chair, followed by the election of the vice-chair, must be the first items of business at the board meeting referred to in subsection (1).
- (5) If only one candidate is nominated for the position of chair or vice-chair, that candidate is deemed to be elected to the applicable position by acclamation.
- (6) If two or more candidates are nominated for the position of chair or vice-chair,
  - (a) each candidate must be provided an opportunity to speak to the board, but is not required to do so, and
  - (b) after the conclusion of any speeches under paragraph (a), each board member may cast one vote for the applicable position, by secret ballot.
- (7) A candidate who receives a majority of votes cast under subsection (6)(a) is elected to the applicable position.
- (8) If no candidate receives a majority of votes cast under subsection (6)(a),
  - (a) a run-off vote must be held immediately, between the two candidates who received the most votes, including, in the event of a tie, any other candidates receiving an equal number of votes, and
  - (b) each board member may cast one vote for a remaining candidate for the applicable position, by secret ballot.
- (9) A candidate who receives a majority of votes cast under subsection (8)(b) is elected to the applicable position.
- (10) If no candidate receives a majority of votes cast under subsection (8)(b), the registrar must select the successful candidate by random draw.
- (11) Votes cast by secret ballot under subsection (6)(b) or (8)(b) must be counted by the registrar.
- (12) Despite subsections (2) to (11), the board may, by unanimous vote, change the timing or process for electing the chair or vice-chair.
- (13) A board member may serve as chair for a maximum of two consecutive terms.
- (14) The chair or vice-chair may be removed by majority vote of the board.
- (15) In the event of a vacancy in the position of chair or vice-chair,
  - (a) the registrar must call for nominations for the vacant position, and
  - (b) the board must elect another chair or vice-chair, in accordance with subsections (3) to (12), to fill the applicable vacancy as soon as is convenient.

- (16) 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, and
  - (c) act generally in accordance with the requirements of his or her office for the proper carrying out of the duties of the board.
- (17) The vice-chair must perform the duties of the chair in the absence of the chair.
- (18) 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 four 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) *[repealed]*
- (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 may exclude any person who is not a board member from any part of a meeting if the attendance of that person at the meeting is disruptive, or if the board is satisfied that one or more of the following matters will be discussed:
  - (a) financial or personal or other matters that are of such a nature that the interest of any affected person or the public interest in avoiding disclosure of those

- matters outweighs the public interest in board meetings being open to the public;
- (b) information concerning an application by any individual for registration under section 20 of the *Act* or reinstatement or renewal thereof, the disclosure of which would be an unreasonable invasion of the applicant's personal privacy;
  - (c) information concerning a complaint against, or investigation of, any individual under Part 3 of the *Act*, the disclosure of which would be an unreasonable invasion of any individual's personal privacy;
  - (c.1) information concerning a practice assessment of a registrant or applicant under section 55.5, the disclosure of which would be an unreasonable invasion of the registrant or applicant's personal privacy;
  - (d) information the disclosure of which may prejudice the interests of any person involved in
    - (i) a proceeding under the *Act*, including a disciplinary proceeding under Part 3 of the *Act* or a review under Part 4.2 of the *Act*, or
    - (ii) any other criminal, civil or administrative proceeding;
  - (e) personnel matters;
  - (f) property acquisitions;
  - (g) the contents of examinations;
  - (h) information concerning the scoring or results of examinations or any report of an invigilator under section 55.2(3), the disclosure of which would be an unreasonable invasion of any individual's personal privacy;
  - (i) communications with the Office of the Ombudsperson;
  - (j) instructions given to or opinions received from legal counsel, or any other matter which is subject to solicitor-client privilege;
  - (k) information which the College would be required or authorized to refuse to disclose to an applicant making a request for records under Part 2 of the *Freedom of Information and Protection of Privacy Act*;
  - (l) information which the College is otherwise required by law to keep confidential.
- (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 registrar, are maintained as College records.
- (12) Unless otherwise provided in these bylaws, the board must take any action required in the *Act* or the 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 casts as a board member and the proposed resolution fails.

### **9.1 Resolutions in writing**

- (1) A resolution approved by a majority of all board members in writing, including by mail, facsimile or e-mail, is valid and binding and of the same effect as if such resolution had been duly passed at a meeting of the board.
- (2) A resolution approved by two-thirds of all board members in writing, including by mail, facsimile or e-mail, is valid and binding and of the same effect as a special resolution duly passed at a meeting of the board.
- (3) A report of any resolution or special resolution approved under subsection (1) or (2) must be verified and made a part of the minutes of the next meeting of the board.

### **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 registered psychologist registrant in good standing;
  - (b) *[repealed]*
  - (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, unless the board determines that there are special circumstances to warrant reappointing a committee member for a third consecutive term.
- (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) and section 9.1 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 registered psychologist 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.

**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.** [repealed]

**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 a registered psychologist registrant in good standing 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) The registrar is authorized to establish, by bylaw, forms for the purposes of the bylaws and to require the use of such forms by registrants.
- (5) If the board appoints one or more deputy registrars under section 21 of the *Act*, the exercise or performance by a deputy registrar of any power or duty of the registrar is subject to any directions given by the registrar.
- (6) At least once every two years the board must review the job performance of the person holding the office of registrar.

**22. Fiscal year**

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

**23. Financial administration**

The board must review periodically the College's system of financial administration, including

- (a) accounting practices and systems, including internal control and auditing systems,
- (b) the safekeeping of College assets, including assets held in trust, and
- (c) the budgeting and investment practices of the College.

**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 \$15,000 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 \$15,000 or greater must be
  - (a) first approved by the registrar and one member of the board, 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 in a manner consistent with the duties of a trustee under sections 15.1 and 15.2 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 professional 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 the College 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 registered psychologist registrants in good standing.

**30. Notice of general meetings**

- (1) The board must deliver a notice of an annual general meeting to all registrants and every board member and committee member 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.
- (4) At the discretion of the board, notice of a general meeting may specify that registrants will be permitted to attend the meeting by video, teleconference, web casting, or an equivalent medium, in accordance with instructions specified in the notice.
- (5) Notice of a general meeting may be delivered to registrants under subsection (1)(a) by
  - (a) transmitting notice of the meeting to the most recent electronic mail address for every registrant who has provided an electronic mail address to the College for the purpose of delivery, and
  - (b) posting a notice on the website.
- (6) The accidental omission to deliver notice of a meeting or resolution to, or the non-receipt of such a notice by any person entitled to receive such notice does not invalidate proceedings at that meeting.

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

- (1) Twenty percent of registered psychologist registrants in good standing 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 registered psychologist registrants, and
  - (b) place the notice and resolution on the agenda of the general meeting.
- (3) A registered psychologist registrant in good standing 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 registered psychologist registrants in good standing must elect, by ordinary resolution, an acting chair for the general meeting 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 registered psychologist registrants in good standing 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 registered psychologist registrant in good standing 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 registered psychologist registrants in good standing 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 “Schedule of Maximum Fees” established in the Freedom of Information and Protection of Privacy Regulation, B.C. Reg. 155/2012.

#### **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)(e) 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. Interpretation

In this Part:

**“doctoral degree in psychology”** means

- (a) the highest graduate-level degree in psychology, including but not limited to a Ph.D., that is granted by a Canadian post-secondary educational institution and recognized by the registration committee as meeting the criteria specified in Schedule H for evaluating the content of a doctoral program of study, for the purposes of the applicable class of registrants, or
- (b) a degree from a non-Canadian educational institution considered by the registration committee to be equivalent to a degree referred to in paragraph (a), in accordance with the criteria specified in Schedule H;

**“EPPP”** means the Examination for Professional Practice in Psychology offered by the Association of State and Provincial Psychology Boards or any successor examination that is acceptable to the board;

**“master’s degree in psychology”** means

- (a) a graduate-level degree in psychology that is granted by a Canadian post-secondary educational institution and recognized by the registration committee as meeting the criteria specified in Schedule H for evaluating the content of a master’s program of study, for the purposes of the applicable class of registrants, or
- (b) a degree from a non-Canadian educational institution considered by the registration committee to be equivalent to a degree referred to in paragraph (a), in accordance with the criteria specified in Schedule H;

**“Oral Examination”** means an oral examination in professional psychology practice prepared and administered by or under the direction of the registration committee;

**“pre-doctoral internship”** means an organized training program in psychology, completed prior to or as a condition of completion of a doctoral degree in psychology, which is recognized by the registration committee as meeting the criteria specified in Schedule H;

**“Readiness for Practice Examination”** means an oral or written examination, or an examination with both oral and written components, prepared and administered by or under the direction of the registration committee to assess an applicant’s readiness for professional practice;

**“registration committee”** has the same meaning as in section 20(6) of the *Act*;

**“WJE”** means the Written Jurisprudence Examination prepared and administered by or under the direction of the registration committee.

**42. Classes of registrants**

The following classes of registrants are established:

- (a) registered psychologist registration;
- (b) associate psychologist (corrections) registration;
- (c) grandparented registration;
- (d) psychology assistant registration;
- (e) temporary (supervised) registration;
- (f) temporary (visitor) registration;
- (g) non-practising registration.

**43. General registration requirements**

- (1) An applicant for registration in any class of registrants must deliver the following to the registrar:
  - (a) a completed, signed and notarized application for registration in the applicable class of registrants, in the form established in Schedule B or another form considered acceptable by the registration committee;
  - (b) any applicable application and registration fees specified in Schedule C;
  - (c) any other outstanding fine, fee, debt or levy owed to the College;
  - (d) evidence satisfactory to the registration committee that the applicant is of good character and fit to engage in the practice of psychology;
  - (e) an original transcript, or other evidence satisfactory to the registration committee, of any undergraduate or graduate degrees or equivalent qualifications completed by the applicant, and that the applicant is the person named therein;
  - (e.1) evidence satisfactory to the registration committee of the applicant's English language proficiency;
  - (f) an authorization for a criminal record check or, if permitted by the registration committee, a criminal record check verification in the form required by the *Criminal Records Review Act*, accompanied by any required payment;
  - (g) original documentation providing the results of a national police check or the equivalent for every jurisdiction in which the applicant resided during the five-year period immediately before the date of application, unless it is not reasonably practicable to obtain such documentation for the applicable jurisdiction;
  - (h) a certificate, letter, or other evidence in a form satisfactory to the registration committee, dated within three months of the date of application, from each applicable regulatory or licensing authority in every jurisdiction where the applicant is or was, at any time, registered or licensed for the practise of psychology or another health profession, certifying that

- (i) the applicant's entitlement to practise psychology or the other health profession has not been cancelled, suspended, limited, restricted or made subject to conditions in the applicable jurisdiction at any time, or specifying particulars of any such cancellation, suspension, limitation, restriction or conditions,
  - (ii) there is no investigation, review or other proceeding underway in the applicable jurisdiction that could result in the applicant's entitlement to practise psychology or the other health profession being cancelled, suspended, limited, restricted or made subject to conditions, or specifying particulars of any such investigation, review or other proceeding, and
  - (iii) the applicant's entitlement to practise psychology or the other health profession has not been voluntarily relinquished in the applicable jurisdiction with the effect of preventing the commencement or completion of an investigation, review or other proceeding that could have resulted in the applicant's entitlement to practise psychology or the other health profession in the applicable jurisdiction being cancelled, suspended, limited, restricted or made subject to conditions, or specifying particulars of any such relinquishment;
- (i) letters of reference and such further information from referees relating to the applicant's character, fitness to practise and professional competence as may be required by the registration committee;
  - (j) evidence satisfactory to the registration committee of professional liability coverage as required under section 61.
- (2) Subsection (1)(e) to (j) does not apply to applicants for temporary (visitor) registration under section 49 or non-practising registration under section 50.
  - (3) Subsection (1) does not apply to applicants for renewal under section 51 or applicants for reinstatement under section 52, except as provided in section 51 or 52.

#### **44. Registered psychologist registration**

- (1) For the purposes of section 20(2) of the *Act*, the conditions and requirements for registered psychologist registration are
  - (a) a doctoral degree in psychology,
  - (b) successful completion of a pre-doctoral internship,
  - (c) for applications received after a date specified by the board for the purpose of this paragraph, completion of a minimum number of hours of post-degree supervised practice of psychology in the area of psychology practice referred to in paragraph (g)(ii), under the supervision of a registered psychologist registrant approved by the registration committee, in accordance with the criteria specified in Schedule H.2,
  - (d) successful completion of the EPPP,

- (e) successful completion of an Oral Examination,
  - (f) successful completion of the WJE and any other oral, computerized, or written examinations concerning jurisprudence, including but not limited to the *Act*, the Regulation, the bylaws, including the Code of Conduct in Schedule F, and other applicable laws, as may be required by the registration committee for applicants under this subsection, and
  - (g) receipt by the registrar of
    - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a) to (f),
    - (ii) a declaration of competence in an area of psychology practice described in Schedule H.1 in a form acceptable to the registration committee,
    - (iii) any other evidence as may be required by the registration committee to satisfy it that the applicant meets the criteria specified in Schedule I for core competencies and foundational knowledge in psychology, and
    - (iv) the items required under section 43(1).
- (2) Despite subsection (1), an applicant may be granted registered psychologist registration if the applicant
- (a) holds registration or licensure in another Canadian jurisdiction as the equivalent of a registered psychologist registrant, which is not subject to any practice limitations, restrictions or conditions in that jurisdiction that do not apply generally to registered psychologist registrants in British Columbia,
  - (b) successfully completes the WJE and any other oral, computerized, or written examinations concerning jurisprudence, including but not limited to the *Act*, the Regulation, the bylaws, including the Code of Conduct in Schedule F, and other applicable laws, as may be required by the registration committee for applicants under this subsection, and
  - (c) delivers to the registrar
    - (i) notarized evidence, or other evidence satisfactory to the registration committee, of the applicant's registration or licensure referred to in paragraph (a) and that the applicant is the person named therein,
    - (ii) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraph (b),
    - (iii) a declaration of competence in an area of psychology practice described in Schedule H.1 in a form acceptable to the registration committee, and
    - (iv) the items required under section 43(1).

- (3) Despite subsection (1), an applicant may be granted registered psychologist registration if the applicant
- (a) holds registration or licensure in a United States jurisdiction as the equivalent of a registered psychologist registrant, which is not subject to any practice limitations, restrictions or conditions in that jurisdiction that do not apply generally to registered psychologist registrants in British Columbia,
  - (b) has a current Certificate of Professional Qualification awarded by the Association of State and Provincial Psychology Boards, or is registered with the National Register of Health Service Psychologists,
  - (c) successfully completes the WJE and any other oral, computerized, or written examinations concerning jurisprudence, including but not limited to the *Act*, the Regulation, the bylaws, including the Code of Conduct in Schedule F, and other applicable laws, as may be required by the registration committee for applicants under this subsection, and
  - (d) delivers to the registrar
    - (i) notarized evidence, or other evidence satisfactory to the registration committee, of the applicant's registration or licensure referred to in paragraph (a) and the applicant's certificate or registration referred to in paragraph (b), and that the applicant is the person named therein,
    - (ii) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraph (c),
    - (iii) a declaration of competence in an area of psychology practice described in Schedule H.1 in a form acceptable to the registration committee,
    - (iv) any other evidence as may be required by the registration committee to satisfy it that the applicant meets the criteria specified in Schedule I for core competencies and foundational knowledge in psychology, and
    - (v) the items required under section 43(1).
- (4) Despite subsection (1), the registration committee has discretion, in satisfying itself under section 20 of the *Act* that an applicant meets the conditions and requirements for registered psychologist registration, to consider whether the applicant's knowledge, skills and abilities are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications established in subsection (1)(a) to (c) and Schedule I, and to grant registered psychologist registration on that basis, if the applicant
- (a) has successfully completed the examinations required under subsection (1)(d) to (f), and
  - (b) meets the conditions and requirements established in subsection (1)(g)(ii) to (iv).

- (5) A registered psychologist registrant may use the titles “psychologist” and “registered psychologist” and the abbreviation “R.Psych.”

**45. Associate psychologist (corrections) registration**

- (0.1) No applicant is eligible for associate psychologist (corrections) registration under this section unless the applicant initiates his or her application, and the items required under section 43(1)(a) to (c) are received by the registrar, on or before November 30, 2017.
- (1) For the purposes of section 20(2) of the *Act*, the conditions and requirements for associate psychologist (corrections) registration are
- (a) a master’s degree in psychology,
  - (b) for applications received after a date specified by the board for the purpose of this paragraph, completion of a minimum number of hours of post-degree supervised practice in correctional psychology under the supervision of a registrant approved by the registration committee, in accordance with the criteria specified in Schedule H.2,
  - (c) successful completion of the Readiness for Practice Examination,
  - (d) successful completion of the WJE and any other oral, computerized, or written examinations concerning jurisprudence, including but not limited to the *Act*, the Regulation, the bylaws, including the Code of Conduct in Schedule F, and other applicable laws, as may be required by the registration committee for applicants under this subsection, and
  - (e) receipt by the registrar of
    - (i) evidence satisfactory to the registration committee of the applicant’s satisfaction of the conditions and requirements established in paragraphs (a) to (d),
    - (ii) a declaration of competence in correctional psychology, as described in Schedule H.1, in a form acceptable to the registration committee,
    - (iii) any other evidence as may be required by the registration committee to satisfy it that the applicant meets the criteria specified in Schedule I for core competencies and foundational knowledge in psychology, and
    - (iv) subject to subsection (0.1), the items required under section 43(1).
- (2) Despite subsection (1), an applicant may be granted associate psychologist (corrections) registration if the applicant
- (a) holds registration or licensure in another Canadian jurisdiction as the equivalent of an associate psychologist (corrections) registrant, which is not subject to any practice limitations, restrictions or conditions in that jurisdiction that do not apply generally to associate psychologist (corrections) registrants in British Columbia,

- (b) successfully completes the WJE and any other oral, computerized, or written examinations concerning jurisprudence, including but not limited to the *Act*, the Regulation, the bylaws, including the Code of Conduct in Schedule F, and other applicable laws, as may be required by the registration committee for applicants under this subsection, and
  - (c) delivers to the registrar
    - (i) notarized evidence, or other evidence satisfactory to the registration committee, of the applicant's registration or licensure referred to in paragraph (a) and that the applicant is the person named therein,
    - (ii) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraph (b),
    - (iii) a declaration of competence in correctional psychology, as described in Schedule H.1, in a form acceptable to the registration committee, and
    - (iv) subject to subsection (0.1), the items required under section 43(1).
- (3) Despite subsection (1), an applicant may be granted associate psychologist (corrections) registration if the applicant
- (a) holds registration or licensure in a United States jurisdiction as the equivalent of an associate psychologist (corrections) registrant, which is not subject to any practice limitations, restrictions or conditions in that jurisdiction that do not apply generally to associate psychologist (corrections) registrants in British Columbia,
  - (b) successfully completes the WJE and any other oral, computerized, or written examinations concerning jurisprudence, including but not limited to the *Act*, the Regulation, the bylaws, including the Code of Conduct in Schedule F, and other applicable laws, as may be required by the registration committee for applicants under this subsection, and
  - (c) delivers to the registrar
    - (i) notarized evidence, or other evidence satisfactory to the registration committee, of the applicant's registration or licensure referred to in paragraph (a) and that the applicant is the person named therein,
    - (ii) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraph (b),
    - (iii) a declaration of competence in correctional psychology, as described in Schedule H.1, in a form acceptable to the registration committee,
    - (iv) any other evidence as may be required by the registration committee to satisfy it that the applicant meets the criteria specified in Schedule I for core competencies and foundational knowledge in psychology, and
    - (v) subject to subsection (0.1), the items required under section 43(1).

- (4) Despite subsection (1), the registration committee has discretion, in satisfying itself under section 20 of the Act that an applicant meets the conditions and requirements for associate psychologist (corrections) registration, to consider whether the applicant's knowledge, skills and abilities are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications established in subsection (1)(a) and (b) and Schedule I, and to grant associate psychologist (corrections) registration on that basis, if the applicant
  - (a) has successfully completed the examinations required under subsection 0(c) and (d), and
  - (b) meets the conditions and requirements established in subsection (1)(e)(ii) to (iv).
- (5) An associate psychologist (corrections) registrant
  - (a) must restrict his or her practice of psychology to the provision of services included in the practice of correctional psychology, as described in Schedule H.1, and
  - (b) may only provide services referred to in paragraph (a)
    - (i) under the supervision of a registrant approved by the registration committee for that purpose, in accordance with a supervision plan approved by the registration committee, and
    - (ii) in the course of the associate psychologist (corrections) registrant's employment with a federal or provincial government corrections agency.
- (6) An associate psychologist (corrections) registrant may only use the titles "associate psychologist (corrections)" and "associate psychologist in corrections psychology", and must not use any abbreviations of those titles.

#### **46. Grandparented registration**

- (1) In this section, "**effective date**" means the date of coming into force of this section.
- (2) Subject to subsection (3) and section 51, a person is entitled to grandparented registration if the person
  - (a) held limited registration as a registered psychologist immediately before the effective date,
  - (b) does not satisfy the conditions and requirements established for registered psychologist registration or associate psychologist (corrections) registration, and
  - (c) has held grandparented registration continuously from the effective date.
- (3) On January 1, 2019,
  - (a) this section, and paragraph (c) of section 42, are repealed, and

- (b) the registration of every person holding registration under this section is cancelled.
- (4) A grandparented registrant must restrict his or her practice of psychology in accordance with any limitations, restrictions and conditions imposed on the registrant's practice immediately before the effective date, unless otherwise authorized by the registration committee.
- (5) Subject to subsection (6), a grandparented registrant may only use the titles "grandparented psychologist" and "psychologist (with limitations)", and must not use any abbreviations of those titles.
- (6) A grandparented registrant may use a title that he or she would be entitled to use under section 3(2) of the Regulation if he or she were not a registrant, but only in accordance with the Regulation.

**47. Psychology assistant registration**

- (0.1) No applicant is eligible for psychology assistant registration under this section unless the applicant initiates his or her application, and the items required under section 43(1)(a) to (c) are received by the registrar, on or before November 30, 2017.
- (1) For the purposes of section 20(2) of the *Act*, the conditions and requirements for psychology assistant registration are
  - (a) a psychology degree acceptable to the registration committee,
  - (b) for applications received after a date specified by the board for the purpose of this paragraph, completion of a minimum number of hours of post-degree supervised practice of psychology in the area of psychology practice referred to in paragraph (e)(iii), under the supervision of a registrant approved by the registration committee, in accordance with the criteria specified in Schedule H.2,
  - (c) successful completion of the Readiness for Practice Examination,
  - (d) successful completion of the WJE and any other oral, computerized, or written examinations concerning jurisprudence, including but not limited to the *Act*, the Regulation, the bylaws, including the Code of Conduct in Schedule F, and other applicable laws, as may be required by the registration committee for applicants under this subsection, and
  - (e) receipt by the registrar of
    - (i) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraphs (a) to (d),
    - (ii) evidence satisfactory to the registration committee that the applicant is capable, in the opinion of the committee, of practising as a psychology assistant registrant without any risk to public health or safety,

- (iii) a declaration of intention to restrict the applicant's practice of psychology to an area of psychology practice described in Schedule H.1 in a form acceptable to the registration committee,
  - (iv) any other evidence as may be required by the registration committee to satisfy it that the applicant meets the criteria specified in Schedule I for core competencies and foundational knowledge in psychology, and
  - (v) subject to subsection (0.1), the items required under section 43(1).
- (2) Despite subsection (1), an applicant may be granted psychology assistant registration if the applicant
  - (a) holds registration or licensure in another Canadian jurisdiction as the equivalent of a psychology assistant registrant, which is not subject to any practice limitations, restrictions or conditions in that jurisdiction that do not apply generally to psychology assistant registrants in British Columbia,
  - (b) successfully completes the WJE and any other oral, computerized, or written examinations concerning jurisprudence, including but not limited to the *Act*, the Regulation, the bylaws, including the Code of Conduct in Schedule F, and other applicable laws, as may be required by the registration committee for applicants under this subsection, and
  - (c) delivers to the registrar
    - (i) notarized evidence, or other evidence satisfactory to the registration committee, of the applicant's registration or licensure referred to in paragraph (a) and that the applicant is the person named therein,
    - (ii) evidence satisfactory to the registration committee of the applicant's satisfaction of the conditions and requirements established in paragraph (b),
    - (iii) a declaration of intention to restrict the applicant's practice of psychology to an area of psychology practice described in Schedule H.1, in which the applicant is recognized as competent to practise in the jurisdiction referred to in paragraph (a), in a form acceptable to the registration committee, and
    - (iv) subject to subsection (0.1), the items required under section 43(1).
- (3) Despite subsection (1), the registration committee has discretion, in satisfying itself under section 20 of the *Act* that an applicant meets the conditions and requirements for psychology assistant registration, to consider whether the applicant's knowledge, skills and abilities are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications established in subsection (1)(a) and (b) and Schedule I, and to grant psychology assistant registration on that basis, if the applicant
  - (a) has successfully completed the examinations required under subsection 0(c) and (d), and

- (b) meets the conditions and requirements established in subsection (1)(e)(ii) to (v).
- (4) A psychology assistant registrant
  - (a) must restrict his or her practice of psychology to the provision of services included in the area of practice for which he or she has provided a declaration under subsection (1)(e)(iii) or (2)(c)(iii),
    - (a.1) must not provide or perform a diagnosis or assessment identifying a behavioural, emotional, cognitive or mental disorder or condition as the cause of the signs or symptoms of an individual,
    - (b) may only provide services referred to in paragraph (a) under the supervision of a registrant approved by the registration committee for that purpose, in accordance with a supervision plan approved by the registration committee, and
    - (c) must not delegate or authorize another person to perform any aspect of practice.
- (5) A psychology assistant registrant may only use the title “psychology assistant” and must not use any abbreviations of that title.

#### **48. Temporary (supervised) registration**

- (1) *[repealed]*
- (2) An applicant for renewal or reinstatement of registered psychologist registration may be granted temporary (supervised) registration if the following conditions and requirements, established for the purposes of section 20(2) of the *Act*, are satisfied with respect to the application:
  - (a) the applicant meets the applicable conditions and requirements established in
    - (i) section 51(2), except section 51(2)(f), or
    - (ii) section 52(2) and (7), except section 52(2)(i);
  - (b) receipt by the registrar of
    - (i) an undertaking to complete any outstanding continuing competency and quality assurance requirements under Part 4.1, or any alternative remediation requirements specified by the quality assurance committee,
    - (ii) evidence satisfactory to the registration committee that the applicant is capable, in the opinion of the committee, of practising as a temporary (supervised) registrant without any risk to public health or safety,
    - (iii) any other evidence as may be required by the registration committee to satisfy it that the applicant meets the criteria specified in Schedule I for core competencies and foundational knowledge in psychology, and
    - (iv) the items required under section 43(1).

- (3) Temporary (supervised) registration may be granted under subsection (2) for a period of up to one year.
- (4) Temporary (supervised) registration may be renewed, provided that the total period of registration in this class must not exceed three years.
- (5) A temporary (supervised) registrant
  - (a) may only provide services included in the practice of psychology under the supervision of a registrant approved by the registration committee for that purpose, in accordance with a supervision plan approved by the registration committee, and
  - (b) must not delegate or authorize another person to perform any aspect of practice.
- (6) A temporary (supervised) registrant may only use the titles “supervised psychologist” and “registered supervised psychologist”, and must not use any abbreviations of those titles.

**49. Temporary (visitor) registration**

- (1) An applicant who has not previously been granted temporary (visitor) registration more than once during the same calendar year may be granted temporary (visitor) registration if the following conditions and requirements, established for the purposes of section 20(2) of the *Act*, are satisfied with respect to the application:
  - (a) the applicant holds registration or licensure in another Canadian or a United States jurisdiction as the equivalent of a registered psychologist registrant, which is not subject to any practice limitations, restrictions or conditions in that jurisdiction that do not apply generally to registered psychologist registrants in British Columbia;
  - (b) receipt by the registrar of
    - (i) notarized evidence, or other evidence satisfactory to the registration committee, of the applicant’s registration or licensure referred to in paragraph (a) and that the applicant is the person named therein,
    - (ii) a declaration, in a form acceptable to the registration committee, that the applicant is applying for temporary (visitor) registration solely for the purpose of
      - (A) acting as an expert witness,
      - (B) conducting a psychological assessment,
      - (C) participating in, or acting as an instructor for, a course, conference, or other time-limited educational event,
      - (D) providing services in an emergency situation declared by the registrar in accordance with criteria established by the board, or

- (E) another temporary purpose acceptable to the registration committee, and
  - (iii) the items required under section 43(1)(a) to (d).
- (1.1) Despite subsection (1)(b)(iii), the registrar may exempt an applicant who is applying for temporary (visitor) registration for the purpose described in subsection (1)(b)(ii)(D) from any requirement to pay application or registration fees under section 43(1)(b).
- (2) Temporary (visitor) registration may be granted under subsection (1) for a period of up to 15 consecutive days.
- (3) Despite subsections (1) and (2), in special circumstances, the registration committee may
- (a) grant temporary (visitor) registration under subsection (1) for a period longer than 15 consecutive days, as specified by the registration committee,
  - (b) renew the registration of a temporary (visitor) registrant for a period specified by the registration committee, or
  - (c) grant temporary (visitor) registration to an applicant who has previously been granted temporary (visitor) registration twice or more during the same calendar year.
- (4) A temporary (visitor) registrant may only provide services included in the practice of psychology for the purpose described in the temporary (visitor) registrant's declaration under subsection (1)(b)(ii).
- (5) A temporary (visitor) registrant may only use the titles "visiting psychologist" and "registered visiting psychologist", and must not use any abbreviations of those titles.

**50. Non-practising registration**

- (1) For the purposes of section 20(2) of the *Act*, the conditions and requirements for non-practising registration are
- (a) current or previous registration as a registered psychologist registrant, associate psychologist (corrections) registrant or psychology assistant registrant, and
  - (b) receipt by the registrar of
    - (i) a declaration, in a form acceptable to the registration committee, that the applicant will not provide any services included in the practice of psychology in British Columbia while registered under this section, and
    - (ii) the items required under section 43(1)(a) to (d).
- (2) A non-practising registrant must not practise psychology, or provide any service included in the practice of psychology, in British Columbia.

- (3) A non-practising registrant may only use a title authorized under section 44(5), 45(6) or 47(5) for the applicable class of registrants for which the non-practising registrant has previously qualified, which must be immediately followed by
  - (a) “(non-practising)” or “(retired)”, or
  - (b) “(out of province)”, if
    - (i) the non-practising registrant holds current registration or licensure in another Canadian jurisdiction, a United States jurisdiction, or another jurisdiction acceptable to the registration committee as the equivalent of a member of the applicable class of registrants in which the non-practising registrant was previously registered, and
    - (ii) has provided notarized evidence, or other evidence satisfactory to the registration committee, of the applicant’s registration or licensure referred to in subparagraph (i).

## **51. Renewal of registration**

- (1) Subject to sections 46(3) and 48(4), registration other than temporary (visitor) registration is subject to annual renewal on December 31 of each year in accordance with this section.
- (2) For the purposes of section 20(2) of the *Act*, and subject to sections 46(3) and 48(4), the conditions and requirements for renewal of registration, other than temporary (visitor) registration, are receipt by the registrar of
  - (a) a completed and signed application for renewal of registration in the form established in Schedule D or another form considered acceptable by the registration committee,
  - (b) any applicable registration renewal fees specified in Schedule C,
  - (c) any other outstanding fine, fee, debt or levy owed to the College,
  - (d) a declaration of confirmation of appointment of professional executor in a form acceptable to the registration committee,
  - (e) a declaration, in a form acceptable to the registration committee, attesting to the registrant’s compliance with the *Act*, the regulations, and the bylaws, and any limits or conditions imposed under section 20, 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the *Act*,
  - (f) evidence satisfactory to the registration committee of meeting any applicable continuing competency and quality assurance requirements under Part 4.1, and
  - (g) evidence satisfactory to the registration committee of professional liability coverage as required under section 61.
- (3) If the registration committee determines that an applicant for renewal of registration under this section has failed to meet the conditions and requirements established in subsection (2)(f), the applicant must pay to the College the administration fee specified

in Schedule C, which is due and payable within 30 days of the applicant being notified thereof.

- (4) The registrar must deliver an annual notice of renewal to each registrant eligible for renewal under subsection (1) by November 30 of each year, which must contain the application form required under subsection (2)(a), state the applicable renewal fees payable by the registrant under subsection (2)(b), and describe the consequences of late payment or non-payment of renewal fees.
- (5) Each registrant eligible for renewal under subsection (1) must pay to the College the applicable renewal fees on or before December 31 of each year.
- (6) Subject to section 48(2), if a registrant eligible for renewal under subsection (1) fails to pay the applicable renewal fees on or before the date specified in subsection (5), or otherwise fails to meet the applicable conditions and requirements for renewal of registration on or before that date, the registrant's registration is cancelled.

## 52. Reinstatement of registration

- (1) In this section, "**former registrant**" means a temporary (supervised) registrant, non-practising registrant or former registrant who was previously registered as a registered psychologist registrant, an associate psychologist (corrections) registrant or a psychology assistant registrant.
- (2) For the purposes of section 20(2) of the *Act*, the conditions and requirements for reinstatement of the registered psychologist registration, associate psychologist (corrections) registration or psychology assistant registration of a former registrant are receipt by the registrar of the following, either within six months of the date on which the applicant's previous registration in the applicable class of registration was cancelled or within the time specified by the registration committee under subsection (3):
  - (a) a completed and signed application for reinstatement in the applicable class of registrants, in the form established in Schedule G or another form considered acceptable by the registration committee;
  - (b) any applicable renewal fees specified in Schedule C, and, subject to subsections (7.1) to (8), a reinstatement fee in an amount equal to 35% of the renewal fees specified in Schedule C for the applicable class of registrants;
  - (c) any other outstanding fine, fee, debt or levy owed to the College;
  - (d) evidence satisfactory to the registration committee that the applicant is of good character and fit to engage in the practice of psychology;
  - (e) any additional evidence required under subsection (4), (5) or (7);
  - (f) a declaration of confirmation of appointment of professional executor in a form acceptable to the registration committee;
  - (g) if the former registrant owns or is responsible for any practice records respecting any current or former work performed by the former registrant in an institutional setting in British Columbia, a declaration of institutional contact in

- a form acceptable to the registration committee in respect of each applicable institution;
- (h) a declaration, in a form acceptable to the registration committee, attesting to the applicant's compliance with the *Act*, the regulations, and the bylaws, and any limits or conditions imposed under section 20, 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the *Act*;
  - (i) evidence satisfactory to the registration committee that the applicant has satisfied
    - (i) all applicable continuing competency and quality assurance requirements under Part 4.1 for any calendar year ending between the date the applicant's previous registration in the applicable class of registration was cancelled and the date of the applicant's application for reinstatement, as if the applicant were registered in the applicable class of registration during that calendar year, and
    - (ii) any other applicable continuing competency and quality assurance requirements under Part 4.1;
  - (j) evidence satisfactory to the registration committee of professional liability coverage as required under section 61.
- (3) The registration committee may extend the time for a former registrant to apply for reinstatement under subsection (2) if, in addition to the items required under subsection (2), the applicant delivers to the registrar
- (a) subject to subsections (7.1) and (7.2), the items referred to in section 43(1)(f) to (h) and (j),
  - (b) in respect of an application for reinstatement as a registered psychologist registrant or associate psychologist (corrections) registrant, a declaration of competence as described in section 44(1)(g)(ii) or 45(1)(e)(ii), as applicable, and
  - (c) any additional evidence that may be required by the registration committee to satisfy it that the applicant
    - (i) continues to meet the criteria specified in Schedule I for core competencies and foundational knowledge in psychology, and
    - (ii) has maintained current knowledge, skills and abilities that are substantially equivalent to the standards of academic technical achievement and the competencies or other qualifications required for initial applicants for registration in the applicable class of registrants.
- (4) An applicant for reinstatement of registration under this section who was granted temporary (supervised) registration under section 48(2) must provide additional evidence to satisfy the registration committee that the applicant has satisfied all outstanding requirements of any undertaking under section 48(2)(b)(i).
- (5) An applicant for reinstatement of registration under this section whose registration in the applicable class of registrants was cancelled under section 51(6) following a

determination by the registration committee that he or she failed to meet the conditions and requirements for renewal of registration established in section 51(2)(f) must provide additional evidence to satisfy the registration committee that the applicant has satisfied all outstanding conditions and requirements established in section 51(2)(f) or any alternative remediation requirements specified by the quality assurance committee.

- (6) If the registration committee determines that an applicant for reinstatement under this section has failed to meet the conditions and requirements established in subsection (2)(i), (4) or (5),
  - (a) the applicant must pay to the College the administration fee specified in Schedule C, which is due and payable within 30 days of the applicant being notified thereof, and
  - (b) the applicant is ineligible for reinstatement of registration in the applicable class of registrants until the applicant satisfies all outstanding conditions and requirements established in subsection (2)(i), (4) or (5), or any alternative remediation requirements specified by the quality assurance committee, in addition to meeting all other applicable conditions and requirements established in this section.
  
- (7) An applicant for reinstatement under this section must provide additional evidence to satisfy the registration committee that reinstatement of the applicant's registration will not pose an undue risk to public health or safety, if
  - (a) the applicant's previous registration was cancelled under section 32.2, 32.3, 33, 36, 37.1, 38, 39 or 39.1 of the *Act*,
  - (b) the applicant's previous registration was cancelled under section 51(6) or with the agreement or at the request of the applicant while the applicant's previous registration was suspended under section 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the *Act*, or
  - (c) the applicant voluntarily relinquished his or her previous registration under the *Act* in circumstances as described in section 20(2.1)(b.1) of the *Act*.
  
- (7.1) If an applicant for reinstatement holds current registration as a non-practising registrant, the registrant is exempt from the requirements
  - (a) to pay the reinstatement fee referred to in subsection (2)(b), and
  - (b) to deliver the items referred to in section 43(1)(f) and (g) to the registrar under subsection (3)(a).
  
- (7.2) If an applicant for reinstatement holds current registration as a temporary (supervised) registrant, the registrant is exempt from the requirements
  - (a) to pay the reinstatement fee referred to in subsection (2)(b), and
  - (b) to deliver the items referred to in section 43(1)(f) to (h) to the registrar under subsection (3)(a).

- (8) The registration committee may waive all or part of the reinstatement fee referred to in subsection (2)(b) for an applicant who is not exempt from the requirement to pay that fee under subsection (7.1)(a) or (7.2)(a) if the registration committee is satisfied that imposition of the fee would cause undue financial hardship for the applicant.

**53.** *[repealed]*

**54.** *[repealed]*

**55. Certificate of registration**

- (1) The registrar must issue a certificate of registration to each registrant granted registration under this Part, which must specify
- (a) the registrant's class of registration, and any limits or conditions that apply to that class of registrants,
  - (b) *[repealed]*
  - (c) any limits or conditions applicable to the registrant under section 20(2.1) or (3), 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the *Act*, and
  - (d) the expiration date of the registrant's current registration.
- (2) The registrar must issue an amended certificate of registration to a registrant in the event of a change in any of the information referred to in subsection (1)(a) to (c).
- (3) Upon renewal of a registrant's registration, the registrar must issue a new certificate of registration or a stamp of annual validation to the registrant.
- (4) A registrant must display, at the premises routinely used by the registrant to practice psychology, the registrant's current annual certificate of registration.

**55.1 Use of titles**

A registrant may only use a title reserved for the exclusive use of registrants under the Regulation if the registrant

- (a) is registered in a class of registrants authorized under the bylaws to use the title, and
- (b) uses the title in a manner authorized under the bylaws.

**55.2 Examinations**

- (1) The registration committee must establish procedures for conducting and evaluating examinations under this Part, including but not limited to procedures
- (a) providing for the security of the examination environment,
  - (b) for reviewing the results of an examination and determining an applicant's qualifications for registration,

- (c) providing an opportunity for an applicant to repeat an examination up to a maximum number of times allowed by the registration committee for that examination, and
  - (d) for notifying applicants of the results of an examination.
- (1.1) An applicant for registered psychologist registration who, to the satisfaction of the registration committee, has met all applicable registration requirements except delivery of the items required under section 43(1)(g) and (j) and successful completion of the examinations required under section 44(1)(d) to (f)
- (a) is eligible to take the EPPP, the WJE, and any other examinations required under section 44(1)(f), and
  - (b) is eligible to take the Oral Examination after successfully completing the examinations referred to in paragraph (a) and attending any orientation workshop that may be required by the registration committee.
- (1.2) An applicant for associate psychologist (corrections) registration or psychology assistant registration who, to the satisfaction of the registration committee, has met all applicable registration requirements except delivery of the items required under section 43(1)(g) and (j) and successful completion of the examinations required under section 45(1)(c) and (d) or section 47(1)(c) and (d), as the case may be,
- (a) is eligible to take the WJE and any other examinations required under section 45(1)(d) or 47(1)(d), as the case may be, and
  - (b) is eligible to take the Readiness for Practice Examination after successfully completing the examinations referred to in paragraph (a) and attending any orientation workshop that may be required by the registration committee.
- (2) An applicant who takes an examination under this Part must pay any applicable examination fee specified in Schedule C.
- (3) If an invigilator for an examination has reason to believe that an applicant has engaged in improper conduct during the course of the examination, the invigilator must make a report to the registration committee and may recommend that the registration committee take one or more of the following courses of action:
- (a) fail the applicant;
  - (b) pass the applicant;
  - (c) require the applicant to repeat the examination;
  - (d) disqualify the applicant from participating in any examination for a period of time specified by the registration committee.
- (4) After considering a report made under subsection (3), the registration committee may take one or more of the courses of action specified in that subsection.

### **55.3 Registration information**

- (1) For the purposes of section 21(2)(f) of the *Act*, the registrar must enter and maintain the following additional information on the register for every person granted registration under the *Act*:
  - (a) the date of the registrant's grant of registration;
  - (b) the registration number issued to the registrant by the College;
  - (c) *[repealed]*
  - (d) the highest academic degree in psychology acquired by the registrant and recognized by the registration committee in granting registration to the registrant under this Part, including the name of the conferring educational institution.
- (2) A registrant must immediately notify the registrar of any change of name, address, telephone number, or any other information under section 21(2) of the *Act* or subsection (1) previously provided to the registrar.

## **PART 4.1: QUALITY ASSURANCE**

### **55.4 Continuing competency**

- (1) Registrants must satisfy all applicable requirements of any continuing competency program approved by the board for a calendar year, and any other applicable requirements of the College's quality assurance program under this Part.
- (2) The quality assurance committee may monitor compliance with continuing competency requirements or other requirements of the College's quality assurance program under this Part by conducting random audits of registrants by mail or by using another method approved by the board.

### **55.5 Practice assessments**

- (1) The quality assurance committee may select a group of registrants or require an applicant for reinstatement to complete a practice assessment according to the process and timelines set out in the practice assessment program approved by the board.
- (2) A registrant or applicant required to complete a practice assessment under subsection (1) may choose an assessment option from a list described in the practice assessment program documentation approved by the board.
- (3) A registrant or applicant required to complete a practice assessment under subsection (1) may apply to the quality assurance committee for deferral of the registrant's or applicant's participation in the practice assessment program for not more than one year after the date of notification of selection, if the registrant or applicant has a medical condition that prevents the registrant or applicant from providing services included in

the practice of psychology, and provides proof of that condition in a form acceptable to the quality assurance committee.

- (4) A registrant or applicant for reinstatement who fails to successfully complete a practice assessment required by the quality assurance committee under this section must complete an individualized remediation plan approved by the quality assurance committee, and is responsible for any expenses incurred by the College, and for his or her own expenses, in respect of the remediation plan.
- (5) A registrant or applicant required to complete a practice assessment under this section, including a registrant completing an individualized remediation plan, must complete the practice assessment process within the time specified by the quality assurance committee.

## **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) Proceedings of the inquiry committee are not open to the public.
- (3) A tariff of costs in relation to investigations of the inquiry committee is established in Schedule J.

### **58. Citation**

- (1) The registrar may join one or more complaints against one or more registrants in a citation under section 37 of the *Act*.
- (2) After a citation has been issued but before a hearing is commenced in respect of that citation, the registrar may amend the citation.
- (3) At any time before a hearing is completed in respect of a citation, the discipline committee may amend the citation.

- (4) 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) A tariff of costs in relation to a discipline committee hearing is established in Schedule K.

### **59.1 Effect of suspension**

- (1) During any period of suspension of registration, a registrant must
  - (a) not engage in the practice of psychology or hold himself or herself out as a registrant,
  - (b) not hold office in the College,
  - (c) not make appointments for patients or prospective patients,
  - (d) not contact or communicate with patients or prospective patients, except for the purpose of
    - (i) advising a patient or prospective patient of the fact and duration of the suspension,
    - (ii) advising a patient or prospective patient that another registrant will continue to act or provide services in the suspended registrant's place, or
    - (iii) referring a patient or prospective patient to another registrant in good standing,
  - (e) remove the registrant's name and any sign relating to the registrant's practice from any premises where the registrant practised psychology, and any building in which any such premises are located,
  - (f) prominently display, if required by an order under section 35, 37.1, 38, 39 or 39.1 of the *Act*, an agreement under section 32.2(4)(b) or 32.3(3)(b) of the *Act*, or other action taken under section 33(2) of the *Act*, a notice of suspension in a form and in an area approved by the registrar, which states the duration and reasons for the suspension, and
  - (g) pay any fee required by the College when due in order to remain a registrant, and any other outstanding fine, fee, debt or levy owed to the College.

- (2) No registrant or former registrant is entitled to any refund of any fine, fee, debt or levy paid to the College solely on the basis that it was paid during or in relation to a period of suspension.
- (3) During the period of suspension, a suspended registrant may permit another registrant in good standing to practise psychology within premises where the registrant practised psychology, provided that the suspended registrant complies with the provisions of subsection (1).
- (4) Any communication under subsection (1)(d) may be made in writing in a form approved in advance by the registrar, or by employing office staff, an answering service, or other telephonic device specifically for that purpose.

## **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 \$50,000.

### **60.1 Public notification**

- (1) Where the registrar has issued a citation under section 37 of the *Act*, the inquiry committee may direct the registrar to notify the public of some or all of the following information:
  - (a) the date the citation was issued;
  - (b) the name of the respondent;
  - (c) a brief description of the nature of the complaint or other matter which is to be the subject of a hearing;
  - (d) the date, time and place of the hearing;
  - (e) any other information as authorized by board policy.
- (2) Notice under subsection (1) may be made by posting a notice on the College's website.
- (3) Where the inquiry committee or the discipline committee, as the case may be, takes an action referred to in section 39.3(1) of the *Act* concerning a registrant, that committee, in addition to any notification required under section 39.3 of the *Act*
  - (a) must direct the registrar to provide notice to the regulatory bodies governing the practice of psychology in every other Canadian jurisdiction,
  - (b) may direct the registrar to provide notice to any other regulatory body governing a health profession in any jurisdiction,
  - (c) may direct the registrar to provide notice to any person, institution or agency for whom the registrant acts as an employee, contractor or service provider,
  - (d) may direct the registrar to provide notice to all registrants, and
  - (e) may direct the registrar to provide notice to any other person as authorized by board policy.

- (4) Unless otherwise directed by the inquiry committee or the discipline committee, as the case may be, notification provided under subsection (3)(a), (b) or (c) may include information that has otherwise been withheld from the public notification under section 39.3(3) or (4) of the *Act*.
- (5) Notification provided under subsection (3)(d) or (e)
  - (a) must include all the information contained in the public notification under section 39.3 of the *Act*, and
  - (b) unless otherwise directed by the inquiry committee or the discipline committee, as the case may be, must exclude any information withheld from the public notification under section 39.3(3) or (4) of the *Act*.
- (6) Subject to sections 22 and 39.3 of the *Act* and subsections (3) to (5), the record of an undertaking or consent given under section 36 of the *Act*, a consent order under section 37.1 of the *Act*, or an agreement under section 32.2(4)(b) or 32.3(3)(b) of the *Act* must specify what notification and disclosure of the terms, limits or conditions of the undertaking, consent or agreement may be given to others, including members of the public.

## **PART 6: PROFESSIONAL CONDUCT**

### **61. Professional liability coverage**

All registrants must maintain or be included in coverage under a policy of professional liability insurance, or other professional liability protection satisfactory to the College, in an amount not less than \$1,000,000 per occurrence, in a form that is satisfactory to the College.

### **62. Professional conduct**

- (1) Registrants must comply with
  - (a) the Code of Conduct in Schedule F,
  - (b) any standards, limits or conditions for the practice of psychology established by the board under section 19(1)(k) of the *Act*, whether or not those standards, limits or conditions are specified in the Code of Conduct, and
  - (c) any standards of professional ethics established by the board under section 19(1)(l) of the *Act*, whether or not those standards are specified in the Code of Conduct.
- (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.