

Bylaws of The Alberta College of Pharmacy

Effective March 31, 2023

Amended March 31, 2023

Amendments to Schedules A-E

Schedule A B, C - December 13, 2007

Schedule A - January 9, 2008

Schedule D, E - May 13, 2008

Schedule A, B, C - December 12, 2008

Schedule A - April 3, 2009

Schedule A, B, C - December 9, 2010

Schedule D, E - February 24, 2011

Schedule A, B - November 24, 2011

Schedule A, B - December 6, 2012

Schedule A, B, C - December 5, 2013

Schedule A - April 4, 2014

Schedule A - June 12, 2014

Schedule A, C - December 4, 2014

Schedule A, B, C - December 1, 2015

Schedule A, B, C - December 6, 2016

Schedule A, C - December 4, 2017

Schedule A, B, C - December 7, 2018

Schedule A - June 11, 2019

Schedule E removed - June 11, 2019

Schedule A, B, C - December 12, 2019

Schedule A, B, C - December 10, 2020

Schedule A, B, C - December 17, 2021

Schedule A, C - December 15, 2022

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1. Definitions and Interpretation

- (1) Definitions:
- (a) *associate registrant* means an individual registered on the associate register of the College;
 - (b) *College* means the Alberta College of Pharmacy;
 - (c) *electronic signature* means electronic information that a person creates or adopts in order to sign a record and that is in, attached to or associated with the record;
 - (d) *former act* means the *Pharmaceutical Profession Act*, R.S.A. 2000, c. P-12;
 - (e) *honorary life-pharmacist registrant* means an individual registered on the honorary life-pharmacist register of the College;
 - (f) *honorary life-pharmacy technician registrant* means an individual registered on the honorary life-pharmacy technician register of the College;
 - (g) *honorary registrant* means an individual registered on the honorary register of the College;
 - (h) *HPA* means the *Health Professions Act*, R.S.A. 2000, c. H-7 including any regulations under the *Health Professions Act*;
 - (i) *PDA* means the *Pharmacy and Drug Act*, R.S.A. 2000, c. P-13 including any regulations under the *Pharmacy and Drug Act*;
 - (j) *retired registrant* means an individual registered on the retired register of the College;
 - (k) *Robert's Rules* means Henry M. Robert III et al., *Robert's Rules of Order Newly Revised*, 11th ed. (Cambridge, Mass.: Perseus Publishing, 2000); and
 - (l) *voting member* means a clinical pharmacist, an honorary life-pharmacist registrant, a pharmacy technician, or an honorary life-pharmacy technician registrant, as the case may be.
- (2) Terms that are defined in the Pharmacists and Pharmacy Technicians Profession Regulation, AR 129/2006 and the Pharmacy and Drug Regulation, AR 240/2006 have the same meaning within these bylaws.¹
- (3) A reference in this Bylaw to a cost, fee, levy, assessments or dues “provided for in Schedule “A”, means the costs, fees, levies, assessments or dues provided for in Schedule “A” as adjusted, amended or changed under Section 60 and 61.

¹ For example, *College* and *clinical pharmacist* are defined in Section 1 of the Pharmacists Profession Regulation.

- (4) A reference in these bylaws to making information or a document available, includes making the information or document available through electronic communication, including:
- (a) posting on the website of the College,
 - (b) through an electronic interface hosted by the College or an agent of the College,
 - (c) through electronic email or text message, or
 - (d) through any similar form of electronic communication.

Council

2. Council Established

- (1) The Council of the Alberta College of Pharmacy is hereby established.
- (2) The Council consists of:
- (a) five clinical pharmacists elected in accordance with these bylaws;
 - (b) two pharmacy technicians elected in accordance with these bylaws;
 - (c) seven public members appointed by the Lieutenant Governor in Council.

2(2) and 2(3) repealed, 2(4) renumbered and amended effective June 7, 2022

3. Electoral Districts for Pharmacists

- (1) For the purposes of representation by clinical pharmacists on Council under Section 2(2)(a), the province of Alberta is divided into five electoral districts as follows:

- (a) District #1: Northern Alberta,
- (b) District #2: Southern Alberta,
- (c) District #3: City of Edmonton,
- (d) District #4: Central Alberta, and
- (e) District #5: City of Calgary.

3(1) amended, removed reference to 2(4) effective June 7, 2022

- (2) For the purposes of Subsection (1) the electoral districts are defined as follows:

- (a) District #1: the area of Alberta north of Highway 16, excluding the City of Edmonton;
- (b) District #2: the area of Alberta south of the line described as follows (from East to West):
 - (i) Highway 9 east of Highway 56, then
 - (ii) Highway 27 west of Highway 56 to Highway 21; then
 - (iii) Highway 21 north to Highway 27; then
 - (iv) Highway 27 west of Highway 21 to Highway 22; then
 - (v) Highway 22 north of Highway 27 to 52° latitude; then

- (vi) 52° latitude west of Highway 27;
 - (c) District #3: the City of Edmonton;
 - (d) District #4: the area of Alberta south of Highway 16 and north of the line described in Subsection (2)(b), excluding the City of Edmonton; and
 - (e) District #5: the City of Calgary.
- (3) For greater clarity, the electoral districts for clinical pharmacists are outlined on Map 1 in Schedule D.
- (4) If there is a conflict between Subsection (2) and Schedule D:
- (a) the wording in Subsection (2) governs, and
 - (b) all disputes respecting electoral districts will be resolved by the Registrar.
- (5) For the purposes of Subsection 3(2)(b), if a city or town is intersected by Highway 9, Highway 21, Highway 22 or Highway 27, then the whole of that city or town is deemed to fall within District #4.
- (6) With the exception of the City of Edmonton, if a city or town is intersected by Highway 16, then the whole of that city or town is deemed to fall within District #1.

4. Electoral Districts for Pharmacy Technicians

- (1) For the purposes of representation by pharmacy technicians on Council under Section 2(2)(b), the province of Alberta is divided into two electoral districts as follows:
- (a) District A: Northern Alberta, and
 - (b) District B: Southern Alberta.
- 4(1) amended, removed reference to 2(4) effective June 7, 2022
- (2) For the purposes of Subsection (1) the electoral districts are defined as follows:
- (a) District A: the area of Alberta on and north of the line described as follows (from East to West):
 - (i) Highway 12 beginning at the Saskatchewan border to the point of intersection with Highway 22;
 - (ii) then south along Highway 22 until the junction of Highway 22 with Highway 11;
 - (iii) then westward along Highway 11 to the Saskatchewan River Crossing;
 - (iv) then along the Howse River to its headwaters, and then in a straight line running east to west to the British Columbia border;

(b) District B: the area of Alberta south of the line described in Subsection (2)(a).

(3) For greater clarity, the electoral districts are outlined on Map 2 in Schedule D.

(4) If there is a conflict between Subsection (2) and Map 2 in Schedule D:
(a) the wording in Subsection (2) governs, and
(b) all disputes respecting electoral districts will be resolved by the Registrar.

(5) If a city or town is intersected by the line established under Section 3(2) then the whole of that city or town is deemed to fall within District A.

5. Representation – Clinical Pharmacists

(1) There is one elected member of Council for each electoral district for clinical pharmacists.

5(1) repealed, section 5 renumbered effective June 7, 2022

(2) The elections for clinical pharmacists to serve on Council will be held on the rotation shown below, subject to any extension of terms for a President Elect under Section 30 of the bylaws.

5(2) amended effective June 7, 2022

District	Timing of Elections
District 1	Election to be held every third year after 2021
District 2	Election to be held every third year after 2020
District 3	Election to be held in 2023, then in 2025, and then in every third year after 2025
District 4	Election to be held every third year after 2022
District 5	Election to be held every third year after 2020

5.1 Representation – Pharmacy Technicians

(1) Except as provided in Subsection (3), the number of elected members of Council who are pharmacy technicians for each electoral district is:

- (a) District A – one, and
- (b) District B – one.

(2) The elections for pharmacy technicians to serve on Council will be held on the rotation shown below, subject to any extension of term for a President Elect under Section 30 of the bylaws.

District	Timing of Elections
District A	Election to be held in 2021 and every third year thereafter
District B	Election to be held every third year after 2020

6. Public Members of Council

(1) Council may consult with the Minister as required in relation to the appointment and rescission of public members of Council.

(2) Council may nominate an appropriate number of members of the public to the Minister for the purposes of Section 13 of the HPA.

7. Ex Officio Members of Council

(1) Council may appoint one or more individuals as ex officio members of Council for such term as Council considers appropriate.

(2) Ex Officio members of Council are not entitled to vote on any matter before Council.

(3) Subject to Subsection (4), Ex Officio members of Council may participate in the discussion and debate any issue before Council.

(4) Ex Officio members of Council may not be present during or participate in “In Camera” discussions of Council.

8. Duties of Members of Council

(1) Members of Council must:

- (a) participate in the business of Council and committees and other bodies to which they are appointed.
- (b) participate in developing, adopting, and monitoring compliance with governance policies of the Council, including policies that define the relationship between the Council and the Registrar in the Registrar’s capacity as the chief executive officer of the College; and
- (c) perform and other duty or function required of them by these bylaws or the policies of the Council.

Executive Committee

9. Executive Committee

- (1) The Executive Committee is comprised of:
 - (a) the President,
 - (b) the President Elect,
 - (c) the Executive Member at Large,
 - (d) the Past President, and
 - (e) the Registrar.
- (2) The Registrar is a non-voting member of the Executive Committee.
- (3) The Executive Committee must:
 - (a) set the agenda for council meetings and meetings of voting members, and
 - (b) perform any other duties that Council may direct.
- (4) The Executive Committee may, where authorized by Council:
 - (a) appoint individuals or committees as authorized or required under the HPA or the PDA, including panels of members of Council authorized or required under either act; and
 - (b) appoint individuals as representatives of the College to governing councils or boards of other organizations.
- (5) Nothing in this section prevents Council from continuing to exercise any power or authority that Council is required to exercise under the HPA or the PDA.
- (6) Subject to Subsection (7) an executive committee position immediately becomes vacant if the holder ceases to be a member of Council.
- (7) Subsection (6) does not apply to the Past President except if:
 - (a) the Past President ceases to be a member of Council under Section 28(2)(a) to (j) in a circumstance where the Past President is a member of Council; or
 - (b) the Past President engages in any activity or conduct or becomes subject to any proceeding or determination described in Section 28(2)(a) to (j) in a circumstance where the term of the Past President as a member of Council has expired.

10. Officers

- (1) The officers of the College are:
 - (a) the President,

- (b) the President Elect,
 - (c) the Executive Member at Large, and
 - (d) the Past President.
- (2) Before July 1st in each year, Council must elect from among those members of Council entitled to vote:
- (a) the President Elect, and
 - (b) the Executive Member at Large.
- (3) Subject to Subsections (4), (5), (6) and (7), an officer's term is one year starting on July 1st after the officer's election and ending on June 30th the following year.
- (4) The individual who is elected as the President Elect will serve a two-year term:
- (a) the first year starting on July 1st after the President Elect's election and ending on June 30th the following year will be served as President Elect; and
 - (b) the second year starting on July 1st and ending on June 30th the following year, will be served as President.
- (5) The individual serving as President will become the Past President starting on July 1st and ending on June 30th the year following their term as President.
- (6) With the exception of the office of Past President, an office immediately becomes vacant if the office-holder ceases to be a member of Council.
- (7) Despite Subsections (3) and (4), the term of an officer terminates and the officer ceases to hold office if the officer ceases to be a member of the Council under Section 28 or in the case of the Past President, Section 9(7)(b) applies.
- (8) If there is a vacancy in an office during a term, Council may elect a new officer from among those members of Council who are entitled to vote.
- (9) The term of an officer elected under Subsection (8) terminates on June 30th after the election.

11. President

The President must, subject to Council policies:

- (a) act as the official representative for the profession of pharmacy in Alberta,

- (b) chair and direct the order and conduct of business at Council meetings and meetings of voting members of the College;
- (c) chair the Executive Committee,
- (d) perform other functions as required by Council.

12. President Elect

In the absence of the President, the President Elect must:

- (a) chair any Council meeting or other meeting of the College that the President ordinarily chairs, and
- (b) otherwise perform the duties of the President.

13. Executive Member at Large

In the absence of both the President and the President Elect, the Executive Member at Large must:

- (a) chair any Council meeting or other meeting of the College that the President ordinarily chairs, and
- (b) otherwise perform the duties of the President.

13.1 Past President

Subject to Section 9(7), where the Past President ceases to be a member of Council, the Past President is entitled to participate in the discussion and debate any issue before Council, including during in-camera discussions of Council.

Council Meetings

14. Council Meeting At Least Once Per Year

A council meeting must be held at least once in each calendar year.

15. Calling Council Meetings

- (1) At its first meeting after July 1st in any year, the Council may, in consultation with the Registrar, establish a schedule of regular council meetings for the following 12 months.
- (2) In addition to any meetings scheduled under Subsection (1), the President:
 - (a) may call a meeting of the Council when the President considers appropriate; and
 - (b) must call a meeting of Council when requested to do so in writing:
 - (i) by the Registrar, or
 - (ii) by no fewer than six members of the members of the Council who are entitled to vote.

(3) A meeting requested under Subsection (2)(b) must be held within sixty days of the date that the written request is provided to the President.

(4) The Registrar must provide notice to all members of Council of a meeting of Council at least 24 hours before the meeting, specifying the time, date, place of the meeting.

(5) Despite failure to provide notice within the time required under Subsection (1) to (4), a Council meeting may proceed if approved by a quorum of members of Council at the start of the meeting.

16. Quorum for Council Meetings

The quorum of Council is seven members of Council who are entitled to vote.

17. Conduct of Council Meetings

(1) Council may meet in person, by teleconference or by any other communications technology that permits all individuals participating in the meeting to communicate with each other.

(2) Council acts by resolution.

(3) Subject to Subsection (5) resolutions of Council are adopted by a majority vote of those members of Council entitled to vote and who are present at that meeting.

(4) A resolution of Council that is:

- (a) in writing;
- (b) provided to all members of Council or the committee of Council, as the case may be; and
- (c) subject to Subsection (5), approved by a majority of members of Council entitled to vote, or a majority of the committee of Council, as the case may be

is as valid as if it had been passed at a meeting of Council or of a committee of Council, as the case may be

(5) A resolution of Council to adopt:

- (a) a regulation under the HPA or the PDA;
- (b) a code of ethics under the HPA or the PDA;
- (c) a standard of practice under the HPA;
- (d) a standard for the operation of licensed pharmacies under the PDA; or
- (e) a bylaw.

requires a two-thirds majority of the members of Council who are entitled to vote and who are present at that meeting of Council or in the case of a resolution in writing, a resolution approved by two-thirds of the members of Council who are entitled to vote.

- (6) Council may establish the procedures to be used at Council meetings.
- (7) If Council does not establish procedures under Subsection (6), the provisions of Robert's Rules govern the procedures at Council meetings.
- (8) If under Subsection (7), Robert's Rules govern, Council may waive these requirements for one or more meetings.

Elections for Members of Council

18. Establishment of the Nominating Committee

- (1) The Nominating Committee must include:
 - (a) the President or, at the discretion of the President, the President-elect, as Chair of the Committee;
 - (b) the following committee members appointed by the Council:
 - i. two public members of Council;
 - ii. one former elected member of Council;
 - iii. if the Chair is a public member, one elected member of the Council; and
 - iv. other regulated members that the Council considers advisable, if any.
- (2) The Council must appoint the members of the nominating committee required under Subsection (1)(b) on or before June 30 in each year, for the forthcoming council year.
- (3) Elected members of the council appointed to the Nominating Committee, are not eligible for nomination to council in the forthcoming election.
- (4) The Council must establish:
 - (a) the terms of reference for the Nominating Committee;
 - (b) an application process for regulated members who wish to be considered as potential candidates by the Nominating Committee; and
 - (c) criteria to guide the Nominating Committee in recommending regulated members to be candidates for election to the Council.

18.1 Nomination Process

- (1) On or before December 31 in each year, the Registrar must publish a notice to the regulated members that:
 - (a) identifies the members of the Nominating Committee;

- (b) identifies the Districts where elections will be held;
- (c) explains how a regulated member can apply to become a candidate;
- (d) identifies the date by which applications must be received by the College for referral to the Nominating Committee; and
- (e) provides a form for applications.

(2) The Nominating Committee must:

- (a) identify regulated members who are willing to be candidates for election in each District where an election is to be held at any time;
- (b) review the eligibility of those prospective candidates under section 22;
- (c) review the experience, qualities and potential of those prospective candidates having regard for the criteria established by the Council under Subsection 18.(4)(c);
- (d) recommend a slate of candidates to council for election in each District where an election is to be held.

(3) On or before May 15, the Council must consider the recommendations of the Nominating Committee and may:

- (a) approve the recommendations of the Nominating Committee in whole or in part;
- (b) reject the recommendations of the Nominating Committee in whole or in part;
- (c) add eligible and qualified candidates if the Nominating Committee has failed to provide a slate with at least two candidates for each district where an election is required in that year.

(4) Decisions of the Council respecting the slate of candidates are final.

19. Responsibility of the Registrar

The Registrar must conduct the elections for Council.

20. Election Procedure

The Registrar must:

- (a) establish forms for nominations, ballots or any other document required for the effective conduct of an election.
- (b) select the voting system, which selection may include a mail-in or electronic voting system, to be used in an election that the Registrar considers most appropriate to ensure:
 - (i) voting members of the College have a reasonable opportunity to cast their ballot,
 - (ii) the confidentiality and security of the voting process,
 - (iii) only eligible voting members vote in an election, and
 - (iv) an accurate count and reporting of the results of the election, and

- (c) no less than 90 days before an election, issue a directive describing the procedures for voting and equipment to be used in that election and publish that directive on the website of the College.
- (d) make available “instructions to voters in conjunction with the ballot, explaining how an eligible voting member may cast a ballot; and
- (e) conduct the election using the voting system selected under Subparagraph (a) and in accordance with any directive under Subparagraph (c).

21. Eligibility to Vote

(1) Subject to Subsection (2) to (5), individuals who are registered on the following registers are eligible to vote in an election for a member of Council:

- (a) clinical pharmacist register;
- (b) honorary life pharmacist register;
- (c) pharmacy technician register; and
- (d) honorary life pharmacy technician register.

(2) An individual registered on the clinical pharmacist register or the honorary life pharmacist register is only eligible to vote in an election for a clinical pharmacist member of the Council for the district where that individual resides or is deemed to reside under Subsection (4).

(3) An individual registered on the pharmacy technician register or the honorary life pharmacy technician register is only eligible to vote in an election for a pharmacy technician member of the Council for the district where that individual resides or is deemed to reside under Subsection (5).

(4) An individual registered on the clinical pharmacist register or on the honorary life pharmacist register, who does not reside in Alberta, must declare at the time of practice permit application or renewal, their choice of district for the purposes of voting for a clinical pharmacist member of Council and that individual is deemed to reside in that district for the purpose of voting for a clinical pharmacist member of Council.

(5) An individual registered on the pharmacy technician register or on the honorary life pharmacy technician register, who does not reside in Alberta, must declare at the time of practice permit application or renewal, their choice of district for the purposes of voting for a pharmacy technician member of Council and that individual is deemed to reside in that district for the purpose of voting for a pharmacy technician member of Council.

22. Eligibility to be Nominated for and to Run in an Election for Council

(1) To be eligible to be nominated as a candidate for election as a clinical pharmacist member of Council in a district, and to run as a candidate in that election, an individual must on the date of the nomination and on the date of the election:

- (a) be registered on the clinical pharmacist register;
- (b) reside in that district; and
- (c) not be excluded from eligibility under Subsection (3).

(2) To be eligible to be nominated as a candidate for election as a pharmacy technician member of Council in a district and to run as a candidate in that election, an individual must on the date of the nomination and on the date of the election:

- (a) be registered on the pharmacy technician register;
- (b) reside in that district; and
- (c) not be excluded from eligibility under Subsection (3).

(3) An individual is not eligible to be nominated for election as a member of Council or to run as a candidate as a member of Council if:

- (a) the individual is an employee of the College or a contractor that provides services to the College;
- (b) a complaint against the individual:
 - (i) has been referred to or is the subject of a hearing or appeal under Part 4 of the HPA, under Part 2 of the PDA or under any other legislation that regulates a profession or pharmacies within or outside Alberta, and
 - (ii) has not been withdrawn or disposed of by a hearing tribunal, appeal tribunal or other body with jurisdiction in relation to the complaint;
- (c) the individual
 - (i) has been charged with a criminal offence in Canada, including but not limited to an offence under the Controlled Drug and Substances Act, the Narcotic Control Regulations or the Food and Drug Act and its regulations, or an offence of a similar nature in a jurisdiction outside Canada, and
 - (ii) the charge has not been withdrawn or disposed of by a court;
- (d) at any time within the six years before the date of the election
 - (i) the individual's conduct has been found to constitute unprofessional conduct under the HPA, misconduct under the PDA or a similar finding has been made under any

- other legislation that regulates a profession or pharmacy within or outside Alberta, and
 - (ii) the penalty imposed on that individual included any of the following:
 - (A) a fine,
 - (B) suspension of that individual's practice permit,
 - (C) cancellation of that individual's practice permit, or
 - (D) cancellation of that individual's registration;
- (e) at any time within the ten years before the date of the election, the individual;
 - (i) has pleaded guilty or has been found guilty of a criminal offence in Canada, including but not limited to an offence under the Controlled Drug and Substances Act, the Narcotic Control Regulations or the Food and Drug Act and its regulations, or an offence of a similar nature in a jurisdiction outside Canada, and
 - (ii) the individual has not been pardoned in respect of that offense.
 - (f) the individual is or was a board member, officer, or employee, to a professional association or labour union that represents regulated members within the twelve (12) months preceding the date of notice of a council election.

22(3)(f) amended December 17, 2021

23. Acclamation

- (1) If only one valid nomination is received for any election in a district, the nominee is acclaimed.
- (2) If a nominee is acclaimed:
 - (a) no ballots are to be made available to the voting members in that district, and
 - (b) the Registrar must advise the nominee that the nominee has been acclaimed.

24. Contested Elections

- (1) On or before June 1 in any year, the Registrar must make available to each voting member eligible to vote in a district where an election is to be held:
 - (a) a ballot listing the names of the slate of candidates for election in that district;
 - (b) instruction to voters; and
 - (c) any other documents required to ensure a secret ballot.
- (2) A voting member has one vote.

- (3) To be counted, a ballot must be cast, in the form set out in the instructions to voters, no later than 4:30 p.m. on the fourth Thursday in June of the year in which the election is held.
- (4) The Registrar must ensure that a record is kept of the voting members who submitted a ballot.
- (5) The Registrar must:
 - (a) give notice to the voting members and the nominees specifying when the votes will be counted; and
 - (b) ensure that the votes are counted by 4:30 p.m. on the first business day following the deadline for casting ballots in Subsection (3).
- (6) The Registrar must keep a record of the number of votes cast for each nominee.
- (7) The Registrar has the sole and absolute discretion to scrutinize each ballot and determine if a ballot is valid.
- (8) The candidate receiving the greatest number of votes must be declared elected as member of Council for the district in which the election is held.
- (9) If there is a tie between two or more candidates in any district, the Registrar must:
 - (a) ensure that the votes are recounted to determine if that breaks the tie, and if it does not;
 - (b) proceed to determine the successful candidate as follows:
 - (i) place on individual pieces of paper, the name of each candidate receiving the same number of votes;
 - (ii) cause these papers to be placed into a receptacle in a fashion which prevents the Registrar from viewing the papers;
 - (iii) draw one of the papers from the receptacle; and
 - (iv) declare the candidate whose name appears on that paper as elected as member of Council.
- (10) The Registrar must post the names of the candidates who are elected to Council on the website of the College.

25. Election Re-counts

- (1) If requested by a nominee in writing no later than 10 days after an election, the Registrar must conduct one re-count of ballots for the district in which the nominee sought election.
- (2) The Registrar must conduct the re-count no later than ten days after receipt of the request.

(3) Any nominee in an election which is subject to a re-count may attend or appoint another individual who is eligible to vote in that district to observe that re-count.

26. Destruction of Ballots

(1) Subject to Subsection (2), the Registrar must destroy all ballots 20 days after an election.

(2) Where a re-count has been requested within the time prescribed in Section 25, the Registrar must destroy all ballots 20 days after the re-count .

27. Special Elections

(1) If an elected member of Council ceases to hold office, Council may direct that a special election be held to elect a replacement member of Council for the unexpired portion of the term of the member of Council in the district where the vacancy has occurred.

(2) If Council directs that a special election be held under Subsection (1), the Council must set the date for the special election and set out the process for and the timing of the steps for the special election, which must generally follow the process set out in Subsections 18 and 18.1 with all changes necessary for the prompt and effective conduct of the special election in the circumstances.

(3) The Nominating Committee must identify and recommend to Council, candidates for the special election in accordance with the criteria established by the Council and the process adopted by the Council under Subsection (2).

(4) The Registrar must conduct the special election in accordance with the process and timing of the steps directed of the Council.

28. Term of Office

(1) Subject to Subsections (2), (4) and (6), the term of office of an elected member of Council is three years starting on July 1st after the member's election and ending on June 30th three years later.

(2) The term of an elected member of Council terminates and the member of Council ceases to be a member of Council if:

- (a) the member of Council resigns as a member of Council;
- (b) the member of Council ceases to be a clinical pharmacist or pharmacy technician, as the case may be;
- (c) the member of Council becomes an employee of the Alberta College of Pharmacy or enters into a contract for services with the College;

- (d) the member of Council has had a complaint referred to or is the subject of a hearing or appeal under Part 4 of the HPA, under Part 2 of the PDA or under any other legislation that regulates a profession or pharmacies within or outside Alberta, and the complaint has not been withdrawn or disposed of by a hearing tribunal, appeal tribunal or other body with jurisdiction in relation to the complaint;
- (e) the member of Council has been charged with a criminal offence in Canada, including but not limited to an offence under the Controlled Drug and Substances Act, the Narcotic Control Regulations or the Food and Drug Act and its regulations, or an offence of a similar nature in a jurisdiction outside Canada, and the charge has not been withdrawn or disposed of by a court;
- (f) the member of Council has engaged in conduct that has been found to constitute unprofessional conduct under the HPA, misconduct under the PDA or a similar finding has been made under any other legislation that regulates a profession or pharmacies within or outside Alberta, and the penalty imposed on that member of Council included any of the following:
 - (i) a fine,
 - (ii) suspension of that member of Council's practice permit,
 - (iii) cancellation of that member of Council's practice permit, or
 - (iv) cancellation of that member of Council's registration;
- (g) the member of Council has pleaded guilty or has been found guilty of a criminal offence in Canada, including but not limited to an offence under the Controlled Drug and Substances Act, the Narcotic Control Regulations or the Food and Drug Act and its regulations, or an offence of a similar nature in a jurisdiction outside Canada and the member of Council has not been pardoned for the offence.
- (h) the member of Council becomes incapable of fulfilling the member's responsibilities on Council;
- (i) the member of Council dies; or
- (j) the member of Council ceases to be resident in the province of Alberta.

(3) An elected member of Council may serve no more than two consecutive terms on Council.

(4) The term of a public member of Council terminates and the member of Council ceases to be a member of Council if:

- (a) the member of Council resigns as a member of Council,

- (b) the appointment of the member of Council is rescinded under Section 13(1)(a) of the HPA, or
- (c) the member of Council dies.

(5) For the purposes of Subsection 4(b), Council may recommend to the Minister, as defined in the HPA, that the Minister rescind a public member's appointment to Council if the public member of Council:

- (a) becomes an employee of the College, or enters into a contract for services with the College, or
- (b) becomes incapable of fulfilling the member's responsibilities on Council.

(6) For the purposes of facilitating the transition to the structure of Council contemplated by Section 5(1) and the continued staggering of terms of the Councillors:

- (a) the term of
 - (i) the Councillor elected in 2018 as Councillor b in District 3; and
 - (ii) the Councillor elected in 2018 as Councillor c in District 5 terminates on March 31, 2021; and
- (b) the term of office of the member of Council in District 3 elected in 2023 is two years starting on July 1st after the member's election and ending on June 30th, 2025, after which Subsection (1) applies.

29. Suspension from Council

(1) If an elected member of Council applies for a position as an employee of or seeks to enter into a contract for services with College during the member's Council term, the member of Council is suspended from Council until a determination is made on the application or contractual proposal or the application or contractual proposal is withdrawn

(2) If the elected member of Council who is suspended under Subsection (1) does not become an employee of the College or enter into a contractual relationship for services with the College, the elected member of Council is reinstated for the remainder of the member's term.

30. Extension of Term for President Elect

(1) If the President Elect will face election under Sections 5 and 5.1 before assuming the office of President, then the term on Council of the President Elect is extended by one year.

- (2) If the term of the President Elect on Council is extended under Subsection (1):
 - (a) the election that would otherwise have been held in the affected district must be delayed by one year, and

- (b) the term of the member of Council elected in the affected district immediately after the delayed election is shortened so that it is two years starting on July 1st after the member's election and ending on June 30th two years later.

Meetings of Voting Members

31. Calling Meetings of Voting Members

- (1) The Council may call meetings of voting members, including:
 - (a) special meetings of all voting members;
 - (b) regional or district meetings;
 - (c) meetings of voting members practicing within a specific practice area;
 - (d) round table meetings; and
 - (e) other meetings that Council considers necessary to share information with voting members or to obtain input from voting members with respect to the College's responsibilities.
- (2) In calling a meeting under Subsection (1), Council may determine the format of the meeting, including:
 - (a) meeting in-person;
 - (b) meeting by electronic means; or
 - (c) a combination of meeting in-person and by electronic means.
- (3) If Council does not determine the format of the meeting under Subsection (2), the Registrar must determine the format of the meeting.
- (4) A voting member may vote at any meeting or other vote of the members of the College that is not an election.

32. Rules for the Conduct of Meetings

- (1) The Council may establish rules for meetings of voting members, including rules regarding:
 - (a) notice of meetings;
 - (b) quorum;
 - (c) who may attend;
 - (d) voting;
 - (e) procedures governing the conduct of meetings.
- (2) The rules adopted by the Council may apply generally or to a specific meeting.
- (3) If the Council does not establish rules for meetings of voting members, the following rules apply:

- (a) the College must provide at least 15 days' notice of a meeting, specifying the purpose of the meeting, posted on the website of the College;
- (b) the quorum of a meeting is those voting members present at the meeting;
- (c) only voting members, members of Council, members of the staff of the College required for support at the meeting and guests invited by the Council may attend the meeting;
- (d) each voting member has a single vote; and
- (e) Robert's Rules govern the procedure at a meeting, with all necessary modifications if the meeting is a meeting conducted by electronic means.

Notices

33. General Notices

- (1) Unless otherwise required or allowed under the HPA, PDA or these bylaws, any notice or document that may be provided or is required to be provided under the HPA, the PDA, or these bylaws may be provided by:
 - (a) electronic mail,
 - (b) electronic message,
 - (c) posting on the website of the College,
 - (d) mail,
 - (e) courier, or
 - (f) facsimile transmission.
- (2) If notice or a document is provided by electronic mail, or electronic message, the notice or document is deemed to be received forty-eight hours after it was sent.
- (3) If a notice or document is provided by mail or courier, the notice or document is deemed to be received seven days after it was placed in the mail.
- (4) If a notice or document is provided by facsimile transmission, the notice or document is deemed to be received seven days after it was transmitted.
- (5) If a notice or document is provided by posting on the website of the College, the notice or document is deemed to be received seven days after it was posted by the College.
- (6) A notice or document posted on the website of the College must bear the date of posting.

(7) If one or more voting members does not receive notice of a meeting of voting members, the meeting may proceed as if that voting member or these voting members did receive notice.

(8) In the case of provision of any notice or document to the College, if the time for delivery expires on a weekend, holiday or other day on which the College offices are closed, the notice may be provided on the next day after expiry of the time for providing notice that the office of the College is open.

34. Notices for Council, Committees, etc.

(1) Notice of meetings of Council, the Executive Committee or any committee or tribunal established under the HPA, the PDA or these bylaws, may be provided to members of Council, the Executive Committee or other committee or hearing tribunal members by:

- (a) electronic mail,
- (b) electronic message,
- (c) telephone,
- (d) mail,
- (e) courier, or
- (f) facsimile transmission.

(2) The Registrar must ensure that notice is sent to each member of Council of a meeting of Council or the Executive Committee at least 72 hours before the meeting, specifying the time, date, place of the meeting.

(3) Subject to the HPA, the PDA and these bylaws, if a member of Council, the Executive Committee or any committee or tribunal established under the HPA, the PDA or these bylaws does not receive notice of any meeting of Council, the Executive Committee or any committee or tribunal, as the case may be, that meeting may proceed as if the member did receive notice, provided a quorum of Council, the Executive Committee or the applicable committee or tribunal is present.

35. Polling of Voting Members

(1) The Council may direct that voting members be polled on any issue.

(2) Council must determine the time and means for conducting such poll.

(3) Polls may be conducted by any means that maintains the security and confidentiality of the polling process, including mail-in ballot or electronic vote.

(4) At the conclusion of a poll, the Registrar must, within a reasonable time:

- (a) provide notice to all members of Council of the result; and

- (b) provide notice to all voting members of the result.

36. Committees

- (1) Council may establish Committees, panels and tribunals of the College and make other appointments as required by the HPA, the PDA, these bylaws, and as it considers necessary.
- (2) Subject to the provisions of the HPA and PDA, Council may establish the:
 - (a) composition of committees, panels, or tribunals;
 - (b) terms of reference for committees, panels, or tribunals; and
 - (c) terms of office for members of committees, panels, or tribunals.
- (3) Where the HPA or PDA requires the appointment of a public member to a committee, panel, or tribunal, Council may, if requested or required, consult with the Minister about the appointment or the rescinding of the appointment.

37. Registrar

- (1) Council must appoint a registrar and must establish the Registrar's:
 - (a) salary or other remuneration, and
 - (b) term of office which must not exceed five years.
- (2) Council may re-appoint the Registrar to more than one term of office.
- (3) The Registrar must be a voting member in good standing of the College but must not be a member of Council.
- (4) The Registrar must perform all duties required of, and exercise the powers provided to, the Registrar in the HPA, PDA and these bylaws.
- (5) Council may delegate any of its duties, authorities or powers to the Registrar, except to the extent that such delegation is limited by either the HPA or the PDA.
- (6) Council may impose conditions upon any delegation made under Subsection (5).
- (7) The Registrar may delegate any of the duties for which the Registrar is responsible to any other appropriate member of the College staff or to a committee or working group appointed under Subsection (8).
- (8) The Registrar may appoint such committees and working groups as the Registrar considers necessary to assist in performing the duties of the Registrar.

38. Acting Registrar

(1) If the office of Registrar becomes vacant or the Registrar otherwise becomes incapable of acting, Council may appoint an acting registrar, who has all the powers and must perform all the duties of the Registrar under the HPA, PDA and these bylaws.

(2) The Acting Registrar holds office until:

- (a) the Registrar again becomes capable of acting,
- (b) Council appoints a new Registrar, or
- (c) Council terminates the appointment of the Acting Registrar.

39. Council and Committee Member Expenses

(1) Members of Council and members of committees, other than public members of Council, may claim:

- (a) expenses as set out in Schedule B;
- (b) per diems as set out in Schedule C, and
- (c) reasonable out of pocket expenses claimable in accordance with policy adopted by Council

when attending business on behalf of the College.

(2) Council may amend Schedules B and C by resolution of Council.

40. Official Forms and Documents

(1) The Registrar must prescribe the form of:

- (a) certificates of registration;
- (b) practice permits; and
- (c) pharmacy licences.

(2) The Registrar may prescribe the form of any other document that may be required for the purposes of:

- (a) the HPA;
- (b) the PDA;
- (c) the Standards or Code of Ethics under those *Acts* in (a) and (b); or
- (d) these bylaws.

Licensure under the PDA

41. Pharmacy Licence

(1) The Registrar may issue pharmacy licences in the following categories:

- (a) a community pharmacy licence,
- (b) a compounding and repackaging pharmacy licence,
- (c) a mail order pharmacy licence, and

(d) a satellite pharmacy licence.

(2) A complete application for a pharmacy licence, in any category, must be accompanied by the fee for that category set out in Schedule A.

42. Term of a Pharmacy Licence

The term of a pharmacy licence:

- (a) commences on July 1 or on any later date that it may be issued, and
- (b) terminates on the June 30 that follows.

43. Renewal of a Pharmacy Licence

(1) A complete application for the renewal of a pharmacy licence along with the fee set out in Schedule A must be submitted to the Registrar before June 1.

(2) If a complete application for renewal is received by the Registrar after the expiry date of the licence, the licensee must pay the *reinstatement of pharmacy licence fee* set out in Schedule A.

Registration and Practice Permits under the HPA

44. Registration under the HPA for Regulated Members

(1) The regulated members register has the following categories:

- (a) clinical pharmacist register,
- (b) provisional pharmacists register,
- (c) courtesy pharmacist register,
- (d) student pharmacists register,
- (e) pharmacy technician register,
- (f) provisional pharmacy technician register, and
- (g) courtesy pharmacy technician register.

(2) The Registrar must consider each complete application for registration as a regulated member in any category of register under the HPA, and make the decision required by Section 30(1) of the HPA.

(3) An application for registration as a regulated member must be accompanied by the applicable fee set out in Schedule A.

44.1 Good Character and Reputation

(1) To comply with Section 132(1)(z) of the HPA, an applicant must submit any one of the following, on the request of the Registrar:

- (a) a statement by the applicant as to whether the applicant:
 - (i) is currently undergoing an investigation, alternative complaint resolution process, hearing or appeal related to

unprofessional conduct under Part 4 of the HPA, under the PDA, or any other enactment that regulated a profession, or (ii) has previously been disciplined by another regulatory body responsible for the regulation of pharmacists, pharmacy technicians, or of another profession;

- (b) the results of a criminal record check;
- (c) a statement as to whether the applicant has ever pleaded or been found guilty of a criminal offence in Canada or an offence of a similar nature in a jurisdiction outside Canada for which the applicant has not received a record suspension;
- (d) any other relevant evidence as required.

44.2 Citizenship Requirements

(1) Subject to Subsection (2), an applicant for registration as a regulated member must provide evidence that:

- (a) the applicant is a Canadian citizen, or
- (b) is lawfully administer to and entitled to work in Canada.

(2) In the case of an applicant to a provisional register or the student pharmacist register, the applicant must provide evidence that:

- (a) the applicant is a Canadian citizen, or
- (b) is lawfully administer to and entitled to work or study in Canada.

44.3 English Language Requirements

An applicant must provide evidence to the Registrar that they have demonstrated proficiency in the English language to engage competently and safely in the practice of pharmacists or pharmacy technicians, which may include attaining the minimum score on one of the English language proficiency tests approved by the National Association of Pharmacy Regulatory Authorities.

44.4 Equivalent Jurisdiction

(1) An applicant for registration as a regulated member on the clinical pharmacist or pharmacy technician register who is currently registered as a pharmacist or pharmacy technician in good standing in another province of Canada that is deemed to have substantially equivalent registration requirements, may be registered on the clinical registration or pharmacy technician register, as the case may be, upon successfully completing the ethics and jurisprudence examination approved by the Council.

(2) The Registrar may register an applicant under Subsection (1) who has applied to write or has written and is awaiting the results of an examination referred to in Subsection (1) on the provisional pharmacist register or the provisional pharmacy technician register, as the case may be.

44.5 Providing Information

(1) An application for registration as a regulated member and regulated members, must provide the following information in addition to that required

under Section 33(3) of the HPA, on the initial application for registration, when there is a change to the information or at the request of the Registrar:

- (a) home address;
- (b) business telephone numbers and fax numbers;
- (c) business mailing addresses;
- (d) email address;
- (e) previous names, if applicable;
- (f) degrees, certificates, diplomas and other qualifications;
- (g) school of graduation and location of school;
- (h) year of graduation;
- (i) date of birth;
- (j) gender;
- (k) employer's name or place of business;
- (l) job title and position description;
- (m) practice sector;
- (n) employment status and weekly hours worked;
- (o) areas of practice;
- (p) date of employment;
- (q) names of other jurisdictions in which the member is registered as a pharmacist or pharmacy technician, as the case may be;
- (r) any other colleges of a regulated health profession in which the member is registered and whether the member is a practicing member of that college;
- (s) a recent passport photo;
- (t) other information that the Registrar may request that is relevant to the role of the College under the HPA.

(2) Subject to Subsection (1), the College may disclose the information collected under Subsection (1):

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

45. Practice Permit under the HPA

(1) The Registrar must consider each complete application for a practice permit under the HPA and make the decision required by Section 40(2) of that *Act* and must, if the application for a practice permit is declined, provide the regulated member with a copy of the decision with reasons for the decision.

(2) An application for a practice permit must be accompanied by the applicable fee set out in Schedule A.

46. Term of a Practice Permit for Clinical Pharmacist

The term of a practice permit for an individual registered on the clinical pharmacist register:

- (a) commences on July 1 or on any later date that it may be issued, and
- (b) terminates on the June 30 that follows.

47 Term of a Practice Permit for Pharmacy Technician

The term of a practice permit for an individual registered on the pharmacy technician register:

- (a) commences on January 1 or on any later date that it may be issued, and
- (b) terminates on the December 31 that follows.

48. Term of a Practice Permit for Provisional, Courtesy and Student Registers

The term of a practice permit for an individual registered on the provisional pharmacist register, provisional pharmacy technician register, the courtesy pharmacist register, courtesy pharmacy technician register or the student pharmacist register:

- (a) commences when the practice permit is issued; and
- (b) terminates on the earlier of:
 - (i) the date specified on the practice permit; or
 - (ii) the date on which the individual ceases to be eligible to be registered on the provisional pharmacist register, provisional pharmacy technician register, the courtesy pharmacist register, courtesy pharmacy technician register or the student pharmacist register, as the case may be.

48.1 Term of Continuing Education Cycle

The term of the Continuing Education Cycle for

- (a) pharmacists commences on June 1 and terminates on May 31 of the following year; and
- (b) pharmacy technicians commences on December 1 and terminates on November 30 of the following year.

49. Renewal of a Practice Permit

(1) Clinical pharmacists and pharmacy technicians may renew their annual permit by completing an application for the renewal of a practice permit along with the practice permit fee set out in Schedule A, including if required by the Registrar, the results of a current criminal records check.

(2) The complete application and annual permit fee must be received by the Registrar:

- (a) in the case of clinical pharmacists, prior to June 1; and
- (b) in the case of pharmacy technicians, prior to December 1.

49.1 Professional Liability Insurance

(1) Clinical pharmacists and courtesy pharmacists must provide evidence to the Registrar, that they have at least two (2) million dollars of personal professional liability insurance, at the time of applying for an annual permit, at renewal, and at any other time upon request.

(2) Pharmacy technicians and courtesy pharmacy technicians must provide evidence to the Registrar, that they have at least one (one) million dollars of personal professional liability insurance, at the time of applying for an annual permit, at renewal, and at any other time upon request.

50. Reinstatement of Registration and Reissue of Practice Permit

(1) An individual whose registration or practice permit has been suspended or cancelled under the HPA, other than under Part 4 of that *Act*, may apply in writing for the practice permit to be issued or the registration to be reinstated in accordance with these bylaws.

(2) An application under Subsection (1) must be in the form required by the Registrar and provided to the Registrar along with:

- (a) the applicable reinstatement fee provided for in Schedule A,
- (b) any outstanding annual fees, costs or penalties,
- (c) the results of a criminal records check, and
- (d) any other information required by the Registrar.

(3) An applicant under Subsection (1) must provide evidence to the Registrar of qualifications for registration.

(4) The Registrar must, as soon as reasonably possible, consider a complete application and:

- (a) approve the application and issue a practice permit subject to any conditions,
- (b) defer registration if in the opinion of the Registrar it is in the best interests of the public to defer registration of the applicant until the applicant complies with conditions imposed by the Registrar, or
- (c) refuse the application.

(5) An applicant whose application is refused or on whose practice permit conditions have been imposed under this section may apply to Council for a review of the Registrar's decision.

(6) Sections 31 and 32 of the HPA apply to a review under Subsection (5).

50.1 Costs, Fees, Penalties – Cancelled Practice Permit and Registration

(1) Any person whose practice permit and registration are cancelled under Part 4 of the HPA, must pay any outstanding fees, costs, or penalties, and must pay the reinstatement fee provided for in Schedule A before the Competence Committee considers the application.

(2) Any applicant under Section 1 must pay any costs associated with any learning, training, evaluation, examinations, or other requirements prescribed by the Competence Committee.

(3) Any applicant under Section 1 must pay any or all expenses incurred by the College in respect of the application, including costs of committee members, legal costs, and the costs of external experts.

51. Registers of Non-Regulated Members

The Registrar must establish a register for each of the following categories of non-regulated members:

- (a) retired,
- (b) associate,
- (c) honorary,
- (d) honorary life pharmacist and
- (e) honorary life pharmacy technician.

51(a-e) numbering amended June 7, 2022

52. Registration on the Associate Register

(1) An individual may be registered on the associate register if that individual has been a clinical pharmacist or pharmacy technician but has ceased practicing as a clinical pharmacist or pharmacy technician as the case may be (but excluding any individual who ceased to be a regulated member as a result of a disciplinary action under the HPA, the PDA or the former *Act*).

(2) An application for registration on the associate register is complete for the purposes of consideration under Subsection (3) if it is in the form required by Council and provided to the Registrar along with:

- (a) the applicable fee set out in Schedule A, and
- (b) any other information required by the Registrar.

(3) The Registrar must, as soon as reasonably possible, consider a complete application and:

- (a) approve the application and place the applicant on the associate register, or
- (b) refuse the application.

(4) On making a decision under Subsection (3), the Registrar must provide notice of the decision to the applicant.

(5) Council may, on the recommendation of the Registrar, cancel an associate registrant's registration if in the opinion of Council cancellation is in the best interests of the public or is required to protect the integrity of the profession of pharmacy.

53. Term of Associate Registration

The term of an associate pharmacist:

- (a) commences on July 1 or any later date that it may be issued, and
- (b) terminates on the June 30 that follows.

The term of an associate pharmacy technician:

- (a) commences on January 1 or any later date that it may be issued, and
- (b) terminates on the December 31 that follows.

54. Associate Register Renewal

(1) An associate registrant must annually provide the Registrar with:

- (a) registration information in the form required by Council,
- (b) the applicable fee set out in Schedule A, and
- (c) any other information required by the Registrar.

(2) An associate registrant must provide the information and fees required under Subsection (1) to the Registrar which must be received by the Registrar before June 1 for associate pharmacists and December 1 for associate pharmacy technicians.

(3) If the information and fees required under Subsection (1) are not received by the Registrar before June 30 for associate pharmacists and December 31 for associate pharmacy technicians, the Registrar may cancel the associate registrant's registration.

(4) An associate registrant may reinstate their registration at any time by providing the Registrar with:

- (a) registration information in the form required by Council,
- (b) the fee provided for in Schedule A,
- (c) any outstanding annual fee, and
- (d) any other information required by the Registrar.

55. Registration on the Retired Register

(1) An individual may be registered on the retired register if that individual was registered in the clinical pharmacist or pharmacy technician category of the regulated members register, is 55 years of age or older and has retired from the

practice of pharmacists or the practice of pharmacy technicians (but excluding any individual who ceased to be a regulated member as a result of a disciplinary action under the HPA, the PDA or the former *Act*).

(2) An application for registration on the retired register is complete for the purposes of consideration under Subsection (3) if it is in the form required by Council and provided to the Registrar by the applicant along with:

- (a) evidence that the individual falls under Subsection (1), and
- (b) any other information required by the Registrar.

(3) The Registrar must, as soon as reasonably possible, consider a complete application and:

- (a) approve the application and place the applicant on the retired register, or
- (b) refuse the application.

(4) On making a decision under Subsection (3), the Registrar must provide notice of the decision to the applicant.

(5) Council may, on the recommendation of the Registrar, cancel a retired registrant's registration if in the opinion of Council, cancellation is in the best interests of the public or is required to protect the integrity of the profession of pharmacy.

56. Registration on the Honorary or Honorary Life Register

(1) Council may register an individual on the honorary register where the individual:

- (a) is not and never has been a regulated member; and
- (b) has, in the opinion of Council, rendered distinguished service to the practice of pharmacists or to the practice of pharmacy technicians.

(2) Council may register an individual on the honorary life pharmacist register where the individual:

- (a) is or has been registered in the clinical pharmacist category of the regulated members register, and
- (b) has, in the opinion of Council, rendered distinguished service to the practice of pharmacists.

(3) Council may register an individual on the honorary life pharmacy technician register where the individual:

- (a) is or has been registered in the pharmacy technician category of the regulated members register, and
- (b) has in the opinion of Council, rendered distinguished service to the practice of pharmacy technicians.

(4) Council may, on the recommendation of the Registrar, cancel the registration of an

- (a) honorary registrant
- (b) honorary life pharmacist registrant, or
- (c) honorary life pharmacy technician registrant;

if in the opinion of the Council, cancellation is in the best interests of the public or is required to protect the integrity of the profession of pharmacy.

57. Maintaining Registers

The Registrar may enter in a register and remove from a register information about individuals registered under Section 33(1)(b) of the HPA.

58. Archives

The Registrar may maintain an archive of former regulated and non-regulated members.

Fees, Charges, Levies, Assessments and Dues

59. Fees, Charges, Levies, Assessments and Dues

The fees, charges, levies, assessments and dues of the College are provided for in Schedule A. as adjusted, amended or changed under Section 60 and Section 61.

60. Automatic Changes to Fees, Charges, Levies, Assessments and Dues

(1) The fees, charges, levies, assessments, and dues set out in Schedule A are adjusted each year to reflect the Conference Board of Canada's forecasted annual rate of inflation for Edmonton at December of the current fiscal year as supplied by the Conference Board of Canada, or any similar source recognized by the Council.

(2) The adjustments under Subsection (1) are effective January 1.

(3) Council may waive the adjustment under Subsection (1), in whole or in part, for any registration year.

61. Additional Amendments to Fees, Charges, Levies, Assessments and Dues

In addition to any change that may result from Section 60, Council may, subject to Subsection 60(2), amend any of the fees, charges, levies, assessments and dues

of the College as set out in Schedule A, and may add fees, charges, levies, assessments and dues.

62. Process for the Adoption of Bylaws under the HPA²

(1) At least 60 days before Council considers a motion to adopt a bylaw, the Registrar must:

- (a) make a draft of the proposed bylaw available on the website of the College; and
- (b) provide notice to all voting members of the College, through the official publication of the College or through other means approved by Council, that a draft of the proposed bylaw is available on the website of the College.

(2) A voting member may make representations in writing to the Registrar about the proposed bylaw within the time period stipulated by the Registrar.

(3) Council must review and consider any representations made about a proposed bylaw under Subsection (2).

63. Adoption of a Code of Ethics and Standards of Practice under the HPA

(1) At least 60 days before Council considers a motion to adopt a code of ethics or standards of practice the Registrar must provide, for review and comment, a copy of a proposed Code of Ethics or proposed Standards of Practice to:

- (a) regulated members,
- (b) the Minister, and
- (c) any other individual Council considers necessary.

(2) An individual entitled to receive notice under Subsection (1) may make representations in writing to the Registrar about the proposed code of ethics or proposed standards of practice within the time period stipulated by the Registrar.

(3) Council must review and consider any representations made about a proposed code of ethics or proposed standards of practice under Subsection (2).

64. Adoption of a Code of Ethics and Standards for the Operation of Licensed Pharmacies under the PDA

(1) At least 60 days before Council considers a motion to adopt a code of ethics or standards for the operation of licensed pharmacies, the Registrar must:

² The process for adoption of bylaws under the PDA is set out in the Pharmacy and Drug Regulation, A.R. 240/2006.

- (a) make available, for review and comment, a copy of a proposed Code of Ethics or proposed Standards for the Operation of Licensed Pharmacies on the website of the College; and
- (b) provide notice that a draft of the proposed Code of Ethics or proposed Standards for the Operation of Licensed Pharmacies is available on the website of the College to:
 - (i) regulated members;
 - (ii) proprietors;
 - (iii) the Minister; and
 - (iv) any other individual Council considers necessary.

(2) An individual entitled to receive notice under Subsection (1)(b) may make representations in writing to the Registrar about the proposed code of ethics or proposed standards for the operation of licensed pharmacies within the time period stipulated by the Registrar.

(3) Council must review and consider any representations made about a proposed code of ethics or proposed standards for the operation of licensed pharmacies under Subsection (2).

65. Period for the Purposes of Section 14 of the PDA

(1) For the purposes of Section 14 of the PDA, if a pharmacy licence is terminated under the provisions of that section and the proprietor or proprietor's agent places the pharmacy under the personal management, control and supervision of another clinical pharmacist, the Registrar may allow the proprietor to continue to operate the pharmacy for a period not exceeding 30 days.

(2) The Registrar may extend the period permitted under Subsection (1) for up to two further periods, where each period must not exceed 30 days and the total of all periods under Subsection (1) and this Subsection must not exceed 90 days.

66. Limitation on Sub-Delegation

(1) Where Council has delegated a power or duty to an individual or Committee, that individual or Committee may not delegate that power or duty to any other person or Committee unless expressly authorized to do so by Council.

(2) Subsection (1) does not apply to delegation to the Registrar.

General

67. Head Office

The Head Office of the College is located in Edmonton, Alberta or at such other location as may be determined by the Council.

68. Seal

- (1) The Registrar must:
 - (a) have custody of the Common Seal of the College, and
 - (b) affix the Common Seal to all documents requiring the Seal.
- (2) Council may amend the design of the Common Seal.

69. Solicitor

Council must appoint an active member of the Law Society of Alberta to represent the College.

70. Banking Institution

Council must appoint a bank listed in Schedule I or II of the *Bank Act*, S.C. 1991, c. 46, to meet the College's financial and banking requirements.

71. Auditors

- (1) Council must appoint one or more chartered professional accountants registered in the province of Alberta as Auditor.
- 2) For the purposes of this section, no member of Council is eligible to be appointed as Auditor.
- (3) The Auditor must:
 - (a) examine the accounts, books, and securities of the College in accordance with Canadian generally accepted auditing standards; and
 - (b) present a written report to the Council no later than April 15 in any year.

72. Signing Authority

- (1) Money may be withdrawn from the College's account only by cheque signed by two individuals with signing authority.
- (2) For the purposes of this section, the following individuals have signing authority:
 - (a) President,

- (b) Registrar, and
- (c) any other individual appointed by Council.

73. Investments

(1) Investments made by the College must be made in the name of the Alberta College of Pharmacy.

(2) Council may adopt an investment policy to guide the investment of the College's funds.

(3) The investment policy must address asset allocation, risk tolerance and liquidity requirements and must be appropriate for the College as a regulator under the HPA and PDA.

(4) Without limiting the power granted to the College under statute or otherwise, the College may:

- (a) acquire, hold, sell, lease, or otherwise deal with real and personal property;
- (b) acquire, hold, sell, exchange, vary, or otherwise deal with public stocks, bonds, or securities;
- (c) borrow money;
- (d) mortgage or otherwise charge or encumber the College's property, or any other source of income; and
- (e) establish, own, and operate any corporation whose purpose is to advance the practice of pharmacy in the province of Alberta.

74. Awards

(1) Council may establish award, grant and scholarship programs for the purposes of the College and the advancement of the practice of pharmacy.

(2) Council must establish terms of reference for the award, grant and scholarship programs established by Council.

(3) The Registrar must administer the award, grant and scholarship programs established by Council.

75. Fiscal Year

The fiscal year commences January 1 and ends the following December 31.

76. Registration Year

The registration year is as follows:

Category	Commences	Terminates
Clinical pharmacist and associate pharmacist	July 1	the following June 30
Pharmacy technician and associate pharmacy technician	January 1	the following December 31

77. General Information Required on the College Website

The Registrar must ensure that the following are published on the College’s website:

- (a) the College’s annual report;
- (b) the College’s regulations, bylaws, standards of practice and code of ethics;
- (c) information in the College’s directory referred to in section 21(1) of the HPA; and
- (d) information respecting each regulated member set out in section 33(3)(a), (b.1) and (d) to (g) of the HPA.

78. Additional General Information that May Be Published on the College’s Website

(1) The Registrar may direct that any of the following information be published on the College’s website:

- (a) information about the College, its governance, operations, policies and programs, including notices or documents required or permitted to be sent, published or circulated under the HPA, the PDA or these bylaws;
- (b) information that may be useful to regulated members and the public;
- (c) news relevant to the College, the public and regulated members;
- (d) the unique registration numbers assigned to regulated members;
- (e) the conditions placed on any regulated member’s practice permit; or
- (f) any other information that the Registrar determines will assist in fulfilling the College’s role as described in section 3 of the HPA or the PDA.

79. Settlement and Publication

For the purposes of Section 60 of the HPA, where a complaint review committee has ratified the settlement of a complaint under that section, the Registrar may publish information regarding the settlement but must not publish information regarding a complainant or third party.

80. Discipline and Publication – Sexual Abuse and Misconduct

In accordance with section 135.92 of the HPA, but subject to section 135.93 of the HPA, the Registrar shall ensure that the following are posted to the College's website:

- (a) a copy of any decision made by a hearing tribunal, Council or court of unprofessional conduct based in whole or in part on sexual abuse or sexual misconduct, including any orders made under section 82 of the HPA;
- (b) whether a regulated member's practice permit has been suspended or cancelled as a result of a decision of unprofessional conduct based in whole or in part on sexual abuse or sexual misconduct;
- (c) any conditions placed on an investigated person's practice permit as a result of a decision of unprofessional conduct based in whole or in part on sexual misconduct and details respecting those conditions, as specified by the Minister, if any.

81. Information that May Be Published Regarding Discipline Decisions That Do Not Include Sexual Abuse or Sexual Misconduct

(1) Subject to Subsection (2), if there is a hearing under Part 4 of the HPA or Part 2 of the PDA and a finding of unprofessional conduct is made against a regulated member or a finding of proprietary misconduct is made against a proprietor, the Registrar may, in addition to any information that is required to be published under section 135.92(2) of the HPA, direct that the following be published on the website of the College:

- (a) the written decision of the hearing tribunal, or a summary of the written decision, including the name of the investigated person; and
- (b) if there is an appeal to the Council, the written decision of the Council, or a summary of the written decision, including the name of the investigated person.

(2) The Registrar may refuse to disclose information to a person or publish information on the college's website if, in the Registrar's opinion, the registrar has reasonable grounds to believe that the information

- (a) subject to Subsection (3), is likely to cause harm to one or more persons, or
- (b) is no longer relevant to the regulated member's suitability to practise.

(3) For the purposes of determining whether the disclosure of information referred to in Subsection (1) is likely to cause harm, the Registrar shall not

consider whether the reputation of the regulated member or any related practice in association may be harmed by the disclosure.

82. Publication of Other Decision

- (1) Subject to Subsection (2) if
 - (a) a decision is made to suspend or cancel a regulated member's practice permit or to impose condition on a regulated member's practice permit under Part 2 of the HPA; or
 - (b) a direction is made under Section 118(4) of the HPA

the Registrar may, subject to Subsection (2), direct that information respecting the decision or direction including the name of the regulated member, the nature of the decision or direction made and any reasons for the decision or order or a summary of them be published on the website of the College.

- (2) The Registrar must ensure that the following information is not published on the website of the College:
 - (a) the name of any individual other than the regulated member who is the subject of the decision or direction, or
 - (b) information that could reasonably be expected to reveal the identity of any other individual who is not the regulated member subject to the order or directions together with personal health information of that other individual.

unless the public interest requires it or that other individual has consented.

83. Indemnity

The College must indemnify any of the following in respect of any legal action taken or threatened against any of the following for anything done or omitted to be done in the course of their duties while acting in good faith under the HPA, PDA or these bylaws:

- (a) members of Council;
- (b) officers of the College;
- (c) employees of the College;
- (d) agents of the College;
- (e) persons who conduct investigations or participate in alternative complaint resolution under Part 4 of the HPA or in practice visits;
- (f) members of committees appointed under the HPA, the PDA or these bylaws; and
- (g) any person who acts on the instructions of any person or committee referred to in Subclauses (a) through (f).

84. Repealed March 31, 2023 (Specialist)

85. Duplicate Copy of Certificate of Registration

(1) A regulated member may apply for a duplicate copy of the member's certificate of registration by completing the form required by the Registrar and providing a statutory declaration stating the reason why a duplicate certificate is required.

(2) The Registrar may, if satisfied with the reason stated under Subsection (1), provide a regulated member with a duplicate copy of the member's original certificate of registration upon payment of the applicable fee provided for in Schedule A.

(3) Where the regulated member applying for a duplicate copy of a certificate of registration is still in possession of the original certificate of registration, the registered member must surrender it with the application for a new certificate.

86. Use of Electronic Documentation

(1) Unless otherwise specified, a requirement for a signature in these bylaws may be satisfied by an electronic signature that reliably identifies the person signing.

(2) Unless otherwise specified, a requirement for "writing" or "written" in these bylaws may be satisfied by electronic form of such requirement.

87. Field Officers

In carrying out their duties under the *Act*, field officers must carry identification in the form approved by the registrar.

Schedule A
Alberta College of Pharmacy
2023 Fee Schedule

Pharmacist Permit	Fee	GST	Total
Practice Permit	\$944.00	\$47.20	\$991.20
Practice Permit Pro-rated (<i>for new or reinstating registrants who join between January 1 and June 30</i>)	\$520.00	\$26.00	\$546.00
Courtesy Register - Pharmacist Locum	\$499.00	\$24.95	\$523.95
Courtesy Register Restricted - Pharmacist CE Provider (<i>restricted to the provision of professional development programs</i>)	\$70.00	\$3.50	\$73.50
Pharmacy Technician Permit 2023*	Fee	GST	Total
Practice Permit	\$558.00	\$27.90	\$585.90
Practice Permit Pro-rated (<i>for new or reinstating registrants who join between July 1 and December 31</i>)	\$294.00	\$14.70	\$308.70
Courtesy Register - Technician Locum	\$294.00	\$14.70	\$308.70
Courtesy Register Restricted - Technician CE Provider (<i>restricted to the provision of professional development programs</i>)	\$66.00	\$3.30	\$69.30
Pharmacy Technician Permit 2024**	Fee	GST	Total
Practice Permit	\$572.00	\$28.60	\$600.60
Other Regulated Registrant Fees	Fee	GST	Total
Registration (<i>initial registration of pharmacy students, provisional pharmacists and provisional pharmacy technicians</i>)	\$630.00	\$31.50	\$661.50
Out-of-province Educational Rotation (<i>Six-month permit for pharmacy/PharmD student or military pharmacists registered in another province performing an educational rotation in AB</i>)	\$156.00	\$7.80	\$163.80
Jurisprudence Exam - re-challenge or reinstatement (<i>pharmacists and pharmacy technicians</i>)	\$175.00	\$8.75	\$183.75
Assessment for Additional Prescribing Authorization (<i>applies to initial application and re-application</i>)	\$402.00	\$20.10	\$422.100
Practice Permit Reissue or Reinstatement (<i>pharmacists and pharmacy technicians</i>)	\$316.00	\$15.80	\$331.80
Non-compliance - Pharmacist (effective June 1-30 when <i>annual practice permit fees and/or CEU requirements not received by ACP before June 1</i>)	\$169.00	\$8.45	\$177.45
Non-compliance – Pharmacy Technician (effective December 1-31 when <i>annual practice permit fee and/or CEU requirements not received by ACP before December 1</i>)	\$169.00	\$8.45	\$177.45
Non-regulated Member	Fee	GST	Total
Associate Pharmacist	\$276.00	\$13.80	\$289.80
Associate Pharmacy Technician 2023*	\$269.00	\$13.45	\$282.45
Associate Pharmacy Technician 2024**	\$276.00	\$13.80	\$289.80

Community Pharmacy License

	Fee	GST	Total
Community Pharmacy (<i>primary licensed practice site</i>)	\$1,717.00	\$85.85	\$1,802.85
Pro-rated Community Pharmacy (<i>new site approved between January 1 and June 30</i>)	\$881.00	\$44.05	\$925.05
Provision of Compounding & Repackaging services from a primary licensed Community Pharmacy	\$675.00	\$33.75	\$708.75
Provision of Mail Order Pharmacy services from a primary licensed Community Pharmacy	\$675.00	\$33.75	\$708.75

Compounding & Repackaging Pharmacy License

	Fee	GST	Total
Compounding & Repackaging Pharmacy (<i>primary licensed practice site</i>)	\$1,717.00	\$85.85	\$1,802.85
Pro-rated Compounding & Repackaging Pharmacy (<i>new site approved between January 1 and June 30</i>)	\$881.00	\$44.05	\$925.05
Provision of Community Pharmacy services from primary licensed Compounding & Repackaging Pharmacy	\$675.00	\$33.75	\$708.75

Satellite Pharmacy License

	Fee	GST	Total
Satellite Pharmacy (<i>only the licensee of a licensed community practice site can be issued a Satellite Pharmacy license</i>)	\$675.00	\$33.75	\$708.75

**2023 Pharmacy Technician fees previously approved by Council in December 2021. **2024 Pharmacy Technician permit fee is on this schedule as the renewal period for the pharmacy technician permit occurs in the fall of 2023.*

Other Pharmacy Fees

	Fee	GST	Total
Practice Site Application Assessment fee (<i>one-time fee that applies to all new practice sites</i>)	\$1,100.00	\$55.00	\$1,155.00
Licensee Change, Ownership Change or Renovation (<i>fee assessed for each change</i>)	\$227.00	\$11.35	\$238.35
Relocation (<i>applies when the site relocates within the same city/town, or close proximity, and no other changes occur</i>)	\$825.00	\$41.25	\$866.25
Re-inspection (<i>per visit</i>)	\$825.00	\$41.25	\$866.25
Pharmacy Licence Reinstatement	\$303.00	\$15.15	\$318.15
Non-compliance - Pharmacy (effective June 1-30 when annual licence fees and/or forms are not received by ACP before June 1)	\$129.00	\$6.45	\$135.45

Decision Review

	Fee	GST	Total
Registrar's Decision on Licence Application	\$665.00	\$33.25	\$698.25
Field Officer's Direction to Licensee or Proprietor	\$665.00	\$33.25	\$698.25
Review by Council of Registration Application Decision	\$665.00	\$33.25	\$698.25
Review by Council of Practice Permit Decision	\$665.00	\$33.25	\$698.25
Hearing Tribunal Appeal	\$665.00	\$33.25	\$698.25
Application for review or appeal of any other decision made under the <i>Health Professions Act</i> or <i>Pharmacy and Drug Act</i> .	\$665.00	\$33.25	\$698.25

General	Fee	GST	Total
Letter of Standing (<i>for registrant or pharmacy</i>)	\$115.00	\$5.75	\$120.75
Duplicate Certificate	\$32.00	\$160	\$33.60
NSF Cheques	\$32.00	\$160	\$33.60
Shipping	\$32.00	\$160	\$33.60
Search for Information (<i>re: financial, historical, privacy</i>)	Cost recovery at the rate of \$40/hour		
Copies of Documents	\$5.00 for first page and \$0.50 for each page thereafter plus GST and shipping		

Directories and Lists	Fee	GST	Total
ACP Pharmacy Directory	\$318.00	\$15.90	\$333.90
ACP Pharmacy Directory Subscription	\$632.00	\$31.60	\$663.60
Pharmacy List	\$126.00	\$6.30	\$132.30
Regulated Registrants List (<i>subject to ACP Privacy Policy</i>)	\$200.00	\$10.00	\$210.00
Regulated Registrants List (<i>subject to ACP Privacy Policy, subset no greater than 500 registrants</i>)	\$132.00	\$6.60	\$138.60

Schedule A amended December 15, 2022

Schedule B - Expenses

Council and Committee members shall be reimbursed as follows:

Air fare	actual - economy class or equivalent
Car	\$0.59/km (incl. GST)
Taxi	actual
Parking	actual
Accommodations	actual
Meals	to a maximum of \$95.95 per day
Other expenses as approved by Council	actual

Where the Registrar requires it, claims for expenses must be supported by receipts.

Schedule B amended December 17, 2021

Schedule C – Per Diems

Council Members are paid per diems at the rate of \$474.00 per day when involved in College business.

Committee members are paid per diems at the rate of \$474.00 per day when involved in College business.

Council Members are paid for teleconference meetings at the rate of \$68.00 per hour.

Schedule C amended December 15, 2022

Schedule D – Map 1 – District 1-5



Schedule D - Districts Map 1

Schedule D – Map 2 – District A-B



Schedule D - Districts Map 2