



College of  
Dental  
Technologists  
of Alberta

# Bylaws

In force: May 8, 2023

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## Part 1

### DEFINITIONS

- (a) **“Act”** means the Health Professions Act of the Province of Alberta;
- (b) **“Bylaws”** means these Bylaws;
- (c) **“Chair”** means the President of Council as appointed by Council referenced in Section 4(3) of the Act.
- (d) **“College”** means the College of Dental Technologists of Alberta;
- (e) **“Complaints Director”** means the complaints director of the College appointed under section 14 of the Act;
- (f) **“Council”** means the Council of the College as described in Section 5 of the Act;
- (g) **“Councilor”** means any person elected or appointed to the Council;
- (h) **“Executive Director”** means the title and position of Executive Director for the College;
- (i) **“Hearings Director”** means the hearings director of the College appointed under section 14 of the Act;
- (j) **“Member”** means a person who is a Regulated Member or a Non-Regulated Member of the College;
- (k) **“Minister”** means the Minister defined in Section 1(1)(v) of the Act;
- (l) **“Non-Regulated Member”** means a Member in a voluntary category of membership under section 33 of the Act;
- (m) **“Practice Permit”** means a Practice Permit issued to a Regulated Member in accordance with Section 19 of the Dental Technologists Profession Regulation;
- (n) **“President”** means the “President” of the College defined in the Act;

(o) **“Public Member”** means a person appointed as a Public Member under the Act;

(p) **“Register”** means a register established in accordance with the Health Professions Act, the Dental Technologist Profession Regulation, or the College’s Bylaws;

(q) **“Registrar”** means the title and position of Registrar for the College as appointed by the Council pursuant to Section 8 of the Act;”

(r) **“Registration, Education and Competence Committee”** means the Registration Committee established by Council in accordance with section 9 of the Act;

(s) **“Registered Office”** means the Registered Office for the College as described in Part 7(2)(1);

(t) **“Regulated Member”** means a person who is a registered member under section 33 of the Act;

(u) **“Regulation”** means the Dental Technologists Profession Regulation, AR243/2004;

(v) **“Standards of Practice”** means the standards of practice adopted by the College under sections 133 and 133.2 of the Act;

(w) **“Vice-Chair”** means the Vice-Chair of Council as appointed by Council.

## Part 2

### INTERPRETATION

The following rules of interpretation must be applied in interpreting these Bylaws:

#### **(1) Severable**

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

#### **(2) Number and Gender**

All words referencing the singular in these *Bylaws* shall also include the plural where the context requires and vice versa. All words referencing the feminine gender in these *Bylaws* shall also include the masculine gender where the context requires and vice versa.

#### **(3) Headings**

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

#### **(4) Bylaws Subject to the Act and the Regulation**

All provisions of these *Bylaws* are subject to the provisions of the *Act* and *Regulation* whether or not the provisions of the *Bylaws* is expressly stated to be so subject.

## Part 3

### GOVERNANCE

#### COUNCIL

##### **(1) Duties and Powers**

Council will exercise all the powers and duties granted to a governing council under the *Act*.

##### **(2) Responsibility of Council**

- (1) Council shall operate within the terms and conditions of the *Act*, the *Regulation*, and the *Bylaws*; and
- (2) Council shall be responsible for all governance functions of the College.

##### **(3) Composition of Council<sup>1</sup>**

Membership of Council is comprised of:

- (1) Four (4) Councilors elected in accordance with Part 3 of the *Bylaws*;
- (2) Five (5) Councilors will be public members appointed by the Lieutenant Governor in Council in accordance with the *Act*; and <sup>2</sup>
- (3) Any non-voting members appointed by Council.

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<sup>1</sup> Composition of Council to be amended at April 30, 2023 as per Appendix A

<sup>2</sup> Composition of Council to be amended at April 30, 2023 as per Appendix A

#### **(4) Term of Office**

- (1) Except as otherwise stated in these *Bylaws*, the term of office for elected Councilors shall be three (3) years, with all duties and responsibilities commencing at the first meeting of Council following their election.
- (2) A councilor shall be eligible for election to a maximum of two (2) consecutive terms or 6 years in total. A councilor, having served the maximum allowable period of 2 terms, shall not be eligible for election for a minimum of one term or three (3) years.
- (3) At the first meeting following an election of Councilors, the Council shall elect a Chair, Vice-Chair, and Treasurer.
- (4) At each subsequent election of Councilors, if there are any vacancies on the Executive Committee of Council, the appropriate elections shall be held.

#### **(5) Council Meetings**

- (1) Council shall meet at least four times a year.
- (2) The Chair may call additional meetings of Council that the Chair considers necessary.
- (3) The President shall Chair and preside over all meetings of the Council. In the President's absence, the Vice-Chair shall assume the Chair.
  - (a) In the event that neither the President nor Vice-Chair are in attendance, the Councilors present shall choose one of their members to act as Chair.
- (4) Any meeting of the Council may be held at such times and places and in such manner as the Council shall determine, including by means of



telephone, electronic, or other communication facilities that will permit all persons participating in the meeting to communicate with each other.

- (a) A resolution or matter shall be voted on by any means, electronic or otherwise, as determined by Council in its sole discretion.
- (5) Any four (4) Councilors may by resolution in writing require the President to convene a special meeting of Council. The requisition shall state the object of the meeting so required.
- (a) If the President does not cause a meeting to be held within fourteen days of the requisition being received by the President, the requisitionists may themselves convene a meeting, by providing not less than seven days' notice in writing to all Councilors.
- (6) Except where stated in the *Act, Regulation, or Bylaws*, the procedure at Council meetings shall be governed by Council policies as may be adopted from time to time.
- (7) Council may determine, in policy, procedures to be used at any other meeting.

## **(6) Quorum**

- (1) A quorum in order to make a Council decision is a majority of members of Council.
- (2) For the purposes of calculating whether a majority of members of Council is present for a Council decision, public representative positions on Council to which the Lieutenant Governor in Council has appointed shall constitute 50% of voting members.

## **(7) Decisions of Council**

- (1) Except as otherwise stated in these *Bylaws* and regardless of the voting method, a decision of Council shall be made by a vote of the majority of Council members participating in the vote.
  - (a) In the event of a tie vote, the Chair shall cast the deciding vote.
- (2) A vote may be held by mail, facsimile, or electronic means;
- (3) An ex-officio member of Council shall not vote;

## **(8) Officers of Council**

### *(1) Executive Committee of Council*

- (a) The Executive Committee of Council of the College shall consist of:
  - i. the President, who shall preside over all meetings of the Executive Committee;
  - ii. the Vice-Chair;
  - iii. the Treasurer; and
  - iv. one (1) additional Public Member appointed by Council.
- (b) The Executive Committee of Council shall consist of no fewer than two (2) Public Members.

## **(9) Conduct of Councilors**

All Councilors shall act in accordance with Council policies governing the conduct of Councilors.

## **(10) Vacancies on Council**

- (1) A Councilor may at any time resign by letter directed to the Council.
- (2) In the event of resignation or in the event of any vacancy by death, incompetency, or otherwise, a majority of the remaining Councilors may:
  - (a) elect to leave the position vacant until the next scheduled election for Council members; or
  - (b) appoint any Regulated Member in good standing, who is eligible for nomination and election, of the College, who is a resident of Alberta, to fill the vacancy. The replacement Councilors will only fill the vacancy for the remainder of the term of the replaced Councilors.
  - (c) the replacement Councilors will be eligible to run for re-election.
- (3) If the required number of members of the Council is not nominated or elected, the newly elected Council may appoint any Regulated Member in good standing, who is eligible for nomination and election, who is a resident of Alberta to fill the vacancy for the duration of the term.

## **(11) Removal From Council**

A Councilor will be automatically removed as a Councilor:

- (a) If the Councilor falls into arrears greater than thirty (30) days in payment of any costs, fees, levies, dues, and assessments required by the College or becomes insolvent;

- (b) If the conduct of the Councilor is found to constitute unprofessional conduct under the *Act*;
- (c) If a Councilor is absent from three (3) consecutive meetings of the Council without prior written notice and without proper justification, that Councilor may be removed from the Council by a simple majority vote of the other members of the Council;
- (d) If the Council member, during their term in office, is or becomes an officer, director, executive member or occupies a similar position in a professional association that represents members of a regulated health profession;
- (e) If the Council member, during their term in office, is or becomes an employee of the College.

## **(12) Complaints About Council members**

- (1) A person may make a written complaint regarding the conduct of a Council member to the President or Vice-Chair if the Council member:
  - (a) Has been found guilty of an offence under the Criminal Code of Canada: or
  - (b) Is or has been engaged in any conduct or activity that undermines the College or its objective; or
  - (c) Is in breach of the Councilors Code of Conduct or Confidentiality Agreement.
- (2) On receipt of a written complaint under subsection (1), the Chair or Vice-Chair shall arrange for an Investigation to be conducted in accordance with the process approved by Council.
- (3) If, following the investigation conducted under subsection (1) the Chair

or Vice-Chair determined there are reasonable grounds to believe the Council member who is the subject of the complaint has been found guilty of an offence under the Criminal Code of Canada, or is or has been engaged in conduct or activities that undermine the College or its objective, or has breached the Councilor Code of Conduct or Confidentiality agreement, then the President, or Vice-Chair shall ask the President to call a meeting of Council to review and discuss the results of the Investigation.

- (4) Council shall consider the matter and vote on the following questions:
  - (a) If the Council member is a regulated member, "Are you in favor of removing \_\_\_\_\_ as a member of Council?" or;
  - (b) If the Council member is a public member, "Are you in favor of recommending to the Lieutenant Governor in Council that the appointment of \_\_\_\_\_ to Council be rescinded?"
- (5) The Council member who is the subject of the complaint may attend any such meeting of Council and be heard; however, that member shall abstain from the vote on the issue and shall be absent during the vote on the issue.
- (6) In a vote under subsection (4), the President shall be entitled to vote unless the President is the subject of the complaint.
- (7) An elected member of Council may be removed by a two-thirds (2/3) majority vote at a meeting of Council. The vote may be conducted by teleconference, email, or any other electronic method as deemed necessary.
- (8) Council, by a two-thirds (2/3) majority vote at a meeting of Council, may recommend to the Lieutenant Governor in Council that the appointment of a Public Member be rescinded.

- (9) Before a vote under subsections (4), (7), or (8) may be held, the President of Council, or the Vice-Chair of Council, if the member facing the vote is the President, shall give the members of Council seven (7) days' notice of the date on which the vote is to be held and the member facing the vote shall have the opportunity to make submissions to Council before the vote is held.
- (10) Council may also, by simple majority vote, decide to publish a report of the meeting when the vote was held and the decision made under subsections (4) and (7), or the recommendation made under subsection (8).

### **(13) Election to Council**

#### *(1) Appointment of Nomination and Election Committee*

- (a) The Council shall appoint a Regulated Member in good standing as Chief Electoral Officer to oversee votes by the membership. The Chief Electoral Officer shall follow the policies established by Council, as necessary for governing any member vote.
- (b) The Chief Electoral Officer shall appoint at least two (2) Regulated Members in good standing and may appoint one (1) Public Member to serve as Electoral Officers for any vote. This shall constitute the Nomination and Election Committee.

#### *(2) Nominations*

- (a) Nominations shall be accepted when a regulated member receives a nomination signed by three qualified electors.
- (b) Each regulated member, in good standing, may nominate only one Regulated Member to each vacancy.

#### *(3) Eligibility for Nomination and Election to Council*

- (a) To be eligible for nomination and election to Council, the regulated member must be in good standing. A regulated member is in good standing if they:
- I. Are a regulated member on the general register of the College;
  - II. Have no fees, costs, fines, levies, or any other sums owing to the College;
  - III. Have a valid and current practice permit that is not currently suspended;
  - IV. The member is not under supervision or cancellation pursuant to the *Act*, the *Regulation*, or the *Bylaws*;
  - V. Have met all continuing competence requirements; and
  - VI. Are in compliance with all orders or directions made pursuant to the *Act*.
- (b) Notwithstanding anything contrary in the *Bylaws*, a Regulated Member is not eligible to be nominated or elected to the Council if the Regulated Member:
- I. Is currently, or has been within the most recent three (3) years, an officer, director, executive member or occupies a similar position in a professional association that represents members of a regulated health profession;
  - II. Within the three years immediately before an elected, has had their practice permit was suspended or cancelled pursuant to Part 4 of the *Act*;
  - III. Has been formally charged with unprofessional conduct that has not yet been determined by a hearing tribunal;

- IV. Has been found guilty of unprofessional conduct within the preceding three (3) years;
- V. Is an employee, contractor, or other individual appointed under part 1(14) of the Act, or have been employed, contracted, or appointed under part 1(14) of the Act, within the three (3) years immediately before an election;
- VI. Was previously a member of Council, who was removed from Council, and has not been absent from Council for a minimum of three (3) years;
- VII. Was previously a member of Council, who was subject of a complaint under Part 3(12) of the Bylaws, and resigned from Council prior to the completion of the Part 3(12) complaint's process, and has not been absent from Council for a minimum of three (3) years; or
- VIII. Have been found guilty of unprofessional conduct related to sexual abuse, sexual misconduct, or any sexual boundary violation at any time in any jurisdiction including outside Canada.

#### (4) Process for Elections

- (a) The election of Councilors shall be held at such time and place as decided by Council.
- (b) All Regulated Members in good standing are deemed to be qualified electors.
- (c) Elections will take place every 3 years on or before May 1st.

#### (5) Nominations

- (a) The Registrar, under the direction of the Nomination and Election Committee, no later than 60 days before the date set for the



election of the Councilors, shall forward, by electronic communication to their last known contact information, to each Regulated Member in good standing;

- I. a notice of the time and date fixed for the election of Councilors; and
  - II. a call for nominations, including a blank nomination form and the closing time and date for nominations.
- (b) In order for a nomination to be valid it shall be returned to the Nomination and Election Committee in the care of the College office so as to reach the College office no later than the date and time set out in the call for nominations.
- (c) In total, four (4) Councilors will be elected.<sup>3</sup> The Nomination and Election Committee shall determine the Councilors based on the number of votes received by each candidate. In the event of a tie vote, the Chief Electoral Officer shall cast the deciding vote.

#### *(6) Entitlement to Vote*

A regulated member on the General Register who is in good standing may vote in an election.

#### *(7) Voting*

- (a) The Registrar, under the direction of the Nomination and Election Committee, not later than ten (10) days before the date fixed for the election, shall forward by email a link to a designated website to every qualified elector on the General Register which will contain a statement of the number of vacancies to be filled and a ballot containing the names of all persons duly nominated for election.

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<sup>3</sup> Composition of Council to be amended at April 30, 2023 as per Appendix A

- I. Ballots shall be received through a secure website hosted by an external provider designated by the Registrar that ensures anonymity and which is both certified and secure.
  - II. Upon holding of the election, all ballots shall be checked against the list of eligible voters and electronically counted through a secure website hosted by an external provider designated by the Registrar before the hour fixed for the holding of the election.
  - III. Regulated Members will be notified of the electronic results as soon as possible following the close of voting.
  - IV. The Registrar shall ensure that the ballots are retained for a period of sixty (60) days and at the expiration of such time, if no proceedings are in the meantime taken to set aside the election, shall have the ballot data deleted.
- (b) In the electronic voting process, any accidental or technical oversight, or omission in the giving of a notice or any other document required under these *Bylaws* does not invalidate any election result as determined by the Nomination and Election Committee.
- (c) If the number of nominations received is equal to or less than the number of vacancies on Council, then each nominee shall be elected by acclamation.

## **Part 4**

### **REGISTRATION**

#### **(1) Categories of Registers**

Membership shall be composed of Regulated Members and Non-Regulated Members.

## **(2) Good Standing**

- (1) A Member of the College shall be deemed to be in good standing only if:
  - (a) all Practice Permit and membership fees payable by the Member have been received in full by the College; and
  - (b) no fines, fees, costs, dues, or levies are owed to the College; and
  - (c) the Member is not under suspension or cancellation pursuant to the *Act*, the *Regulation*, or the *Bylaws*; and
  - (d) the Regulated Member is not in breach of any discipline orders issued pursuant to Part 4 of the *Act*; and
  - (e) the Member has met all continuing competence requirements under the *Regulation*.

## **(3) Regulated Members**

- (1) Categories of regulated members register established by the Council are listed in section 2 of the *Regulations*.
  - (a) A Regulated Member shall be an individual who:
    - I. meets the registration requirements set out in the *Act* and *Regulation* and has completed any and all additional requirements set out by Council; and
    - II. has paid the applicable registration fees.

## **(4) Obligations of Regulated Members**

- (1) Every Regulated Member of the College shall abide by the *Act*,

*Regulation, Bylaws, Standards of Practice, Code of Ethics, and Council policies, directives, or guidelines communicated to the Members by Council;*

- (2) Every Regulated Member or an applicant for registration as a regulated member must provide the following information, in addition to that required under sections 33(3) of the *Act*, to the Registrar upon application for registration, when there are changes to the information and on request of the Registrar:
  - (a) employment status, including employer name, address, and phone number;
  - (b) position, title and area of practice;
  - (c) membership in any affiliated professional organizations;
  - (d) the regulated member's date of birth, mailing address and home and work phone numbers;
  - (e) gender;
  - (f) year of registration and registration number;
  - (g) educational qualifications;
  - (h) school and year of graduation;
  - (i) date of retirement;
  - (j) emergency contact person.
- 3) The College may disclose information collected under subsection (2) about a regulated member:
  - (a) with the consent of the regulated member; or
  - (b) in a summarized or statistical manner so it is not possible to relate the information to the regulated member or any other

identifiable person.

## **(5) Application for Registration**

- (1) The Registrar shall consider all completed applications for a Practice Permit or for renewal of Practice Permits which are complete and include such fees as are determined by Council. Individuals applying for a Practice Permit must complete an application.
- (2) The Registrar may defer any application for a Practice Permit to the Registration, Education and Competency Committee for its determination.
- (3) A regulated member or an applicant for registration as a regulated member must provide the required information under Section 33(3) of the *Act* to the Registrar when requested by the Registrar.
- (4) An individual may become a Member by meeting the applicable requirements as set out in the *Act*, the *Regulation*, *Bylaws* and College policies, and by submitting the required forms, documentation and applicable fees.
- (5) The Registrar shall consider applications for registration as a Regulated Member which are complete and include such fees as are determined by Council.
- (6) An applicant for registration as a regulated member must provide evidence satisfactory to the Registrar that the applicant is a Canadian citizen or is lawfully admitted to and entitled to work in Canada.
- (7) Language Proficiency
  - (a) An applicant for registration as a regulated member must be sufficiently proficient in English to be able to engage safely and competently in the practice of the profession.

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

## **(6) Practice Permit Renewal**

- (1) A completed application form for a Practice Permit renewal as prescribed by Council, along with the required Practice Permit Fee(s), must be received by the College prior on or before 23:59 November 30 of each year.
- (2) A penalty may be assessed on Practice Permit renewals received after 00:01 December 1.
- (3) A regulated member whose completed application for renewal, as determined by Council, is not received by December 31, will have their practice permit suspended until they have met all outstanding requirements, and may have their registration cancelled pursuant to the Act.
- (4) All Practice Permit fees shall be paid electronically.

## **(7) Reinstatement of Regulated Members**

### *(1) Reinstatement Application (Non-Disciplinary)*

- (1) A Regulated Member whose Practice Permit is cancelled under the Act or the Regulation, except if cancelled under Part 4 of the Act, may apply for reinstatement of the Practice Permit to the Registrar or the Registration, Education and Competence Committee by:
  - (a) completing the form(s) required by Council;
  - (b) submitting the form(s) and the reinstatement fee(s), as determined by Council;

- (c) submitting any outstanding fee(s) or costs owed to the College; and
- (d) submitting appropriate verification of competence requirements; and submitting information or any other requirements determined by the Registrar or the Registration, Education, and Competence Committee.

### *(2) Reinstatement Decision*

As soon as reasonably possible, the Registrar or the Registration, Education, and Competence Committee shall consider a completed application for reinstatement and must:

- (a) approve the application with or without conditions;
- (b) defer approval of the application until the applicant has successfully completed any requirements prescribed by the Registrar or the Registration, Education, and Competence Committee; or
- (c) refuse the application.

### *(3) Approval, Refusal or Deferral*

If the Registration, Education, and Competence Committee approves subject to conditions, refuses, or defers an application for reinstatement of a Regulated Member's Practice Permit, the Registration, Education, and Competence Committee must provide written reasons for its decision to the Registrar, who in turn must advise the applicant of the decision in accordance with College policies.

### *(4) Review of Application*

- (1) An applicant whose application for reinstatement as a Regulated Member pursuant to the *Bylaws*, has been accepted subject to conditions or is deferred or refused by the Registrar or the Registration, Education, and Competence Committee, may, within 30 days of the date of being sent a copy of the decision, request a review by the Council in accordance with the *Bylaws*.
- (2) A request for a review by the Council must:
  - (a) be in writing;
  - (b) set out the reasons why the application for reinstatement should be approved with or without conditions; and
  - (c) be given to the Registrar, who must then provide a copy of the request to the Council.
- (3) On being given a letter of request for review, the Registrar must notify the applicant within 30 days of the time and place at which the Council will conduct the review.
- (4) A review must be commenced no later than 60 days after the Registrar is given the letter of request unless the parties agree to the contrary.
- (5) The College may charge a fee for the review, pursuant to these *Bylaws*.

(5) *Review of Reinstatement Decision*

- (1) An applicant and the Registrar and/or the Registration, Education and Competence Committee, may appear with or without counsel and make representations to the Council at a review.
- (2) On reviewing a decision pursuant to a request for a review, the Council may:



- (a) confirm, reverse or vary the decision of the Registrar or the Registration, Education and Competence Committee and make any decision that the Registrar or the Registration, Education and Competence, Committee could have made;
  - (b) refer the matter back to the Registrar or the Registration, Education and Competence Committee and direct the Registrar or the Registration, Education and Competence Committee to make a further assessment of the application and make a decision on the application; or
  - (c) make any further requirements the Council considers necessary, for the purpose of carrying out its decision.
- (3) The Council must on making a decision, give the applicant and the Registrar a copy of its written decision with reasons for the decision.

## **(8) Reinstatement Applications under Section 45.1 of the Act**

- (1) On completing a review of an application for reinstatement from a person whose practice permit and registration were cancelled under Part 4 of the Act, the Registrar may order the person to pay any or all of the College's expenses.
- (2) Designations by Council under Sections 65 and 86 of the Act
  - (a) Council hereby designates the Registrar to make decisions under section 65(1) of the Act.
  - (b) Council hereby designates Registrar to make decisions under section 86(1) of the Act.
  - (c) The Registrar may in their sole discretion refer applications for reinstatements under Section 45.1 of the Act to the Registration, Education and Competence Committee.

## **(9) Membership**

### **(1) Term of Practice Permit**

A Practice Permit or other designation shall be effective on January 01 and shall expire on December 31 of each year unless otherwise indicated on the Practice Permit or other designation.

### **(2) Continuance of Membership**

Registration as a Member of the College continues in effect if the individual provides to the Registrar in a timely manner:

- (a) any changes to the information required to be provided to the Registrar under the *Act, Regulation, or Bylaws*;
- (b) reports on the progress of any continuing competence activities or any required educational training; and
- (c) on request of the Registrar, provides evidence satisfactory to the Registrar of continued compliance with conditions imposed on an individuals' Practice Permit.

### **(3) Cessation of Membership**

- (1) If, for any reason, including death, a person ceases to be a member of the College, the rights and privileges of the Member shall cease.
- (2) Any Member whose name has been removed for reasons other than death shall be obligated to return their Certificate of Registration to the College.

### **(4) Resignation of Membership**

- (1) A Regulated Member of the College may resign their membership as provided for in the Act. A Member may resign from the College by submitting:
  - (a) a request for resignation in writing;
  - (b) a signed and notarized statutory declaration approved by Council; and
  - (c) payment of any fines, fees, costs, dues or levies owing at the time of the resignation request;

#### **(10) Payment of Fees, Penalties, Costs, Levies or other Assessments**

- (1) The Registrar, after giving 30 days or more notice to the Regulated Member, may cancel the Regulated Member's Practice Permit in accordance with the Act and Regulation.
- (2) If any, fees, penalties, costs, levies or other assessments have not been paid by the specified date set forth in the notice above, the Registrar may have the Regulated Member's name removed from the College's general register and their registration shall be cancelled.

#### **(11) Cancellation of Registration**

A Member's registration may be cancelled pursuant to the Act, Regulation or Bylaws.

#### **(12) Non-Regulated Members**

- (1) A Non-Regulated Member's registration expires on December 31 of each year unless otherwise indicated on the certificate of registration.

- (2) A Non-Regulated Member shall be an individual who:
- (a) meets the requirements set out in these *Bylaws*; and
  - (b) has paid all applicable fees.

- (3) The following registers of non-regulated members are hereby established:

(a) Practicum Student

Practicum student membership may be granted to an individual who meets the requirements for practicum student membership as determined by Council and:

- I. is not eligible to hold a Practice Permit;
- II. has paid all applicable fees as determined by Council; and
- III. meets any and all other application requirements as determined by Council.<sup>4</sup>

(b) Educational Student

Educational student membership may be granted to an individual who:

- I. is a student of a dental technology program in the Province of Alberta, which is approved by Council;
- II. is not eligible to hold a Practice Permit;
- III. has paid all applicable fees as determined by Council; and
- IV. meets any and all other application requirements as determined by Council.

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<sup>4</sup> The CDTA has paused accepting new applications for registration as practicum students effective March 13, 2023.

(c) Dental Laboratory Technician Assistant

Dental laboratory technician assistant membership may be granted to an individual who meets the requirements for dental laboratory assistant membership as determined by Council and:

- I. is not eligible to hold a Practice Permit;
- II. has paid all applicable fees as determined by Council; and
- III. meets any and all other application requirements as determined by Council.

(d) other categories as Council may deem appropriate.

(4) Non-Regulated Members are not entitled to:

- (a) practice;
- (b) use titles, abbreviations or words protected under the Act and the Regulation; or
- (c) stand for election or vote at any meetings of the CDTA.

(5) Obligations of Non-Regulated Members

- (a) Every Non-Regulated member shall abide by the Act, the Regulation, Bylaws, Standards of Practice, Code of Ethics and Council policies, directives or guidelines communicated to the Members by Council as if they were a Regulated Member.
- (b) Every Non-Regulated Member must provide the following information on the initial application for registration, when there are changes to the information and on request of the Registrar:

- I. employment status, including employer name, address and phone number;
- II. position, title and area of practice;
- III. membership in any affiliated professional organizations;
- IV. the regulated member's date of birth, mailing address and home and work phone numbers;
- V. gender;
- VI. year of registration and registration number;
- VII. educational qualifications;
- VIII. school and year of graduation;
- IX. date of retirement;
- X. emergency contact person.

(c) The College may disclose information collected under subsection (b) about a non-regulated member

- I. with the consent of the non-regulated member; or
- II. in a summarized or statistical manner so it is not possible to relate the information to the regulated member or any other identifiable person.

## **Part 5**

### **PROFESSIONAL CONDUCT**

#### **(1) Membership List**

- (1) Council shall appoint no fewer than three regulated members to the membership list referenced in section 15 of the Act. This list shall be used for appointing regulated members to both hearing tribunals and complaint review committees.
- (2) A person shall not sit on a complaint review committee and a hearing

tribunal with respect to the same matter.

## **(2) Complaint Review Committee**

- (1) A complaint review committee consists of the regulated members and public members appointed to it by the hearing's director.
- (2) The hearings director shall appoint a chair of each complaint review committee.
- (3) A quorum for a complaint review committee is two regulated members and the number of public members required by section 12(1) of the *Act*.
- (4) A decision of a complaint review committee shall be by majority vote. If a complaint review committee is sitting with an even number and there is a tie vote, then the chair shall cast a second and deciding vote.
- (5) Subject to the *Act*, the *Regulation*, these *Bylaws*, and any terms of reference approved by Council, a complaint review committee may determine its own procedures.

## **(3) Hearing Tribunal**

- (1) A hearing tribunal consists of the regulated members and public members appointed to it by the hearings director.
- (2) The hearings director shall appoint a chair of each hearing tribunal.
- (3) A quorum for a hearing tribunal is two regulated members and the number of public members required by section 12(1) of the *Act*.
- (4) A decision of a hearing tribunal shall be by majority vote. If a hearing tribunal is sitting with an even number and there is a tie vote, then the

chair shall cast a second and deciding vote.

- (5) Subject to the *Act*, the *Regulation*, these *Bylaws*, and any terms of reference approved by Council, a hearing tribunal may determine its own procedures.

#### **(4) Appeals Committee**

- (1) An appeals committee is hereby established, from which panels shall be selected.
- (2) Council shall appoint a minimum of four (4) members of Council to the appeals committee, half of whom shall be regulated members of Council and half of whom shall be public members of Council.
- (3) Council members shall be appointed to the appeals committee for a term of one year, unless Council specifies a different term at the time of appointment. Council members may serve multiple consecutive terms on the appeals committee.
- (4) Council members appointed to the appeals committee shall continue to hold office after the expiry of their term on the appeals committee or their term on Council for the sole purpose of concluding hearings under subsection (e) that have commenced but have not been completed.
- (5) A panel of Council from the appeals committee shall:
  - (a) carry out the duties and powers of Council under section 31 of the *Act*;
  - (b) carry out the duties and powers of Council under section 41 of the *Act*;
  - (c) carry out the duties and powers of Council under sections 87 to 89 of the *Act*;



- (d) carry out the duties and powers of Council under section 93 of the Act; and
  - (e) carry out the duties and powers of Council under sections 118(6) to 118(8) of the Act.
- (6) A quorum for a panel of the appeals committee shall be two regulated members of Council and the number of public members of Council required by section 12(1) of the Act.
- (7) Council shall appoint a chair of the appeals committee who will select the members of the appeals committee who will sit on a particular panel and will appoint a chair of each panel.
- (8) A decision of a panel of the appeals committee shall be by majority vote. If a panel is sitting with an even number and there is a tie vote, then the chair shall cast a second and deciding vote.

## **Part 6**

### **COMMITTEES**

#### **(1) Other Committees**

- (1) In addition to committees established in the *Act* or in these *Bylaws*, Council may establish such committees as it considers necessary in carrying out its duties and responsibilities.
- (2) Council shall set out a process in policy for the appointment and removal of members of committees established under section (1).

#### **(2) Terms of Reference for Committees**

- (1) Council shall approve terms of reference for all committees

established in the *Act*, in these *Bylaws*.

### **(3) Former Employees and Contractors**

- (1) Notwithstanding anything to the contrary in these *Bylaws*, regulated members who are former employees or independent contractors of the College must wait three (3) years after the termination or expiry of their employment or contractorship before they can be appointed to a College committee.

## **Part 7**

### **ADMINISTRATION**

#### **(1) Forms and Documents**

The Registrar/Executive Director is authorized to prescribe such forms, certificates, permits or other documents that may be required for the purposes of the *Act*, the *Regulation*, or these *Bylaws*.

#### **(2) Registered Office**

The Registered Office of the College is located at such location as may be determined by the Council.

#### **(3) Delegation**

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

- (1) Council may, by resolution, delegate any powers and duties under the *Act*, the *Regulation* and these *Bylaws* to one or more persons or committees.
- (2) As soon as practicable following a vacancy of these positions, the Council shall choose individuals to fill the following positions:

- (a) a Complaints Director;
  - (b) a Hearings Director;
  - (c) a Registrar;
  - (d) a Privacy Officer; and
  - (e) an Executive Director
- (3) The complaints director and the hearings director may not be the same person, nor may any person be delegated the powers of both the complaints director and the hearings director.
  - (4) The Council shall employ an Executive Director, who shall have charge and care of the day-to-day affairs of the College.
  - (5) Only Council may terminate the positions, or any delegates of those positions, set forth in Part 7(3)(2).

#### **(4) Fiscal Year**

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

#### **(5) Finance and Auditing**

- (1) Council shall appoint one or more chartered accountants registered in the Province of Alberta as auditor for the College that shall at least once each year, examine the accounts, books, and securities of the College, and provide a written report to the Council.
- (2) The College shall publish annually a copy of its financial information in the form required by the Minister under section 4(1)(f) of the Act.
- (3) The College's annual budget shall be prepared by the Finance

Committee and will be presented to Council for approval.

- (4) The College will collect and receive all costs, fees, levies, dues and assessments required and paid the members and make use of revenues to carry out the affairs and activities of the College.
- (5) No part of the income of the College shall be payable to, or otherwise available for the personal benefit of any Councilor or Regulated Member, but the College may reimburse Councilors and Regulated Members for expenses incurred in order to attain the objectives of the College.
- (6) In the event of the dissolution or winding up of the College, all its remaining assets after payment of its liabilities shall be used to promote dental technology health and education in the Province of Alberta or for such other charitable or educational purposes as Council shall deem appropriate.
- (7) The Councilors, the Executive Director/Registrar or any employee of the Council, shall not be liable for good faith decisions regarding the investment of the College funds.

## **(6) Fees and Assessments**

- (1) The fees, dues, charges and levies of the College shall be determined by resolution of Council.
- (2) All fees, dues, charges and levies of the College shall be posted on the College website as soon as they are determined and available.

## **(7) Seal of the College**

The responsibility for the seal of the College, and its use and procedures to be followed in its use, shall be determined by the Council.

## **(8) Cheques and Contracts of the College**

- (1) The Council shall appoint three (3) signing officers.
- (2) Any two (2) of the designated signing officers shall sign all cheques drawn on the monies of the College. Two signatures are required on all cheques.
- (3) All contracts of the College shall be reviewed by Council and executed by any two (2) signing officers.

## **(9) Protection and Indemnity**

- (1) Every Council Member, committee member, delegate, employee of the College or individual appointed pursuant to Part 7(3)(2) shall be indemnified and saved harmless by the College from and against all costs, charges and expenses which such individual sustains or incurs in any action, suit, claim or proceeding which is brought, commenced or prosecuted against them for, or in respect of any act, manner or thing done by them in the performance of the duties of their office, except where such action, matter or thing has been done or permitted to be done by them as the result of their own fraud, dishonesty, gross negligence or bad faith.
- (2) No Council Member, committee member, delegate, employee of the College or Individual appointed pursuant to the Act shall be liable:
  - (a) for the acts, negligence or defaults of any other Council Member, committee member, delegate, employee of the College or individual appointed pursuant to the Act;
  - (b) for any loss or damage arising from the bankruptcy, insolvency or tortious act of any person, firm or corporation dealing with the College or the bankruptcy of the College itself; or

- (c) or any other loss, damage or claim that may occur in the execution of the duties of their office;
- (3) Unless any of the above shall happen or occur by or through their own fraud, dishonesty, gross negligence or bad faith.
- (4) The Council shall procure either insurance or a bond for such indemnity.

### **Parliamentary Authority**

Any rules adopted by the College will govern the College in all cases to which they are applicable and in which they are not inconsistent with these *Bylaws*. On those matters not covered by the College rules of order, Robert's Rules of Order will apply. Part 8

## **Part 8**

### **AMENDING THE BY-LAWS**

- (1) These *Bylaws* may be added to, amended or repealed in whole or in part by Council provided that:
  - (a) A notice of motion has been given at the previous meeting; or
  - (b) Bylaw amendments have been sent to all members of Council at least fourteen (14) days prior to the meeting; and
  - (c) Regulated Members and any other stakeholders identified by Council will be notified in a manner deemed appropriate by Council of any amendments.

## **Part 9**

### **CODE OF ETHICS AND STANDARDS OF PRACTICE**

- (1) Procedure for adopting or amending a Code of Ethics or Standards of

Practice:

- (a) Council may adopt or amend a code of ethics or standards of practice in accordance with the consultation process set out at section 133 of the Act.
- (b) No fewer than fifteen (15) days before adopting a proposed code of ethics or standards of practice or amendment, Council shall provide a copy to regulated members or post a copy on the College's website for review and comment and shall indicate a deadline for Council to receive written comments.
- (c) Council shall consider any written submissions received in accordance with subsection (b) before making a decision.

## **Part 10**

### **PUBLICATION AND DISTRIBUTION OF INFORMATION**

- (1) Information regarding Members may be disclosed and released subject to provisions of the Act, any other government legislation and policies approved by the Council relating to decisions or orders under Part 2 or Part 4 of the Act or the Regulation by a Hearing Tribunal, Complaint Review Committee, Registration, Education and Competency Committee, Registrar or the Council including any information respecting any decision or order made by any of the foregoing.
- (2) For the purposes of section 60(6)(a) of the Act, the Registrar may in accordance with any policies approved by Council, acting reasonably, publish in any manner the Registrar considers appropriate, any information respecting a complaint and a ratified settlement which has been achieved through the Alternative Complaints Resolution process provided for in Part 4 of the Act.
- (3) The Registrar may in accordance with policies approved by the Council, acting reasonably, publish or distribute information

respecting any order made by a hearing tribunal or the Council under Part 4 of the *Act* including the order or the decision itself, and information referred to in section 119(1) of the *Act*, as deemed appropriate by the Registrar and in any manner deemed appropriate by the Registrar, subject to any requirements in the *Act*, the *Regulation*, the Personal Information Protection Act, SA 2003, c P-6.5, or any other enactment that applies to the College.

## **Part 11**

### **MISCELLANEOUS**

- (1) If there is a conflict between the *Bylaws* and the *Act* or *Regulation*, the *Act* or *Regulation* shall prevail.
- (2) In the event that any portion of these *Bylaws* shall be found to be illegal, contrary to any Statute or inoperative, the remainder of the *Bylaws* shall remain in full force and effect. Upon the declaration of any Court of competent jurisdiction as to the inapplicability of any portion of these *Bylaws* the Council shall forthwith enact appropriate replacement provisions that carry out the purpose and intent of the struck-out portion.
- (3) Notwithstanding anything contained in the *Bylaws*, any communication may be made electronically.



## TRANSITION PLAN COUNCILOR TERMS OF OFFICE

### Transition Plan – Elected Council Members

This transition plan comes into force upon the Council's transition on April 30, 2023.

On April 30, 2023, the number of Regulated Members on Council shall be reduced to 4. The composition of Council after April 30, 2023 shall be 4 Regulated Members and 4 Public Members.

In accordance with these Bylaws, the term of office of elected Council Members shall be three (3) years. Council Members who have served one three-year term may serve one (1) additional term commencing on April 30, 2023 as outlined below.

- i. Council Member 1 (President), whose first term expires April 30, 2023 shall serve a second term commencing on April 30, 2023 and ending on April 30, 2024. The Council Member who is in office as of April 30, 2023 will be eligible to seek re-appointment since they will not have served two full terms at April 30, 2024.
- ii. Council Member 2 (Vice-President), whose first term expires April 30, 2023 shall serve a second term commencing on April 30, 2023 and ending on April 30, 2025. The Council Member who is in office as of April 30, 2023 will be eligible to seek re-appointment since they will not have served two terms at April 30, 2025.
- iii. Council Member 3, whose first term expires April 30, 2023 shall be eligible for re-appointment for a second term commencing on April 30, 2023 and ending on April 30, 2026.
- iv. Council Member 4, whose first term expires April 30, 2023 shall be eligible for re-appointment for a second term commencing on April 30, 2023 and ending on April 30, 2026.
- v. Council Member 5, whose first term expires April 30, 2023 shall be eligible for re-appointment for a second term commencing on April 30, 2023 and ending on April 30, 2026.
- vi. Council Member 6, whose second term expires April 30, 2023 will not be eligible for appointment until April 30, 2026.

### Transition Plan – President

The transition plan for the President comes into effect on April 30, 2023.

The Council establishes the following transition plan for the President's terms of office:

In accordance with these Bylaws, the first term of office of the President shall be three (3) years. The President will serve one (1) additional one (1) year-term. The President, whose first term expires April 30, 2023, will serve a second term from April 30, 2023 to April 30, 2024.

The President who is in office at April 30, 2023 will be eligible to seek re-appointment since they will not have served two full terms at April 30, 2024.

### Transition Plan – Vice-President

The transition plan for the President comes into effect on April 30, 2023.

The Council establishes the following transition plan for the Vice-President's terms of office:

In accordance with these Bylaws, the first term of office of the Vice-President shall be three (3) years. The Vice-President will serve one (1) additional two (2) year-term. The Vice-President, whose first term expires April 30, 2023, will serve a second term from April 30, 2023 to April 30, 2025.

The Vice-President who is in office at April 30, 2023 will be eligible to seek re-appointment since they will not have served two full terms at April 30, 2025.

Summary of Appendix A:

4 Elected Regulated Members  
Including the President and Vice President

Transition Plan			
Council Member	Term Begins	Cycle	Term Ends
1	April 30, 2020	4 Year	April 30, 2024
2	April 30, 2020	5 Year	April 30, 2025
3	April 30, 2020	3 Year	April 30, 2023
4	April 30, 2020	3 Year	April 30, 2023
5	<del>April 30, 2020</del>	<del>3 Year</del>	<del>April 30, 2023</del>
6	<del>April 30, 2020</del>	<del>3 Year</del>	<del>April 30, 2023</del>

3-Year Cycle			
Council Member	Term Begins	Cycle	Term Ends
1	April 30, 2024	3-Year	April 30, 2027
2	April 30, 2025	3-Year	April 30, 2028
3	April 30, 2023	3-Year	April 30, 2026
4	April 30, 2023	3-Year	April 30, 2026
5	<del>April 30, 2026</del>	<del>3 Year</del>	<del>April 30, 2023</del>
6	<del>April 30, 2026</del>	<del>3 Year</del>	<del>April 30, 2023</del>

Composition of Transitioned Council at April 30, 2023			
Council Member	Term Begins	Cycle	Term Ends
1 (President)	April 30, 2023	1 Year	April 30, 2024
2 (Vice-President)	April 30, 2023	2 Year	April 30, 2025
3	April 30, 2023	3 Year	April 30, 2026
4	April 30, 2023	3 Year	April 30, 2026
5	Position Eliminated	N/A	N/A
6	Position Eliminated	N/A	N/A
Public Member 1	April 1, 2021	3 Year	April 1, 2024
Public Member 2	April 6, 2021	2 Year	April 6, 2023
Public Member 3	TBD	TBD	TBD
Public Member 4	TBD	TBD	TBD

## AMENDMENT HISTORY

Date
November 21, 2021
December 9, 2022
February 28, 2023
March 31, 2023