

The Naturopathy Act

being

Chapter N-4 of *The Revised Statutes of Saskatchewan, 1978* (effective February 26, 1979) as amended by the *Statutes of Saskatchewan, 1980-81, c.21 and 62; 1984-85-86, c.16; 1989-90, c.54 and 1994, c.P-37.1; 2004, c.L-16.1; and 2010, c.B-12 and c.19.*

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER N-4

An Act respecting the Practice of Naturopathy

Short title

1 This Act may be cited as *The Naturopathy Act*.

Interpretation

2 In this Act:

- (a) “**association**” means The Saskatchewan Association Of Naturopathic Practitioners incorporated by this Act;
- (b) “**council**” means the council of the association;
- (c) “**minister**” means the Minister of Health;
- (d) “**naturopathic practitioner**” means a person who is registered as such under this Act;
- (e) “**naturopathy**” means the art of healing by natural methods as taught in recognized schools of naturopathy.

R.S.S. 1978, c.N-4, s.2; 1984-85-86, c.16, s.21.

Incorporation

3 The Saskatchewan Association of Naturopathic Practitioners is continued as a body corporate and politic and shall consist of its present members together with such other persons as may hereafter become members of the association under the provisions of this Act.

R.S.S. 1978, c.N-4, s.3.

Council

4 There shall be a council for the purposes of this Act to be known as the “Council of Naturopathic Practitioners” which shall consist of not less than two nor more than five persons who are members of the association. The presence of at least a majority of the members of the council shall be necessary to constitute a meeting of the council for the exercise of its powers.

R.S.S. 1978, c.N-4, s.4.

Bylaws

5(1) The council shall make bylaws, which in each case shall be subject to the approval of the minister:

Registration

- (a) for the registration of naturopathic practitioners;

Admission to practise

- (b) for the admission of naturopathic practitioners to practise in the province;

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Qualifications for registration

(c) subject to the provisions of section 6, prescribing the qualifications of persons so to be admitted and registered, and the proofs to be furnished as to education, good character and experience;

Register and renewal of registration

(d) for maintaining a register of naturopathic practitioners registered under this Act, and providing for the annual renewal of registration, and prescribing the fees payable thereon;

Discipline and control

(e) prescribing the discipline and control of registered naturopathic practitioners, with power to prohibit all forms of advertising by registered naturopathic practitioners that may be deemed by the council to be subversive of the best interests of the association;

Investigation of complaints

(f) for the investigation of any complaint that a naturopathic practitioner has been guilty of misconduct or displayed such ignorance or incompetence as to render it desirable in the public interest that his registration should be cancelled or suspended;

Cancellation of suspension of registration

(g) for the cancellation or suspension of the registration of any naturopathic practitioner whose application for registration is found by the council to have been based on a false or fraudulent statement, or who is found by the council to be guilty of misconduct or to be ignorant or incompetent, or to be in default in the payment of any fees prescribed under this Act;

Reinstatement

(h) for the reinstatement of any member whose registration has been cancelled or suspended;

Meetings

(i) providing for the calling of meetings of members of the association, the procedure at meetings, and the right to vote thereat;

Powers and procedures of council

(j) prescribing the organization, powers and procedure of the council and providing for the election or appointment and term of office of its members, and regulating the council in the performance of its duties;

Prescribing fees

(k) prescribing the fees payable on the registration of naturopathic practitioners under this Act, and fixing the time for the payment of those fees;

Application of moneys

(l) for the application of moneys forming the funds of the association;

Recognition of schools of naturopathy

(m) prescribing the basis upon which colleges or schools of naturopathy are to be recognized by the association for the purposes of this Act;

General powers

(n) generally for the better carrying out of the provisions of this Act.

Coming into force of bylaws

(2) The bylaws shall not come into operation until they have been published in *The Saskatchewan Gazette*.

Rules concerning examinations

6 The University of Saskatchewan in consultation with the council may make rules concerning the examinations and the conduct thereof, including the age, moral character and academic standing of applicants for examination and also as to examination fees.

R.S.S. 1978, c.N-4, s.6; 1989-90, c.54, s.4.

Appeal to Court of Queen's Bench

7(1) Every order or decision of the council refusing an application for registration under this Act, or cancelling or suspending the registration of a naturopathic practitioner, shall be subject to appeal to a judge of the Court of Queen's Bench in chambers. Ten days' notice of the appeal shall be served on the council and a copy thereof filed with the local registrar of the court not later than one month after the date of the order or decision.

Summary procedure

(2) The presiding judge shall deal with the appeal in a summary manner, and his decision thereon shall be final.

Costs

(3) The costs of the appeal shall be in the discretion of the judge.

R.S.S. 1978, c.N-4, s.7.

Admission to membership

8(1) Only those persons who:

- (a) produce evidence of having graduated from a college or school of naturopathy recognized by the association;
- (b) pass examinations satisfactory to The University of Saskatchewan on the following subjects: anatomy, physiology, chemistry, pathology, histology, sanitation and hygiene, general diagnosis and the principles and practice of naturopathy, and such other subjects as the University in consultation with the council may require; and
- (c) comply with the bylaws made under section 5 and are considered by the council to be suitable applicants for registration in accordance with those bylaws;

shall be entitled to be registered as naturopathic practitioners under this Act and become members of the association.

(2) Notwithstanding subsection (1), a person may be registered as a naturopathic practitioner and become a member of the association, if the person:

- (a) complies with the bylaws made pursuant to section 5 and is considered by the council to be a suitable applicant for registration in accordance with those bylaws; and
- (b) produces evidence of being registered as the equivalent of a naturopathic practitioner in good standing pursuant to the legislation of another jurisdiction in Canada.

R.S.S. 1978, c.N-4, s.8; 1989-90, c.54, s.4; 2010, c.19, s.22.

Use of designation “naturopathic practitioner”, etc.

9 No person, other than a naturopathic practitioner registered under this Act as a member of the association shall engage in the practice of naturopathy or use the title “Naturopathic Practitioner”, “Naturopath”, “Doctor of Naturopathy” or any word, title or designation, abbreviated or otherwise, to imply that he is engaged in the practice of naturopathy, and every person who contravenes this section is guilty of an offence against this Act.

R.S.S. 1978, c.N-4, s.9.

Right to practise only naturopathy

10 Nothing in this Act or the bylaws shall authorize any person to prescribe or administer drugs for use internally or externally, or to use or direct or prescribe the use of anaesthetics for any purpose whatsoever, or to treat venereal disease or a communicable disease as defined in *The Public Health Act, 1994*, or to practise medicine, surgery or midwifery, or to use any method of treatment other than naturopathy.

R.S.S. 1978, c.N-4, s.10; 1989-90, c.54, s.4; 1994, c.P-37.1, s.76.

Prohibition against unauthorized practice

11(1) Every person who practises naturopathy, either alone or in conjunction with any other method of treatment of the human body for disease and the causes of disease, for hire, gain, reward or remuneration, or the hope or expectation thereof, unless he is duly registered to practise as a naturopath under this Act is guilty of an offence against this Act.

Prohibition against practice by non-registered persons

(2) Every person who, not being registered as a naturopathic practitioner under this Act, or who, having been so registered and whose registration has been cancelled or is under suspension, practises or holds himself out as practising naturopathy, either alone or in conjunction with any other method of treatment of the human body for disease and the causes of disease, or advertises or uses any prefix or suffix to his name signifying that he is qualified to practise naturopathy either alone or in conjunction with any other method of treatment of the human body for disease and the causes of disease, is guilty of an offence against this Act.

R.S.S. 1978, c.N-4, s.11.

Penalties

12 Every person who is guilty of an offence against this Act is, on summary conviction, liable for a first offence to a fine not exceeding \$100, for a second offence to a fine not exceeding \$250, and for a subsequent offence to imprisonment for a period not exceeding three months, without the option of a fine.

R.S.S. 1978, c.N-4, s.12.

Right to compensation

13 Every naturopathic practitioner registered under this Act who has complied with the bylaws applicable to him shall be entitled to demand from any person by whom he is consulted or employed, and to recover as a debt in any court of competent jurisdiction, the proper charges for any examination, treatment, aid, advice and visits, or any of them.

R.S.S. 1978, c.N-4, s.13; 1989-90, c.54, s.4.

14 Repealed. 1980-81, c.62, s.4.

15 Repealed. 2004, c.L-16.1, s.60.

Limitation of prosecutions

16 No prosecution shall be commenced for an offence against this Act after the expiration of two years from the date of the alleged offence.

R.S.S. 1978, c.N-4, s.16.

Act not to affect certain persons or emergency or spiritual treatment

17 Nothing in this Act applies to or affects:

- (a) the practice of any profession or calling by a person practising the same under the authority of a general or special Act of the Legislature;
- (b) any nurse acting in the absence of or under the prescription or direction of a legally qualified medical practitioner;
- (c) the furnishing of first aid or temporary assistance in cases of emergency;
- (d) persons treating human ailments by prayer or spiritual means as an enjoyment or exercise of religious freedom.

R.S.S. 1978, c.N-4, s.17.

Notice respecting persons suffering contagious or infectious disease

18 A naturopathic practitioner who has reason to believe that a person whom he is treating has a contagious or infectious disease shall immediately give notice in writing of that fact to the medical health officer of the municipality in which that person resides.

R.S.S. 1978, c.N-4, s.18.

Medical Profession Act not to prohibit from practising

19 Nothing in *The Medical Profession Act* shall prohibit any person registered as a naturopathic practitioner under this Act from practising as a naturopathic practitioner for gain or reward.

R.S.S. 1978, c.N-4, s.19.

Annual filing of lists

20 The association shall, before February 1 in each year, file with the Director of Corporations lists, certified by the secretary of the association to be true lists, showing:

- (a) the names of all naturopathic practitioners in good standing as of December 31 in the preceding year, their addresses as shown by the records of the association and the respective dates of their admission to membership in the association;
- (b) the names of all persons whose names were struck off the register or who otherwise ceased to be in good standing during the preceding year;
- (c) the names of all persons who were reinstated as members during that year.

R.S.S. 1978, c.N-4, s.20; 1980-81, c.21, s.31;
2010, c.B-12, s.45.

Refusal to reinstate or admit applicant

21 Where an application for reinstatement or for admission to membership in the association is made in compliance with this Act and the bylaws and is refused, the association shall within seven days thereafter forward by registered mail to the minister a report setting forth the circumstances and stating the reasons for the refusal.

R.S.S. 1978, c.N-4, s.21; 1989-90, c.54, s.4.

Suspension of member from practice

22(1) Where by resolution of the council a member is suspended from practice or the name of a member is struck off the register, the association shall within 14 days thereafter forward by registered mail to the minister a copy, certified by the secretary to be a true copy, of the complaint, any report upon the conduct of the member and the resolution of the council, and shall furnish the minister with such relative information as he may require.

Minister may require rehearing of application

(2) If the minister is of opinion that the action of the council is unjust or contrary to the public interest, he may:

- (a) request the council to reconsider the case and its findings thereon;
 - (b) if the council and the person whose conduct is under inquiry agree, appoint a board of arbitration consisting of one member nominated by the council, one nominated by the person whose conduct is under inquiry and one appointed by the Lieutenant Governor in Council to review or rehear the case and render decision thereon; or
 - (c) institute an appeal to a judge of the Court of Queen's Bench in chambers.
- (3) Nothing in this section shall prejudice any right of appeal conferred by this Act.

R.S.S. 1978, c.N-4, s.22.