

The Registered Psychologists Act

being

Chapter 323 of *The Revised Statutes of Saskatchewan, 1965*
(effective February 7, 1966).

FOR HISTORICAL REFERENCE ONLY

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 323

An Act respecting the Profession of Psychology

Short title

1 This Act may be cited as *The Registered Psychologists Act*.

R.S.S. 1965, c.323, s.1.

Interpretation

2 In this Act:

“association”

(a) “**association**” means the Saskatchewan Psychological Association continued by this Act;

“council”

(b) “**council**” means the council of the association, constituted under this Act;

“registered psychologist”

(c) “**registered psychologist**” means a person who is registered as a psychologist under this Act;

“secretary”

(d) “**secretary**” means the secretary of the association.

1962, c.53, s.2; R.S.S. 1965, c.323, s.2.

Incorporation

3(1) The “Saskatchewan Psychological Association” is continued as a body corporate and politic.

(2) The association shall consist of its present members and those who become registered as members under this Act.

1962, c.53, s.3; R.S.S. 1965, c.323, s.3.

Property

4 The association may acquire and hold real and personal property for its corporate purposes and may sell, alienate, exchange, mortgage, lease or otherwise charge or dispose of any of its property or any part thereof; and all fees, fines and penalties receivable or recoverable under this Act shall belong to and be the property of the association.

1962, c.53, s.4; R.S.S. 1965, c.323, s.4.

Council of management

5(1) The affairs of the association shall be under the management of a council composed of five members elected by the association from its members in good standing.

(2) Members of the council shall be elected at a meeting of the association called for that purpose or at the annual meeting of the association or in such manner as the bylaws may provide.

- (3) The association shall annually elect for a period of two years the required number of members of the council to fill the vacancies caused by the retirement of elected members whose terms of office have expired.
- (4) Members of the council shall continue in office until their successors are elected.
- (5) Retiring members of the council, if otherwise qualified, are eligible for re-election.
- (6) In the case of a vacancy in the council, the remaining members may fill the vacancy by the election of a member of the association in good standing, who shall hold office for the unexpired term of office of the member replaced.

1962, c.53, s.5; R.S.S. 1965, c.323, s.5.

Bylaws, rules and regulations

6(1) The council may make bylaws, rules and regulations, not contrary to law or inconsistent with this Act, for all purposes relating to the affairs, business and property of the association, its management, government, aims, objects and interests, including:

- (a) the registration of psychologists and the issue of registration certificates;
- (b) the admission of psychologists to practise in Saskatchewan;
- (c) subject to sections 7 and 8, prescribing the qualifications of persons so to be admitted and registered, and the proof to be furnished of education, moral character and experience;
- (d) maintaining a register of psychologists registered under this Act, and providing for the annual renewal of registration, and prescribing the fees payable thereon;
- (e) prescribing the discipline and control of registered psychologists, with power to prohibit all forms of advertising by registered psychologists that may be deemed by the council to be subversive of the best interests of the association;
- (f) the investigation of any complaint that a registered psychologist 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;
- (g) the cancellation or suspension of the registration of any psychologist 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;
- (h) the reinstatement of any member whose registration has been cancelled or suspended;
- (i) providing for the calling of meetings of members of the association, the procedure at meetings, and the right to vote thereat;
- (j) prescribing the organization, powers and procedure of the council and regulating the council in the performance of its duties;

- (k) prescribing the fees payable on the registration of psychologists under this Act, and fixing the time for the payment of those fees;
 - (l) the application of moneys forming the funds of the association;
 - (m) the appointment, functions, duties and removal of officers or servants of the association, and their remuneration;
 - (n) generally for the better carrying out of the provisions of this Act.
- (2) Such bylaws, rules and regulations, unless in the meantime confirmed by a general meeting of the association duly called for the purpose, shall have force only until the next annual meeting following their approval, and in default of confirmation thereat shall be null and void.

1962, c.53, s.6; R.S.S. 1965, c.323, s.6.

Regulations governing examinations

7 The University of Saskatchewan, in consultation with the council, may make regulations governing examinations and the conduct thereof and the fees payable by candidates.

1962, c.53, s.7; R.S.S. 1965, c.323, s.7.

Registration

8(1) Every person who, on the fourteenth day of April, 1962, was a member in good standing of the association known as The Saskatchewan Psychological Association shall be registered as a psychologist and shall, upon registration, become a member of the association.

(2) Subject to subsection (1), only a person who produces evidence of having received, from an educational institution approved by The University of Saskatchewan, a doctoral degree based upon a program of studies the content of which was primarily psychological as determined by the university, and has passed examinations prescribed by the university under section 7, shall be entitled to be registered as a psychologist under this Act and become a member of the association.

(3) Notwithstanding subsection (2), the council may, in its discretion, admit to registration and membership as a psychologist a person who has received, from an educational institution approved by The University of Saskatchewan, a doctoral degree based upon a program of studies the content of which was primarily psychological as determined by the university, and has had at least three years' professional experience in rendering psychological services satisfactory to the council, and applies for registration prior to the thirty-first day of December, 1966.

(4) Notwithstanding anything in this section, the council may, in its discretion, admit to registration and membership as a psychologist a person who has received, from an educational institution approved by The University of Saskatchewan, the equivalent of a master's degree based upon a program of studies the content of which was primarily psychological as determined by the university, and has had at least five years' professional experience in rendering psychological services satisfactory to the council, and applies for registration prior to the thirty-first day of December, 1966.

(5) Notwithstanding anything in this section, the council may, in its discretion, admit to registration and membership as a psychologist a person who at the time he applies for registration is authorized to practise in any other province of Canada or in any other country or in any province or state of any other country as a psychologist, if in the opinion of the council, in consultation with The University of Saskatchewan, the standards required for admission to practise in that other province or country or that province or state are equivalent to or higher than the standards required for registration under this Act.

1962, c.53, s.8; R.S.S. 1965, c.323, s.8.

Appeal to court of Queen's Bench

9(1) Every order or decision of the council refusing an application for registration under this Act, or cancelling or suspending the registration of a psychologist, 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.

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

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

1962, c.53, s.9; R.S.S. 1965, c.323, s.9.

Use of designation, etc.

10(1) Every person registered under this Act shall be known as a registered psychologist and an unregistered person who assumes that title, or in any manner represents that he is a registered psychologist, or by a title, or description of services, containing the word "psychological", "psychologist" or "psychology" in any way holds himself out to the public as a registered psychologist or as a psychologist, or by false or fraudulent declaration attempts to procure registration under this Act, is guilty of an offence.

(2) Nothing in subsection (1) shall be construed as limiting the activities or services of, or the use of the title of psychologist by, a person employed as a psychologist by the Government of Canada, the Government of Saskatchewan, The University of Saskatchewan or the board of a school district or school unit, or a person in so far as he is employed as a school psychologist or a teacher psychologist.

1962, c.53, s.10; R.S.S. 1965, c.323, s.10.

Limitation of action

11 No registered psychologist shall be liable in an action for negligence or malpractice by reason of professional services requested or rendered unless the action is commenced within twelve months after the date on which, in the matter complained of, the professional services terminated.

1962, c.53, s.11; R.S.S. 1965, c.323, s.11.

Onus of proof

12 In a prosecution under this Act the burden of proof of registration shall be upon the person charged.

1962, c.53, s.12; R.S.S. 1965, c.323, s.12.

Limitation of prosecution

13 No prosecution under this Act shall be commenced after the expiration of two years from the date of the alleged offence.

1962, c.53, s.13; R.S.S. 1965, c.323, s.13.

Penalties

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

1962, c.53, s.14; R.S.S. 1965, c.323, s.14.

Disposal of fines

15 The convicting justice shall forthwith after payment of any fine imposed, transmit the amount to the secretary for the uses of the association.

1962, c.53, s.15; R.S.S. 1965, c.323, s.15.

Other Acts not to prohibit practising

16 Nothing in any other Act prohibits a registered psychologist from practising as a psychologist for gain or reward.

1962, c.53, s.16; R.S.S. 1965, c.323, s.16.

Immunity from actions

17 No action lies against the council or any committee or member thereof for any proceedings taken in good faith or orders or decisions made or enforced under this Act.

1962, c.53, s.17; R.S.S. 1965, c.323, s.17.

Bylaws, rules and regulations to be filed with Provincial Secretary

18(1) The association shall file in the Department of the Provincial Secretary two copies, certified by the secretary to be true copies, of:

- (a) all bylaws, rules and regulations made under this Act;
- (b) all amendments made to those bylaws, rules and regulations;

within thirty days after they are made.

(2) Where the association adopts a code of ethics governing its members, and subscription thereto or observance thereof is a condition of membership, the code of ethics shall for the purposes of this section and sections 19, 20, 21 and 22 be deemed to be a bylaw made under this Act.

(3) Where a bylaw, rule or regulation is amended, two copies thereof shall be filed with the amendment.

1962, c.53, s.18; R.S.S. 1965, c.323, s.18.

Effective date of bylaws, etc.

19 All bylaws, rules and regulations and amendments thereto shall take effect upon the making thereof or on a date stated therein for the purpose.

1962, c.53, s.19; R.S.S. 1965, c.323, s.19.

Effect of failure to file bylaw, etc.

20 Failure to file a bylaw, rule, regulation or amendment as required by section 18 shall render the bylaw, rule, regulation or amendment ineffective as from the expiration of the time allowed for filing and it shall be deemed to have been revoked.

1962, c.53, s.20; R.S.S. 1965, c.323, s.20.

Review by Legislative Assembly

21(1) One copy of all bylaws, rules and regulations and amendments thereto filed in the Department of the Provincial Secretary as required by section 18 shall be laid before the Legislative Assembly forthwith if the Assembly is then in session or, if the Assembly is not then in session, within fifteen days from the commencement of its next session.

(2) Where a bylaw, rule or regulation or an amendment thereto laid before the Legislative Assembly is found by the Assembly to be beyond the powers delegated by the Legislature or in any way prejudicial to the public interest, the bylaw, rule, regulation or amendment shall thereupon cease to have any effect and be deemed to have been revoked.

1962, c.53, s.21; R.S.S. 1965, c.323, s.21.

Record of revocation and notification to the association

22(1) Where it appears from any Votes and Proceedings of the Legislative Assembly that a bylaw, rule or regulation or amendment thereto has ceased to have effect, the Clerk of the Assembly shall forthwith forward two copies of those Votes and Proceedings to the Deputy Provincial Secretary and at the same time advise him that the copies are forwarded pursuant to this subsection.

(2) Upon receipt of the copies the Deputy Provincial Secretary shall file one of the copies with the bylaw, rule, regulation or amendment to which it relates and forthwith forward the other copy to the association and at the same time advise the association that the copy is forwarded pursuant to this subsection.

1962, c.53, s.22; R.S.S. 1965, c.323, s.22.

Lists of members, etc., to be filed with Provincial Secretary

23 The association shall, before the first day of February in each year, file in the Department of the Provincial Secretary lists, certified by the secretary to be true lists, showing:

- (a) the names of all registered psychologists in good standing as of the thirty-first day of December 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 registrations were cancelled or suspended 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.

1962, c.53, s.23; R.S.S. 1965, c.323, s.23.

Report to Minister of Public Health where application for admission refused

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

1962, c.53, s.24; R.S.S. 1965, c.323, s.24.

Discipline

25(1) Where the council orders that the registration of a member be cancelled or suspended, the association shall within fourteen days after the date on which the order is made forward by registered mail to the Minister of Public Health a copy, certified by the secretary to be a true copy, of the complaint, any report upon the conduct of the member and the order of the council, and shall furnish the minister with such relative information as he may require.

(2) If the minister is of opinion that the order 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 a decision thereon; or
- (c) institute an appeal to a judge of the Court of Queen's Bench.

(3) Nothing in this section shall prejudice any existing right of appeal.

1962, c.53, s.25; R.S.S. 1965, c.323, s.25.

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