

ALBERTA REGULATION 71/2007
Agrology Profession Act
AGROLOGY PROFESSION REGULATION

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Definitions

1 In this Regulation,

- (a) “agrologist in training program” means a training program described in section 15;
- (b) “agrology technologist in training program” means a training program described in section 15;
- (c) “general register” means the general register category of the regulated members register;
- (d) “membership year” means the period of time between 2 successive dates established in the bylaws made under section 104 of the Act by which a regulated member is required to apply for the renewal of a practice permit;
- (e) “professional agrologist” means a regulated member registered on the professional agrologist subcategory of the general register;
- (f) “provisional register” means the provisional register category of the regulated members register;
- (g) “registered technologist in agrology” means a regulated member registered on the registered technologist in agrology subcategory of the general register;
- (h) “training register” means the training register category of the regulated members register;
- (i) “visiting register” means the visiting register category of the regulated members register.

Register categories

2 The regulated members register established by the council under section 27(1)(a) of the Act has the following categories:

- (a) general register, which includes the following subcategories of members:
 - (i) professional agrologist;
 - (ii) registered technologist in agrology;
- (b) training register, which includes the following subcategories of members:
 - (i) agrologist in training;
 - (ii) agrology technologist in training;
- (c) provisional register, which includes the following subcategories of members:
 - (i) provisional professional agrologist;
 - (ii) provisional registered technologist in agrology;
- (d) visiting register, which includes the following subcategories of members:
 - (i) visiting professional agrologist;
 - (ii) visiting registered technologist in agrology;
 - (iii) visiting agrologist in training;
 - (iv) visiting agrology technologist in training.

Registration

General register - professional agrologist

3 An applicant for registration as a regulated member may be registered on the professional agrologist subcategory of the general register if the applicant

- (a) has received a baccalaureate degree in agriculture or environmental science from a post-secondary institution recognized by the council with credit in all of the courses related to the practice of agrology required by the council,
 - (b) has successfully completed the agrologist in training program,
 - (c) has successfully completed the registration examination required by the council,
- and
- (d) meets the requirements of sections 11 and 12.

General register - registered technologist in agrology

4 An applicant for registration as a regulated member may be registered on the registered technologist in agrology subcategory of the general register if the applicant

- (a) has received a diploma, degree or applied degree from a post-secondary institution recognized by the council with credit in all of the courses related to the practice of agrology required by the council,
 - (b) has successfully completed the agrology technologist in training program,
 - (c) has successfully completed the registration examination required by the council,
- and
- (d) meets the requirements of sections 11 and 12.

Training register - agrologist in training

5 An applicant for registration as a regulated member may be registered on the agrologist in training subcategory of the training register if the applicant

- (a) has received a baccalaureate degree in agriculture or environmental science from a post-secondary institution recognized by the council with credit in all of the courses related to the practice of agrology required by the council,
- (b) has entered into a training agreement that has been accepted by the registration committee, and
- (c) meets the requirements of sections 11 and 12.

Training register - agrology technologist in training

6 An applicant for registration as a regulated member may be registered on the agrology technologist in training subcategory of the training register if the applicant

- (a) has received a diploma, degree or applied degree from a post-secondary institution recognized by the council with credit in all of the courses related to the practice of agrology required by the council,

- (b) has entered into a training agreement that has been accepted by the registration committee, and
- (c) meets the requirements of sections 11 and 12.

Equivalent jurisdiction

7 An applicant for registration as a regulated member who is currently registered in good standing by a professional association in another jurisdiction recognized by the council under section 22(2)(b) of the Act as having registration requirements substantially equivalent to the registration requirements set out in section 3(a) and (b), 4(a) and (b), 5(a) or 6(a), as the case may be, may be registered in the appropriate subcategory of the general register or the training register if the applicant

- (a) takes any examinations, education or training activities the registrar considers necessary in order for the applicant to be registered, and
- (b) meets the requirements of sections 11 and 12.

Equivalent qualifications

8(1) An applicant for registration as a regulated member who does not meet the registration requirements set out in section 3(a) and (b) or 4(a) and (b), as the case may be, but who has satisfied the registration committee under section 22(2)(c) of the Act that the applicant has qualifications that demonstrate the competence required for registration as a regulated member may be registered in the appropriate subcategory of the general register or training register if the applicant

- (a) takes any examinations, education or training activities the registrar considers necessary in order for the applicant to be registered, and
- (b) meets the requirements of sections 11 and 12.

(2) For the purposes of assessing substantial equivalency, the registration committee may require applicants to undergo any examinations, testing or assessment it considers advisable.

Provisional register

9(1) An applicant for registration as a regulated member under section 3 or 4 may be registered on the appropriate subcategory of the provisional register if the applicant meets the registration requirements of section 3 or 4, as the case may be, except the successful completion of the registration examination.

(2) A regulated member on a provisional register must practise under a supervision arrangement approved by the council with a regulated member registered on the general register until completion of the registration requirements under section 3 or 4, as the case may be.

(3) If a regulated member on the provisional register does not complete the registration requirements under section 3 or 4, the regulated member's registration expires 3 years after the date of being registered on the provisional register.

(4) A regulated member on the provisional register whose registration expires may apply to extend the registration on the provisional register for up to one additional year.

Visiting register

10(1) A person who is registered in good standing in another jurisdiction as a professional agrologist, a registered technologist in agrology, an agrologist in training or an agrology technologist in training or the equivalent who requires registration in Alberta on a temporary basis for a specified purpose approved by the registrar and who satisfies the registrar of the person's competence to provide the services related to the specified purpose is eligible for registration on the appropriate subcategory of the visiting register.

(2) A person who is registered on a visiting register must remain registered in the other jurisdiction while registered on the visiting register.

(3) The term of the registration of a member registered on a visiting register is 12 consecutive months or less, as specified by the registrar.

Citizenship

11 An applicant for registration as a regulated member must provide evidence that the applicant

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

Good character

12(1) An applicant for registration as a regulated member must provide evidence satisfactory to the registrar of having good character and reputation by submitting one or more of the following on the request of the registrar:

- (a) written references from colleagues;
- (b) a statement by the applicant as to whether the applicant is currently undergoing an investigation, is subject to an unprofessional conduct process or has previously been disciplined by another professional organization with which the applicant is or has been registered or by a regulatory body responsible for the regulation of agrologists;
- (c) a statement by the applicant as to whether the applicant has ever pleaded guilty 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 been pardoned;
- (d) the results of a current criminal records check;
- (e) any other relevant evidence required by the registrar.

(2) If an applicant has engaged in an activity that has, in the opinion of the registrar, undermined the applicant's good character and reputation in the past, the applicant may provide evidence to the registrar of rehabilitation.

Practice Permit

Renewal requirements

13 A regulated member applying for renewal of the member's practice permit must

- (a) provide evidence of continuing to meet the requirements set out in sections 11 and 12,

- (b) state whether the member has been convicted of a criminal offence since the member's last renewal of a practice permit,
- (c) provide any information required by section 34(1)(d) of the Act or this Regulation, and
- (d) if the regulated member is registered on a general register or a provisional register, provide evidence that the member has completed the continuing competence program credits required under section 16.

Practice permit conditions

14 On issuing a practice permit to a regulated member, the registrar may impose conditions on the practice permit, including, but not limited to, the following:

- (a) that the member complete any examinations, assessment or work experience required by the registration committee or competence committee;
- (b) that the member practise under the supervision of a regulated member registered on a specified register;
- (c) that the member limit the member's practice to specified practice areas or practice settings and not practise in other practice areas or practice settings;
- (d) that the member report to the registrar on specified matters on specified dates;
- (e) that the member's practice permit is valid only for a specified time;
- (f) that the member may use only specified titles;
- (g) that the member is prohibited from supervising other regulated members;
- (h) if the member is registered on a general register or a provisional register, that the member complete the requirements of the continuing competence program within a specified time.

Training and Continuing Competence

Training programs

15(1) Council must make rules governing the agrologist in training program and the agrology technologist in training program, including rules relating to

- (a) the competencies to be acquired,
- (b) the structure, duration and organization of the training programs,
- (c) evaluation mechanisms, processes and requirements for successful completion of the training programs, and
- (d) any other matter directly related to the training programs.

(2) An agrologist in training and an agrology technologist in training must execute a training agreement approved by the registration committee.

Continuing competence program credits

16 A regulated member registered on a general register or a provisional register must, in each membership year, obtain the continuing competence program credits required under the rules referred to in section 18.

Competence activities

17 Continuing competence program credits may be obtained through the following continuing competence activities in accordance with the rules referred to in section 18:

- (a) attendance at courses or seminars related to agrology that are designed to enhance the professional development of regulated members;
- (b) presentation of a continuing competence activity to a group of regulated members;
- (c) attendance at sessions sponsored or approved by the council concerning functions of the Institute such as professional development, code of ethics or standards of practice;
- (d) providing mentoring or direction to regulated members enrolled in the agrologist in training program or the agrology technologist in training program;
- (e) participation as a member of the council or a committee established by the council;
- (f) presentation of a research paper or abstract at a meeting approved by the council;
- (g) publication of a research paper in a peer-refereed journal;
- (h) self-directed study approved by the council;
- (i) other activities approved by the council.

Rules

18(1) The registrar or competence committee may recommend to the council rules governing the continuing competence program, which include the following:

- (a) rules governing the number of continuing competence program credits that must be obtained in a membership year;
- (b) rules governing the program credits that may be earned for each continuing competence activity;
- (c) rules governing the type and category of continuing competence activities that a regulated member must undertake in a membership year;
- (d) rules limiting the number of continuing competence activities within a specific category for which a member may earn credits;
- (e) rules governing additional continuing competence activities for which program credits may be earned;
- (f) other rules, as required, governing the continuing competence program.

(2) The rules recommended under subsection (1) and any recommended amendments to those rules must be distributed by the registrar to all regulated members for their review.

(3) The council may establish any recommended rules or amendments distributed under subsection (2) after 30 days.

Rule distribution

19 The registrar must provide copies of the rules and any amendments to the rules approved under section 18 to the public, the Minister and to any other person on request.

Alternative Complaint Resolution Process conductor

20 When a complainant and an investigated person have agreed to enter into an alternative complaint resolution process, the Complaints Director must appoint an individual to conduct the alternative complaint resolution process.

Agreement

21 The person conducting the alternative complaint resolution process must, in consultation with the complainant and the investigated person, establish the procedures for and objectives of the alternative complaint resolution process, which must be set out in writing and signed by the complainant, the investigated person and the representative of the Institute.

Leaving the process

22 The complainant or the investigated person may withdraw from the alternative complaint resolution process at any time.

Confidentiality

23 The complainant and the investigated person must, subject to sections 51 and 52 of the Act, agree to treat all information shared during the alternative complaint resolution process as confidential.

Reinstatement

Reinstatement application

24(1) A person whose registration and practice permit have been cancelled under Part 4 of the Act may apply in writing to the registrar to have the practice permit reissued and the registration reinstated.

(2) An application under subsection (1) may not be made earlier than

- (a) one year after the date of the cancellation, or
- (b) one year after a decision is made under section 26(a) refusing a previous application under subsection (1).

(3) An applicant under subsection (1) must provide evidence to the registration committee of

- (a) the actions that the applicant has taken since the cancellation, and
- (b) the applicant's qualifications for registration.

Consideration of application

25(1) An application under section 24 must be considered by the registration committee in accordance with sections 22 to 24 of the Act in the same manner as if the application for reinstatement were an application for registration as a regulated member.

(2) When reviewing an application in accordance with subsection (1), the registration committee must

(a) consider the record of the hearing at which the applicant's registration and practice permit were cancelled, and the evidence presented at the hearing, and

(b) consider whether

(i) the applicant meets the current requirements for registration, and

(ii) any conditions imposed on the applicant's practice permit before the applicant's practice permit and registration were cancelled have been met.

Decision

26 The registration committee may, on completing the review of an application in accordance with section 25, issue a written decision containing one or more of the following orders:

(a) an order refusing the application;

(b) an order directing the registrar to reissue the applicant's practice permit and reinstate the applicant's registration;

(c) an order directing the registrar to impose specified conditions on the applicant's practice permit.

Publication of decision

27 The registration committee may order that its decision under section 26 be published in a manner it considers appropriate.

Review of decision

28(1) An applicant whose application for reinstatement is refused or on whose practice permit terms and conditions have been imposed under section 26 may apply to the council for a review of the decision of the registration committee.

(2) Sections 25 and 26 of the Act apply to a review under subsection (1) in the same manner as if the application for reinstatement were an application for registration as a regulated member.

Titles and Abbreviations

Authorization to use titles, etc.

29(1) A regulated member registered on the professional agrologist subcategory of the general register or the visiting professional agrologist subcategory of the visiting register may use the title, abbreviations and initials "professional agrologist", "P.Ag." or "PAg".

(2) A regulated member registered on the registered technologist in agrology subcategory of the general register or the visiting registered technologist in agrology subcategory of the visiting register may use the title, abbreviations and initials "registered technologist in agrology", "R.T. (Ag.)" or "RT (Ag)".

(3) A regulated member registered on the agrologist in training subcategory of the training register or the visiting agrologist in training subcategory of the visiting register may use the title, abbreviations and initials “agrologist in training”, “A.I.T.” or “AIT”.

(4) A regulated member registered on the agrology technologist in training subcategory of the training register or the visiting agrology technologist in training subcategory of the visiting register may use the title, abbreviations and initials “agrology technologist in training”, “A.T.T.” or “ATT”.

(5) A regulated member registered on the provisional professional agrologist subcategory of the provisional register may use the title, abbreviations and initials “professional agrologist (provisional)”, “P.Ag. (Provisional)” or “PAg (Provisional)”.

(6) A regulated member registered on the provisional registered technologist in agrology subcategory of the provisional register may use the title, abbreviations and initials “registered technologist in agrology (provisional)”, “R.T. (Ag.)(Provisional)” or “RT (Ag)(Provisional)”.

(7) Notwithstanding subsections (1) to (4), if the practice permit of a regulated member registered on the general register or training register is subject to conditions, the member must add the title “(Conditional)” after any title, abbreviation or initial that the member is authorized to use under this section.

Restrictions on technologists

30(1) For the purpose of this section, “technologist” means a regulated member registered on one of the following:

- (a) the registered technologist in agrology subcategory of the general register;
- (b) the agrology technologist in training subcategory of the training register;
- (c) the provisional registered technologist in agrology subcategory of the provisional register;
- (d) the visiting registered technologist in agrology subcategory of the visiting register;
- (e) the visiting agrology technologist in training subcategory of the visiting register.

(2) A technologist may not affix his or her practice permit number, signature or the title, abbreviations or initials that the technologist may use pursuant to section 29 to any project reports, compliance reports, plans, maps or other documents used in the practice of agrology unless the technologist has prior approval of the council to do so.

Information

Information in register

31 Following the suspension or cancellation of a regulated member’s registration or practice permit, the registrar must enter the following information into the appropriate register:

- (a) the date of suspension or cancellation;
- (b) the period of the suspension;
- (c) the reason for the suspension or cancellation.

Disclosure to public

32 For the purposes of section 28(2) of the Act, the Institute may disclose the following information about a regulated member or former member to a member of the public, during regular business hours, on request:

- (a) date of registration;
- (b) category of registration;
- (c) academic qualifications for registration;
- (d) name of the regulated member's current employer and the names of any firms within which the member practises agrology;
- (e) business phone number, fax number and e-mail address;
- (f) current status of a specific complaint, but only if the request provides the regulated member's name and details of the complaint;
- (g) any other information requested if the information is in the possession of the Institute and the regulated member or former member, in writing, authorizes the disclosure.

Application information

33(1) The registrar may require applicants for registration and regulated members applying for practice permits to provide the following information:

- (a) demographic and agrology practice information about the applicant, including
 - (i) full name and previous surname;
 - (ii) preferred form of address;
 - (iii) date of birth;
 - (iv) home address, phone number, fax number and e-mail address;
 - (v) academic and practical training qualifications and where and when they were obtained;
 - (vi) areas of practice and any specialties;
 - (vii) languages in which the applicant provides professional services;
- (b) employment information about the applicant, including
 - (i) employer's name;
 - (ii) employer's full address, phone and fax numbers and e-mail address;
 - (iii) job title and position description;
 - (iv) full time or part time employment status;
 - (v) start date of employment.

(2) The registrar may require applicants for registration or regulated members applying for practice permits to authorize the release of information to the Institute in order to verify the information provided by the applicants or regulated members.

Section 92 information

34 The period of time during which the Institute is required to provide information under section 92(3) of the Act is the following:

- (a) information on cancellation of a practice permit, for 2 years after a cancellation comes into effect;

- (b) information on conditions imposed on a practice permit, including a suspension, for the period a condition or suspension is in effect;
- (c) information from the record of a hearing under Part 4 of the Act, including the decision, for 5 years after the date the decision is made;
- (d) information as to whether a hearing is scheduled to be held or has been held under Part 4 of the Act with respect to a named regulated member, until the hearing is completed;
- (e) any other information referred to in section 92(3) of the Act, for 2 years after the member ceases practice.

Transitional Provisions, Repeal and Coming into Force

Transitional

35 On the coming into force of this Regulation, a registered member described in section 110 of the Act is deemed to be entered on the regulated members register in the register category that the registrar considers appropriate.

Repeal

36 The *By-laws of the Alberta Institute of Agrologists* (AR 376/67) are repealed by this Regulation.

Coming into force

37 This Regulation comes into force on the coming into force of the *Agrology Profession Act*.