

ACPS Association of the Chemical Profession of Saskatchewan

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Membership Meeting: December 8, 2012

University of Regina

Agenda

- 1.) Call to Order
- 2.) Approval of Agenda
- 3.) Chair's Comments
- 4.) Introduction to the ACPS
 - Current Status
 - National movement for Professional Chemists
 - History of Saskatchewan efforts (II)
 - What's next?
- 5.) Bylaws of the ACPS
- 6.) Election of Directors
- 7.) MOU
- 8.) Opportunities to get involved
- 9.) Other Business
- 10.) Adjournment

Bylaws of

ASSOCIATION OF THE CHEMICAL PROFESSION OF SASKATCHEWAN

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Approved by the ACPS Board (November 21, 2012) and recommended for Approval by the ACPS Membership at their December 8, 2012 meeting

1. DEFINITIONS

In these and all other bylaws of the association, unless the context otherwise requires or specifies:

- a. "Act" means The Non-profit Corporations Act, 1995, as amended or replaced from time to time, and in the case of such amendment, any references in the bylaws of the association shall be read as referring to the amended provisions;
- b. "the association" means Association of the Chemical Profession of Saskatchewan, which may also from time to time be referred to as the ACPS
- c. "the directors", "board" and "board of directors" means the directors of the association for the time being;

- d. “professional chemist” means an individual granted the right to this title by a provincial professional chemist association, under the authority granted to it by its province of incorporation. This shall include Chartered Chemists who are members of the Association of the Chemical Profession of Ontario, and members of the Ordre des chimistes du Québec. Provisional membership in the Association of the Chemical Profession of Saskatchewan does not, at this time, imply or designate title as a professional chemist;
- e. the headings used in the bylaws are inserted for reference only and are not to be considered in constructing the terms thereof or to be deemed in any way to clarify, modify, or explain the effect of any such terms;
- f. all terms contained in the bylaws and which are defined in the Act shall have the meanings given to such terms in the Act;
- g. words importing the masculine gender shall include the feminine, and words importing the singular shall include the plural and vice versa;
- h. “member” means a regular member or an associate member.

2. OBJECTIVES

The objectives of the Association are:

1. To ensure that our members meet the high standards of professional competence and ethics needed for protection of industry and the public.
2. To increase the knowledge, skills and proficiency of our members in all things relating to chemistry.
3. To foster greater general interest in chemistry and a better understanding of the chemical profession among other professions, industry and the public at large.
4. To provide a recognized voice for professional chemists in Saskatchewan.
5. To promote among students a recognition of the importance of the study of chemistry.
6. To improve the standards of excellence in research, investigation, education, and publicity as they pertain to the profession
7. To this end, the ACPS will work to develop of a provincially recognized professional association that will:

- a. Provide formal legal recognition for the professional activity of chemists in the Province of Saskatchewan
- b. Ensure that our members meet the high standards of professional competence and ethics needed for the protection of industry and the public.
- c. To make the profession of increasing service to industry and the public;
- d. To maintain high standards of competence, integrity and ethics within the profession;
- e. To provide for the recognition and mobility of professional chemist credentials from other jurisdictions;
- f. To improve the conditions under which members of the profession are working within the province;

3. FISCAL YEAR

The fiscal year of the corporation shall end on the 31st day of March in each year.

4. MEMBERSHIP

- a. The membership of the association shall consist of regular members and associate members.
 - i. A regular member is entitled to all privileges of membership including the right to vote at meetings of members.
 - ii. An associate member is entitled to all privileges of membership except the right to vote at meetings of members and the right to be elected as a director.
- b. Any individual with a four-year B.Sc. in Chemistry from the University of Regina or the University of Saskatchewan, or a four-year B.Sc. in Chemistry from a Chemistry Institute of Canada accredited undergraduate program, and two years of work experience as a chemist, is eligible for admission to membership as a regular member. Alternatively, any individual who is currently registered as a

Professional Chemist in another province is also eligible for admission to membership as a regular member.

- c. Any individual who is actively and currently working towards the criteria for regular membership is eligible for admission to membership as an associate member.
- d. Membership in the association is provisional, and does not confer professional chemist status. Membership status will be reviewed when the association establishes criteria for recognition as a professional chemist and a process is established for evaluating these criteria.
- e. The Board shall fix an annual membership fee for each category of membership and may vary its amount from time to time. The annual membership fee shall become due and owing annually on January 1. The Board may in its discretion fix a late renewal fee for each category of membership and vary its amount from time to time. A member who does not pay his or her annual membership fee by the annual renewal date prescribed by the Board, shall pay in addition to the annual membership fee a late renewal fee, if the Board has set one.
- f. Any person who is eligible for admission to membership may, upon payment of the prescribed fee, be admitted as a member by resolution of the directors.
- g. Membership fees are not refundable.
- h. Members shall promptly notify the association of a change of address and maintain a current e-mail address with the association, which will be used for all official communications by the association.

5. MEETINGS OF MEMBERS

- a. An annual meeting of members shall be held in the month of June in each year at a time and place to be fixed by the previous annual meeting or by the directors.
- b. Special meetings
 - i. The president, or any three directors, may direct the secretary to call a special meeting of members at any time but shall do so upon the written request of at least 5% of the regular members.
 - ii. All business transacted at a special meeting of members or at an annual meeting of members, other than consideration of financial statements and an auditors report, election of directors and reappointment of an incumbent auditor, is deemed to be special business.

- iii. No special business may be transacted at a meeting of members unless the notice of meeting stated the nature of the business in sufficient detail to permit members to form a reasoned judgment thereon.
- c. The secretary shall send a notice of the time and place of a meeting of members by electronic email, not less than 15 days or more than 50 days before the meeting, to each member entitled to attend the meeting and to the auditor.
- d. Voting
 - i. No regular member is entitled to more than one vote on any questions.
 - ii. Regular members shall vote by a show of hands except where a ballot is demanded by a member either before or after a vote by show of hands.
- e. Ten regular members personally present at the opening of a meeting shall constitute a quorum.
- f. The conduct of meetings shall be governed by the latest revised edition of Roberts Rules of Order.

6. DIRECTORS

- a. The directors shall manage the activities and affairs of the association.
- b. The board of directors shall consist of four members.
- c. Directors shall be elected at the annual meeting.
- d. Directors hold office until the conclusion of the meeting at which their successors are elected.
- e. Subject to (d), the term of office of a director shall be 1 year.
- f. The regular members may, by ordinary resolution at a meeting called for that purpose, remove any director(s) from office.
- g. Where there is a vacancy on the board of directors and;
 - i. where there is a quorum of directors, the remaining directors;
 - a. may exercise all the powers of the directors; or
 - b. may fill the vacancy until the next annual meeting;

- ii. where there is not a quorum of directors, the remaining directors shall call a general meeting for the purpose of electing regular members to fill any vacancies.
- h. Any remuneration paid to directors must be approved by the regular membership.
- i. Every director shall be given, by letter, telephone or otherwise, at least 5 days notice of every meeting of directors.
- j. Attendance of a director at a meeting of directors is deemed to be a waiver of notice of the meeting, unless the director attends the meeting for the express purpose of objecting to the transaction of any business on the grounds that the meeting was not lawfully called.
- k. The quorum at board meetings shall be a majority of the board.

7. OFFICERS

- a. The board of directors shall:
 - i. Designate the offices of the association, appoint persons as officers, specify the duties and delegate powers to manage the business affairs of the association to them.
 - ii. At the first board meeting following an annual meeting of the Association, the board shall elect from among its number a president, vice-president, secretary and treasurer. These officers shall hold office until the close of the next annual meeting of the Association or their earlier resignation or removal by the Board. The same person may hold the offices of secretary and treasurer.

8. FINANCIAL DISCLOSURE

- a. The directors shall place before the members at every annual meeting:
 - i. financial statements for the year ended not more than 4 months before the annual meeting;
 - ii. the report of the auditor, if any; and
 - iii. any further information respecting the financial affairs of the association.

- b. The directors shall approve the financial statements and shall evidence their approval by the signature of one or more directors.
- c. No financial statement shall be released or circulated unless it has been approved by the directors and is accompanied by the report of the auditor.
- d. The association shall, not less than 15 days before each annual meeting, send a copy of its financial statements and report of the auditor to each member and to the Director, Corporations Branch, Saskatchewan Justice.

9. AMENDMENTS TO BYLAWS

- a. The directors may, by resolution, make, amend, or repeal any bylaws that regulate the activities and affairs of the association.
- b. The directors shall submit a bylaw, or an amendment or repeal of a bylaw to the next meeting of regular members and the members may, by ordinary resolution, confirm, reject or amend the bylaw, amendment or repeal.
- c. A bylaw, or an amendment or repeal of a bylaw is effective from the day of the resolution of directors until confirmed, confirmed as amended, or rejected by the regular members.
- d. If a bylaw, or any amendment or repeal of a bylaw is rejected by the regular members or is not submitted to the next meeting of members, the bylaw, amendment or repeal thereof, ceases to be effective and no subsequent bylaw, amendment or repeal having substantially the same purpose or effect shall be effective until confirmed or confirmed as amended by the regular members.

10. LIQUIDATION AND DISSOLUTION

The remaining property of the association shall, in the course of liquidation and dissolution, be transferred equally amongst the local sections of the Chemical Institute of Canada in the province of Saskatchewan.

DRAFT ADOPTED FOR REVIEW BY SIGNATORIES

Notes:

- Please revise and update the names of the heads of the organizations as required
- A legal review of the language of this agreement prior to signing may be undertaken

AGREEMENT FOR THE MUTUAL RECOGNITION OF PROFESSIONAL QUALIFICATIONS OF CHEMISTS

BETWEEN THE Following Organizations of Professional Chemists in Canada

the Association of the Chemical Profession of Ontario

the Association of the Chemical Profession of British Columbia

the Nova Scotia Chemists Society

the Association of the Chemical Profession of Alberta

[the Association of the Chemical Profession of Saskatchewan](#)

the Ordre des chimistes du Québec

MUTUAL RECOGNITION AGREEMENT ON THE PROFESSIONAL QUALIFICATIONS OF

CHEMISTS

BETWEEN

In Ontario:

The **Association of the Chemical Profession of Ontario (ACPO)**, legally incorporated

Under the *Association of the Chemical Profession of Ontario Act*, (R.S.O., c. Pr10, 1990),

with its head office at 1 Yonge Street, Suite 1801, Toronto, Ontario, M5E 1W7, represented

by its president Chris Sullivan, Chartered Chemist, acting on behalf of the said corporation,

duly authorized under Motion _____ by the Council of the Association of the Chemical Profession of Ontario, at its meeting of _____, a copy of which is hereto attached; hereinafter referred to as the “Competent Authority in Ontario”,

In British Columbia:

The **Association of the Chemical Profession of British Columbia (ACPBC)**, legally incorporated Under the Society Act of British Columbia, (R.S.B.C.1996,c.433),

with its head office at Department of Chemistry University of Victoria, 3800 Finnerty Road, Victoria British Columbia, represented by its president Paul West Professional Chemist, acting on behalf of the said corporation, duly authorized under Motion _____ by the Board of Directors of the Association of the Chemical Profession of British Columbia, at its meeting of _____, a copy of which is hereto attached; hereinafter referred to as the “Competent Authority in British Columbia”,

In Nova Scotia:

The **Nova Scotia Chemists’ Society**, legally incorporated under the Societies Act of Nova Scotia (to be replaced in the future by an act of the Nova Scotia Legislature), with its head office address at P.O. Box 542, Dartmouth, NS , represented by its president W. James Frazee, P.Chem. acting on behalf of the said Group, duly authorized under Motion _____ by the Board of directors of the Nova Scotia Chemists’ Society, at its meeting of _____, a copy of which is hereto attached; hereinafter referred to as the “Competent Authority in Nova Scotia_”.

In Alberta:

The **Association of the Chemical Profession of Alberta (ACPA)**, legally incorporated under the [Professional Chemists Regulation](#) of the Professional and Occupational Associations Registration Act (POARA), ([Alberta Regulation 248/2001](#)), with its head office at [P.O. Box 21017, Edmonton, Alberta, Canada T6R 2V4](#), represented by its president Kathy Janzen Professional Chemist, acting on behalf of the said corporation, duly authorized under Motion _____ by the Board of Directors of the Association of the Chemical Profession of Alberta, at its meeting of _____, a copy of which is hereto attached; hereinafter referred to as the “Competent Authority in Alberta”,

In Québec:

The **Ordre des chimistes du Québec** , legally incorporated under the Professional Chemist Act, with its head office at 300, rue Léo-Pariseau, bur. 2199, Montréal, Québec, H2X 4B3 represented by its president Guy Collin, Ph. D., chimiste, acting on behalf of the said Group, duly authorized under Motion _____ by the Board of directors of the Ordre des chimistes du Québec, at its meeting of _____, a copy of which is hereto attached; hereinafter referred to as the “Competent Authority in Québec”.

In Saskatchewan:

The Association of the Chemical Profession of Saskatchewan (ACPA), legally incorporated under The Non-profit Corporations Act (1995), with its head office at 1831D East MacRae Dr, Regina, Saskatchewan, Canada S4N 0S4, represented by its president Stephen Urquhart Chartered Chemist, acting on behalf of the said corporation, duly authorized under Motion _____ by the Board of Directors of the Association of the Chemical Profession of Saskatchewan, at its meeting of _____, a copy of which is hereto attached; hereinafter referred to as the “Competent Authority in Saskatchewan”.

PREAMBLE

WHEREAS the Agreement on Internal Trade (AIT) and particularly Chapter 7 on Labour Mobility was ratified by all provinces and territories in August 2009;

WHEREAS the practice of chemistry is regulated in Ontario, in British Columbia, in Nova Scotia, in Québec, in Saskatchewan and in Alberta, and certified by issuing a license and/or a certificate of registration following an evaluation by a committee of peers;

WHEREAS the education in an approved university program in which chemistry represents a major subject is a key component that underpins the practice of chemistry in Ontario, in British Columbia, in Nova Scotia, in Québec, in Saskatchewan and in Alberta

WHEREAS the formal qualifications and the scope of practice are deemed globally equivalent for all of the Competent Authorities of the signatories;

WHEREAS there is a recognition of the basic premise of mutual trust among Competent Authorities with respect to their licensing decisions;

WHEREAS each Competent Authority retains the right to set standards and requirements in accordance with the provisions provided in the AIT;

WHEREAS a Mutual Recognition Agreement should finalize the discussions held by the Competent Authorities on the process to recognize the professional qualifications of chemists in Ontario, in British Columbia, in Nova Scotia, in Saskatchewan and in Alberta,

THE COMPETENT AUTHORITIES MUTUALLY AGREE AS FOLLOWS:

ARTICLE 1: PURPOSE

This Agreement for the mutual recognition of professional qualifications aims to facilitate recognition of the profession of chemist between Competent Authorities of the signatories.

ARTICLE 2: SCOPE

This Agreement applies to a natural person who submits a request and who is a current member, in good standing, in any one of the said Competent Authorities of the signatories,

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ARTICLE 3: GUIDING PRINCIPLES

The guiding principles of this Agreement are:

- a) Protection of the public, in particular, protecting public health and safety;
- b) Maintenance of the quality of professional services;
- c) Fairness, transparency and reciprocity;
- d) Effectiveness of the process for mutual recognition of professional qualifications.

ARTICLE 4: DEFINITIONS

4.1. "Applicant"

Natural person being any person to whom the AIT agreement applies who submits an application for recognition of her/his professional qualifications to the Competent Authority of the province concerned.

4.2. "Formal qualifications"

In Ontario (the Association of the Chemical Profession of Ontario), the title of Chartered Chemist is exclusively reserved for those who hold a licence (certificate) issued by the ACPO and who are entered in the ACPO register of members.

In British Columbia (the Association of the Chemical Profession of British Columbia), the title of Professional Chemist is exclusively reserved for those who hold a certificate of registration issued by the Professional Chemists of British Columbia and who are entered in the ACPBC register of professional Chemist (PChem .)

In Nova Scotia (the Nova Scotia Chemists' Society), the title of Professional Chemist is used for those who hold a certificate of registration issued by the Nova Scotia Chemists' Society and who are entered in the NSCS register of professional Chemist (P.Chem .) ;

In Québec (the Ordre des chimistes du Québec), the title of chimiste/Chemist is used for those who hold a permit issued by the Ordre des chimistes du Québec and who are entered on the roll of the Ordre;

In Saskatchewan, the title of Professional Chemist is reserved for those who are licensed to practice as a chemist by professions legislation of a Canadian province or territory, and ultimately those who hold a certificate of registration issued by the Association of the Chemical Profession of Saskatchewan (ACPS) and who are entered in the ACPS register of professional Chemist (P.Chem .) ;

In Alberta (the Association of the Chemical Profession of Alberta), the title of Professional Chemist is exclusively reserved for those who hold a certificate of registration issued by the Professional Chemists of Alberta and who are entered in the ACPA register of professional Chemists (PChem)

Stephen Urquhart 12-11-15 9:35 PM

Comment [1]: I am taking the middle ground here. Nova Scotia claims the P.Chem. title even though they do not yet have legislation. I've used language from the new Saskatchewan environmental code, and make the link to the ACPS. This text doesn't imply that we have the authority to grant the credential now.

ARTICLE 5: CONDITIONS FOR THE APPLICANT TO OBTAIN THE LEGAL AUTHORIZATION TO USE THE reserved TITLE and the exclusive right of practice, where applicable

The conditions allowing the applicant to obtain recognition of her/his professional qualifications in the signatory province ;

- a. Provide evidence of current membership in the Competent Authority (origin); including a declaration that the person is currently in good standing.
- b. Submit an application package in support of her/his request that includes the following:
 1. Completion of the application form for membership of the Competent Authority (destination) ;
 2. Payment of the file management fees.

ARTICLE 6: EQUAL TREATMENT OF QUALIFICATIONS AND ACQUIRED RIGHTS

Any professional qualification which, although not satisfying the requirements contained in the legislative, regulatory or administrative provisions in force by a Competent Authority, for access to, or in the pursuit of, a profession, confers on the holder acquired rights by virtue of these provisions, shall also be treated as such evidence of formal qualifications under the same conditions as set out in Article 5 of this Agreement.

This applies, in particular, if a Competent Authority raises the level of training required for admission to a profession and for its exercise, and if an individual who has undergone former training, which does not meet the requirements of the new qualification, benefits from acquired rights by virtue of legislative, regulatory or administrative provisions; in such case this former training is considered by the other Competent Authority as corresponding to the level of the new training

This section is intended to be consistent with the AIT Chapter 7, and is subject to the legal provisions and specifications of the Labour Mobility statute in the destination province.

ARTICLE 7: APPLICATION FOR RECOGNITION OF PROFESSIONAL QUALIFICATIONS

7.1 In the signatory (destination) province, the applications for recognition must be addressed to:

The Registrar/secretary

Title of the Organization

Address as specified on the website of the signatory provincial organization

ARTICLE 8: RECOURSE FOR THE RECONSIDERATION OF DECISIONS

In the destination province, the applicant may, within thirty days of receiving notice of a decision, submit to the provincial organization a request for reconsideration to the designated contact for the destination province, as specified in Article 8 of this Agreement.

ARTICLE 9: COOPERATION BETWEEN THE COMPETENT AUTHORITIES

The Competent Authorities in the signatory provinces shall work closely together, and assist one another, in order to streamline the implementation and the efficient operation of this Agreement.

All the Competent Authorities must be notified of any change that is made to a degree program or to a certification process as per article 707 of the AIT.

ARTICLE 10: INFORMATION

The Competent Authorities in the signatory provinces agree to make available to all applicants the relevant information about the status of their request for recognition of the professional qualifications, subject to privacy laws.

ARTICLE 11: PROTECTION OF PERSONAL INFORMATION

The Competent Authorities in the signatory provinces must ensure the protection of personal information being shared in compliance with privacy legislation applicable in the provinces of the parties to this agreement.

ARTICLE 12: IMPLEMENTATION

Within their own jurisdictions and authorities, the Competent Authorities in the signatory provinces undertake to take all the necessary measures to implement the commitments made in this Agreement.

If a provision of this agreement conflicts with a provision in the Agreement on Internal Trade (AIT) that concerns labour mobility, the provision that ensures the greater mobility of Chemists shall prevail. Notwithstanding, the provisions of provincial statute in the signatory province for the implementation of the AIT take precedence

ARTICLE 13: AMENDMENT AND TERMINATION

This Agreement, including all Annexes, may be amended by written consent of all the parties to the agreement.

This Agreement cannot be unilaterally terminated during the first three years from the date of its entry into force. All Competent Authorities agree to review the Agreement after this period to assess if mutually desired results are being achieved.

After completion of that review, any Competent Authority may terminate this Agreement on written notice sent by certified or registered mail to the address of the others shown on page 2. The termination shall take effect a hundred and eighty (180) days following the notice of termination. The rights of

chemists in the signatory provinces that have been recognized under the terms of this Agreement are not affected by its cancellation.

ARTICLE 14: INTERPRETATION

This Agreement supersedes all prior agreements between the Competent Authorities concerning the mutual recognition of professional qualifications and mobility of chemists.

IN WITNESS WHEREOF the Competent Authorities have signed this Agreement for the mutual recognition of professional qualifications of chemists.

Prepared in multiple copies, all copies being equally authentic.

Signed at _____, on _____ 2012

Chris Sullivan, Chartered Chemist

President of the Council, Association of the Chemical Profession of Ontario

Signed at _____, on _____ 2011

Paul West, Professional Chemist (PChem)

President of the Association of the Chemical Profession of British Columbia

Signed at _____, on _____ 2012

Kathy Janzen, Professional Chemist (PChem)

President of the Association of the Chemical Profession of Alberta

Signed at _____, on _____ 2012

Stephen Urquhart, Chartered Chemist (CChem)

President, Association of the Chemical Profession of Saskatchewan,

Signed at _____, on _____ 2012

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Guy Collin, Ph. D., chimiste

Chairman of the Board , Ordre des chimistes du Québec

