

1993

c Pr3 Ontario Association of Veterinary Technicians Act, 1993

Ontario

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CHAPTER Pr3

An Act respecting the Ontario Association of Veterinary Technicians

Assented to June 30, 1993

Preamble	<p>The Ontario Association of Veterinary Technicians has applied for special legislation to enable it to govern and discipline its members. It also seeks the power to grant its members the right to the exclusive use of the designations "Registered Veterinary Technician", "Registered Veterinary Technologist" and "R.V.T.". The applicant represents that it is a corporation.</p> <p>It is appropriate to grant the application.</p> <p>Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:</p>	<p>(b) to promote and further the education of veterinary technicians and veterinary technologists;</p> <p>(c) to sponsor, encourage and promote liaison with other individuals, associations and groups engaged in similar or related fields of activity; and</p> <p>(d) to promote the interests of the Association.</p>	
Definition	<p>1. In this Act, "Association" means the Ontario Association of Veterinary Technicians.</p>	<p>4.—(1) The affairs of the Association shall be managed by a board of directors.</p> <p>(2) The board shall consist of not fewer than nine or more than twenty persons, as the board may determine by by-law, elected from the membership of the Association.</p> <p>(3) The Association may by by-law provide for the appointment to the board of up to three persons who are not members of the Association.</p> <p>(4) The Association may by by-law divide the membership of the Association into regions for the purpose of holding local meetings, organizing local activities and electing one or more directors.</p> <p>(5) The elected members of the board shall be elected in accordance with the by-laws of the Association.</p> <p>(6) A majority of the members of the board constitute a quorum.</p> <p>(7) In case of the death, resignation or incapacity of any member of the board, the board shall fill the vacancy for the balance of the term in the manner provided by the by-laws of the Association and, for the purpose of this subsection, the board may by by-law provide that a member's absence from a specified number of meetings of the board be treated as his or her incapacity.</p>	<p>Board of directors</p> <p>Composition</p> <p>Same</p> <p>Local regions</p> <p>Elections</p> <p>Quorum</p> <p>Vacancies</p>
Association continued	<p>2.—(1) The Ontario Association of Veterinary Technicians is continued as a corporation without share capital.</p>		
Members of corporation	<p>(2) The persons registered as members of the Association on the day this Act comes into force and such other persons as become members constitute the corporation.</p>		
Continuation of present board	<p>(3) The members of the board of directors and the officers of the Association in office immediately before the coming into force of this Act are continued in office until their successors are appointed or elected under this Act.</p>		
Letters patent revoked	<p>(4) The letters patent and supplementary letters patent of the Association are revoked, but the revocation of the letters patent does not affect the rights or obligations of the Association or any by-law, resolution or appointment of the Association except to the extent that the by-law, resolution or appointment is inconsistent with this Act.</p>		
Special Act corporation	<p>(5) The Association shall be deemed to be a corporation incorporated by a special Act.</p>		
Objects	<p>3. The objects of the Association are,</p> <p>(a) to promote, maintain and regulate the professional standards of veterinary technicians and veterinary technologists;</p>	<p>5.—(1) The board shall appoint a registrar, who need not be a member of the board.</p> <p>(2) The registrar shall perform the functions assigned to the registrar by this Act and such other duties as may be assigned by the board.</p>	<p>Registrar</p> <p>Duties</p>

- By-laws** 6.—(1) The board may pass by-laws regarding such matters as are necessary to conduct the business and carry out the objects of the Association.
- Same** (2) Without restricting the generality of subsection (1), the board may pass by-laws,
- (a) establishing classes of membership in the Association and prescribing the qualifications for and conditions of membership in the various classes of membership;
 - (b) prescribing the courses of study to be pursued by students and candidates in order to satisfy the academic requirements of any class of membership;
 - (c) regulating and governing the conduct of members of the Association in the practice of their profession, by prescribing a code of ethics, rules of professional conduct and standards of practice and by providing for the suspension, expulsion or other penalty for contravention of the code, rules or standards; and
 - (d) prescribing fees payable to the Association.
- Open to the public** (3) The by-laws of the Association shall be open to examination by the public at the head office of the Association during normal business hours.
- Membership** 7. The Association shall grant membership to every person who applies in accordance with the by-laws, if the person,
- (a) is of good character;
 - (b) has complied with the academic and experience requirements specified in the by-laws for the issuance of membership; and
 - (c) has passed such examinations as the board may prescribe by by-law.
- Register** 8.—(1) The registrar shall keep a register in which shall be entered the names of all members of the Association in good standing and their class of membership.
- Open to the public** (2) The register shall be open to examination by the public at the head office of the Association during normal business hours.
- Designation** 9.—(1) Every member of the Association who meets the qualifications and conditions as set out in the by-laws of the Association may use the designation “Registered Veterinary Technician” or “Registered Veterinary Technologist”, as appropriate for his or her education, and may use the initials “R.V.T.”.
- Offence** (2) Any person in Ontario who is not a member of the Association qualified as described in subsection (1) is guilty of an offence,
- (a) if he or she takes or uses the designation “Registered Veterinary Technician”, “Registered Veterinary Technologist” or “R.V.T.” alone or in combination with any other word, name, title, initial or description; or
 - (b) if he or she implies, suggests or holds out that he or she is a registered veterinary technician or registered veterinary technologist.
- 10.—(1) A person who has been refused membership or a person who has been subjected to a disciplinary sanction under the by-laws of the Association may appeal to the Divisional Court from the refusal to grant membership or from the sanction. **Appeal**
- (2) Upon the request of a party desiring to appeal to the Divisional Court and upon payment of a reasonable fee, the registrar shall give the party a certified copy of the record of the proceeding, including the documents submitted and the decision appealed from. **Record**
- (3) An appeal under this section may be made on questions of law or fact or both. **Grounds for appeal**
- (4) The court may affirm or rescind the decision being appealed, may substitute its opinion for that of the board of directors of the Association, may refer the matter back to the board for rehearing in whole or in part or may direct the board to take such action as the court considers appropriate. **Powers of court**
- 11.—(1) A copy of the register, certified by the registrar as a true copy, shall be received in evidence in any proceeding as proof, in the absence of evidence to the contrary, of a person’s membership and class of membership in the Association. **Evidence**
- (2) A certificate purporting to be signed by the registrar is proof, in the absence of evidence to the contrary, that such person is the registrar without proof of the person’s signature or of the person being in fact the registrar. **Same**
- (3) The absence of the name of any person from a copy of the register certified by the registrar as a true copy is proof, in the absence of evidence to the contrary, that the person is not a member of the Association. **Same**
- 12.—(1) The board of directors of the Association shall cause the removal of the name of a member from the register, **Removal from register**
- (a) at the request or with the written consent of the member whose name is to be removed;
 - (b) where the name has been incorrectly entered;

- (c) where notification has been received of a member's death;
- (d) where the registration of a member has been suspended or revoked through disciplinary proceedings; or
- (e) where the member has failed to renew membership.

Restoration to register

(2) The board, on such grounds as it considers sufficient, may cause the name of a person removed from the register to be restored and may order, as it considers appropriate, that the restoration be done with or without the payment of a fee or of arrears in fees.

Restoration, with conditions

(3) If the name of a person whose registration has been suspended or repealed under clause (1) (d) is to be restored to the

register, the board may, by resolution, direct that the name be restored subject to such conditions as the board may impose.

13. This Act does not affect or interfere with the right of any person to describe himself or herself as a veterinary technician or a veterinary technologist or to work in the field of veterinary technology.

Right to practise unaffected

14. Any surplus derived from carrying on the affairs of the Association shall be applied solely in carrying out its objects and shall not be divided among its members.

Surplus

15. This Act comes into force on the day it receives Royal Assent.

Commencement

16. The short title of this Act is the *Ontario Association of Veterinary Technicians Act, 1993*.

Short title