

The Professional Dietitians Act

Repealed

by Chapter D-27.1 of the *Statutes of Saskatchewan, 2001*
(effective January 1, 2002).

Formerly

Chapter P-28 of the *Revised Statutes of Saskatchewan, 1978*
(effective February 26, 1979) as amended by the *Statutes of
Saskatchewan, 1980-81, c.21; 1989-90, c.54; 1993, c.17; and
1996, c.9.*

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 P-28

An Act respecting The Saskatchewan Dietetic Association

Short title

1 This Act may be cited as *The Professional Dietitians Act*.

Association continued

2(1) The Saskatchewan Dietetic Association is continued as a body corporate and politic.

(2) The association shall consist of its present members and the persons who hereafter become members.

R.S.S. 1978, c.P-28, s.2.

Property

3 The association may acquire by gift, devise, bequest, purchase or in any other manner any property, real or personal, for its corporate purposes, and may sell, lease, mortgage, alienate or otherwise charge or dispose of the same 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.

R.S.S. 1978, c.P-28, s.3.

Bylaws

4 The association may pass bylaws not inconsistent with this Act for:

- (a) the government and discipline of its members;
- (b) the management of its property;
- (c) the registration and admission of members;
- (d) all other purposes necessary for the management and operation of the association.

R.S.S. 1978, c.P-28, s.4.

Board of directors

5(1) The affairs of the association shall be under the management of a board of directors composed of the president, the vice-president, the secretary, the treasurer, not less than two nor more than five members at large elected by the association from the members in good standing, and the Saskatchewan Director of The Canadian Dietetic Association as an *ex officio* member.

(2) The members of the board of directors other than the *ex officio* member shall be elected annually at the annual meeting of the association and the association shall determine the number of members at large of the board of directors.

(3) Members of the board of directors other than the *ex officio* member shall remain in office for a period to be fixed by the bylaws of the association and shall continue in office until their successors are elected.

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(4) In case of a vacancy in the board of directors through the resignation or death of a member, or otherwise, the remaining members may fill the vacancy by the election of a duly qualified member of the association, who shall act until the next annual meeting.

(5) The election of the members of the board of directors other than the *ex officio* member, and all other questions voted on at a meeting of the association, shall be decided by a plurality of the votes of members or their proxies present in person, or in such other manner as may be provided by bylaw, each member in good standing being entitled to one vote.

R.S.S. 1978, c.P-28, s.5; 1996, c.9, s.23.

Bylaws and rules

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

- (a) registration and the issue of registration certificates;
- (b) the appointment, functions, duties and removal of officers or servants of the association, and their remuneration;
- (c) the time at which and the place where the annual meeting of the association shall be held;
- (d) the amount of and method of collecting fees;
- (e) the suspension and expulsion of members;
- (f) the conduct in all other particulars of the association.

(2) Such bylaws and rules, unless in the meantime confirmed by a general meeting of the association duly called for the purpose, shall respectively have force only until the next annual meeting following their approval, and in default of confirmation thereat shall be null and void.

R.S.S. 1978, c.P-28, s.6; 1989-90, c.54, s.4.

Rules governing examinations

7 The University of Saskatchewan in consultation with the board of directors 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.P-28, s.7; 1989-90, c.54, s.4.

Membership

8 The following persons shall be entitled to be registered as members of the association upon payment of the proper fees:

- (a) in the discretion of the board of directors, any person who was engaged in actual practice as a dietitian in the province for a period of ten years or more immediately prior to the first day of January, 1958, and who has furnished evidence of qualifications and moral character satisfactory to the board of directors;

(b) any person who is a member in good standing of The Canadian Dietetic Association;

(c) any person registered with or who is a member in good standing of an incorporated body or organization in any other province or country if that body or organization is empowered to register or receive as members qualified dietitians and if the board of directors and The University of Saskatchewan are satisfied that the standards fixed by that body or organization for the registration or admission of members are at least equivalent to those prescribed under this Act for the purpose registration; and

(d) any other person who is a graduate from a school or college approved by the board of directors and The University of Saskatchewan and who has experience as a dietitian satisfactory to the board of directors and The University of Saskatchewan and who passes examinations prescribed by The University of Saskatchewan pursuant to this Act.

R.S.S. 1978, c.P-28, s.8.

Membership register

9(1) The board of directors shall cause to be kept by the secretary a register in which shall be entered the names of the members of the association.

(2) The register shall be open to inspection at the office of the association during regular office hours by any person free of charge.

(3) The register or a copy thereof duly certified by the secretary shall be *prima facie* evidence that the persons therein named are members of the association in good standing.

R.S.S. 1978, c.P-28, s.9.

Registration certificate

10(1) The secretary shall issue a certificate of registration to every person admitted to membership in the association.

(2) The secretary shall issue a certificate of renewal of registration to a member upon payment of the prescribed annual fee.

R.S.S. 1978, c.P-28, s.10.

Designation

11(1) Every person registered under this Act shall be known as a professional dietitian and may use the designation "Dietitian" or "Professional Dietitian" or the abbreviation "P.Dt."

(2) A person not registered under this Act who assumes the title "Dietitian" or "Professional Dietitian" or uses the abbreviation "P.Dt" whether the title or abbreviation is used alone or in conjunction with other words or expressions, or who in any way represents that he or she is a professional dietitian, or who by false or fraudulent declaration attempts to procure registration under this Act, is guilty of an offence and liable on summary conviction to a fine of \$100 and in default of payment to imprisonment for a period not exceeding six months.

R.S.S. 1978, c.P-28, s.11.

**Bylaws and rules to be filed in the Department of
Consumer and Commercial Affairs**

12(1) The association shall file in the Department of Consumer and Commercial Affairs two copies, certified by the secretary to be true copies, of:

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

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 13, 14, 15 and 16 be deemed to be a bylaw made under this Act.

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

R.S.S. 1978, c.P-28, s.12; 1980-81, c.21, s.38;
1989-90, c.54, s.4; 1993, c.17, s.23.

Effective date of bylaws, etc.

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

R.S.S. 1978, c.P-28, s.13; 1989-90, c.54, s.6.

Effect of failure to file bylaw, etc.

14 Failure to file any bylaw, rule or amendment as required by section 12 shall render the bylaw, rule or amendment ineffective as from the expiration of the time allowed for filing it and it shall be deemed to have been revoked.

R.S.S. 1978, c.P-28, s.14; 1989-90, c.54, s.6.

Review by Legislative Assembly

15(1) One copy of all bylaws, rules and amendments thereto filed with the Department of Consumer and Commercial Affairs pursuant to section 12 shall, in accordance with *The Tabling of Documents Act*, be laid before the Legislative Assembly.

(2) Where any bylaw, rule or any 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, such bylaw, rule or amendment shall thereupon cease to have any effect and be deemed to have been revoked.

R.S.S. 1978, c.P-28, s.15; 1980-81, c.21, s.38;
1989-90, c.54, s.6.

Record of revocation and notification to association

16(1) Where it appears from any Votes and Proceedings of the Legislative Assembly that any bylaw, rule or amendment thereto has ceased to have effect, the Clerk of the Assembly shall forthwith forward two copies of such Votes and proceedings to the Deputy Minister of Consumer and Commercial Affairs and at the same time advise him that the copies are forwarded pursuant to this subsection.

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

R.S.S. 1978, c.P-28, s.16; 1980-81, c.21, s.38;
1989-90, c.54, s.6.

Lists of members, etc., to be filed in the Department of Consumer and Commercial Affairs

17 The association shall, before the first day of February in each year, file in the Department of Consumer and Commercial Affairs a list, certified by the secretary of the association to be a true list, showing the names of all professional dietitians in good standing as of the thirty-first 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.

R.S.S. 1978, c.P-28, s.17; 1980-81, c.21, s.38.

Report to Minister of Health where application for admission refused

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

R.S.S. 1978, c.P-28, s.18; 1989-90, c.54, s.4.

Discipline

19(1) Where the board of directors orders that the name of a member be removed from the register or that a member be suspended from practising, the association shall within fourteen days after the date on which the order is made forward by registered mail to the Minister of 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 board of directors, 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 board of directors to reconsider the case and its findings thereon;

- (b) if the board of directors and the person whose conduct is under inquiry agree, appoint a board of arbitration consisting of one member nominated by the board of directors, 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.
- (3) Nothing in this section shall prejudice any existing right of appeal.

R.S.S. 1978, c.P-28, s.19.