

Bylaws of The Alberta College of Pharmacists

Effective January 1, 2017

Amended December 6, 2016

Amendments to Schedules A-E

Schedule A – December 13, 2007

Schedule B – December 13, 2007

Schedule C – December 13, 2007

Schedule A – January 9, 2008

Schedule D – May 13, 2008

Schedule E – May 13, 2008

Schedule A – December 12, 2008

Schedule B – December 12, 2008

Schedule C – December 12, 2008

Schedule A – April 3, 2009

Schedule A – December 9, 2010

Schedule B – December 9, 2010

Schedule C – December 9, 2010

Schedule D – February 24, 2011

Schedule E – February 24, 2011

Schedule A – November 24, 2011

Schedule B – November 24, 2011

Schedule A – December 6, 2012

Schedule B – December 6, 2012

Schedule A – December 5, 2013

Schedule B – December 5, 2013

Schedule C – December 5, 2013

Schedule A – April 4, 2014

Schedule A – June 12, 2014

Schedule A – December 4, 2014

Schedule C – December 4, 2014

Schedule A – December 1, 2015

Schedule B – December 1, 2015

Schedule C – December 1, 2015

Schedule A – December 6, 2016

Schedule B – December 6, 2016

Schedule C – December 6, 2016

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1. Definitions and Interpretation

(1) Definitions:

- (a) *associate registrant* means a person registered on the associate register of the College;
- (b) *College* means the Alberta College of Pharmacists;
- (c) *electronic signature* means electronic information that a person creates or adopts in order to sign a record and that is in, attached to or associated with the record;
- (d) *former act* means the *Pharmaceutical Profession Act*, R.S.A. 2000, c. P-12;
- (e) *honourary life-pharmacist registrant* means a person registered on the honourary life-pharmacist register of the College;
- (e.1) *honourary life-pharmacy technician registrant* means a person registered on the honourary life-pharmacy technician register of the College;
- (f) *honourary registrant* means a person registered on the honourary register of the College;
- (g) *HPA* means the *Health Professions Act*, R.S.A. 2000, c. H-7 including any regulations under the *Health Professions Act*;
- (h) *PDA* means the *Pharmacy and Drug Act*, R.S.A. 2000, c. P-13 including any regulations under the *Pharmacy and Drug Act*;
- (i) *retired registrant* means a person registered on the retired register of the College;
- (j) *Robert's Rules* means Henry M. Robert III et al., *Robert's Rules of Order Newly Revised*, 11th ed. (Cambridge, Mass.: Perseus Publishing, 2000); and
- (k) *voting member* means a clinical pharmacist, an honourary life-pharmacist registrant, a pharmacy technician, or an honourary life-pharmacy technician registrant, as the case may be.

Definition 1(e), 1(e.1) and (k) amended December 6, 2012. Effective January 1, 2013

- (2) Terms that are defined in the Pharmacists and Pharmacy Technicians Profession Regulation, AR 129/2006 and the Pharmacy and Drug Regulation, AR 240/2006 have the same meaning within these bylaws.¹

¹ For example, *College* and *clinical pharmacist* are defined in Section 1 of the Pharmacists Profession Regulation.

Council

2. Council Established

- (1) The Council of the Alberta College of Pharmacists is hereby established.
- (2) Subject to Schedule D, until June 30th, 2014, the Council consists of:
 - (a) eight clinical pharmacists elected in accordance with these bylaws;
 - (b) one pharmacy technician elected in accordance with these bylaws;
 - (c) those public members appointed by the Lieutenant Governor in Council;
 - (d) the Dean of the Faculty of Pharmacy and Pharmaceutical Sciences at the University of Alberta;
 - (e) an undergraduate student enrolled in the Faculty of Pharmacy and Pharmaceutical Sciences at the University of Alberta, appointed by Council; and
 - (f) any ex officio member appointed by Council under Section 6.
- (3) After June 30th, 2014, the Council consists of:
 - (a) seven clinical pharmacists elected in accordance with these bylaws;
 - (b) two pharmacy technicians elected in accordance with these bylaws;
 - (c) those public members appointed by the Lieutenant Governor in Council;
 - (d) the dean of the Faculty of Pharmacy and Pharmaceutical Sciences at the University of Alberta;
 - (e) an undergraduate student enrolled in the Faculty of Pharmacy and Pharmaceutical Sciences at the University of Alberta, appointed by Council; and
 - (f) any ex officio member appointed by Council under Section 6.
- (4) The members of Council listed in Subsections (2)(d), (e) and (f) and (3)(d), (e) and (f) are not entitled to vote at Council meetings.

Bylaw 2 amended February 24, 2011. Effective March 1, 2011

3. Electoral Districts

- (1) For the purposes of representation by clinical pharmacists on Council under Sections 2(2)(a) and (3)(a), the province of Alberta is divided into five electoral districts as follows:
 - (a) District #1: Northern Alberta,
 - (b) District #2: Southern Alberta,
 - (c) District #3: City of Edmonton,
 - (d) District #4: Central Alberta, and
 - (e) District #5: City of Calgary.

(2) For the purposes of Subsection (1) the electoral districts are defined as follows:

- (a) District #1: the area of Alberta north of Highway 16, excluding the City of Edmonton;
- (b) District #2: the area of Alberta south of the line described as follows (from East to West):
 - (i) Highway 9 east of Highway 56, then
 - (ii) Highway 27 west of Highway 56 to Highway 21; then
 - (iii) Highway 21 north to Highway 27; then
 - (iv) Highway 27 west of Highway 21 to Highway 22; then
 - (v) Highway 22 north of Highway 27 to 52° latitude; then
 - (vi) 52° latitude west of Highway 27;
- (c) District #3: the City of Edmonton;
- (d) District #4: the area of Alberta south of Highway 16 and north of the line described in Subsection (2)(b), excluding the City of Edmonton; and
- (e) District #5: the City of Calgary.

(3) For greater clarity, the electoral districts for clinical pharmacists are outlined on Map 1 in Schedule E.

Bylaw 3(3) amended February 24, 2011. Effective March 1, 2011

(4) If there is a conflict between Subsection (2) and Schedule E:

- (a) the wording in Subsection (2) governs, and
- (b) all disputes respecting electoral districts will be resolved by the Registrar.

(5) For the purposes of Subsection 3(2)(b), if a city or town is intersected by Highway 9, Highway 21, Highway 22 or Highway 27, then the whole of that city or town is deemed to fall within District #4.

Bylaw 3(5) amended February 24, 2011. Effective March 1, 2011

(6) With the exception of the City of Edmonton, if a city or town is intersected by Highway 16, then the whole of that city or town is deemed to fall within District #1.

Bylaw 3(6) amended February 24, 2011. Effective March 1, 2011

3.1 Electoral Districts for Pharmacy Technicians

(1) For the purposes of representation by pharmacy technicians on Council under Section 2(3)(b), the province of Alberta is divided into two electoral districts as follows:

- (a) District A: Northern Alberta, and
- (b) District B: Southern Alberta.

(2) For the purposes of Subsection (1) the electoral districts are defined as follows:

- (a) District A: the area of Alberta on and north of the line described as follows (from East to West):
 - (i) Highway 12 beginning at the Saskatchewan border to the point of intersection with Highway 22;
 - (ii) then south along Highway 22 until the junction of Highway 22 with Highway 11;
 - (iii) then westward along Highway 11 to the Saskatchewan River Crossing;
 - (iv) then along the Howse River to its headwaters, and then in a straight line running east to west to the British Columbia border;
- (b) District B: the area of Alberta south of the line described in Subsection (2)(a).

(3) For greater clarity, the electoral districts are outlined on Map 2 in Schedule E.

(4) If there is a conflict between Subsection (2) and Map 2 in Schedule E:

- (a) the wording in Subsection (2) governs, and
- (b) all disputes respecting electoral districts will be resolved by the Registrar.

(5) If a city or town is intersected by the line established under Section 3(2) then the whole of that city or town is deemed to fall within District A.

Bylaw 3.1 amended February 24, 2011. Effective July 1, 2011

4. Representation – Clinical Pharmacists

(1) Except as provided in Subsection (3), the number of elected members of Council for each electoral district for clinical pharmacists is:

- (a) District #1 – one,
- (b) District #2 – one,
- (c) District #3 – two,
- (d) District #4 – one,
- (e) District #5 – two.

(2) The election cycle for elections for the members of Council elected by clinical pharmacists is set out in Schedule D.

(3) District 3 will have three elected members of Council who are clinical pharmacists until June 30, 2014.

Bylaw 4 amended February 24, 2011. Effective March 1, 2011

4.1 Representation – Pharmacy Technicians

(1) Except as provided in Subsection (3), the number of elected members of Council who are pharmacy technicians for each electoral district is:

- (a) District A – one, and
- (b) District B – one.

(2) The election cycle for the members of Council elected by pharmacy technicians is set out in Schedule D.

(3) All pharmacy technicians will be represented by a single elected member of the Council until June 30, 2014.

Bylaw 4.1 amended February 24, 2011. Effective July 1, 2011

5. Public Members of Council

(1) Council may consult with the Minister as required in relation to the appointment and rescission of public members of Council.

(2) Council may nominate an appropriate number of members of the public to the Minister for the purposes of Section 13 of the HPA.

6. Ex Officio Members of Council

(1) Council may appoint one or more persons as ex officio members of Council for such term as Council considers appropriate.

(2) Ex officio members of Council are not entitled to vote on any matter before Council, but may participate in debate of all issues before Council.

7. Duties of Members of Council

Members of Council must:

- (a) perform all duties required under the HPA and PDA;
- (b) actively promote safe, effective and responsible pharmacist and pharmacy technician practice;
- (c) participate in developing and evaluating policies and programs of the College;
- (d) participate in Council meetings, committee meetings, and meetings of other bodies to which they are appointed by Council;

- (e) consider the budget and business plan of the College; and
- (f) perform any other duty or function imposed on them by these bylaws.

Bylaw 7(b) amended February 24, 2011. Effective July 1, 2011

Executive Committee

8. Executive Committee

- (1) The Executive Committee is comprised of:
 - (a) the President,
 - (b) the President Elect,
 - (c) the Executive Member at Large,
 - (d) the Past President, and
 - (e) the Registrar.
- (2) The Registrar is a non-voting member of the Executive Committee.
- (3) The Executive Committee must:
 - (a) set the agenda for council meetings and meetings of voting members, and
 - (b) perform any other duties that Council may direct.
- (4) The Executive Committee may, where authorized by Council:
 - (a) appoint individuals or committees as authorized or required under the HPA or the PDA, including panels of members of Council authorized or required under either act; and
 - (b) appoint individuals as representatives of the College to governing councils or boards of other organizations.
- (5) Nothing in this section prevents Council from continuing to exercise any power or authority that Council is required to exercise under the HPA or the PDA.

Bylaw 8(1) amended December 6, 2012. Effective January 1, 2013
Bylaw 8(3)(a) amended February 25, 2015. Effective February 25, 2015

9. Officers

- (1) The officers of the College are:
 - (a) the President,
 - (b) the President Elect,
 - (c) the Executive Member at Large, and
 - (d) the Past President.
- (2) Before July 1st in each year, Council must elect from among those members of Council entitled to vote:
 - (a) the President Elect, and
 - (b) the Executive Member at Large.

- (3) Subject to Subsections (4), (5) and (6), an officer's term is one year starting on July 1st after the officer's election and ending on June 30th the following year.
- (4) The individual who is elected as the President Elect will serve a two-year term:
- (a) the first year starting on July 1st after the President Elect's election and ending on June 30th the following year will be served as President Elect; and
 - (b) the second year starting on July 1st and ending on June 30th the following year, will be served as President.
- (5) With the exception of the office of Past President, an office immediately becomes vacant if the office-holder ceases to be a member of Council.
- (6) Despite Subsections (3) and (4), the term of an officer terminates and the officer ceases to hold office if:
- (a) the officer resigns as a member of Council;
 - (b) in the case of an elected member of Council, any conduct of that officer is found to constitute unprofessional conduct, and the penalty imposed on that member of Council includes any of the following:
 - (i) suspension or cancellation of that member's practice permit; or
 - (ii) cancellation of that member's registration;
 - (c) the officer dies; or
 - (d) the officer ceases to be resident in the province of Alberta.
- (7) If there is a vacancy in an office during a term, Council may elect a new officer from among those members of Council who are entitled to vote.
- (8) The term of an officer elected under Subsection (7) terminates on June 30th after the election.

Bylaw 9(1) and 9(2) amended December 6, 2012. Effective January 1, 2013

10. President

The President must:

- (a) act as the official representative for the profession of pharmacy in Alberta,
- (b) chair and direct the order and conduct of business at Council meetings and meetings of voting members of the College;
- (c) chair the Executive Committee,
- (d) perform such functions as required by Council, and

- (e) perform such functions as required by the HPA or PDA.

Bylaw 10 amended February 25, 2015. Effective February 25, 2015

11. President Elect

In the absence of the President, the President Elect must:

- (a) chair any Council meeting or other meeting of the College that the President ordinarily chairs, and
- (b) otherwise perform the duties of the President.

12. Executive Member at Large

In the absence of both the President and the President Elect, the Executive Member at Large must:

- (a) chair any Council meeting or other meeting of the College that the President ordinarily chairs, and
- (b) otherwise perform the duties of the President.

Bylaw 12 amended December 6, 2012. Effective January 1, 2013

Council Meetings

13. Notice of Council Meetings

- (1) The Registrar or President must provide notice to all members of Council of a meeting of Council at least 24 hours before the meeting.
- (2) Despite failure to provide notice within the time required under Subsection (1), a Council meeting may proceed if approved by a quorum of members of Council at the start of the meeting.
- (3) Notice of meetings may be provided to members of Council by:
 - (a) mail,
 - (b) courier,
 - (c) telephone,
 - (d) facsimile transmission, or
 - (e) electronic message or electronic mail.

14. Conduct of Council Meetings

- (1) The quorum of Council is six members of Council who are entitled to vote.
- (2) Council may meet in person, by teleconference or by any other communications technology that permits all persons participating in the meeting to communicate with each other.
- (3) Unless otherwise required by these bylaws, a majority vote of those members of Council who are entitled to vote and are present at a meeting decides any issue before Council.
- (4) Council acts by resolution.
- (5) A resolution is as valid as if it had been passed at a meeting of Council or of a committee of Council, as the case may be, if it is:
 - (a) in writing;
 - (b) provided to all members of Council or the committee of Council, as the case may be; and
 - (c) signed by a majority of members of Council entitled to vote, or a majority of the committee of Council, as the case may be.
- (6) Council may establish the procedures to be used at Council meetings.
- (7) If Council does not establish procedures under Subsection (6), the provisions of Robert's Rules govern the procedures at Council meetings.

(8) If under Subsection (7), Robert's Rules govern, Council may waive these requirements for one or more meetings.

15. Annual Council Meeting

A Council meeting must be held at least once in each calendar year.

16. Special Council Meeting

The President must call a special meeting of Council at such time and place as the President determines if any six members of Council entitled to vote provide notice to the President in writing of their desire to call a meeting of Council.

Elections

17. General Elections

The Registrar must conduct the elections for Council.

18. Nominations for Clinical Pharmacist Positions on Council

(1) The Registrar must, on or before January 31 of each year, do the following with respect to any district in which an election is to be held for a clinical pharmacist member of Council:

- (a) make a list of all clinical pharmacists who are eligible for election to Council in that district,
- (b) make a list of all clinical pharmacists and honorary life-pharmacist registrants entitled to vote for a clinical pharmacist to serve on Council for that district, and
- (c) make available to each clinical pharmacist in that district:
 - (i) a copy of the lists required by paragraphs (a) and (b), and
 - (ii) a nomination form in a form prescribed by Council.

(2) Subject to Subsections (3) and (4) only a clinical pharmacist who is resident in a district at the time of nomination may be nominated for election as a clinical pharmacist member of Council for that district.

(3) A clinical pharmacist is not eligible for nomination for election if

- (a) a complaint against the pharmacist
 - (i) has been referred to or is the subject of a hearing or appeal under Part 4 of the Health Professions Act, under Part 2 of the Pharmacy and Drug Act or under any other legislation that regulates a profession or pharmacies within or outside Alberta, and
 - (ii) has not been withdrawn or disposed of by a hearing tribunal, appeal tribunal or other body with jurisdiction in relation to the complaint;
- (b) the pharmacist
 - (i) has been charged with a criminal offence in Canada, including but not limited to an offence under the Controlled Drug and Substances Act, the Narcotic Control Regulations or the Food and Drug Act and its regulations, or an offence of a similar nature in a jurisdiction outside Canada, and
 - (ii) the charge has not been withdrawn or disposed of by a court;
- (c) at any time within the six years before the date of the election
 - (i) the pharmacist's conduct has been found to constitute unprofessional conduct under the Health Professions Act, misconduct under the Pharmacy and Drug Act or a similar

- finding has been made under any other legislation that regulates a profession or pharmacy within or outside Alberta, and
- (ii) the penalty imposed on that pharmacist included any of the following:
 - (a) a fine,
 - (b) suspension of that pharmacist's practice permit,
 - (c) cancellation of that pharmacist's practice permit, or
 - (d) cancellation of that pharmacist's registration;
 - (d) at any time within the ten years before the date of the election, the pharmacist
 - (i) has pleaded guilty or has been found guilty of a criminal offence in Canada, including but not limited to an offence under the Controlled Drug and Substances Act, the Narcotic Control Regulations or the Food and Drug Act and its regulations, or an offence of a similar nature in a jurisdiction outside Canada, and
 - (ii) the pharmacist has not been pardoned.
- (4) A clinical pharmacist who is an employee of the Alberta College of Pharmacists is not eligible for nomination for election.
- (5) A nomination is only valid if it:
- (a) is in writing,
 - (b) is signed by at least two clinical pharmacists who are residents of the district in which nomination is sought,
 - (c) includes written consent of the nominee,
 - (d) includes a statement by the nominee in the form prescribed by Council indicating that the nominee is eligible for election to Council, and
 - (e) is received by the Registrar no later than 4:30 p.m. on the last day of February of the year in which the election is to be held.
- (6) If no valid nomination is received for a district, the Registrar must:
- (a) call for new nominations from that district,
 - (b) set a new date by which nominations must be received,
 - (c) set the date for a special election, and
 - (d) generally conduct the special election.
- (7) A clinical pharmacist nominated for election:
- (a) in District 3 is not eligible for nomination in the next election in District 3, and
 - (b) in District 5 is not eligible for nomination in the next election in District 5.

18.1 Nominations for Pharmacy Technician Positions on Council

(1) The Registrar must, on or before January 31 of each year, do the following with respect to the district in which an election is to be held that year for a pharmacy technician member of Council:

- (a) make a list of all pharmacy technicians who are eligible for election to Council in that district,
- (b) make a list of all pharmacy technicians and honorary life-pharmacy technician registrants entitled to vote for a pharmacy technician to serve on Council for that district, and
- (c) make available to each pharmacy technician in that district:
 - (i) a copy of the lists required by paragraphs (a) and (b), and
 - (ii) a nomination form in a form prescribed by Council

(2) Subject to Subsections (3) and (4) only a pharmacy technician who is resident in a district at the time of nomination may be nominated for election as a pharmacy technician member of Council for that district.

(3) A pharmacy technician is not eligible for nomination for election if

- (a) a complaint against the pharmacy technician
 - (i) has been referred to or is the subject of a hearing or appeal under Part 4 of the Health Professions Act, under Part 2 of the Pharmacy and Drug Act or under any other legislation that regulates a profession or pharmacies within or outside Alberta, and
 - (ii) the complaint has not been withdrawn or disposed of by a hearing tribunal, appeal tribunal or other body with jurisdiction in relation to the complaint;
- (b) the pharmacy technician
 - (i) has been charged with a criminal offence in Canada, including but not limited to an offence under the Controlled Drug and Substances Act, the Narcotic Control Regulations or the Food and Drug Act and its regulations, or an offence of a similar nature in a jurisdiction outside Canada, and
 - (ii) the charge has not been withdrawn or disposed of by a court;
- (c) at any time within the six years before the date of the election
 - (i) the pharmacy technician's conduct has been found to constitute unprofessional conduct under the Health Professions Act, misconduct under the Pharmacy and Drug Act or a similar finding has been made under any other legislation that regulates a profession or pharmacies within or outside Alberta, and
 - (ii) the penalty imposed on that pharmacy technician included any of the following:
 - (a) a fine,

- (b) suspension of that pharmacy technician's practice permit,
- (c) cancellation of that pharmacy technician's practice permit, or
- (d) cancellation of that pharmacy technician's registration;
- (d) at any time within the ten years before the date of the election, the pharmacy technician
 - (i) has pleaded guilty or has been found guilty of a criminal offence in Canada, including but not limited to an offence under the Controlled Drug and Substances Act, the Narcotic Control Regulations or the Food and Drug Act and its regulations, or an offence of a similar nature in a jurisdiction outside Canada, and
 - (ii) the pharmacy technician has not been pardoned.

(4) A pharmacy technician who is an employee of the Alberta College of Pharmacists is not eligible for nomination for election.

(5) A nomination is only valid if it:

- (a) is in writing,
- (b) is signed by at least two pharmacy technicians who are residents of the district in which nomination is sought,
- (c) includes written consent of the nominee,
- (d) includes a statement by the nominee in the form prescribed by Council indicating that the nominee is eligible for election to Council, and
- (e) is received by the Registrar no later than 4:30 p.m. on the last day of February of the year in which the election is to be held.

(6) If no valid nomination is received for a district, the Registrar must:

- (a) call for new nominations from that district,
- (b) set a new date by which nominations must be received,
- (c) set the date for a special election, and
- (d) generally conduct the special election.

Bylaw 18.1(3) repealed and replaced effective September 16, 2016

19. Voting Member

(1) A clinical pharmacist or an honorary life pharmacist registrant is eligible to vote in an election for a clinical pharmacist member of the Council for the district where that clinical pharmacist or honorary life member resides.

(2) A pharmacy technician or an honorary life-pharmacy technician registrant is eligible to vote in an election for a pharmacy technician member of the Council for the district where that pharmacy technician resides.

(3) A voting member may vote at any meeting or other vote of the members of the College that is not an election.

Bylaw 19 amended December 6, 2012. Effective January 1, 2013

20. Election of Council Members by Clinical Pharmacists

(1) Only a clinical pharmacist resident in a district at the time of election is eligible for election in that district as a clinical pharmacist member of Council.

(2) A clinical pharmacist who is an employee of the Alberta College of Pharmacists is not eligible for election to Council.

(3) Only clinical pharmacists and honorary life pharmacist registrants, resident in a district at the time of the election may vote in the election for a clinical pharmacist member of Council for that district.

(4) Despite Subsection (3):

(a) a clinical pharmacist who is not resident in Alberta must declare at the time of practice permit application or renewal, his or her choice of district for the purposes of voting; and

(b) an honorary life-pharmacist registrant who is not a clinical pharmacist and who is not resident in Alberta must declare before January 31 in any year his or her choice of district for the purposes of voting.

Bylaw 20 amended December 6, 2012. Effective January 1, 2013

20.1 Election of Council Members by Pharmacy Technicians

(1) Only a pharmacy technician resident in a district at the time of election is eligible for election in that district as a pharmacy technical member of Council.

(2) A pharmacy technician who is an employee of the Alberta College of Pharmacists is not eligible for election to Council.

(3) Only pharmacy technicians and honorary life-pharmacy technician registrants, resident in a district at the time of the election may vote in the election for a pharmacy technician member of Council for that district.

(4) Despite Subsection (3):

(a) a pharmacy technician who is not resident in Alberta must declare at the time of practice permit application or renewal, his or her choice of district for the purposes of voting; and

- (b) an honorary life-pharmacy technician registrant who is not a pharmacy technician and who is not resident in Alberta must declare before January 31 in any year his or her choice of district for the purposes of voting.

Bylaw 20.1 amended December 6, 2012. Effective January 1, 2013

21. Acclamation

- (1) If only one valid nomination is received for any election in a district, the nominee is acclaimed.
- (2) If a nominee is acclaimed:
 - (a) no ballots are to be made available to the voting members in that district, and
 - (b) the Registrar must advise the nominee that the nominee has been acclaimed.

22. Election Procedure

- (1) Votes may be cast by any means that maintains the security and confidentiality of the voting process, including mail-in ballot or electronic ballot.
- (2) If more than one valid nomination is received in a district, the Registrar on or before March 15 must make available to each voting member in that district:
 - (a) a ballot in a form approved by Council listing the names of the nominees for election in that district,
 - (b) instruction to voters in a form approved by Council, and
 - (c) any other documents approved by Council required to ensure a secret ballot.
- (3) Subject to Section 24(3), a voting member in an election has one vote and must in casting that vote:
 - (a) clearly indicate the voting member's choice of candidate on the ballot, and
 - (b) provide the ballot to the Registrar in accordance with the instruction to voters.
- (4) The Registrar must not accept any ballot after 4:30 p.m. on the second Thursday in April of the year in which the election is held.
- (5) The Registrar must:
 - (a) keep a record of all voting members who have provided a ballot,
 - (b) at noon on the first business day following the deadline for receiving ballots in the presence of at least two voting members:
 - (i) reveal the contents of the ballots,

- (ii) scrutinize the ballots and count the votes, and
- (iii) keep a record of the number of votes cast for each nominee.

(6) The Registrar has the sole and absolute discretion to scrutinize the ballots and determine if they are valid.

(7) The nominee receiving the greatest number of votes must be declared elected as member of Council for the district in which the election is held.

(8) If there is a tie between two or more nominees in any district, the Registrar must in the presence of the voting members present under Subsection (5):

- (a) re-count the ballots to determine if that breaks the tie, and if it does not;
- (b) proceed to determine the successful nominee as follows:
 - (i) place on individual pieces of paper, the name of each nominee receiving the same number of votes;
 - (ii) cause these papers to be placed into a receptacle in a fashion which prevents the Registrar from viewing the papers;
 - (iii) draw one of the papers from the receptacle; and
 - (iv) declare the nominee whose name appears on that paper as elected as member of Council.

(9) Any voting member of the District for which an election is being held may be present at the counting of the ballots for that election, or may in writing to the Registrar appoint any person to attend in their stead.

(10) The Registrar must post the names of the persons who have been acclaimed or elected to Council on the website of the College.

23. Term of Office

(1) Subject to Subsections (2) and (3), the term of office of an elected member of Council is three years starting on July 1st after the member's election and ending on June 30th three years later.

(2) If an elected member of Council applies for a position as an employee of the Alberta College of Pharmacists during the elected member of Council's term, the elected member of Council is suspended from Council until a determination is made on the application or the application is withdrawn, and:

- (a) if the elected member of Council does not become an employee of the College, the elected member of Council is reinstated for the remainder of their term; or

- (b) if the elected member becomes an employee of the College, the elected member of Council's term terminates in accordance with Subsection (3)(c).

(3) The term of an elected member of Council terminates and the member of Council ceases to be a member of Council if:

- (a) the member of Council resigns as a member of Council;
- (b) the member of Council ceases to be a clinical pharmacist or pharmacy technician, as the case may be;
- (c) the member of Council becomes an employee of the Alberta College of Pharmacists;
- (d) the member of Council has had a complaint referred to or is the subject of a hearing or appeal under Part 4 of the Health Professions Act, under Part 2 of the Pharmacy and Drug Act or under any other legislation that regulates a profession or pharmacies within or outside Alberta, and the complaint has not been withdrawn or disposed of by a hearing tribunal, appeal tribunal or other body with jurisdiction in relation to the complaint;
 - (d)(1) the member of Council has been charged with a criminal offence in Canada, including but not limited to an offence under the Controlled Drug and Substances Act, the Narcotic Control Regulations or the Food and Drug Act and its regulations, or an offence of a similar nature in a jurisdiction outside Canada, and the charge has not been withdrawn or disposed of by a court;
 - (d)(2) the member of Council has engaged in conduct that has been found to constitute unprofessional conduct under the Health Professions Act, misconduct under the Pharmacy and Drug Act or a similar finding has been made under any other legislation that regulates a profession or pharmacies within or outside Alberta, and the penalty imposed on that member of Council included any of the following:
 - (i) a fine,
 - (ii) suspension of that member of Council's practice permit,
 - (iii) cancellation of that member of Council's practice permit, or
 - (iv) cancellation of that member of Council's registration;
 - (d)(3) the member of Council has pleaded guilty or has been found guilty of a criminal offence in Canada, including but not limited to an offence under the Controlled Drug and Substances Act, the Narcotic Control Regulations or the Food and Drug Act and its regulations, or an offence of a similar nature in a jurisdiction outside Canada and the member of Council has not been pardoned for the offence.
- (e) the member of Council becomes mentally incapacitated;

- (f) the member of Council dies; or
 - (g) the member of Council ceases to be resident in the province of Alberta.
- (4) An elected member of Council may serve no more than two consecutive terms on Council.
- (5) The term of a public member of Council terminates and the member of Council ceases to be a member of Council if:
- (a) the member of Council resigns as a member of Council,
 - (b) the appointment of the member of Council is rescinded under Section 13(1)(a) of the HPA, or
 - (c) the member of Council dies.
- (6) For the purposes of Subsection 5(b), Council may recommend the rescission of a public member's appointment to Council to the Minister, as defined in the HPA, if the public member of Council:
- (a) becomes an employee of the Alberta College of Pharmacists, or
 - (b) becomes mentally incapacitated.

Bylaw 23(3)(d) repealed and replaced effective September 16, 2016

24. Extension of Term for President Elect

- (1) If the President Elect will face election under Sections 4 and 4.1 before assuming the office of President, then the term on Council of the President Elect is extended by one year.

Bylaw 24(1) amended February 24, 2011. Effective July 1, 2011

- (2) If the term of the President Elect on Council is extended under Subsection (1):
- (a) the election that would otherwise have been held in the affected district must be delayed by one year, and
 - (b) the term of the member of Council elected in the affected district immediately after the delayed election is shortened so that it is two years starting on July 1st after the member's election and ending on June 30th two years later.
- (3) If Subsections (1) and (2) affect an election in District 3 or 5 and as a result two Council positions are open for election in either of those districts in a year:
- (a) the Registrar must declare when he calls for nominations that one of the positions is for a shortened term;

- (b) each voting member in that district will be entitled to cast two votes in that election, but cannot cast more than one vote for any nominee; and
- (c) the nominee receiving the second highest number of votes in the election in that district must be declared elected for the position with the shortened term.

Bylaw 24 amended February 24, 2011. Effective March 1, 2011

25. Special Elections

(1) If an elected member of Council ceases to hold office, Council may direct that a special election be held to elect a replacement member of Council for the unexpired portion of the term of the member of Council in the district where the vacancy has occurred.

(2) If Council directs that a special election be held under Subsection (1), the Registrar must:

- (a) call for nominations,
- (b) set a date by which nominations must be received,
- (c) set the date for the special election, and
- (d) generally conduct the special election.

26. Election Re-counts

(1) If requested by any nominee no later than 10 days after an election, the Registrar must conduct one re-count of ballots for the district in which the nominee sought election.

(2) The Registrar must conduct a re-count no later than ten days after receipt of the request.

(3) All nominees in an election which is subject to a re-count may appoint another voting member to observe that re-count.

27. Destruction of Ballots

(1) Subject to Subsection (2), the Registrar must destroy all ballots 15 days after an election.

(2) Where a re-count has been requested within the time prescribed in Section 26, the Registrar must destroy all ballots 15 days after the re-count.

Meetings of Voting Members

28. Calling Meetings of Voting Members

- (1) The Council may call meetings of voting members, including:
 - (a) special meetings of all voting members;
 - (b) regional or district meetings;
 - (c) meetings of voting members practicing within a specific practice area;
 - (d) round table meetings; and
 - (e) other meetings that Council considers necessary to share information with voting members or to obtain input from voting members with respect to the College's responsibilities.
- (2) In calling a meeting under Subsection (1), Council may determine the format of the meeting, including:
 - (a) meeting in-person;
 - (b) meeting by electronic means; or
 - (c) a combination of meeting in-person and by electronic means.
- (3) If Council does not determine the format of the meeting under Subsection (2), the Registrar must determine the format of the meeting.

29. Rules for the conduct of meetings

- (1) The Council may establish rules for meetings of voting members, including rules regarding:
 - (a) notice of meetings;
 - (b) quorum;
 - (c) who may attend;
 - (d) voting;
 - (e) procedures governing the conduct of meetings.
- (2) The rules adopted by the Council may apply generally or to a specific meeting.
- (3) If the Council does not establish rules for meetings of voting members, the following rules apply:
 - (a) the College must provide at least 15 days' notice of a meeting, specifying the purpose of the meeting, posted on the website of the College;
 - (b) the quorum of a meeting is those voting members present at the meeting;

- (c) only voting members, members of Council, members of the staff of the College required for support at the meeting and guests invited by the Council may attend the meeting;
- (d) each voting member has a single vote; and
- (e) Robert's Rules govern the procedure at a meeting, with all necessary modifications if the meeting is a meeting conducted by electronic means.

Section 29(1)(e) repealed effective September 16, 2016

Section 30 "Resolutions" was repealed effective September 16, 2016

30. Notices

- (1) Unless otherwise required or allowed under the HPA, PDA or these bylaws, any notice or document that may be provided or is required to be provided under the HPA, the PDA, or these bylaws may be provided by:
 - (a) mail,
 - (b) electronic mail,
 - (c) fax, or
 - (d) posting on the website of the College.
- (2) If notice or a document is provided by mail, the notice or document is deemed to be received seven days after it was placed in the mail.
- (3) If a notice or document is provided by fax, the notice or document is deemed to be received seven days after it was transmitted.
- (4) Subject to Subsection (5), if a notice or document is provided by electronic mail, the notice or document is deemed to be received seven days after it was sent.
- (5) In the case of notice provided to members of Council for council meetings, if a notice is provided by electronic mail, the notice is deemed to be received 48 hours after it was sent.
- (6) If a notice or document is provided by posting on the website of the College, the notice or document is deemed to be received seven days after it was posted by the College.
- (7) A notice or document posted on the website of the College must bear the date of posting.
- (8) If one or more voting members does not receive notice of an annual or other general meeting, the meeting may proceed as if that voting member or these voting members did receive notice.

(9) If one or more members of Council do not receive notice of any meeting of Council, that meeting may proceed as if the member of Council did receive notice, provided a quorum of Council is present.

(10) In the case of provision of any notice or document to the College, if the time for delivery expires on a weekend, holiday or other day on which the College offices are closed, the notice must be provided on the last business day prior to the expiry of the time for providing notice.

31. Polling of Voting Members

- (1) The Council may direct that voting members be polled on any issue.
- (2) Council must determine the time and means for conducting such poll.
- (3) Polls may be conducted by any means that maintains the security and confidentiality of the polling process, including mail-in ballot or electronic vote.
- (4) At the conclusion of a poll, the Registrar must, within a reasonable time:
 - (a) provide notice to all members of Council of the result; and
 - (b) provide notice to all voting members of the result.

Bylaw amended February 25, 2015. Effective February 25, 2015

32. Committees

- (1) Council may establish Committees, panels and tribunals of the College and make other appointments as required by the HPA, the PDA, these bylaws, and as it considers necessary.
- (2) Subject to the provisions of the HPA and PDA, Council may establish the:
 - (a) composition of committees, panels, or tribunals;
 - (b) terms of reference for committees, panels, or tribunals; and
 - (c) terms of office for members of committees, panels, or tribunals.
- (3) Where the HPA or PDA requires the appointment of a public member to a committee, panel, or tribunal, Council may, if requested or required, consult with the Minister about the appointment or rescission of the appointment.

33. Registrar

- (1) Council must appoint a registrar and must establish the Registrar's:
 - (a) salary or other remuneration, and
 - (b) term of office which must not exceed five years.
- (2) Council may re-appoint the Registrar to more than one term of office.

(3) The Registrar must be a voting member in good standing of the College but must not be a member of Council.

(4) The Registrar must perform all duties required of, and exercise the powers provided to, the Registrar in the HPA, PDA and these bylaws.

(5) Council may delegate any of its duties, authorities or powers to the Registrar, except to the extent that such delegation is limited by either the HPA or the PDA.

(6) Council may impose conditions upon any delegation made under Subsection (5).

(7) The Registrar may delegate any of the duties for which the Registrar is responsible to any other appropriate member of the College staff or to a committee or working group appointed under Subsection (8).

(8) The Registrar may appoint such committees and working groups as the Registrar considers necessary to assist in performing the duties of the Registrar.

34. Acting Registrar

(1) If the office of Registrar becomes vacant or the Registrar otherwise becomes incapable of acting, Council may appoint an acting registrar, who has all the powers and must perform all the duties of the Registrar under the HPA, PDA and these bylaws.

(2) The Acting Registrar holds office until:

- (a) the Registrar again becomes capable of acting,
- (b) Council appoints a new Registrar, or
- (c) Council terminates the appointment of the Acting Registrar.

35. Council and Committee Member Expenses

(1) Members of Council and members of committees, other than public members of Council, may claim:

- (a) expenses as set out in Schedule B;
- (b) per diems as set out in Schedule C, and
- (c) reasonable out of pocket expenses claimable in accordance with policy adopted by Council

when attending business on behalf of the College.

(2) Council may amend Schedules B and C by resolution of Council.

36. Official Forms and Documents

Council must prescribe the form of:

- (a) certificates of registration;
- (b) practice permits;
- (c) pharmacy licences; and
- (d) any other document that may be required for the purposes of:
 - (i) the HPA;
 - (ii) the PDA;
 - (iii) the Standards or Code of Ethics under those *Acts* in (i) and (ii); or
 - (iv) these bylaws.

37. Pharmacy Licence

(1) The Registrar may issue pharmacy licences in the following categories:

- (a) a community pharmacy licence,
- (b) a compounding and repackaging pharmacy licence,
- (c) a mail order pharmacy licence, and
- (d) a satellite pharmacy licence.

(2) A complete application for a pharmacy licence, in any category, must be accompanied by the fee for that category set out in Schedule A.

38. Term of a Pharmacy Licence

The term of a pharmacy licence:

- (a) commences on July 1 or on any later date that it may be issued, and
- (b) terminates on the June 30 that follows.

39. Renewal of a Pharmacy Licence

(1) A complete application for the renewal of a pharmacy licence along with the fee set out in Schedule A must be submitted to the Registrar before June 16.

(2) If a complete application for renewal is received by the Registrar after the expiry date of the licence, the licensee must pay the *reinstatement of pharmacy licence fee* set out in Schedule A.

40. Registration under the HPA for Regulated Members

(1) The regulated members register has the following categories:

- (a) clinical pharmacist register,
- (b) provisional pharmacists register,
- (c) courtesy pharmacist register,
- (d) student pharmacists register,

- (e) pharmacy technician register,
- (f) provisional pharmacy technician register, and
- (g) courtesy pharmacy technician register.

(2) The Registrar must consider each complete application for registration as a regulated member in any category of register under the HPA, and make the decision required by Section 30(1) of the HPA.

(3) An application for registration as a regulated member must be accompanied by the applicable fee set out in Schedule A.

Bylaw amended February 24, 2011. Effective July 1, 2011

41. Practice Permit under the HPA

(1) The Registrar must consider each complete application for a practice permit under the HPA and make the decision required by Section 40(2) of that *Act* and must, if the application for a practice permit is declined, provide the regulated member with a copy of the decision with reasons for the decision.

(2) An application for a practice permit must be accompanied by the applicable fee set out in Schedule A.

Bylaw amended May 13, 2008

42. Term of a Practice Permit for Clinical Pharmacist

The term of a practice permit for a person registered on the clinical pharmacist register:

- (a) commences on July 1 or on any later date that it may be issued, and
- (b) terminates on the June 30 that follows.

Bylaw amended February 24, 2011. Effective July 1, 2011

42.1 Term of a Practice Permit for Pharmacy Technician

The term of a practice permit for a person registered on the pharmacy technician register:

- (a) commences on January 1 or on any later date that it may be issued, and
- (b) terminates on the December 31st that follows.

Bylaw amended February 24, 2011. Effective July 1, 2011

43. Term of a Practice Permit for Provisional, Courtesy and Student Registers

The term of a practice permit for a person registered on the provisional pharmacist register, provisional pharmacy technician register, the courtesy pharmacist register, courtesy pharmacy technician register or the student pharmacist register:

- (a) commences when the practice permit is issued; and
- (b) terminates on the earlier of:
 - (i) the date specified on the practice permit; or
 - (ii) the date on which the person ceases to be eligible to be registered on the provisional pharmacist register, provisional pharmacy technician register, the courtesy pharmacist register, courtesy pharmacy technician register or the student pharmacist register, as the case may be.

Bylaw amended February 24, 2011. Effective March 1, 2011

44. Renewal of a Practice Permit

(1) Clinical pharmacists and pharmacy technicians may renew their annual permit by completing an application for the renewal of a practice permit along with the practice permit fee set out in Schedule A.

(2) The complete application and annual permit fee must be received by the Registrar:

- (a) in the case of clinical pharmacists, prior to June 1; and
- (b) in the case of pharmacy technicians, prior to December 1.

Bylaw amended February 24, 2011. Effective March 1, 2011

45. Reinstatement of Registration and Reissue of Practice Permit

(1) A person whose registration or practice permit has been suspended or cancelled under the HPA, other than under Part 4 of that *Act*, may apply in writing for the practice permit to be issued or the registration to be reinstated in accordance with these bylaws.

(2) An application under Subsection (1) must be in the form required by Council and provided to the Registrar along with:

- (a) the applicable fee provided for in Schedule A,
- (b) any outstanding annual fee, and
- (c) any other information required by the Registrar.

(3) An applicant under Subsection (1) must provide evidence to the Registrar of qualifications for registration.

(4) The Registrar must, as soon as reasonably possible, consider a complete application and:

- (a) approve the application and issue a practice permit subject to any conditions,
- (b) defer registration if in the opinion of the Registrar it is in the best interests of the public to defer registration of the applicant until the applicant complies with conditions imposed by the Registrar, or

(c) refuse the application.

(5) An applicant whose application is refused or on whose practice permit conditions have been imposed under this section may apply to Council for a review of the Registrar's decision.

(6) Sections 31 and 32 of the HPA apply to a review under Subsection (5).

46. Registers of Non-Regulated Members

The Registrar must establish a register for each of the following categories of non-regulated members:

- (a) retired,
- (c) associate,
- (d) honorary,
- (e) honorary life-pharmacist and
- (f) honorary life-pharmacy technician.

Bylaw amended December 6, 2012. Effective January 1, 2013

47. Registration on the Associate Register

(1) A person may be registered on the associate register if that person has been a clinical pharmacist or pharmacy technician but has ceased practicing as a clinical pharmacist or pharmacy technician as the case may be (but excluding any person who ceased to be a regulated member as a result of a disciplinary action under the HPA, the PDA or the former *Act*).

Bylaw amended February 24, 2011. Effective July 1, 2011

(2) An application for registration on the associate register is complete for the purposes of consideration under Subsection (3) if it is in the form required by Council and provided to the Registrar along with:

- (a) the applicable fee set out in Schedule A, and
- (b) any other information required by the Registrar.

(3) The Registrar must, as soon as reasonably possible, consider a complete application and:

- (a) approve the application and place the applicant on the associate register, or
- (b) refuse the application.

(4) On making a decision under Subsection (3), the Registrar must provide notice of the decision to the applicant.

(5) Council may cancel an associate registrant's registration if in the opinion of Council cancellation is in the best interests of the public.

48. Term of Associate Registration

The term of an associate registration:

- (a) commences on July 1 or any later date that it may be issued, and
- (b) terminates on the June 30 that follows.

49. Associate Register Renewal

(1) An associate registrant must annually provide the Registrar with:

- (a) registration information in the form required by Council,
- (b) the applicable fee set out in Schedule A, and
- (c) any other information required by the Registrar.

(2) An associate registrant must provide the information and fees required under Subsection (1) to the Registrar which must be received by the Registrar before June 1.

(3) If the information and fees required under Subsection (1) are not received by the Registrar before June 30, the Registrar may cancel the associate registrant's registration.

(4) An associate registrant may reinstate their registration at any time by providing the Registrar with:

- (a) registration information in the form required by Council,
- (b) the fee provided for in Schedule A,
- (c) any outstanding annual fee, and
- (d) any other information required by the Registrar.

50. Registration on the Retired Register

(1) A person may be registered on the retired register if that person was registered in the clinical pharmacist or pharmacy technician category of the regulated members register, is 55 years of age or older and has retired from the practice of pharmacists or the practice of pharmacy technicians (but excluding any person who ceased to be a regulated member as a result of a disciplinary action under the HPA, the PDA or the former *Act*).

(2) An application for registration on the retired register is complete for the purposes of consideration under Subsection (3) if it is in the form required by Council and provided to the Registrar by the applicant along with:

- (a) evidence that the person falls under Subsection (1), and
- (b) any other information required by the Registrar.

(3) The Registrar must, as soon as reasonably possible, consider a complete application and:

- (a) approve the application and place the applicant on the retired register, or
 - (b) refuse the application.
- (4) On making a decision under Subsection (3), the Registrar must provide notice of the decision to the applicant.
- (5) Council may cancel a retired registrant's registration:
- (a) if in the opinion of Council, cancellation is in the best interests of the public; or
 - (b) in accordance with any procedures established by Council through resolution.

Bylaw amended December 6, 2012. Effective January 1, 2013

51. Registration on the Honourary or Honourary Life Register

- (1) Council may register a person on the honourary register where the person:
- (a) is not and never has been a regulated member; and
 - (b) has, in the opinion of Council, rendered distinguished service to the practice of pharmacists or to the practice of pharmacy technicians.
- (2) Council may register a person on the honourary life-pharmacist register where the person:
- (a) is or has been registered in the clinical pharmacist category of the regulated members register, and
 - (b) has, in the opinion of Council, rendered distinguished service to the practice of pharmacists.
- (3) Council may register a person on the honourary life-pharmacy technician register where the person:
- (a) is or has been registered in the pharmacy technician category of the regulated members register, and
 - (b) has in the opinion of Council, rendered distinguished service to the practice of pharmacy technicians.
- (4) Council may, at its discretion, cancel the registration of an
- (a) honourary registrant
 - (b) honourary life-pharmacist registrant, or
 - (c) honourary life-pharmacy technician registrant

Bylaw amended December 6, 2012. Effective January 1, 2013

52. Maintaining Registers

The Registrar may enter in a register and remove from a register information about people registered under Section 33(1)(b) of the HPA.

53. Archives

The Registrar may maintain an archive of former regulated and non-regulated members.

54. Fees, Charges and Levies

The fees, charges and levies of the College are provided for in Schedule A.

55. Automatic Changes to Fees, Charges and Levies

(1) The practice permit, practice permit re-issue, registration and pharmacy license fees set out in Schedule A, for the next registration year are adjusted to reflect the Conference Board of Canada's forecasted annual rate of inflation for Edmonton at December of the current fiscal year as supplied by the Conference Board of Canada, or any successor body.

(2) The adjustments under Subsection (1) are effective July 1 of the next registration year.

(3) Council may waive the adjustment under Subsection (1), in whole or in part, for any registration year.

Bylaw amended December 6, 2012. Effective January 1, 2013

56. Additional Amendments to Fees, Charges and Levies

In addition to any change that may result from Section 55, Council may amend any of the fees, charges or levies of the College as set out in Schedule A.

Bylaw amended December 6, 2012. Effective January 1, 2013

57. Process for the Adoption of Bylaws under the HPA²

(1) At least 60 days before Council considers a motion to adopt a bylaw, the Registrar must:

- (a) make a draft of the proposed bylaw available on the website of the College; and
- (b) provide notice to all voting members of the College, through the official publication of the College or through other means

² The process for adoption of bylaws under the PDA is set out in the Pharmacy and Drug Regulation, A.R. 240/2006.

approved by Council, that a draft of the proposed bylaw is available on the website of the College.

(2) A voting member may make representations in writing to the Registrar about the proposed bylaw within the time period stipulated by the Registrar.

(3) Council must review and consider any representations made about a proposed bylaw under Subsection (2).

58. Majority Required for Adoption of Bylaws under the HPA and PDA

Council may, on a two-thirds majority of members of Council entitled to vote and present at a meeting of Council, adopt a bylaw.

59. Adoption of a Code of Ethics and Standards of Practice under the HPA

(1) At least 60 days before Council considers a motion to adopt a code of ethics or standards of practice the Registrar must provide, for review and comment, a copy of a proposed Code of Ethics or proposed Standards of Practice to:

- (a) regulated members,
- (b) the Minister, and
- (c) any other person Council considers necessary.

(2) A person entitled to receive notice under Subsection (1) may make representations in writing to the Registrar about the proposed code of ethics or proposed standards of practice within the time period stipulated by the Registrar.

(3) Council must review and consider any representations made about a proposed code of ethics or proposed standards of practice under Subsection (2).

(4) Council may, on a majority of members of Council entitled to vote and present at a meeting of Council, adopt the code of ethics or standards of practice.

60. Adoption of a Code of Ethics and Standards for the Operation of Licensed Pharmacies under the PDA

(1) At least 60 days before Council considers a motion to adopt a code of ethics or standards for the operation of licensed pharmacies, the Registrar must:

- (a) make available, for review and comment, a copy of a proposed Code of Ethics or proposed Standards for the Operation of Licensed Pharmacies on the website of the College; and
- (b) provide notice that a draft of the proposed Code of Ethics or proposed Standards for the Operation of Licensed Pharmacies is available on the website of the College to:

- (i) regulated members;
- (ii) proprietors;
- (iii) the Minister; and
- (iv) any other person Council considers necessary.

(2) A person entitled to receive notice under Subsection (1)(b) may make representations in writing to the Registrar about the proposed code of ethics or proposed standards for the operation of licensed pharmacies within the time period stipulated by the Registrar.

(3) Council must review and consider any representations made about a proposed code of ethics or proposed standards for the operation of licensed pharmacies under Subsection (2).

(4) Council may, on a majority of members of Council entitled to vote and present at a meeting of Council, adopt the code of ethics or standards for the operation of licensed pharmacies.

61. Period for the Purposes of Section 14 of the PDA

For the purposes of Section 14 of the PDA, if a pharmacy licence is terminated under the provisions of that section and the proprietor or proprietor's agent places the pharmacy under the personal management, control and supervision of another clinical pharmacist, the Registrar may allow the proprietor to continue to operate the pharmacy for a period not exceeding 90 days.

62. Limitation on Sub-Delegation

(1) Where Council has delegated a power or duty to a person or Committee, that person or Committee may not delegate that power or duty to any other person or Committee unless expressly authorized to do so by Council.

(2) Subsection (1) does not apply to delegation to the Registrar.

General

63. Head Office

The Head Office of the College is located in Edmonton, Alberta or at such other location as may be determined by the Council.

64. Seal

- (1) The Registrar must:
- (a) have custody of the Common Seal of the College, and
 - (b) affix the Common Seal to all documents requiring the Seal.

(2) Council may amend the design of the Common Seal.

65. Solicitor

Council must appoint an active member of the Law Society of Alberta to represent the College.

66. Banking Institution

Council must appoint a bank listed in Schedule I or II of the *Bank Act*, S.C. 1991, c. 46, to meet the College's financial and banking requirements.

67. Auditors

(1) Council must appoint one or more chartered accountants registered in the province of Alberta as Auditor.

2) For the purposes of this section, no member of Council is eligible to be appointed as Auditor.

(3) The Auditor must:

- (a) examine the accounts, books, and securities of the College in accordance with generally accepted accounting principles; and
- (b) provide a written report to the Registrar at least 60 days before the Annual General Meeting.

68. Signing Authority

(1) Money may be withdrawn from the College's account only by cheque signed by two people with signing authority.

(2) For the purposes of this section, the following people have signing authority:

- (a) President,
- (b) Registrar, and
- (c) any other person appointed by Council.

69. Investments

(1) Investments made by the College must be made in the name of the Alberta College of Pharmacists.

(2) Council may direct the investment of the College's funds in:

- (a) public stocks,
- (b) bonds, and
- (c) securities.

- (3) Without limiting the power granted to the College under statute or otherwise, the College may:
- (a) acquire, hold, sell, lease, or otherwise deal with real and personal property;
 - (b) acquire, hold, sell, exchange, vary, or otherwise deal with public stocks, bonds, or securities;
 - (c) borrow money;
 - (d) mortgage or otherwise charge or encumber the College's property, or any other source of income; and
 - (e) establish, own, and operate any corporation whose purpose is to advance the practice of pharmacy in the province of Alberta.

70. Awards

- (1) Council may establish award, grant and scholarship programs for the purposes of the College and the advancement of the practice of pharmacy.
- (2) Council must establish terms of reference for the award, grant and scholarship programs established by Council.
- (3) The Registrar must administer the award, grant and scholarship programs established by Council.

71. Fiscal Year

The fiscal year commences January 1 and ends the following December 31.

72. Registration Year

The registration year is as follows:

Category	Commences	Terminates
Regulated members on the clinical pharmacists register, the provisional pharmacist register, the courtesy pharmacist register and the student pharmacist register.	July 1	the following June 30
Regulated members on the pharmacy technician register, the provisional pharmacy technician register and the courtesy	January 1	the following December 31

pharmacy technician register.		
Associate members	July 1	the following June 30

Bylaw amended February 24, 2011. Effective July 1, 2011

73. Settlement and Publication

For the purposes of Section 60 of the HPA, where a complaint review committee has ratified the settlement of a complaint under that section, the Registrar must publish information regarding the settlement pursuant to the direction of the complaint review committee, but must not publish information regarding a complainant or third party.

74. Discipline and Publication

- (1) For the purposes of Section 119 of the HPA, if:
 - (a) a regulated member’s practice permit is suspended or cancelled under Part 2 or 4 of the HPA,
 - (b) conditions are imposed on a regulated member’s practice permit under Part 2 or 4 of the HPA, or
 - (c) a direction is made under Section 118(4) of the HPA or
 - (d) an investigation is conducted under Parts 2 or 4 of the HPA

the Registrar may, subject to (2), publish information respecting the order as the Registrar sees fit including the name of the investigated person, the nature of the order made and the reasons of the hearing committee, or a summary of them.

Bylaw amended February 24, 2011. Effective March 1, 2011

- (2) The Registrar must not publish:
 - (a) the name of a complainant or other individual who is not the investigated person, or
 - (b) information that could reasonably be expected to reveal the identity of the complainant or other individual who is not the investigated person together with personal health information of that complainant or other individual
 unless the public interest requires it or the complainant or that other individual has consented.

75. Indemnity

The College must indemnify any of the following in respect of any legal action taken against any of the following for anything done or omitted to be done in the

course of their duties while acting in good faith under the HPA, PDA or these bylaws:

- (a) members of Council;
- (b) officers of the College;
- (c) employees of the College;
- (d) agents of the College;
- (e) persons who conduct investigations or participate in alternative complaint resolution under Part 4 of the HPA or in practice visits;
- (f) members of committees appointed under the HPA, the PDA or these bylaws; and
- (g) any person who acts on the instructions of any person or committee referred to in Subclauses (a) through (f).

76. Specialist

Unless authorized to do so by Council, no regulated member may use the title “specialist” in connection with the provision of a pharmacy service.

77. Duplicate Copy of Certificate of Registration

(1) A regulated member may apply for a duplicate copy of the member’s certificate of registration by completing the form required by the Registrar and providing a statutory declaration stating the reason why a duplicate certificate is required.

(2) The Registrar may, if satisfied with the reason stated under Subsection (1), provide a regulated member with a duplicate copy of the member’s original certificate of registration upon payment of the applicable fee provided for in Schedule A.

(3) Where the regulated member applying for a duplicate copy of a certificate of registration is still in possession of the original certificate of registration, the registered member must surrender it with the application for a new certificate.

78. Use of Electronic Documentation

(1) Unless otherwise specified, a requirement for a signature in these bylaws may be satisfied by an electronic signature that reliably identifies the person signing.

(2) Unless otherwise specified, a requirement for “writing” or “written” in these bylaws may be satisfied by electronic form of such requirement.

(3) A reference in these bylaws to an item being made available to a person, in addition to being made available in paper format, includes availability by way of:

- (a) a website of the College,
- (b) an electronic interface hosted by the College or an agent of the College, or
- (c) electronic mail.

(4) At annual and other general meetings, if Council determines that it is appropriate, videoconferencing or any similar technology that allows the participants to see and hear each other may be used.

Schedule A
Alberta College of Pharmacists
Fee Schedule – 2017/2018

Pharmacist Permit	Fee	GST	Total	Term
Practice Permit	\$802.00	\$40.10	\$842.10	Jul 1, 2017-Jun 30, 2018
Practice Permit Pro-rated <i>(for new or reinstating registrants who join between January 1 and June 30)</i>	\$441.00	\$22.05	\$463.05	Jan 1, 2018-Jun 30, 2018
Courtesy Register - Pharmacist Locum	\$424.00	\$21.20	\$445.20	Jul 1, 2017-Jun 30, 2018
Courtesy Register Restricted - Pharmacist CE Provider <i>(restricted to the provision of professional development programs)</i>	\$59.00	\$2.95	\$61.95	Jul 1, 2017-Jun 30, 2018

Technician Permit 2017*	Fee	GST	Total	Term
Practice Permit	\$485.00	\$24.25	\$509.25	Jan 1, 2017-Dec 31, 2017
Practice Permit Pro-rated <i>(for new or reinstating registrants who join between July 1 and December 31)</i>	\$267.00	\$13.35	\$280.35	Jul 1, 2017-Dec 31, 2017
Courtesy Register - Technician Locum	\$267.00	\$13.35	\$280.35	Jan 1, 2017-Dec 31, 2017
Courtesy Register Restricted - Technician CE Provider <i>(restricted to the provision of professional development programs)</i>	\$59.00	\$2.95	\$61.95	Jan 1, 2017-Dec 31, 2017

Technician Permit 2018	Fee	GST	Total	Term
Practice Permit	\$485.00	\$24.25	\$509.25	Jan 1, 2018-Dec 31, 2018
Practice Permit Pro-rated <i>(for new or reinstating registrants who join between July 1 and December 31)</i>	\$267.00	\$13.35	\$280.35	Jul 1, 2018-Dec 31, 2018
Courtesy Register - Technician Locum	\$267.00	\$13.35	\$280.35	Jan 1, 2018-Dec 31, 2018
Courtesy Register Restricted - Technician CE Provider <i>(restricted to the provision of professional development programs)</i>	\$59.00	\$2.95	\$61.95	Jan 1, 2018-Dec 31, 2018

Other Regulated Registrant Fees	Fee	GST	Total	Term
Registration <i>(initial registration of pharmacy students, provisional pharmacists and provisional technicians)</i>	\$536.00	\$26.80	\$562.80	Jul 1, 2017-Jun 30, 2018
Out-of-province Educational Rotation <i>(Six-month permit for pharmacy/PharmD student or military pharmacists registered in another province performing an educational rotation in AB)</i>	\$131.00	\$6.55	\$137.55	Jul 1, 2017-Jun 30, 2018
Jurisprudence Exam - re-challenge or reinstatement <i>(pharmacists and technicians)</i>	\$149.00	\$7.45	\$156.45	Jul 1, 2017-Jun 30, 2018
Assessment for Additional Prescribing Authorization	\$350.00	\$17.50	\$367.50	Jul 1, 2017-Jun 30, 2018
Re-assessment for Additional Prescribing Application <i>(applies for assessment of each subsequent application)</i>	\$225.00	\$11.25	\$236.25	Jul 1, 2017-Jun 30, 2018

Practice Permit Reissue or Reinstatement (<i>pharmacists and technicians</i>)	\$267.00	\$13.35	\$280.35	Jul 1, 2017-Jun 30, 2018
Non-compliance - Pharmacist (<i>annual practice permit fees and/or CEU requirements not received by ACP before June 1</i>)	\$82.00	\$4.10	\$86.10	Jun 1, 2017-Jun 30, 2017
Non-compliance - Technician (<i>annual practice permit fees and/or CEU requirements not received by ACP before December 1</i>)	\$82.00	\$4.10	\$86.10	Dec 1, 2017-Dec 31, 2017

Non-regulated Member

	Fee	GST	Total	Term
Associate Pharmacist	\$233.00	\$11.65	\$244.65	Jul 1, 2017-Jun 30, 2018
Associate Pharmacy Technician 2017*	\$233.00	\$11.65	\$244.65	Jan 1, 2017-Dec 31, 2017
Associate Pharmacy Technician 2018	\$233.00	\$11.65	\$244.65	Jan 1, 2018-Dec 31, 2018

* 2017 Technician fees previously approved by council in December 2015

Pharmacy Licence

	Fee	GST	Total	Term
Community	\$1,142.00	\$57.10	\$1,199.10	Jul 1, 2017-Jun 30, 2018
Compounding/Repackaging	\$1,142.00	\$57.10	\$1,199.10	Jul 1, 2017-Jun 30, 2018
Satellite (<i>must already hold a community licence</i>)	\$596.00	\$29.80	\$625.80	Jul 1, 2017-Jun 30, 2018
Add: Compounding/Repackaging to Community	\$596.00	\$29.80	\$625.80	Jul 1, 2017-Jun 30, 2018
Add: Mail Order to Community	\$596.00	\$29.80	\$625.80	Jul 1, 2017-Jun 30, 2018
Add: Community to Compounding/Repackaging	\$596.00	\$29.80	\$625.80	Jul 1, 2017-Jun 30, 2018
Pro-rated (for new pharmacies except Satellite licensing between January 1 and June 30):				
Pro-rated Community	\$778.00	\$38.90	\$816.90	Jan 1, 2018-Jun 30, 2018
Pro-rated Compounding/Repackaging	\$778.00	\$38.90	\$816.90	Jan 1, 2018-Jun 30, 2018
Add: Pro-rated Compounding/Repackaging to Pro-rated Community	\$405.00	\$20.25	\$425.25	Jan 1, 2018-Jun 30, 2018
Add: Pro-rated Mail Order to Pro-rated Community	\$405.00	\$20.25	\$425.25	Jan 1, 2018-Jun 30, 2018
Add: Pro-rated Community to Pro-rated Compounding/Repackaging	\$405.00	\$20.25	\$425.25	Jan 1, 2018-Jun 30, 2018

Other Pharmacy Fees

	Fee	GST	Total	Term
Ownership Change, Relocation or Renovation	\$357.00	\$17.85	\$374.85	Jul 1, 2017-Jun 30, 2018
Licensee Change	\$88.00	\$4.40	\$92.40	Jul 1, 2017-Jun 30, 2018
Re-inspection	Cost recovery basis			
Pharmacy Licence Reinstatement	\$267.00	\$13.35	\$280.35	Jul 1, 2017-Jun 30, 2018
Non-compliance - Pharmacy (<i>annual licence fees and/or forms not received by ACP before June 16 of each renewal year</i>)	\$114.00	\$5.70	\$119.70	Jun 16, 2017-Jun 30, 2017

Decision Review	Fee	GST	Total	Term
Registrar's Decision on Licence Application	\$596.00	\$29.80	\$625.80	Jul 1, 2017-Jun 30, 2018
Field Officer's Direction to Licensee or Proprietor	\$596.00	\$29.80	\$625.80	Jul 1, 2017-Jun 30, 2018
Review by Council of Registration Application Decision	\$596.00	\$29.80	\$625.80	Jul 1, 2017-Jun 30, 2018
Review by Council of Practice Permit Decision	\$596.00	\$29.80	\$625.80	Jul 1, 2017-Jun 30, 2018
Hearing Tribunal Appeal	\$596.00	\$29.80	\$625.80	Jul 1, 2017-Jun 30, 2018

General	Fee	GST	Total	Term
Letter of Standing <i>(for pharmacist or pharmacy)</i>	\$26.00	\$1.30	\$27.30	Jul 1, 2017-Jun 30, 2018
Duplicate Certificate	\$26.00	\$1.30	\$27.30	Jul 1, 2017-Jun 30, 2018
NSF Cheques	\$26.00	\$1.30	\$27.30	Jul 1, 2017-Jun 30, 2018
Shipping	\$26.00	\$1.30	\$27.30	Jul 1, 2017-Jun 30, 2018
Search for Information <i>(re: financial, historical, privacy)</i>	Cost recovery at the rate of \$40/hour			Jul 1, 2017-Jun 30, 2018
Copies of Documents	\$5.00 for first page and \$0.50 for each page thereafter plus GST and shipping			Jul 1, 2017-Jun 30, 2018

Directories, Lists and Labels	Fee	GST	Total	Term
ACP Pharmacy Directory	\$284.00	\$14.20	\$298.20	Jul 1, 2017-Jun 30, 2018
ACP Pharmacy Directory Subscription	\$567.00	\$28.35	\$595.35	Jul 1, 2017-Jun 30, 2018
Pharmacy List or Mailing Labels	\$113.00	\$5.65	\$118.65	Jul 1, 2017-Jun 30, 2018
Regulated Registrants List or Mailing Labels <i>(subject to ACP Privacy Policy)</i>	\$170.00	\$8.50	\$178.50	Jul 1, 2017-Jun 30, 2018
Regulated Registrants List or Mailing Labels <i>(subject to ACP Privacy Policy, subset no greater than 500 registrants)</i>	\$113.00	\$5.65	\$118.65	Jul 1, 2017-Jun 30, 2018

Schedule A amended December 6, 2016

Schedule B - Expenses

Council and Committee members shall be reimbursed as follows:

Air fare	actual - economy class or equivalent
Car	\$0.54/km (incl. GST)
Taxi	actual
Parking	actual
Accommodations	actual
Meals	to a maximum of \$82.75 per day
Other expenses as approved by Council	actual

Where the Registrar requires it, claims for expenses must be supported by receipts.

Schedule B amended December 6, 2016

Schedule C – Per Diems

Council members are paid per diems at the rate of \$425.00 per day when involved in College business.

Committee members are paid per diems at the rate of \$425.00 per day when involved in College business.

Council members are paid for teleconference meetings at the rate of \$59.00 per hour.

Schedule C amended December 6, 2016

Schedule D

Establishing the Election Cycle for Elected Members of Council and the Process for Including Elected Pharmacy Technician Members On Council

Purpose

The purpose of this Schedule is to provide for a phased transition to occur in the composition of Council so that:

- as soon as reasonably possible after the coming into force of the amendments to the Pharmacists Profession Regulation, the first pharmacy technician will be elected to Council;
- after June 30th, 2014, Council will include two members elected from among pharmacy technicians;
- the total number of elected members of Council will remain unchanged at nine.
- the transitional process will treat existing councilors fairly and ensure that the staggered terms and succession process accommodated under the current bylaws is not unduly disrupted by the transition process; and
- the election cycle is established for the Council of the College.

1. Definitions

- (1) In this Schedule:
- (a) *new regulation* means the amendments contained within Alberta Regulation 90/2011;

2. Election cycle for clinical pharmacists elected to Council

- (1) Beginning in 2011, the elections for clinical pharmacists to serve on Council will be held on the rotation shown in the chart below, subject to any extension of term for a President Elect under Section 24 of the bylaws:

	2011	2012	2013	2014	2015	2016	Timing of elections thereafter
District 1		Election			Election		Election to be held every 3 rd year after 2015
District 2	Election			Election			Election to be held every 3 rd year after 2014
District 3a¹		Election			Election		Election to be held every 3 rd year after 2015
District 3b²			Election			Election	Election to be held every 3 rd year after 2016

District 3c³	Election						No election after 2011- position terminates on June 31 st 2014
District 4			Election			Election	Election to be held every 3 rd year after 2016
District 5 a¹		Election			Election		Election to be held every 3 rd year after 2015
District 5b⁴	Election			Election			Election to be held every 3 rd year after 2014

¹ The election cycle for the positions of the elected members of council from District 3 and 5 where the incumbents' terms expire on June 30th, 2012.

² The election cycle for the position of the elected members of council from District 3 where the incumbent's term expires on June 30th, 2013.

³ The election for the position of the elected member of District 3 where the incumbent's term expires on June 30th, 2011.

⁴ The election cycle for the position of the elected member of council from District 5 where the incumbent's terms expires June 30th, 2011.

- (2) The clinical pharmacists serving as elected member of council on the coming into force of this schedule, in:
- (a) District 2,
 - (b) District 3, and
 - (c) District 5

whose terms would have expired on the last day of the Annual General Meeting in 2011 under the Bylaws as they read before the coming into force of this schedule will continue to serve as members of Council until June 30th, 2011.

- (5) The position of the elected member of council for District 5, where the incumbent's term was continued until the last day of the Annual General Meeting in 2011 to allow her to serve her presidency under Section 24 of the Bylaws is continued until June 30th, 2011 and thereafter that position is discontinued.
- (4) The clinical pharmacists serving as elected member of council on the coming into force of this schedule in
- (a) District 1,
 - (b) District 3, and
 - (c) District 5

whose terms would have expired on the last day of the Annual General Meeting in 2012 under the Bylaws as they read before the coming into

force of this schedule will continue to serve as members of Council until June 30th, 2012.

- (5) The clinical pharmacists serving as elected member of council on the coming into force of this schedule in
 - (a) District 1,
 - (b) District 3
 - (c) District 5

whose terms would have expired on the last day of the Annual General Meeting in 2013 under the Bylaws as they read before the coming into force of this schedule will continue to serve as members of Council until June 30th, 2013.

- (6) The elections under Subsection (1) must be held to fill the positions of those members of Council whose terms expire in that year.

3. Timing of initial elections for pharmacy technicians

- (1) Subject to (2), one pharmacy technician member will be elected to Council in a special election to be held six months after the new regulation comes into effect.
- (2) If the effective date of the new regulation is after May 1, 2011, the election for the first pharmacy technician member of Council will occur in the 2012 election cycle of the College.
- (3) The first pharmacy technician member elected to Council will serve a term that ends on June 30th, 2015.
- (4) The second pharmacy technician member of Council will be elected in the 2014 election cycle of the College and will serve a term that ends on June 30th, 2017.

4. Process for determining who the initial two pharmacy technicians will represent

- (1) The first pharmacy technician elected to council will represent all pharmacy technicians in Alberta until the second pharmacy technician member is elected in the 2014 election cycle.

(2) If the first pharmacy technician member elected to Council resides in District A on the date of nominations for the election to be held in 2014 then:

- (a) the election for a pharmacy technician member in 2014 will take place for a representative for District B; and
- (b) the pharmacy technician who was elected in 2011 or in 2012, if Section 3(2) of this Schedule applies, will represent District A from June 30th, 2014 until the July 1st, 2015; and
- (c) the election cycle for the elected members of Council for pharmacy technicians will be as follows:

District	2011 or 2012 as per S.3 of this Schedule	2013	District	2014	2015	2016	2017	Timing of elections thereafter
A and B	Election		A		Election			Election to be held every 3 rd year after 2015
			B	Election			Election	Election to be held every 3 rd year after 2017

(3) If the first pharmacy technician member elected to Council resides in District B on the date of nominations for the election to be held in 2014 then:

- (a) the election for a pharmacy technician member in 2014 will take place for a representative for District A; and
- (b) the pharmacy technician who was elected in 2011 or 2012, if Section 3(2) of this Schedule applies, will represent District B from June 30th, 2014 until July 1st, 2015; and
- (c) the election cycle for the elected members of Council for pharmacy technicians will be as follows:

District	2011 or 2012 as per S.3 of this Schedule	2013	District	2014	2015	2016	2017	Timing of elections thereafter
A and B	Election		B		Election			Election to be held every 3 rd year after 2015
			A	Election			Election	Election to be held every 3 rd year after 2017

- (4) The elections under Subsections (2)(c) or (3)(c) as the case may be must be held to fill the positions of those members of Council whose terms expire in that year.

Schedule D amended February 24, 2011. Effective March 1, 2011

Schedule E – Districts 1 Map



*Schedule E - Districts Map 1
Amended February 24, 2011*

Schedule E – Districts 2 Map



*Schedule E - Districts Map 2
Amended February 24, 2011*