



Province of Alberta

PROFESSIONAL AND OCCUPTIONAL
ASSOCIATIONS REGISTRATION ACT

**INFORMATION SYSTEMS
PROFESSIONAL REGULATION**

Alberta Regulation 39/1997

With amendments up to and including Alberta Regulation 35/2004

Office Consolidation

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(Consolidated up to 35/2004)

ALBERTA REGULATION 39/97

**Professional and Occupational
Associations Registration Act**

INFORMATION SYSTEMS PROFESSIONAL REGULATION

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Definitions

1 In this Regulation,

- (a) “Act” means the *Professional and Occupational Associations Registration Act*;
- (b) “Association” means the Canadian Information Processing Society of Alberta;
- (c) “Association Registrar” means the Registrar of the Association appointed under the by-laws;

- (d) “Board” means the Board of Directors of the Association established in accordance with section 12(3) of the Act;
- (e) “by-laws” means the by-laws of the Association;
- (f) “candidate member” means a person whose name is entered in the register of candidate members;
- (g) “certified member” means a person whose name is entered in the register of certified members;
- (h) “Discipline Committee” means the Discipline Committee established pursuant to section 12;
- (i) “education credit” means a credit granted pursuant to section 11;
- (i.1) “information systems experience” means experience that is acceptable to the Registration Committee in the practice of information systems;
- (j) “Institute for Certification of Computer Professionals” means the organization that administers standardized testing of information systems professionals in North America with headquarters in Des Plaines, Illinois, USA;
- (k) “practice of information systems” means the investigation, analysis, design, development or management of information systems based on computer and related technologies through the objective application of specialized knowledge and professional judgment;
- (l) “primarily engaged in the practice of information systems” means involved in the practice of information systems for a percentage of normal business hours that is acceptable to the Association;
- (m) “reciprocal association” means an association of information systems professionals in a jurisdiction outside Alberta that has objects that are similar to the objects of the Association and standards of admission that are equivalent to or exceed the standards of admission of the Association;
- (n) “registered member” means a certified member, a candidate member or a person whose name is entered in a register prescribed by the by-laws;
- (o) “Registration Committee” means the Registration Committee established pursuant to section 2.

AR 39/97 s1;35/2004

Registration Committee

2(1) There is hereby established the Registration Committee consisting of

- (a) one certified member who is a member of the Board and who shall act as the chair, and
- (b) other certified members in the number prescribed by the by-laws.

(2) The Registration Committee shall be appointed by the Board in accordance with the by-laws.

(3) The Registration Committee shall meet at the call of the chair.

(4) A quorum at a meeting of the Registration Committee is one half of its members.

Registers

3(1) The Association Registrar shall maintain, in accordance with this Regulation and the by-laws,

- (a) a register of certified members, and
- (b) a register of candidate members.
- (c) repealed AR 35/2004 s3.

(2) The Association Registrar shall enter in the appropriate register

- (a) the name of an individual whose registration has been approved under section 4 or 5 and who has paid the fee prescribed by the by-laws, and
- (b) the address of record of that individual.

(3) Repealed AR 35/2004 s3.

AR 39/97 s3;35/2004

Powers and duties of Registration Committee

4(1) The Registration Committee shall consider each application for registration as a registered member and may

- (a) approve the registration,
- (b) refuse to approve the registration, or
- (c) defer approval until the applicant has successfully completed examinations, course work or work experience acceptable to the Association.

- (2) The Registration Committee shall send to the applicant
 - (a) a written notice of its decision, and
 - (b) if the decision is to refuse approval of the application, reasons for the decision.

Review of application

- 5(1)** An applicant whose application for registration is refused by the Registration Committee may, by notice in writing served on the Association Registrar within 30 days of receiving a notice under section 4(2) and the reasons for the decision, appeal the refusal to the Board.
- (2) The notice of appeal shall set out the reasons why, in the applicant's opinion, the application for registration should be approved.
- (3) An applicant who appeals a decision of the Registration Committee
 - (a) shall be notified in writing by the Association Registrar of the date, place and time at which the Board will hear the appeal, and
 - (b) is entitled to appear with counsel and make representations to the Board when it hears the appeal.
- (4) A member of the Registration Committee who is also a member of the Board may participate in the appeal but
 - (a) shall not vote on a decision of the Board under this section, and
 - (b) shall not be counted for the purpose of quorum of the Board when it is hearing the appeal.
- (5) On hearing an appeal under this section, the Board may make any decision the Registration Committee may make and shall notify the applicant of its decision in writing.

Certificate of registration

- 6** On entering the name of an individual in the appropriate register, the Association Registrar shall issue a certificate of registration to that person.

Payment of fee

7 A registered member shall pay the fee or fees prescribed by the by-laws to the Association Registrar or to any person authorized by the Association Registrar to accept payment of the fee.

AR 39/97 s7;35/2004

Registration as certified member

8(1) An applicant who is primarily engaged in the practice of information systems is entitled to be registered as a certified member on

- (a) providing evidence that the applicant obtained at least 1000 hours of information systems experience in the 12 months immediately preceding the application for registration and that the applicant has
 - (i) graduated from a 4-year degree program approved by the Board and obtained at least 2 years of information systems experience,
 - (ii) graduated from a 3-year degree program approved by the Board and obtained at least 3 years of information systems experience,
 - (iii) graduated from a 3-year technical program approved by the Board and obtained at least 4 years of information systems experience,
 - (iv) graduated from a 2-year technical program approved by the Board and obtained at least 5 years of information systems experience, or
 - (v) obtained at least 5 years of information systems experience and passed the examinations set by the Institute for the Certification of Computer Professionals required to qualify for the Certified Computing Professional (CCP) designation or a substantially equivalent designation approved by the Board,
- (a.1) providing evidence that the applicant obtained a combination of academic qualifications and experience that, in the opinion of the Registration Committee,
 - (i) is substantially equivalent to the requirements identified in clause (a)(i), (ii), (iii), (iv) or (v), and
 - (ii) was obtained in the sufficiently recent past,

or

- (b) providing evidence that the applicant
 - (i) began the practice of information systems before 1976,
 - (ii) has obtained at least 12 000 hours of information systems experience, and
 - (iii) has obtained at least 1000 hours of information systems experience in the 12 months immediately preceding the application for registration.

(2) Notwithstanding subsection (1), an applicant is entitled to be registered as a certified member if the applicant is the equivalent of a certified member in good standing of a reciprocal association.

(3) An individual who, immediately before the coming into force of this Regulation, was a certified member of the Association is entitled to be registered as a certified member under this Regulation.

AR 39/97 s8;35/2004

Registration as candidate member

9(1) An applicant is entitled to be registered as a candidate member on providing evidence that the applicant has

- (a) graduated from a degree program approved by the Board,
- (b) graduated from a technical program for information systems approved by the Board,
- (c) obtained academic qualifications that, in the opinion of the Registration Committee, are substantially equivalent to the requirements identified in clause (a) or (b), or
- (d) passed the examinations set by the Institute for the Certification of Computer Professionals required to qualify for the Certified Computing Professional (CCP) designation or an equivalent designation approved by the Board.

(2) Notwithstanding subsection (1), an applicant is entitled to be registered as a candidate member if the applicant is the equivalent of a candidate member in good standing with a reciprocal association.

(3) Notwithstanding subsections (1) and (2), an individual may remain on the register of candidate members for a maximum of 10 years.

(4) Notwithstanding subsection (3), the total period of time an individual may remain on the register of candidate members may be extended by the Registration Committee.

AR 39/97 s9;35/2004

Eligibility for renewal of registration

10 Subject to section 9(3), an application for annual renewal of registration as a certified member or a candidate member shall be approved by the Registration Committee if the applicant provides evidence that

- (a) in the 3 years preceding the application for renewal, the applicant
 - (i) obtained at least 3000 hours of information systems experience, and
 - (ii) obtained at least 300 education credits,
- or
- (b) in the year preceding the application for renewal, the applicant
 - (i) obtained at least 1000 hours of information systems experience, and
 - (ii) obtained at least 100 education credits.

AR 39/97 s10;35/2004

Continuing education

11(1) In this section, “developmental activity” means an activity that enhances a registered member’s knowledge of or proficiency in the practice of information systems and includes the following:

- (a) course work;
- (b) course development;
- (c) teaching;
- (d) on-the-job coaching;
- (e) writing published material;
- (f) attendance at conferences or seminars;
- (g) reading professional or technical literature;

(h) sitting examinations administered by the Institute for Certification of Computer Professionals.

(2) The Registration Committee may grant education credits to a registered member for the satisfactory completion of a developmental activity approved by the Registration Committee.

(3) For the purpose of granting education credits pursuant to subsection (2), the Registration Committee may establish a schedule setting out the number of credits assigned to each developmental activity.

Discipline Committee

12(1) There is hereby established the Discipline Committee consisting of

- (a) one certified member who is a member of the Board, and
- (b) other certified members in the number prescribed by the by-laws.

(2) The members of the Discipline Committee shall be appointed by the Board in accordance with the by-laws.

(3) The Discipline Committee shall meet at the call of the chair.

(4) A quorum at a meeting of the Discipline Committee is one half of its members.

13 Repealed AR 35/2004 s9.

Costs

14(1) The Discipline Committee, with respect to hearings before it, and the Board, with respect to reviews by it, may order the investigated person to pay the following costs:

- (a) the fee payable to the lawyer advising the Discipline Committee or Board at the hearing or review and the fee payable to the lawyer acting in a prosecutory role at the hearing or review;
- (b) the cost of recording the evidence and preparing transcripts;
- (c) the expenses of the members of the Discipline Committee including, without limitation, the daily allowances of those members;

- (d) any other expenses incurred by the Association that are incidental to the hearing or review.

(2) Where the Board determines under section 22(3)(a) of the Act that a complaint is frivolous or vexatious, it may order the complainant to pay the following costs:

- (a) the fee payable to the lawyer advising the Board at any hearing held by the Board;
- (b) any other expenses incurred by the Association that are incidental to the hearing held by the Board.

Cancellation and suspension

15(1) The registration of a registered member is cancelled or suspended when the decision to cancel or suspend the registration is made in accordance with the Act or this Regulation.

(2) The Association Registrar shall enter a memorandum of the cancellation or suspension of the registration in the appropriate register indicating

- (a) the date of the cancellation or suspension,
- (b) the period of the suspension, and
- (c) the nature of any finding under Part 3 of the Act.

(3) If the registration of a registered member is cancelled, the person whose registration is cancelled shall, on request, surrender to the Association Registrar all documents relating to the registration.

Cancellation on request

16 The Association Registrar shall not cancel the registration of a registered member at the request of the registered member unless the request for cancellation is approved by the Board.

Non-payment of fees, etc.

17(1) The Board shall direct the Association Registrar to suspend or cancel the registration of a registered member who is in default of payment of any annual fees, penalties, costs or other fees, dues or levies payable under the Act, this Regulation or the by-laws after the expiration of 60 days following the service on that person of a written notice by the Board, unless that person complies with the notice.

(2) The notice under subsection (1) shall state that the Association Registrar shall suspend or cancel the registration unless the fees, penalties, costs, dues or levies are paid as indicated in the notice.

(3) An individual whose registration has been cancelled under subsection (1) due only to non-payment of a fee is entitled to have the registration renewed on application within the time period following the due date for its payment that is prescribed by the by-laws and on payment of all accrued fees payable and any late renewal fee prescribed by the by-laws under section 7.

AR 39/97 s17;35/2004

Registration in error

18 The Board shall direct the Association Registrar to cancel the registration of any person that is entered in error in a register.

19 and 20 Repealed AR 35/2004 s9.

Service of notices

21 A notice to be served on the Association Registrar, the Board, the Registration Committee or the Discipline Committee, or any member of those committees or the Board, is sufficiently served if it is personally served at, or sent by registered or certified mail to, the office of the Association.

Use of title

22 A certified member may use the title "Information Systems Professional", "Informaticien professionnel agréé" and the abbreviations "I.S.P.", "ISP", "I.P.A." and "IPA".

Standard of conduct

23 A registered member

- (a) shall execute his duties in accordance with generally accepted standards of practice,
- (b) shall maintain currency in knowledge and skills necessary to carry out his duties,
- (c) shall undertake only such professional work that he is competent to perform by virtue of his training and experience,
- (d) shall express opinions on information systems matters only on the basis of adequate knowledge and honest conviction,

- (e) shall accurately represent his qualifications and competence,
- (f) shall refer any incompetent, illegal or unethical conduct by an information systems professional to the appropriate authority,
- (g) shall maintain confidentiality with respect to all privileged or personal information that comes to his attention through the practice of information systems,
- (h) shall not disseminate or allow to go unchallenged false or misleading information relating to the practice of information systems, if such information is likely to have significant consequences,
- (i) shall not unreasonably withhold information relating to the practice of information systems if withholding the information is contrary to the public interest,
- (j) shall endeavour to avoid situations that create a conflict of interest with his client or employer, and shall immediately disclose to the client or employer, as the case may be, any situation in which the potential for conflict exists,
- (k) shall maintain a collaborative relationship with co-workers in the information systems profession and other fields,
- (l) shall work to encourage high standards of performance for information systems professionals, and
- (m) shall conduct himself in a professional, ethical and responsible manner.

24 Repealed by AR 18/2002 s2.

Schedules 1 and 2 Repealed AR 35/2004 s9.



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