



Province of Alberta

REGULATED FORESTRY PROFESSION ACT

**REGISTERED PROFESSIONAL
FORESTERS REGULATION**

Alberta Regulation 75/2002

Extract

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ALBERTA REGULATION 75/2002

Regulated Forestry Profession Act

**REGISTERED PROFESSIONAL
FORESTERS REGULATION**

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Interpretation

1(1) In this Regulation,

- (a) “Act” means the *Regulated Forestry Profession Act*;
- (b) “apprenticeship” means completing the forester-in-training program under the guidance of a registered professional forester approved by the registration committee;
- (c) “CFAB” means the Canadian Forestry Accreditation Board;
- (d) “college” means the College of Alberta Professional Foresters;
- (e) “Conditional Register” means the register established under section 15(1)(c);

- (f) “forester-in-training” means the category of regulated member referred to in section 14 who meets the requirements of section 3;
- (g) “forester-in-training program” means a program of study and practical experience for foresters-in-training to meet the competence requirements for registration as a registered professional forester;
- (h) “Foresters-in-Training Register” means the register established under section 15(1)(b);
- (i) “mutual recognition agreement” means an agreement signed by the college and provincial associations;
- (j) “professional examination” means an examination approved by council to assess an applicant’s knowledge and understanding of Alberta forestry policies and legislation;
- (k) “provincial association” means an organization incorporated in a province or territory of Canada other than Alberta that regulates professional foresters;
- (l) “recognized forestry organization” means a professional forestry organization
 - (i) recognized by the council as having similar regulatory objectives to the college;
 - (ii) that grants a professional forestry designation recognized by the council;
 - (iii) that has competence and practice standards recognized by the council as being substantially similar to those of the college;
- (m) “registered professional forester” means the category of regulated member referred to in section 14 who meets the requirements of section 5, 8 or 10;
- (n) “Registered Professional Foresters Register” means the register established under section 15(1)(a);
- (o) “Temporary Register” means the register established under section 15(1)(d).

(2) The terms defined in section 1 of the Act and Schedule 1 to the Act have the same meaning in this Regulation.

Part 1 Registration

Division 1 General Registration

General requirements

2(1) Each applicant for registration as a forester-in-training or a registered professional forester must provide to the registrar evidence satisfactory to the registrar of

- (a) being a Canadian citizen or a person lawfully permitted to work or study in Canada, and
- (b) having good character and reputation.

(2) In determining whether an applicant is of good character and reputation, the registrar must consider whether the applicant

- (a) has had a finding of unprofessional conduct or similar finding made against the applicant by any professional organization, and any orders made in consequence,
- (b) has any outstanding charges under the criminal law of any country,
- (c) has been convicted of a criminal offence in any country,
- (d) has been found guilty of a breach of a university or similar code of conduct or of an academic infraction at any post secondary education institution, and
- (e) has any outstanding complaints or discipline matters with any professional organization with which the applicant is or has been registered.

(3) In addition to the matters referred to in subsections (1) and (2), the registrar may consider

- (a) any character references,
- (b) information on steps taken to overcome and evidence that the applicant has overcome the competence or ethical issues related to subsections (1) and (2), and
- (c) any mitigating factors provided by the applicant.

Division 2 Registration and Renewal of Practice Permit of Foresters-In-Training

Registration of foresters-in-training

3 An applicant for registration as a forester-in-training must provide evidence satisfactory to the registrar of having completed the requirements of section 2 and having completed or substantially completed the requirements of section 6.

Renewal of practice permit

4 For the purposes of section 34(1)(b)(i) of the Act, if a forester-in-training is applying for renewal of a practice permit, the applicant must provide evidence satisfactory to the registrar that the applicant

- (a) continues to meet the requirements of section 2,
- (b) is completing the requirements referred to in sections 6 and 7 or meeting the grade or performance requirements prescribed by the council on the professional examination, and
- (c) has provided any information required by the Act or the regulations.

Division 3 Registration of and Requirements for Registered Professional Foresters

Requirements for registration by foresters-in-training

5 An application for registration as a registered professional forester by a forester-in-training must be accompanied by evidence satisfactory to the registrar that the following requirements have been met:

- (a) the academic requirements specified in section 6;
- (b) the experience requirements under section 7;
- (c) the grade or performance requirements prescribed by the council on the professional examination.

Academic requirements

6 The academic requirements consist of

- (a) a degree from a post-secondary education program accredited by CFAB or approved by the council, or

- (b) meeting the grade or performance requirements prescribed by the council on courses and examinations approved by council in core competency areas approved by the council, including but not limited to the following:
 - (i) forest ecology, dendrology, entomology and pathology;
 - (ii) forest economics, measuring, monitoring and forecasting;
 - (iii) forest products;
 - (iv) forest soils and hydrology;
 - (v) tree morphology and physiology;
 - (vi) silvics and silviculture;
 - (vii) forest fire management;
 - (viii) forest management, operations and policy.

Experience requirements

7 The experience required for the purposes of section 5(b) to become a registered professional forester is

- (a) the completion of 2-year apprenticeship in the practice of forestry under the guidance of a registered professional forester approved by the registration committee, or
- (b) subject to any policies approved by the council, evidence of experience substantially equivalent to the requirements referred to in clause (a).

Foresters from recognized forestry organization

8(1) For the purposes of section 22(2)(b) of the Act, if an applicant for registration as a registered professional forester is registered by a recognized forestry organization or by a provincial association that the council recognizes through a mutual recognition agreement, the applicant must provide satisfactory evidence to the registrar that the applicant has met the competence requirements referred to in section 22(1)(a) of the Act by providing evidence that

- (a) the applicant is registered in good standing with that recognized forestry organization or provincial association and is not subject to any professional practice conditions,

- (b) the applicant's current registration in the recognized forestry organization or provincial association does not fall into a category for non-practising or temporary member,
- (c) the applicant meets the good character and reputation requirements referred to in section 2, and
- (d) the applicant meets the grade or performance requirements prescribed by the council on the professional examination.

(2) An applicant who has met the requirements of (1)(a), (b) and (c) and is attempting to meet the requirements of subsection (1)(d) may apply to the registrar for registration on the Conditional Register.

Other evidence of competence

9 An applicant who does not meet the requirements of section 5 or 8 may provide evidence of competence for the purposes of section 22(2)(c) of the Act in accordance with section 10.

Registration under section 22(2)(c) of Act

10(1) An applicant may provide evidence of competence under section 22(2)(c) of the Act by providing to the registration committee satisfactory evidence of

- (a) grades and performance achieved in academic, educational and other relevant studies substantially equivalent to that required in section 6,
- (b) experience substantially equivalent to that required in section 7,
- (c) successful completion of any courses, examination or experience prescribed by the registration committee to demonstrate substantially equivalent competence to that required in sections 6 and 7,
- (d) meeting the grade or performance requirements prescribed by the council on the professional examination,
- (e) membership in good standing with organizations relevant to the forestry profession, the regulated standards and requirements of such organizations and the activities completed in such organizations,
- (f) relevant professional development activities completed, and

(g) other relevant qualifications, accomplishments, abilities and competencies.

(2) For purposes of subsection (1), the evidence must be presented in writing and may be supplemented by personal representations from the applicant or from other individuals, at the request of the registration committee.

(3) An applicant who has met the requirements of (1)(a), (b) and (c) and is attempting to meet the requirements of subsection (1)(d) may apply to the registrar for registration on the Conditional Register.

Division 4 Practice Permits

Conditions on practice permits

11(1) One or more of the following conditions may be imposed on a practice permit of a regulated member registered in the Conditional Register, the Temporary Register or the Foresters-in-Training Register by the registration committee or by the competence committee:

- (a) completion of any examinations, testing, assessment, apprenticeship, experience or counselling;
- (b) a requirement to practice under the supervision of a registered professional forester;
- (c) a requirement to limit a regulated member's practice to specified practice areas or practice settings and a prohibition from practising in other practice areas or practice settings;
- (d) a requirement to report to the registrar on specified matters on specified dates;
- (e) a provision that the practice permit is valid only for a specified time;
- (f) a provision that the regulated member may only use specified titles;
- (g) a provision prohibiting the regulated member from supervising foresters-in-training or registered professional foresters.

(2) One or more of the following conditions may be imposed on a practice permit of a regulated member registered on the Registered Professional Foresters Register by the registration committee or by the competence committee:

- (a) completion of the continuing competence requirements within a specified time;
- (b) a requirement to practice under the supervision of a registered professional forester;
- (c) a requirement to report to the registrar on specified matters on specified dates;
- (d) a provision that the practice permit is valid only for a specified time;
- (e) a provision that the regulated member may only use specified titles.

Division 5 Continuing Competence Program

Continuing competence requirements

12 Registered professional foresters must

- (a) comply with the continuing competence program requirements,
- (b) maintain accurate and complete records of activities in the continuing competence program, and
- (c) on request by the competence committee submit documentation in a specified format demonstrating compliance with the continuing competence program.

Division 6 Reinstatement of Registration and Practice Permit

Reinstatement

13(1) An investigated person whose registration or practice permit was cancelled under Part 4 of the Act must comply with all orders made or any conditions specified by the hearing tribunal, council or the Court of Appeal, as the case may be, before being entitled to apply for reinstatement of registration or of a practice permit.

(2) Unless otherwise provided in the Act or this Regulation, an investigated party whose registration or practice permit was cancelled under Part 4 of the Act may not apply to the registration committee for reinstatement within one year of the cancellation.

(3) An applicant for reinstatement referred to in subsection (1) must

- (a) comply with the requirements of this section;
- (b) provide satisfactory evidence to the registration committee of meeting the requirements of section 2;
- (c) meet any education requirements specified by the registration committee;
- (d) pay a reinstatement fee as provided by the bylaws;
- (e) satisfy any other terms or conditions specified by the registration committee.

(4) The registration committee may order the reinstatement of a registration or a practice permit cancelled under Part 4 of the Act if all orders have been complied with and any conditions set at the time of the cancellation have been met.

(5) Sections 23 to 26 of the Act apply to all applications for reinstatement of registration and sections 34 and 35 of the Act apply to all applications for reinstatement of practice permits after cancellation.

Division 7 Categories of Regulated Members

Categories of members

14 The following categories of regulated members are established:

- (a) registered professional foresters;
- (b) foresters-in-training.

Division 8 Registers

Registers established

15(1) The following registers are established:

- (a) the Registered Professional Foresters Register;
- (b) the Foresters-in-Training Register;
- (c) the Conditional Register;
- (d) the Temporary Register.

- (2) A regulated member who is a registered professional forester must be entered into the Registered Professional Foresters Register, the Conditional Register or the Temporary Register.
- (3) A regulated member who is a forester-in-training must be entered into the Foresters-in-Training Register.

Conditional Register

16(1) An applicant referred to under section 8(2) or 10(3) who has satisfied all the registration requirements except for passing the professional examination and has applied to write the professional examination, or is waiting for the results of the professional examination, may be entered into the Conditional Register.

(2) A regulated member entered in the Conditional Register is entitled to hold a practice permit until one of the following occurs, whichever is earliest:

- (a) the regulated member is entered into the Registered Professional Foresters Register as a result of successfully completing the professional examination;
- (b) the regulated member is unsuccessful in the professional examination;
- (c) 18 months have elapsed from the date the regulated member was entered into the Conditional Register.

(3) A regulated member entered in the Conditional Register may apply to the registration committee to be entered in the Registered Professional Foresters Register and for a practice permit without conditions by providing to the registration committee evidence that the regulated member has successfully completed the professional examination.

Temporary Register

17(1) An applicant may be entered into the Temporary Register if the applicant provides evidence satisfactory to the registration committee

- (a) that the applicant's primary residence is outside Alberta,
- (b) that the applicant complies with the requirements of section 2,
- (c) that the applicant is competent, and
- (d) why registration is required and the period of time for which registration is requested.

(2) A regulated member who is entered into the Temporary Register and whose primary residence is outside of Alberta is entitled to hold a practice permit until one of the following occurs, whichever is earliest:

- (a) the term of the practice permit necessary to complete the purpose for which registration is granted has expired;
- (b) a period of not more than 12 months in one registration year has elapsed.

(3) A regulated member registered on the Temporary Register whose primary residence is outside of Alberta may apply to the registration committee for renewal of a practice permit by submitting a written request for the renewal of the practice permit specifying the reasons for the renewal.

Division 9

Use of Titles, Abbreviations and Initials

Use of title

18(1) Only regulated members on the Registered Professional Foresters Register, Conditional Register or Temporary Register may use the following titles, abbreviations and initials:

- (a) “Registered Professional Forester”, “R.P.F.” or “RPF”;
- (b) “Registered Forester”, “R.F.” or “RF”;
- (c) “Professional Forester”, “P.For.” or “PFor”.

(2) Only regulated members on the Foresters-in-Training Register may use the title, abbreviation and initials “Forester-in-Training”, “F.I.T.” or “FIT”.

(3) If the practice permit or registration of a regulated member has been suspended or cancelled under the Act, the member must not use any of the protected titles, abbreviations or initials of the profession during the period of suspension.

Part 2 Public Information

Information in register

19 Following the suspension or cancellation of a regulated member’s registration or practice permit, the following information must be entered into the appropriate register:

- (a) the date of cancellation or suspension;

- (b) the period of the suspension;
- (c) the reason for the suspension or cancellation.

Register information

20 For the purposes of section 28(2) of the Act, the following information about regulated members or former members may be released to a member of the public during regular business hours on request:

- (a) date of registration;
- (b) category of regulated member;
- (c) basis of qualification for registration;
- (d) date of birth, if required to establish identity;
- (e) name of the current employer or of the firm in which the regulated member has a proprietary interest;
- (f) business phone number and fax, and e-mail address;
- (g) current status of a specific complaint, but only if the request provides the regulated member's name and details of the complaint;
- (h) any other information requested if the information is in the possession of the college and the regulated member or former member authorizes its release in writing.

Information provided by regulated members and applicants

21(1) The registrar may require applicants for registration and regulated members applying for practice permits to provide the following information:

- (a) demographic and forestry practice information, including
 - (i) the applicant's full name and previous surname;
 - (ii) preferred form of address;
 - (iii) the applicant's date of birth;
 - (iv) the applicant's home address, phone number, fax number and e-mail address;
 - (v) the applicant's academic and practical training qualifications and where and when they were obtained;

- (vi) the applicant's areas of practice and any specialties;
- (vii) language(s) in which the applicant provides professional services;
- (b) employment information, including
 - (i) the employer's name;
 - (ii) the employer's full address, phone and fax numbers and e-mail address;
 - (iii) the applicant's job title and position description;
 - (iv) the applicant's employment status (full time, part time);
 - (v) the start date of the applicant's current employment.

(2) The Registrar may require applicants for registration or regulated members applying for practice permits to authorize the release of information in order to verify the information provided by the applicants or regulated members.

(3) Applicants and regulated members may, on request, review their records at the college for the purpose of ensuring the information kept by the college in accordance with the Act and bylaws is correct.

Maintenance of information

22 The college must maintain the following information for the following periods of time:

- (a) for at least 10 years for information respecting suspension or cancellation of a practice permit and any conditions imposed on the regulated member's practice permit;
- (b) for at least 10 years for information respecting whether a hearing is scheduled to be held or has been held under Part 4 of the Act;
- (c) for at least 10 years for other information authorized by section 89 of the Act and by the bylaws under section 89(1) of the Act;
- (d) for at least 10 years for a copy of the ratified settlement and for information on the decision and record of the hearing under section 74(3) of the Act;
- (e) for at least 10 years for information maintained in accordance with section 27(3) and (4) of the Act.

Repeal

23 The *Forestry Profession Regulation* (AR 140/88) is repealed by this Regulation.

Coming into force

24 This Regulation comes into force on the coming into force of the *Regulated Forestry Profession Act*.



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