



Province of Alberta

PROFESSIONAL AND OCCUPATIONAL
ASSOCIATIONS REGISTRATION ACT

**SUPPLY CHAIN MANAGEMENT
ASSOCIATION ALBERTA
REGULATION**

Alberta Regulation 131/1989

With amendments up to and including Alberta Regulation 141/2014

Office Consolidation

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Alberta Queen's Printer
7th Floor, Park Plaza
10611 - 98 Avenue
Edmonton, AB T5K 2P7
Phone: 780-427-4952
Fax: 780-452-0668

E-mail: qp@gov.ab.ca
Shop on-line at www.qp.alberta.ca

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(Consolidated up to 141/2014)

ALBERTA REGULATION 131/89

Professional and Occupational Associations Registration Act

**SUPPLY CHAIN MANAGEMENT
ASSOCIATION ALBERTA REGULATION**

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Definitions

1 In this Regulation,

- (a) “accreditation program” means a program of studies of the Supply Chain Management Association Alberta;

- (a.1) “Act” means the *Professional and Occupational Associations Registration Act*;
- (b) “Association” means the Supply Chain Management Association 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 under the by-laws;
- (e) repealed AR 118/2011 s2;
- (e.1) “continuing education credit” means a credit assigned to an educational activity by the Practice Review Committee;
- (f) “Discipline Committee” means the Discipline Committee established pursuant to section 15;
- (g) “Practice Review Committee” means the Practice Review Committee established pursuant to section 11;
- (h) “professional development program” means a program of studies in strategic supply chain management that is designated as approved by the Board;
- (i) repealed AR 118/2011 s2;
- (j) “registered member” means a supply chain management professional or a regular member;
- (k) “Registration Committee” means the Registration Committee established pursuant to section 2;
- (l) “regular member” means a person who holds an annual membership card as a regular member under this Regulation;
- (m) “strategic supply chain management” means the use by a person, on behalf of the person’s employer or client, of professional business practices and principles with a view to enabling the employer or client to provide or acquire, or both, its goods and services to or for the consuming public, when and as required, at the lowest possible long-term cost;

- (n) “supply chain management professional” means a person who holds a certificate of registration and an annual membership card as a supply chain management professional under this Regulation.

AR 131/89 s1;140/2000;118/2011;141/2014

Registration Committee

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

- (a) at least 3 supply chain management professionals, who are not members of the Board, 1 of whom shall be appointed as chairman,
- (b) one or more other supply chain management professionals, and
- (c) the Association Registrar.

(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 chairman.

(4) A quorum at a meeting of the Registration Committee is 3 members.

AR 131/89 s2;118/2011

Registers

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

- (a) a register of supply chain management professionals,
- (b) a register of regular members, and
- (c) any other register prescribed by the by-laws.

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

- (a) the name of an individual whose registration has been approved by the Board or the Registration Committee, as the case may be, and who has paid the fee prescribed by the by-laws, and
- (b) the business address of that individual.

(3) The Association Registrar shall permit any person to inspect a register during regular office hours.

AR 131/89 s3;118/2011

Powers and duties of Registration Committee

4(1) The Registration Committee shall consider applications from persons to become registered members of the Association in accordance with this Regulation and the by-laws and may

- (a) approve the registration,
- (b) refuse to approve the registration, or
- (c) defer approval until the applicant has completed any further type and term of studies or work experience required by the Registration Committee.

(2) The Registration Committee shall send a written notice of any decision made by it to the applicant.

(3) If the decision made by the Registration Committee is to refuse the registration of the applicant, written reasons for the decision shall be sent to the applicant.

AR 131/89 s4;140/2000

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 of refusal and the reasons for it, appeal the refusal to the Board, and the notice of appeal shall set out the reasons why, in the applicant's opinion, the application for registration should be approved.

(2) An applicant who appeals a decision of the Registration Committee under subsection (1)

- (a) shall be notified in writing by the Association Registrar of the date, place and time that 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.

(3) A member of the Registration Committee who is also a member of the Board may participate in the appeal but shall not vote on a decision of the Board under this section and shall not be counted for the purposes of a quorum.

(4) 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.

AR 131/89 s5

Certificate of registration

6 On entering the name of a person in the register of supply chain management professionals, the Association Registrar shall issue a certificate of registration to that person.

AR 131/89 s6;118/2011

Payment of fee

7 A registered member shall pay the annual fee 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 131/89 s7

Annual membership card

8(1) The Association Registrar shall issue an annual membership card in accordance with the by-laws to a person

- (a) whose registration is not under suspension or cancelled,
- (a.1) who has in each 3-year period completed 30 continuing education credits or has been granted an extension, partial exemption or waiver by the Registration Committee, and
- (b) who has paid the annual fee.

(2) An annual membership card expires on the date prescribed in the by-laws.

(3) If the decision made by the Registration Committee is to refuse registration renewal, the Registration Committee must notify the applicant in writing of the decision with written reasons for the decision.

(4) An applicant whose application for registration renewal is refused by the Registration Committee may appeal the refusal to the Board.

(5) Section 5 applies to an appeal under this section.

AR 131/89 s8;140/2000

Registration as supply chain management professional

9(1) An applicant is entitled to be registered as a supply chain management professional if the applicant

- (a) produces documentation satisfactory to the Registration Committee
 - (i) of having successfully completed the Association's Supply Chain Management Program or substantially equivalent studies, or
 - (ii) of having achieved the competencies equivalent to those required to successfully complete the Association's Supply Chain Management Program,
 - (b) has successfully completed the Association's Written Final Certification Examination, and
 - (c) is of good character and reputation.
- (2)** Notwithstanding subsection (1), an applicant is entitled to be registered as a supply chain management professional if the applicant
- (a) is of good character and reputation, and
 - (b) is registered with a professional regulatory organization in a province or territory that is a signatory to one or more domestic trade agreements that is in force in Alberta at the time the application is made.
- (2.1)** An applicant's registration pursuant to subsection (2) must be dealt with in a manner consistent with the applicable domestic trade agreements referred to in subsection (2)(b).
- (3)** This section does not apply to an application for registration renewal.

AR 131/89 s9;140/2000;118/2011;141/2014

Registration as regular member

10 An applicant who, regardless of being enrolled in the Association's Accreditation Program,

- (a) is working in the field of strategic supply chain management,
- (b) is of good character and reputation, and
- (b.1) has paid the annual membership fee,
- (c) repealed by AR 140/2000 s6,

is entitled to be registered as a regular member.

AR 131/89 s10;140/2000;118/2011;141/2014

Practice Review Committee

11(1) There is hereby established the Practice Review Committee consisting of

- (a) at least 3 supply chain management professionals who are not members of the Board, one of whom shall be appointed as chairman, and
- (b) one or more other supply chain management professionals.

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

(3) The Practice Review Committee shall meet at the call of the chairman.

(4) A quorum at a meeting of the Practice Review Committee is 3 members.

AR 131/89 s11;118/2011

Powers and duties of Practice Review Committee

12 The Practice Review Committee

- (a) may, on its own initiative, and shall, at the request of the Board, inquire into and report to and advise the Board in respect of
 - (i) the assessment and development of educational standards and experience requirements of the professional development program that are conditions precedent to registration as a supply chain management professional,
 - (ii) the evaluation of desirable standards of competence of the practice of strategic supply chain management generally,
 - (iii) any other matter that the Board from time to time considers necessary or appropriate in connection with the exercise of its powers and the performance of its duties in relation to competence in the practice of strategic supply chain management under this Regulation, and
 - (iv) the practice of strategic supply chain management generally,
- (b) may, with the approval of the Board, conduct a review of the practice of a registered member, and

- (c) must develop and maintain a continuing competency program for supply chain management professionals.

AR 131/89 s12;140/2000;118/2011

Notice

13 The Practice Review Committee shall give reasonable notice to a registered member of its intention to conduct a review of the practice of the registered member.

AR 131/89 s13

Reports and recommendations

14(1) After each inquiry or review under section 12, the Practice Review Committee

- (a) shall make a written report to the Board on the inquiry or review and, where appropriate, on its decision,
- (b) may make recommendations, together with reasons, to the Board regarding the matter inquired into or reviewed,
- (c) may make recommendations to a registered member as to that member's conduct in the practice of strategic supply chain management, and
- (d) shall, if it is of the opinion that the conduct of a registered member constitutes or may constitute either unskilled practice of the profession or professional misconduct within the meaning of section 19 of the Act, forthwith refer the matter relating to that conduct to the chairman of the Discipline Committee to be dealt with under Part 3 of the Act, and in such a case the Discipline Committee shall deal with it as if it were a complaint.

(2) The Practice Review Committee may at any time during an inquiry or review under section 12 refer any matter to the chairman of the Discipline Committee to be dealt with under Part 3 of the Act, and in such a case the Discipline Committee shall deal with it as if it were a complaint.

AR 131/89 s14;118/2011

Discipline Committee

15(1) There is hereby established the Discipline Committee consisting of

- (a) at least 3 supply chain management professionals who are not members of the Board, one of whom shall be appointed as chairman, and

- (b) one or more other supply chain management professionals.
- (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 chairman.
- (4) A quorum at a meeting of the Discipline Committee shall be 3 members.

AR 131/89 s15;118/2011

Written complaints

16 A complaint made to the Discipline Committee shall be in writing and signed by the complainant.

AR 131/89 s16

Costs

17(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 constituting the Discipline Committee including, without limitation, the per diem 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, and
- (b) any other expenses incurred by the Association that are incidental to any hearing held by the Board.

AR 131/89 s17

Cancellation and suspension

18(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.

AR 131/89 s18

Cancellation on request

19 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.

AR 131/89 s19

Non-payment of fees, etc.

20(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 annual fees, penalties, costs or any other fees, dues or levies payable under the Act, this Regulation or the by-laws after the expiration of 30 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.

AR 131/89 s20

Registration in error

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

AR 131/89 s21

Notice of cancellation or suspension

22(1) The Board may publish, in any manner it considers appropriate, notice of the suspension or cancellation of the registration of a registered member.

- (2)** A notice published under subsection (1) may include
- (a) the period of suspension, if applicable,
 - (b) a statement of the reasons for the cancellation or suspension, and
 - (c) the nature of any finding and order made under Part 3 of the Act.

AR 131/89 s22

Reinstatement

23(1) The Board may order the Association Registrar, subject to any conditions respecting the payment of arrears and any reinstatement fee that the Board may prescribe,

- (a) to reinstate in the applicable register a registration that was cancelled or suspended for non-payment of fees, penalties, costs, dues or levies, and
 - (b) to re-issue the certificate of registration, where applicable, and the annual membership card to their former holders.
- (2)** A registered member whose registration was cancelled at the member's own request may apply to become registered and in that case the application shall be treated by the Registrar as a new application.
- (3)** If the registration of a registered member has been cancelled under Part 3 of the Act, the registration shall not be reinstated in the register except by order of the Board or a court of competent jurisdiction.
- (4)** If the registration of a registered member has been suspended under Part 3 of the Act for a fixed period, the registration shall not be reinstated before the expiration of that period except by order of the Board or a court of competent jurisdiction.
- (5)** Where the registration of a registered member has been
- (a) cancelled under Part 3 of the Act, or
 - (b) suspended under Part 3 of the Act for a fixed period of more than 1 year,

no order shall be made under subsection (3) or (4), as the case may be, within 1 year after the date on which the registration was cancelled or suspended.

AR 131/89 s23

Service of notices

24 A notice to be served on the Association Registrar, the Board, the Practice Review Committee, 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.

AR 131/89 s24

25 Repealed AR 141/2014 s6.

Use of title

26(1) A supply chain management professional may use the following titles and abbreviations:

- (a) Supply Chain Management Professional;
- (b) SCMP.

(2) Repealed AR 141/2014 s7.

AR 131/89 s25;118/2011;141/2014

Expiry

27 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on June 30, 2022.

AR 118/2011 s7;141/2014



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