



Province of Alberta

REGULATED FOREST MANAGEMENT
PROFESSION ACT

**REGULATED FOREST MANAGEMENT
PROFESSION REGULATION**

Alberta Regulation 49/2019

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Extract

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Alberta Queen's Printer
Suite 700, 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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ALBERTA REGULATION 49/2019

Regulated Forest Management Profession Act

**REGULATED FOREST MANAGEMENT
PROFESSION REGULATION**

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Definitions

- 1 In this Regulation,

- (a) “Act” means the *Regulated Forest Management Profession Act*;
- (b) “forest technologist-in-training” means the category of regulated member established under section 17(d) who meets the requirements of section 7 or who can provide evidence of competence under section 12;
- (c) “forest technologist-in-training program” means a program of study and the practical experience in the practice of forestry required for a forest technologist-in-training to meet the competence requirements for registration as a registered professional forest technologist approved by the Council;
- (d) “Forest Technologists-in-training Register” means the register established under section 18(1)(d);
- (e) “forester-in-training” means the category of regulated member established under section 17(c) who meets the requirements of section 3 or who can provide evidence of competence under section 12;
- (f) “forester-in-training program” means a program of study and the practical experience in the practice of forestry required for a forester-in-training to meet the competence requirements for registration as a registered professional forester approved by the Council;
- (g) “Foresters-in-training Register” means the register established under section 18(1)(c);
- (h) “mentorship” means completing the forester-in-training program or forest technologist-in-training program under the guidance of a registered professional forester or registered professional forest technologist approved by the Registrar;
- (i) “professional examination” means an examination approved by the Council to assess an applicant’s knowledge and understanding of Alberta forested land policies and legislation;
- (j) “registered professional forest technologist” means the category of regulated member established under section 17(b) who meets the requirements of section 8 or 11(1) or who can provide evidence of competence under section 12;
- (k) “Registered Professional Forest Technologists Conditional Register” means the register established under section 18(1)(f);

- (l) “Registered Professional Forest Technologists Register” means the register established under section 18(1)(b);
- (m) “Registered Professional Forest Technologists Temporary Register” means the register established under section 18(1)(h);
- (n) “registered professional forester” means the category of regulated member established under section 17(a) who meets the requirements of section 4 or 11(1) or who can provide evidence of competence under section 12;
- (o) “Registered Professional Foresters Conditional Register” means the register established under section 18(1)(e);
- (p) “Registered Professional Foresters Register” means the register established under section 18(1)(a);
- (q) “Registered Professional Foresters Temporary Register” means the register established under section 18(1)(g).

Part 1 Registration

General Registration

General requirements

2(1) Each applicant for registration 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 the following criteria:

- (a) whether the applicant has had a finding of unprofessional conduct or similar finding made against the applicant by any professional regulatory organization or any other organization recognized by the Council and any orders made in consequence;
- (b) whether the applicant has any outstanding charges under the criminal law of any country;
- (c) whether the applicant has been convicted of a criminal offence in any country;

- (d) whether the applicant has been found guilty of a breach of a code of conduct or of an academic infraction at any post-secondary education institution;
 - (e) whether the applicant has any outstanding complaints or disciplinary matters with any professional regulatory organization or any other organization recognized by the Council 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 the following:
- (a) 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);
 - (c) mitigating factors provided by the applicant.

Registration Requirements for a Forester-in-training and a Registered Professional Forester

Requirements for registration as a forester-in-training

3 An application for registration for the purposes of section 22 of the Act as a forester-in-training must be accompanied by evidence satisfactory to the Registrar that the following requirements have been met:

- (a) the general requirements specified in section 2;
- (b) the academic requirements specified in section 5.

Requirements for registration as a registered professional forester

4 An application for registration for the purposes of section 22 of the Act as a registered professional forester must be accompanied by evidence satisfactory to the Registrar that the following requirements have been met:

- (a) the general requirements specified in section 2;
- (b) the academic requirements specified in section 5;
- (c) the experience requirements specified in section 6;

- (d) the grade or performance requirements prescribed by the Council on the professional examination.

Academic requirements for a forester-in-training and a registered professional forester

5 The academic requirements for a forester-in-training and a registered professional forester for the purposes of section 22(2)(a) of the Act consist of

- (a) a degree in forestry or environmental sciences from a post-secondary education program approved by the Council with credit in all of the core competency areas related to the practice of forestry required by the Council, or
- (b) meeting the grade or performance requirements prescribed by the Council on courses and examinations approved by the Council in all of the core competency areas required by the Council.

Experience requirements for a registered professional forester

6 The experience required for the purposes of section 22(2)(a) of the Act to become a registered professional forester is

- (a) the completion of 24 months of accumulated mentorship in the practice of forestry, or
- (b) subject to any policies approved by the Council, evidence of experience substantially equivalent to the requirements referred to in clause (a).

Registration Requirements for a Forest Technologist-in-training and a Registered Professional Forest Technologist

Requirements for registration as a forest technologist-in-training

7 An applicant for registration for the purposes of section 22 of the Act as a forest technologist-in-training must provide to the Registrar evidence satisfactory to the Registrar that the following requirements have been met:

- (a) the general requirements specified in section 2;
- (b) the academic requirements under section 9.

Requirements for registration as a registered professional forest technologist

8 An applicant for registration for the purposes of section 22 of the Act as a registered professional forest technologist must provide to the Registrar evidence satisfactory to the Registrar that the following requirements have been met:

- (a) the general requirements specified in section 2;
- (b) the academic requirements under section 9;
- (c) the experience requirements under section 10;
- (d) the grade or performance requirements prescribed by the Council on the professional examination.

Academic requirements for a forest technologist-in-training and a registered professional forest technologist

9 The academic requirements for the purposes of section 22(2)(a) of the Act for a forest technologist-in-training and a registered professional forest technologist consist of

- (a) a diploma or applied degree in forestry or environmental sciences from a post-secondary education program approved by the Council with credit in all of the core competency areas related to the practice of forestry required by the Council, or
- (b) meeting the grade or performance requirements prescribed by the Council on courses and examinations approved by the Council in all of the core competency areas required by the Council.

Experience requirements for a registered professional forest technologist

10 The experience required for the purposes of section 22(2)(a) of the Act to become a registered professional forest technologist is

- (a) the completion of 24 months of accumulated mentorship in the practice of forestry, or
- (b) subject to any policies approved by the Council, evidence of experience substantially equivalent to the requirements referred to in clause (a).

Other Evidence of Competence

Forestry professionals from other professional regulatory organizations

11(1) For the purposes of section 22(2)(b) of the Act, if an applicant for registration as a registered professional forester or a registered professional forest technologist is registered by a professional regulatory organization in a province or territory that is a signatory to one or more domestic trade agreements in force in Alberta, the applicant must provide satisfactory evidence to the Registrar that the applicant meets the grade or performance requirements prescribed by the Council on the professional examination.

(2) An applicant who is attempting to meet the requirements of subsection (1) may apply to the Registrar for registration on the Registered Professional Foresters Conditional Register or the Registered Professional Forest Technologists Conditional Register.

Registration of other applicants

12(1) For the purposes of section 22(2)(c) of the Act, an applicant for registration under a category of regulated members may provide evidence of competence and be registered in a register established under section 18 by providing to the registration committee satisfactory evidence of any of the following or a combination of the following:

- (a) grades or performance achieved in academic, educational and other relevant studies substantially equivalent to that required in section 5 or 9;
- (b) experience substantially equivalent to the experience required in section 6 or 10;
- (c) successful completion of any course, examination or experience prescribed by the registration committee to demonstrate substantially equivalent competence to the experience required in section 6 or 10;
- (d) registration as an active member in good standing with an organization that is relevant to the forestry profession and recognized by the Council;
- (e) relevant professional development activities completed;
- (f) other relevant qualifications, accomplishments, abilities and competencies.

(2) For the 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.

Practice Permits and Continuing Competence Program

Conditions on practice permits of regulated members

13 One or more of the following conditions may be imposed on a practice permit of a regulated member by the registration committee or by the competence committee:

- (a) completion of any examinations, testing, assessment, mentorship, experience or counselling;
- (b) a requirement to practise under the supervision of a registered professional forester or a registered professional forest technologist registered in Alberta;
- (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 provision that the regulated member may only use specified titles;
- (e) a provision prohibiting the supervision of regulated members;
- (f) completion of the continuing competence requirements within a specified time;
- (g) a requirement to report to the Registrar on specified matters on specified dates;
- (h) a provision that the practice permit is valid only for a specified time.

Renewal of practice permit

14 Any regulated member, except for members registered in the Registered Professional Foresters Temporary Register and the Registered Professional Forest Technologists Temporary Register, applying for a practice permit renewal must provide evidence satisfactory to the Registrar that the applicant

- (a) continues to meet the requirements of section 2,
- (b) continues to meet the requirements of section 16,

- (c) has paid the membership dues as prescribed by Council, and
- (d) has provided any information required by the Act or the regulations.

Reinstatement

15(1) An investigated person whose registration or practice permit was cancelled under Part 4 of the Act must comply with all orders or any conditions specified by the hearing tribunal, the 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(2),
- (c) meet any education requirements specified by the registration committee,
- (d) pay a reinstatement fee as provided by the bylaws, and
- (e) satisfy any other terms or conditions specified by the registration committee.

(4) The registration committee may order the reinstatement of a registration or 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 a practice permit after cancellation.

Continuing competence requirements

16 Regulated members must

- (a) comply with the continuing competence program requirements as approved by the Council,

- (b) maintain accurate and complete records of activities in the continuing competence program as approved by the Council, and
- (c) on request of the competence committee submit documentation in a form as approved by the Council demonstrating compliance with the continuing competence program.

Categories of Regulated Members, Registers and Use of Titles, Abbreviations and Initials

Categories of regulated members

17 The following categories of regulated members are established:

- (a) registered professional forester;
- (b) registered professional forest technologist;
- (c) forester-in-training;
- (d) forest technologist-in-training.

Registers established

18(1) The following registers are established:

- (a) the Registered Professional Foresters Register;
- (b) the Registered Professional Forest Technologists Register;
- (c) the Foresters-in-training Register;
- (d) the Forest Technologists-in-training Register;
- (e) the Registered Professional Foresters Conditional Register;
- (f) the Registered Professional Forest Technologists Conditional Register;
- (g) the Registered Professional Foresters Temporary Register;
- (h) the Registered Professional Forest Technologists Temporary Register.

(2) Those applicants who have met all of the requirements for registration as a registered professional forester must be entered into the Registered Professional Foresters Register.

- (3) Those applicants who have met all of the requirements for registration as a registered professional forest technologist must be entered into the Registered Professional Forest Technologists Register.
- (4) A regulated member who is a forester-in-training must be entered into the Foresters-in-training Register.
- (5) A regulated member who is a forest technologist-in-training must be entered into the Forest Technologists-in-training Register.

Conditional registers

- 19(1)** An applicant referred to in section 11(2) 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 Registered Professional Foresters Conditional Register or the Registered Professional Forest Technologists Conditional Register.
- (2) A regulated member entered in the Registered Professional Foresters Conditional Register or the Registered Professional Forest Technologists Conditional Register is entitled to hold a practice permit until one of the following occurs, whichever is earliest:
 - (a) the regulated member is entered in the Registered Professional Foresters Register or Registered Professional Forest Technologists Register;
 - (b) the regulated member is unsuccessful for the 3rd time in the professional examination;
 - (c) 24 months has elapsed from the date the regulated member was entered in the Registered Professional Foresters Conditional Register or the Registered Professional Forest Technologists Conditional Register.
- (3) If the applicant meets the requirements of subsection 2(b) or (c), the applicant will move to the Foresters-in-training Register or the Forest Technologists-in-training Register.
- (4) A regulated member entered in the Registered Professional Foresters Conditional Register or the Registered Professional Forest Technologists Conditional Register may apply to the Registrar to be entered in the Registered Professional Foresters Register or Registered Professional Forest Technologists Register and for a practice permit without conditions by providing to the Registrar evidence that the regulated member has successfully completed the professional examination.

Temporary registers

20(1) An applicant may be entered in a 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,
- (d) why registration is required and the period of time for which it is requested, and
- (e) that the applicant is a registered professional forester or a registered professional forest technologist in good standing with another professional regulatory organization.

(2) An applicant who is entered in a temporary register 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 consecutive months has elapsed;
- (c) the applicant is no longer a registered professional forester or a registered professional forest technologist in good standing with another professional regulatory organization.

Use of title

21(1) Only regulated members entered in the Registered Professional Foresters Register, Registered Professional Foresters Conditional Register or Registered Professional Foresters 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 entered in the Foresters-in-training Register may use the following title, abbreviations and initials:

“Forester-in-training”, “F.I.T.” or “FIT”.

(3) Only regulated members entered in the Registered Professional Forest Technologists Register, Registered Professional Forest Technologists Conditional Register or Registered Professional Forest Technologists Temporary Register may use the following titles, abbreviations and initials:

- (a) “Registered Professional Forest Technologist”, “R.P.F.T.” or “RPFT”;
- (b) “Registered Forest Technologist”, “R.F.T.” or “RFT”;
- (c) “Professional Forest Technologist”, “P.For.Tech.” or “PForTech”.

(4) Only regulated members entered in the Forest Technologists-in-training Register may use the following title, abbreviations and initials:

“Forest Technologist-in-training”, “F.T.T.” or “FTT”.

(5) 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 or after cancellation.

Part 2 Public Information

Information in register

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

Register information

23 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) name of the regulated member's current employer or firm in which the regulated member has a proprietary interest;
- (e) business phone number, fax number and e-mail address;
- (f) current status of a specific complaint, but only if the request provides the regulated member's name and details of the complaint;
- (g) any other information requested if the information is in the possession of the Association and the regulated member or former regulated member authorizes its release in writing.

Information provided by regulated members

24(1) The Registrar may require applicants for registration and regulated members applying for practice permits to provide the following information:

- (a) the applicant's demographic and forestry practice information, including
 - (i) full name and previous surname,
 - (ii) preferred form of address,
 - (iii) date of birth,
 - (iv) home address, phone number, fax number and e-mail address,
 - (v) academic and practical training qualifications and where and when they were obtained,
 - (vi) areas of practice and any specialties, and
 - (vii) the language or languages in which the applicant provides professional services;
- (b) employment information, including
 - (i) the employer's name,
 - (ii) the employer's full address, phone number, fax number and e-mail address,
 - (iii) job title,

- (iv) position description,
- (v) employment status, specifically full-time or part-time, and
- (vi) 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 Association for the purpose of ensuring the information kept by the Association in accordance with the Act and the bylaws is correct.

Maintenance of information

25 The Association must maintain the following information for at least 10 years:

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

Providing information

26(1) The Association must provide the following information to a member of the public who requests such information in accordance with section 89(3) of the Act:

- (a) information referred to in section 27(3) of the Act while an individual is a regulated member and for a period of 2 years after the individual ceases to be a regulated member;
- (b) information referred to in section 74(3) of the Act for a period of 5 years from the date of the hearing;

- (c) information with respect to whether a hearing is scheduled to be held or has been held under Part 4 of the Act with respect to a named regulated member until the hearing is completed.

(2) Except as specifically noted in subsection (1), the Association must provide information referred to in section 89(3) of the Act for a period of 5 years.

**Duties of the complaint inquiry
committee chair**

27 On receipt of a complaint, the chair of the complaint inquiry committee acting alone may

- (a) encourage the complainant and the investigated person to communicate with each other and resolve the complaint,
- (b) with the consent of the complainant and the investigated person, attempt to resolve the complaint,
- (c) make a referral to the alternative complaint resolution process under Part 4 of the Act,
- (d) make a decision under section 28, or
- (e) refer a complaint to the complaint inquiry committee as a whole for decision.

**Powers of the complaint inquiry
committee chair**

28 For the purposes of section 45(2.1) of the Act, the chair of the complaint inquiry committee may sit alone to hear and decide the following matters:

- (a) dismiss the complaint if satisfied that the complaint is trivial or vexatious;
- (b) dismiss the complaint if satisfied that there is insufficient evidence of unprofessional conduct;
- (c) dismiss the complaint if the conduct is not within the jurisdiction of the complaint inquiry committee.

Part 3

Alternative Complaint Resolution Process

Alternative complaint resolution

29(1) The person conducting an alternative complaint resolution process must

- (a) be acceptable to the investigated person and the complainant, and
- (b) by written agreement, establish the procedures to be used in the alternative complaint resolution process in consultation with the investigated person and the complainant.

(2) A written agreement made pursuant to subsection (1) must be signed by the investigated person, the complainant and a representative of the Association before the alternative complaint resolution process commences.

Part 4

Repeals and Coming into Force

Repeals

30(1) The *Registered Professional Foresters Regulation* (AR 75/2002) is repealed.

(2) The *Registered Professional Forest Technologists Regulation* (AR 76/2002) is repealed.

Coming into force

31 This Regulation comes into force on the coming into force of the *Regulated Forestry Profession Amendment Act, 2017*.



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