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Important Information

(Includes details about the availability of printed and electronic versions of the Statutes.)

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CONSOLIDATED NEWFOUNDLAND AND LABRADOR REGULATION 1129/96

Psychology Regulations
under the
Psychologists Act
(O.C. 96-941)

Amended by:

8/99

CONSOLIDATED NEWFOUNDLAND AND LABRADOR REGULATION 1129/96

Psychology Regulations
under the
Psychologists Act
(O.C. 96-941)

Under the authority of section 17 of the *Psychologists Act* and the *Subordinate Legislation Revision and Consolidation Act*, the Lieutenant Governor in Council makes the following regulations.

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Short title

1. These regulations may be cited as the *Psychology Regulations* .

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Definitions

2. In these regulations

- (a) "Act" means the *Psychologists Act* ;
- (b) "applicant" means a person who makes application to the board in accordance with these regulations for registration as a registered psychologist;
- (c) "register of psychologists" means the register set up under the authority of section 9 of the Act; and
- (d) "registrar" means the person employed by the board as Registrar of the Newfoundland Board of Examiners in Psychology.

98/88 s2

PART I ETHICS AND STANDARDS

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Code of Ethics

3. The Code of Ethics of the Association of Newfoundland Psychologists shall be the Code of Ethics of the board and of all registered psychologists.

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Standards

4. The standards for providers of psychological services of the Association of Newfoundland Psychologists shall be the standards for providers of psychological services of the board and of all registered psychologists.

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Professional conduct standards

5. The board may adopt standards of professional conduct for registered psychologists and these standards may be amended.

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Breach

6. A breach of the code and standards referred to in sections 3, 4 and 5 shall constitute professional misconduct.

98/88 s6

PART II PROCEDURES FOR APPLICATION

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Application

7. Prospective applicants for registration as registered psychologists shall make application in writing to the registrar.

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- 8.** The registrar shall send the prospective applicants the following:
- (a) a copy of the Act;
 - (b) a copy of these regulations;
 - (c) a copy of the Code of Ethics, the Standards of Professional Conduct and the Standards for Providers of Psychological Services;
 - (d) an application form and related guidelines; and
 - (e) forms to be completed by referees and assessors.

98/88 s8

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- 9.** An applicant shall return to the registrar the following:
- (a) the completed application form;
 - (b) evidence of acceptable professional experience; and
 - (c) the processing fee for application.

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10. An applicant shall make arrangements with the educational institutions from which he or she obtained his or her graduate degrees to send transcripts or certificates of these degrees directly to the registrar.

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11. An applicant shall request his or her referees and assessors to address their forms directly to the registrar.

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12. (1) An applicant, who holds a certificate of registration as a psychologist from another Canadian registering body or another state or country, may have all or part of the requirements of these regulations waived by the board providing the standards of the registration are considered by the board to be at least the equivalent of the standards required by the Act and by these regulations.

(2) An applicant seeking the waiver shall send supporting original documentation to the board with his or her application.

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Adherence to Code of Ethics

13. (1) An applicant shall review the Code of Ethics and attest that he or she is adhering to them and will continue to adhere to them.

(2) If a breach is discovered during the registration process, the board may suspend processing the application or deny registration until it is satisfied that the breach has been rectified.

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Evaluation of applicant

14. (1) The board may request further information it may consider necessary in order properly to evaluate an application for registration.

(2) Where it considers that examinations are required in order to establish eligibility for registration, the board may, subject to section 26, carry out those examinations.

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Approval of application

15. On being notified that his or her application for registration has been approved, the applicant shall submit to the registrar the prescribed registration fee on receipt of which the registrar shall enter the applicant's name on the Register of Psychologists.

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Refusal of registration

16. (1) A refusal to register an applicant as a registered psychologist shall be accompanied by a statement of the reasons for that refusal.

(2) The board shall advise an applicant in writing of its refusal to register him or her as a registered psychologist.

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PART III FEES

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PART IV CERTIFICATES OF REGISTRATION

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Certificate of registration

21. (1) The registrar shall issue a certificate of registration in the form prescribed by the board to each person upon entry of his or her name on the Register of Psychologists.

(2) Upon each renewal of registration, the registrar shall issue to the registered psychologist a certificate in the form prescribed by the board.

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Expiration of certificate

22. (1) Notwithstanding section 19, a certificate of registration expires on December 31 each year unless it is renewed.

(2) The board shall inform all registered psychologists by October 31 at their last notified addresses of the impending expiry of their registrations.

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Renewal of certificate

23. A certificate of registration as a registered psychologist may be renewed by paying the annual registration fee before the registration expires.

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Effective registration

24. Where a certificate of registration as a registered psychologist expires and within 2 years after expiration the former holder applies again for registration, the registration shall be effective upon payment of the appropriate reinstatement fee.

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Treatment of new applicant

25. An individual who reappplies for registration as a registered psychologist 2 or more years after the expiry of that individual's previous registration shall be treated as a new applicant and that individual will be required to submit a fresh registration application.

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Examinations

26. The board shall conduct or cause to be conducted oral or written examinations for registration at a time and place to be advertised by the board at least one month in advance of the examinations should there be applicants who have notified the board that they wish to take those examinations and who have paid the prescribed examination fee.

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PART V BOARD OF EXAMINERS

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Operation of board

27. (1) A quorum of the board shall be at least 3 of the 5 appointed members.

(2) The chairperson shall preside at all meetings of the board if present, otherwise, the vice-chairperson shall preside.

(3) Motions shall carry by a simple majority of those present at a meeting for which appropriate notice has been given.

(4) The presiding member of the board shall vote only in the case of a tie.

(5) The board shall meet at least twice a year, one of the meetings being designated as the annual meeting.

(6) The annual meeting shall be open to registered psychologists.

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Minutes

28. The board shall cause minutes to be kept of its meetings and the minutes shall become part of the permanent records of the board.

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Annual report

29. The board shall prepare an annual report for presentation at the annual meeting and that report shall be made available to the Minister of Health, the Association of Newfoundland Psychologists and all registered psychologists.

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Remuneration of members

30. The board shall pay to members those necessary travelling and other expenses incurred in connection with the business of the board.

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PART VI REGISTRAR

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Registrar

31. The board shall appoint and fix the remuneration of a registrar.

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Duties of registrar

32. The registrar shall

- (a) attend meetings of the board and of committees appointed by the board and keep a record of the proceedings in a book or books to be maintained for that purpose;
- (b) maintain the Register of Psychologists;
- (c) process applications for registration;
- (d) issue, on the direction of the board, certificates of registration and renewal of registration to registered psychologists;
- (e) review the board's programs and report on them to the board;
- (f) deal with complaints in the manner specified in these regulations;
- (g) be responsible for the board's financial management; and
- (h) perform other duties that the board may prescribe.

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Complaints

33. (1) Complaints shall be sent in writing to the registrar and, except as provided in subsection (2), shall not be sent to or discussed with a member of the board before an investigation of the matter by the registrar.

(2) The registrar shall take the necessary steps to thoroughly investigate the matter.

(3) If a member of the board assists in an investigation, that member will not participate in a formal hearing that may subsequently be held.

(4) If the investigation reveals that a formal hearing is warranted, a recommendation from the registrar shall be made to the board indicating only the general nature of the complaint but reserving all evidence in the case until the time of the hearing.

(5) If, after considering the recommendation of the registrar, the board decides to proceed to a hearing, it shall send written notice of the complaint and hearing to the person against whom the

complaint is directed with a date, time and place for the hearing and that notice shall be given at least 30 days before the hearing.

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Reprimand, suspension or cancellation of registration

34. (1) The board may, after a hearing, reprimand a registered psychologist or suspend or cancel his or her registration for breaches of the Code of Ethics or for breaches of the Act or the regulations.

(2) The reprimand, suspension or cancellation referred to in subsection (1) may, at the discretion of the board, be disclosed in writing to other appropriate registering bodies.

(3) The board shall give reasons for the disciplinary action and specify the terms under which disciplinary action may be rescinded.

(4) An application for reinstatement after cancellation or suspension of registration shall be considered as a new application but the board shall take into account in reaching its decision the reasons for the previous cancellation or suspension.

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Amendments to regulations

35. Before making substantive amendments to these regulations, the board shall consult with the Association of Newfoundland Psychologists.

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Repeal

36. The Newfoundland Board of Examiners in Psychology Regulations, 1988, Newfoundland Regulation 98/88, are repealed.

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