



*“An Act to incorporate the  
Association of the Chemical Profession of Ontario”*  
Statutes of Ontario, 1962-63, chapter 157

*Assented to April 3rd, 1963  
Session Prorogued April 26th, 1963*

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## **Preamble**

**Whereas** the persons named in section 1 by their Preamble petition have represented that they are desirous of being incorporated under the name “Association of the Chemical Profession of Ontario”, herein called the Association,

**for** the purposes of increasing the knowledge, skill and proficiency of its members in all things relating to chemistry and chemical engineering and of carrying out generally the objects of the Association; and

**whereas** the petitioners have prayed that special legislation be passed for such purposes; and

**whereas** it is expedient to grant the prayer of the petition;

**Therefore**, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

### **Association incorporated**

1. J.A. Drum, E.B. Lusby, H.N. Potter, L.J. Rubin, A.E.R. Westman and G.F. Wright, all of the City of Toronto in the County of York;  
E.A. Crockett, of the City of Sarnia in the County of Lambton;  
K.J. Laidler and I.E. Puddington, of the City of Ottawa in the County of Carleton;  
R.H. Manske, of the City of Guelph in the County of Wellington;  
and J.W. Hodgins, of the City of Hamilton in the County of Wentworth,  
and such other persons as hereafter may become members of the Association,  
are hereby constituted a body corporate and politic under the name  
“Association of the Chemical Profession of Ontario”.

### **Objects**

2. The objects of the Association are to promote and increase the knowledge, skill and proficiency of its members in all things relating to chemistry and chemical engineering and to regulate the standards of the chemical practice of its members.

### **Membership**

3. -- (1) Any person who is of the full age of twenty-one years or more and provides satisfactory evidence of good character shall be registered as a member of the Association,
- (a) if he is a graduate from a university, college or institution recognized by the Council in pure or applied science, with chemistry or chemical engineering as the principal subject; or
  - (b) if he holds a degree, other than in chemistry or chemical engineering, from a college or university and satisfies the Council that he possesses qualifications equivalent to those required under clause *a*; or
  - (c) if he holds membership in good standing in a professional chemical or chemical engineering body having standards for admission to professional membership in that body that, in the opinion of the Council, are equivalent to those required under clause *a*; or
  - (d) if he is a resident of Ontario who, within one year after the day this Act comes into force, files an application with the Council in that behalf and satisfies the Council by credentials or otherwise that he, by reason of experience, training or examinations, possesses qualifications similar to those required by this Act and the by-laws of the Association; or
  - (e) if he has passed the one or more examinations prescribed by the Council and designed to show knowledge and skill equal to that obtained through graduation from an approved course in chemistry or chemical engineering, and he gives a record of five years or more experience of work in chemistry or chemical engineering or in a branch of applied science acceptable to the Council.

#### **Residence requirement**

(2) The Council may waive any requirement of residence in Ontario if it is established by the application for membership that such applicant resides in a neighbouring province or state and commutes to his employment in Ontario.

#### **Certificate of membership**

4. Every applicant who qualifies for registration and has paid the required fees shall be issued a certificate of membership under the seal of the Association and the signatures of the president and secretary-treasurer.

## **Property**

5. Subject to the provisions of *The Charitable Gifts Act* and *The Mortmain and Charitable Uses Act*, the Association may,

(a) acquire by purchase, lease, gift, devise, bequest or donation, or otherwise, and hold real and personal property for its purposes, and may sell, exchange, lease, mortgage or otherwise dispose of such real and personal property or any part thereof as occasion may require; and

(b) for the purpose of establishing a scholarship fund or other educational assistance, solicit, acquire, accept or receive gifts, donations, bequests or subscriptions of money or other real or personal property, and may hold, manage, improve, develop, exchange, lease, sell, turn to account or otherwise deal with such real or personal property obtained for such purpose.

## **Council**

6. -- (1) There shall be a council of the Association, herein called the Council, which shall control and manage the affairs of the Association.

## **Composition**

(2) The Council shall consist of not fewer than nine and not more than fifteen members as the by-laws prescribe, all of whom shall be elected for such term and in such manner as the by-laws provide.

## **Vacancies**

(3) In the case of death, resignation or incapacity of any member of the Council, the office may be declared vacant by the Council, and the Council may fill the vacancy in such manner as the by-laws provide, and absence from three consecutive meetings or cancellation or suspension of registration may be treated by the Council as incapacity.

## **Secretary-treasurer**

(4) The Council may appoint a secretary-treasurer and such other officers and employees as may be provided for in the by-laws.

## **Holding of two offices**

(5) The same person may hold more than one office.

## **By-laws**

7. -- (1) The Council may pass by-laws, not contrary to law or to the provisions of this Act, for all purposes relating to the affairs, business and property of the Association, its management, government, aims, objects and interests, including,
  - (a) prescribing the number of and the terms of office of the members of the Council;
  - (b) providing for the election of the members of the Council and for the filling of vacancies thereon;
  - (c) providing for the election or appointment of such officers of the Association as are necessary for carrying out the purposes of the Association, and prescribing their powers and duties;
  - (d) providing for any remuneration and reimbursement of members of the Council and the officers and employees of the Association;
  - (e) fixing the dates and places of meetings of the Association and the Council, and prescribing the manner of calling and conducting such meetings;
  - (f) providing for the fixing, levying and collecting of fees payable upon application for registration and renewal of registration, and prescribing the penalties for failure to make such payments;
  - (g) providing for the keeping of a register of members and the conditions and procedure of registration, annual renewal of registration and the cancellation or suspension of registration;
  - (h) providing for the management of the property of the Association;
  - (i) prescribing a code of ethics to govern the discipline, conduct and control of members;
  - (j) governing the expenditures and all disposition of the revenue of the Association, and prescribing the books and records to be kept, and providing for audits;

(k) providing for qualifications of membership in addition to those prescribed in section 3;

(l) providing for the forms of certifications of registration and their renewal;

(m) regulating the conduct of the members of the Association, including the suspension or expulsion of any member for misconduct or violation of the by-laws of the Association;

(n) providing for a board of examiners, and prescribing its powers and duties;

(o) providing for the form of application, the examination of applicants and proof of academic qualification, experience in chemistry or chemical engineering, and any other qualifications required for registration;

(p) providing for the re-examination of applicants and for the procedure and conditions of restoring registration where such registration has been cancelled or suspended by the Council;

(q) respecting any matter deemed necessary or advisable for the effective management of the Association and the conduct of its business.

### **Approval of by-laws**

(2) No by-law shall come into force until approved at an annual general meeting of the Association or at a special general meeting called for the purpose of considering the by-law.

### **Provisional council**

8. -- (1) There shall be a provisional council composed of the persons mentioned in section 1.

### **Provisional by-laws**

(2) The provisional council shall prepare provisional by-laws for the purposes set out in section 7.

### **General meeting**

(3) The provisional council, within six months after the day this Act comes into force, shall call a general meeting of the members of the Association for the purposes of organization, of approving the provisional by-laws and of

electing the members of the Council.

### **Surplus**

9. Any surplus moneys derived from carrying on the affairs and business of the Association shall be devoted solely to promoting and carrying out its objects.

### **Application**

10. Nothing in this Act affects the practice of any profession or calling by any person practising such profession or calling under any general or special Act, and nothing in this Act or the by-laws passed by the Council pursuant to this Act shall be taken or deemed to relieve any person from compliance with any general or special Act relating to the practice of any profession or calling.

### **Application**

11. Nothing in this Act or the by-laws, rules or regulations made under this Act shall be taken or deemed to amend in any way the provisions of *The Professional Engineers Act*, as amended or re-enacted, from time to time, nor shall it be taken or deemed to relieve any person from compliance with *The Professional Engineers Act*, as amended or re-enacted from time to time, and, wherever in this Act “chemical engineer” is used, it means and refers to a person registered or licensed as such under *The Professional Engineers Act*.

### **Commencement**

12. This Act comes into force on the day it receives Royal Assent.

### **Short title**

13. This Act may be cited as *The Association of the Chemical Profession of Ontario Act, 1962-63*.