



Province of Alberta

PROFESSIONAL AND OCCUPTIONAL
ASSOCIATIONS REGISTRATION ACT

**PROFESSIONAL ELECTRICAL
CONTRACTORS AND MASTER
ELECTRICIANS REGULATION**

Alberta Regulation 36/2004

With amendments up to and including Alberta Regulation 106/2008

Office Consolidation

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Note

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only, and that the original Regulations should be consulted for all purposes of interpreting and applying the law.

(Consolidated up to 106/2008)

ALBERTA REGULATION 36/2004

**Professional and Occupational
Associations Registration Act**

**PROFESSIONAL ELECTRICAL CONTRACTORS
AND MASTER ELECTRICIANS REGULATION**

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Definitions

1 In this Regulation,

- (a) “Association” means the Electrical Contractors Association of Alberta;
- (b) “Association’s registrar” means the registrar for the Association appointed under the bylaws;

- (c) “Board” means the Board of Directors of the Association established under the bylaws;
- (d) “Discipline Committee” means the Discipline Committee established pursuant to section 15;
- (e) “member” means a person who is registered with the Association’s registrar under section 3 and who holds a valid membership card;
- (e.1) “practice of electrical contracting” means the business of erecting, installing or servicing electrical installations or equipment;
- (e.2) “practice of the electrical industry” means the carrying out of the tasks, activities and functions identified in the *Electrician Trade Regulation (AR 274/2000)*;
- (f) “Practice Review Committee” means the Practice Review Committee established pursuant to section 11;
- (g) - (i) repealed AR 106/2008 s3;
- (j) “Registration Committee” means the Registration Committee established pursuant to section 2.
- (k) repealed AR 106/2008 s3.

AR 36/2004 s1;106/2008

Registration Committee**(2)(1)** The Registration Committee is established consisting of

- (a) one professional electrical contractor who is a Board member,
- (b) at least 2 professional electrical contractors who are not Board members,
- (c) one certified master electrician who is a Board member,
- (d) at least 2 certified master electricians who are not Board members, and
- (e) at least one registered master electrician who is not a Board member.

(2) The members of the Registration Committee must be appointed by the Board in accordance with the bylaws.**(3)** The Registration Committee must meet at the call of its chair.

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

AR 36/2004 s2;106/2008

Registers

3(1) The Association's registrar must maintain, in accordance with this Regulation and the bylaws and subject to the direction of the Board, a register of each of the following:

- (a) professional electrical contractors;
- (b) certified master electricians;
- (c) registered master electricians;
- (d) student professional electrical contractors.

(2) The Association's registrar must 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 bylaws, and
- (b) the mailing address of that individual.

AR 36/2004 s3;106/2008

Powers and duties of Registration Committee

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

- (a) approve the registration if the applicant meets the requirements of section 9, 9.1, 9.2 or 10,
- (b) refuse to approve the registration, or
- (c) defer approval until the applicant has satisfied the requirements of section 9, 9.1, 9.2 or 10.

(2) The Registration Committee must 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, the notice of the decision must include reasons for that decision.

AR 36/2004 s4;106/2008

Application appeal

5(1) An applicant whose application for registration is refused by the Registration Committee may, by written notice served on the Association's registrar within 30 days of receiving a notice of refusal and the reasons for it, appeal the refusal to the Board.

(2) The notice of appeal must set out the reasons why, in the applicant's opinion, the application for registration should be approved.

(3) An applicant who appeals a decision of the Registration Committee under this section

- (a) must be notified in writing by the Association's registrar of the date, place and time that the Board is to hear the appeal, and
- (b) is entitled to appear with counsel or an agent and make representations to the Board when it hears the appeal.

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

(5) On a hearing of an appeal under this section, the Board may make any decision the Registration Committee may make, and must notify the applicant of its decision.

Annual membership card

6(1) On entering the name of a person in the appropriate register, the Association's registrar must issue proof of registration to that person in the form of a membership card.

(2) The Association's registrar must annually issue a membership card in accordance with the bylaws to a person

- (a) whose registration is not under suspension or cancelled,
- (b) who has paid the renewal fee prescribed by the bylaws, and
- (c) if the person is registered as a professional electrical contractor or a certified master electrician, the person has successfully completed
 - (i) the Canadian Electrical Code, Part 1 upgrading course approved by the Board, or

- (ii) a course the Registration Committee is satisfied is substantively equivalent.

- (3) A membership card expires one year after the date of issue.

AR 36/2004 s6;106/2008

Payment of fee

7(1) A member must pay the annual fee prescribed by the bylaws to the Association's registrar or to any person authorized by the Association's registrar to accept payment of the fee.

(2) A member who applies for renewal of registration after the renewal date prescribed by the Board must pay the late renewal fee prescribed by the bylaws to the Association's registrar or to any person authorized by the Association's registrar to accept payment of the fee.

AR 36/2004 s7;106/2008

- 8** Repealed AR 106/2008 s8.

Registration as professional electrical contractor

9 An applicant is entitled to be registered as a professional electrical contractor if the Registration Committee is satisfied that the applicant

- (a) is, at the time of the initial application, registered as a certified master electrician or a registered master electrician,
- (b) meets any of the following requirements:
 - (i) has successfully completed the course work and examinations required by a professional education program approved by the Board;
 - (ii) the applicant's qualifications are substantively equivalent to the professional education program;
 - (iii) has a combination of education, practice requirements, examinations or other qualifications that demonstrate the competence required for registration;
 - (iv) is registered in good standing with a profession in another jurisdiction recognized by the Board as having substantively equivalent competence and practice requirements,

and

- (c) is of good character and reputation.

AR 36/2004 s9;106/2008

Registration as certified master electrician

9.1(1) An applicant is entitled to be registered as a certified master electrician if the Registration Committee is satisfied that the applicant

- (a) meets any of the following requirements:
- (i) has successfully completed
 - (A) the master electrician examination developed by the Master Advisory Committee that is established by the Electrical Contractors Association of Alberta, and
 - (B) the ethics course approved by the Board;
 - (ii) has qualifications that are substantively equivalent to the course work and examinations approved by the Board;
 - (iii) has a combination of education, practice requirements, examinations or other qualifications that demonstrate the competence required for registration;
 - (iv) is registered in good standing with a profession in another jurisdiction recognized by the Board as having substantively equivalent competence and practice requirements,
- (b) has, in the 5 years preceding the application, worked a minimum of 3 years in the practice of the electrical industry as a certified journeyman electrician, and
- (c) is of good character and reputation.

(2) Subsection (1)(b) does not apply to a person who

- (a) applies to be registered within one year of the coming into force of this section, and
- (b) meets the requirement in subsection (1)(a)(i).

AR 106/2008 s9

Registration as registered master electrician

9.2(1) An applicant is entitled to be registered as a registered master electrician if the Registration Committee is satisfied that the applicant

- (a) meets any of the following requirements:
 - (i) has successfully completed the master electrician examination approved by the Board;
 - (ii) has a combination of education, practice requirements, examinations or other qualifications that demonstrate the competence required for registration;
 - (iii) is registered in good standing with a profession in another jurisdiction recognized by the Board as having substantively equivalent competence and practice requirements,
- (b) has, in the 5 years preceding the application, worked a minimum of 3 years in the practice of the electrical industry as a certified journey person electrician, and
- (c) is of good character and reputation.

(2) Subsection (1)(b) does not apply to a person who

- (a) applies to be registered within one year of the coming into force of this section, and
- (b) meets the requirement in subsection (1)(a)(i).

AR 106/2008 s9

Registration as student professional electrical contractor

10(1) An applicant is entitled to be registered as a student professional electrical contractor if the Registration Committee is satisfied that the applicant

- (a) is working toward the requirements of section 9(b)(i), and
- (b) is of good character and reputation.

(2) An applicant is not entitled to be registered as a student professional electrical contractor for more than 8 years unless the Registration Committee is satisfied that there are extenuating circumstances.

AR 36/2004 s10;106/2008

Practice Review Committee

11(1) The Practice Review Committee is established consisting of

- (a) one professional electrical contractor who is a Board member,
- (b) at least 2 professional electrical contractors who are not Board members, one of whom must be appointed as the chair,
- (c) one certified master electrician who is a Board member,
- (d) at least 2 certified master electricians who are not Board members, and
- (e) at least one registered master electrician who is not a Board member.

(2) The members of the Practice Review Committee must be appointed by the Board in accordance with the bylaws.

(3) The Practice Review Committee must meet at the call of its chair.

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

AR 36/2004 s11;106/2008

Powers and duties of Practice Review Committee

12 The Practice Review Committee may, on its own initiative, and must, at the request of the Board, inquire into and report to and advise the Board in respect of

- (a) the assessment and development of educational standards and experience requirements required for registration as a member,
- (b) the evaluation of desirable standards of competence in the practice of electrical contracting or in the practice of the electrical industry generally,
- (c) any other matter that the Board 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 electrical contracting or in the practice of the electrical industry under this Regulation, and
- (d) the practice of electrical contracting or the practice of the electrical industry generally.

AR 36/2004 s12;106/2008

13 Repealed AR 106/2008 s13.

Reports and recommendations

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

- (a) must 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 member as to that member's conduct in the practice of electrical contracting or in the practice of the electrical industry, and
- (d) must, if it is of the opinion that the conduct of a 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 chair of the Discipline Committee to be dealt with under Part 3 of the Act and the Discipline Committee must deal with it as if it were a complaint.

AR 36/2004 s14;106/2008

Discipline Committee

15(1) The Discipline Committee is established consisting of

- (a) one professional electrical contractor who is a Board member,
- (b) at least 2 professional electrical contractors who are not Board members,
- (c) one certified master electrician who is a Board member,
- (d) at least 2 certified master electricians who are not Board members, and
- (e) at least one registered master electrician who is not a Board member.

(2) The members of the Discipline Committee must be appointed by the Board in accordance with the bylaws.

(3) The Discipline Committee must meet at the call of its chair.

(4) A quorum at a meeting of the Discipline Committee is a majority of the members appointed.

AR 36/2004 s15;106/2008

Costs

16(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 counsel advising the Discipline Committee or Board at the hearing or review and the fee payable to the counsel 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 daily allowances of those members;
- (d) any other expenses incurred by the Association that are incidental to the hearing or review.

(2) If 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 counsel advising the Board at any hearing held by the Board;
- (b) any other expenses incurred by the Association that are incidental to any hearing held by the Board.

Cancellation and suspension

17(1) The registration of a 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's registrar must 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 member is cancelled, the person whose registration is cancelled must, on request, surrender to the Association's registrar all documents relating to the registration.

AR 36/2004 s17;106/2008

Cancellation on request

18 The Association's registrar must not cancel the registration of a member at the request of the member unless the request for cancellation is approved by the Board.

AR 36/2004 s18;106/2008

Non-payment of fees, etc.

19(1) The Board must direct the Association's registrar to suspend or cancel the registration of a 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 bylaws 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) must state that the Association's registrar will suspend or cancel the registration unless the fees, penalties, costs, dues or levies are paid as indicated in the notice.

AR 36/2004 s19;106/2008

Registration in error

20 The Board must direct the Association's registrar to cancel the registration of any person that is entered in error in a register.

Code of Ethics

21 A member must

- (a) conduct himself or herself in a professional, ethical and responsible manner,
- (b) act in accordance with all applicable legislation and other laws,
- (c) maintain currency in the knowledge and skills necessary to carry out the member's duties,
- (d) report any incompetent, illegal or unethical conduct of any member to the appropriate authority,
- (e) take all reasonable steps to ensure that the working conditions of those under the member's supervision are

safe and that electrical installations are designed and operated in a safe manner,

- (f) act in the best interests of the client and provide professional services with integrity, objectivity and independence,
- (g) hold in confidence all client information unless the member is permitted by the client or is required by the Act or any other enactment or by order of a court to disclose the information,
- (h) continually seek further knowledge, innovation and advanced technologies in new products, business procedures and all other matters that enhance the reputation of the profession,
- (i) refrain from engaging in any business practices that detract from the professional image of the Association or its members, and
- (j) refrain from serving a client under any terms or conditions that would impair the member's independence.

AR 36/2004 s21;106/2008

Use of title

22(1) A professional electrical contractor may use the title "Professional Electrical Contractor" and the abbreviations "P.E.C." and "PEC".

(2) A certified master electrician may use the title "Certified Master Electrician" and the abbreviations "C.M.E." and "CME".

(3) A registered master electrician may use the title "Registered Master Electrician" and the abbreviations "R.M.E." and "RME".

AR 36/2004 s22;106/2008

23 Repealed AR 106/2008 s17.

Repeal

24 The *Professional Electrical Contractors Regulation* (AR 148/93) is repealed.