

ACAO Principles for Separating College and Association

February 2021

Context

With Bill 46, the Alberta Government decreed that in order to protect public interest, all regulatory functions under the Health Professions Act (HPA) must be separated from association functions. Timelines and requirements of this separation decree have been shared with the Council of the Alberta College and Association of Opticians. At its January 11, 2021 meeting, the Council confirmed that creating (reviving) a separate Association was in the best interests of the membership and the profession.

Background

The organization governing Opticians in Alberta was previously registered as a Society, with bylaws addressing both association and quasi-regulatory matters. With the proclamation of the HPA in 2007, and with the decision to remain as both a regulator and an association, the governance and operational structure of the organization moved under the HPA and no further action was taken with respect to registration under the Societies Act.

In 2010 revised bylaws were created and filed to comply with both the HPA and Corporate Registry (for the Societies Act). After 2010, annual returns to Corporate Registry ceased and the registration was suspended. This did not impact the functioning of the ACAO, as it had its authority exclusively from the HPA.

In 2013 the ACAO applied to Corporate Registry to revive the Society. A Certificate of Revival was issued to the Alberta Opticians Association on April 26, 2013. This puts the ACAO in an excellent position to comply with the Government's separation order: there is already a name, a registered Society with structure, and a set of bylaws (although those need substantial amendment). With this, the ACAO is ahead of most other regulated health professions. That said, the current ACAO Council would be wise to establish some principles of separation to support an effective implementation process.

Guiding Principles:

1. Opticians and the public are best served by two strong independent organizations—College and Association—fulfilling their distinct mandates.
2. The process of separation will be fair and open, and communicated to members, staff, and key stakeholders.
3. The value of building an independent association will be communicated to members and key stakeholders.
4. Staff and volunteers will be treated respectfully in the separation and transition process.
5. The current Council and management will share knowledge and determine a method to share resources needed for the Association and its subsequent Board of Directors to ensure its success at start-up/revival.
6. The individuals identified to develop and transition the Association will represent diverse opinions and practices and have a big-picture idea of how members will benefit from an Association.
7. Existing organizational and professional “brands” will be retained and protected. (ACAO)