



PLEASE NOTE

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This document is *not* the official version of the Act. The Act and the amendments as printed under the authority of the Queen's Printer for the province should be consulted to determine the authoritative statement of the law.

For more information concerning the history of this Act, please see the [Table of Public Acts](#).

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CHAPTER P-27.1
PSYCHOLOGISTS ACT

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| 1. In this Act | Definitions |
| (a) “Association” means the Psychological Association of Prince Edward Island; | Association |
| (b) “Board” means the Prince Edward Island Psychologists Registration Board; | Board |
| (c) “bylaws” means the bylaws of the Association; | bylaws |
| (d) “certificate” means a certificate of registration, issued under section 9 and includes a special certificate granted under section 11; | certificate |
| (e) “Executive” means the Executive of the Association; | Executive |
| (f) “Minister” means the Minister of Health; | Minister |
| (g) “the practice of psychology” means | practice of psychology |
| (i) the provision of any service based on principles and methods of understanding, predicting and influencing behaviour, | |
| (ii) the application of methods of interviewing, counselling, psychotherapy, behaviour therapy, behaviour modification, hypnosis, and research, | |
| (iii) the construction, administration and interpretation of tests of mental abilities, aptitudes, attitudes, emotions, and characteristics, | |
| or | |
| (iv) the assessment or diagnosis of behavioural, emotional and mental disorder | |
| for a fee or reward, monetary or otherwise; | |
| (h) “psychologist” means a person who is registered as a psychologist under this Act; | psychologist |
| (i) “registered” means recorded in the register. 1990, c.49, s.1; 2005,c.40,s.28. | registered |

ASSOCIATION

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| 2. The Psychological Association of Prince Edward Island is constituted a body corporate composed of | Association |
| (a) persons who, at the time this Act comes into force, are members in good standing of that body known as the Psychological Association of Prince Edward Island; and | |

(b) persons granted membership pursuant to the bylaws of the Association. 1990, c.49, s.2.

Objects

3. The purposes of the Association are

- (a) to foster public awareness of the profession;
- (b) to encourage members to interact professionally and to reflect on the discipline of psychology;
- (c) to represent the members in relations with other provincial or national agencies;
- (d) to promote continuing education and encourage high standards of service;
- (e) to pursue such other goals as the Association may consider necessary to advance the profession and further the interests of its members. 1990, c.49, s.3.

Executive

4. (1) There shall be an Executive of the Association which shall, subject to this Act and the bylaws of the Association, conduct the affairs and exercise the powers of the Association.

Composition

(2) The Executive shall consist of the president, vice-president, and such other members as the bylaws may require, elected in such manner and holding office for such term as may also be prescribed by the bylaws. 1990, c.49, s.4.

Bylaws

5. (1) The Association may make bylaws to govern its affairs, including

- (a) the election or appointment, qualifications, duties, terms of office, remuneration and removal of officers and servants of the Association;
- (b) the calling and conduct of meetings of the Association and of the Executive, including voting procedures;
- (c) the establishment and operation of committees;
- (d) relationships or agreements with external agencies;
- (e) membership, including any classes thereof;
- (f) dues and any other assessment of members;
- (g) the making and amendment of bylaws.

Idem, approval

(2) Bylaws made under subsection (1) come into force only after approval by the general membership. 1990, c.49, s.5.

REGISTRATION BOARD

Board

6. (1) There is established as a corporate body a board to be known as the Prince Edward Island Psychologists Registration Board.

Composition

(2) The Board shall be composed of five members nominated by the Association and appointed by the Minister, of whom

- (a) three shall be, or for the initial appointment shall be deemed eligible to be, registered psychologists;
- (b) one shall be a person, other than a psychologist, considered to represent the perspective of the general public; and
- (c) one other person who may be a psychologist, lay person or member of another health service profession.
- (3) Board members shall be appointed for a three-year term, except for the initial members, two of whom shall be appointed for a four-year term. Term
- (4) Board members shall not serve more than two consecutive terms. Idem
- (5) The Board shall select one of its members who is a registered psychologist as its chairperson, and may appoint such other executive officers as it considers appropriate. Officers
- (6) The Board shall appoint a person, who may be a member of the Board, as registrar. Registrar
- (7) The Board may determine its own procedure, pursuant to this Act. Procedure
- (8) A Board member shall cease to hold office who Termination of membership
- (a) becomes physically or mentally incapacitated;
- (b) is convicted of an indictable offence;
- (c) resigns;
- (d) ceases to reside in the province;
- (e) in the case of a psychologist, ceases to be registered;
- (f) without an excuse that, in the opinion of the Board, is a reasonable one, misses three consecutive meetings of the Board; or
- (g) commits an act which in the unanimous decision of the other members of the Board undermines the ability of the member to act credibly as a Board member.
- (9) When a Board member ceases to hold office before completing the appointed term, the Minister may appoint a new member, nominated by the Association, who shall hold office for the unexpired portion of the original term. Completion of term
- (10) The Board shall make an annual report to the Minister and to the Association concerning its general operation and performance of duties and may provide information to the Minister as the Minister may request. 1990, c.49, s.6. Annual report
- 7.(1) The purposes of the Board are to regulate the practice of psychologists in the province, to promote established standards and to Objects of the Board

safeguard the welfare of the public with regard to the services of psychologists.

Functions

- (2) The functions of the Board are to
- (a) prescribe initial and continuing qualifications for registration, including fees therefor;
 - (b) assess applications and decide if applicants qualify for registration;
 - (c) issue certificates of registration and keep the official register of them;
 - (d) prescribe and assure adherence to standards of practice and ethical guidelines;
 - (e) monitor adherence to established standards and guidelines, investigate complaints, and exercise discipline or professional remediation, by revocation, restriction or suspension of a registration, by reprimand, retraining requirement, fine or other means. 1990, c.49, s.7.

Regulations

8. The Board, after consultation with the Association, may make regulations which shall come into effect upon approval by the Lieutenant Governor in Council. 1990, c.49, s.8.

REGISTRATION AND TITLE

Qualifications

- 9.** (1) A person seeking to be registered as a psychologist shall apply to the Board and shall provide proof of
- (a) successful completion of a Doctoral degree in an institution of higher learning recognized by the Board which is
 - (i) in the Board's view, in the discipline of psychology, or
 - (ii) a program essentially in, or closely related to, the discipline of psychology that the Board would, with successful completion of such supplementary courses as it may require, consider equivalent;
 - (b) successful completion of such professional experience as may be prescribed;
 - (c) professional competency as demonstrated by such examination as may be prescribed;
 - (d) knowledge and acceptance of prescribed ethical guidelines and standards of practice;
 - (e) currency of professional knowledge and skills, as indicated by such requirements as may be prescribed regarding recentness of professional education, examination, active practice or refresher program; and
 - (f) good standing under any existing or previous registration or comparable authorization.

(2) Notwithstanding the requirements of clause (1)(a), for a period of three years immediately after the commencement of this Act, a person shall be registered, and as long as holding a valid certificate be entitled in future to practise in any setting under the title of psychologist, if the person provides proof of

Exemption, transitional

- (a) successful completion of a Master's degree or equivalent-level program in an institution of higher learning recognized by the Board which is
 - (i) in the Board's view, primarily in the discipline of psychology, or
 - (ii) a program essentially in, or closely related to, the discipline of psychology that the Board would, with successful completion of such supplementary courses as it may require, consider equivalent; and
- (b) compliance with the requirements of subsection (1) other than clause (1)(a).

(3) Notwithstanding the requirements of clause (1)(a), a person shall be registered and, subject to renewal requirements, continue eligible to hold a certificate if the person provides proof

Exemption, practice in a structured setting

- (a) of successful completion of a Master's degree program in an institution of higher learning recognized by the Board which is,
 - (i) in the Board's view, primarily in the discipline of psychology, or
 - (ii) a program essentially in, or closely related to, the discipline of psychology that the Board would, with successful completion of such supplementary courses as it may require, consider equivalent;
- (b) of compliance with the requirements of subsection (1) other than clause (1)(a); and
- (c) that the person's practice of psychology is limited to a service operated by the provincial or federal government, a hospital, a school unit or such other organization as the Board by regulations may recognize.

(4) The Board shall issue a certificate of registration to an applicant who has to its satisfaction met the requirements of subsection (1), (2) or (3) and paid the prescribed fee. 1990, c.49, s.9.

Certificate

10. A registered psychologist may use the designation "Psychologist" and the initials "C. Psych.", signifying "certified in psychology", or other similar designations which may be prescribed. 1990, c.49, s.10.

Effect of certificate

11. The Board may, in accordance with conditions prescribed in regulations, grant a special certificate, with certain privileges or restrictions concerning such aspects as duration or scope of function

Special certificate

permitted, for unusual circumstances, notwithstanding that the eligibility requirements may not be entirely met. 1990, c.49, s.11.

Expiry

12. (1) Unless a shorter term has been imposed by the Board, a certificate expires one year from the date on which it is expressed to come into effect.

Idem

(2) The Board shall fix the annual date on which all certificates must be renewed. 1990, c.49, s.12.

Renewal

13. The Board shall renew a certificate if

- (a) the psychologist pays the registration fee by the date on which the certificate expires;
- (b) the psychologist provides evidence of having met such requirements for professional currency as may be prescribed; and
- (c) there is no evidence the psychologist is in violation of this Act or the regulations. 1990, c.49, s.13.

Lapse

14. (1) A psychologist who fails to renew a certificate on or before the expiry date, or to make a special arrangement for extension or deferred renewal that is acceptable to the Board, ceases to be a registered psychologist.

Reissue

(2) Subject to section 13, a psychologist whose certificate lapses under subsection (1) is entitled to have it renewed if the psychologist applies and pays the prescribed fee within two years.

Re-application

(3) A psychologist whose certificate lapses under subsection (1) and who does not re-apply and pay the prescribed fee within two years, shall re-apply as if registering for the first time. 1990, c.49, s.14.

DISCIPLINE

Investigation

15. (1) Where the Board has cause to believe that a psychologist is in violation of the Act or regulations, or is unfit to practise or guilty of conduct contrary to the public interest by reason of negligence, professional misconduct, mental or professional incompetence or other comparable failing which may harm a client, the Board shall make due investigation, and shall give the affected person the opportunity to be heard, with legal counsel if desired.

Discipline

(2) Where, following such investigation and hearing, the Board determines that a psychologist is in violation, unfit to practise or guilty of misconduct, the Board, following guidelines established by regulation or written policy, may disqualify, discipline or seek to remedy the professional performance of the person by

- (a) suspending or cancelling the certificate;

- (b) imposing conditions on the certificate;
- (c) publicly or privately reprimanding the psychologist;
- (d) making public the facts of the case;
- (e) requiring the psychologist to take a course or educational or rehabilitative treatment program;
- (f) requiring the psychologist to pay the costs of the investigation and discipline; or
- (g) imposing any combination of the preceding measures or other such means as it may consider appropriate.

(3) The Board shall not carry out a full investigation without first giving written notice of its intent to the psychologist, such notice to include a statement of the Board's concern or a copy of the complaint received, and an assurance of the right to a hearing of the matter and of the right to be represented by counsel at the hearing. 1990,c.49,s.15; 1997,c.38,s.1. Hearing

16. (1) A psychologist whose registration has been suspended or revoked by the Board under section 15 may appeal that decision to the Trial Division of the Supreme Court by filing a notice of appeal with the court and so informing the Board within thirty days of receiving notification of the decision of the Board. Appeal

(2) A suspension or revocation shall take effect only after the expiry of thirty days from the date on which the Board has made its decision known to the person affected or, where an appeal is made, after it has been dismissed by the court. Allowance

(3) The Board may, upon application, reinstate a revoked certificate of registration or remove a suspension if the applicant meets the requirements of section 9. 1990, c.49, s.16. Reinstatement

OFFENCE

17. (1) No person other than a registered psychologist shall Prohibition

- (a) engage in or carry on the practice of psychology under the title of "Psychologist" or "C. Psych." or such similar designation as may be prescribed;
- (b) call himself or herself a "Psychologist" or "C. Psych." or such similar designation as may be prescribed; or
- (c) take or use any name, title, or description implying or calculated to lead people to infer that the person is a registered psychologist.

(2) Subsection (1) shall not apply to professors of psychology while carrying out their teaching and research duties. 1990, c.49, s.17. Exemption

Prohibition	18. Subject to subsection 17(2), no person shall employ under the titles listed in subsection 17(1) anyone who is not a registered psychologist. 1990, c.49, s.18.
Penalty	19. A person who violates section 17 or 18 is guilty of an offence and liable on summary conviction to a fine not exceeding \$1,000. 1990, c.49, s.19.
Prosecution	20. A prosecution for an offence under this Act must be brought within two years of the alleged commission of the offence. 1990, c.49, s.20.

LIABILITY

Liability of Board	21. No action lies against the Board, its members or officers for anything done in good faith with respect to its functions under this Act. 1990, c.49, s.21.
Psychologist's liability	22. The relationship of a psychologist to a professional corporation, whether as shareholder, director, officer or employee, does not affect, modify or diminish the liability of the psychologist as a practitioner, nor the application to the psychologist of the provisions of this Act, the regulations and any other law applicable to the relationship between practitioner and client. 1990, c.49, s.22.

MISCELLANEOUS

Exemption	23. This Act in no way affects the practice of a qualified practitioner licensed or registered under any other Act governing that profession or occupation. 1990, c.49, s.23.
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