

BRIEFING NOTE

Special Council meeting – March 2, 2023

Subject

Registration Regulation proposed amendments

Issue

All health regulatory colleges have been required to have an emergency class of registration by August 31, 2023. In an email to health regulatory colleges in February 2023, the Ministry provided FAQs that clarified that the colleges were required to submit the full regulation package to the Ministry by May 1, 2023, following a 60-day circulation period.

Background

In a memo dated April 25, 2022, the Ministry of Health notified all health regulatory colleges that Bill 106, *Pandemic and Emergency Preparedness Act*, had received Royal Assent, and that the Ministry was going to begin work with stakeholders to bring forward the necessary regulations to set out the details of the new requirements and to bring health regulatory colleges into compliance with the legislation. The Ministry sought the College's input for the proposed regulations, Regulations under the *Regulated Health Professions Act, 1991* (RHPA) – Regulation Barriers for Regulated Health Professionals.

In a letter dated October 28, 2022, the Ministry advised the health regulatory colleges that the above Regulations were approved that will help reduce registration barriers faced by applicants to the regulated health professions (see enclosure 1). Under these Regulations is a requirement for all health regulatory colleges to have an emergency class of registration by August 31, 2023. This new Certificate will include:

- The circumstances that will cause the class to be open for issuance and renewal.
- A timeline of no more than one year after the certificate is issued and is renewable for the same period of time with no limit on the number of renewals.
- The circumstances in which a member in the emergency class may apply for another class of registration and must be exempt the applicant from at least some of the registration requirements that would ordinarily apply to the application.

In response to the above, proposed amendments to the current Registration Regulation under the *Optometry Act, 1991*, as amended, have been drafted with rationales, and they are provided in tracked changes and in chart form for Council's discussion as reflected in enclosure 2.

The proposed amendments:

- Require an applicant for the emergency class to be a candidate in their final year of an accredited optometry degree program or to be graduates of a non-accredited institution who has successfully passed the Internationally Graduated

Optometrist Evaluating Examination or its equivalent;

- Require an applicant for the emergency class to be of good character which was added in the 2018 proposed amendments to the Regulation;
- Require that a registrant practising under the emergency class, to only be permitted to practise under the supervision of a registrant of the College holding a general certificate of registration who is in good standing with the College;
- Require registrants practising under the emergency class, to self-identify to the public as an emergency class registrant and only use the title of optometrist (emergency class);
- Set out the conditions under which the emergency certificate of registration is automatically revoked;
- Provide a means for emergency class registrants to apply for general or academic certificates of registration with at least some requirements exempted, in keeping with guidance from the Ministry of Health. The exempted requirements would involve not requiring the emergency class registrants to complete the jurisprudence exam or pay the application fee associated with the two classes of registration. Through their minimum of one year of supervised practice and completion of the jurisprudence seminar, emergency class registrants will have gained a significant understanding of topics covered on the jurisprudence exam; and
- Provide the Registrar the discretion to refer registrants other than emergency class registrants, for a practice assessment under the College's quality assurance program. The need for this change became apparent during the pandemic when registrants were unable to meet the minimum practice hour requirement.

In April 2018, the College made a comprehensive Regulation amendment submission to the Ministry of Health. While these draft amendments are under review, the College asked that the Ministry consider introducing more flexibility in the Registration Regulation, which would be consistent with other health regulatory colleges that have similar flexibility. These have also been reflected in enclosure 2. The tracked changes in **red font** are Council approved amendments from 2018 still awaiting Ministry of Health approval, and the changes with **grey highlighting** are the proposed emergency class amendments.

Subsection 95(1) of the Code authorizes Council to make regulations, subject to the approval of the Lieutenant Governor in Council and with prior review of the Minister, respecting certain matters, and that all proposed regulations made under subsection 95(1) be circulated to College registrants and stakeholders at least 60 days before they are approved by Council.

Decision for Council

That Council approve the proposed amendments to the Registration Regulation and their circulation to College registrants and stakeholders.

Supporting Materials

Enclosure 1 – Ministry of Health letter dated October 28, 2022

Enclosure 2 – Proposed amendments to the Registration Regulation

Ministry of Health

Office of the Chief of Nursing
and Professional Practice and
Assistant Deputy Minister
777 Bay Street, 19th Floor
Toronto ON M7A 2J3

Telephone: **416 212-5494**

Ministère de la Santé

Bureau du chef des soins
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777, rue Bay, 19^e étage
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October 28, 2022

Dear Executive Directors/CEOs of Ontario's Health Regulatory Colleges:

As you are aware, the government is continuing its efforts to increase health human resources capacity to respond and recover from the pandemic, ensuring Ontarians have access to safe, high-quality health care now and in the future.

This week, regulations made under the *Regulated Health Professions Act, 1991* were approved that will help reduce registration barriers faced by applicants to the regulated health professions.

By January 1, 2023, the following will be in force:

1. The prohibition on the requirement for Canadian work experience unless otherwise exempted.
2. The requirement related to language proficiency testing.
3. Timely registration decisions and responses.

In addition, all health regulatory Colleges will be required to have an emergency class certificate of registration by August 31, 2023. This new certificate will include:

- The circumstances that will cause the class to be open for issuance and renewal.
- A timeline of no more than one year after the certificate is issued and is renewable for the same period of time with no limit on the number of renewals.
- The circumstances in which a member in the emergency class may apply for another class of registration and must exempt the applicant from at least some of the registration requirements that would ordinarily apply to the application.

The ministry recognizes that implementing these changes will require Colleges to update their processes and regulations under health profession Acts to be consistent with the new requirements. Ministry staff will be reaching out to the Colleges soon to identify workplans and next steps.

It is important that we collectively understand the impact of these changes on the timely registration of applicants. In the coming months, the ministry will work with the Colleges on key metrics for reporting, including:

- The average time between applicants' submission of materials and Registrar's response;
- The average time for a Registrar's decision on an application;
- The number of applicants using Immigration, Refugees and Citizenship Canada (IRCC) approved tests for demonstration of language proficiency; and,
- The number of applicants seeking assessment of equivalence of international experience and the outcome of those assessments (i.e., how many were found to have equivalent experience, how many were found to require additional education and training).

The collection of these measurements is essential to providing data to the ministry to set benchmarks, identify gaps, and to develop improvement plans with Colleges for more timely registration processes.

We will continue to liaise with you as you develop your regulatory amendment packages. If you have any questions or concerns, please contact Jason Maurier, Manager, Regulatory Oversight and Performance Unit at Jason.Maurier@ontario.ca or Stephen Cheng, Manager, Strategic Regulatory Policy Unit at Stephen.Cheng@ontario.ca.

We look forward to our continued collaboration with the College on solutions to bolster our health human resources supply in Ontario and to ensure the delivery of the best care to Ontarians now and in the future.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karima Velji', with a stylized flourish at the end.

Dr. Karima Velji
Chief of Nursing & Professional Practice; Assistant Deputy Minister
Ministry of Health, Ontario

c: Dr. Catherine Zahn, Deputy Minister, Ministry of Health
Allison Henry, Director, Health Workforce Regulatory Oversight Branch
Stephen Cheng, Manager, Strategic Regulatory Policy Unit
Jason Maurier, Manager, Regulatory Oversight and Performance Unit
Beth Ann Kenny, Executive Director, Health Profession Regulators of Ontario

FINAL DRAFT March 1, 2023

Note: Changes in red font are Council approved amendments from 2018 still awaiting Ministry of Health approval

Changes in blue font with grey highlighting are the proposed emergency class amendments for Council's consideration

Optometry Act, 1991 Loi de 1991 sur les optométristes

ONTARIO REGULATION 837/93 REGISTRATION

Consolidation Period: From September 14, 2012 to the [e-Laws currency date](#).

Last amendment: O. Reg. 279/12.

This Regulation is made in English only.

CLASSES OF CERTIFICATES OF REGISTRATION

0.1 In this regulation,

“inactive status” means a standing assigned to a member of any class of registration by the Registrar under section 8 of this regulation where the member is restricted from providing direct optometric care to patients in Ontario, from using any title or designation relating to the profession of optometry without putting “(non-practising)” after the title or designation and from supervising the provision of direct optometric care to patients in Ontario.

1. The following classes of certificates of registration are prescribed:

1. General certificate of registration.
2. Academic certificate of registration. O. Reg. 837/93, s. 1. -

3. Emergency certificate of registration

GENERAL CERTIFICATES OF REGISTRATION

2. (1) The requirements and qualifications for the issuing of a general certificate of registration to an applicant are:

1. The applicant must have completed an application for a general certificate of registration including the results of a criminal background check in the manner and form requested by the Registrar.
2. The applicant must have one of the following academic qualifications:
 - i. A degree in optometry,
 - A. awarded by the School of Optometry and Vision Science of the University of Waterloo, or
 - B. awarded by an educational institution as a result of the successful completion of a program that has been accredited by the Accreditation Council on Optometric Education or another accrediting body approved by the Council at the time the applicant successfully completed the program, or
 - ii. A degree together with any further education or training, or combination of education and training, as specified by a panel of the Registration Committee that when taken together evidences, in the opinion of the panel, completion of a program that is substantially equivalent to a program the completion of which would result in the awarding of the degree referred to in sub-subparagraph i A.
3. The applicant must be able to speak and write in the English or French language with reasonable fluency.
4. Where the applicant has previously practised optometry, there must not be any finding of, or of any current proceeding involving an allegation of, professional misconduct, incompetence or incapacity or any like finding or proceeding against the applicant.
5. The applicant must not have been found guilty in relation to a criminal offence in any jurisdiction. For the purposes of this paragraph, a “criminal offence” includes, without being limited to, an offence under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) and the *Food and Drugs Act* (Canada).

5.1 The applicant's past and present conduct afford reasonable grounds for belief that the applicant,

(a) is mentally competent to practise optometry;

(b) will practise optometry with decency, integrity and honesty and in accordance with the law; and

(c) will display professional behaviour.

6. The applicant must have Canadian citizenship, permanent residency or authorization under the *Immigration and Refugee Protection Act* (Canada) to engage in the practice of optometry.
7. The applicant must meet the criteria set out in one of the following subparagraphs:
 - i. successful completion, not more than three years before applying for registration, of the standards assessment examinations set or approved by the College,
 - ii. successful completion, more than three years before applying for registration, of the standards assessment examinations set or approved by the College and proof, satisfactory to the Registration Committee,
 - A. of having provided at least 750 hours of direct optometric care to patients during the 36-month period immediately prior to applying for a general certificate of registration from the College, and of being competent to practise in accordance with the standards of practice on the basis of an assessment by the Registration Committee of any records that the applicant would have been required to maintain pursuant to the regulations, if the applicant had been a member of the College, or
 - B. of being competent to practise in accordance with the standards of practice on the basis of an evaluation of the applicant's knowledge, skills and judgment by the Registration Committee,

iii., iv REVOKED: O. Reg. 279/12, s. 1 (4).

7.1 The applicant has successfully completed an examination in jurisprudence set or approved by the College within the following time period:

- i. If the applicant is relying on the requirements described in subparagraph 2 ii in making his or her application, within one year of the applicant satisfying the requirements set out in that paragraph.
- ii. In all other cases, within one year after applying for registration.

7.2 If the applicant is required to undergo an assessment or an evaluation by the Registration Committee pursuant to paragraph 7, the applicant must pay in advance the required fee set out in the by-laws of the College.

7.3 REVOKED: O. Reg. 224/03, s. 1 (3).

8. The applicant must pay the application, examination and certificate of registration fees. O. Reg. 837/93, s. 2 (1); O. Reg. 249/99, s. 1 (1, 2); O. Reg. 224/03, s. 1 (1-3); O. Reg. 279/12, s. 1 (1-6).

(1.1) If the applicant is relying on the requirements set out in subparagraph 2 ii of subsection (1) in making his or her application for a general certificate of registration, the applicant is required to submit his or her application before he or she commences the education or training, or combination of education and training, referred to in that subparagraph. O. Reg. 279/12, s. 1 (7)

(2) An applicant shall be deemed not to have satisfied the requirements for a certificate of registration if the applicant made a false or misleading statement or representation in his or her application. O. Reg. 837/93, s. 2 (2).

(3) Where an assessment or evaluation is performed by the Registration Committee pursuant to paragraph 7 of subsection (1), the Registration Committee shall provide a report to the Registrar, who shall provide a copy of it to the applicant. O. Reg. 224/03, s. 1 (5); O. Reg. 279/12, s. 1 (8).

(4) REVOKED: O. Reg. 224/03, s. 1 (5).

2.1 (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant for a general certificate of registration, the applicant is deemed to have met the requirements of paragraphs 2 and 7 of subsection 2 (1) of this Regulation. O. Reg. 279/12, s. 2.

(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide a certificate, letter or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as an optometrist in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 279/12, s. 2.

(3) Without in any way limiting the generality of subsection (2), "good standing" shall include the fact that,

- (a) the applicant is not the subject of any discipline or fitness to practise order or of any proceeding or ongoing investigation or of any interim order or agreement as a result of a complaint, investigation or proceeding; and
- (b) the applicant has complied with the continuing competency and quality assurance requirements of the regulatory authority that issued the applicant that out-of-province certificate as an optometrist. O. Reg. 279/12, s. 2.

(4) Where an applicant referred to in subsection (1) is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of optometry to the extent that would be permitted by a general certificate of registration at any time in the three years immediately before the date of that applicant's application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee. O. Reg. 279/12, s. 2.

(5) An applicant referred to in subsection (1) is deemed to have met the requirements of paragraph 3 of subsection 2 (1) where the requirements for the issuance of the applicant's out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 279/12, s. 2.

(6) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 279/12, s. 2.

3. It is a condition of a general certificate of registration that the member shall provide the College with details of either of the following that relate to the member and that occur or arise after the member is registered:

1. Where the member is or has been registered or licensed to practise optometry in another jurisdiction, a finding of professional misconduct, incompetence or incapacity or any like finding against the member.

2. A finding of guilt in relation to an offence in any jurisdiction. O. Reg. 224/03, s. 2; O. Reg. 279/12, s. 3.

4. A general certificate of registration terminates if the member ceases to be a Canadian citizen or no longer has permanent resident status or authorization under the *Immigration and Refugee Protection Act* (Canada) to engage in the practice of optometry. O. Reg. 837/93, s. 4; O. Reg. 279/12, s. 4.

ACADEMIC CERTIFICATES OF REGISTRATION

5. (1) The requirements and qualifications for issuing an academic certificate of registration are:

1. The applicant must have completed an application for an academic certificate of registration including the results of a criminal background check in the manner and form requested by the Registrar.

2. The applicant must hold an appointment as a professor, lecturer, resident, supervising clinician or graduate student at the School of Optometry and Vision Science of the University of Waterloo, or another university or optometric educational facility in Ontario approved by the Council.

3. The applicant must have one of the following academic qualifications:

i. successful completion of a course in optometry at a university, if the course, at the time the applicant commenced it, was accredited by the Accreditation Council on Optometric Education or another accrediting body approved by the Council, together with the award of a degree of doctor of optometry from that university, or

ii. A degree together with any further education or training, or combination of education and training, as specified by a panel of the Registration Committee that when taken together evidences, in the opinion of the panel, completion of a program that is substantially equivalent to a program the completion of which would result in the awarding of the degree referred to in sub-subparagraph i A of s. 2.(1) 2 and of being competent to practise in accordance with the standards of practice on the basis of an independent evaluation of the applicant's knowledge, skills and judgment.

4. The applicant must be able to speak and write in either English or French with reasonable fluency.

5. Where the applicant has previously been registered or licensed as an optometrist in any jurisdiction, or has previously practised optometry, there must not be any finding of, or current proceeding involving an allegation of, professional misconduct, incompetence, incapacity or any like finding or proceeding against the applicant.

6. The applicant must not have been found guilty in relation to a criminal offence in any jurisdiction. For the purposes of this paragraph, a "criminal offence" includes, without being limited to, an offence under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) and the *Food and Drugs Act* (Canada).

6.1 The applicant's past and present conduct afford reasonable grounds for belief that the applicant,

(a) is mentally competent to practise optometry;

(b) will practise optometry with decency, integrity and honesty and in accordance with the law; and

(c) will display professional behaviour.

7. The applicant must have Canadian citizenship, permanent residency or authorization under the *Immigration and Refugee Protection Act* (Canada) permitting the applicant to engage in the practice of optometry authorized by the academic certificate.

8. The applicant must successfully complete the jurisprudence examination set or approved by the College at the time of the application.
9. The applicant must pay the applicable fees. O. Reg. 224/03, s. 3; O. Reg. 279/12, s. 6.

(2) An applicant shall be deemed not to have satisfied the requirements for a certificate of registration if the applicant made a false or misleading statement or representation in his or her application. O. Reg. 837/93, s. 5 (2).

5.1 (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant for an academic certificate of registration, the applicant is deemed to have met the requirements of paragraph 3 of subsection 5 (1) of this Regulation. O. Reg. 279/12, s. 7.

(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide a certificate, letter or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as an optometrist in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 279/12, s. 7.

(3) Without in any way limiting the generality of subsection (2), “good standing” shall include the fact that,

- (a) the applicant is not the subject of any discipline or fitness to practise order or of any proceeding or ongoing investigation or of any interim order or agreement as a result of a complaint, investigation or proceeding; and
- (b) the applicant has complied with the continuing competency and quality assurance requirements of the regulatory authority that issued the applicant that out-of-province certificate as an optometrist. O. Reg. 279/12, s. 7.

(4) Where an applicant referred to in subsection (1) is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of optometry to the extent that would be permitted by an academic certificate of registration at any time in the three years immediately before the date of that applicant’s application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee. O. Reg. 279/12, s. 7.

(5) An applicant referred to in subsection (1) is deemed to have met the requirements of paragraph 4 of subsection 5 (1) where the requirements for the issuance of the applicant’s out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 279/12, s. 7.

(6) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 279/12, s. 7.

6. An academic certificate of registration is subject to the following terms, conditions and limitations:

1. The certificate is automatically revoked if,
 - i. the member ceases to hold an appointment mentioned in paragraph 2 of subsection 5 (1), or
 - ii. the member ceases to be a Canadian citizen or permanent resident of Canada or to have authorization under the *Immigration and Refugee Protection Act* (Canada) permitting the member to engage in the practice of optometry as authorized by the academic certificate.
2. The member may engage in the practice of optometry only at the School of Optometry and Vision Science of the University of Waterloo or at another university or optometric educational facility in Ontario approved by the Council, or a facility formally associated with the School of Optometry, university or optometric educational facility, as the case may be.
3. The member must provide the College with details of either of the following that relate to the member and that occur or arise after the member is registered:
 - i. where the member is or has previously been registered or licensed as an optometrist in another jurisdiction, a finding of professional misconduct, incompetence, incapacity or any like finding or proceeding against the member, or
 - ii. a finding of guilt in relation to an offence in any jurisdiction. O. Reg. 224/03, s. 4; O. Reg. 279/12, s. 8.

~~6.1 REVOKED: O. Reg. 224/03, s. 4.~~

EMERGENCY CERTIFICATES OF REGISTRATION

6.1 (1) The requirements and qualifications for the issuing of an emergency certificate of registration to an applicant are:

1. The occurrence of one of the following emergency circumstances:

- i. The Council has determined that there is a significant interruption in the registration pathway leading to a lengthy delay for many applicants in their being registered;**
- ii. The Minister of Health has requested the College to initiate registrations under this class based on their opinion that emergency circumstances call for it; or**
- iii. Any other emergency circumstance where it is in the public interest to issue emergency class of registration as determined by the College or the Minister of Health.**

2. The applicant must have completed an application for an emergency certificate of registration including the results of a criminal background check in the manner and form requested by the Registrar.

3. The applicant must have one of the following academic qualifications:

i. They must be in their final year of a degree in optometry,

A. at the School of Optometry and Vision Science of the University of Waterloo, or

B. at an educational institution that has been accredited by the Accreditation Council on Optometric Education or another accrediting body approved by the Council at the time the applicant successfully completed the program, or

ii. A degree together with any further education or training, or combination of education and training, as specified by a panel of the Registration Committee that when taken together evidences, in the opinion of the panel, completion of a program that is substantially equivalent to a program the completion of which would result in the awarding of the degree referred to in sub-subparagraph i A of s. 6.1(1) 3 and of being competent to practise in accordance with the standards of practice on the basis of an independent evaluation of the applicant's knowledge, skills and judgment.

4. For applicants referred to in subparagraph 3. ii of subsection 6.1(1) above, they must have successfully completed the Internationally Graduated Optometrist Evaluating Examination or its equivalent.

5. The applicant must be able to speak and write in the English or French language with reasonable fluency.

6. The applicant must have Canadian citizenship, permanent residency or authorization under the *Immigration and Refugee Protection Act* (Canada) to engage in the practice of optometry.

7. Where the applicant has previously practised optometry, there must not be any finding of, or of any current proceeding involving an allegation of, professional misconduct, incompetence or incapacity or any like finding or proceeding against the applicant.

8. The applicant must not have been found guilty in relation to a criminal offence in any jurisdiction. For the purposes of this paragraph, a "criminal offence" includes, without being limited to, an offence under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) and the *Food and Drugs Act* (Canada).

8.1 The applicant's past and present conduct afford reasonable grounds for belief that the applicant

(a) is mentally competent to practise optometry;

(b) will practise optometry with decency, integrity and honesty and in accordance with the law; and

(c) will display professional behaviour.

9. The applicant must pay the application and certificate of registration fees.

(2) An applicant shall be deemed not to have satisfied the requirements for a certificate of registration if the applicant made a false or misleading statement or representation in his or her application.

(3) An emergency certificate of registration is subject to the following terms, conditions and limitations:

1. The member shall only be permitted to practise optometry under the supervision of a member holding a general certificate of registration who is in good standing;

2. The member shall identify themselves as an optometrist in the emergency class to the public; and

3. The member shall only use the title optometrist (emergency class).

4. The member must provide the College with details of either of the following that relate to the member and that occur or arise after the member is registered:

i. where the member is or has previously been registered or licensed as an optometrist in another jurisdiction, a finding of professional misconduct, incompetence, incapacity or any like finding or proceeding against the member, or

ii. a finding of guilt in relation to an offence in any jurisdiction.

(4) An emergency certificate of registration is automatically revoked on the occurrence of one of the following events:

1. The expiry of one year from the date the certificate was issued, unless the Registrar extends the certificate for one or more extensions under (5).
2. The issuance of a general certificate of registration or an academic certificate of registration.
3. Thirty days after the College or Minister of Health determines that the emergency circumstance no longer exists under which it was issued in paragraph 1 of subsection 6.1(1).

(5) The Registrar may extend an emergency certificate of registration for one or more periods, each of which is not to exceed one year, if, in the opinion of the Registrar, it is advisable or necessary to do so.

(6) A member of the emergency class, may apply for a general certificate of registration or an academic certificate of registration after practising for no less than one year and shall be exempt from paying the application fee referred to in paragraph 8 of subsection 2(1) and paragraph 9 of subsection 5(1), and the requirements set out in paragraphs 7.1 of subsection 2(1) and paragraph 8 of subsection 5(1).

7. (1) Subject to subsections (2) and (3), it is a condition of a certificate of registration of any class other than the emergency class, that the member,
- (a) provide an annual report to the Registrar, at a time set by the Registrar, detailing the member's participation in the mandatory continuing education program of the quality assurance program- (O. Reg. 224/03, s. 4.); and
 - (b) unless a member has inactive status, provide at least 750 hours of direct optometric care to patients in Canada in every three-year period following the year in which the member is first registered.
- (2) Subject to subsection (3), the Registration Committee may exempt a member holding a certificate of registration of any class who holds an appointment at the School of Optometry and Vision Science of the University of Waterloo or other optometric educational facility in Ontario approved by the Council from the requirement in clause (1) (b) if the member makes a written request to the Registration Committee and satisfies the Registration Committee that the member's academic duties prevented the member from meeting the requirement. O. Reg. 224/03, s. 4.
- (3) Unless a member has inactive status, ~~The Registrar shall~~ may refer ~~the~~ a member, other than a member of the emergency class, to the Quality Assurance Committee for a practice assessment under the College's quality assurance program,
- (a) if a member has failed to meet any of the conditions of a certificate of registration set out in subsection (1) or to meet the published minimum requirements of the mandatory continuing education program of the quality assurance program; or
 - (b) if the member was granted an exemption under subsection (2) for the three-year period immediately preceding the member's ceasing to hold the appointment mentioned in subsection (2), unless the member can establish to the satisfaction of the Registrar that he or she did provide at least 750 hours of direct optometric care to patients in Canada during that period. O. Reg. 224/03, s. 4.
- (4) A member who obtains an exemption pursuant to subsection (2) shall immediately advise the Registrar in writing if the member ceases to hold the appointment mentioned in that subsection. O. Reg. 224/03, s. 4.

8. ~~(1) The Registrar shall assign inactive status to a member where,~~

- ~~(a) the member provides no direct optometric care to patients in Canada during a three-year period following the year in which the member was first registered; or~~
- ~~(b) the member's request for inactive status is accepted by the Registrar and the member has had active status for a period of at least twelve consecutive months since first registering with the College.~~

~~(2) A certificate of registration of a member who is assigned inactive status is subject to the additional terms, conditions and limitations that the member shall:~~

- ~~(a) not provide direct optometric care to patients in Ontario;~~
- ~~(b) use the qualification of "(non-practising)" after the term, title or designation "optometrist" or "doctor of optometry" referred to in paragraph 19 of section 1 of Ontario Regulation 119/94; or~~
- ~~(c) not supervise the provision of direct optometric care to patients in Ontario.~~

~~(3) The Registrar may re-assign active status to a member who has inactive status if the member,~~

- ~~(a) applies in writing to the Registrar to be re-assigned active status;~~
- ~~(b) pays any fee, penalty or other amount owed to the College;~~
- ~~(c) provides the College with any information that it has required of the member;~~
- ~~(d) successfully completes any appraisal of the member's current knowledge, skill and judgment relating to the practice of the profession directed by a panel of the Registration Committee; and~~
- ~~(e) satisfies a panel of the Registration Committee that he or she possesses the current knowledge, skill and judgment relating to the practice of the profession that would be expected of a member holding an active general or academic certificate of registration as the case may be.~~

9. (1) All qualifications or requirements for the issuing of a general certificate of registration are non-exemptible, other than requirements listed in paragraph 3, 4 or 5 of subsection 2 (1). O. Reg. 224/03, s. 4.

(2) All qualifications or requirements for the issuing of an academic certificate of registration are non-exemptible, other than requirements listed in paragraph 4, 5 or 6 of subsection 5 (1). O. Reg. 224/03, s. 4.

(3) All qualifications or requirements for the issuing of an emergency certificate of registration are non-exemptible, other than the requirements listed in paragraph 5, 7 or 8 of subsection 6.1(1).

10. REVOKED: O. Reg. 224/03, s. 4.

11. (1) Subject to subsection (2), the name of the member entered in the register and used on the certificate of registration shall be the same as the name of the member in the documentary evidence of the member's degree in optometry or of a degree that is equivalent to a degree in optometry. O. Reg. 837/93, s. 11 (1).

(2) The Registrar shall issue a certificate of registration using a name other than the name of the member which appears in the documentary evidence referred to in subsection (1) or direct the entry in the register of such a name if,

- (a) in the case of an applicant for a first certificate of registration, the applicant deposits with the Registrar the following information,
 - (i) a certified copy of an order of a court of competent jurisdiction changing the name of the applicant or member,
 - (ii) a certified copy of a valid certificate of marriage or of a decree absolute of divorce from a court with respect to the applicant or member,
 - (iii) documentary evidence as to the use of the name requested, or
 - (iv) any combination of material referred to in subclause (i), (ii) or (iii) and satisfies the Registrar that the use of the name requested is not for any improper purpose; or
- (b) in the case of a member to whom a certificate of registration has already been issued, the member,
 - (i) applies for the change of name to the Registrar,
 - (ii) returns the member's current certificate of registration, and
 - (iii) deposits with the Registrar the information described in clause (a). O. Reg. 837/93, s. 11 (2).

12., 13. REVOKED: O. Reg. 57/00, s. 1.

14. (1) At least thirty days before the date the annual fees are payable, the Registrar shall mail to each member a notice requesting,

- (a) completion of the annual report;

- (b) completion of the continuing education report; and
 - (c) filing of the certificate of proof of professional liability (malpractice) insurance. O. Reg. 837/93, s. 14 (1).
- 15. (2)** Upon receipt of the annual report and of the certificate of proof of professional liability (malpractice) insurance, the Registrar shall issue a receipt to the member. O. Reg. 837/93, s. 14 (2).(1) A member whose certificate of registration was suspended by the Registrar may apply for reinstatement if,
- (a) the application is made within two years of the date of the suspension; and
 - (b) the suspension was for,
 - (i) non-payment of fees,
 - (ii) failure to complete and return the annual report and continuing education report, or
 - (iii) failure to provide proof of professional liability insurance. O. Reg. 837/93, s. 15 (1).
- (2) The Registrar shall reinstate a member who applies under subsection (1) if the member pays the reinstatement fee set out in the by-laws of the College and,
- (a) where the suspension was due in whole or in part to the non-payment of fees, pays those fees as well as any other money owed to the College;
 - (b) where the suspension was due in whole or in part to a failure to complete and return the annual report or the continuing education report, completes and returns the required reports; or
 - (c) where the suspension was due in whole or in part to a failure to provide proof of professional liability insurance, provides proof of such insurance. O. Reg. 57/00, s. 2.
- (3) Where the Registrar has suspended a member's certificate for any of the reasons mentioned in clause 15 (1) (b) and more than two years have passed since the date of the suspension, the certificate is automatically revoked. O. Reg. 121/94, s. 2.
- (4) A member whose certificate of registration was revoked under subsection (3) and who applies to be reinstated must satisfy the requirements for the class of certificate for which reinstatement is sought and pay the application fee and the annual fee payable for the year in which the member wishes to be reinstated. O. Reg. 121/94, s. 2.



Proposed Amendments to the Existing Registration Regulation

NOTE: These proposed amendments to the existing Registration Regulation, O.Reg. 837/93 (as amended) made under the *Optometry Act, 1991*, are required by Bill 106, *the Pandemic and Emergency Preparedness Act*, which received Royal Assent on April 14, 2022. They create an emergency class of registration which can be implemented under emergency circumstances as determined by the Council of the College and/or the Ministry of Health. They also make referrals to the Quality Assurance Committee discretionary for the Registrar. These changes to the existing Registration Regulation, have been tracked below, showing the deleted text and the inserted new text in blue.

Also note that in 2018, the College proposed several amendments to these Regulations which were submitted to the Minister of Health after circulation. They have not yet been passed and are therefore shown below in red. The changes proposed in 2018 related to four main “patches” in the existing Registration Regulation, O.Reg. 837/93. The patches add a “good character” requirement, as well as provisions for inactive status, mandatory active status for new registrants, and amend the requirements for an Academic Certificate of Registration.

Current Registration Regulation, O.Reg. 873/93 (as amended)	Proposed Amendments to Registration Regulation, O.Reg 873/93 (as amended)	Explanation of Proposed Amendments
	<p>0.1 <u>In this regulation, “inactive status” means a standing assigned to a member of any class of registration by the Registrar under section 8 of this regulation where the member is restricted from providing direct optometric care to patients in Ontario, from using any title or designation relating to the profession of optometry without putting “(non-practising)” after the title or designation and from supervising the provision of direct optometric care to patients in Ontario.</u></p>	

CLASSES OF CERTIFICATES OF REGISTRATION		
<p>1. The following classes of certificates of registration are prescribed:</p> <ol style="list-style-type: none"> 1. General certificate of registration. 2. Academic certificate of registration. O. Reg. 837/93, s. 1. 	<p>1. The following classes of certificates of registration are prescribed:</p> <ol style="list-style-type: none"> 1. General certificate of registration. 2. Academic certificate of registration. O. Reg. 837/93, s. 1. 3. Emergency certificate of registration. 	<p>The addition of the emergency class of registration is required by Bill 106, the <i>Pandemic and Emergency Preparedness Act</i>, which was enacted in April 2022.</p>
	<p>GENERAL CERTIFICATES OF REGISTRATION</p>	
<p>2. (1) The requirements and qualifications for the issuing of a general certificate of registration to an applicant are:</p> <ol style="list-style-type: none"> 1. The applicant must have completed an application for a general certificate of registration. 2. The applicant must have one of the following academic qualifications: <ol style="list-style-type: none"> i. A degree in optometry, <ol style="list-style-type: none"> A. awarded by the School of Optometry and Vision Science of the University of Waterloo, or 	<p>2. (1) The requirements and qualifications for the issuing of a general certificate of registration to an applicant are:</p> <ol style="list-style-type: none"> 1. The applicant must have completed an application for a general certificate of registration <u>including the results of a criminal background check in the manner and form requested by the Registrar.</u> 2. The applicant must have one of the following academic qualifications: <ol style="list-style-type: none"> i. A degree in optometry, <ol style="list-style-type: none"> A. awarded by the School of Optometry and Vision Science of the University of Waterloo, or 	

B. awarded by an educational institution as a result of the successful completion of a program that has been accredited by the Accreditation Council on Optometric Education or another accrediting body approved by the Council at the time the applicant successfully completed the program, or

ii. A degree together with any further education or training, or combination of education and training, as specified by a panel of the Registration Committee that when taken together evidences, in the opinion of the panel, completion of a program that is substantially equivalent to a program the completion of which would result in the awarding of the degree referred to in sub-subparagraph i A.

B. awarded by an educational institution as a result of the successful completion of a program that has been accredited by the Accreditation Council on Optometric Education or another accrediting body approved by the Council at the time the applicant successfully completed the program, or

ii. A degree together with any further education or training, or combination of education and training, as specified by a panel of the Registration Committee that when taken together evidences, in the opinion of the panel, completion of a program that is substantially equivalent to a program the completion of which would result in the awarding of the degree referred to in sub-subparagraph i A.

<p>3. The applicant must be able to speak and write in the English or French language with reasonable fluency.</p> <p>4. Where the applicant has previously practised optometry, there must not be any finding of, or of any current proceeding involving an allegation of, professional misconduct, incompetence or incapacity or any like finding or proceeding against the applicant.</p> <p>5. The applicant must not have been found guilty in relation to a criminal offence in any jurisdiction. For the purposes of this paragraph, a “criminal offence” includes, without being limited to, an offence under the <i>Criminal Code</i> (Canada), the <i>Controlled Drugs and Substances Act</i> (Canada) and the <i>Food and Drugs Act</i> (Canada).</p> <p>6. The applicant must have Canadian citizenship, permanent residency or authorization under the <i>Immigration and Refugee Protection Act</i> (Canada) to engage in the practice of optometry.</p> <p>7. The applicant must meet the criteria set out in one of the following subparagraphs:</p>	<p>3. The applicant must be able to speak and write in the English or French language with reasonable fluency.</p> <p>4. Where the applicant has previously practised optometry, there must not be any finding of, or of any current proceeding involving an allegation of, professional misconduct, incompetence or incapacity or any like finding or proceeding against the applicant.</p> <p>5. The applicant must not have been found guilty in relation to a criminal offence in any jurisdiction. For the purposes of this paragraph, a “criminal offence” includes, without being limited to, an offence under the <i>Criminal Code</i> (Canada), the <i>Controlled Drugs and Substances Act</i> (Canada) and the <i>Food and Drugs Act</i> (Canada).</p> <p><u>5.1 The applicant’s past and present conduct afford reasonable grounds for belief that the applicant,</u> <u>(a) is mentally competent to practise optometry;</u> <u>(b) will practise optometry with decency, integrity and honesty and in accordance with the law; and</u> <u>(c) will display professional behaviour.</u></p> <p>6. The applicant must have Canadian citizenship, permanent residency or authorization under the <i>Immigration and Refugee Protection Act</i> (Canada) to engage in the practice of optometry.</p> <p>7. The applicant must meet the criteria set out in one of the following subparagraphs:</p>	
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<p>i. successful completion, not more than three years before applying for registration, of the standards assessment examinations set or approved by the College,</p> <p>ii. successful completion, more than three years before applying for registration, of the standards assessment examinations set or approved by the College and proof, satisfactory to the Registration Committee,</p> <p style="padding-left: 40px;">A. of having provided at least 750 hours of direct optometric care to patients during the 36-month period immediately prior to applying for a general certificate of registration from the College, and of being competent to practise in accordance with the standards of practice on the basis of an assessment by the Registration Committee of any records that the applicant would have been required to maintain pursuant to the regulations, if the applicant had been a member of the College, or</p> <p style="padding-left: 40px;">B. of being competent to practise in accordance with the standards of practice on the basis of an evaluation of the applicant's knowledge, skills and judgment by the Registration Committee,</p> <p>iii., iv Revoked: O. Reg. 279/12, s. 1 (4).</p> <p>7.1 The applicant has successfully completed an examination in jurisprudence set or approved by the College within the following time period:</p> <p>i. If the applicant is relying on the requirements described in subparagraph 2 ii in making his or</p>	<p>i. successful completion, not more than three years before applying for registration, of the standards assessment examinations set or approved by the College,</p> <p>ii. successful completion, more than three years before applying for registration, of the standards assessment examinations set or approved by the College and proof, satisfactory to the Registration Committee,</p> <p style="padding-left: 40px;">A. of having provided at least 750 hours of direct optometric care to patients during the 36-month period immediately prior to applying for a general certificate of registration from the College, and of being competent to practise in accordance with the standards of practice on the basis of an assessment by the Registration Committee of any records that the applicant would have been required to maintain pursuant to the regulations, if the applicant had been a member of the College, or</p> <p style="padding-left: 40px;">B. of being competent to practise in accordance with the standards of practice on the basis of an evaluation of the applicant's knowledge, skills and judgment by the Registration Committee,</p> <p>iii., iv REVOKED: O. Reg. 279/12, s. 1 (4).</p> <p>7.1 The applicant has successfully completed an examination in jurisprudence set or approved by the College within the following time period:</p> <p>i. If the applicant is relying on the requirements described in subparagraph 2 ii in making his or</p>	
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<p>her application, within one year of the applicant satisfying the requirements set out in that paragraph.</p> <p>ii. In all other cases, within one year after applying for registration.</p> <p>7.2 If the applicant is required to undergo an assessment or an evaluation by the Registration Committee pursuant to paragraph 7, the applicant must pay in advance the required fee set out in the by-laws of the College.</p> <p>7.3 Revoked: O. Reg. 224/03, s. 1 (3).</p> <p>8. The applicant must pay the application, examination and certificate of registration fees. O. Reg. 837/93, s. 2 (1); O. Reg. 249/99, s. 1 (1, 2); O. Reg. 224/03, s. 1 (1-3); O. Reg. 279/12, s. 1 (1-6).</p> <p>(1.1) If the applicant is relying on the requirements set out in subparagraph 2 ii of subsection (1) in making his or her application for a general certificate of registration, the applicant is required to submit his or her application before he or she commences the education or training, or combination of education and training, referred to in that subparagraph. O. Reg. 279/12, s. 1 (7)</p> <p>(2) An applicant shall be deemed not to have satisfied the requirements for a certificate of registration if the applicant made a false or misleading statement or representation in his or her application. O. Reg. 837/93, s. 2 (2).</p> <p>(3) Where an assessment or evaluation is performed by the Registration Committee pursuant to paragraph 7 of subsection (1), the Registration Committee shall provide a report to the Registrar, who shall provide a copy of it to the</p>	<p>her application, within one year of the applicant satisfying the requirements set out in that paragraph.</p> <p>ii. In all other cases, within one year after applying for registration.</p> <p>7.2 If the applicant is required to undergo an assessment or an evaluation by the Registration Committee pursuant to paragraph 7, the applicant must pay in advance the required fee set out in the by-laws of the College.</p> <p>7.3 REVOKED: O. Reg. 224/03, s. 1 (3).</p> <p>8.The applicant must pay the application, examination and certificate of registration fees. O. Reg. 837/93, s. 2 (1); O. Reg. 249/99, s. 1 (1, 2); O. Reg. 224/03, s. 1 (1-3); O. Reg. 279/12, s. 1 (1-6).</p> <p>(1.1) If the applicant is relying on the requirements set out in subparagraph 2 ii of subsection (1) in making his or her application for a general certificate of registration, the applicant is required to submit his or her application before he or she commences the education or training, or combination of education and training, referred to in that subparagraph. O. Reg. 279/12, s. 1 (7)</p> <p>(2) An applicant shall be deemed not to have satisfied the requirements for a certificate of registration if the applicant made a false or misleading statement or representation in his or her application. O. Reg. 837/93, s. 2 (2).</p> <p>(3) Where an assessment or evaluation is performed by the Registration Committee pursuant to paragraph 7 of subsection (1), the Registration Committee shall provide a report to the Registrar, who shall provide a copy of it to the applicant.</p>	
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<p>applicant. O. Reg. 224/03, s. 1 (5); O. Reg. 279/12, s. 1 (8). (4) Revoked: O. Reg. 224/03, s. 1 (5).</p> <p>2.1 (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant for a general certificate of registration, the applicant is deemed to have met the requirements of paragraphs 2 and 7 of subsection 2 (1) of this Regulation. O. Reg. 279/12, s. 2.</p> <p>(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide a certificate, letter or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as an optometrist in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 279/12, s. 2.</p> <p>(3) Without in any way limiting the generality of subsection (2), “good standing” shall include the fact that,</p> <p style="padding-left: 40px;">(a) the applicant is not the subject of any discipline or fitness to practise order or of any proceeding or ongoing investigation or of any interim order or agreement as a result of a complaint, investigation or proceeding; and (b) the applicant has complied with the continuing competency and quality assurance requirements of the regulatory authority that issued the applicant that out-of-province certificate as an optometrist. O. Reg. 279/12, s. 2.</p>	<p>O. Reg. 224/03, s. 1 (5); O. Reg. 279/12, s. 1 (8). (4) REVOKED: O. Reg. 224/03, s. 1 (5).</p> <p>2.1 (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant for a general certificate of registration, the applicant is deemed to have met the requirements of paragraphs 2 and 7 of subsection 2 (1) of this Regulation. O. Reg. 279/12, s. 2.</p> <p>(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide a certificate, letter or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as an optometrist in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 279/12, s. 2.</p> <p>(3) Without in any way limiting the generality of subsection (2), “good standing” shall include the fact that,</p> <p style="padding-left: 40px;">(a) the applicant is not the subject of any discipline or fitness to practise order or of any proceeding or ongoing investigation or of any interim order or agreement as a result of a complaint, investigation or proceeding; and (b) the applicant has complied with the continuing competency and quality assurance requirements of the regulatory authority that issued the applicant that out-of-province certificate as an optometrist. O. Reg. 279/12, s. 2.</p>	
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<p>(4) Where an applicant referred to in subsection (1) is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of optometry to the extent that would be permitted by a general certificate of registration at any time in the three years immediately before the date of that applicant's application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee. O. Reg. 279/12, s. 2.</p> <p>(5) An applicant referred to in subsection (1) is deemed to have met the requirements of paragraph 3 of subsection 2 (1) where the requirements for the issuance of the applicant's out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 279/12, s. 2.</p> <p>(6) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 279/12, s. 2.</p>	<p>(4) Where an applicant referred to in subsection (1) is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of optometry to the extent that would be permitted by a general certificate of registration at any time in the three years immediately before the date of that applicant's application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee. O. Reg. 279/12, s. 2.</p> <p>(5) An applicant referred to in subsection (1) is deemed to have met the requirements of paragraph 3 of subsection 2 (1) where the requirements for the issuance of the applicant's out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 279/12, s. 2.</p> <p>(6) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 279/12, s. 2.</p>	
<p>3. It is a condition of a general certificate of registration that the member shall provide the College with details of either of the following that relate to the member and that occur or arise after the member is registered:</p> <p>1. Where the member is or has been registered or licensed to practise optometry in another jurisdiction, a finding of professional</p>	<p>No change</p>	

<p>misconduct, incompetence or incapacity or any like finding against the member.</p> <p>2. A finding of guilt in relation to an offence in any jurisdiction. O. Reg. 224/03, s. 2; O. Reg. 279/12, s. 3.</p>		
<p>4. A general certificate of registration terminates if the member ceases to be a Canadian citizen or no longer has permanent resident status or authorization under the <i>Immigration and Refugee Protection Act</i> (Canada) to engage in the practice of optometry. O. Reg. 837/93, s. 4; O. Reg. 279/12, s. 4.</p>	<p>No change</p>	
<p>ACADEMIC CERTIFICATES OF REGISTRATION</p>		
<p>5. (1) The requirements and qualifications for issuing an academic certificate of registration are:</p> <p>1. The applicant must have completed an application for an academic certificate of registration.</p> <p>2. The applicant must hold an appointment as a professor, lecturer, resident, supervising clinician or graduate student at the School of Optometry of the University of Waterloo, or another university or optometric educational facility in Ontario approved by the Council.</p> <p>3. The applicant must have one of the following academic qualifications:</p> <p style="padding-left: 20px;">i. successful completion of a course in optometry at a university, if the course, at the time the applicant commenced it, was accredited by the Accreditation Council on Optometric Education or another accrediting body approved</p>	<p>5. (1) The requirements and qualifications for issuing an academic certificate of registration are:</p> <p>1. The applicant must have completed an application for an academic certificate of registration <u>including the results of a criminal background check in the manner and form requested by the Registrar.</u></p> <p>2. The applicant must hold an appointment as a professor, lecturer, resident, supervising clinician or graduate student at the School of Optometry <u>and Vision Science</u> of the University of Waterloo, or another university or optometric educational facility in Ontario approved by the Council.</p> <p>3. The applicant must have one of the following academic qualifications:</p> <p style="padding-left: 20px;">i. successful completion of a course in optometry at a university, if the course, at the time the applicant commenced it, was accredited by the Accreditation Council on Optometric Education or</p>	

<p>by the Council, together with the award of a degree of doctor of optometry from that university,</p> <p>ii. successful completion of a course in optometry at a university in the United Kingdom, together with the award of a degree from that university, and current or past membership in the British College of Optometrists,</p> <p>iii. successful completion of a course outside of Ontario, other than one mentioned in subparagraphs i or ii that the Registration Committee, having considered the rest of the applicant's qualifications, determines is acceptable.</p> <p>4. The applicant must be able to speak and write in either English or French with reasonable fluency.</p> <p>5. Where the applicant has previously been registered or licensed as an optometrist in any</p>	<p>another accrediting body approved by the Council, together with the award of a degree of doctor of optometry from that university, <u>or</u></p> <p>ii. successful completion of a course in optometry at a university in the United Kingdom, together with the award of a degree from that university, and current or past membership in the British College of Optometrists,</p> <p><u>ii. a degree together with any further education or training, or combination of education and training, as specified by a panel of the Registration Committee that when taken together evidences, in the opinion of the panel, completion of a program that is substantially equivalent to a program the completion of which would result in the awarding of the degree referred to in sub- subparagraph i A of s. 2.(1) 2. successful completion of a course outside of Ontario, other than one mentioned in subparagraphs i or ii that the Registration Committee, having considered the rest of the applicant's qualifications, determines is acceptable. ; and of being competent to practise in accordance with the standards of practice on the basis of an independent evaluation of the applicant's knowledge, skills and judgment.</u></p> <p>4. The applicant must be able to speak and write in either English or French with reasonable fluency.</p>	
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<p>jurisdiction, or has previously practised optometry, there must not be any finding of, or current proceeding involving an allegation of, professional misconduct, incompetence, incapacity or any like finding or proceeding against the applicant.</p> <p>6. The applicant must not have been found guilty in relation to a criminal offence in any jurisdiction. For the purposes of this paragraph, a “criminal offence” includes, without being limited to, an offence under the <i>Criminal Code</i> (Canada), the <i>Controlled Drugs and Substances Act</i> (Canada) and the <i>Food and Drugs Act</i> (Canada).</p> <p>7. The applicant must have Canadian citizenship, permanent residency or authorization under the <i>Immigration and Refugee Protection Act</i> (Canada) permitting the applicant to engage in the practice of optometry authorized by the academic certificate.</p> <p>8. The applicant must successfully complete the jurisprudence examination set or approved by the College at the time of the application.</p>	<p>5. Where the applicant has previously been registered or licensed as an optometrist in any jurisdiction, or has previously practised optometry, there must not be any finding of, or current proceeding involving an allegation of, professional misconduct, incompetence, incapacity or any like finding or proceeding against the applicant.</p> <p>6. The applicant must not have been found guilty in relation to a criminal offence in any jurisdiction. For the purposes of this paragraph, a “criminal offence” includes, without being limited to, an offence under the <i>Criminal Code</i> (Canada), the <i>Controlled Drugs and Substances Act</i> (Canada) and the <i>Food and Drugs Act</i> (Canada).</p> <p><u>6.1 The applicant’s past and present conduct afford reasonable grounds for belief that the applicant,</u> <u>(a) is mentally competent to practise optometry;</u> <u>(b) will practise optometry with decency, integrity and honesty and in accordance with the law; and</u> <u>(c) can communicate effectively and will display professional behaviour.</u></p> <p>7. The applicant must have Canadian citizenship, permanent residency or authorization under the <i>Immigration and Refugee Protection Act</i> (Canada) permitting the applicant to engage in the practice of optometry authorized by the academic certificate.</p> <p>8. The applicant must successfully complete the jurisprudence examination set or approved by the College at the time of the application.</p>	
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<p>9. The applicant must pay the applicable fees. O. Reg. 224/03, s. 3; O. Reg. 279/12, s. 6.</p> <p>(2) An applicant shall be deemed not to have satisfied the requirements for a certificate of registration if the applicant made a false or misleading statement or representation in his or her application. O. Reg. 837/93, s. 5 (2).</p> <p>5.1 (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant for an academic certificate of registration, the applicant is deemed to have met the requirements of paragraph 3 of subsection 5 (1) of this Regulation. O. Reg. 279/12, s. 7.</p> <p>(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide a certificate, letter or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as an optometrist in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 279/12, s. 7.</p> <p>(3) Without in any way limiting the generality of subsection (2), “good standing” shall include the fact that,</p> <p style="padding-left: 40px;">(a) the applicant is not the subject of any discipline or fitness to practise order or of any proceeding or ongoing investigation or of any interim order or agreement as a result of a complaint, investigation or proceeding; and</p> <p style="padding-left: 40px;">(b) the applicant has complied with the continuing competency and quality assurance requirements of the regulatory authority that</p>	<p>9. The applicant must pay the applicable fees. O. Reg. 224/03, s. 3; O. Reg. 279/12, s. 6.</p> <p>(2) An applicant shall be deemed not to have satisfied the requirements for a certificate of registration if the applicant made a false or misleading statement or representation in his or her application. O. Reg. 837/93, s. 5 (2).</p> <p>5.1 (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant for an academic certificate of registration, the applicant is deemed to have met the requirements of paragraph 3 of subsection 5 (1) of this Regulation. O. Reg. 279/12, s. 7.</p> <p>(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide a certificate, letter or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as an optometrist in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 279/12, s. 7.</p> <p>(3) Without in any way limiting the generality of subsection (2), “good standing” shall include the fact that,</p> <p style="padding-left: 40px;">(a) the applicant is not the subject of any discipline or fitness to practise order or of any proceeding or ongoing investigation or of any interim order or agreement as a result of a complaint, investigation or proceeding; and</p> <p style="padding-left: 40px;">(b) the applicant has complied with the continuing competency and quality assurance</p>	
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<p>issued the applicant that out-of-province certificate as an optometrist. O. Reg. 279/12, s. 7.</p> <p>(4) Where an applicant referred to in subsection (1) is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of optometry to the extent that would be permitted by an academic certificate of registration at any time in the three years immediately before the date of that applicant's application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee. O. Reg. 279/12, s. 7.</p> <p>(5) An applicant referred to in subsection (1) is deemed to have met the requirements of paragraph 4 of subsection 5 (1) where the requirements for the issuance of the applicant's out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 279/12, s. 7.</p> <p>(6) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 279/12, s. 7.</p>	<p>requirements of the regulatory authority that issued the applicant that out-of-province certificate as an optometrist. O. Reg. 279/12, s. 7.</p> <p>(4) Where an applicant referred to in subsection (1) is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of optometry to the extent that would be permitted by an academic certificate of registration at any time in the three years immediately before the date of that applicant's application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee. O. Reg. 279/12, s. 7.</p> <p>(5) An applicant referred to in subsection (1) is deemed to have met the requirements of paragraph 4 of subsection 5 (1) where the requirements for the issuance of the applicant's out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 279/12, s. 7.</p> <p>(6) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 279/12, s. 7.</p>	
<p>6. An academic certificate of registration is subject to the following terms, conditions and limitations:</p> <p>1. The certificate is automatically revoked if,</p>	<p>6. An academic certificate of registration is subject to the following terms, conditions and limitations:</p> <p>1.The certificate is automatically revoked if,</p>	

<p>i. the member ceases to hold an appointment mentioned in paragraph 2 of subsection 5 (1), or</p> <p>ii. the member ceases to be a Canadian citizen or permanent resident of Canada or to have authorization under the <i>Immigration and Refugee Protection Act</i> (Canada) permitting the member to engage in the practice of optometry as authorized by the academic certificate.</p> <p>2. The member may engage in the practice of optometry only at the School of Optometry of the University of Waterloo or at another university or optometric educational facility in Ontario approved by the Council, or a facility formally associated with the School of Optometry, university or optometric educational facility, as the case may be.</p> <p>3. The member must provide the College with details of either of the following that relate to the member and that occur or arise after the member is registered:</p> <p>i. where the member is or has previously been registered or licensed as an optometrist in another jurisdiction, a finding of professional misconduct, incompetence, incapacity or any like finding or proceeding against the member, or</p> <p>ii. a finding of guilt in relation to an offence in any jurisdiction. O. Reg. 224/03, s. 4; O. Reg. 279/12, s. 8.</p>	<p>i. the member ceases to hold an appointment mentioned in paragraph 2 of subsection 5 (1), or</p> <p>ii. the member ceases to be a Canadian citizen or permanent resident of Canada or to have authorization under the <i>Immigration and Refugee Protection Act</i> (Canada) permitting the member to engage in the practice of optometry as authorized by the academic certificate.</p> <p>2. The member may engage in the practice of optometry only at the School of Optometry <u>and Vision Science</u> of the University of Waterloo or at another university or optometric educational facility in Ontario approved by the Council, or a facility formally associated with the School of Optometry, university or optometric educational facility, as the case may be.</p> <p>3. The member must provide the College with details of either of the following that relate to the member and that occur or arise after the member is registered:</p> <p>i. where the member is or has previously been registered or licensed as an optometrist in another jurisdiction, a finding of professional misconduct, incompetence, incapacity or any like finding or proceeding against the member, or</p> <p>ii. a finding of guilt in relation to an offence in any jurisdiction. O. Reg. 224/03, s. 4; O. Reg. 279/12, s. 8.</p>	
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6.1 Revoked: O. Reg. 224/03, s. 4.

EMERGENCY CERTIFICATES OF REGISTRATION

6.1 (1) The requirements and qualifications for the issuing of an emergency certificate of registration to an applicant are:

2. The occurrence of one of the following emergency circumstances:

i. The Council has determined that there is a significant interruption in the registration pathway leading to a lengthy delay for many applicants in their being registered;

ii. The Minister of Health has requested the College to initiate registrations under this class based on their opinion that emergency circumstances call for it; or

iii. Any other emergency circumstance where it is in the public interest to issue emergency class of registration as determined by the College or the Minister of Health.

2. The applicant must have completed an application for an emergency certificate of registration including the results of a criminal background check in the manner and form requested by the Registrar.

3. The applicant must have one of the following academic qualifications:

i. They must be in their final year of a degree in optometry.

A. at the School of Optometry and Vision

As required by Bill 106, the *Pandemic and Emergency Preparedness Act*, and in keeping with the guidance provided by the Ministry of Health, this provision sets out the circumstances which will require Council to open up the emergency class of registration.

The inclusion of the criminal background check is consistent with the proposed amendments to this regulation made in 2018.

The Ministry of Health requires that some registration requirements be exempted for the emergency class in order

	<p><u>Science of the University of Waterloo, or</u></p> <p><u>B. at an educational institution that has been accredited by the Accreditation Council on Optometric Education or another accrediting body approved by the Council at the time the applicant successfully completed the program, or</u></p> <p><u>ii. A degree together with any further education or training, or combination of education and training, as specified by a panel of the Registration Committee that when taken together evidences, in the opinion of the panel, completion of a program that is substantially equivalent to a program the completion of which would result in the awarding of the degree referred to in subparagraph i A of s. 6.1(1) 3 and of being competent to practise in accordance with the standards of practice on the basis of an independent evaluation of the applicant's knowledge, skills and judgment.</u></p> <p><u>4. For applicants referred to in subparagraph 3. ii of subsection 6.1(1) above, they must have successfully completed the Internationally Graduated Optometrist Evaluating Examination or its equivalent.</u></p> <p><u>5. The applicant must be able to speak and write in the English or French language with reasonable fluency.</u></p> <p><u>6. The applicant must have Canadian citizenship, permanent residency or authorization under the <i>Immigration and Refugee Protection Act (Canada)</i> to engage in the practice of optometry.</u></p> <p><u>7. Where the applicant has previously practised optometry, there must not be any finding of, or of any current proceeding involving an allegation of, professional misconduct, incompetence or incapacity or any like finding or proceeding against the applicant.</u></p> <p><u>8. The applicant must not have been found guilty in relation to a criminal offence in any jurisdiction.</u></p>	<p>to expand the pool of eligible optometrists should the need arise. However, public protection is achieved through the condition imposed on the certificate that they may only practise under supervision.-</p> <p>The requirement to be in the final year of an accredited program means that emergency class members will have completed the majority of their education.</p> <p>The wording in subparagraph 3.ii is consistent with the proposed changes made in 2018.</p> <p>Graduates from non-accredited institutions will have to have successfully challenged the IGOEE examination. This ensures public protection by requiring the completion of this standardized examination while at the same time opening the pathway to registration for these candidates.</p>
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For the purposes of this paragraph, a “criminal offence” includes, without being limited to, an offence under the *Criminal Code (Canada)*, the *Controlled Drugs and Substances Act (Canada)* and the *Food and Drugs Act (Canada)*.

8.1 The applicant’s past and present conduct afford reasonable grounds for belief that the applicant,

(a) is mentally competent to practise optometry;

(b) will practise optometry with decency, integrity and honesty and in accordance with the law; and

(c) will display professional behaviour.

9. The applicant must pay the application and certificate of registration fees.

(2) An applicant shall be deemed not to have satisfied the requirements for a certificate of registration if the applicant made a false or misleading statement or representation in his or her application.

(3) An emergency certificate of registration is subject to the following terms, conditions and limitations:

1. The member shall only be permitted to practise optometry under the supervision of a member holding a general certificate of registration who is in good standing;

2. The member shall identify themselves as an optometrist in the emergency class to the public; and

3. The member shall only use the title optometrist (emergency class).

4. The member must provide the College with details of either of the following that relate to the member and that occur or arise after the member is registered:

i. where the member is or has previously been registered or licensed as an optometrist in

The “good character” requirement was added in the 2018 proposed amendments to the regulation.

Given that emergency class members are exempted from completely fulfilling the requirements for general certificates of registration (education and entry-to-practice exam), public protection is achieved by the requirement to practise only under supervision. The requirement to self-identify to the public as an emergency class member and only use the title optometrist (rather than O.D. or Dr.) with that modifier of their class, provides transparency of status.

another jurisdiction, a finding of professional misconduct, incompetence, incapacity or any like finding or proceeding against the member, or

ii.a finding of guilt in relation to an offence in any jurisdiction.

(4) An emergency certificate of registration is automatically revoked on the occurrence of one of the following events:

1. The expiry of one year from the date the certificate was issued, unless the Registrar extends the certificate for one or more extensions under (5).
2. The issuance of a general certificate of registration or an academic certificate of registration.
3. Thirty days after the College or Minister of Health determines that the emergency circumstance no longer exists under which it was issued in paragraph 1 of subsection 6.1(1).

(5) The Registrar may extend an emergency certificate of registration for one or more periods, each of which is not to exceed one year, if, in the opinion of the Registrar, it is advisable or necessary to do so.

(6) A member of the emergency class, may apply for a general certificate of registration or an academic certificate of registration after practising for no less than one year and shall be exempt from paying the application fee referred to in paragraph 8 of subsection 2(1) and paragraph 9 of subsection 5(1), and the requirements set out in paragraphs 7.1 of subsection 2(1) and paragraph 8 of subsection 5(1).

These are the conditions under which the emergency certificate of registration is automatically revoked.

Guidance from the Ministry of Health requested that colleges provide a means for emergency certificate holders to apply for general or academic certificates of registration with at least some requirements exempted. They will therefore not be required to complete the jurisprudence exam and will be exempted

		<p>from paying the application fee. Through their minimum of one year of supervised practice, they will have gained a significant understanding of the topics covered on that exam.</p>
<p>7. (1) Subject to subsections (2) and (3), it is a condition of a certificate of registration of any class that the member,</p> <p>(a) provide at least 750 hours of direct optometric care to patients in Canada in every three-year period following the year in which the member is first registered; and</p> <p>(b) provide an annual report to the Registrar, at a time set by the Registrar, detailing the member's participation in the mandatory continuing education program of the quality assurance program. O. Reg. 224/03, s. 4.</p>	<p>7. (1) Subject to subsections (2) and (3), it is a condition of a certificate of registration of any class, <u>other than the emergency class</u>, -that the member,</p> <p>(a) unless a member has inactive status, provide at least 750 hours of direct optometric care to patients in Canada in every three-year period following the year in which the member is first registered; and</p> <p>(ab) provide an annual report to the Registrar, at a time set by the Registrar, detailing the member's participation in the mandatory continuing education program of the quality assurance program (O. Reg. 224/03, s. 4.); <u>and</u></p> <p><u>(b) unless a member has inactive status, provide at least 750 hours of direct optometric care to patients in Canada in every three-year period following the year in which the member is first registered.</u></p>	<p>These conditions are not necessary for members of the emergency class given that the duration of their membership will be limited and that their practice is under supervision.</p>

(2) Subject to subsection (3), the Registration Committee may exempt a member holding a certificate of registration of any class who holds an appointment at the School of Optometry of the University of Waterloo or other optometric educational facility in Ontario approved by the Council from the requirement in clause (1) (a) if the member makes a written request to the Registration Committee and satisfies the Registration Committee that the member's academic duties prevented the member from meeting the requirement. O. Reg. 224/03, s. 4.

(3) The Registrar shall refer a member to the Quality Assurance Committee for a practice

(2) Subject to subsection (3), the Registration Committee may exempt a member holding a certificate of registration of any class who holds an appointment at the School of Optometry and Vision Science of the University of Waterloo or other optometric educational facility in Ontario approved by the Council from the requirement in clause (1) (ab) if the member makes a written request to the Registration Committee and satisfies the Registration Committee that the member's academic duties prevented the member from meeting the requirement. O. Reg. 224/03, s. 4.

(3) Unless a member has inactive status, the Registrar shall may refer a the member, other than a member of the emergency class, to the Quality Assurance Committee for a practice assessment under the College's quality assurance program,

Because they practise under supervision and only for a limited period of time, it does not make sense for emergency certificate holders to be referred to Quality Assurance.

"Shall" has been changed to "may" to allow the Registrar discretion regarding the referral. The need for this change became apparent during the pandemic when members were unable to meet the minimum practice hours requirement.

<p>assessment under the College's quality assurance program,</p> <p>(a) if a member has failed to meet any of the conditions of a certificate of registration set out in subsection (1) or to meet the published minimum requirements of the mandatory continuing education program of the quality assurance program; or</p> <p>(b) if the member was granted an exemption under subsection (2) for the three-year period immediately preceding the member's ceasing to hold the appointment mentioned in subsection (2), unless the member can establish to the satisfaction of the Registrar that he or she did provide at least 750 hours of direct optometric care to patients in Canada during that period. O. Reg. 224/03, s. 4.</p> <p>(4) A member who obtains an exemption pursuant to subsection (2) shall immediately advise the Registrar in writing if the member ceases to hold the appointment mentioned in that subsection. O. Reg. 224/03, s. 4.</p>	<p>(a) if a member has failed to meet any of the conditions of a certificate of registration set out in subsection (1) or to meet the published minimum requirements of the mandatory continuing education program of the quality assurance program; or</p> <p>(b) if the member was granted an exemption under subsection (2) for the three-year period immediately preceding the member's ceasing to hold the appointment mentioned in subsection (2), unless the member can establish to the satisfaction of the Registrar that he or she did provide at least 750 hours of direct optometric care to patients in Canada during that period. O. Reg. 224/03, s. 4.</p> <p>(4) A member who obtains an exemption pursuant to subsection (2) shall immediately advise the Registrar in writing if the member ceases to hold the appointment mentioned in that subsection. O. Reg. 224/03, s. 4.</p>	
<p>8. A member who held an academic certificate of registration on April 26, 1999, shall be issued a general certificate of registration if the following requirements are met:</p> <p>1. The member files an application for the certificate with the College on or before December 31, 2003.</p> <p>2. The member satisfies the Registration Committee that on the date of filing the application, the member has held the academic certificate of registration for five or more</p>	<p>8. (1) The Registrar shall assign inactive status to a member <u>where</u>,</p> <p><u>(a) the member provides no direct optometric care to patients in Canada during a three year period following the year in which the member was first registered; or</u></p> <p><u>(b) the member's request for inactive status is accepted by the Registrar and the member has had active status for a period of at least twelve consecutive months since first registering with the College.</u></p>	

<p>consecutive years and had provided at least 100 hours of direct optometric care to patients in Canada during each of those years.</p> <p>3. The member satisfies the Registration Committee that on the date of filing the application the member is a Canadian citizen or permanent resident or is authorized under the <i>Immigration and Refugee Protection Act</i> (Canada) to engage in the practice of optometry.</p> <p>4. The member pays the applicable fees. O. Reg. 224/03, s. 4; O. Reg. 279/12, s. 9.</p>	<p><u>(2) A certificate of registration of a member who is assigned inactive status is subject to the additional terms, conditions limitations that the member shall:</u></p> <p><u>(a) not provide direct optometric care to patients in Ontario;</u></p> <p><u>(b) use the qualification of “(non-practising)” after the term, title or designation “optometrist” or “doctor of optometry” referred to in paragraph 19 of section 1 of Ontario Regulation 119/94; or</u></p> <p><u>(c) not supervise the provision of direct optometric care to patients in Ontario.</u></p> <p><u>(3) The Registrar may re-assign active status to a member who has inactive status if the member,</u></p> <p><u>(a) applies in writing to the Registrar to be re-assigned active status;</u></p> <p><u>(b) pays any fee, penalty or other amount owed to the College;</u></p> <p><u>(c) provides the College with any information that it has required of the member;</u></p> <p><u>(d) successfully completes any appraisal of the member’s current knowledge, skill and judgment relating to the practice of the profession directed by a panel of the Registration Committee; and</u></p> <p><u>(e) satisfies a panel of the Registration Committee that he or she possesses the current knowledge, skill and judgment relating to the practice of the profession that would be expected of a member holding an active general or academic certificate of registration as the case may be.</u></p> <p>who held an academic certificate of registration on April 26, 1999, shall be issued a general certificate of registration if the following requirements are met:</p>	
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	<p>1. The member files an application for the certificate with the College on or before December 31, 2003.</p> <p>2. The member satisfies the Registration Committee that on the date of filing the application, the member has held the academic certificate of registration for five or more consecutive years and had provided at least 100 hours of direct optometric care to patients in Canada during each of those years.</p> <p>3. The member satisfies the Registration Committee that on the date of filing the application the member is a Canadian citizen or permanent resident or is authorized under the <i>Immigration and Refugee Protection Act (Canada)</i> to engage in the practice of optometry.</p> <p>4. The member pays the applicable fees. O. Reg. 224/03, s. 4; O. Reg. 279/12, s. 9.</p>	
<p>9. (1) All qualifications or requirements for the issuing of a general certificate of registration are non-exemptible, other than requirements listed in paragraph 3, 4 or 5 of subsection 2 (1). O. Reg. 224/03, s. 4.</p> <p>(2) All qualifications or requirements for the issuing of an academic certificate of registration are non-exemptible, other than requirements listed in paragraph 4, 5 or 6 of subsection 5 (1). O. Reg. 224/03, s. 4.</p>	<p>9. (1) All qualifications or requirements for the issuing of a general certificate of registration are non-exemptible, other than requirements listed in paragraph 3, 4 or 5 of subsection 2 (1). O. Reg. 224/03, s. 4.</p> <p>(2) All qualifications or requirements for the issuing of an academic certificate of registration are non-exemptible, other than requirements listed in paragraph 4, 5 or 6 of subsection 5 (1). O. Reg. 224/03, s. 4.</p> <p><u>(3) All qualifications or requirements for the issuing of an emergency certificate of registration are non-exemptible, other than the requirements listed in paragraph 5, 7 or 8 of subsection 6.1(1).</u></p>	<p>The same requirements are exemptible as for the other classes.</p>

10. Revoked: O. Reg. 224/03, s. 4.	Revoked: O. Reg. 224/03, s. 4.	
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<p>11. (1) Subject to subsection (2), the name of the member entered in the register and used on the certificate of registration shall be the same as the name of the member in the documentary evidence of the member's degree in optometry or of a degree that is equivalent to a degree in optometry. O. Reg. 837/93, s. 11 (1).</p> <p>(2) The Registrar shall issue a certificate of registration using a name other than the name of the member which appears in the documentary evidence referred to in subsection (1) or direct the entry in the register of such a name if,</p> <p>(a) in the case of an applicant for a first certificate of registration, the applicant deposits with the Registrar the following information,</p> <p style="padding-left: 40px;">(i) a certified copy of an order of a court of competent jurisdiction changing the name of the applicant or member,</p> <p style="padding-left: 40px;">(ii) a certified copy of a valid certificate of marriage or of a decree absolute of divorce from a court with respect to the applicant or member,</p> <p style="padding-left: 40px;">(iii) documentary evidence as to the use of the name requested, or</p> <p style="padding-left: 40px;">(iv) any combination of material referred to in subclause (i), (ii) or (iii) and satisfies the Registrar that the use of the name requested is not for any improper purpose; or</p> <p>(b) in the case of a member to whom a certificate of registration has already been issued, the member,</p> <p style="padding-left: 40px;">(i) applies for the change of name to the Registrar,</p>	<p>No change</p>	
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<p>(ii) returns the member's current certificate of registration, and (iii) deposits with the Registrar the information described in clause (a). O. Reg. 837/93, s. 11 (2).</p>		
<p>12., 13. Revoked: O. Reg. 57/00, s. 1.</p>	<p>No change</p>	
<p>14. (1) At least thirty days before the date the annual fees are payable, the Registrar shall mail to each member a notice requesting, (a) completion of the annual report; (b) completion of the continuing education report; and (c) filing of the certificate of proof of professional liability (malpractice) insurance. O. Reg. 837/93, s. 14 (1).</p> <p>(2) Upon receipt of the annual report and of the certificate of proof of professional liability (malpractice) insurance, the Registrar shall issue a receipt to the member. O. Reg. 837/93, s. 14 (2).</p>	<p>No change</p>	
<p>15. (1) A member whose certificate of registration was suspended by the Registrar may apply for reinstatement if, (a) the application is made within two years of the date of the suspension; and (b) the suspension was for, (i) non-payment of fees, (ii) failure to complete and return the annual report and continuing education report, or (iii) failure to provide proof of professional liability insurance. O. Reg. 837/93, s. 15 (1).</p>	<p>No change</p>	

<p>(2) The Registrar shall reinstate a member who applies under subsection (1) if the member pays the reinstatement fee set out in the by-laws of the College and,</p> <p>(a) where the suspension was due in whole or in part to the non-payment of fees, pays those fees as well as any other money owed to the College;</p> <p>(b) where the suspension was due in whole or in part to a failure to complete and return the annual report or the continuing education report, completes and returns the required reports; or</p> <p>(c) where the suspension was due in whole or in part to a failure to provide proof of professional liability insurance, provides proof of such insurance. O. Reg. 57/00, s. 2.</p> <p>(3) Where the Registrar has suspended a member's certificate for any of the reasons mentioned in clause 15 (1) (b) and more than two years have passed since the date of the suspension, the certificate is automatically revoked. O. Reg. 121/94, s. 2.</p> <p>(4) A member whose certificate of registration was revoked under subsection (3) and who applies to be reinstated must satisfy the requirements for the class of certificate for which reinstatement is sought and pay the application fee and the annual fee payable for the year in which the member wishes to be reinstated. O. Reg. 121/94, s. 2.</p>		
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16. Omitted (provides for coming into force of provisions of this Regulation). O. Reg. 837/93, s. 16.	No change	
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