



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

MEDICAL SOCIETY ACT

PLEASE NOTE

This document, prepared by the *Legislative Counsel Office*, is an office consolidation of this Act, current to November 1, 2021. It is intended for information and reference purposes only.

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

For more information concerning the history of this Act, please see the *Table of Public Acts* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

If you find any errors or omissions in this consolidation, please contact:

Legislative Counsel Office

Tel: (902) 368-4292

Email: legislation@gov.pe.ca



MEDICAL SOCIETY ACT

Table of Contents

Section	Page
1. Definitions.....	5
2. Society continued.....	5
3. Membership	6
4. Fees	6
5. Head office.....	7
6. Board.....	7
7. Annual meeting	7
8. Bylaws	7
9. Transitional, board members.....	8





CHAPTER 75

MEDICAL SOCIETY ACT

1. Definitions

In this Act,

- (a) “**bylaws**” means the bylaws made by the Society in accordance with section 8;
- (b) “**former Act**” means the *Medical Act* R.S.P.E.I. 1988, Cap. M-5;
- (c) “**membership fee**” means a membership fee established by the bylaws;
- (d) “**registrant**” means a person registered in the register for medicine under the *Regulated Health Professions Act* Medical Practitioner Regulations;
- (e) “**Society**” means the Medical Society of Prince Edward Island continued under subsection 2(1). 2020,c.75,s.1.

2. Society continued

- (1) The Medical Society of Prince Edward Island, Canadian Medical Association, Prince Edward Island Division, a body corporate continued under section 2 of the former Act, is continued as the Medical Society of Prince Edward Island, a body corporate.

Objects

- (2) The objects of the Society are
 - (a) the advancement of medical science in all of its branches, the promotion of health and the improvement of medical services;
 - (b) the prevention of disease in co-operation with health officers and all others engaged in such works;
 - (c) the promotion of the professional interests of its members and of the status of the medical profession;
 - (d) the promotion of harmony and unity of purpose between the medical profession and the various persons responsible for the care of sick or injured persons;
 - (e) the representation of its members in relations with national bodies, government and other health agencies and professional organizations;
 - (f) the provision of a fee guide for members; and
 - (g) the consideration of all matters concerning the good and welfare of members of the Society.

Powers

- (3) To advance the objects of the Society and carry on its business and affairs, the Society may
 - (a) promote medical science and related arts and sciences;
 - (b) promote measures designed to improve standards of hospital and medical services;

- (c) establish local and regional districts;
- (d) fix and collect fees payable to it by its members;
- (e) publish or promote the publication of journals, newsletters, reports, brochures or other papers relative to its interests;
- (f) act as an agent within the province of the Canadian Medical Association or other association representing medical practitioners, and may collect and remit fees levied by any such association;
- (g) act on behalf of any of its members; and
- (h) exercise the powers conferred on a company incorporated under Part II of the *Companies Act* R.S.P.E.I. 1988, Cap. C-14, except where those powers are inconsistent with this Act.

Bargaining agent

- (4) The Society is constituted as the sole bargaining agent on behalf of registrants in negotiations with respect to fees for services rendered in the practice of medicine.

Agreements

- (5) The Society may enter into agreements, not inconsistent with this Act or the regulations, with the Government or its agents, that bind its members, respecting matters related to the practice of medicine, and for that purpose is constituted as the sole and exclusive bargaining agent for any and all registrants. 2020,c.75,s.2.

3. Membership

- (1) The membership of the Society consists of those persons who, immediately before the coming into force of this Act, are members of the Society and, on and after the coming into force of this Act, become members of the Society, until they cease to be members in accordance with this Act or the bylaws.

Registrants entitled to membership

- (2) A registrant is entitled to be a member of the Society upon application in the form required by the Society and payment of the applicable membership fee.

Classes of membership

- (3) Subject to the bylaws, the Society may admit persons to different classes of membership in the Society and levy different membership fees per class. 2020,c.75,s.3.

4. Fees

- (1) Every registrant shall pay either the applicable membership fee or an amount equal to that membership fee to the Society
 - (a) immediately on becoming registered; and
 - (b) in each year thereafter, on or before a date fixed in the bylaws.

Suspension

- (2) The Society may, in accordance with the bylaws, suspend the membership of any registrant who fails to comply with clause 4(1)(b).

Penalty

- (3) The Society may impose a penalty in an amount set out in the bylaws on any registrant who fails to comply with subsection (1) within a period set out in the bylaws.

Rights, privileges and benefits

- (4) The Society may suspend, withhold or terminate any right, privilege or benefit governed by the Society to which a registrant is entitled, including the right to receive any payment owed by the Society to the registrant, where the registrant fails to comply with subsection (1).

Debts

- (5) Amounts payable pursuant to this section are debts due to the Society, which may be recovered by the Society from the debtor or the debtor's estate. *2020, c.75, s.4.*

5. Head office

The Society shall maintain its head office in the province. *2020, c.75, s.5.*

6. Board

- (1) Subject to subsection (2), there shall be a Board of Directors of the Society, to be elected from its members in accordance with the bylaws.

Chair

- (2) A person who is not a member of the Society may be elected or appointed as the Chair of the Board of Directors in accordance with the bylaws.

Functions

- (3) The Board of Directors shall, subject to this Act, govern, control and administer the affairs of the Society. *2020, c.75, s.6.*

7. Annual meeting

- (1) Subject to the bylaws, there shall be an annual meeting at such time and place as the Board of Directors may determine.

Other meetings

- (2) Subject to the bylaws, the Society may hold such general or special meetings as are necessary. *2020, c.75, s.7.*

8. Bylaws

- (1) The Society may make bylaws it considers desirable, incidental or necessary to advance the objects of the Society and carry on its business and affairs, including bylaws
- (a) setting out the terms and conditions for membership in the Society;
 - (b) setting out various classes of membership and membership fees;
 - (c) determining voting rights for various classes of membership;
 - (d) respecting the suspension or cancellation of membership in the Society;
 - (e) specifying a grace period and penalty for the purpose of subsection 4(3);
 - (f) respecting the code of ethics and honour and integrity of the medical profession;
 - (g) respecting the cooperation of its members in the protection of their rights;
 - (h) respecting assistance to medical associations and agencies engaged in health services;
 - (i) providing for the election or appointment of members of the Board of Directors and officers of the Society, and prescribing their duties;
 - (j) providing for the establishment of committees;

- (k) providing for the establishment of local and regional districts;
- (l) respecting the calling of meetings and meeting procedures, including the fixing of quorums; and
- (m) for the better administration of the Society.

Procedure for approval

- (2) A bylaw made under subsection (1) has effect only if
 - (a) notice of motion of the bylaw is given in writing to all voting members of the Society at least one month prior to the meeting at which the bylaw is to be considered; and
 - (b) two-thirds of the voting members of the Society present at the meeting vote in favour of the bylaw. *2020, c.75, s.8.*

9. Transitional, board members

- (1) The persons who, immediately before the coming into force of this Act, constitute the Board of Directors of the Society, shall, on the coming into force of this Act, continue to constitute the Board of Directors until they cease to be members of the Board of Directors in accordance with the bylaws.

Transitional, officers

- (2) The persons who, immediately before the coming into force of this Act, are officers of the Society, shall, on the coming into force of this Act, continue to be officers of the Society until they cease to be officers of the Society in accordance with the bylaws.

Transitional, bylaws

- (3) The bylaws made by the Society pursuant to the former Act, as they exist immediately before the coming into force of this Act, are deemed to be bylaws made by the Society under this Act.

Transitional, agreement

- (4) For greater certainty, the Master Agreement executed pursuant to the former Act between the Society, the Government and Health PEI, effective on April 1, 2020, continues in effect on the coming into force of this Act in accordance with its terms. *2020, c.75, s.9.*