

**Bill C5, an act to incorporate The Canadian Association of Optometrists, as passed by the Senate of Canada, 22<sup>nd</sup> of March, 1948, and June 30<sup>th</sup> by the House of Commons.**

Whereas the persons hereinafter named, on behalf of the unincorporated association known as “The Canadian Association of Optometrists” and, in French, “L’Association canadienne des optométristes”, have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. Fred Nuttall, of the city of Lethbridge, in the province of Alberta; Eli Boyaner, of the city of Saint John, in the province of New Brunswick; Edward Bind, of the city of Toronto, in the province of Ontario; Alfred Mignot, of the city of Montreal, in the province of Quebec; Harry S. Nowlan, of the city of Winnipeg, in the province of Manitoba; Charles Crichton, of the city of Moose Jaw, in the province of Saskatchewan; Willson E. Knowlton, of the city of Vancouver, in the province of British Columbia; John J. Mulrooney, of the city of Halifax, in the province of Nova Scotia; W.H. Landon, of the city of Toronto, in the province of Ontario; Gordon Hutcheson, of the city of Charlottetown, in the province of Prince Edward Island; and all other members of the said unincorporated association, together with such other persons as are or become members of the association, are hereby incorporated under the name, in English, of “The Canadian Association of Optometrists”, and, in French, of “L’Association Canadienne des Optométristes”, hereinafter called “the Association” and either the English or the French name may be used in carrying on business or operations of the Association.
2. The head office of the Association shall be at the city of Toronto, in the province of Ontario, or at such other place as the Association may determine by by-law from time to time.
3. The objects of the Association shall be:
  - a) to maintain the dignity and honour, and to foster the interests of the profession of optometry’
  - b) to advance the art and science of optometry and all its collateral branches;
  - c) to promote ethical and professional standards of optometrical education and service to the public;
  - d) to provide a national medium for the mutual improvement of , for the interchange of knowledge and ideas and for the goodwill and social intercourse between, members of the profession;
  - e) to encourage its members to participate in affairs promoting the public welfare;
  - f) to enlighten and direct public opinion in relation to preservation and conservation of vision and assist in every way to attain and maintain the highest standards of visual efficiency for the people of Canada;
  - g) to have cognizance of and safeguard the common interests of the members of the optometrical profession;
  - h) to consider and act upon all matters of national importance of optometry which do not come within the exclusive jurisdiction or scope of any individual province;
  - i) to publish optometrical journals, reports and educational pamphlets; and
  - j) to do all further or other lawful acts and things as are incidental or conducive to the attainment of the above objects.
4. The membership of the Association shall be divided into the following classes:
  - a) honorary members;
  - b) corporate members;
  - c) ordinary members; and
  - d) any other class or classes of members which the Association may establish by by-law from time to time.
5. Honorary membership shall be conferred only upon a person who has rendered distinguished service in or for the profession of optometry or whom it is desired to honour for outstanding public service.
6. The following associations or their respective successors or assigns shall be corporate members:
  - a) Alberta Optometric Association; British Columbia Optometric Association; Manitoba Optometric Society; New Brunswick Optometrical Society; Nova Scotia Optometric Association; Optometrical Association of Ontario; Prince Edward Island Optometrical Association; College of Optometrists and Opticians of the Province of Quebec; Saskatchewan Optometric Association;

- b) Such other legally constituted associations as may in future be formed within Canada outside the jurisdiction of those associations named in the preceding paragraph, upon application to and approval of the council of the Association.
7. Any optometrist who is a duly qualified member in good standing of any of the associations mentioned in the preceding section shall be an ordinary member of Association.
  8. The affairs of the Association shall be managed by a council which shall be composed, elected or appointed as the Association may prescribe by by-law from time to time and which shall have the powers set out in the by-laws of the Association.
  9. The Association may make such by-laws and rules not contrary to law or to the provisions of this Act, as it may deem necessary or advisable for the government and management of its business and affairs and may from time to time alter or repeal all or any such by-laws and rules as it may see fit: Provided always such by-laws shall contain provision for the election or appointment of members chosen from the ordinary membership to the council of the Association. Without limiting the generality of the foregoing, the Association shall have power to define and regulate:
    - a) the terms and conditions of membership in the Association and the rights, duties and privileges of members including their voting rights;
    - b) the number, powers and duties of the officers of the Association and the constitution, powers, duties, quorum, term of office and method of election of the council;
    - c) the time and place for holding general or special meetings of the Association and the notice and other requirements thereof, except that general meetings of the Association shall be held only in every second year unless the Association otherwise decides;
    - d) the amount of the fees, assessments and dues payable by the members; and
    - e) the administration and management of the business and affairs of the Association and the furthering of its objects and purposes.
  10. Until altered or repealed in accordance with the provisions thereof, the existing constitution, by-laws and rules of the said unincorporated association, in so far as they are not contrary to law or to the provisions of this Act shall be the constitution, by-laws and rules of the Association.
  11. The present officers and council of the said unincorporated association shall continue to be the officers and council of the Association until replaced by others in accordance with the constitution, by-laws and regulations hereunder.
  12. The Association may for the purpose of carrying out its objects:
    - a) subject to provincial laws,
      - (i) acquire by purchase, lease, gift, legacy or otherwise any real and personal estate and property, rights and privileges;
      - (ii) own and hold any such estate, property, rights or privileges;
      - (iii) sell, manage, develop, lease, mortgage, dispose of or otherwise deal with such property, rights or privileges in such manner as the Association may determine;
    - b) make, accept, draw, endorse and execute bills of exchange, promissory notes and other negotiable instruments;
    - c) invest the surplus funds of the Association in such manner and upon such securities as may be determined;
    - d) borrow money as and when required for the purposes of the Association;
    - e) own, operate, print, publish and distribute journals, periodicals and publications of the professional advancement of the members of the Association including but without limiting the generality of the foregoing the journal known as "The Canadian Journal of Optometry" and to own, hold, acquire, sell, dispose of and otherwise deal with the shares of any company which may own, operate, print, publish and distribute "The Canadian Journal of Optometry" or any other such journal, periodical or publication and in connection therewith to lend money, to guarantee the contracts of, or otherwise assist, any company, society, firm, committee, persons or person, which may be charged with the duty of owning, operating, printing, publishing or distributing "The Canadian Journal of Optometry" or such journal, periodical or publication;

- f) establish and support or aid in the establishment and support of institutions, associations, funds, trusts and conveniences calculated to benefit optometrists, students in optometry and the optometrical profession in any way and to subscribe or guarantee money for charitable or benevolent objects or for any exhibition or for any public, general or useful object;
- g) to do all such lawful acts and things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the Association.

**13.** The first general meeting of the Association shall be held within twelve months from the coming into force of this Act, at such time and place as the present council of the Association may determine.

The corporation created by this Act is vested with all the rights and assumes all the obligations of the former unincorporated association known as “The Canadian Association of Optometrists” and, in French, “L’Association canadienne des optométristes”.