



Application for Variation of a Term, Condition or Limitation

Policy 10.7

Section:	Registration		
Approved By:	Registration Committee	Public:	Yes
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Legislative Requirement

In accordance with the Health Professions Procedural Code (the Code), being Schedule 2 to the *Regulated Health Professions Act, 1991*, a member can apply to the Registration Committee for an order directing the Registrar to modify any term, condition or limitation (TCL) imposed on their certificate of registration because of a registration proceeding.

This right to apply for the modification of a TCL is limited by any limitation in the order imposing the TCL or to which the member consented.¹

When an application for the variation of a TCL has been disposed of, a member cannot make a new application within six (6) months without leave of the Registrar, which may only be given if the Registrar is satisfied there's been a material change in circumstances surrounding the application.²

Policy

If a member who has a TCL imposed on their certificate of registration because of a registration proceeding applies for an order to remove or modify that TCL, their application will be referred to the Registration Committee (the Committee) for consideration.

¹ See subsection 19(2) of the Code.

² See subsections 19(6) through (8) of the Code.

The right to apply for a variation is subject to any limitation in the order imposing the TCL, any limitation that the member consented to, or to any limitation in an order relating to a previous application for variation.

The chair of the Committee will select a panel from among the members of the Committee (the Panel) to consider the application for variation.³

The member may make written submissions to the Panel to support their application to modify or remove a TCL imposed on their certificate of registration. After considering the application for variation and the member's submissions (if any), the Panel may make an order:

- refusing the application to modify or remove a TCL imposed on the certificate of registration
- directing the Registrar to remove any TCL imposed on the certificate of registration
- directing the Registrar to modify any TCLs imposed on the certificate of registration

A member may not make a new application to modify or remove a TCL within six (6) months of a panel's order without the Registrar's leave (i.e., permission or authorization). Leave will only be given if the Registrar is satisfied there has been a material change in circumstances that justifies providing the leave.

³ For more information, please see Policy 10.4, Panel Composition.