[Français](http://www.ontario.ca/fr/lois/loi/06t27)

Traditional Chinese Medicine Act, 2006

[S.o. 2006, chapter 27](https://www.ontario.ca/laws/statute/06t27)

**Consolidation Period:** From June 3, 2021 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

Last amendment: [2021, c. 25, Sched. 25, s. 31](http://www.ontario.ca/laws/statute/S21025" \l "sched25s31).

Legislative History: [2007, c. 10, Sched. B, s. 23](http://www.ontario.ca/laws/statute/S07010" \l "schedbs23s1); [2021, c. 25, Sched. 25, s. 31](http://www.ontario.ca/laws/statute/S21025" \l "sched25s31).

Definitions

**1** In this Act,

“College” means the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario; (“Ordre”)

“Health Professions Procedural Code” means the Health Professions Procedural Code set out in Schedule 2 to the Regulated Health Professions Act, 1991; (“Code des professions de la santé”)

“member” means a member of the College; (“membre”)

“profession” means the profession of traditional Chinese medicine; (“profession”)

“this Act” includes the Health Professions Procedural Code. (“la présente loi”) 2006, c. 27, s. 1.

Health Professions Procedural Code

**2** (1)  The Health Professions Procedural Code shall be deemed to be part of this Act. 2006, c. 27, s. 2 (1).

Same, interpretation

(2)  In the Health Professions Procedural Code, as it applies in respect of this Act,

“College” means the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario; (“ordre”)

“health profession Act” means this Act; (“loi sur une profession de la santé”)

“profession” means the profession of traditional Chinese medicine; (“profession”)

“regulations” means the regulations under this Act. (“règlements”) 2006, c. 27, s. 2 (2).

Definitions in Code

(3)  Definitions in the Health Professions Procedural Code apply with necessary modifications to terms in this Act. 2006, c. 27, s. 2 (3).

Scope of practice

**3** The practice of traditional Chinese medicine is the assessment of body system disorders through traditional Chinese medicine techniques and treatment using traditional Chinese medicine therapies to promote, maintain or restore health. 2006, c. 27, s. 3.

Authorized acts

**4** In the course of engaging in the practice of traditional Chinese medicine, a member is authorized, subject to the terms, conditions and limitations imposed on his or her certificate of registration, to perform the following:

1. Performing a procedure on tissue below the dermis and below the surface of a mucous membrane for the purpose of performing acupuncture.

2. Communicating a traditional Chinese medicine diagnosis identifying a body system disorder as the cause of a person’s symptoms using traditional Chinese medicine techniques. 2006, c. 27, s. 4.

College established

**5** The College is established under the name College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario in English and Ordre des praticiens en médecine traditionnelle chinoise et des acupuncteurs de l’Ontario in French. 2006, c. 27, s. 5.

Council

**6** (1)  The Council shall be composed of,

(a) at least six and no more than nine persons who are members elected in accordance with the by-laws;

(b) at least five and no more than eight persons appointed by the Lieutenant Governor in Council who are not,

(i) members,

(ii) members of a College as defined in the Regulated Health Professions Act, 1991, or

(iii) members of a Council as defined in the Regulated Health Professions Act, 1991. 2006, c. 27, s. 6 (1).

Who can vote in elections

(2)  Subject to the by-laws, every member who practises or resides in Ontario and who is not in default of payment of the annual membership fee is entitled to vote in an election of members of the Council. 2006, c. 27, s. 6 (2).

President and Vice-President

**7** The Council shall have a President and Vice-President who shall be elected annually by the Council from among the Council’s members. 2006, c. 27, s. 7.

Restricted titles

**8** (1)  No person other than a member shall use the titles “traditional Chinese medicine practitioner” or “acupuncturist”, a variation or abbreviation or an equivalent in another language. 2006, c. 27, s. 8 (1).

Representations of qualification, etc.

(2)  No person other than a member shall hold himself or herself out as a person who is qualified to practise in Ontario as a traditional Chinese medicine practitioner or acupuncturist or in a specialty of traditional Chinese medicine. 2006, c. 27, s. 8 (2).

Definition

(3)  In this section,

“abbreviation” includes an abbreviation of a variation. 2006, c. 27, s. 8 (3).

**9** Repealed: 2021, c. 25, Sched. 25, s. 31.

**Section Amendments with date in force (d/m/y)**

[2021, c. 25, Sched. 25, s. 31](http://www.ontario.ca/laws/statute/S21025" \l "sched25s31) - 03/06/2021

Offence

**10** Every person who contravenes subsection 8 (1) or (2) is guilty of an offence and on conviction is liable to a fine of not more than $25,000 for a first offence and not more than $50,000 for a second or subsequent offence. 2007, c. 10, Sched. B, s. 23 (3).

**Section Amendments with date in force (d/m/y)**

[2007, c. 10, Sched. B, s. 23 (3)](http://www.ontario.ca/laws/statute/S07010" \l "schedbs23s3) - 01/04/2015

Regulations

**11** Subject to the approval of the Lieutenant Governor in Council and with prior review by the Minister, the Council may make regulations,

(a) prescribing standards of practice respecting the circumstances in which traditional Chinese medicine practitioners shall make referrals to members of other regulated health professions;

(b) prescribing therapies involving the practice of traditional Chinese medicine, governing the use of prescribed therapies and prohibiting the use of therapies other than the prescribed therapies in the course of the practice of traditional Chinese medicine. 2006, c. 27, s. 11.

“Doctor” title

**12** Subject to the approval of the Lieutenant Governor in Council and with prior review by the Minister, the Council may make regulations,

(a) regulating or prohibiting the use of the title “doctor”, a variation or abbreviation or an equivalent in another language by members in respect of their practice;

(b) prescribing a class of certificates of registration for members who use the title “doctor” and imposing terms, conditions and limitations on certificates of registration of this class;

(c) prescribing standards and qualifications for the issue of these certificates and providing for the suspension, revocation and expiration of certificates relating to those members;

(d) prescribing certain registration requirements as non-exemptible requirements for these certificates for the purposes of subsections 18 (3) and 22 (8) of the Health Professions Procedural Code;

(e) requiring, for purposes associated with the registration of those members, the successful completion of examinations as set, from time to time, by the College, other persons or associations of persons and providing for an appeal of the results of the examinations. 2006, c. 27, s. 12.

Transition before certain provisions in force

**13** (1)  The Lieutenant Governor in Council may appoint a transitional Council. 2006, c. 27, s. 13 (1).

Registrar

(2)  The Lieutenant Governor in Council may appoint a Registrar who may do anything that the Registrar may do under the Regulated Health Professions Act, 1991. 2006, c. 27, s. 13 (2).

Powers of transitional Council and Registrar

(3)  Before section 6 comes into force, the Registrar, the transitional Council and its employees and committees may do anything that is necessary or advisable for the implementation of this Act and anything that the Registrar, the Council, and its employees and committees could do under this Act. 2006, c. 27, s. 13 (3).

Same

(4)  Without limiting the generality of subsection (3), the transitional Council and the Registrar and the Council’s committees may accept and process applications for the issuance of certificates of registration, charge application fees and issue certificates of registration. 2006, c. 27, s. 13 (4).

Powers of the Minister

(5)  The Minister may,

(a) review the transitional Council’s activities and require the transitional Council to provide reports and information;

(b) require the transitional Council to make, amend or revoke a regulation under this Act;

(c) require the transitional Council to do anything that, in the opinion of the Minister, is necessary or advisable to carry out the intent of this Act and the Regulated Health Professions Act, 1991. 2006, c. 27, s. 13 (5).

Transitional Council to comply with Minister’s request

(6)  If the Minister requires the transitional Council to do anything under subsection (5), the transitional Council shall, within the time and in the manner specified by the Minister, comply with the requirement and submit a report. 2006, c. 27, s. 13 (6).

Regulations

(7)  If the Minister requires the transitional Council to make, amend or revoke a regulation under clause (5) (b) and the transitional Council does not do so within 60 days, the Lieutenant Governor in Council may make, amend or revoke the regulation. 2006, c. 27, s. 13 (7).

Same

(8)  Subsection (7) does not give the Lieutenant Governor in Council authority to do anything that the transitional Council does not have authority to do. 2006, c. 27, s. 13 (8).

Expenses

(9)  The Minister may pay the transitional Council for expenses incurred in complying with a requirement under subsection (5). 2006, c. 27, s. 13 (9).

Transition after certain provisions in force

**14** (1)  After section 6 comes into force, the transitional Council shall be the Council of the College if it is constituted in accordance with subsection 6 (1) or, if it is not, it shall be deemed to be the Council of the College until a new Council is constituted in accordance with subsection 6 (1). 2006, c. 27, s. 14 (1).

Registrar

(2)  After section 6 comes into force, the Registrar appointed by the Lieutenant Governor in Council shall be deemed to be the Registrar until a new Registrar is appointed by the Council constituted under subsection 6 (1). 2006, c. 27, s. 14 (2).

15.-19Omitted (amends or repeals other Acts). 2006, c. 27, ss. 15-19.

20Omitted (provides for coming into force of provisions of this Act). 2006, c. 27, s. 20.

21Omitted (enacts short title of this Act). 2006, c. 27, s. 21.

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