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Kinesiology Act, 2007

[S.o. 2007, chapter 10](https://www.ontario.ca/laws/statute/s07010)  
Schedule O

**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. 15](http://www.ontario.ca/laws/statute/S21025" \l "sched25s15).

Legislative History: [2021, c. 25, Sched. 25, s. 15](http://www.ontario.ca/laws/statute/S21025" \l "sched25s15).

Definitions

**1** In this Act,

“College” means the College of Kinesiologists 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 kinesiology; (“profession”)

“this Act” includes the Health Professions Procedural Code. (“la présente loi”) 2007, c. 10, Sched. O, s. 1.

Health Professions Procedural Code

**2** (1)  The Health Professions Procedural Code shall be deemed to be part of this Act. 2007, c. 10, Sched. O, 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 Kinesiologists of Ontario; (“ordre”)

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

“profession” means the profession of kinesiology; (“profession”)

“regulations” means the regulations under this Act. (“règlements”) 2007, c. 10, Sched. O, s. 2 (2).

Definitions in Code

(3)  Definitions in the Health Professions Procedural Code apply with necessary modifications to terms in this Act. 2007, c. 10, Sched. O, s. 2 (3).

Scope of practice

**3** The practice of kinesiology is the assessment of human movement and performance and its rehabilitation and management to maintain, rehabilitate or enhance movement and performance. 2007, c. 10, Sched. O, s. 3.

College established

**4** The College is established under the name College of Kinesiologists of Ontario in English and Ordre des kinésiologues de l’Ontario in French. 2007, c. 10, Sched. O, s. 4.

Council

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

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

(b) at least six 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;

(c) one person selected, in accordance with a by-law made under section 10, from among members who are members of a faculty or department of kinesiology of a university in Ontario. 2007, c. 10, Sched. O, s. 5 (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. 2007, c. 10, Sched. O, s. 5 (2).

President and Vice-President

**6** The Council shall have a President and Vice-President who shall be elected annually by the Council from among the Council’s members. 2007, c. 10, Sched. O, s. 6.

Restricted titles

**7** (1)  No person other than a member shall use the title “kinesiologist”, a variation or abbreviation or an equivalent in another language. 2007, c. 10, Sched. O, s. 7 (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 kinesiologist or in a specialty of kinesiology. 2007, c. 10, Sched. O, s. 7 (2).

Definition

(3)  In this section,

“abbreviation” includes an abbreviation of a variation. 2007, c. 10, Sched. O, s. 7 (3).

**8** Repealed: 2021, c. 25, Sched. 25, s. 15.

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

[2021, c. 25, Sched. 25, s. 15](http://www.ontario.ca/laws/statute/S21025" \l "sched25s15) - 03/06/2021

Offence

**9** Every person who contravenes subsection 7 (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. O, s. 9.

By-laws

**10** The Council may make by-laws respecting the qualifications, selection and terms of office of Council members who are selected. 2007, c. 10, Sched. O, s. 10.

Transition before certain provisions in force

**11** (1)  The Lieutenant Governor in Council may appoint a transitional Council. 2007, c. 10, Sched. O, s. 11 (1).

Powers of transitional Council

(2)  Before section 5 comes into force, 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 Council and its employees and committees could do under this Act. 2007, c. 10, Sched. O, s. 11 (2).

Same

(3)  Without limiting the generality of subsection (2), the transitional Council 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. 2007, c. 10, Sched. O, s. 11 (3).

Powers of the Minister

(4)  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. 2007, c. 10, Sched. O, s. 11 (4).

Transitional Council to comply with Minister’s request

(5)  If the Minister requires the transitional Council to do anything under subsection (4), the transitional Council shall, within the time and in the manner specified by the Minister, comply with the requirement and submit a report. 2007, c. 10, Sched. O, s. 11 (5).

Regulations

(6)  If the Minister requires the transitional Council to make, amend or revoke a regulation under clause (4) (b) and the transitional Council does not do so within 60 days, the Lieutenant Governor in Council may make, amend or revoke the regulation. 2007, c. 10, Sched. O, s. 11 (6).

Same

(7)  Subsection (6) does not give the Lieutenant Governor in Council authority to do anything that the transitional Council does not have authority to do. 2007, c. 10, Sched. O, s. 11 (7).

Expenses

(8)  The Minister may pay the transitional Council for expenses incurred in complying with a requirement under subsection (4). 2007, c. 10, Sched. O, s. 11 (8).

Transition after certain provisions in force

**12** After section 5 comes into force, the transitional Council shall be the Council of the College if it is constituted in accordance with subsection 5 (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 5 (1). 2007, c. 10, Sched. O, s. 12.

13., 14Omitted (amends or repeals other Acts). 2007, c. 10, Sched. O, ss. 13, 14.

15Omitted (provides for coming into force of provisions of this Act). 2007, c. 10, Sched. O, s. 15.

16Omitted (enacts short title of this Act). 2007, c. 10, Sched. O, s. 16.

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[Back to top](#Top)