[Français](http://www.ontario.ca/fr/lois/loi/91o33)

Occupational Therapy Act, 1991

S.O. 1991, CHAPTER 33

**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. 23](http://www.ontario.ca/laws/statute/S21025" \l "sched25s23).

Legislative History: 1998, c. 18, Sched. G, s. 38; [2007, c. 10, Sched. B, s. 15](http://www.ontario.ca/laws/statute/S07010" \l "schedbs15s1); [2007, c. 10, Sched. R, s. 17](http://www.ontario.ca/laws/statute/S07010" \l "schedrs17s1); [2021, c. 25, Sched. 25, s. 23](http://www.ontario.ca/laws/statute/S21025" \l "sched25s23).

Definitions

**1** In this Act,

“College” means the College of Occupational Therapists 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 occupational therapy; (“profession”)

“this Act” includes the Health Professions Procedural Code. (“la présente loi”) 1991, c. 33, s. 1.

Health Professions Procedural Code

**2** (1)  The Health Professions Procedural Code shall be deemed to be part of this Act.

Terms in Code

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

“College” means the College of Occupational Therapists of Ontario; (“ordre”)

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

“profession” means the profession of occupational therapy; (“profession”)

“regulations” means the regulations under this Act. (“règlements”)

Definitions in Code

(3)  Definitions in the Health Professions Procedural Code apply with necessary modifications to terms in this Act. 1991, c. 33, s. 2.

Scope of practice

**3** The practice of occupational therapy is the assessment of function and adaptive behaviour and the treatment and prevention of disorders which affect function or adaptive behaviour to develop, maintain, rehabilitate or augment function or adaptive behaviour in the areas of self-care, productivity and leisure. 1991, c. 33, s. 3.

Authorized act

**3.1**(1)  A member is authorized, subject to the terms, conditions and limitations imposed on his or her certificate of registration, to treat, by means of psychotherapy technique delivered through a therapeutic relationship, an individual’s serious disorder of thought, cognition, mood, emotional regulation, perception or memory that may seriously impair the individual’s judgement, insight, behaviour, communication or social functioning. 2007, c. 10, Sched. R, s. 17 (1).

Additional requirements for authorized act

(2)  A member shall not perform the procedure provided for in subsection (1) unless the member performs the procedure in accordance with the regulations. 2007, c. 10, Sched. R, s. 17 (1).

Grounds for misconduct

(3)  In addition to the grounds set out in subsection 51 (1) of the Health Professions Procedural Code, a panel of the Discipline Committee shall find that a member has committed an act of professional misconduct if the member contravenes subsection (2). 2007, c. 10, Sched. R, s. 17 (1).

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

[2007, c. 10, Sched. R, s. 17 (1)](http://www.ontario.ca/laws/statute/S07010" \l "schedrs17s1) - 30/12/2017

College established

**4** The College is established under the name College of Occupational Therapists of Ontario in English and Ordre des ergothérapeutes de l’Ontario in French. 1991, c. 33, s. 4.

Council

**5** (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 seven 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; and

(c) one or two persons selected, in accordance with a by-law made under section 10, from among members who are members of a faculty of occupational therapy of a university in Ontario. 1991, c. 33, s. 5 (1); 1998, c. 18, Sched. G, s. 38 (1, 2).

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. 1991, c. 33, s. 5 (2); 1998, c. 18, Sched. G, s. 38 (3).

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

1998, c. 18, Sched. G, s. 38 (1-3) - 1/02/1999

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. 1991, c. 33, s. 6.

Restricted titles

**7** (1)  No person other than a member shall use the title “occupational therapist”, a variation or abbreviation or an equivalent in another language.

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 an occupational therapist or in a specialty of occupational therapy.

Definition

(3)  In this section,

“abbreviation” includes an abbreviation of a variation. 1991, c. 33, s. 7.

**8** Repealed: 2021, c. 25, Sched. 25, s. 23.

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

[2021, c. 25, Sched. 25, s. 23](http://www.ontario.ca/laws/statute/S21025" \l "sched25s23) - 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. B, s. 15 (1).

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

[2007, c. 10, Sched. B, s. 15 (1)](http://www.ontario.ca/laws/statute/S07010" \l "schedbs15s1) - 4/06/2007

By-laws

**10** The Council may make by-laws respecting the qualifications, number, selection and terms of office of Council members who are selected. 1998, c. 18, Sched. G, s. 38 (4).

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

1998, c. 18, Sched. G, s. 38 (4) - 1/02/1999

Regulations

**10.1**Subject to the approval of the Lieutenant Governor in Council and with prior review by the Minister, the Council may make regulations governing the performance of the procedure provided for in subsection 3.1 (1) and prescribing the purposes for which, or the circumstances in which, the procedure may be performed. 2007, c. 10, Sched. R, s. 17 (2).

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

[2007, c. 10, Sched. R, s. 17 (2)](http://www.ontario.ca/laws/statute/S07010" \l "schedrs17s2) - 30/12/2017

**11, 12** Repealed: 2007, c. 10, Sched. B, s. 15 (2).

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

[2007, c. 10, Sched. B, s. 15 (2)](http://www.ontario.ca/laws/statute/S07010" \l "schedbs15s2) - 4/06/2007

**13** Omitted (provides for coming into force of provisions of this Act). 1991, c. 33, s. 13.

**14** Omitted (enacts short title of this Act). 1991, c. 33, s. 14.

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[Back to top](#Top)