



Alberta Assessors' Association

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Percy Cummins, Executive Director  
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3<sup>rd</sup> Floor, 10808 99 Avenue  
Edmonton, AB T5K 0G5

Re: **PHASE 2 – STREAMLINING PROFESSIONAL LEGISLATION SUBMISSION**

Attached are, summarily, the considerations of the Executive Committee of the Alberta Assessors' Association on the discussion questions for Phase 2 of the Streamlining Professional Legislation initiative.

The Alberta Assessors' Association believes in ease and efficiency in legislative processes even in the case of the complexity of issues surrounding the interest and safety of the public. We emphasize the need to regulate professionals based on their intrusion into or impact on personal and private areas of "the public." We do, however, believe this can be achieved collaboratively under a variety of legislative frameworks from the current constructs to a single omnibus Act. Our submission supports this position.

We thank you for the opportunity and offer our willingness to expand or continue the conversation if so desired. We hope and trust the final decisions are made with due consideration to known efficiencies and public confidence in recognized and regulated professions.

Thank you.

A handwritten signature in cursive script that reads "Daniel Lidgren".

Daniel Lidgren, AMAA  
President

Attachment

## Streamlining Professional Legislation Project – Phase Two Engagement Discussion Questions and Response Template

RESPONSE TEMPLATE	
<b>Organization</b>	Alberta Assessors' Association
<b>Submitted By (Name and Position)</b>	Laurie Hodge, Executive Director/Registrar
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## RESPONSES TO DISCUSSION GUIDE QUESTIONS

### **1. What opportunities exist to streamline professional legislation to promote consistency and create efficiencies in core areas across PROs? Please consider:**

- a. core areas/functions that can be standardized across PROs (i.e., registration, discipline and complaints, access to the Ombudsman, definitions, education, annual reporting, publication etc.);
- b. areas that should not be standardized/unique requirements for your specific PRO that should be retained;
- c. models from other jurisdictions; and
- d. what red tape, regulatory and/or administrative burdens could be removed from professional legislation?

There are common functions across all professional organizations and therefore, across all legislation, including governance structure, registration (application/review), discipline (complaints/investigation), education (pre- and post-certification requirements), etc. It is possible to create an omnibus bill that addresses, at a high level, the commonalities and creates a structure under which a single governing body could direct functions regardless of practice or profession. For example:

- a) Governance – a common representative governing body
- b) Registration – an application process that provides a straightforward checklist for entry and subsequent certification into distinct professions or technologies. Anomalies would be addressed in policy.
- c) Discipline – common investigators and investigation processes and tribunal groups with space for a professional peer experts (trained in administrative justice)
- d) Education – efficiencies could result from cooperatively scheduled events for economies of scale and for non-specific training (ie professional versus technical or practical skills)

Areas that should not or cannot be standardized are those that are uniquely related to practice. For the umbrella right to title legislation, uniquely professional and practical issues are embedded in Ministerial Regulations and organizational policies. Scope of practice organizations likewise have an Act and subordinate Regulations. This suggests that such a construct could be adopted in the event a single overarching or omnibus Act is drafted to “promote consistence and create efficiencies”

#### Red Tape

The current Public Member centralized HR process was intended to streamline the attraction and assignment of public members on PRO boards. It has proven to be less than successful

at reducing delays and improving responses. Other than that, there is no current “streamlining” and it is, therefore, impossible to comment

**2. What opportunities exist for consolidating professional legislation? Please consider:**

- a. *are there public interest and/or public safety concerns or risk to consider;*
- b. *does your respective organization have any concerns regarding consolidating professional legislation;*
- c. *what type of regulatory requirements do you see potentially needing amendments in the future (such as due technological advances) that would benefit from legislative flexibility in order to address the issue quickly; and*
- d. *what red tape, regulatory or administrative burdens should be considered when consolidation professional legislation?*

Consolidating legislation, drafted to include all PROs, should recognize regulated professionals at the same level and include career path options (technologist/technician for example). Otherwise, there should be one act for each governance framework for a total of three Acts (one for scope of practice, one for restricted activity, and one for “right to title”).

The most recently enacted professional legislation is the Regulated Forest Management Profession Act (July 2019) which removes or modernizes many of the elements in POARA that are administratively burdensome, antiquated or overly proscriptive. Stripped of its identifiers that make it exclusive to Forest Management Professionals, it could form the basis for an omnibus bill governing all professional regulating organizations. The more proscriptive and profession/practice-specific needs would then be written into less burdensome regulations or Ministerial Orders.

It is worth noting, that in the eyes and minds of the public, there is no difference between the three governance frameworks. If “public interest” and “public safety” can be quantified, as there being any intrusion into personal or private spaces and personal or private safety, then a practice or profession should be regulated without regard to “professional governance frameworks” (ie scope of practice, restricted activity or right to title).

The Executive Committee of the Alberta Assessors’ Association does have some concerns with regard to consolidating professional legislation. The AAA has met its obligations under POARA, notably to protect the public interest. Assessors are bound to a Code of Conduct and Ethics and Practice Standards that flow from the weight of professional legislation. They practice within the public realm and are validated as professionals. More importantly, the public is assured of the standards to which an Assessor must hold themselves in their practice and all are conscious of the degree of scrutiny to which Assessors are held as they collect and manage ratepayers’ personal and private information. The Assessors’ Association of Alberta Executive Committee appreciates the independence and flexibility to meet our members’ needs that POARA affords us (within the regulatory framework). The Association is as

streamlined and efficient as any organization can be and is concerned that its autonomy and status may be negatively impacted by consolidating legislation.

Efficiencies are not always an outcome of consolidation. Successful consolidations occur when organizations are matched in practice and product, even size, such as engineers and engineering technologies or the various [former] accounting professionals. Otherwise consolidating legislation results in a plethora of regulations and loss of identity.

#### Red Tape

The Regulated Forest Management Profession Act is the most recently drafted professional legislation and presumably has been drafted with a “red tape reduction” lens. If so, then the more administratively burdensome requirements are removed. This Act might then form a model for a single governing Act (or three, if the three existing governance frameworks must be maintained). Although not perfect as there remains some overly proscriptive sections, this Act, stripped of any professional identifier (ie unique to forest management professionals can be a model for streamlined, modern legislation.

**3. What opportunities might there be to merge your professional regulatory organization with another or others? Please consider:**

- a. *natural fits/like-minded purposes and functions;*
- b. *areas of cross-over that already exist;*
- c. *potential groupings;*
- d. *similar scopes of practice;*
- e. *the benefits of amalgamating PROs;*
- f. *the risks of amalgamating PROs; and*
- g. *what red tape, regulatory or administrative burdens should be considered when amalgamating professions?*

Applying the unifying consideration of Accountants,

- protection of the public;
- eliminating marketplace confusion;
- enhancing member support services; and
- simplifying operations and governance.

at the highest level does creates a framework for collaborative amalgamation

Disregarding the actual unique practice of each current PRO Act and (or) regulation and concentrating on the common regulatory and administrative functions of “a” PRO opens more avenues for consolidation or amalgamation even as it identifies and emphasizes the need for separation of unique practice and career path/technology.

In considering amalgamation or merging, the Alberta Assessors’ Association looked at who among all professional organizations does similar work (practice) or works in a similar environment as Assessors?

With respect to the degree to which Assessors intrude into personal and private spaces to gather information for a unique practice, the opportunities for amalgamation do not exist outside of the common functions outlined in Question 1.

- 4. Are there any other red tape, regulatory or administrative burdens that should be considered when streamlining professional legislation?**
- a. Are there any other matters that need to be considered?**

Streamlining or red tape reduction may be effected by elevating all professional regulating bodies into a single type and providing a single legislative framework such that “the public” does not have to decipher or interpret a variety of processes as a result of a variety of governance frameworks.

The alternatives are status quo or streamlining to three umbrella Acts representing the three professional governance frameworks.

With respect to amalgamation of organization or consolidation of legislation, the AAA contends that POARA is an effective and extraordinarily inspired legislation that has withstood Court scrutiny.

As a model, it provides conduct oversight in the interest and safety of the public (and practicing professionals) within the limits of right to title PROs. This gives weight and validity to the unique practice of professionals, in our case, property tax assessment, and affords the public the benefit and assurance of highly trained professionals who are conscious that their conduct is subject to scrutiny.



## ADDITIONAL COMMENTS

The Executive Committee of the Alberta Assessors' Association has had opportunity to connect with and review comments prepared by the group consisting of ASPB (Biologists), AAFMP (Foresters), ACPA (Chemists), AALA (Landscape Architects), APPI (Planners) and agrees in principle to its conclusions as it understands them, as follows:

1. That a single, overarching or omnibus Act is possible if limited to common functions (see Ques 1) with a representative governance structure and neutral administrative organization; and that
2. Unique practice and professional considerations and identifiers can be placed in lower hierarchical regulations and left to individual professions to manage with the support of the larger organization.

The structure discussed by the group is workable if all PROs meet at a common regulatory level (eg scope of practice); a common operational level (resources, activities, etc.); and, representation by group (governance by member organization, not member size of "population").