



## CHAPTER 102

### An Act to amend the charter of The Association of Optometrists and Opticians of the Province of Quebec

*[Assented to, the 1st of April, 1927]*

**W**HEREAS The Association of Optometrists and Opticians of the Province of Quebec, incorporated by

the act 6 Edward VII, chapter 89, as amended by the acts 9 Edward VII, chapter 130; 2 George V, chapter 110; 4 George V, chapter 120; 9 George V, chapter 129, and 16 George V, chapter 87, has, by its petition, represented that it is in the interest of the proper administration of the said association and of the public that certain further amendments be made to its charter, that certain additional powers inherent to its maintenance be granted to it and that its rights and obligations be better defined; and

Whereas it is expedient to grant the prayer to that effect contained in the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

**1.** Section 2*g* of the act 6 Edward VII, chapter 89, as enacted by the act 9 Edward VII, chapter 130, section 1, and replaced by the act 2 George V, chapter 110, section 1, and again replaced by the act 16 George V, chapter 87, section 5, is again replaced by the following:

**"2*g*.** Every person who, in an advertisement, in a newspaper, or in written or printed circulars, or on business cards or on signs, assumes a title, name or description calculated to lead to the belief that he is duly registered or qualified to practise optometry, unless he be duly authorized and registered in this Province under this act, shall in each case be liable to a fine of not less than thirty dollars nor more than fifty dollars for the first offence and of not less

Assuming name, etc., that might lead to false interpretation.  
Penalty.

than fifty dollars nor more than one hundred dollars for every subsequent offence, with costs."

6 Ed. VII, c. 89, s. 2*m*, replaced. **2.** Section 2*m* of the act 6 Edward VII, chapter 89, as enacted by the act 16 George V, chapter 87, section 6, is replaced by the following:

Penalties. **"2*m*.** Any person, firm, corporation or association violating the provisions of sections 2*h*, 2*i*, 2*j*, 2*k*, 2*n* and 2*o* of this act shall be liable to a fine of not less than thirty dollars nor more than fifty dollars for the first offence, and of not less than fifty dollars nor more than one hundred dollars for each subsequent offence, with costs."

6 Ed. VII, c. 89, ss. 2*n* and 2*o*, added. **3.** The act 6 Edward VII, chapter 89, is amended by inserting therein, after section 2*m* thereof, as enacted by the act 16 George V, chapter 87, section 6, the following sections:

No sale from door to door. **"2*n*.** No optometrist, optician or other person shall sell ophthalmic glasses from door to door.

Ophthalmic glass. **"2*o*.** Every spherical, cylindrical or prismatic glass used to assist eyesight shall be deemed to be an ophthalmic glass."

6 Ed. VII, c. 89, s. 6, replaced. **4.** Section 6 of the act 6 Edward VII, chapter 89, as replaced by the act 16 George V, chapter 87, section 10, is again replaced by the following sections:

Election of members of council. **"6.** The election of the members of the Council shall take place annually at a general meeting held on the second Wednesday of November, and only members in good standing on the first of May preceding the meeting shall be entitled to take part and vote.

Eligibility. **"6*a*.** Only members in good standing on the first of May preceding the election shall be eligible. The retiring councillors may be re-elected.

Four electoral divisions. **"6*b*.** For the purposes of the election, the Province shall be divided into four divisions, namely: Montreal, Quebec, Three Rivers and the Eastern Townships.

Montreal. Montreal division shall comprise the island of Montreal, and the electoral districts of Argenteuil, l'Assomption, Beauharnois, Chambly, Chateauguay, Two Mountains, Hull, Huntingdon, Iberville, Labelle, Napierville-Laprairie, Pontiac, Rouville, Saint Hyacinthe, St. John's, Soulanges, Terrebonne, Vaudreuil and Verchères.

Quebec. Quebec division shall comprise the electoral districts of Abitibi, Bellechasse, Bonaventure, Charlevoix, Chicoutimi, Gaspé, Magdalen Islands, l'Islet, Kamouraska, Lake St. John, Rimouski, Levis, Matane, Montmagny, Montmo-

rency, Quebec County, Quebec Centre, Quebec West, Saguenay, St. Sauveur, Beauce, Dorchester, Matapedia, Temiscouata and Temiscamingue.

Three Rivers division shall comprise the electoral districts of Arthabaska, Champlain, Maskinongé, Nicolet, St. Maurice, Three Rivers, Berthier, Joliette, Lotbinière, Montcalm, Portneuf, Richelieu and Yamaska. <sup>Three Rivers.</sup>

The Eastern Townships division shall comprise the electoral districts of Brome, Compton, Drummond, Frontenac, Missisquoi, Richmond, Shefford, Sherbrooke, Stanstead, Wolfe and Bagot. <sup>Eastern Townships.</sup>

**"6c.** Montreal division shall be entitled to six members, and each of the other divisions to one member having his office in such division. <sup>Members in Montreal, etc.</sup>

**"6d.** On the first of October in each year, the secretary shall draw up a list of all members in good standing and classify them according to their division. <sup>List of members.</sup>

For the classification the address of the members entered in the registers of the association shall be conclusive. <sup>Addresses.</sup>

**"6e.** A nomination-paper shall be required for every candidate for election. <sup>Nomination-paper.</sup>

**"6f.** The nomination-paper shall be signed by a member in good standing with the Association. <sup>Signature thereof.</sup>

**"6g.** The nomination-paper shall be sent to the secretary at least fifteen days before the date of the polling which shall take place at the general meeting in each year. <sup>Transmission thereof.</sup>

**"6h.** The secretary shall send a list of the candidates for election to all the members in good standing only with the Association. The names shall be placed in alphabetical order for each district. <sup>List of candidates to members.</sup>

**"6i.** The secretary shall send a list of the candidates in a registered envelope, containing two other envelopes, the first addressed to the voter, the second addressed to the secretary, having the signature of the elector at its foot, and the third envelope, blank, containing the ballot-paper. <sup>Documents accompanying such list.</sup>

**"6j.** The elector shall vote by the ballot-paper contained in the blank envelope, and place it in the second envelope addressed to the secretary and signed by him at the foot. The ballot-paper shall bear the seal of the Association (constituting it a ballot-paper). <sup>Voting.</sup>

**"6k.** Each member shall mark a cross in the square for that purpose opposite nine names, and no more or less, six <sup>Procedure.</sup>

of which shall be selected in the Montreal division, and one in each of the divisions of Quebec, Three Rivers and the Eastern Townships.

Nullity if no seal. Any ballot-paper not bearing the seal of the Association shall be null and cancelled.

Ballot-paper sent to secretary. "6l. Every ballot-paper shall be sent to the secretary in time to reach him for the hour of the meeting. Each member when returning the ballot-paper shall sign his name on the envelope containing it, otherwise the ballot shall be set aside.

Counting of ballots. "6m. The counting of the ballots shall be done by three scrutineers appointed by the president, who shall also designate which of them is to act as chairman.

Casting-vote of chairman. "6n. In the event of two or more members obtaining the same number of votes, the chairman of the scrutineers shall have the right to give a casting-vote if need be.

Candidates elected. "6o. The six members of the Montreal division and the member in each of the other divisions who have obtained the largest number of votes shall be elected.

Ballot-papers. Recount. "6p. The ballot-papers shall be kept for thirty days by the secretary. Any member wishing a recount shall make a written request for same to the council within such delay.

Entering into office. "6q. The members elected shall enter into office on the first of January following.

Rights, etc., of honorary members. "6r. Honorary members shall have the same rights and privileges at the meetings as the active members, but shall not be entitled to vote."

6 Ed. VII, c. 89, s. 12e, replaced. 5. Section 12e of the act 6 Edward VII, chapter 89, as enacted by the act 9 George V, chapter 129, section 2, and replaced by the act 16 George V, chapter 87, section 12, is again replaced by the following:

Penalty for practice without license. "12e. Any person, other than physicians or surgeons belonging to the College of Physicians and Surgeons of the Province of Quebec, who practises optometry without a license from the Association, shall be liable to a penalty of not less than thirty dollars nor more than fifty dollars for the first offence, and of not less than fifty dollars nor more than one hundred dollars for any subsequent offence, with costs."

6 Ed. VII, c. 6. The act 6 Edward VII, chapter 89, is amended by

adding thereto, after section 12*f* as enacted by the act 9 89, s. 12*g*, George V, chapter 129, section 2, the following section: <sup>added.</sup>

“**12*g*.** In any proceeding brought, in virtue of this act, Burden of for the recovery of the penalties or fines imposed therein, <sup>proof</sup> on defen- the burden of proving registration shall lie upon the defen- <sup>dant.</sup> dant.”

**7.** This act shall come into force on the day of its <sup>Coming into</sup> sanction. <sup>force.</sup>