



COUNCIL POLICY

Registration in the Provisional (Academic – s. 181 Faculty) and the Provisional (Academic – Visiting Professor) Classes

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Reviewed with No Changes:

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Preamble

This Policy relates to registration in the following classes:

- the Provisional (Academic – S. 181 Faculty) Class, and
- the Provisional (Academic – Visiting Professor) Class.

Specific provisions of the *CPSM General Regulation* that apply to each of the above classes of registration are reproduced in this Policy for ease of reference. The purpose of this Policy is to set out additional registration requirements that have been approved by Council.

This Policy addresses what is required for a certificate of registration. It does not deal with the requirements for certificates of practice which are described at Part 4 of the *CPSM General Regulation*¹ and further in the Council Policy for Certificates of Practice.

1. Provisional (academic – s. 181 faculty) class

1.1. Purpose and overview

This class is for physicians registered at the request of the Manitoba faculty pursuant to subsection 181(1)(a) of the RHPA². Section 181:

181(1) The registrar must approve an application for registration
(a) as a regulated member, if the applicant
(i) is granted a certificate by the university in accordance with
subsection (2), and
(ii) meets the requirements set out in clauses 32(1)(c) to (g);

...

¹ Part 4 of the CPSM General Regulation establishes the requirements for issuing a certificate of practice. Of note, s. 4.1 states, “A certificate of registration does not entitle a member to practise medicine. To do so, a member must also hold a certificate of practice. ...”

² Previously section 64 under *The Medical Act*.

181(2) The university may grant a certificate under the academic seal of the university to an applicant who meets both of the following requirements:

- (a) the applicant is a full-time member of the Faculty of Medicine;*
- (b) the applicant provides evidence to the university's satisfaction that [they have] passed any examinations required by the university and has met any other requirements of the university.*

181(3) A registration may be subject to any conditions that the registrar considers advisable.

Applicants for registration in the provisional (academic – s. 181 faculty) class must satisfy the following requirements from the *CPSM General Regulation*:^{3, 4}

- the Common Requirements for all registrants of CPSM at s. 3.2,
- the Non-Exemptible Requirements for all Regulated Registrants at s. 3.7, and
- the Specific Requirements for this class at s. 3.10.

However, they do not need to establish that they meet the ordinary academic or certification requirements for full registration. Instead, they are registered based on the Manitoba faculty providing a section 181 certificate.

1.2. Specific requirements under the *CPSM General Regulation*

Specific requirements for the Provisional (Academic – s. 181 Faculty) Class are set out at section 3.10 of the *CPSM General Regulation*:

3.10 An applicant for registration as a provisional (academic – s. 181 faculty) member must

(a) submit to the registrar a written request to approve the applicant's registration from the dean of the Manitoba faculty (or the dean's designate) that contains

(i) a confirmation that the applicant is or will be legally entitled to work in Manitoba before engaging in his or her professional practice,

(ii) a confirmation that the applicant meets the approved English language fluency criteria, and

(iii) a description of the applicant's most recent professional practice and proposed professional practice; and

(b) establish that he or she has been granted a section 181 certificate.

³ RHPA at s. 32(1)

⁴ Subsection 3.2(1) of the *CPSM General Regulation* at point 8.

1.3. Terms and conditions

The standard terms and conditions to be imposed on any section 181 registrant under the RHPA include that the registrants practice shall be restricted to the Manitoba faculty and in accordance with the section 181 certificate. Section 3.11 of the *CPSM General Regulation* further provides:

3.11(1) A person may be registered as a provisional (academic — s. 181 faculty) member for as long as he or she holds a section 181 certificate.

3.11(2) As a condition of registration, a provisional (academic — s. 181 faculty) member must continue to hold a section 181 certificate.

1.4. Cancellation

Section 3.81 of the *CPSM General Regulation* provides that, “*The registration of a provisional (academic — s. 181 faculty) member is cancelled if the member's section 181 certificate is revoked or lapses.*”

1.5. Conversion to another class

Physicians registered under section 181 of the RHPA may achieve full registration by applying, paying the applicable fees set out in a CPSM bylaw, and providing evidence that they have met the usual requirements for full registration. Sections 3.75 and 3.76 of the *CPSM General Regulation* provide:

3.75 Upon receiving a designation of "successful in the MPAP" or otherwise completing the requirements for full (practising) membership under section 3.8, a member's registration in

...

(d) the provisional (academic — s. 181 faculty) class; may be changed by the registrar to the full (practising) class.

3.76 Upon receiving a designation of "partially successful in the MPAP", a member's registration in

....

(d) the provisional (academic — s. 181 faculty) class; may be changed by the registrar to the full (practising) class in accordance with section 7.11 (restricted professional practice).

If a section 181 faculty member decides to take the MPAP route and is unsuccessful, they will be restricted to applying in an educational class or clinical assistant class pursuant to section 7.13 of the *CPSM General Regulation*. They would not be able to register again in the provisional academic class.

2. Provisional (academic – visiting professor) class

2.1. Purpose and overview

The purpose of the Provisional (Academic – Visiting Professor) Class is to provide a means for an eligible physician to:

- attend to teach or to learn in a university-based setting for a term approved by the Registrar, and
- have, during that time, clinical contact with patients and provide limited medical services in circumstances approved by the Registrar.

Applicants for registration in the Provisional (Academic – Visiting Professor) Class must satisfy the following requirements from the *CPSM General Regulation*:^{5, 6}

- the Common Requirements for all registrants of CPSM at s. 3.2,
- the Non-Exemptible Requirements for all Regulated Registrants at s. 3.7, and
- the Specific Requirements for this class at s. 3.12.

Given the nature of a visiting professor's professional practice and the fact that it will occur within a university setting, they do not need to establish that they meet the academic or certification requirements for full registration.

In each case, the requirement is for the dean of the Manitoba Faculty (or the dean's designate) to make the request and to have satisfied themselves that the basic requirements have been met for the candidate to practice within the University setting.

2.2. Specific requirements under the *CPSM General Regulation*

Specific requirements for the Provisional (Academic – Visiting Professor) Class are set out at section 3.12 of the *CPSM General Regulation*:

3.12 An applicant for registration as a provisional (academic – visiting professor) member must

(a) establish that he or she holds

(i) a medical degree granted from a nationally approved faculty of medicine, or

(ii) a Doctor of Osteopathic Medicine degree from a school in the United States accredited by the American Osteopathic Association Commission on Osteopathic College Accreditation; and

⁵ RHPA at s. 32(1)

⁶ Subsection 3.2(1) of the *CPSM General Regulation* at point 8.

(b) submit to the registrar a written request to approve the applicant's registration from the dean of the Manitoba faculty (or the dean's designate) that contains the following:

(i) a confirmation that the applicant is or will be legally entitled to work or study in Manitoba before engaging in his or her professional practice,

(ii) a confirmation that the applicant meets the approved English language fluency criteria,

(iii) a description of

(A) the applicant's most recent professional practice and proposed professional practice, or

(B) the specific medical procedures that the applicant will be performing,

(iv) the name of the person and department that will be responsible for supervising the applicant,

(v) the dates when and the location or locations where the applicant will be teaching or studying.

2.3. Terms and conditions

The standard terms and conditions to be imposed on any Provisional (Academic – Visiting Professor) Class registrant include that the registrants practice shall be supervised and restricted to approved location(s) of practice and, if appropriate, to the procedure or teaching experience for which the registrant is attending. Other conditions may be imposed, depending upon the circumstances.

Registration is for a period of not more than 24 consecutive months, unless extended by the Registrar for up to 12 additional months. Section 3.13 of the CPSM General Regulation provides:

3.13 A person may be registered as a provisional (academic – visiting professor) member for a time period of not more than 24 consecutive months, which may be extended in accordance with sections 3.71 to 3.73.

An extension may be granted only if:

- the registrant provides a written request from the dean of the Manitoba Faculty (or the dean's designate) for an extension before the initial registration expires and sets out the reasons for the extension request, and
- the Registrar determines that there are exceptional or extenuating circumstances that merit an extension.

Sections 3.72 and 3.73 CPSM of the *CPSM General Regulation* require that the Registrar provide written reasons for his or her approval or refusal of the extension and, if the Registrar does not grant an extension, the applicant has a right of appeal.

2.4. Cancellation

Section 3.82 of the *CPSM General Regulation* provides:

3.82 The registration of a provisional (academic — visiting professor) member is cancelled on the earliest occurrence of the following:

- (a) the specified or extended membership period ends;*
- (b) the member completes his or her teaching or studying obligations;*
- (c) the member ceases to be supervised by the person or the department referred to in subclause 3.12(b)(iv).*