Let’s start with the word *association*. The online Free Dictionary gives the following definition:

*n. any group of people who have joined together for a particular purpose, ranging from social to business, and usually meant to be a continuing organization. It can be formal, with rules and/or bylaws, membership requirements and other trappings of an organization, or it can be a collection of people without structure.*

An association can be either an unincorporated or incorporated entity. Indeed, many associations are incorporated as corporations without share capital (aka. not-for-profit corporations) which are composed of their members. This incorporation means that the association is a legal entity having an independent existence, separate and distinct from that of its members. Any not-for-profit corporation which is composed of its members could be considered an association in the broad sense of the term—whether the corporation thinks of itself as an association, or chooses to call itself an association, or to use the word association in its name is another matter though. Also, using the term *association* says nothing about the purposes for which the organization exists. In the context of the professions, the term *association* has acquired a member-benefit connotation, but that isn’t necessarily the case. For instance, the Association of Professional Engineers of the Province of Ontario, better known as
Professional Engineers Ontario, has the term *association* in its name but it exists to serve and protect the public interest\(^1\).

Now, for the regulatory part. As implied in the term ‘regulatory association’ there is an important distinction between ‘regulatory associations’ and ‘non-regulatory associations.’ What makes an association regulatory is the delegation of regulatory powers from government. Importantly, the only way this delegation can happen is (1) by statute and (2) with a public protection mandate. This also answers the question of purpose and provides a fuller definition—a *regulatory association is a corporation without share capital which is composed of its members and which purpose, as established by statute, is to govern and regulate its members in the public interest*. Non-regulatory associations are corporations without share capital which are composed of their members but which do not have a statutory mandate to govern and regulate their members in the public interest.

There are a number of organizations that meet this definition, some have the word association in their name, but many others do not. For instance, all professional self-regulating bodies in Ontario could be considered ‘regulatory associations’ by the definition above although some go by the name of ‘college,’ ‘society,’ or ‘institute.’ There are some that *do* have the word association in their name as well. For instance, there is the Ontario Association of Architects, the Association of Professional Engineers of the Province of Ontario, the Ontario Professional Foresters Association, the Association of Professional Geoscientists of Ontario, and the Association of Ontario Land Surveyors. But as noted above, any not-for-profit corporation which is composed of its members could call itself an association regardless of its purpose or mandate. So saying that an organization is an association doesn’t say all that much. The defining characteristic of all ‘regulatory associations,’ however, is that in addition they govern and regulate their members using powers delegated by statute and consequently have an overarching public protection mandate.

Not all professional regulators are associations, however. Some occupations are regulated by Delegated Administrative Authorities (DAAs) (e.g., cemetery or crematorium operator, funeral directors, electrical contractors and master electricians, motor vehicle dealers or salespeople, real estate broker or salesperson, and registered travel agents) and some occupations are regulated directly by government ministries (e.g., private investigators, security guards). These alternative regulatory agencies are not associations. And so, regulatory associations are professional regulatory bodies but not all professional regulatory bodies are associations (in the sense that they are not not-for-profit corporations composed of their members).

Despite the fact that the term ‘regulatory association’ is technically correct, it is rarely used. In fact, there are a variety of terms that are used to refer to ‘regulatory associations.’ Depending on the context, or the preferences of the author, one will come across, *self-governing professional body, self-regulating organization (SRO), professional regulatory body, regulator, self-governing body, and public regulator*.

\(^1\) For professional engineers in Ontario, the ‘member-benefit association’ would be the Ontario Society of Professional Engineers.