

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE **MADAM** )  
JUSTICE **CORRICK** )

FRIDAY, THE 10TH  
DAY OF JULY, 2015

BETWEEN:

(Court Seal)



COLLEGE OF TRADITIONAL CHINESE MEDICINE PRACTITIONERS AND  
ACUPUNCTURISTS OF ONTARIO

Applicant

and

DAPING ZHANG

Respondent

APPLICATION UNDER Section 87 of the *Health Professions Procedural Code*, being Schedule 2 to the *Regulated Health Professions Act, 1991*, S.O. 1991, c. 18

**ORDER**

**THIS APPLICATION**, made by the Applicant for made by the Applicant, the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario (the “College”), for declarations that Daping Zhang (“Mr. Zhang”) has violated the Regulated Health Professions Act, 1991, S.O. 1991, c. 18 (the “RHPA”) and the Traditional Chinese Medicine Act, 2008, S.O. 2008, c. 27 (the “TCMA”) and for an interim and interlocutory and permanent injunction against Mr. Zhang was heard this day at the court house, 393 University Avenue, Toronto, Ontario, M5G 1E6.

**ON READING** the Applicant's Application Record, Factum, Book of Authorities, Supplementary Application Record, Reply Factum and Reply Book of Authorities, and on hearing the submissions of counsel for the College and the Respondent, attending in person, with the assistance of a translator;

1. **THIS COURT ORDERS** that that the Application be and hereby is adjourned to September 3, 2015, pre-emptory on the Respondent.

2. **THIS COURT ORDERS** that that pursuant to section 87 of the Health Professions Procedural Code, being Schedule 2 to the Regulated Health Professions Act, 1991, S.O. 1991, c. 18, until the final adjudication of the Application, the Respondent be and hereby is enjoined from, and shall immediately cease and desist:

- (a) using the title "doctor", or any abbreviation thereto, contrary to section 33(1) of the *RHPA*;
- (b) using the titles "traditional Chinese medicine practitioner" or "acupuncturist", a variation or abbreviation or an equivalent in another language, in contravention of section 8(1) of the *TCMA*;
- (c) <sup>KC</sup> holding <sup>him</sup> ~~herself~~ out as a person who is qualified to practice in Ontario as a traditional Chinese medicine practitioner or acupuncturist or in a specialty of traditional Chinese medicine, in contravention of section 8(2) of the *TCMA*;
- (d) performing controlled acts limited to members of the College, in contravention of section 3 and 4 of the *TCMA* and section 27 of the *RHPA*; and,

(e) treating and advising persons with respect to their health in circumstances in which it is reasonably foreseeable that serious physical harm may result from a treatment or advice or from an omission from them, in contravention of section 30(1) of the *RHPA*.

(f) <sup>KC</sup> from holding <sup>him</sup> herself out as a member, employee or agent of a body that she falsely represents as or knows is falsely represented as regulating, under statutory authority, individuals who practice traditional Chinese medicine or acupuncture in Ontario, in contravention of section 34(2) of the *RHPA*.

3. **THIS COURT ORDERS** that that the Respondent shall pay costs to the Applicant in respect of today in the amount of \$ 2,500.00 within 30 days.

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(Signature of Justice)

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ON / BOOK NO:  
LE / DANS LE REGISTRE NO.:

JUL 13 2015

PER / PAR: 

COLLEGE OF TRADITIONAL CHINESE MEDICINE  
PRACTITIONERS AND ACUPUNCTURISTS OF ONTARIO  
Applicant

-and- DAPING ZHANG

Respondent

Court File No. CV-15-529665

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
PROCEEDING COMMENCED AT TORONTO

**ORDER**

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