



TERMS OF REFERENCE

1. **Name:** Audit and Practice Review Committee (the “Committee”)

2. **Definitions:**

“**Board**” means the same as defined in the Bylaws.

“**Bylaws**” means the bylaws of Engineers and Geoscientists BC.

“**Electronic Means**” includes videoconference, telephone conference, and webcasting.

“**Lay Committee Member**” means the same as defined in section 21 of the PGA [Definitions].

“**PGA**” means the *Professional Governance Act*, S.B.C. 2018, c. 47.

“**Professional Registrants**” means the same as defined in section 1.1(1) of the Bylaws [Definitions].

“**Registrant**” means the same as defined in Schedule 1, section 5 of the PGA [Definitions in respect of the Association of Professional Engineers and Geoscientists of the Province of British Columbia].

“**Reserved Practice**” means the same as defined in section 1(1) of the PGA [Definitions and interpretation].

3. **Type:**

3.1 The Committee is a Statutory Committee created by the PGA established by the Board.

4. **Reporting Relationship:**

4.1 The members of the Committee are appointed by the Board.

4.2 The Committee reports to the Board in accordance with section 16 of these Terms of Reference.

5. Purpose:

5.1 To administer the Audit and Practice Review Programs for individual and firm registrants in accordance with the PGA and Bylaws

6. Authorities of the Committee:

6.1 To exercise the Committee's responsibilities, powers and duties as set out in the PGA and Bylaws.

7. Functions of the Committee:

7.1 In accordance with the PGA and Bylaws, the Audit and Practice Review Committee has the following functions:

- (a) To annually review and approve the risk criteria to be applied to the random selection process for individual registrant audits.
- (b) To review and make decisions on audit exemption applications.
- (c) To exercise and delegate, as appropriate the powers granted by the Board to the Audit and Practice Review Committee to one or more officers to review and make decisions on continuing education program exemptions.
- (d) To delegate the powers granted by the Board to the Audit and Practice Review Committee to the Registrar and one or more other officers to appoint assessors.
- (e) To adjudicate audit files for individual and firm registrants.
- (f) To adjudicate practice review files for individual and firm registrants.
- (g) To provide advice on topics for remedial courses and/or training to be delivered by or facilitated through Engineers and Geoscientists BC.
- (h) To review and make decisions regarding the suspended status of registrants for failure to complete continuing education requirements.
- (i) To review and make decisions regarding the remittance of late exemption fees related to continuing education requirements.
- (j) To review and make decisions on applications, enrolment, conditions prohibiting regulated practice, reinstatement or registrant category for firms.

- (k) To delegate the powers granted by the Board to the Audit and Practice Review Committee to the Registrar and one or more other officers to review and make decisions on applications, enrolment, conditions prohibiting regulated practice, reinstatement or registrant category for firms
- (l) To notify the Investigation Committee of an individual or firm registrant's conduct when the Audit and Practice Review Committee considers it necessary to protect the public and has reasonable grounds to believe that an individual or firm registrant's conduct constitutes:
- professional misconduct;
 - conduct unbecoming a registrant; or
 - incompetent performance of duties undertaken while engaged in the regulated practice.
- (m) To make decisions on whether to notify an appropriate authority:
- if the Audit and Practice Review Committee believes that an individual or firm registrant knowingly gave false information to the Committee; or
 - for the purpose of reporting a risk of significant harm to the environment or to the health or safety of the public or a group of people.

8. Budget:

- 8.1 Except as allocated in Engineers and Geoscientists BC's budget, the Committee has no budget authority beyond reasonable expenses for travel or ancillary expenses.

9. Membership:

- 9.1 At least seven (7) persons, one (1) of whom must be a Lay Committee Member who is not a registrant of Engineers and Geoscientists BC.
- 9.2 The majority of Committee members must be Professional Registrants (i.e., Registrants with the right to engage in Reserved Practice) pursuant to section 2.2(5.2) of the Bylaws.
- 9.3 Board members are not eligible for appointment to the Committee.

9.4 It is preferable that Committee membership include a broad range of areas of practice and at least one representative from the engineering profession and one representative from the geoscience profession.

9.5 It is preferable that registrant members have a minimum of 7 years of experience practicing in Reserved Practice.

10. Term of Office:

10.1 Appointments are normally three years and renewable twice, unless the Board deems it appropriate to extend beyond the normal terms in accordance with the Statutory Committee Term Length Policy.

11. Committee Chair and Vice-Chair:

11.1 In accordance with the Chair of Statutory Committee Position Description and Role Profile, the chair manages the meetings and function of the Committee, with the assistance of the vice-chair.

12. Frequency of Meetings:

12.1 The Committee is expected to meet frequently enough to adjudicate the ongoing audit and practice review files. At a minimum, the Committee must meet 6 times annually.

13. Quorum:

13.1 The majority of the members of the Committee, including at least one (1) Lay Committee Member.

14. Conduct of Meetings:

14.1 The Committee meets or adjourns as it sees fit, including meeting by any combination of Committee members attending in person or by Electronic Means.

14.2 On occasion, a Committee chair may communicate with all members by e-mail and, with supporting information, propose and call for a consent resolution. Committee members have the option of responding by moving, seconding or supporting the motion, or requesting that it be considered further at a meeting of the committee. A consent resolution is deemed to have been achieved if

(a) there are no negative votes,

(b) there are no calls for in-person discussion, and

(c) the number of support votes is equal to or greater than the number required for a quorum.

In the case where a member so requests, the motion is not carried, but instead brought forward for consideration at a subsequent meeting of the Committee. In the case of an urgent matter, this may occur at a special meeting conducted by Electronic Means where the normal requirements for a quorum will prevail. Any motion so carried is considered to take effect immediately and is recorded in the minutes of the subsequent Committee meeting.

15 Minutes:

- 15.1 Minutes of Committee meetings are the responsibility of Engineers and Geoscientists BC staff.
- 15.2 Minutes are confidential and distributed only to Committee members.

16 Periodic Reporting and Review of Terms of Reference:

- 16.1 The Committee shall review its Terms of Reference on an annual basis and as requested by the Governance Sub-committee, submit verification of reviews to the Governance Sub-committee.
- 16.2.1 With the assistance of staff, the Committee shall submit statistical quarterly and annual reports to the Board.

17 Staff Support:

- 17.1 Staff support is the responsibility of the Associate Director, Professional Practice and the Associate Director, Regulation of Firms.

REVISION AND APPROVAL LOG:

APPROVED BY COUNCIL:	March 3, 1994	(Minute #CO 34-94)
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